

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
AUGUST 06, 2018**

The Jackson County Board of Commissioners met in a Regular Session on August 06, 2018, 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) **AGENDA**: Commissioner Elders moved to approve the Agenda. Commissioner Mau seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Elders moved to approve the minutes of a Work Session of July 10, 2018; a Regular Meeting of July 16, 2018; and a Special Meeting of July 26, 2018. Commissioner Mau seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: None.

(4) **COMMISSIONER REPORTS**: Commissioner Mau reported that he attended the Circles of Hope Graduation, which was their biggest class yet. Also, he attended the Southwestern Commission annual dinner last week.

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

(a) **Health Department/One Stop Center**: McMillan/Pazden/Smith started their work on the project. County staff was actively seeking temporary space for operations during construction. The initial timeline submitted from the architect projected completion to be April, 2020.

(b) **Green Energy Park Campus**: Withers Ravenel was contracted to provide the county with a site master plan. They would begin work August, 2018. They would be ready to present public presentations in January, 2019.

(c) **Blue Ridge School Community Development Block Grant**: The NC Division of Water Infrastructure conducted a start-up visit with the county on Monday, July 30<sup>th</sup>. Participants included representatives from NC Environmental Quality, Administration, Finance Office, Planning Department, Jackson County Schools and the engineering firm. The grant required a closeout in three years. The project should be accomplished well prior to the three year deadline.

**(d) Citizens Academy:** The Jackson County Citizens Academy was scheduled to start September 11<sup>th</sup>. The main goals were:

- Promotion: Make citizens aware of the positive impact local government had on the community and increase citizen's awareness of the value of local government.
- Education: Learn how county government operated.
- Engagement: The chance to meet and make connections with county operations and let citizens know how they can be involved.

**(e) Upcoming Meetings:**

Tuesday, August 14, 2018 – Work Session at 1:00 pm

Monday, August 20, 2018 – Regular Commissioner Meeting at 6:00 pm

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

**(a)** Kathie Livingston of Cullowhee stated she and her husband owned property on Osito Lane in Cullowhee for 27 years. She spoke with several Commissioners and the County Manager regarding the Noise Ordinance and the discharging of firearms. The night before, one of their neighbors called the Sheriff's Department because there was an automatic assault rifle being fired continuously. The Sheriff's Department replied that it was legal to discharge a firearm in the county and that they would not dispatch an officer. Having assault rifles being fired next door to young children was very disturbing.

She requested to have the noise ordinance applied towards the discharging of firearms. She understood the right to bear arms and they owned guns themselves, but she did not think it should take place in a community where hundreds of homes were affected. The ordinance stated that it should help them if it affected the health, comfort, peace or safety of reasonable people. If the noise ordinance did not apply, they were asking for another ordinance that would address the issue. They distributed signed petitions to the Commissioners.

**(b)** Steve Livingston of Cullowhee stated that he and his wife treasured their property as it was a retreat for peace and quiet and it was the same for other residents in that area and they were all in earshot of the firearms. There was an individual proposing a commercial shooting range with rifles and handguns on what used to be a very passive farm. He requested that the Commissioners give help and enforce the noise ordinance.

**(c)** Jonathan Sellers of Alpha Omega Broadband Internet requested to collocate at county properties such as the ABC property in Cashiers and the Cashiers-Glenville Rescue Squad. The properties were located on Highway 64 where fiber was available.

Chairman McMahan stated that he would encourage him to speak with staff as most of those properties had their own governing bodies with their own board of directors and owned the properties outright. If there was a county property, they would be happy to follow up with him.

**(d)** Patrick Burgess of Cullowhee stated that regarding the gun noise issue, he had two small kids and two small dogs. Yesterday the gun fire disrupted his household. He did not oppose gun fire, but there should be some distinction between occasional target practice and continuous gun fire that disturbed the community and ultimately drove down property values.

**(7) FIREWORKS DISPLAY REQUESTS:** Tony Elders, Director of Permitting and Code Enforcement, requested approval for an application he received for a fireworks display at Camp Merrie-Woode on September 15, 2018.

***Motion:*** Commissioner Luker moved to approve the request for a fireworks display as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

**(8) TRANSIT SYSTEM SAFETY PLAN REVIEW:** Norma Taylor, Transit Director, stated that on April 11<sup>th</sup> the NCDOT Public Transportation Division (PTD) conducted a System Safety Plan review/audit of the Transit System. There were three deficiencies out of 58 subsections that were not in compliance:

- SSP was last ratified by the Jackson County Board of Commissioners in 2015. Update SSP with remedies of findings from the review and obtain Board approval.
- Accountable Executive was not identified in the SSP and Safety Coordinator was referenced in the plan. Identify the Accountable Executive and Safety Coordinator in the organization chart and modify the Transit Director's job description to include Accountable Executive role.
- Policy covering suspicious activities or packages on Transit vehicles. Adopt a policy covering driver and dispatch actions when a suspicious or disruptive passenger was on board. Develop policy and procedures for suspicious packages.

When the required actions had been taken to correct the three deficiencies, documentation of compliance would be submitted to PTD in order to close the audit. She presented one policy to cover all three corrections. She requested the Board approve the policy as presented.

***Motion:*** *Commissioner Deitz moved to approve the policy, as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(9) LEASE WITH NORTH CAROLINA (HIGHWAY PATROL):** Todd Dillard, Emergency Management Director, presented a lease between the county and the State of North Carolina. They were moving the county antennas onto the new viper tower on Toxaway Mountain. This would be a 15 year lease for the sum of \$1.00 and he thought they would get better coverage from this tower. He requested permission to move forward with the lease.

***Motion:*** *Commissioner Elders moved to approve the lease with North Carolina, as presented and grant permission to the Chairman to execute the lease. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

**(10) TAX APPRAISER CONTRACT:** Ms. Baker stated this was a renewal of the contract with Kevin Ford, who first contracted with the county in 2004 to help with revaluation. This would cover through the 2021 revaluation.

Commissioner Luker inquired of Mr. Adams if he felt they should hold this based on hiring a new Tax Administrator or was he comfortable with moving ahead with the contract.

Mr. Adams stated that personally, he thought this person would be extremely important to the new Administrator to help transition into the new revaluation and also to learn about the revaluation history. He thought they did need to move forward with the contract.

***Motion:*** *Commissioner Mau moved to approve the Tax Appraiser Contract, as presented. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(11) NCACC ANNUAL CONFERENCE VOTING DELEGATE:**

***Motion:*** *Commissioner Mau moved to appoint Commissioner Luker as the Voting Delegate to the NCACC Annual Conference, August 23<sup>rd</sup> – 25<sup>th</sup>, to be held in Catawba County. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(12) CONSOLIDATED HUMAN SERVICES AGENCY BOARD:**

***Motion:*** *Commissioner Luker moved to appoint Alex Stillwell to serve an unexpired term in the Engineer Discipline on the Consolidated Human Services Agency Board, term to expire on June 01, 2022. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(13) HISTORIC PRESERVATION COMMISSION:**

**Motion:** *Commissioner Elders moved to appoint Daniel Peoples to serve a three year term on the Historic Preservation Commission, term to expire on August 01, 2021. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

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

**(15) CLOSED SESSION:**

**Motion:** *Commissioner Deitz moved that the Board go into closed session pursuant to G.S.143-318.11(a)(5) Real Property for three items and G.S.143-318.11(a)(6) Personnel for two items. 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 Deitz seconded the Motion. Motion carried and the meeting adjourned at 5:26 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman