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Posted By: Pat Parris  
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**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
OCTOBER 7, 2013**

The Jackson County Board of Commissioners met in a Regular Session on October 7, 2013, 2:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman  
Doug Cody, Vice Chair  
Charles Elders, Commissioner  
Vicki Greene, Commissioner  
Mark Jones, 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 Smoky Mountain LME/MCO Board of Directors Resolution. Commissioner Jones moved to approve the amended Agenda. Commissioner Elders seconded the Motion. Motion carried.

**MINUTES:** Commissioner Elders moved to approve the Minutes of a Public Hearing, Work Session and Regular Meeting of September 16, 2013. Commissioner Greene seconded the Motion. Motion carried.

**NCACC:** A video by NCACC was presented updating Commissioners on Steering Committees and how Commissioners can participate. Service on the committees is the best way for elected officials to get involved since they are the best advocates for counties. Commissioners were encouraged to consider serving on one of the following seven Steering Committees: Agriculture, General Government, Environment, Health & Human Services, Justice & Public Safety, Public Education and Tax & Finance. A seminar on the “Affordable Care Act” is scheduled on October 15<sup>th</sup> in Orange County. Information will be presented as to the steps counties should be considering to make sure they are ready for the change.

**(1) CHAIRMAN’S REPORT:** Chairman Debnam reminded everyone of the open house and ribbon cutting ceremony at the Senior Center and Sheriff’s Office in Cashiers at 5:00 this afternoon. The meeting schedule for October 21<sup>st</sup> is: 5:45 pm Public Hearing – CDBG Grant; 5:50 pm Public Hearing - Cashiers Commercial Area Development Ordinance amendment and 6:00 pm Regular Meeting. He has been informed of a need for a Closed Session today pertaining to “Real Property” and “Personnel”.

## **(2) COMMISSIONER REPORTS:**

(a) Commissioner Greene reported that the Cullowhee Planning Committee met on September 17<sup>th</sup>. Residents of that community have already reached out to their neighbors and friends because a lot of the success of this committee will be dependent upon community involvement. The next meeting is October 22<sup>nd</sup> at the Cullowhee Recreation Center. On September 24<sup>th</sup>, four Commissioners attended a BBQ sponsored by the contractor for the new gymnasium and performing arts center at SMHS. On September 26<sup>th</sup> she attended a Smoky Mountain Mental Health meeting in Asheville. Jay Coward, also the attorney for Smoky Mountain Mental Health, will be discussing in some detail what is happening in that organization and the loss of the voices of county commissioners on the new board.

(b) Commissioner Elders reported that last week he participated in the interview of a candidate for the Economic Development Director position. He suggested, because there is a lot of potential in the Savannah, Greens Creek, Dillsboro, and Barkers Creek areas, especially the 441 Corridor, that more economic development attention should be made concerning those areas.

(d) Commissioner Cody reported that earlier today he attended a meeting with various educators and others at which the Chairman of the North Carolina PTA was present. Basically she was there to congratulate Jackson County for its efforts concerning the healthy children program. She also stated that Jackson County schools were getting to be well known across the state for things being done toward funding and projects that are underway. She also stated that Jackson County is in the top 25% of all school districts in North Carolina.

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

(a) **Break In at Cashiers Inspection Office:** The office was broken into sometime during the evening of September 30<sup>th</sup>. The office was ransacked and technology equipment valued at \$3,000 was stolen. Unfortunately, there were a couple of other incidents in the Cashiers area on the same night. The Sheriff's Dept. investigated the incident and is working to solve this case and others in the area. The office was actually closed on October 1<sup>st</sup> so staff could clean up from the break in and put things back in order for normal operations. All calls were directed to the Sylva office; however, inspectors were in the field.

(b) **National Flood Insurance Program:** He recently received the audit report from the 2012 review of the Jackson County floodplain management and enforcement practices. The audit report confirmed that the County has an adequate ordinance in place to effectively manage the floodplain regulations as well as the enforcement practices to qualify as a participant in the National Flood Insurance Program. There were no identified deficiencies. This is a very important program to the County since there are 278 flood insurance policies currently in place. The total annual premium for these policies is \$159,198 providing \$60,958,800 in insurance coverage. Jackson County has participated in the National Flood Insurance Program since May 17, 1989.

(c) **School Board Grant Application:** The School Board has been notified of a state program that received an allocation of \$7 million to provide matching funds for school resource officers in elementary and junior high schools and the deadline for submitting an application is October 11<sup>th</sup>. Under the program, the school board could apply for a matching grant not to exceed \$28,000 for a SRO estimated to cost \$42,000 (\$2 state funds and \$1 local funds). Under this scenario, the school system/County would be required to provide \$14,000 in matching funds. He has discussed this program with Dr. Murray. The school board would like to apply for the funds; however, retaining existing teachers and teacher aides are the highest priorities and where they have allocated their funds. If an application is submitted then the matching funds must come from the County. At the end of the two year funding cycle, the school system would be required to assume full financial responsibility for the program. The \$42,000 represents the estimated SRO personnel cost which is less than the current SRO average salary and benefits. In addition, there are no funds for equipment or a vehicle. Based on the fact that the County funded an additional SRO in the current budget, he recommended that the County not participate in this program, but evaluate the effectiveness of the new SRO position at Smokey Mountain Elementary and determine if funds should be included in the FY 14-15 budget for an additional officer at another elementary school. Dr. Murray has indicated he would support this recommendation.

(d) **Federal Government Shutdown:** According to email traffic he saw today from across the state, the impact could be substantial. DSS has several programs that are either partially or fully funded through federal funds. At this point the department has been informed that the programs for October would continue to be funded with reserve funds accumulated through September. The state is trying to calculate exactly how many days of cash will be available in October so they can guarantee counties reimbursement. As of today there is basically three major programs at DSS impacted: (1) Social Services block grant; (2) temporary assistance for the needy; and (3) subsidized child care. The cost of these programs total approximately \$160,000 per month which is a substantial amount for the County. Some counties have already taken action to give child care providers a ten day notice, stating that in ten days the county will no longer be able to provide the subsidized child care assistance they are currently receiving. He suggested that the Board authorize the Director of Social Services, Director of Health Services and he review the impacted programs and draft

recommended decisions and present the same to the Board. When the county is notified of a definite federal funding deficiency, a Special or Emergency Meeting could then be scheduled for the Board to review and consider the recommendations. He talked with Kevin Leonard, NCACC Asst. Director, just before this meeting and they are going to be scheduling a conference call between counties and representatives from Health and Human Services so everyone will have a better understanding of exactly what the impact may be. Paula Carden, Health Dept. Director, is taking action to suspend all non-essential travel and purchases until they receive additional guidance from the NC Dept. of Health.

**(e) Cashiers Senior Center and Sheriff's Dept. Open House:** An open house will be held on Monday, October 7<sup>th</sup> from 5:00 pm to 6:30 pm for the community to see the improvements that have been made to these facilities. Originally, it was anticipated that the Health Dept. would have a presence in this space; however, their space needs exceeded the available space so for the time being they will continue operating out of their current location in the Inspections and Code Enforcement facility. He will continue to look for other space that might be available for clinics which take place 2 to 3 days each month.

**(f) Care Package for the 210<sup>th</sup> Military Police:** County employees are currently collecting items for a care package to be sent later this month. Sgt. Brandon Monteith, son of David Monteith (county garage supervisor), is part of the 210<sup>th</sup> and serving in Afghanistan. The employees want to thank Brandon and his fellow soldiers for their service and the freedom everyone enjoys here at home. The plans are to ship the package no later than October 15<sup>th</sup>.

**(4) SMOKY MOUNTAIN MENTAL HEALTH CONSOLIDATION/SMOKY MOUNTAIN LME/MCO RESOLUTION (R13-24):** Mr. Coward stated that he also serves as attorney for the Smoky Mountain Center. He reported that on October 1<sup>st</sup> Smoky Mountain merged with Western Highlands Network creating the "Smoky Mountain LME/MCO" which will now be serving 23 western counties. Smoky Mountain LME/MCO is privately run, but has state authority to manage Medicaid and state funding for mental health, substance abuse and developmental disability services in those 23 counties. Counties in the service area contribute financially to Smoky Mountain LME/MCO and Jackson County appropriated \$123,081 in the current budget. The prior Board of Directors had one Commissioner from each county. The new board allows for expansion of up to 21 members, but specifies what 13 are going to be and only one of those is a Commissioner. The new proposal creates a non-voting advisory board made up of county Commissioners.

He presented a Resolution requesting the state to revise membership requirements so every county be allowed to have at least one elected County Commissioner serving as a voting member of the Board of Directors.

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

**(5) LANDFILL: SLOPE & DRAINAGE IMPROVEMENTS:** Victor Lofquist, Engineer, presented a preliminary site plan for placing an earth fill at the closed Landfill in Dillsboro. The purpose of the preliminary work was to evaluate the feasibility and costs associated with placing earth fill on the closed landfill embankment facing Haywood Road to better stabilize the site with flatter slopes and improve the ease of maintenance mowing. Portions of the existing embankment have experienced minor slides this year with the excessive rains being a contributing factor. He has discussed the possible installation of storm drainage and placement of earth fill on the Haywood Road right of way with the NCDOT District Engineer and a NCDENR Solid Waste Section official. Devere Construction Company, Inc., NCDOT contractor building the new connector road from Hwy. 116 to Hwy. 107, has excess earth material that must be disposed of offsite. Earthwork modeling, based on the preliminary plan for earth filling the slope at the closed landfill, estimates that approximately 80,000 cubic yards of earth fill will be needed. Devere has agreed, in concept, to haul, place and compact this material at the closed landfill. If the County wishes to pursue this project further, he recommended that the County Attorney assist in preparing a final agreement between Devere and the County. If the County desires to proceed, then it should proceed with engaging the services of a NC Professional Land Surveyor to produce a final design, topographic and location survey. Mr. Wooten stated that funding for the project would be from the Solid Waste Enterprise Fund

***Motion:*** Commissioner Jones moved to proceed with the project. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

**(6) PEDESTRIAN BRIDGE ENGINEERING SERVICES:** Mr. Wooten presented a proposed contract with Lofquist & Associates for design and construction management services for a pedestrian bridge to be constructed as part of Phase 1 of the Tuckaseige River Greenway Project. Lofquist was selected for these services upon the recommendation of a review committee composed of county staff and Greenway Committee members. The contract identifies the following project tasks:

- Schematic design
- Final design including structural and electrical
- Bridge bidding and coordination with bridge fabricator
- Construction bidding and construction contract administration
- Periodic construction observation

The fixed price amount for the above services is \$57,750.00. All expenses are included in the fee quoted in the contract. Based on information provided by NCDOT staff who manage bridge construction projects, this is a reasonable price for the services. Lofquist will communicate closely with county staff and provide schematic, preliminary and final plans to the county for review and approval before proceeding to the next step(s). Funding will be from the Greenway Capital Project Fund. Mr. Coward stated he has reviewed the contract and has no objections.

***Motion:*** Commissioner Cody moved to approve the contract. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(7) BOARD OF ADJUSTMENT:** Commissioner Elders recommended Mike Potts and Chairman Debnam recommended Norman West. Joel Johnson and James Monteith have agreed to continue to serve if reappointed.

***Motion:*** Commissioner Elders moved to appoint Joel Johnson, James Monteith, Mike Potts and Norman West to 3-year terms as members on the Board of Adjustment. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

### **Public Comments:**

(a) Marie Leatherwood of Sylva stated she disagrees with how the Board appears to be showing favoritism for citizens in Cashiers on various issues.

(b) Ron Robinson of Sylva stated he has some concerns about the idea of electing commissioners by district only and not county wide. The current voting system in place for election of commissioners serves citizens better than a model that comes from Cobb County, Georgia. However, if this issue goes to a referendum, he suggested that it be in a general election and not in a primary

(c) Rick Gorton requested reimbursement of costs he incurred in delivering Jackson County's "We All Remember 9/11" memorial quilt to the September 11<sup>th</sup> Memorial Museum in New York City in the amount of \$526.00.

(d) Myrtle Schrader of Cullowhee thanked *The Sylva Herald* for recording Governor McCrory's invitational business meeting held recently in Dillsboro and posting the recording on their website. It was exciting to hear Jay Coward, county attorney, propose to the Governor the concept of bringing the North Carolina "Rails to Trails" project to the county through Dillsboro. With the new tourist authority slogan, "Play On" and creation of a greenway, the Rails to Trails and a Water Park in Dillsboro would be wonderful for the tourist industry and quality of life for all WNC residents and visitors.

### **Press Conference**

### **CLOSED SESSION:**

***Motion:*** Chairman Debnam moved that the Board go into closed session pursuant to G.S. 143-318.11(a)(5) Real Property and G. S. 143-318.111(a) (6) Personnel. Commissioner Elders 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.

**AGENDA AMENDMENT:**

**Motion:** *Chairman Debnam moved to amend the agenda by adding Wayehutta Property License Agreement. Commissioner Jones seconded the motion. Motion carried.*

**(8) WAYEHUTTA PROPERTY - LICENSE AGREEMENT:** A request has been made for a license agreement to allow access across county property in the Wayehutta Community for the purpose of removing timber from the adjoining Thomas Stovall, PIN 7600-43-1215, and Linda Sellers, PIN 7660-43-5845, properties.

**Motion:** *Chairman Debnam moved to authorize the county attorney to draft a License Agreement to Thomas Stovall and Linda Sellers for ingress and egress across county property for a period of 24 months for the purpose of hauling timber from their respective properties with the stipulation they will maintain all erosion control measures as directed by the county Erosion Control Officer. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Jones moved to adjourn the meeting. Commissioner Cody seconded the Motion. Motion carried and the meeting adjourned at 4:15 pm.

Attest:

Approved:

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Patsy C. Parris, Clerk to Board

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W. J. Debnam, Chairman

