

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JUNE 16, 2014**

The Jackson County Board of Commissioners met in a Regular Session on June 16, 2014, 6:00 pm, Justice & Administration Bldg., Room A201, 401 Grindstaff Cove 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 deleting Monarch Ventures Sewer Easement Request and added Closed Session G.S.143-318.11(a)(5) Real Property and G.S.143-318.11(a)(6) Personnel. Commissioner Elders moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

**MINUTES:** Commissioner Jones moved to approve the Minutes of the Public Hearing and Regular Meeting of June 2, 2014. Commissioner Elders seconded the Motion. Motion carried.

**(1) CHAIRMAN'S REPORT:** Chairman Debnam reported that NCDOT has scheduled a meeting on Tuesday, June 17, 4:00-7:00, Burrell Bldg. at SCC, to discuss RPO issues. Everyone is invited and get enlightened about what is/or not going to happen in Jackson County.

He recognized Dr. Tomas, SCC President, who announced that Commissioner Jones has been appointed by the School Board as their representative on the SCC Board of Trustees. He stated this action will greatly benefit both SCC and the Commissioners by having someone who can represent the Commissioners and can provide regular updates about actions at SCC.

**(2) COMMISSIONER REPORTS:**

(a) Commissioner Greene reported that the board and others spent a couple of hours this afternoon touring Haywood County's \$35M Justice Center building.

(b) Commissioner Jones thanked the Board of Education and Dr. Tomas for his appointment. He stated he looks forward to being a part of the SCC team. The line of communication between the commissioners has always been open but will be more so now.

(c) Commissioners Elders reported he enjoyed the Haywood County tour today.

(d) Commissioner Cody stated he also enjoyed the tour of the impressive facility but does not know exactly how it would fit into Jackson County's plans. As a member of the Airport Authority Board, he commended the county grounds crew for their magnificent job clearing some trees at the airport. He encouraged everyone to visit the facility. The airport is currently operating on a break even basis.

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

**(a) Greenway Project:** Paving of the first section of the greenway project is approximately 50% complete. Nick Breedlove posted a video on Facebook with an interview of Gerald Green about the project and it is a well done piece and receiving a lot of positive feedback. Hopefully, the paving will be completed over the next couple of weeks and citizens can officially begin using the trail by parking at the end of Monteith Gap Road. The bridge project continues to move forward at a slower pace. The easement document has been completed with TWSA to construct portions of the bridge project on their sewer easement so the engineers will be able to award the bridge contract that was approved earlier by the Commissioners. The soils report on which the bridge abutments will be constructed indicated poor soil; consequently, additional reinforcement will be required that will impact the project budget. The specifications for the bridge foundation and related sidewalks, etc. are moving forward. He has requested an updated schedule for completion of this project.

**(b) ConMet Lease:** The lease has been signed by all parties and the facility improvements are underway. Poor soils were encountered at the loading dock area which will require a concrete pad that was not planned. He is talking with the NC Dept. of Commerce about a formal announcement of this project to celebrate job creation in Jackson County.

**(c) Economic Development:** Rich Price is doing a great job as Director of Economic Development. The ConMet transaction is a result of his communication about the facility and the opportunities that exist in Jackson County. As of Friday, June 13, Rich along with Nick Breedlove, Mayor of Webster, and Sonja Haynes, SCC, are graduates of the NC Rural Center Economic Development Institute. Rich has visited with most of the businesses in the County and is now making rounds to all the municipalities and continues to respond to inquiries about interest and opportunities in the County and it is anticipated there will be more announcements in the future about job creation.

**(d) March Unemployment Rates:** Jackson County continues to see positive results as it relates to unemployment rates. The April rate of 5.2% was 1.3% less than the March rate of 6.5% and was a full 2.0% less than April 2013. The Jackson County rate was the 13<sup>th</sup> lowest out of the 100 counties in North Carolina. Scotland County had the highest rate of 11.6% and Orange County had the lowest rate of 4.0% while the State's unemployment rate was 6.0%. This information is provided by the NC Department of Commerce.

**(e) ECU Dental Clinic Ribbon Cutting and Open House:** East Carolina University has scheduled June 27<sup>th</sup> as the day for their ribbon cutting ceremony and open house for the School of Dental Medicine's Community Service Learning Center in Jackson County. This facility will provide much needed dental services to the region and will create additional jobs in the community. Jackson County will host a breakfast just prior to the ribbon cutting ceremony as an expression of appreciation to ECU for their investment in the community.

**(f) 911 Call Center and Emergency Operations Center:** This project is moving forward as the footings are in place and the forming for the poured in place concrete walls will begin going up next week. Much to everyone's surprise it was discovered that three phase power does not extend along US 441 beyond Dillsboro; consequently, the County has been required to make some adjustments in the expected electrical and back-up systems. The County will need to purchase a piece of equipment (Uninterruptable Power Supply – UPS) which was not planned at a cost of approximately \$25K; however, the cost to extend three phase power to the site would be \$65K. Looking to the future, the County needs to develop a plan for improvement of the infrastructure (water, sewer, natural gas, fiber optics, and adequate power supply) along US 441; otherwise, the opportunity for commercial/industrial development along this corridor will be limited.

**(h) Airport Update:** In appreciation for the work that County maintenance and grounds workers do at the airport, the local pilots hosted a cookout for employees and their families on Sunday, June 8<sup>th</sup>. As part of the event, several pilots offered the opportunity for a short flight over the area. The pilots are appreciated for taking the initiative in organizing and hosting this event. The pilots are very proud of the airport and value the efforts to maintain the facility. During the last couple of months, the public works staff has done a lot of trimming and clearing of flight paths and areas along the runway. Much of this was completed in preparation for a NCDOT inspection which went very well. The Airport Authority continues to provide outstanding leadership to this facility!

**(i) Legislative Updates:** The Senate and House have adopted their budgets for FY 14-15 and a conference committee will be appointed to work out the differences. The early evaluation of the two budgets suggests that counties would be less impacted by the House budget. Unfortunately, neither budget addresses the distribution of the lottery funds and the restoration of the 40% of lottery profits to school capital construction needs. Over the last five years, \$302 million has been diverted away from school capital construction for other programs. The budgets under discussion could cause some adjustments to the aging programs and transit programs. He will closely monitor this activity and keep the Commissioners fully informed. NCCAT is funded in both the Senate and House budgets so it appears there is a good chance funding will be in place for at least another year. Consultants and lobbyists for the EBCI have successfully obtained language in the appropriation bill for both chambers to transfer some or all social services programs from the responsibility of the state/county to the EBCI. The County has been working with the legislative delegation to suggest additional language to require adequate notice when the EBCI decides to assume responsibility of the social services programs on the Boundary as well as to have some protection against close out expenses. Unfortunately, the language in both the House and Senate appropriation bills did not reference the County's concerns. At this point, it appears a formal Memorandum of Understanding may be the best alternative available. Bob Cochran, DSS Director, will be participating in a meeting with tribal representatives later this month to discuss this possibility. The County has made it very clear that it does not oppose the transfer of responsibility to the EBCI; however, county staff is in place that will have some final payout that could occur after the transfer. Since these activities are 100% reimbursed by the State, the County wants to make sure that all reasonable close out expenses are reimbursed by the EBCI from State funds that are transferred to them and that such expenses do not become the responsibility of the County. Jackson and Swain counties currently provide social services programs on the Boundary.

**(j) Preliminary Discussions about a Lake Glenville Planning Project:** Gerald Green was recently invited to participate in a discussion about the possibility of beginning a planning discussion for the Lake Glenville area similar to what is currently ongoing in Cullowhee. The organizing group is planning a meeting later this month to discuss next steps and to attempt to gauge the interest among the homeowners. He has suggested to the group that if there is interest in initiating a planning effort then it would be wise to identify the area involved, hold a community meeting, and ask folks to sign a petition of support for submission to the Commissioners. This would provide some comfort to the Commissioners by knowing there is an identifiable core group that is desirous of moving the project forward especially should there be any push back. Gerald has advised the group that he could not start this project, if approved by the Commissioners, until the Cullowhee project is completed.

**(k) Tax Collector Retirement:** Beverly Buchanan has given notice that she plans to retire on September 1<sup>st</sup> after a 32 year career with Jackson County, the last 17 as Tax Collector. Bobby McMahan, Tax Administrator, and he have already begun discussions about updating the job description in preparation for the recruitment of a new tax collector. Hopefully, the process can be completed by the time she retires and include some overlap between the new tax collector and the current tax collector for training purposes.

**(l) NCACC Annual Conference:** The NCACC annual conference will be held in Asheville on August 14-17. Ronnie Beale, Macon County Commissioner, will be sworn-in as the president of the association at the closing banquet on Saturday evening. Registration is available for the entire conference, one day, or for the banquet on Saturday evening. Hopefully, the County can have good representation at the banquet as a show of support for a western North Carolina commissioner assuming the leadership role for the association.

**(m) Distribution of Tag and Tax Interest Funds:** The County has been notified that \$16,650,923.95 remained after the implementation of this program and funds were being reimbursed proportionately to the counties. Jackson County's share of the refund is \$40,013.91.

#### **(4) CONSENT AGENDA:**

(a) Darlene Fox, Finance Director, presented Finance, Tax Collector and Refund Reports for May 2014, one Project Ordinance (Recreation Project Fund), and one budget amendment.

(b) Tony Elders, Permitting & Code Enforcement Director, presented 10 permit applications for firework displays:

July 4: Bear Lake Reserve  
Lonesome Valley  
Chattooga Club  
Camp MerrieWood  
Mountain Top Golf Club  
Cashiers Community Village Green  
Wade Hampton Country Club  
Cedar Creek Racquet Club

July 5: Country Club of Sapphire  
Friends of Lake Glenville

***Motion:*** *Commissioner Elders moved to approve the consent agenda. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(5) **SCHOOL RESOURCE OFFICER GRANT APPLICATION:** Major Shannon Queen presented an application for Cops Hiring Program (CHP) and Community Oriented Policing Services (COPS) grant. He stated:

(a) **Financial Considerations:** FY2014 Cops Hiring Program (CHP) grants will provide up to 75% of the approved entry-level salaries and fringe benefits of full-time officers for a 36-month grant period with a minimum 25% local cash match requirement and a maximum federal share of \$125,000 per officer position. FY2014 CHP grants may be used on or after the official grant award start date to: 1) hire new officers (including filling existing officer vacancies that are no longer funded in the County's budget); 2) rehire officers already laid off by (at the time of application) as a result of budget reductions; or 3) re-hire officers scheduled to be laid off on a specific future date as a result of budget reductions.

(b) **After Grant Ends:** Continuation after federal funding ends for Community Oriented Policing Services (COPS) grants with a retention plan requirement: Applicants must plan to retain all positions awarded under a COPS hiring grant for a minimum of 12 months at the conclusion of 36 months of federal funding for each position. The retained COPS funded positions must be added to the County's law enforcement budget with local funds at the end of grant funding which are over and above the number of locally-funded positions that would have existed in the absence of the grant. These additional position(s) must be retained using state, local or other non-federal funding only. The County may not use funds awarded by other federal grants to cover the costs of retention. At the time of grant application, the County must affirm that it plans to retain the positions and identify the planned sources(s) of retention funding during the life of the grant.

(c) **Vehicles, equipment, etc.:** The grant does not include funding for a vehicle, equipment, uniforms, etc.

***Motion:*** *Commissioner Jones moved to approve filing the grant application. Motion failed for lack of a second.*

(6) **MARK WATSON PARK – ELECTRICAL UPGRADES:** Rusty Ellis, Recreation Director, reported that two bids were received for electrical upgrades at the park. He recommended that the bid be awarded to the lowest bidder Midnite Electric in the amount of \$20,570.00 which includes all alternates.

***Motion:*** *Commissioner Greene moved to award the bid to Midnite Electric. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(7) RALPH ANDREWS PARK – ELECTRICAL UPGRADES:** Rusty Ellis, Recreation Director, reported that three bids were received for electrical upgrades at the park. He recommended that the bid be awarded to the lowest bidder Startek Electric in the amount of \$120,827 which includes all alternates.

**Motion:** *Commissioner Cody moved to award the bid to Startek Electric. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(8) FY2014-15 BUDGET ORDINANCE:** Darlene Fox, Finance Director, presented the FY2014-15 Budget Ordinance. The budget total is \$59,753,633. The tax rate remains at \$0.28. A public hearing was held on June 2<sup>nd</sup> at which time Mr. Wooten recommended several changes which are included in the budget ordinance.

**Motion:** *Commissioner Greene moved to adopt the FY2014-15 Budget Ordinance. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**(9) ORDINANCE DESIGNATING THE MORDECAI ZACHARY HOUSE AS A LOCAL HISTORIC LANDMARK:** Gerald Green, Planning Director, stated the Historic Preservation Commission recommends that the Mordecai Zachary House a/k/a Zachary-Tolbert House be designated as a local historic landmark. The designation report has been reviewed and approved by the State Historic Preservation Office. A public hearing was held on June 16<sup>th</sup> at 5:50 p.m. and no objections were made.

**Motion:** *Commissioner Jones moved to adopt the Ordinance. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

#### **Informal Comments by Public:**

- (a) Ralph Slaughter, Cashiers, stated that GOP State Convention was held in Cherokee and it was his pleasure to welcome visitors to the Convention Center and to Jackson County. Everyone was extremely pleased with the facilities, food, and total service. The single complaint heard was that I-40 traffic is directed through Maggie Valley rather than US 23/74, a four lane. The Chamber of Commerce and TDA need to correct this problem because Jackson County is losing tourism.
- (b) Carl Iobst, Cullowhee, stated his objections concerning the proposed expansion of the Justice Center.

#### **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. 143-318.11(a)(6) Personnel. Commissioner Jones 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 the Closed Session Minutes of June 2, 2014.

**AGENDA AMENDMENT:** Chairman Debnam moved to amend the Agenda by adding Willets Road Property, South Painter Road Property, and South Painter Road 30' Sewer Line Easement. Commissioner Elders seconded the Motion. Motion carried.

**(10) WILLETS ROAD PROPERTY:** Vernon Harris has submitted an offer to purchase .20 acres on Willets Road (PIN 7672-06-5443) in Scotts Creek Township for \$1,500. Mr. Coward stated the offer must be advertised for an upset bid.

***Motion:*** *Commissioner Jones moved that the County accept the offer in the amount of \$1,500 plus the buyer pay all closing costs and subject to an upset bid. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(11) SOUTH PAINTER ROAD PROPERTY:** Monarch Ventures has submitted an offer to purchase .19 acres on South Painter Road (PIN 7559-26-9687) in Cullowhee Township for \$20,000. Mr. Coward stated the offer must be advertised for an upset bid.

***Motion:*** *Commissioner Greene moved that the County accept the offer in the amount of \$20,000 subject to an upset bid. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

**(12) SOUTH PAINTER ROAD 30' SEWER LINE EASEMENT:**

Monarch Ventures has submitted an offer to purchase a 30' permanent sewer line easement for the sum of \$8,000 and a 10' temporary construction easement across the western edge of the Community Garden site (PIN 7559-26-9687) located in Cullowhee Township subject to the following exceptions: (a) Jackson County reserves a right of way for a greenway along the creek; (b) Jackson County reserves the right to install a 2" water line at the county's expense across the road at the same time as the sewer line is installed; (c) the closing on the .19 acre parcel must be finalized before the easement will be granted.

***Motion:*** *Commissioner Elders moved that the County sell a 30' right of way easement for the sum of \$8,000 subject to the three exceptions. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Greene seconded the Motion. Motion carried and the meeting adjourned at 8:00 p.m.

Attest:

Approved:

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Patsy C. Parris, Clerk to Board

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W.J. Debnam, Chairman