

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
NOVEMBER 19, 2015**

The Jackson County Board of Commissioners met in a Regular Session on November 19, 2015, 6:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Mark Jones, Vice Chair  
Charles Elders, Commissioner  
Vicki Greene, Commissioner  
Boyce Deitz, Commissioner

Chuck Wooten, County Manager  
Angela M. Winchester, Clerk to Board  
Heather C. Baker, County Attorney

Chairman McMahan called the meeting to order.

**(1) AGENDA:** Chairman McMahan amended the agenda by adding:

- (a)** Shook Cove Access Area Lease Agreement
- (b)** Set a public hearing for Chinquapin Development Agreement

Commissioner Elders moved to approve the Agenda. Commissioner Jones seconded the Motion. Motion carried.

**(2) MINUTES:** Commissioner Elders moved to approve the minutes of a Joint Meeting with the Health Board of October 29, 2015 and a Regular Meeting of November 05, 2015. Commissioner Deitz seconded the Motion. Motion carried.

**(3) COMMISSIONER REPORTS:**

Commissioner Greene stated that Commissioners had several opportunities to honor veterans with a Veteran's Day Parade, which was organized by David Plaster, County Service Director; a ceremony at Southwestern Community College, featuring Congressman Mark Meadows; and the rededication of the World War II monument in Webster, where Mayor Nick Breedlove has done a great job of bringing Webster to the fore. She applauded everyone involved in those activities.

**(4) COUNTY MANAGER REPORT:** Mr. Wooten reported:

**(a) Director of Planning Search:** They were unsuccessful in attracting the top candidate for the Planning Director position so they have gone back to the original pool and are communicating with other qualified candidates with hopes of bringing other candidates to the county during the first week of December for an interview.

**(b) Cullowhee Bridge Project:** As part of the bridge project, a sidewalk has been included on the north side of old Hwy 107 extending from the WCU campus to the current location of Cullowhee Café. NCDOT will not assume responsibility for maintenance of sidewalks and look to local governments for this responsibility. WCU has agreed to accept responsibility from campus to the bridge and small sections extending down Monteith Gap Road. NCDOT has asked if the county would assume responsibility from the north side of the bridge to the Cullowhee Café. The sidewalks will be part of the project and do not require any financial participation; however, if a maintenance agreement is not approved then the sidewalk will be removed from the project. The road would have curb and gutters thus a sidewalk could be added in the future; however, NCDOT would not participate in the cost of the project.

(c) **Cullowhee River Park:** He received copies of the conceptual design study and economic impact study for this project which is being facilitated by CURVE. CURVE would like to see this project added to the recreation priority list and has also presented this concept to the Recreation Advisory Committee. Copies of both studies would be in his office for review.

(d) **Locust Creek Pedestrian Bridge:** This project continues to move forward. The micro-piles have been completed and the concrete work on the bridge abutments have begun. The cost of the micro-piles was \$15,180 less than the allowance so this amount will be returned in the form of a contract credit.

(e) **Ground Breaking for Turf Field at Smoky Mountain High School:** A tentative date of December 3<sup>rd</sup> at 10:00 a.m. has been established for the ground breaking ceremony for this project. An invitation will be forthcoming from the Board of Education.

(f) **Frank Allen Road:** He continued to stay in touch with NCDOT about possible resolutions to the flooding problems with this road when experiencing periods of heavy rainfall. NCDOT continues to believe that the level of the Cashiers Lake is preventing the flow of water into the lake and the rain backs up until it can be absorbed into the ground. This position is supported by the report that the Georgia Tech Engineering Class conducted last spring. Hopefully, a meeting between the owner of the lake, NCDOT, and the county can take place in the next couple of months to begin discussing a means to address this flooding.

**(g) Upcoming Meetings:**

November 23<sup>rd</sup>: Region A, Boiler Room in Franklin with dinner starting at 6:30 pm

November 24<sup>th</sup>: Field Trip to tour Chiquapin Sub-division leaving Justice Center at 10:00 am

December 4<sup>th</sup>: Albert-Carlton Library Grand Opening of the expanded bookstore at 1:00 pm

December 10<sup>th</sup>: Public Hearing and Formal Hearing on Cell Tower Application – Depart Justice Center at 9:00 am

December 17<sup>th</sup>: December Commissioners Meeting at 4:00 pm

**(5) INFORMAL COMMENTS BY THE PUBLIC:**

(a) Carl Iobst of Cullowhee stated that an increased tax rate will not be good. Also, he disagrees with the Justice Center Security Ordinance.

**(6) CONSENT AGENDA:**

(a) Darlene Fox, Finance Director, presented the Finance Report for October, 2015, and three Budget Ordinance Amendments for fiscal year ending June 30, 2016, for approval.

(b) Brandi Henson, Tax Collector presented, Tax Collector and Refund Reports for October, 2015, for approval.

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

(7) **SCHEDULE OF VALUES FOR 2016:** Chairman McMahan stated that a public hearing was held on November 19, 2015 at 5:40 p.m., where public comment was received.

***Motion:*** Commissioner Greene moved to adopt the proposed Schedule of Values for 2016. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

(8) **CDBG SCATTERED SITE HOUSING PROGRAM:** Mr. Wooten stated the original plan for the CDBG Scattered Site Housing Program was to rehabilitate four units and included in the application was a local emergency option. On the local emergency option, items up to \$5,000 can be fixed. One of the four clients scheduled for rehabilitation did not respond in time to have the work done on her home. So a total of three homes were rehabilitated and one septic tank was replaced with the help of the local emergency option. He requested that a public hearing be set.

**Motion:** *Commissioner Greene moved to set a public hearing on December 17, 2015 at 3:50 p.m. to be held at the Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(9) **SHOOK COVE ACCESS AREA LEASE AGREEMENT:** Mr. Wooten presented the agreement and stated it would complete the river access points with Duke Energy. This agreement is consistent with the other agreements between the county and Duke Energy, which allows for significant river access throughout the county. Ms. Baker had reviewed the document and it was ready for consideration by the Commissioners.

**Motion:** *Commissioner Jones moved to approve the Lease Agreement with Duke Energy for the Shook Cove Access Area. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(10) **CHINQUAPIN DEVELOPMENT AGREEMENT:** Chairman McMahan stated that the owners of Chinquapin Development had requested a modification in the agreement they have with the county. They are requesting to increase the number of lots within the development. He requested that a public hearing be set.

**Motion:** *Commissioner Deitz moved to set a public hearing on December 10, 2015 at 10:30 a.m. to be held at the Albert Carlton-Cashiers Library, Cashiers, North Carolina. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(11) **JUSTICE CENTER SECURITY ORDINANCE AMENDMENT:** Chairman McMahan stated that a public hearing was held on November 19, 2015 at 5:50 p.m., where they received public comment.

**Motion:** *Commissioner Jones moved to adopt the Justice Center Security Ordinance Amendments as presented. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(12) **TOURISM DEVELOPMENT AUTHORITY:** *Carry over.*

(13) **HISTORIC PRESERVATION COMMISSION:** *Carry over.*

(14) **CASHIERS PLANNING COUNCIL:**

**Motion:** *Commissioner Jones moved to reappoint Ann McKee-Austin to serve another three year term on the Cashiers Planning Council, term to expire on December 31, 2018 and to appoint Sally Peterkin as Vice-Chair. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(15) **RECREATION AND PARKS ADVISORY BOARD:** *Carry over.*

(16) **HEALTH BOARD:** *Carry over.*

(17) **TUCKASEIGEE WATER AND SEWER AUTHORITY:** *Carry over.*

(18) **JOINT COMMITTEE WITH HEALTH BOARD:** *Carry over.*

(19) **PRESS CONFERENCE:** None

**(20) CLOSED SESSION:**

***Motion:*** *Commissioner Elders moved that the Board go into closed session pursuant to G.S.143-318.11(a)(3) Legal and G.S.143-318.11(a)(5) Real Property. Commissioner Jones seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session except the approval of the Closed Session Minutes of November 05, 2015 and November 17, 2015.

**(21) AGENDA:** Chairman McMahan moved to amend the agenda to add an item for the Goodson Property. Commissioner Elders moved to approve the amendment to the Agenda. Commissioner Jones seconded the Motion. Motion carried by a vote of 4-1, with Commissioner Deitz voting “nay”.

**(22) GOODSON PROPERTY:** Chairman McMahan stated this was a piece of property adjoins the historic courthouse property owned by Hart and Sara Goodson, with an asking price of \$75,000 and a 60 due diligence period. (PIN #7641-07-0630).

***Motion:*** *Commissioner Elders moved to proceed forward with the Offer to Purchase and Contract for PIN #7641-07-0630, with a purchase price of \$75,000 and a due diligence period of 60 days. Commissioner Jones seconded the Motion. Motion carried by a vote of 4-1, with Commissioner Deitz voting “nay”.*

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:07 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman