

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JUNE 06, 2023**

The Jackson County Board of Commissioners met in a Regular Session on June 06, 2023, 6:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Mark A. Letson, Chairman	Don Adams, County Manager
Todd Bryson, Vice Chair	Debra Bechtel, Interim County Attorney (Via Phone)
Mark Jones, Commissioner (Via Zoom)	Angela M. Winchester, Clerk to the Board
John W. Smith, Commissioner	
Tom Stribling, Commissioner	

Chairman Letson called the meeting to order.

(1) **AGENDA**: Chairman Letson requested to move one item to the end of the agenda: FY23-24 Budget Discussion. Commissioner Smith moved to approve the amended agenda. Commissioner Bryson seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Bryson moved to approve the minutes of a Work Session of May 09, 2023; a Special Called Meeting of May 15, 2023; and a Regular Meeting of May 16, 2023, as presented. Commissioner Smith seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman Letson stated he had the pleasure of speaking on Memorial Day at Mark Watson Park with the VFW 104<sup>th</sup>. It was a great honor and a humbling ceremony. The event was well attended.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Smith stated he received a Thank You card from Mountain Projects. He helped them with an issue they were having by requesting Sheriff Farmer send an additional patrol for extra visibility.

(b) Commissioner Stribling thanked everyone who came together for the Memorial Day celebration and dedication. Also, he thanked Sheriff Farmer for the outstanding law enforcement drug bust with EBCI and several surrounding counties.

(5) **COUNTY MANAGER REPORT**: Mr. Adams reported:

(a) **May Zoning and Building Permits**: He provided a report that listed the zoning district (if applicable), the owner/business name, the work permitted and the location of the project where the permit was issued. The Planning Department issued no permits. Code enforcement issued three commercial permits and one renovation/addition permits.

**(b) Construction Projects:**

- Animal Rescue Center/Green Energy Park:
  - Several items were identified during the punch out (final inspection) phase of the project. The major items included additional site stabilization; repairing a water leak that was discovered under the main concrete patio space; correcting drainage in all kennel spaces; correcting drainage in the main parking lot; and improving drainage at the dog park facility. All of these items had been fixed, along with the majority of other items identified.
  - The Certificate of Occupancy was issued on May 17<sup>th</sup>. The facility received final inspections and approval from the NC Department of Agriculture and Consumer Services. The facility was deemed substantially complete as of May 31<sup>st</sup>. The facility would be completely turned over to the county by the end of the week.
  - Maintenance staff would set up the remaining equipment/furniture in the facility that week. Animal Control staff was limiting open hours to the public while transitioning in the next few weeks. The goal would be to have the animals transferred by the end of the next week. Maintenance would also be completing some final site improvements that were not included in the contractor's scope of work. This work included adding stairs to access the dog park trail; adding paint to the paved access walking path to the dog park to cool the surface; adding wire fencing to storm drain piping in the dog park area; adding fencing around the retaining wall to address safety concerns; adding fencing around the methane flare; and adding fencing around the methane well heads at the top of the landfill.
  - It was anticipated that the Animal Rescue Center facility would be open in the next few weeks. The dog park and walking park would be open once maintenance finalized the items mentioned above.
- Aquatics Center: The project was 35% complete through April. Both the structural steel installation and the masonry wall installation were ongoing. Laminate beams were set and the metal and wood decking installation was ongoing.
- Domestic Violence Shelter: The architects once again came back with significant increases in estimates. This caused one final design change that would reduce the number of rooms back down to nine. The rooms would remain larger and the common space would remain the same. The Center for Domestic Peace found grant opportunities that would help offset the shortfall. The architect was scheduled to appear before the Board on June 20<sup>th</sup> for final design approval.

**(c) Miscellaneous:**

- Walk to End Elder Abuse
- Historic Courthouse: "Flags for Heroes" program placed American Flags at the Historic Courthouse for Memorial Day weekend. Thanks to the Rotary Club of Sylva for sponsoring the program and to Public Works employees for setting up the flags and landscaping.

**(6) INFORMAL COMMENTS BY THE PUBLIC:** Keith Blaine stated he believed everyone should have equal rights and equal access to all government funded facilities and services. County tax dollars should not be used to support or promote any political ideology. The Department of Public Health was actively celebrating an ideology on their Facebook page and on several county funded billboards. The Public Library was also promoting an ideology with a large display with numerous books at their entrance. Both facilities were funded with taxpayer monies. He believed government funded entities, such as these, must be politically neutral in order to promote inclusiveness and keep them focused on their true purpose in the community.

**(7) CONSENT AGENDA:** Mr. Adams stated this was a follow up. These two items were previously approved by the Board. Due to technical errors of how the vote may have taken place, it was requested by Ms. Bechtel the Board approve the following two items again:

(a) A requested approval for an application for a fireworks display at Castle Ladyhawke in Tuckasee on Tuesday, June 6<sup>th</sup>.

(b) A requested approval for \$50,000 to go toward a \$150,000 planning project for Pinnacle Park and Black Rock.

***Motion:*** Commissioner Stribling moved to approve the Consent Agenda. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.

**(8) FIREWORKS DISPLAY REQUESTS:** Tony Elders, Director of Permitting and Code Enforcement, requested approval for applications he received for fireworks displays:

(a) Saturday, July 1<sup>st</sup>: The Village Green - Cashiers

(b) Sunday, July 2<sup>nd</sup>:

- The Point – Friends of Lake Glenville
- Country Club of Sapphire Valley
- High Hampton

(c) Monday, July 3<sup>rd</sup>:

- Lonesome Valley
- Cedar Creek Racquet Club
- Chattooga Club

(d) Tuesday, July 4, 2023:

- Bear Lake Reserve
- Mountain Top Club
- Wade Hampton
- Jackson County Chamber of Commerce - Sylva

***Motion:*** Commissioner Smith moved to approve the requests for fireworks displays, as presented. Commissioner Stribling seconded the Motion. Motion carried by unanimous vote.

**(9) RESOLUTION DESIGNATING AUTHORITY TO CHAIRMAN (CDBG) R23-05:** Michael Poston, Planning Director, stated the county participated in the Community Development Block Grant (CDBG) Scattered Site Housing Program administered by the North Carolina Division of Community Assistance to improve housing for low-income individuals in the county. The CDBG Scattered Site Housing Program provided funding to enhance the vitality of communities by providing decent housing and suitable living environments for individuals.

After the rehabilitation of a home, a loan was secured by a Deed of Trust and a Promissory Note establishing a lien on the Property for a period of ten years after the recordation date. Ten years after the recording date, the loan was forgiven and the county must record a Satisfaction of Security Instrument to release the Property from the lien. He requested the Board grant authority to the Chairman to sign the Satisfaction of Security Instruments.

Mr. Adams stated this resolution had been passed by a previous Board. Ms. Bechtel recommended this item be brought back before the current Board for consideration and approval.

***Motion:*** Commissioner Bryson moved to approve Resolution R23-05 Designating Authority to the Chairman to sign the CDBG Satisfaction of Security Instruments, as requested. Commissioner Smith seconded the motion. Motion carried by unanimous vote.

(10) **ABC BOARD:** Chairman Letson stated David Noland submitted a letter stating his willingness to continue to serve as Chair of the ABC Board.

Mr. Adams stated Mr. Noland's term expired on June 30<sup>th</sup>, so he would have to be reappointed as a member and then separately as the Chair. Every year, the Chair was approved by both the County Board of Commissioners and the Sylva Town Board of Commissioners. Normally, the Town would defer to the County.

**Motion:** *Commissioner Stribling moved to reappoint David Noland to an additional three-year term on the ABC Board. Chairman Letson seconded the Motion.*

**Discussion:**

Chairman Letson stated Mr. Noland had been serving for a long time and he was confident in his abilities.

Commissioner Smith stated he was not questioning Mr. Noland's ability, because he had been serving a long time. The Commissioners received another application and they may want someone else rotated in.

Chairman Letson stated there were two other county appointments on the ABC Board up in 2024 and 2025.

*Motion carried by a 4-0 vote. Commissioner Bryson did not vote resulting in an affirmative vote.*

**Motion:** *Commissioner Stribling moved to reappoint David Noland to an additional one-year term as Chair of the ABC Board. Chairman Letson seconded the Motion.*

**Discussion:**

Mr. Adams stated Commissioner Jones could not make up a quorum and he could not be the deciding vote because he was participating remotely.

Ms. Bechtel stated the only way a Commissioner could not vote would be if they were excused pursuant to a statutory reason. Absent such a reason, a non-vote was considered a "yes".

Mr. Adams stated not voting was also in the Jackson County Rules of Procedure to be recorded as an affirmative vote when it was not heard or audibly stated.

*Motion carried by a 3-1 vote. Commissioner Smith voted "nay" and Commissioner Bryson did not vote, resulting in an affirmative vote.*

Commissioner Jones could not vote since he was participating remotely.

(11) **PLANNING BOARD:** Chairman Letson stated the Planning Board unanimously recommended Nathan Shepherd serve as Vice Chair.

**Motion:** *Commissioner Smith moved to appoint Nathan Shepherd to serve as the Vice Chair of the Planning Board. Commissioner Stribling seconded the Motion. Motion carried by unanimous vote.*

(12) **SOUTHWESTERN COMMUNITY COLLEGE BOARD OF TRUSTEES:**  
*Carry over.*

**(13) TRANSIT ADVISORY BOARD:**

***Motion:*** *Commissioner Stribling moved to reappoint Kevin Tafoya to serve an additional three-year term on the Transit Advisory Board. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.*

**(14) FY 23-24 BUDGET DISCUSSIONS:** Mr. Adams stated the next budget meeting would be on June 8<sup>th</sup> at 9:00 a.m. The proposed FY 23-24 budget could be found at jacksonnc.org under the Finance Department. It was up to the Board to make any final decisions after the public hearing, which was held prior to the meeting.

He recommended the Board review the following documents, which contained more clarification on specific recommendations. He provided the Board with the final version of the following documents:

- Requested Capital, Capital Improvements and Personnel
- Nonprofit Information
- Schedule

He noted a law was passed that restricted the types of boards Commissioners could sit on as it related to how those boards were funded. This restricted Commissioners from voting on those funds. Staff previously vetted all of the boards Commissioners were on and the only board that applied to the new law was the Mountain Projects Board.

The Mountain Projects request would have to be taken out from the overall budget. Four of the Commissioners would have to vote on that item separately. This would allow for full participation in the overall budget for all Commissioners.

Ms. Bechtel added with this item, the four Commissioners voting would have to vote to excuse that Commissioner from voting because he served on the board. Then, that Commissioner would be excused appropriately and statutorily.

General discussions were held.

*Informational item.*

**(15) PRESS CONFERENCE:** None.

There being no further business, Commissioner Smith moved to adjourn the meeting. Commissioner Stribling seconded the Motion. Motion carried and the meeting adjourned at 7:05 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Mark A. Letson, Chairman