

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 12, 2019**

The Jackson County Board of Commissioners met in a work session on November 12, 2019, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Boyce Deitz, Vice Chair
Ron Mau, Commissioner
Gayle Woody, Commissioner
Absent: Mickey Luker, Commissioner

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

Chairman McMahan called the meeting to order.

(1) BROADBAND INITIATIVES: Rich Price, Economic Development Director, stated that he wanted to provide updates regarding the various communities and deployment projects. Western Carolina University and Morris Broadband entered into an agreement to provide fiber throughout their electrical grid. The last update he received, they were about 75% complete with that project. So far, 381 new addresses had signed up and began to receive that service. The project should be complete by the summer of 2020. The potential was between 1,100 to 1,500 new customers.

SkyFi Wireless Provider was the recipient of one of the NC Great Grants, which was a reimbursable grant. Thus far, with that funding, they had constructed two new towers, one on Buck Knob overlooking the Blanton Branch area and the second was on Wolf Knob, which overlooked Roscoe Lewis Road and Eastfork. The third tower they would be constructing, the Skinner tower, would be overlooking East LaPorte and the Moody Bridge areas in Tuckasegee. They had two years to complete those projects and Travis Lewis, Owner of SkyFi, indicated they would be complete by summer, 2020.

At that time, SkyFi served 800-850 customers and that would be closer to 1,000 when all the new towers were up and operational. Although the Great Grant Program was set to continue in the budget, because of Jackson County changing to a Tier Two status, they would not be eligible in calendar year 2020 for those funds. There was language in the appropriation bill stating that beginning in the next calendar year that would include both Tier One and Tier Two Counties. Mr. Lewis continued to be a strong partner of the county and as long as they could continue to help him find dollars through various foundations and grants, he could continue to go as fast as he could build.

They were familiar with the group Vision Cashiers. They had created a new Wi Fi District from the Ingles Plaza to Freeman Gas to the Slab Town Plaza to the Methodist Church. They were working with Sky Runner, a Wi Fi company to make that free Wi Fi for visitors outdoor. They were struggling with their initiatives to find providers to get fiber to the homes. They were working to find some hybrid mechanisms to get high speed to communities that did not have that at the time.

General discussions were held.

Mr. Price stated that two weeks ago, he met with Dr. Arthur Salido, Executive Director, Community and Economic Engagement and Innovation, WCU and Keith Conover, of WCU Broadband. They discussed the availability of grant and foundation funding through Dogwood Trust and Nantahala Trust, etc. They would be meeting with Steve Heatherly, President and CEO of Harris Regional and Swain Community Hospitals and Casey Cooper, CEO of the Cherokee Indian Hospital along with the public health officials from Swain and Jackson Counties.

The context would be centered on telehealth and telemedicine. Also, what were those facilities currently doing with telehealth, what they saw as opportunities and barriers and could they rationalize creating some type of improvement or deployment project relative to broadband to be able to access some of the funds that were available. He looked forward to coming back and providing updates to the Board on this information in the near future.

Commissioner Woody stated that she understood that at some point Frontier received a large grant to expand internet access in the county, but they had not done that.

Mr. Price stated that he they met with a Frontier Representative year before last and her comments led them to believe there were funds that Frontier had access to, but those funds could only be used in areas deemed to be unserved by the FCC. The FCC maps limited where Frontier could make deployment projects.

Informational item.

(2) OFFER TO PURCHASE FROM LAWRIMORE: Chairman McMahan stated that this was an item on a previous regular agenda and the Board decided to table the item. Before they put it back on a regular agenda, he felt they may have wanted to further discuss the item.

Ms. Baker stated that when she contacted Mr. Lawrimore to relay to him that it had been tabled, he asked if there was any feedback. Commissioner Deitz had requested that the item be tabled and she had since had an opportunity to show him on the aerial the location of the property and was able to answer his questions.

She displayed the aerial map with contour lines to show how steep the property was. Mr. Lawrimore had indicated in his letter that he wanted to use the property for camping and he was not looking to build on it. The cost to the county for two lots was a total of \$10,000. He made an offer of \$4,000 for only one of the lots. The other lot showed a higher value in the tax records and that was his reasoning for his offer.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(3) FIRING RANGE/ HEALTH SCIENCES BUILDING: Dr. Don Tomas, SCC President; William Brothers, SCC CFO; and Curtis Dowdle, Dean of Public Safety Training, were present for this item.

Mr. Adams stated they were following up with several issues that came before the Board. They would also discuss the latest bids for Phase One of the improvements.

(a) Firearms Training Center Operations Manual: Dr. Tomas stated they met with the Board not long ago and had conversations about putting the day to day operations into a manual. Mr. Dowdle and his team took the day to day operations with training and placed them into a manual. There were no operations on Sunday, unless one of the firearms instructors needed to go out to repair a gun and test it to operate for function. Also, holidays would not be utilized. Since this was a living document from the standpoint that municipalities or other agencies may call on a Friday to ask to test a person so that they could work on Saturday. Mr. Dowdle requested a 24 hour notification for that type of training. This should help ensure the operations with consistencies. They were also working on a live calendar on the website to list activity.

Informational item.

(b) Firing Range Improvement Bids: Dr. Tomas stated they went out to bid three times and on the last they received a bid of \$500,000. They had an estimated cost of \$287,000. As a group, they discussed the \$500,000 bid and thought it would be best to hold off and come back out. They had now gone out a fourth time and received one bid in the amount of \$371,000.

This bid was for Phase One, which included:

- Backstop improvements
- Raise Berm with wall/Conex
- Borrow source stabilized with grass
- Leyland Cypress trees
- Adding two firing lanes to increase throughout / reduce range time
- Electric target system

Informational item.

(c) Other Firing Range upgrades: Mr. Adams stated that two other items discussed were fencing and cameras.

Dr. Tomas stated that the challenge with cameras was that there was no internet access or capability at the range. When they received additional information from a provider, they would bring that information back to the Board. They had one bid for the fencing to go all the way around the perimeter of the firing range for \$15,000. They would be able to use the electronic card swipe for the gate, which would be an additional price.

Mr. Adams stated that now that they understood that SCC instructors had to go out some days to test guns that gave answers to as why sometimes there was not a class and only single shots. If that was the understanding, then the value of the swipe cards may eliminate the need for cameras.

General discussions were held.

Dr. Tomas stated that the decision needed to be made whether to accept the fourth bid. If so, they could begin work in December, through the end of February.

Chairman McMahan inquired if the county had funds available to cover the additional \$84,000 cost of the bid?

Mr. Adams stated that it would come from contingency, the quarter cent sales tax or fund balance. They could look at next year to budget it in the normal process. He asked which portion of the Phase One was mandated.

Dr. Tomas stated that the backstop was the mandated portion.

Commissioner Woody stated she would like to see them do the entire Phase One. She thought it showed the citizens that lived near there that they were making an effort. Since she believed they had decided to not find a new location, she thought they should enhance the current site as much as they could to make it better.

Mr. Adams stated that he would recommend moving forward with the entire Phase One. He did not believe they would get better bids at that point.

Commissioner Deitz stated that he needed to think about it.

Commissioner Woody stated that she thought they should move forward.

Commissioner Mau asked if they had been to any other ranges where these things were done and did it reduce sound?

Dr. Tomas stated that many were open field ranges. The others had been in less than populated areas. The original tackle on this was the mediation of the lead and they completed all of those items. To do best practices, there was a requirement to do the backstop. Then the conversation got into noise mitigation. They brought in Wood Associates to have that discussion. This was some of the recommendations they had used in other places. The other part of the project was really to help find a resolution, being a good neighbor and addressing the need to reduce the noise without enclosing the range. They had previously discussed placing a cover over it, which would cost \$1mil.

Chairman McMahan stated the area with the biggest problem for sound was when it left the range and went across the top of the wastewater treatment plant toward the river. Raising the berm and adding trees along that line would help with that. Also, regarding the backstop, not only did it help mitigate lead issues, but the new backstop substance would be less likely to create sound.

Dr. Tomas stated that it would also make it easier to clean the lead in the future.

Mr. Adams stated that the mandatory portion of the bid would be approximately \$270,000, assuming the contractor would be willing to break the bid out.

Carry over.

(d) Health Sciences Building: Dr. Tomas stated that they were at about 16% completion. They were anticipating bringing the steel out of the ground the first week of December, which would give a much better visual of the size of the building. Completion was still set for around April of 2021.

Informational item.

(4) MUNICIPAL GRANT APPLICATIONS: Mr. Adams presented:

(a) Town of Sylva: Requested \$5,000 to relocate the crosswalk at the intersection of Main Street and Evalina Street, extend the curb on Main Street and install additional street furnishings in the bump-out.

(b) Town of Webster: Requested \$5,000 to get hardwired electricity to the Veteran's monument and U.S. Flag located on Southwest Child Development property and to add signage for Webster Town Hall.

(c) Town of Dillsboro: Requested \$2,500 for new signage at the three parks and two public restrooms they maintained. Also, additional benches at several locations throughout town and to replace an outdoor grill at the handicapped picnic area in the Dillsboro Picnic Park.

(d) Forest Hills: Requested \$1,540.00 for litter awareness and control. They would create a Litter Letter Project spelling the letters "WHEEL". They would be having a Community Roadside Litter Pickup event twice a year. Also, they would place two trash cans along the areas where WCU's overflow from event guest's park and walk.

Consensus: *Add this item to a future regular meeting agenda for consideration.*

(5) ANIMAL RESCUE CENTER: Mr. Adams stated that he provided information to the Board that they had also previously received, which included:

- Final concept of the different phases
- Renderings
- Financial information
- Masterplan
- Schematics

Commissioner Woody stated that some people in Dillsboro had expressed concerns to her about noise from the dogs. She told them that she and Commissioner Deitz visited the Cashiers Humane Society and they had not had any problems with the neighbors about noise with their facility. They were also concerned about their property values going down. She told them they were going to make this a beautiful situation that would also be very user friendly for people in the community.

Commissioner Deitz stated he and Commissioner Woody visited the Cashiers Humane Society. The noise that occurred there was when they took the dogs out every day and stay about eight hours and brought them back in. Their facility was very clean and was not very extravagant.

Mr. Adams stated that the architects did visit the Cashiers Humane Society and he was extremely familiar with their operations. He wanted to make them aware that they were talking about pricing out a metal prefab building.

General discussions were held.

- Summary of costs:

Total Estimated Construction Cost	\$2,734,005
Total Estimated FF&E	\$312,719
Total Estimated Professional Compensation	\$217,353
Total Estimated Owner's Expenses	\$32,340
Subtotal Estimated Probable Project Cost	\$3,296,418
Contingency	\$195,881
Total Estimated Probable Project Cost	\$3,492,299

- Proposed funding schedule:

Projects Committed	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-2023	Totals
Health Department	-	-	\$1,127,749.76	\$6,821,742.24	-	-	-	\$7,949,492.00
Dillsboro Complex	-	-	-	\$350,000.00	\$5,150,000.00	-	-	\$5,500,000.00
Justice Center Renovations	-	-	-	-	\$100,000.00	\$900,000.00	\$500,000.00	\$1,500,000.00
	\$	\$	\$1,127,749.76	\$7,171,742.24	\$5,250,000.00	\$900,000.00	\$500,000.00	\$14,949,492.00
Cumulative Totals	\$1,479,394.25	\$2,479,998.29	\$9,952,853.47	\$3,786,272.42	\$186,272.42	\$286,272.42	\$786,272.42	\$786,272.42

Mr. Adams stated that all was up for discussion by the Board.

Commissioner Deitz stated that they had a situation with the firing range with noise. They already had some people that had foreseen they would have problems with the noise from the Animal Rescue Center. He did not know if they would or not. He suggested they find out who the people could possibly be and if there was any way in the construction that they could do something that may affect that, he did not know what that would be, but sometimes the way a building was turned could make a difference with noise. If there was something they could start thinking about at the beginning to keep that from happening.

Chairman McMahan pulled up a Google Earth map to show the neighbors of the property. There was a significant ridge and elevation change in front of the neighbors. Also, all of the runs would be covered.

General discussions were held.

Commissioner Woody stated that at some point, if this was approved and they started moving ahead, could they have a parallel fundraising campaign also. She thought there were people that would be willing to donate to make the Rescue Center the best it could be. The Library Complex was a perfect example of the community coming together to fund a project. Could they have a fundraising effort going on as well?

Commissioner Deitz stated that there was a problem with that, in his opinion. If the county had the money to do it and then asked for people to raise the funds, was that right?

Commissioner Mau stated that he was thinking the same thing.

Mr. Adams stated that in the budget, there was no money for storage. There was a concept in the original site plan where they were looking to put a four unit storage building next to the facility. They were reserving space for the storage units, but there was nothing in the budget for the units. If the nonprofits wanted storage they could fundraise for those. Other items they could fundraise for would be equipment or soft costs, items that would not stop construction of the building. He would throw those elements out for fundraising.

Chairman McMahan stated that his feelings were that the current facility had been in place since 1974. People had been waiting a long time to get a new facility. He was not sure they were going to be open to them saying they had a great plan and were ready to move forward with it, but they had to come up with the money. He did not think that was fair. A lot of people had invested a lot of time and their own money already because they did not have an adequate facility. He thought those organizations did have some savings they wanted to invest in the project and maybe that could go toward storage or soft costs.

Commissioner Mau stated that could still set something up so that people could sponsor a dog run, etc. The only issue he had heard was why they needed a dog park when they did not have a park yet for people to use in Whittier. He understood that they did have money budgeted for that type of park and they were still working on a Whittier location.

Chairman McMahan asked what the next steps would be.

Mr. Adams stated that he was looking for a general consensus from the Board about moving forward with the 4.5 phases that included everything except the Innovation Center. He would then start developing a contract with the architect to start designing. This would entail a contract with McMillan, Pazdan and Smith, who would subcontract with Withers Ravenel, the engineering firm, to start developing construction documents. His goal would be to have the contract complete in December.

Commissioner Woody stated that she thought they should move ahead with developing a contract. They desperately needed animal rescue and they already owned this property. She wanted to see it utilized to its full potential.

Mr. Adams stated that the Finance Officer would bring a Capital Reserve Resolution and a Project Ordinance in the amount of 5.4mil. It would be a vote to move forward with a contract and also moving forward to put the money in place.

Chairman McMahan stated that he was comfortable with moving forward to bring this to the Board for a vote.

Commissioner Mau stated that he was also comfortable with moving forward.

Commissioner Deitz stated that he was not comfortable with it. He did not want to disappoint anyone, but he felt hypocritical being comfortable with this because he had stated several times that he could not see them spending five million dollars to house dogs when he could drive to areas where they were putting plastic around structures and living in them. All the homes on the creek he lived on did not come to that amount. He was not comfortable with it and he did not know if he would vote for or against it until it was that time. He had tried to do what he said he would do.

Chairman McMahan stated that three Commissioners stated they wanted to move forward.

Mr. Adams stated that he would bring details to the Board at the December 10th work session agenda, which would be the final direction as to whether or not to put it on a regular meeting in December for a vote.

Informational item.

(6) SAVANNAH COMMUNITY BUILDING REQUEST: Mr. Adams stated he received a request from Randy Cabe, President of the Savannah Community Development Center. They needed to remove several trees on the property behind the building that posed potentially hazardous conditions that could endanger the personal safety of those that could be on the grounds, as well as the building structure.

Considering their limited resources, additional heating and fuel expenses for winter months and additional needed repairs, they requested consideration of assistance in paying for the removal of the trees. The estimate for the work:

- Cutting of trees only \$6,700
- Cutting of trees/removal/cleanup \$12,200

He discussed this with Chad Parker, Public Works Director and if the trees were cut down, the county maintenance staff would remove the trees. The request would then be \$6,700.

Ms. Fox stated that there was \$10,000 set aside in the budget for CDC improvements.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(7) COMMISSIONER MEETING AT WOLFETOWN GYM: Mr. Adams stated that Ms. Winchester had been working on reserving the Wolfetown Gym for an upcoming meeting.

Ms. Winchester stated that the gym was in use for basketball season. They could look for a different location or look ahead in the schedule to try and book the gym after basketball season.

Commissioner Woody stated that she was unable to find another location. They were pleased that they wanted to meet on the Qualla Boundary.

Consensus: *Look ahead in the schedule to reserve the Wolfetown Gym after basketball season.*

(8) 441 ROAD NAMING REQUEST: Commissioner Mau stated that the Tribe requested to rename part of 441 after Mr. Wolfe. The Tribe passed a resolution, so they had done their part. There were a couple of questions they were trying to get clarified with NCDOT to make sure all was in order. If the Board decided to move forward, they would need to pass their own resolution.

Chairman McMahan stated that they had a request from the Rotary Club previously to name a small portion of Highway 107 in memory of Conrad Burrell. Since they had not placed that item on the agenda, maybe they could consider both requests at the same time. There was a requirement by the state for a road to be named after someone deceased, at least one year must have passed, which would be in January for Mr. Burrell.

Consensus: *Add both requests to the December work session for further review.*

(9) OTHER BUSINESS:

(a) Chairman McMahan stated that he received a message from the Town of Sylva Mayor Sossamon regarding the flags at the Freedom Park display. He requested that Mr. Adams follow up with Mayor Sossamon regarding a possible deficiency with the flag displays from a complaint she received.

Informational item.

(b) Commissioner Deitz stated that he and Commissioner Woody attended the Veterans luncheon and it was very good. There were no extra seats there and a World War II Veteran spoke.

Commissioner Woody stated that their son Benjamin was a Veteran that served in Iraqi Freedom. He attended the luncheon for the first time and really enjoyed it.

Informational item.

There being no further business, Commissioner Woody moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 3:31 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman