

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
SEPTEMBER 4, 2012**

The Jackson County Board of Commissioners met in a Regular Session on September 4, 2012, 2:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Mark Jones, Commissioner
Charles Elders, Commissioner
Joe Cowan, 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 Whittier Industrial Park Flood Maps. Commissioner Cody moved to approve the amended Agenda. Commissioner Elders seconded the Motion. Motion carried.

MINUTES: Commissioner Jones moved to approve the Minutes of the Regular Meeting of August 20, 2012. Commissioner Elders seconded the Motion. Motion carried.

PROCLAMATION HONORING FIREFIGHTERS: Chairman Debnam read a Proclamation honoring firefighters. He thanked all firemen for their service to the county.

Motion: *Commissioner Elders moved to proclaim September 9-15 as Firefighters Week in Jackson County. Commissioner Jones seconded the Motion. Motion carried.*

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

(a) **July 2012 Unemployment Rates:** Jackson County's rate remained unchanged for July at 9.6%. The July 2012 rate is .1% less than the 2011 rate.

(b) **East Carolina Dental Clinic:** The variance request to the Town of Webster will be considered at the Webster Board of Adjustment meeting on September 4th. Seven contractors have been prequalified to bid the project and a pre-bid meeting will be held in the next couple of weeks. Unfortunately, the pre-bid meeting was advertised to be held in Greenville, NC so prequalified contractors will have to travel to the ECU campus for this meeting. DENR has approved the grading permit so things are moving forward on this project.

(c) **Smoky Mountain and Blue Ridge High School Projects**: A pre-bid meeting was held on August 21st and 10 general contractors were in attendance. Site visits were conducted at both high schools and participation among contractors was very good. He is in the process of obtaining proposals for a construction manager/clerk for the project and will make a formal request at the next board meeting. It would be beneficial to have an owner's representative on site every day or most days which will ensure that the contractor and subs are following the plans as designed and confirms the workmanship as acceptable. Under the contract, the designer or designer's representative will only be on site one day per week. Past experience suggests that questions can be immediately answered and problems can be identified sooner rather than later.

(d) **Human Resource Director**: Applications continue to be submitted. He has expanded the recruitment efforts to the NC Association of County Commissioners and to the NC League of Municipalities. A search committee composed of Paula Carden, Darlene Fox, Tony Elders, and Chuck Wooten is evaluating the current applicants and will be identifying the finalists for this position in the next few weeks.

(e) **Fuel Shortages**: Monitoring will continue as to the results of Hurricane Isaac in relation to damaged refineries and fuel shortages. Presently, the county is not experiencing any shortages and actually had a load of fuel delivered this week. Department heads have been asked to eliminate travel where possible to conserve fuels.

(f) **County Flag**: Gayle Woody-Public Schools, Bob Keeling-SCC, and Jon Jicha-WCU, have agreed to engage their students in the design of a county flag. They were encouraged to work together to reduce the number of proposals to a manageable number. No parameters as to color or style were mandated; however, he did suggest the flag should contain a symbol or symbols that can be identified with Jackson County. Hopefully the Board will have some flags to consider later this year. Gayle Woody was also requested to reach out to the other schools in Jackson County. Everyone was excited and pleased to have been asked to participate.

(g) **September 17th Work Session**: Reports will be presented from the occupancy tax committee, enforcement of ordinances will be discussed, an update on current capital projects will be presented along with future projects, and other discussion items. One outstanding item from the August work session is the next step concerning establishing a Jackson County ABC board.

(2) **BUDGET AMENDMENT**: Darlene Fox, Finance Director, presented one budget amendment for approval.

Motion: *Commissioner Cowan moved to approve the budget amendment.*

Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(3) **GREENWAYS UPDATE**: Gerald Green, Planning Director, stated the Tuckasegee Greenway Master Plan identified a preliminary plan for a greenway along the section of the Tuckasegee River from Cullowhee to the intersection of NC107 and Old Cullowhee Road. Construction was divided into phases and engineered plans have been prepared for Phase 1 consisting of approximately 1.5 miles at an estimated cost of \$610,000.

Subsequently, Duke Energy purchased property for a river access area on the opposite side of the river in the Locust Creek Area. Plans are being considered to connect the greenway with the river access area via a pedestrian bridge over the river in the vicinity of the old Ashe Settlement Bridge. The estimated cost for a bridge is \$300,000. The estimated cost for Phase 1 if the changes are added is \$800,000. Potential funding sources include:

- County Greenway Capital Fund \$ 300,000
- PARTF Grant \$ 400,000
- NCDOT \$ 15,000
- Other \$ 85,000

He requested directions on whether to continue to identify and pursue potential funding sources, develop detailed plans for the various elements, and take other steps to prepare for construction of the greenway.

Mr. Green was directed to update the Board on the parameters of matching funds at the next regular meeting.

(3) ENTREPRENEURIAL COMMUNITY PROGRAM: Gerald Green, Planning Director, stated that AdvantageWest, the regional economic development agency, provides a program that assists counties in identifying and refining resources needed to attract and develop new businesses and to expand existing businesses. The Certified Community Program provides counties with the opportunity to assess their resources and local business climate in order to assure that programs, policies, and resources are in place to promote the expansion and development of businesses. The program takes 18-24 months to complete, although there is no deadline for completion. A steering committee composed of business and community leaders would provide guidance and assistance in the completion of tasks required for the certification. Some of the benefits include:

- Signage for the county recognizing the certification;
- Special recognition on the AdvantageWest website;
- Co-op marketing opportunities with AdvantageWest;
- Recognition in AdvantageWest annual report and marketing materials;

There are no direct costs for participation in the certification program. The first step is adoption of a Resolution endorsing the county's participation in the program. The next certification process is scheduled to begin in the autumn of 2013. He recommended that the county participate in the program.

Mr. Green was directed to present a Resolution for consideration by the Board at the next regular meeting.

(4) **WHITTIER INDUSTRIAL PARK FLOOD PLAIN:** Tony Elders, Director of the Permitting & Code Enforcement, presented maps of the park from August 4, 1978 to April 19, 2010.

McGill & Associates, an engineering firm, did an initial survey of the Whittier Industrial Park property. The 1978-89 flood insurance rate maps show the majority of the industrial park as being outside the flood plain.

In 2003 or 2004 when Hurricane Floyd came through the eastern part of the state, North Carolina signed up to be a “cooperating technical state” with FEMA to establish a national flood insurance program. North Carolina is the only one of 50 states that chose to do this. In 2005 FEMA started reissuing all flood maps beginning on the east coast and working west. The Jackson County flood maps were adopted effective April 19, 2010; however, there have been several problems with that particular version of the flood maps. McGill has been involved with that particular site for a number of years and originally designed the levees and dikes. McGill is of the opinion that the mapping officials did not take into account that when the hydraulic computer models were made for new flood maps that the water behind the dike would not be moving. Further, the mapping officials apparently ran the numbers as if a levee or dike was not there and the site was just flat land beside the river. McGill recommends that by running new hydraulic models and submitting a new application called a LOMR (letter of map revision) there would be a good chance to have the flood maps changed. In the alternative, an engineer could make a hydraulic study and provide a “no rise certification”.

McGill & Associates submitted a two-step proposal:

(1) Submit a LOMR Application to FEMA. There are no guarantees, but generally if the science and numbers are good FEMA generally accepts a study from an engineering firm. The fee for step one is \$11,000.

(2) If the maps cannot be revised, the county may want to consider “no rise certification”. The firm would do a study and see what can be done to the building such as remodeling or making additions if it is in a floodway. The fee for step two is \$6,000. McGill would not recommend going forward with step two until a decision has been made concerning the LOMR Application.

Motion: Commissioner Cowan moved to enter into a contract with McGill & Associates. Commissioner Elders seconded the Motion. Funding up to \$17,000 would be from the Economic Development Fund 64. Motion carried by unanimous vote.

(5) SMH GYM & FINE ARTS BLDG. FINANCING TERMS RESOLUTION (R12-25): Darlene Fox, Finance Director, presented a BB&T 15-year financing agreement not to exceed \$10 million at an interest rate not to exceed 2.79% per annum. A public hearing was held on September 4, 2012 at 1:45 p.m. and no objections or public comments were made.

Motion: *Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(6) PLANNING BOARD – VICE CHAIR:

Motion: *Chairman Debnam moved to appoint Clark Lipkin to a 1-year term as Vice Chair of the Planning Board. Commissioner Cody seconded the Motion. Motion carried by a vote of 4-1 with Commissioner Cowan voting “nay”.*

(7) LIBRARY BOARD:

Motion: *Commissioner Cowan moved to appoint Sandra Bayley, Betty Screven and Mary Arbaugh to 4-year terms on the Library Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(8) FONTANA REGIONAL LIBRARY BOARD:

Motion: *Commissioner Cowan moved to appoint Maurice Moody, Betty Screven and Sandra Bayley to 4-year terms on the Fontana Regional Library Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(9) SCC BOARD OF TRUSTEES: The Macon County Board of Commissioners recommended reappointment of Gary Shields as a Macon County representative on the SCC Board contingent upon approval by Jackson County.

Motion: *Commissioner Elders moved to reappoint Gary Shields to the SCC Board of Trustees Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

Informal Comments by Public: None

Press Conference

CLOSED SESSION:

Motion: *Commissioner Elders moved that the Board go into closed session pursuant to G.S. 143.318.11(a)(3) Legal. Commissioner Cowan 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.

(10) RELEASE OF CLOSED SESSION MINUTES: Chairman Debnam stated a request has been made for the release of the January – July 2012 closed session minutes.

Motion: *Commissioner Cody moved to release the January – July 2012 closed session minutes with the exception of minutes pertaining to pending real estate issues, personnel, or threats of law suits. Commissioner Jones seconded the motion. Motion carried.*

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 3:30 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman