

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
FEBRUARY 18, 2013**

The Jackson County Board of Commissioners met in a Regular Session on February 18, 2013, 6:00 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
Vickie Greene, Commissioner

Chuck Wooten, County Manager
J. K. Coward, Jr., County Attorney
Pat Parris, Clerk to Board

Chairman Debnam called the meeting to order.

AGENDA: Chairman Debnam amended the Agenda by adding Closed Session G. S. 143-318.11(a)(6) Personnel, G.S.143-318.11(a)(3) Legal, Cullowhee Valley School Roof and deleted Greenway Advisory Committee appointments. Commissioner Jones moved to approve the amended Agenda. Commissioner Cody seconded the Motion. Motion carried.

MINUTES: Commissioner Elders moved to approve the Minutes of the Public Hearing and Regular Meeting of February 4, 2013. Commissioner Greene seconded the Motion. Motion carried.

(1) CHAIRMAN'S REPORT: Chairman Debnam reported that he is trying to ascertain why so many people are getting concerned about the Steep Slope Ordinance and where information is coming from that there are proposed amendments before the Commissioners. He has not seen any amendments. There appears to be all types of speculation in the community about amendments to the ordinance and as far as he knows the Board is at least six months away from seeing any recommendations. According to Mr. Green, the Planning Board has just started to review that ordinance. He asked Gerald Green, Planning Director, to clarify the issue.

Mr. Green stated that he was instructed to have the Planning Board review all ordinances, thus the board is systematically going through the ordinances. Some major amendments to the Subdivision Ordinance were presented and adopted by the Commissioners that actually make the ordinance a great deal better. The initial review of the Steep Slope and Mountain Hillside Development Ordinance started in November.

The Planning Board has not made any recommendations because the review is on going and has stated on several occasions that it wishes more people would come to the meetings and become a part of the process. The goal is to make the ordinance better. The only exception is Article 18 “Management Practices”. The suggestion, not a requirement, is to consider deleting that Article from the ordinance, and prepare a separate manual for “Management Practices” that can be distributed more widely and will receive more attention. Because the Planning Board is doing a very detailed review of the ordinance, it will probably take another six months before any recommendations can be made. He stated the Commissioners have not, as a group or individually, put any pressure on him concerning amending ordinances.

(2) COMMISSIONERS REPORTS:

(a) Commissioner Greene reported that she has been receiving mail and emails and about dilution of the Mountain Hillside Ordinance. She urged the public to “get involved in a positive way”. She attended the open house for the Town of Sylva’s new Police Dept.

(b) Commissioner Jones reported that Todd Dillard has worked with the state concerning salt distribution in the Canada Community during bad weather.

(c) Commissioner Elders reported that he has been approached stating that the Commissioners have put pressure on Mr. Green concerning amending the ordinances. He stated he appreciates the job Mr. Green is doing as well as the Planning Board.

(d) Commissioner Cody reported that he and his wife visited the Cashiers-Glenville Recreation Center last Saturday. The center now has 650 members. Some people have said it was a political payback and unnecessary building; however, everyone should visit and see the enthusiasm and smiles on the faces of the children. Basketball games were scheduled from 9:00 am until 4:00 pm on Saturday. He is very proud of the decision the Board made to construct the recreation center.

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

(a) Legislative Update: The NC General Assembly is up and running and moving things along at a very fast pace. The political make-up of the General Assembly has changed and the Republicans hold a super majority in both the House and the Senate. In addition, the majority of members in the House and Senate are either first or second term members; consequently, many newly elected members are being asked to take significant leadership roles with minimal experience.

(b) Unemployment Insurance: The General Assembly has addressed the debt incurred for excess unemployment benefits by reducing the maximum benefit from \$535 per week to \$350 per week and reducing the benefit period from 26 weeks to 20 weeks. In addition, effective July 1, 2013 employers will be assessed 1% on the first \$20,900 in wages. This will impact Jackson County and other local governments since the county has always utilized a reimbursement method meaning the county was invoiced annually for any claims, now the county will begin paying an assessment on payroll costs. Since the reimbursement of actual claims is after the fact, the county will have a duplication of unemployment costs in FY 13-14.

(c) **House Bill 30 – Tag and Tax:** A bill has been introduced to delay the implementation of the vehicle tax collection. The NCACC is strongly opposed to this bill since local governments see better collection rates and increased revenues by requiring people to pay their vehicle taxes at the time they renew their tag. The cost to the county for this service will be \$1.59 per transaction while the overall rate across all counties for this collection has been \$3.54. A majority number of counties believe they incur less costs and have better collection rates.

(d) **County 101: A Primer on the State/County Relationship:** The NCACC is holding a training session for newly elected members of the General Assembly to discuss county operations. This is being sponsored by legislators who have previously served as a county commissioner including Senator Jim Davis. The current General Assembly has 25 former county commissioners in the House or the Senate.

(e) **Revised Tax Structure:** The Senate is proposing a revised tax structure for the State that would eliminate the personal and corporate income tax and replace it with a use tax similar to a sales tax. The taxable services would greatly expand and the tentative rate would increase to 8.05%. This rate would also eliminate the local option sales tax and counties would receive funding from the use tax in lieu of a separate local option tax. Obviously, there is much work to be done on this project and it is doubtful whether a bill can be completed during this term.

(f) **Senate Bill 10 – Boards and Commissions:** This bill would effectively abolish a number of existing statewide boards and commissions and restructure them by allowing the current administration to appoint the committee members. This bill is receiving a lot of publicity since it would also eliminate 10 special judges that were appointed by the previous governor. The Senate has passed the bill and it is now in the House for consideration.

(g) **Metrostat Assets:** The official closing on this transaction took place on Thursday, February 14th and Balsam West has now assumed full ownership of the Metrostat assets.

(h) **NCACC Federal Legislative Agenda:** The NCACC has requested all counties to provide any special federal legislative requests for consideration.

(i) **Flood Plain Map:** He has received official notification from McGill & Assoc. concerning the request for modifications to the flood plain map for Whittier. Apparently DENR is of the opinion that there is insufficient justification to make modifications based upon the first review. McGill will be reviewing the information.

(j) **Emergency Management Dinner:** Scheduled for February 26, 7:00 pm at the Senior Center.

(4) CONSENT AGENDA: Darlene Fox, Finance Director, presented the January 2013 finance/tax collector/refund reports, and one budget amendment for approval.

Motion: Commissioner Cody moved to approve the consent agenda.

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

(5) CASHIERS TRANSPORTATION PLAN: Gerald Green, Planning Director, stated that in October 2011 the Cashiers Village Council conducted a public workshop to receive input and comments on the transportation needs of the Village. This workshop was a follow up to the Mountain Landscapes Initiative (MLI) project of 2007 – 2008 which included a case study of Cashiers. The MLI study identified a number of transportation initiatives. The goal of the 2011 workshop was to refine these initiatives, provide additional detail regarding the identified projects, and assign priorities to them. Through this process it was anticipated that the community could be made aware of the benefits of the proposed improvements and would provide support for the projects. The project goals and priorities identified at the workshop are described in the Cashiers Transportation Plan (Plan). The Plan has been approved by the Cashiers Village Council and endorsed by the Cashiers Area Chamber of Commerce. The goals and projects identified in the Plan are listed as Roadway, Pathway, and Policy projects. The roadway projects include:

- Recommendations for “character change” to make US 64 and NC 107 within the Village center more of a main street than a rural state highway.
- Recommendations for connector roads between NC 107 and US 64 in all 4 quadrants of the Village (Frank Allen Road serves as a connector between NC 107 South and US 64 West).
- Recommendations for roundabouts at the crossroads (intersection of US 64 and NC 107) and at the entrances to the Village (for example the intersection of NC 107 South and Frank Allen Road).

The pathway projects recommendations call for a number of pedestrian facility improvements including sidewalks along certain roads in the village center and continued construction of the pathway system. Policy projects identified include a recommendation for the adoption of a complete streets policy, the investigation of funding sources, and the development of a way-finding plan for the Village.

The plan does not require funding from the County for the projects. The goal of the Village Council and others involved in the development of the Plan was that it become a part of the County’s Comprehensive Transportation Plan (CTP). The inclusion of these projects in the CTP was seen as a way to enhance the potential that NCDOT would assist in the implementation of the projects. The official adoption of the Cashiers Transportation Plan and the inclusion of the projects in the CTP would add legitimacy to these projects. The Cashiers Planning Council and the Planning Board have recommended approval of the Cashiers Transportation Plan.

Chairman Debnam scheduled a Public Hearing on March 4th at 1:45pm.

(6) **CULLOWHEE VALLEY SCHOOL ROOF:** Mr. Wooten stated that during the work session held earlier this afternoon, Superintendent Murray and John Cort, Architect, presented an evaluation of the Cullowhee Valley School roof, i.e., one section has failed, another section has some minor leaks, and about one half appears to be satisfactory at this point; however, it is over 20 years old. The building is a very sound structure and the recommendation is to try to get the roof stabilized and get certain parts repaired or replaced. He recommended that the Board consider authorizing the School Board to move forward with the design and solicit bids. The bids are to be separated into a base bid with 1, 2 or 3 alternates. Based upon the bids, the Commissioners and School Board can decide how to move forward because it is obvious that a funding source must be identified. Funding is not available in the current budget, therefore an appropriation from the capital reserve fund or fund balance would need to be considered. Mr. Cort estimated that if the project is done in its entirety and if insulation must be replaced on approximately half of the roof, the cost could be close to \$1 million. Hopefully, it will not be necessary to replace the insulation on the entire roof and some of the repairs can be delayed. Eventually, and in all likelihood, the entire roof will need to be replaced. Mr. Cort indicated the bids should be available for review by May.

Motion: *Commissioner Jones moved to authorize solicitation of bids with alternates. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(7) **ELK ROAD RESOLUTION (R13-05):** Jan Adams submitted a Petition signed by all adjoining property owners requesting that .15 miles of Elk Road be added to the DOT maintenance system.

Motion: *Commissioner Elders moved to adopt the Resolution. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(8) **ECONOMIC DEVELOPMENT COMMISSION RESOLUTION (R13-04):** The County Commissioners and Municipalities Commissioners/Aldermen met a joint session on February 4, 2013 and determined that the current Economic Development Commission should be dissolved. The General Statutes of North Carolina Chapter 158, "Local Government", provides that local government units can repeal the resolution that created the Economic Development Commission. It was the consensus that a joint Resolution dissolving the current EDC be considered, adopted and executed by each governing body by March 1st. It was also the consensus that the per capita contributions from the Towns of Dillsboro, Sylva, Webster and Village of Forest Hills since 2008 be refunded from the Economic Development Fund and the balance be managed by Jackson County and utilized for economic development purposes.

Motion: *Commissioner Elders moved to adopt the Resolution. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(9) **CEMETERY BOARD**: Carry over.

Informal Comments by Public:

(a) Jim Mueller of Glenville expressed his appreciation for the Cashiers-Glenville Recreation Center and thanked the Board for getting the project completed. Work is moving forward on the Blue Ridge School and he supports the railroad returning to Dillsboro because the people there are in need. He stated it would be good to have another ABC Store established.

(b) Marie Leatherwood of Sylva expressed her disapproval of the Board's actions.

Press Conference

CLOSED SESSION:

Motion: *Chairman Debnam moved that the Board go into closed session pursuant to G.S. 143-318.11(a)(6) Personnel and G.S. 143-318.11(a)(3) Legal.*

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

It was the consensus that Mr. Wooten move forward and make an offer to one of the applicants for the position of Dept. on Aging Director.

There being no further business, Commissioner Cody moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:20 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman