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Time Posted: \_\_\_\_\_

Posted By: Pat Parris

Witnessed By: \_\_\_\_\_

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

The Jackson County Board of Commissioners met in a Regular Session on March 18, 2013, 6:00 pm, Savannah Fire Dept., 15 Ralph Tatham Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman  
Doug Cody, Vice Chair  
Mark Jones, Commissioner  
Charles Elders, Commissioner  
Vicki 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 US441 Corridor Development Ordinance Amendment - schedule public hearing. Commissioner Elders moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

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

**(1) COMMISSIONER REPORTS:** Commissioner Greene reported she attended the Safe School Summit in Avery County last week which was very informative. The Commissioners thanked the Savannah Fire Dept. for hosting the meeting and expressed their appreciation for everything the firemen do for Jackson County.

**(2) COUNTY MANAGER REPORT:** Mr. Wooten reported:

**(a) Legislative Update:** The NC General Assembly continues to introduce a significant number of bills some of which could impact the County and how we do business. Governor McCrory is scheduled to submit his FY13-15 budget in the next couple of weeks and there is a great deal of anticipation at the state level about the budget. Following the governor's budget, the senate will release its budget and the house will be last. In all likelihood, a joint committee between the senate and house will be required to reach a compromise budget. Just like counties, a budget must be in place by July 1, 2013 to avoid an interim budget. The following is a status report of bills that could impact Jackson County:

**HB 30 – Tag and Tax:** A companion bill to delay implementation of the collection of vehicle tax when a tag is renewed has been introduced. There has been a significant amount of work done to prepare for the implementation of this new system in July. In addition, it is believed it will result in a higher collection rate for vehicle taxes that would directly benefit Jackson County and other counties in NC. The NCACC is opposed to this bill.

**HB 120 – Modifications to the NC Building Code:** Presently, the building code is updated every three years and this bill would extend that period to six years. In addition, the bill would prohibit surprise inspections by building inspectors.

**HB 177 – Exempt Diagnostic Centers from Certification of Need:** If passed, this bill would allow physicians to construct stand-alone ambulatory surgery centers that would compete with local hospitals. The NC Hospital Association is opposed to this bill as it would negatively impact community hospitals.

**SB 287 – Public Notices through Electronic Means:** This bill would allow towns and counties to advertise their meetings and public hearings through electronic means rather than having to rely on a legal ad in the local newspaper. This has been introduced as a local bill and he would like to request that Representative Queen and Senator Davis include Jackson County as part of this bill.

**HB 74 – Eliminating Redundant or Burdensome Regulations:** This bill would have the NC General Assembly reviewing over the next four years the estimated 22,500 administrative rules to identify those that are in need of modification or elimination.

**Senate Bill 236 – Counties Responsible for School Construction:** Under this bill, counties would have the option of taking control of local school facilities as it relates to construction and maintenance. The larger counties like Wake and Mecklenburg are most interested in this bill; however, as written, all counties could opt to assume these responsibilities.

**Senate Bill 125 – Public Record and Meeting Law:** As currently written, neither the current public records nor open meetings laws have a criminal penalty. This bill would add potential penalties for violations of up to 20 days in jail.

**Senate Bill 232 – Local Purchasing Delegation:** This bill would allow town and counties to award a bid to a local bidder if their bid is no greater than 5% or \$10,000 whichever is less. The local bidder is defined as someone paying unemployment taxes or income taxes in the state and whose principal place of business is located within the boundaries of the county or municipality giving the preference.

**Senate Bill 321 – Contain Counties' Inmate Medical Cost:** Senator Davis is the primary sponsor of this bill and it would implement medical cost containment procedures for inmates in local jails. Both the Sheriff's department and he have expressed appreciation to Senator Davis for this bill and believe it would result in cost savings for counties.

**SB 119 – Lottery Funds:** This bill would expand the permissible use of lottery funds to include school technology purchases. Currently, the funds may only be used for capital construction. In addition, there appears to some support for returning to the 40% cap of lottery funds to counties for school capital purchases. Because of difficult budgets times, the legislature has capped this allocation at \$100 million over the past couple of budget years.

**HB 200 – Property Revaluation:** This bill could require counties to redo revaluations of certain areas within a county if it is determined that the basis used to establish the market value is wrong. In some cases, this could result in a refund of property taxes plus interest. This bill appears to be focused toward Mecklenburg County which just completed revaluation.

**(c) Concealed Handgun Permit Information:** In addition, there has been a great deal of conversation about whether information about persons who possess a concealed handgun permit is subject to public records legislation. To his knowledge, there has not been a request to the Sheriff for the release of this information; however, requests have been submitted to a number of counties across the state. This is a very sensitive issue especially with gun rights groups across the state and nation. There are 12 states where this information appears to be subject to public records including North Carolina. Bills have been introduced in at least 10 of those states to make handgun and concealed handgun permits off-limits to the public.

**(d) Renovations to County Facilities:** Bids have been solicited for renovations to the house in Cashiers that will be the new location for senior programs and a satellite office for the Sheriff's department. This space was previously occupied by SCC and the renovations are focused toward accessibility and compliance with current building codes. When completed, all county services will be out of the Cashiers Community Center building. Bids were received for renovation of the old maintenance offices in Dillsboro to allow the Transit Dept. to relocate from its current space at the old Southern Lumber building. Maintenance, housekeeping and grounds activities have been consolidated in the old Southern Lumber building. The property in Dillsboro will provide much needed storage space for bulk items as well as a new home for Transit. This space is especially attractive to Transit since it has a fenced in area that will accommodate their vehicles. Funds from NCDOT will be used to repave the parking lots, provide electronic gates for the parking lots, and security cameras. When Transit vacates their current space it will offer an opportunity to relocate the Board of Elections to that facility which will be a significant improvement from the current location in both space and access. This is in keeping with the plan to relocate county operations from the court end of the Justice Center to allow potential reconfigurations to create a third court room. The 911 dispatch office will be the only remaining county operation in that space. After the last work session, he did solicit a proposal from Odell Thompson to work with Todd Dillard and his staff to program space for a new 911 call center and emergency operations center to be located on the property acquired from Duke Energy on Hwy. 441. This proposal totaled \$7,600 and will take the project through schematic drawings including an estimate of construction costs. The majority of funds for this project will be provided from 911 reserves that have been accumulated for this purpose.

**(e) NCACC District Meeting:** The NCACC district meeting will be held on April 10<sup>th</sup> at the Ramsey Center on the campus of Western Carolina University.

**(f) Annual Advantage Economic Development Trip:** He will be attending the annual meeting for economic development managers in the AdvantageWest in Raleigh on March 24 – 26<sup>th</sup>. This is an opportunity to meet with business recruitment staff from the NC Department of Commerce, to hear updates from the Golden Leaf Foundation and Rural Center, meet with local legislative leaders, and to receive updates on current legislation.

**(g) Region A Quarterly Meeting:** Scheduled on March 25 at the Chestnut Inn in Cherokee with dinner beginning at 6:00 pm.

**(3) CONSENT AGENDA:** Darlene Fox, Finance Director, presented the February 2013 finance/tax collector/refund reports, three budget amendments and two capital project ordinances for approval.

***Motion:*** *Commissioner Jones moved to approve the consent agenda.*

*Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(4) WATR UPDATE:** Roger Clapp, Executive Director of the Watershed Association of the Tuckasegee River (WATR), gave an overview of the challenges the community faces in keeping mountain streams clean and healthy. He stated they are looking ahead on how to engage homeowners and others in erosion and sediment control training and how to get focused groups involved. Future plans are to extend and improve more trails with signage and benches with feedback stations, promote more activities, tours, and encourage group visits. The River Clean Up at Monteith Farmstead is scheduled on April 20<sup>th</sup> at 9:00 am and everyone was encouraged to attend.

**(5) GREAT SMOKY MOUNTAINS RAILROAD (GSMR):** Mr. Coward presented a proposed Economic Development Loan Commitment Agreement with GSMR. He explained the agreement in detail during a work session held earlier today.

GSMR intends to: (a) rehabilitate a steam engine that is currently owned by GSMR but is non-operational; (b) expand the maintenance garage in Dillsboro, and (c) construct two turntables (one in Dillsboro and one in Bryson City). The estimated cost will be up to \$1,400,000. It is anticipated that the expansion will increase tourism, invigorate the local economy and create six (6) new full time jobs at GSMR. The County would loan GSMR up to \$700,000.00 and, when combined with the \$700,000.00 supplied by Swain County, should accomplish the three anticipated tasks. GSMR will be working on the process of running half of the 2013 full time season diesel trips out of Dillsboro with the goal that by the end of the season, half of the trips will originate in Dillsboro; however, this will not happen over night. The proposed Agreement mirrors Swain County's Agreement.

A public hearing was scheduled on April 1 at 1:40 p.m.

**(6) US 441 CORRIDOR DEVELOPMENT ORDINANCE AMENDMENT:**  
The proposed amendment addresses internet sweepstakes operations in the 441 Corridor.

A public hearing was scheduled on April 1 at 1:30 p.m.

**(7) CASHIERS SENIOR CTR., SHERIFF SATELLITE OFC. - CAPITAL RESERVE RESOLUTION (R13-09):** It has been determined that facility and office space in Cashiers for the Senior Center and Sheriff Satellite office are necessary. Renovation of the building formerly occupied by SCC has been assessed, reviewed and designed by Dan C. Duckham, Architect, at an estimated cost of \$125,000.

***Motion:** Commissioner Jones moved to adopt the Resolution and appropriate \$125,000 from the Capital Reserve Fund. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(8) TRANSIT DEPT. - CAPITAL RESERVE RESOLUTION (R13-10):**  
There is a need for additional facility space for the Transit Dept. Renovation of the facility located at 1148 Haywood St. has been assessed, reviewed and designed by the architectural firm of Mahaley Odell Thompson, AIA, at an estimated cost of \$200,000.

***Motion:** Commissioner Elders moved to adopt the Resolution and appropriate \$200,000 from the Capital Reserve Fund. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**(9) JACKSON COUNTY ABC BOARD:**

***Motion:** Chairman Debnam moved to appoint Tom Hannon to a 1-year term, Donald Ferguson to a 2-year term and David Noland to a 3-year term on the Jackson County ABC Board. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(10) BUSINESS & INDUSTRY ADVISORY COMMITTEE:**

**Motion:** *Chairman Debnam moved to appoint Jim Turner, Will McKee, Larry Hinton and Bob Carpenter to the Business & Industry Advisory Committee. Commissioner Cody seconded the Motion. Motion carried by unanimous vote. (Terms will be determined when all committee members are appointed).*

**(11) PLANNING BOARD:**

**Motion:** *Commissioner Elders moved to reappoint Joe Ward to a 2-year term on the Planning Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**(12) COUNCIL ON AGING:**

**Motion:** *Commissioner Jones moved to appoint Charlotte Cowan to fill the unexpired term of Charles McConnell on the Council on Aging. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(13) WATERSHED REVIEW BOARD:**

**Motion:** *Commissioner Elders moved to appoint Ron Huff to a 3-year term on the Watershed Review Board. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

**Informal Comments by Public;**

- (a) David Gates of Dillsboro stated he supports the train returning to Dillsboro and would be of great benefit to all of Jackson County.
- (b) Jim Mueller of Glenville stated he supports train returning to Dillsboro.
- (c) Marie Leatherwood of Sylva stated she does not support the train returning to Dillsboro.
- (d) T.J. Walker of Dillsboro stated he supports the train returning to Dillsboro.

**Press Conference**

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Greene seconded the Motion. Motion carried and the meeting adjourned at 7:15 p.m.

Attest:

Approved:

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Patsy C. Parris, Clerk to Board

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W. J. Debnam, Chairman