

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANAURY 22, 2013**

The Jackson County Board of Commissioners met in a Regular Session on January 22, 2013, 6:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Mark Jones, Commissioner
Charles Elders, Commissioner
Vickie Greene, Commissioner

Chuck Wooten, County Manager
J. K. Coward, Jr., County Attorney
Pat Parris, Clerk to Board

Chairman Debnam called the meeting to order.

AGENDA: Chairman Debnam amended the Agenda by adding Closed Session G. S. 143-318.11(a)(5) Real Property. Commissioner Jones moved to approve the amended Agenda. Commissioner Elders seconded the Motion. Motion carried.

MINUTES: Commissioner Elders moved to approve the Minutes of the January 3 Retreat and Regular Meeting of January 7, 2013. Commissioner Cody seconded the Motion. Motion carried.

(1) **CHAIRMAN'S REPORT:** Chairman Debnam reported that a joint meeting with the Municipalities has been scheduled for February 4th at the Aging Center/Heritage Room at 5:30 pm to discuss economic development. He distributed a summary of Commissioners actions during 2012.

(2) **COMMISSIONER REPORTS:** Commissioner Greene reported that she attended the Essentials of County Government training on January 9th & 10th which included the required Ethics class. Commissioner Jones stated that according to a DOT report there were 61 weather related slides within the last week in the 7 western county areas and requested that a summary of slide details be made at the next Commissioners' meeting.

(3) COUNTY MANAGER REPORT: Mr. Wooten reported:

(a) ECU Dental Clinic: Unfortunately, the construction of the clinic has not begun because of complications with being able to give the low bidder notice to proceed. The actual transfer of property was not approved by the State Property Office until the 60 day period for holding bid prices had lapsed. The low bidder withdrew their bid for both projects in Sylva and Lillington. The second low bidder agreed to honor their bid price for the Lillington project but declined to honor their bid price for the Sylva project. The third lowest bidder did agree to honor their bid price for the Sylva project and the appropriate paperwork has now been submitted to State Construction and contracts should be in place within 60 days. Realizing this project is starting in middle of the winter, the construction period has been extended from 8 months to 10 months; consequently, unless the unexpected happens, this project should be completed by the end of December 2013.

(b) Cashiers/Glenville Recreation Center: This facility is off to a great start. After the first full week of operation, 400+ memberships were sold and the building is being used by the community. Positive comments continue about the functionality of the building and the community continues to have a sense of excitement and pride.

(c) Space for Expanded Senior Programs in Cashiers: He met with Dan Duckham and reviewed the space and identified the major renovations that are needed to re-locate the senior programs to the first floor and SCC will continue to utilize the lower level of the house. The major point of emphasis will be to provide handicapped accessible restrooms as well as access throughout the house. He will also be evaluating the HVAC system and most likely it will need replacement. He also discussed the conversion of the garage to a satellite office for the Sheriff's Department and Mr. Duckham is working on some ideas for this space. Hopefully, bids can be solicited in the next 30 days so renovations can be completed by early spring.

(d) Senior Center Director: A sub-committee consisting of he, Danielle Wittekind, and three members from the Council on Aging has been formed. Applications are being reviewed and hopefully the finalists can be identified and interviewed over the next two weeks. It is anticipated that a recommendation will be made to the Commissioners for consideration at the second meeting in February.

(e) Southwestern Planning Board (Region A) Meeting: The quarterly meeting will be on January 28, 2013 at the Chestnut Tree Inn in Cherokee with dinner beginning at 6:30 pm followed by the business meeting at 7:00 pm. Congressman Mark Meadows will be the guest speaker for this event.

(f) Roundtable Discussion with Senator Jim Davis: Commissioners Debnam, Cody and he attended the discussion last Tuesday in Franklin. All counties in Region A were represented. The discussion focused on economic development, jobs, impact of the state budget to local governments, local mental health entities, last mile of fiber for internet access, and newly appointed cabinet members in Governor McCrory's administration. At the request of Senator Davis, he will be following up with some additional information about the County's concerns for internet access.

(g) Transfer Station Fire – November 30th: He has had several discussions concerning the November 30, 2012 fire at the transfer station which destroyed a trailer and caused minor damage to the facility. Some improvements have been identified for after-hours access to the facility and negotiations are underway with the insurance provider over the damage claim. Jay Coward, Chad Parker and he met with the solid waste hauler, Randy Kinsland, to discuss his company's trailer that was destroyed. Hopefully, this issue can be resolved in the near future.

(h) County Flag: The finalists identified by the sub-committee have been on display this month for the public to review. He asked the Board how it wanted to proceed with this issue.

(i) Region A County Managers Meetings: Ryan Sherby, Region A Executive Director, has invited county managers in Region A to meet as group on a quarterly basis and the first meeting will be on January 31st. This will be a good opportunity for this group to share problems and concerns.

(4) CONSENT AGENDA: Darlene Fox, Finance Director, presented the November and December 2012 finance/tax collector/refund reports for approval.

Motion: *Commissioner Elders moved to approve the consent agenda. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(5) MOUNTAIN PROJECTS SUBRECIPIENT AGREEMENT: The Agreement provides that the \$600,000 CDBG grant will be paid over to Mountain Projects for the purchase of The Reach Village Apartments located at 75 Plum St., Sylva, NC. Mountain Projects agrees to maintain the units as affordable housing for a period of twenty years (January 2012 – January 2032).

Motion: *Commissioner Elders moved to approve the agreement. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(6) AIRPORT AUTHORITY: Mike Schoonover, Airport Manager, presented a letter he received from the NCDOT Aviation Division informing him that VISION 100 funds in the amount of \$150,000 have been allocated under the State Aid to Airports Block Grant Program for federal fiscal year 2011-12 for the Jackson County Airport contingent upon appropriation of local funds in the amount of \$16,667. He stated the funds will be used for airfield improvements. Mr. Wooten stated the County appropriated \$31,000 in the FY2012-13 budget.

Motion: *Commissioner Jones moved to appropriate \$16,667 from the contingency fund which will be used for airport improvements. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(7) SEDIMENT CONTROL COMMISSION - MEMORANDUM OF AGREEMENT: Tony Elders, Permitting & Code Enforcement Director, stated the purpose of the agreement is to clarify the roles of the County and the NC Sedimentation Control Commission for enforcement of the Sedimentation Pollution Control Act of 1973 and N.C.G.S. Ch. 113A and any rules adopted pursuant to the Act. The County has an existing local program and an ordinance approved by the NC Sedimentation Control Commission.

Motion: *Commissioner Jones moved to approve the Memorandum of Agreement. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(8) HOME DELIVERED AND CONGREGATE MEALS: Helen Bryson, Dept. on Aging Director, stated that Dept. on Aging nutrition services are provided through a federal grant and the amount remains relatively the same from year to year while the cost of meals increases each year. Services include:

Congregate Meals: The number of older adults attending the congregate meals increased by 31% from July 2011 to July 2012 and 25% from December 2011 to December 2012. The current average is 67 meals per day. In order to sustain the current level of meals, an additional \$14,000 is needed to continue these services through June 2013. For FY2013-14, an additional \$28,000 will be needed to meet the growing demand for congregate meal services.

Home Delivered Meals: The program is for homebound residents age 60 or older who are unable to prepare meals because of age, medical conditions, or other disabilities, and have no one to prepare meals for them. Volunteers who donate their time and transportation to deliver the meals help make this program possible. The current budget allows for 80 older adults and there are currently 43 on the waiting list. With limited staffing and volunteers, it would still be possible to add 30 residents to the program. The cost of providing meals for these services through June 2013 is \$15,000. For FY2013-14, an additional \$36,000 will be needed.

The older adult population continues to grow and the ability to meet their needs is largely dependent on financial support from the County. Nutrition services cost \$4.75 per meal. These services, along with other community programs, delay nursing home placement for older adults. The cost to Medicaid is \$165.00 for one day in a nursing home.

Carry over.

(9) DUKE ENERGY LEASE AGREEMENT: Gerald Green, Planning Director, submitted a Lease Agreement with Duke Energy for the purpose of constructing and maintaining an extension of the Tuckasegee River greenway and includes one end of a pedestrian foot bridge spanning the Tuckasegee River at the Locust Creek Access Area for recreational use. The Lease Agreement is for the consideration of the sum of \$10.00 for a term of 30 years, the County will assume maintenance, and Duke will build a restroom facility on the property.

Motion: *Commissioner Cody moved to approve the Lease Agreement. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(10) **BEAR LAKE DEVELOPMENT AGREEMENT ORDINANCE:** Gerald Green, Planning Director, presented a summary of the Bear Lake development agreement:

Development Agreement Requirements:

- Time period of 20 years
- Development subject to current local ordinances
- Not subject to ordinances enacted subsequent to approval of development agreement
- County must conduct annual review for compliance
- Development agreement must be recorded and is binding on subsequent owners

Bear Lake Reserve Development:

- Located off Shook Cove Road, adjacent to Bear Creek Lake
- Approximately 2,000 acres
- Approximately 400 acres in conservation easement (includes golf course)
- Three phases
- 914 dwelling units proposed
 - Mix of estate lots, cottages, and condominiums
 - Mix of housing types not final but number of dwelling units not to exceed 914
- Minimum lot size is 1 acre
- 30 lots sold, 170 lots remain
- Public water system permitted by NCDENR
- Individual septic systems will serve lots
- Development subject to restrictive covenants that meet or exceed current County standards
- Some roads have been constructed; others will be constructed to serve future development. Roads will meet current County standards.

Chairman Debnam scheduled a Public Hearing on February 4 at 1:45 p.m.

(11) **PARTF GRANT RESOLUTION (R13-02):** Gerald Green, Planning Director, submitted a Resolution in support of a PARTF Grant Application for \$435,000 to assist in funding the cost of construction of Phase 1 of the Tuckaseegee River Greenway. Further, the County commits to the provision of matching funds required for the project.

Motion: *Commissioner Greene moved to adopt the Resolution. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(12) **FIREMAN'S RELIEF FUND BOARD OF TRUSTEES:**

Motion: *Commissioner Cody moved to reappoint B. B. Cantrell to a 1-year term on the Balsam VFD Fireman's Relief Fund Board of Trustees. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

Motion: *Commissioner Jones moved to reappoint Darren Messer to a 1-year term on the Canada VFD Fireman's Relief Fund Board of Trustees. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

Motion: Commissioner Elders moved to reappoint Phillip Farmer to a 1-year term on the Cashiers VFD Fireman's Relief Fund Board of Trustees. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

Motion: Commissioner Greene moved to reappoint Grady Parker to a 1-year term on the Cullowhee VFD Fireman's Relief Fund Board of Trustees. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

Motion: Commissioner Elders moved to reappoint Nick Stewart to a 1-year term on the Qualla VFD Fireman's Relief Fund Board of Trustees. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

Motion: Commissioner Jones moved to reappoint Jessica Buchanan to a 1-year term on the Savannah VFD Fireman's Relief Fund Board of Trustees. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

Informal Comments by Public:

Dick Darnell of Cashiers stated there is no need to amend the Steep Slope Ordinance.

Press Conference

CLOSED SESSION:

Motion: Chairman Debnam moved that the Board go into closed session pursuant to G.S. 143-318.11(a)(5) Real Property. Commissioner Jones seconded the Motion. Motion carried.

Chairman Debnam called the regular meeting back to order and stated no action was taken in closed session except approval of closed session minutes.

AGENDA AMENDMENT: Chairman Debnam moved to amend the Agenda by adding Jackson Plaza Property. Commissioner Greene seconded the Motion. Motion carried.

(13) **JACKSON PLAZA PROPERTY**: Emma Properties LLC has submitted an offer to purchase County property located in Jackson Plaza.

Motion: *Commissioner Greene moved that the County submit a counter offer in the amount of \$157,895. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Jones moved to adjourn the meeting. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 8:30 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman