

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
SEPTEMBER 15, 2014**

The Jackson County Board of Commissioners met in a Regular Session on September 15, 2014, 6:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Jack Debnam, Chairman  
Doug Cody, Vice Chair  
Charles Elders, Commissioner  
Mark Jones, Commissioner  
Vicki Greene, Commissioner

Chuck Wooten, County Manager  
Angela M. Winchester, Clerk to Board  
J. K. Coward, Jr., County Attorney

Chairman Debnam called the meeting to order.

**AGENDA:** Chairman Debnam amended the Agenda by adding a Closed Session pursuant to G.S. 143-318.11(a)(1) Privileged Information, G.S. 143-318.11(a)(3) Legal, 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 Cody moved to approve the minutes of a Regular Meeting of September 2, 2014. Commissioner Greene seconded the Motion. Motion carried.

**(1) CHAIRMAN'S REPORT:** Chairman Debnam reported that he attended a meeting Thursday night at Western Carolina University and Jackson County was recognized for its partnership with Western Carolina University by Dr. Belcher.

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

**(a) Albert Carlton Library:** He met with Dr. Barbara Carlton to tour the Cashiers library and to talk about facility improvements. In addition to the traditional library services and community room, they have a used book operation in the facility they have out-grown. The Friends of Library have worked with an architect who is also a member of Friends to develop a plan for adding an addition to the back of the side of the building, facing the Aging Center, of approximately 532 gross sq. ft. +/- . This space would provide much needed storage and distribution space for their used books. The used book operation is staffed by the Friends of the Library and the proceeds from book sales are used in support of library operations. Annually they generate approximately \$15-\$20,000.

Over the summer, the Friends have made improvements in the community room by purchasing and installing a new sound system and projection system. Dr. Carlton and others will appear at the October 20<sup>th</sup> work session to introduce the proposed addition to the Commissioners. Letters of support have been provided by the director of Fontana Regional Library as well as the librarians for Cashiers and Jackson County.

(b) **Recreation Projects:** Duke Energy, as part of the re-licensing agreement, is constructing a river put in and additional parking at the East LaPorte Park. This will be an enhancement to the park and provide another amenity for the citizens of the County. As part of the project, the County will pay for the construction of ADA accessible parking spaces near the current shelter area to include a sidewalk connecting the parking spaces, shelter and restrooms at a cost of \$24,430 utilizing funds from the Duke Energy recreation funds. The County has engaged Ben Graning Landscaping to construct a walk way, picnic table pad, and steps to the river at the Webster Baptist Church location. Utilizing a plan from NCDOT to provide an opening in guardrail, the County has engaged a NCDOT sub-contractor to make the modifications in the guardrail to allow pedestrian access. A picnic table and appropriate trash/recycling receptacles will also be part of the project. The final part of the project will be a crosswalk installed at a location mutually approved by the County and the Church. The total project cost is estimated to be \$16,003 and the source of funds will be the Duke Energy recreation funds.

(c) **Building Permits:** The semi-annual regional building permit report has been issued by Market Edge. This report indicates the permit activity for both new residential and new commercial through June 2014 was lagging as compared to the same period for 2013. When you look at the activity through August you see that the total new residential permits increased from 63 to 122 which is greater than the total for 2011 and 2012 and back on par with the total activity through September 2013. Commercial activity appears to be lagging behind 2013; however, there were two large multi-family projects in 2013 that distort the numbers. The actual permits issued through June totaled 12 while Market Edge reported 22 so there is a reconciling difference as well. As of August 31, 2014, the total new commercial permits had increased to 14. This number will increase substantially when the permit is issued for the multi-family development on Painter Road in Cullowhee which has 10 new buildings.

(d) **Debt Service:** The County continues to monitor the outstanding indebtedness against the current interest rates for the tax exempt debt market. Darlene Fox is currently working with a financial advisor to assess two of the debt issues for possible refinancing. These debts were approved in 2005 and 2009 for schools, community college and library and have interest rates of 3.90% and 2.960%. The 2009 issue has a penalty associated with refinancing; consequently, it must be determined if the savings from a lower interest rate would cover the cost of penalty and still provide an overall savings over the term of the loan. Interest rates continue to be at an all-time low and the County wants to generate additional savings if possible. Fortunately, these issues are in the form of a bank loan; therefore, there are minimal closing costs associated with the transaction. As soon as the County has the appropriate information it will submit the re-financing proposals for review and approval. The final approval would be through the NC Local Government Commission. As has been previously discussed, there are three debt issues that will be coming off the books during the current fiscal year and one next year. The three issues coming off the books this year have a 4.910% interest rate so the County will be glad to see these debt issues paid off. Most importantly, the annual debt service payments will be reduced by approximately \$1.4 million at the close of the current fiscal year. Interest savings from past refinancing total \$2,018,847.65.

(e) **Staff Member Certification:** Danielle Wittekind, Human Resources Director, has completed the necessary professional development activities to be recognized as a certified professional by the International Public Management Association. The County applauds Danielle for her efforts to obtain this recognition.

(f) **Upcoming Events:** September 20<sup>th</sup> – 7<sup>th</sup> annual Youth Arts Festival at the Green Energy Park, September 22<sup>nd</sup> – Region A meeting and dinner, October 11<sup>th</sup> – Re-scheduled Cooperative Extension Centennial Celebration – Bridge Park.

(g) **ABC Sales:** Through August, the gross sales were \$408,023 with Sylva having \$209,790 and Cashiers having \$198,233. Last year for the month Sylva had \$285,000. This shows that the store in Cashiers is having a real impact. The actual July sales in Cashiers were greater than Sylva.

### (3) **CONSENT AGENDA:**

(a) Darlene Fox, Finance Director, presented Finance, Tax Collector and Refund Reports for August, 2014 and two Budget Ordinance Amendments for the fiscal year ending June 30, 2014 for approval.

(b) Tony Elders, Permitting and Code Enforcement Director, reported that an application has been received for a fireworks display at Mountaintop Golf Club in Cashiers on September 20, 2014.

***Motion:*** Commissioner Jones moved to approve the Consent Agenda. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

**(4) SOUTH PAINTER COMMUNITY PARK CONSTRUCTION REQUEST:**

Paula Carden, Health Department Director and Adam Bigelow, Community Garden Manager, presented the following requests for improvements at the Park, all at no cost to the county:

**(a) Water Tank Stands:**

- 300 gallon water tanks to be elevated 6 feet
- 5 Wooden towers built on concrete footer
- Tower designed to handle the weight of the water
- Tanks to be kept full using solar powered water pumps

**(b) Water Tank Stands Benefits:**

- Water is limiting factor in plant growth
- Towers will provide water to gardens using gravity
  - Will allow for use of micro-drip irrigation
- 5 tanks to be zoned around garden making water access easy

**(c) Cost to County:**

- None
- Materials already on-site, or awaiting delivery
- Work to be performed by skilled volunteer contractors and volunteer labor led by HIGHTS

**(d) Greenhouse Concrete Pad:**

- Basic concrete pad construction, with a Hydronic heating system installed in the concrete that can be hooked to a passive solar heater (as yet, unfunded)
- Greenhouse purchased with the initial grant award, through an 80/20 matching grant with HIGHTS
- Greenhouse pad to be 12'-9.5" X 16'-10.5"

**(e) Greenhouse and Pad Benefits:**

- Glass and metal greenhouse to provide season extension to the garden, allowing us to grow earlier in spring, and later into fall
- Greenhouse will provide opportunity to produce vegetable starts for gardeners and the community
- Greenhouse will help further the projects and programs of HIGHTS and The Cullowhee Community Garden

**(f) Cost to County:**

- None
- Materials already on-site, or awaiting delivery
- Work to be performed by skilled volunteer contractors and volunteer labor led by HIGHTS

**(g) Greenhouse Maintenance and Management:**

- Greenhouse will be maintained by HIGHTS and by the Garden Manager
- No additional costs for heating when Passive Solar Heater is installed

**Motion:** *Commissioner Jones moved to approve the Request. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(5) LEGISLATIVE RECOMMENDATIONS TO NCACC:** Mr. Wooten stated the North Carolina Association of County Commissioners (NCACC) is in the process of preparing a legislative agenda for submission to the NC General Assembly at the start of each long session. The NCACC has requested submittal of legislative goals by September 19, 2014. The NCACC Legislative Goals Conference will be held on January 15-16, 2015 to finalize the legislative agenda for the FY 2015-17 Biennium. He submitted the following areas of concern for consideration:

**(a) Fontana Regional Library/Jackson County Public Library:** Fontana Regional Library – Restore funding to the State Aid to Public Libraries Funds to the pre-2011 level of \$15.7 million; and eliminate the special provisions that distribute State Aid outside the equitable formula developed by the State Library Commission. These funds are important to the overall operation of the Fontana Regional Library System especially since it is a regional library system supported by Jackson, Swain and Macon counties. Public libraries are critical contributors to the local workforce development by providing access to computers, job search training and assistance, small business support, and help with education goals. Continued reductions in state aid will require a commensurate reduction in services or an increase in local county funding.

**(b) Restore State Funding for Drivers Education Program:** Restore funding for the county public schools to fully fund the Driver's Education Program or allow local school boards to assess an appropriate fee to make the program self-supporting. The current budget provides an allocation of \$56,801 in support of the driver's education and allows local school boards to assess a fee not to exceed \$65 to each student who receives these services. The NC General Assembly enacted legislation, effective July 1, 2015, that eliminates an annual appropriation by the General Assembly and directs the local school boards to use funds available to them including the assessment of a fee to offer noncredit driver education courses in high schools. If this legislation remains, the only option available would be to use local funds to operate this program thus becoming an unfunded mandate.

**(c) Provide Full Funding for Yellow Bus Transportation System:** Provide adequate funding to the county public schools to operate the yellow bus transportation system. The current formula for distribution of transportation funds does not recognize the additional operating costs associated with a mountainous terrain; consequently, the state funds only cover approximately 88% of the actual transportation costs forcing school board to use local funds for a program that is the responsibility of the State. This appears to be an unfunded mandate since local school boards do not have any discretion as to whether or not they choose to provide a transportation system.

***Motion:*** *Commissioner Greene moved to approve submission of the three legislative goals to the NCACC. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

**(6) COMMUNITY ADVISORY COMMITTEE FOR LONG TERM CARE:** Larry Reeves, Long Term Care Ombudsman, Region A Southwestern Commission, recommended that Angeline Fisher be reappointed to serve a three year term.

***Motion:*** *Commissioner Jones moved to reappoint Angeline Fisher to a three year term on the Community Advisory Committee for Long Term Care. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**Informal Comments by Public:**

(a) Carl Iobst of Cullowhee stated his disapproval of the suggested security measures at the Justice and Administration Building.

(b) Marie Leatherwood of Sylva stated her disapproval of the county's use of tax money.

(c) Donna Dupree of Balsam urged the Board to support an ordinance that would regulate fracking in regards to setbacks, pollution, waste and requiring permits.

(d) Jim Mueller of Glenville stated that the upcoming election is not about fracking rather it is about putting people back to work. Fracking has almost made the Country energy independent. Fracking has put a lot of people back to work and it is not a bad thing.

(e) Bettie Ashby of Sylva stated that she is associated with the Jackson County Coalition against Fracking and wants to know the Board's opinion on supporting the repeal of HB786 and supporting a local ordinance against fracking.

**Press Conference:**

**CLOSED SESSION:**

***Motion:*** *Chairman Debnam moved that the Board go into closed session pursuant to G.S. 143-318.11(a)(1) Privileged Information, G.S. 143-318.11(a)(3) Legal, 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 September 2, 2014.

There being no further business, Commissioner Cody moved to adjourn the meeting. Commissioner Greene seconded the Motion. Motion carried and the meeting adjourned at 7:39 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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W. J. Debnam, Chairman