

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 06, 2017**

The Jackson County Board of Commissioners met in a Regular Session on November 06, 2017, 3:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Charles Elders, Vice Chair
Boyce Deitz, Commissioner
Mickey Luker, Commissioner
Ron Mau, Commissioner

Don Adams, County Manager
Heather C. Baker, County Attorney
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order.

(1) NC EXTENSION ASSOCIATION OF FAMILY AND CONSUMER SCIENCE

AWARD: Chairman McMahan stated that seven ladies, along with the FCS Agent, Sherrie Peeler, received state recognition at the August 2017 meeting of the North Carolina Extension Association of Family and Consumer Sciences.

The county recognized their extraordinary efforts of unselfishly giving 3,300 volunteer hours, valued at \$79,662, to enhance the Family and Consumer Sciences programs at the Extension Center. These ladies attended NC Safe Plates, taught home food preservation classes, prepared many community meals, assisted with “Camp Mimi” a summer day camp for young children in the county, taught sewing, beading and cross-stitch classes.

Chairman McMahan presented the Master Family and Consumer Sciences Volunteer Award for outstanding volunteer service to Jackson County Cooperative Extension FCS programs to: Holly Claybo, Sue Kozma, Tonya Lloyd, Pam Hooper, Madge Shepard and Judy Wells. Mary Ann Wilson was not present.

Ms. Peeler stated it was her privilege to serve the county and to help strengthen and empower families. The volunteers helped her to reach many more people than she could reach by herself and she appreciated the time to recognize them.

Commissioner Luker thanked Ms. Peeler and the ladies for their many hours of volunteering and stated that Jackson County was blessed to have volunteers at many different agencies. Their dedication and volunteerism each day made a difference in many lives and it was appreciated.

(2) AGENDA: Commissioner Elders moved to approve the Agenda. Commissioner Mau seconded the Motion. Motion carried.

(3) MINUTES: Commissioner Elders moved to approve the minutes of a Work Session of October 10, 2017; a Public Hearing (Transit) of October 16, 2017; a Public Hearing (TDA) of October 16, 2017; a Regular Meeting of October 16, 2017; a Quasi-Judicial Hearing (Cell Tower) of October 17, 2017; and a Special Meeting (School Grant) of October 30, 2017. Commissioner Mau seconded the Motion. Motion carried.

(4) CHAIRMAN'S REPORT: Chairman McMahan stated that he attended various meetings as a Commissioner, but on a personal note, he wanted to offer his heartfelt condolences publicly for the Jim Allman family. Jim Allman was one of those individuals that, in thinking about Jackson County, the business community and civic leadership, he was someone that carried a lot of weight on his shoulders and represented the county and community well. He served in various positions over the years and was a good friend of his. He appreciated Jim and what he had done over the years.

(5) COMMISSIONER REPORTS:

(a) Commissioner Mau stated he had the opportunity to participate in the Veterans Day Parade that past Saturday. It was a great event and he appreciated the opportunity to be involved and honor the Veterans. Also, the municipal elections were the next day, he encouraged everyone that lived in areas that had the opportunity to vote, to go vote.

(b) Commissioner Luker stated he was honored to be asked for the third year to be a part of the Veterans Parade and it was a phenomenal event. He got to drive Mr. Dan Buchanan, a Korean Veteran and each year he had the opportunity to meet a different Veteran. The stories they told of their service was heart wrenching and amazing.

Also, kudos again to Mr. Adams and Jan Fitzgerald, Executive Assistant to the County Manager, on the Citizens Academy graduation. Many of the participants had told him how much they appreciated the county doing the academy and what a great job Mr. Adams and his team had done. He was also impressed with the age diversity in the group.

(c) Commissioner Elders stated he also wanted to pay tribute to Jim Allman as they were personal friends. Jim and his family did contribute a lot to the county. Also, he was present for the groundbreaking of the new Emergency Room at Harris Regional Hospital and it was a great event. All of the Commissioners were in attendance. It was good to see the county make these strides.

(d) Commissioner Deitz stated he appreciated being asked to be a part of the Veterans Parade. It was very humbling as those folks had done so much to defend the country.

(6) COUNTY MANAGER REPORT: Mr. Adams reported:

(a) Skyland Service Center Remodel: Work commenced on July 19, 2017. In accordance with the contract documents the project must be substantially complete by January 15, 2018. The schedule indicated that Western Builders was behind. Western Builders indicated that since the roofing contractor did not get started in October, this made the overall project appear behind schedule. They were confident that they would be substantially complete within the contract timeline. Cooperative Extension and Soil and Water had selected finishes and would be finalizing furniture selections soon.

(b) Citizens Academy: Congratulations to the first graduating class of the Citizens Academy. The 2017 class attended their last session and a graduating ceremony on November 2nd. He believed they accomplished the three main purposes for the academy:

- Educate the public about their local government.
- Promote local government.
- Encourage citizens to engage in their local government.

There were now 25 graduates that were more empowered to make positive impacts on the community.

(c) Health Department/Code Enforcement/Planning: McMillan/Pazden/Smith Architects started working on designing the current Skyland Community Center to house Code Enforcement and Planning, along with the Health Department. The architect team met with Code Enforcement and Planning staff and toured the facilities on October 25th. The goal was to have the new design completed by February 2018.

(d) **Courthouse Renovations:** He, along with Chairman McMahan and Vice Chair Elders met with Judge Letts to discuss the upcoming renovations to the Courtrooms. Funds had been allocated that fiscal year to begin planning the renovation. The county would be issuing a Request for Qualifications (RFQ) from architectural firms for planning and design of renovating two courtrooms, adding an additional courtroom and re-configuring the prisoner transport area.

(e) **Indoor Pool Referendum:** The county received three Statements of Qualifications (SOQ). The architectural firms were McMillan/Pazden/Smith, Clark Nexsen and Cope Architecture. These SOQs were being reviewed by staff and they would make recommendations to the Board.

(f) **Upcoming Meetings:**

Tuesday, November 14, 2017 – Commissioner Work Session at 1:00 pm

Thursday, Nov. 16, 2017 – Special meeting at Heritage Room, Aging Dept. at 6:00 pm (HD/DSS)

Monday, November 20, 2017 – Regular Commissioner Meeting at 6:00 pm

Monday, December 4, 2017 – Regular Commissioner Meeting at 3:00 pm

(g) **Manager Meetings:** On October 27th he attended the Western Carolina Manager’s Meeting in McDowell County and that week he would be attending the Southwestern Region A COG Manager’s Meeting held in Sylva on Wednesday.

Chairman McMahan requested an update on Savannah Park.

Mr. Adams stated that a Request for Construction Bids went out for Savannah Park and they received only one bid. At that point, one bid was not valid for them to proceed forward. Some local contractors indicated they were unable to bid at the time, but would be available to bid in the spring. That day he requested that Rusty Ellis, Recreation and Parks Director, along with the architect firm, reach out to the bidder and other contractors that were interested in submitting a bid and proceed with the project starting in spring of 2018. Mr. Ellis would be going on site with interested contractors and then receive bids.

Chairman McMahan stated that there was some concern in the public that they had abandoned the project, but that was not the case. It was still full steam ahead, they were just waiting to get some adequate bids.

Commissioner Luker requested an update on the community kitchen grants.

Mr. Adams stated he met with Rob Hawk, Extension Director and Lynn Sprague last week. Mr. Hawk was evaluating reusing the existing equipment at the Community Building / Health Department. He was working with the architect and also working with Mr. Sprague on grants. From the county’s perspective, he reviewed the minutes from the previous meeting, which stated that when they identified grants, they could come back and talk to the Board about matching requirements. They were proceeding forward with the construction project and he thought it would allow them to use existing budgeted monies for that project to match any grant funds that could be found.

When this was presented to the Board, it was presented that it would meet certain agricultural inspections and it was not a full-blown commercial kitchen, which would not require an inspection by the Health Department. Now that there were conversations about utilizing the existing equipment, they could look at a commercial kitchen. This was why they needed to bring the architect back into the conversation. Mr. Hawk and Mr. Sprague needed to talk with the architect and come back to the Board with a plan and any grants.

(7) **INFORMAL COMMENTS BY THE PUBLIC:** None.

(8) TRANSFER STATION STORM DEBRIS: Chad Parker, Public Works Director, stated that this was well received by the public and everyone that came through was grateful. He reported the following totals for the period of time September 19th – October 31st:

- Total brush received during clean up period: 125.94 tons
- Brush received as storm debris from residents: 59.3 tons (47%)
- Total amount of tipping fees waived: \$1,838.30

Informational item.

(9) MAINTENANCE EDGE AND CAPITAL FORECAST SOFTWARE: Chad Parker, Public Works Director, stated it was approved in budget that year for them to take the opportunity to evaluate all of the county buildings and also put into place a couple of software programs for Public Works. One of the programs was Maintenance Edge, which was a work order program that they would use day to day. The other was Capital Forecast, which would be able to tell them the future of the buildings and what type of maintenance they would be looking at going forward.

The week of October 9th the Capital Forecast evaluators did evaluations of the buildings, which involved all of the equipment, roofs, walls, ceiling, carpet, etc. They did an assessment report for each individual county building. The schedule provided 8-11 weeks after the assessment before the reports come back, which would probably be sometime in January. When they received the reports with all of the data, the information would then be uploaded into the software program. By budget time, they should have some information to utilize going forward with capital forecasting.

Informational item.

(10) HOLIDAY CALENDAR 2018: As stated in the personnel policy, Mr. Adams presented the 2018 Holiday Calendar for approval:

2018 HOLIDAY SCHEDULE		
Holiday	Observance Date	Day of Week
New Year's Day	January 1	Monday
Martin Luther King	January 15	Monday
Good Friday	March 30	Friday
Memorial Day	May 28	Monday
Independence Day	July 4	Wednesday
Labor Day	September 3	Monday
Veteran's Day	November 12	Monday
Thanksgiving	November 22, 23	Thursday, Friday
Christmas	December 24, 25, 26	Mon, Tues, Wed

Chairman McMahan stated that the general assembly adopted legislation that declared September 11th as First Responder Day in North Carolina and made it a legal state holiday. The county had somewhat mirrored state holidays with the local government holiday calendar. Did the Board want to consider making September 11th another holiday in the county? He felt it was a significant day as it recognized a lot of sacrifice.

Mr. Adams stated it was at the Board's discretion to declare observed holidays in the county. He could request Danielle Wittekind, Human Resource Director, to research the issue to see if there were other towns or counties that were following the state and bring back a report for the Board to consider.

Motion: *Commissioner Elders moved to approve the 2018 Holiday Calendar, as presented and request the Human Resource Director to research the September 11th state holiday and bring the issue back to the Board for consideration at a later time. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(11) OFFER TO PURCHASE AND CONTRACT: Ms. Baker stated that two meetings ago, she presented this Offer to Purchase and Contract for Lots 21 and 23, Wolf Knob Road in the sum of \$4,000 from Paul and Charlie's Dirt, LLC. The total tax value of the properties was \$24,000, the county had \$15,133.21 in the properties. Per the county's policy, the county had owned these properties for more than a year, obtaining them in April, 2016.

Previously, the Board tabled this item and requested it be brought back on this agenda. She did reach out to the buyer that made the offer and invited them to attend the meeting that day. Being out of state, they were not able to attend, but did send an email:

"Some things that Commissioners may want to consider is that you cannot get to the property without a 4x4 vehicle. If you do use a 4x4 vehicle to get there, then expect it to get scratched and banged up along the way. To my knowledge, there's not any power or utilities available to the lots. The cost to install the utilities would be more than the value of a lakefront lot on Glenville. It's plausible that the lots have a negative value with some potential liability issues. I say that with all due respect and appreciation for your time and the Commissioners' time."

Mr. Adams stated this would be the initial price that would eventually move to an upset bid process. Also, if they followed previous policy they would notify the surrounding owners.

Ms. Baker stated that she was currently talking with a gentleman regarding not only these two lots, but several other lots in this area as well. His bid was lower per lot than this offer and she did make him aware of the current offer.

A general discussion was held.

Motion: *Commissioner Luker moved to decline the Offer to Purchase and Contract for Lots 21 and 23, Wolf Knob Road in the sum of \$4,000 and authorize the County Manager and the County Attorney to negotiate with the Buyer for a higher price. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(12) ORDINANCE DECLARING TEMPORARY TRAFFIC REGULATION FOR SPECIAL 5K RUN COUNTY EVENT: Ms. Baker stated the Recreation and Parks Department would be doing the annual 5K run on January 1st, which they have been doing for over ten years. The NCDOT rules and regulations require that the Commissioners adopt an ordinance approving the event. There will be no road closures and no public hearing was required.

Motion: *Commissioner Luker moved to adopt the Ordinance for the 5K Run New Year's Day as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(13) ORDINANCE DECLARING TEMPORARY TRAFFIC REGULATION FOR GREENING UP THE MOUNTAINS 5K RACE COUNTY EVENT: Ms. Baker stated the Recreation and Parks Department would be doing the annual Greening Up the Mountains 5K race on April 28th. The NCDOT rules and regulations, require that the Commissioners adopt an ordinance approving the event. There will be no road closures and no public hearing was required.

Motion: *Commissioner Luker moved to adopt the Ordinance for the Greening Up the Mountains 5K Race as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(14) PLANNING BOARD: Commissioner Elders requested reappointment of Scott Ogle; Commissioner Deitz requested reappointment of Bonnie Claxton; and Chairman McMahan requested reappointment of Kenneth Brown. Commissioner Luker and Commissioner Mau requested their appointments be carried over.

Motion: *Commissioner Elders moved to reappoint Scott Ogle, Bonnie Claxton and Kenneth Brown to additional two year terms on the Planning Board, terms to expire December 31, 2019. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

(15) TOURISM DEVELOPMENT AUTHORITY:

Motion: *Commissioner Mau moved to extend the terms of Gareth Daley and Laura Bowers to December 2, 2020; to appoint Dale Collins to serve a three year term, to expire December 2, 2020; and to appoint Vick Patel as Chairman for a one year term, to expire December, 2018 on the Tourism Development Authority. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(16) PRESS CONFERENCE: None.

(17) CLOSED SESSION:

Motion: *Commissioner Elders moved that the Board go into closed session pursuant to G.S.143-318.11(a)(6) Personnel for one item; G.S.143-318.11(a)(4) Business Expansion for one item; and G.S.143-318.11(a)(5) Real Property for one item. Commissioner Mau seconded the Motion. Motion carried.*

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

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Luker seconded the Motion. Motion carried and the meeting adjourned at 5:37 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman