

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 5, 2013**

The Jackson County Board of Commissioners met in a Regular Session on August 5, 2013, 2:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

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

Chuck Wooten, County Manager
J. K. Coward, Jr., Co. 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 Elders moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Greene moved to approve the Minutes of two Public Hearings and Regular Meeting of July 1, 2013. Commissioner Cody seconded the Motion. Motion carried.

(1) COMMISSIONER REPORTS: Commissioner Greene reported that she attended a meeting earlier today with the Dillsboro Merchants Association and heard first hand just how desperate they are to have some additional feet coming through Dillsboro. She also announced that the Jackson County Airport Authority will be having an open house on a Saturday in October so citizens can see what is available at the airport.

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

(a) Macon County Boundary Request: Several months ago, Commissioner Jones and he met with Macon County Commissioner Tate and County Manager Horton at their request to discuss the Jackson/Macon County line in the Highlands area. Commissioner Tate had received several questions about whether a permit should be obtained in Macon or Jackson based on the information on the web sites. It was agreed to ask the tax and mapping personnel to review current tax maps and identify any potential problem areas that might exist. Bobby McMahan asked Leanne Tate to take on this project. Ms. Tate identified a few parcels that needed further discussion between the two county tax departments and she was attempting to set up a meeting with Macon County to review her work. In the meantime, Macon County invited representatives from the NC Geodetic Survey to a meeting to discuss their services. This state department can conduct a survey of county lines if the two counties jointly request their services. The services are provided at no cost to counties. Rather than allowing the two tax offices to seek a compromise, Macon County has now adopted and submitted a resolution asking for a survey of the Jackson/Macon line and has submitted this resolution to Jackson County for similar action. He plans to invite representatives from the NC Geodetic Survey Office to the work session on August 19th to discuss the process as well as the need for the formalized survey. If Jackson chooses to join Macon and ask for their services, the project will probably take at least 12 months based upon their current workload. The final outcome is non-binding unless both counties jointly agree to the line. Based on the work of the tax office, they do not believe there will be a lot of movement to the line.

(b) Volunteer Policy: He is researching other local governments to identify existing volunteer policies that are in place. Counties utilize many volunteers to assist with a number of programs and activities and it would be in the best interest of the county to have a policy in place to guide this process. In all likelihood, he will be recommending a background check for volunteers to confirm they are not placed with someone or into a situation that is not appropriate. Unfortunately, in today's world everyone must proceed with an abundance of caution especially since volunteers are used in two of the most vulnerable segments of the population, youth and senior citizens. Having a policy does not suggest that people are not qualified to serve; rather, it provides a level of protection to volunteers, the county and most importantly, to the population they serve.

(c) Cashiers ABC Store: The NC ABC Commission approved the proposed site for the Cashiers store and the Jackson County ABC Board has instructed the landlord to move forward with the store construction in hopes that an early 2014 delivery will be possible.

(d) Residential Building Permits: The county continues to see a very positive trend in residential building permits. Through the first six months of 2013, a total of 80 permits for new residential construction were issued as compared with 67 for the same time during 2012. Of the 80 permits, 27 were for homes over 4000 sq ft or with a permit value of \$400,000. The permit total of 80 is greater than any county west of Buncombe.

(e) 2013-14 Tax Rate Survey: The North Carolina Association of County Commissioners has released their annual survey of tax rates in North Carolina. Jackson County continues to have the second lowest tax rate of \$.28 while Macon has the lowest at \$.279. The Macon rate does not include their fire tax. Utilizing a sale to assessment ratio, Jackson County had a ratio of 139.8% meaning that sales were 39.8% less than the current tax value. If this were a revaluation year then the revenue neutral tax rate would have been \$.3914. This again demonstrates the challenge the county will have in 2016 with the implementation of the next revaluation. Fortunately, the margin has declined to 131% through June. Hopefully, with the improved real estate market the county will see the margin further reduced between now and January 2016.

(f) Dental Clinic: Based upon a recommendation from the Health Director, the Board of Health authorized a reduction in the dental clinic to 4 days per week effective immediately. The clinic has realized a continuing decline in the number of patients and the operation was on a pace to incur an annual \$200,000 deficit. This deficit would have to be covered by other health revenues that could be utilized to support other programs. The clinic had planned to close with the opening of the ECU Dental Clinic in April 2014; however, the clinic may close prior to that date if revenues do not improve. The Board of Health plans to revisit this situation at the next meeting. Three full time county employees are impacted by this decision as well as two contract dentists.

(g) Economic Development Director: The search committee is currently reviewing applications for this job and will meet on Friday, August 9th to identify finalists for interviews.

(h) Recreation Director: A search committee will be formed and applications will be reviewed over the next month. Hopefully, a new director can be on board before October 1st.

(i) North Carolina FY 13-14 Budget: The state budget has been adopted and for the most part it will have a minimal impact on the basic county operations. Unfortunately, the statutory commitment of a portion of the lottery proceeds for school capital construction was removed. The overall allocation remained at \$100 million; however, this amount is subject to legislative appropriation each budget year.

(j) Revolving Loan Application: VistaNet, a new high speed wireless internet provider, has submitted a loan application for consideration. He will schedule a meeting of the loan committee (Commissioners) to review the application and hear from the applicant on August 19th at 1:30 pm.

(k) AT&T Expansion: He met with representatives from AT&T and was informed of their planned expansion of towers and wireless service in Jackson County. This is part of a corporate expansion program as they expand their footprint of service throughout the state.

(l) Dick's Creek Slide: On July 4th, this area sustained a large landslide that fortunately did not damage any homes or other real property. The road was closed for a short period of time until NCDOT could remove the debris that had accumulated on their bridge. Residents of this area have expressed concern about the debris dams that formed along Dicks Creek and a meeting with appropriate agencies was held on Saturday, August 3rd with the homeowners. The agencies are in agreement that there is no imminent danger from this debris; however, it is very unsightly. Unfortunately, there are no funding programs to assist the homeowners with this clean-up.

(m) Justice Center Space Programming: He met with Judge Letts, County Attorney Coward, and representatives from the Sheriff's department to discuss the continuing space issues with the lack of a third court room. Judge Letts would very much like the county to consider commissioning a study of the current space to determine if a third courtroom could be constructed and overall safety could be improved. A tentative informational meeting with the architects who designed the Haywood County Courthouse has been set for August 29th. Hopefully all non-court activities can be relocated from the second floor of the courtroom end of the Justice Center over the next 12 to 18 months which would allow a reconfiguration of the existing space.

(n) Jackson County Library: Karen Wallace of Fontana Regional Library has announced that Dottie Brunette will be retiring by year end and they have formed a search committee.

(o) Election Law Change: Effective with the 2018 election, paper ballots or an electronic voting system that will produce a paper ballot will be required. Unfortunately the county's current system does not produce a paper ballot. Unless the law is rewritten or modified between now and 2018, the current electronic voting system will be obsolete and it will cost approximately \$250,000 to update/replace.

(p) Advantage West: He will be traveling to Atlanta on Wednesday along with Macon and Cherokee County representatives to meet with some property developers and make a pitch about why they should come and take a look at Jackson County for business development.

(3) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented Finance, Tax Collector and Refund Reports for June 2013 and three budget amendments.

(b) Tony Elders, Director of Permitting & Code Enforcement, presented a request for a fireworks display at a wedding on August 17th, 9:30 pm at Castle Ladyhawke.

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

(4) FRIENDS OF LAKE GLENVILLE: Carolyn Franz, President, stated that "Friends of Lake Glenville" was incorporated in 1988 as a 501c3 non-profit corporation. It is a volunteer organization and currently has 340 members. The mission is to preserve and protect the natural beauty and integrity of Lake Glenville as an important asset in Jackson County. The organization monitors the lake ecology and environment, shoreline management, boat safety, and maintains relationships with Duke as the Lake's owner, Jackson County and other interested parties. Water programs include stream sampling since 1994, lake measurements since 1996, algae sampling for four years, and stream turbidity measurement for three years. The association hosts an annual July 4th fireworks display and "Groovin' on the Green" which showcases local musicians.

(5) ORDER OF COLLECTION (R13-17): Mr. Wooten explained that an Order of Collection authorizes, empowers and commands collection of taxes set forth in the tax records filed with the Tax Administration and deliver receipts to the County. An Order of Collection must be considered by the Board annually so the Tax Collector can take whatever steps are necessary to collect taxes. An Order of Collection has the same effect as a court judgment against the jurisdiction's taxpayers, meaning tax collectors may use collection remedies against personal property such as attachment and garnishment and levy without additional involvement by the courts.

Motion: Commissioner Elders moved to approve the Order of Collection. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

(6) EMERGENCY OPERATIONS CENTER: Mr. Wooten presented an architectural and engineering services proposal from Odell Thompson for the new Emergency Operations/911 Call Center. The facility would consist of approximately 4,800 sf.

Design development	\$17,500
Contract documents	35,000
Bid/negotiations	3,400
Construction contract administration	<u>14,000</u>
	\$ 70,000

Motion: Commissioner Cody moved to accept the proposal with funding from the Emergency Management Capital Project Fund. Commissioner Jones seconded the motion. Motion carried by unanimous vote

(7) NCACC VOTING DELEGATE: Commissioner Cody stated that due to a travel conflict, it is necessary that he resign from the designation as a voting delegate at the 106th Annual NCACC Conference.

Motion: Commissioner Greene moved to accept Commissioner Cody's resignation and designate Commissioner Elders to serve as Jackson County's voting delegate at the 106th NCACC Annual Conference. Commissioner Jones seconded the motion. Motion carried by unanimous vote

(8) GREENWAY AGREEMENT WITH TWSA: Tuckaseegee Water & Sewer Authority has agreed to enter into an agreement permitting the County to use TWSA sewer easements in connection with the Greenway Master Plan.

Motion: Commissioner Greene moved to approve the Agreement. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(9) JUSTICE ASSISTANCE GRANT: Major Shannon Queen reported that the Sheriff's Office applied for a \$10,802 federal grant which will be used to update electronic surveillance equipment utilized in undercover operation. The grant information has been made available for public review for 30 days and no public comments were made. The grant does not require Board approval or a local fund match.

(10) GOVERNOR'S HIGHWAY SAFETY PROGRAM RESOLUTION (R13-18): Major Shannon Queen requested that the Board adopt a resolution for a \$20,000 grant through the Governor's Highway Safety Program Regional Law Enforcement Liaison (LEL). The grant funds will be used to purchase equipment and air cards for patrol officers to access the citation database in the field and pay for LEL travel. The grant does not require a local match.

Motion: Commissioner Jones moved to adopt the resolution. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.

(11) SOCIAL SERVICES BOARD:

Motion: *Commissioner Cody moved to appoint Juanita Burrell to a 3-year term on the Social Services Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(12) JURY COMMISSION: The Clerk of Court recommended that Norma Clayton be appointed to a two year term.

Motion: *Commissioner Jones moved to appoint Norma Clayton to a 2 year term on the Jury Commission. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(13) CULLOWHEE STEERING COMMITTEE: Previously it was the consensus that the committee consist of 9 members. Five recommendations were made at the last meeting: Myrtle Schrader, Scott Baker, Arnold Ashe, Jeff Brotherton and Commissioner Greene. Commissioner Cody recommended Mike Wade. Mark Lord has agreed to serve as WCU's representative. Chairman Debnam recommended Rick Bennett and Mike Clark to serve as at-large members. Gerald Green, Planning Director, will assist the committee in a non-voting capacity.

Motion: *Commissioner Jones moved to appoint Myrtle Schrader, Scott Baker, Arnold Ashe, Jeff Brotherton, Commissioner Greene, Mark Lord. Mike Wade, Rick Bennett and Mike Clark. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(14) PLANNING BOARD:

Motion: *Commissioner Greene moved to appoint Dickie Woodard to fill the unexpired term of Mark Jamison on the Planning Board. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(15) SOUTHWESTERN COMMUNITY COLLEGE: The Macon County Board of Commissioners appointed Jeff Cloer as a Macon County representative contingent upon approval by Jackson County.

Motion: *Commissioner Elders moved to confirm the appointment of Jeff Cloer for a 4-year term on the SCC Board of Trustees. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

Public Comments:

(a) **Marie Leatherwood** of Sylva stated she has concerns with all documents relative to a loan to GSMR.

(b) **Brenda Anders** of Dogwood Crafters of Dillsboro stated they have been in operation in Dillsboro since 1976 with membership ranging from 80-100 each year. Dogwood provides entertainment for residents and offers the opportunity for members to supplement their monthly income. People work at Dogwood on a volunteer basis and it is an outlet for them to be with the public instead of being shut in at home. Dogwood offers free craft teaching classes. In June she counted the days the train came to Dillsboro versus the days it did not. When the train came she had just over a \$3,000 increase. So it does make a difference about the train. There are several empty shops just waiting for somebody to open a shop in Dillsboro. Those shops are not empty because the train left, they are empty because prior owners either retired or left for other reasons. Shop owners are ready for someone to help them make the town the way it once was.

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.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Greene seconded the Motion. Motion carried and the meeting adjourned at 3:45 pm.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman