

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MARCH 06, 2017**

The Jackson County Board of Commissioners met in a Regular Session on March 06, 2017, 3:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Charles Elders, Vice Chair  
Boyce Deitz, Commissioner  
Mickey Luker, Commissioner  
Ron Mau, Commissioner

Don Adams, County Manager  
Heather C. Baker, County Attorney  
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order.

(1) **PROCLAMATION FOR WOMEN'S HISTORY MONTH:** Chairman McMahan read a Proclamation to proclaim March as Women's History Month and presented the proclamation to Marsha Lee Baker. Commissioner Elders moved to approve the Proclamation. Commissioner Mau seconded the Motion. Motion carried.

(2) **AGENDA:** Commissioner Elders moved to approve the Agenda. Commissioner Deitz seconded the Motion. Motion carried.

(3) **MINUTES:** Commissioner Deitz moved to approve the minutes of a Public Hearing – Financing for School Improvements of February 20, 2017 and a Regular Meeting of February 20, 2017. Commissioner Elders seconded the Motion. Motion carried.

(4) **CHAIRMAN'S REPORT:** Chairman McMahan stated he and the County Manager attended the Vaya County Commissioner Advisory Board meeting last month. It was a good orientation session and business meeting. There were many important issues regarding mental health and a lot going on in the legislature that he would be sharing in the coming days. A good piece of news was that in the near future, a kiosk would be located at the public library that would allow for a mental health self-assessment and provide a phone number for assistance, if needed.

(5) **COMMISSIONER REPORTS:**

(a) Commissioner Mau stated that as discussed at the last TWSA meeting, he wanted to remind everyone that the county was still under a water advisory, as they were still in a drought.

(b) Commissioner Luker stated that he, along with Commissioner Mau and Chairman McMahan, attended the R-5600 DOT meeting at SCC and it was an interesting meeting. The DOT was seeking public input and he encouraged anyone that wanted to share their comments to fill out a questionnaire. Also, he and Commissioner Mau attended a School Board meeting at SCC. He thanked Dr. Tomas, the Early College and Principal Hensley. Ms. Hensley did a great job with the students and it was a fantastic program. Also, Nick Breedlove had snapped a photo of the mini library in Webster, which he thought was great and wanted to see more of those around the county.

(c) Commissioner Deitz stated that along with it being Women's History Month, he wanted to congratulate the Smoky Mountain High School Ladies Basketball Team. They made it to the state quarterfinals with a 27-3 record for the season and their coach, Heather Kilpa, was named "Coach of the Year" in the conference.

**(6) COUNTY MANAGER REPORT:** Mr. Adams reported:

(a) **Consolidated Human Services:** Earlier that day, he along with Commissioner Deitz and Commissioner Mau, had a conference call with the School of Government, DSS and Health Department Officials to schedule the upcoming special meeting regarding consolidated human services. The special meeting would be March 23<sup>rd</sup> at 6:00 pm at the Department on Aging.

(b) **NCACC District Meeting:** The NCACC would be holding a district meeting in Brevard on April 6<sup>th</sup> at 5:30 pm. This would be the time for them to communicate directly with association officials. Also, he had reached out to the legislators to set up meetings with them in the next month regarding the NCACC Legislative Goals.

(c) **Freedom Park:** The final caps had been placed on the monuments at Freedom Park. He would have a formal report at the next meeting.

(d) **Skyland Drive Property:** At the next work session, he would have information regarding the property they had under contract that was located next to the Skyland Services Center. He was finishing up receiving bids for the environmental assessment on the property. He was hopeful to have a flood plain determination prior to the work session.

**(7) INFORMAL COMMENTS BY THE PUBLIC:**

(a) Gayle Woody of Sylva stated she was recently elected as the President of the Arts Council. On behalf of the Arts Council, she thanked the Commissioners for their financial support of the Arts Council. By the county providing the rent payment, they were able to support the WCU Civic Orchestra, WCU Community Chorus, Jackson County Visual Arts Association, JAM (Junior Appalachian Musicians), programs in all of the schools and grants for regional artists. They would also be doing artist talks and displays in the Rotunda Gallery. Their purpose, as an Arts Council, was to encourage the arts and artists in the county locally.

Chairman McMahan stated he thought the county owed the Arts Council, the Historical Society and the Genealogical Society a "thank you" for what they did to provide cultural resources in the county.

(b) James Carden of Sylva stated his disapproval of Commissioner Luker's comments regarding the Health Department.

**(8) TRAILS AND GREENWAY COMMITTEE RULES AND PROCEDURES:** Ms. Baker and Lance Elzie, Outdoor Recreation Manager, presented changes to the Trails and Greenway Committee Rules and Procedures:

**Article IV Membership:** The Jackson County Trails and Greenway Committee shall consist of nine (9) voting members and three (3) Ad Hoc non-voting members suggested by the Trails and Greenway Committee members or Jackson County Parks and Recreation Department and approved by the Jackson County Parks and Recreation Advisory Board.

**Motion:** *Commissioner Mau moved to approve the revisions to the Trails and Greenway Committee Rules and Procedures, as presented. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

**(9) SOUTHWESTERN COMMUNITY COLLEGE (SCC) MEMORANDUM OF UNDERSTANDING (MOU):** Ms. Baker stated that the Division of Waste Management at the NC Department of Environmental Quality (NCDEQ) required SCC to drill monitoring wells in order to conduct groundwater monitoring as part of NCDEQ's ongoing requirements with SCC for the firing range lead remediation.

The MOU would grant permission to SCC from the county to drill test wells on the portion of the property contained within the site. The permission would be perpetual until such time that NCDEQ no longer required SCC to monitor the test wells.

***Motion:*** *Commissioner Deitz moved to approve the MOU with SCC to drill test wells, as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(10) SECURITY ORDINANCE UPDATE:** Ms. Baker presented the annual Security Ordinance Report:

The ordinance governing the Jackson County Justice Center Security, called for an annual update on the ordinance, from the Security Committee to the Commissioners. The committee was comprised of the Chief District Court Judge, the Senior Resident Superior Court Judge, the District Attorney, the Sheriff of Jackson County, the Clerk of Superior Court, the County Manager and Local Bar President or their designee.

The committee met on February 23<sup>rd</sup> to review the security process and to review the roster of attorneys and non-attorneys with ID access cards to make sure that the county was aware of any change in status that would require revocation of the ID access card.

Danielle Wittekind, Human Resource Director, presented to the committee the current roster and shared her process for updating the status of county employees, attorneys and non-attorneys with ID access cards. The committee was impressed with the records and spreadsheets kept by Ms. Wittekind and the detail given to maintain the database. Major Shannon Queen with the JCSO worked with Ms. Wittekind on a regular basis to update the list and keep it current. The committee read over the roster and provided updated information.

The committee discussed any need for update to the ordinance. The following items were discussed and would be investigated by the committee throughout the year, but no change to the ordinance was immediately requested. The updates discussed were as follows:

- Attorney access in the back hallway area (excluding the Judges' Chambers) to allow easier back and forth during court days to see clients in jail.
- Additional lighting outside the front of the building and the addition of two cameras.
- Small lockers in the atrium to temporarily keep items not allowed in the Justice Center so citizens do not have to return to their car.
- County Attorney replacing Local Bar President as Security Committee Member.

The first three items would be further investigated by the committee and the last item could be addressed when there was a need to change the ordinance for other purposes.

Overall the committee thought the security process was running smoothly and there were no additional changes that needed to be addressed at that time.

*Informational item.*

**(11) RESOLUTION DECLARING TEMPORARY TRAFFIC REGULATION FOR SMOKY MOUNTAIN RELAY (R17-04):** Ms. Baker stated the Smoky Mountain Relay would occur on April 21-22, a portion of the relay would go through Jackson County. The NCDOT's rules and regulations, required that the Commissioners adopt a resolution approving the event. There would be no road closures and no public hearing was required.

***Motion:*** *Commissioner Luker moved to adopt the Resolution for the Smoky Mountain Relay (R17-04) as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(12) RESOLUTION IN SUPPORT OF GRANT APPLICATION FOR FUNDS TO ASSIST IN CONSTRUCTION OF WATER AND SEWER EXTENSION NEAR DILLSBORO (R17-05):**

Rich Price, Economic Development Director, stated this resolution was a required, supporting document for them to make application through the North Carolina Department of Commerce Rural Infrastructure Grant Program. Specifically, the North Carolina Economic Development Partnership recommended that the county could receive up to \$50,000 in funds for the proposed water and sewer extension project for the proposed development near Dillsboro.

It was important for the Board to recognize and for the public to understand that this document was purely in support of the application only. If there was a point in time when the Board decided not to move forward with either the proposed economic development project or the water and sewer project, then the grant application would be rescinded or if funds were awarded, they would deny the award of the funds. Furthermore, the resolution states that the Board also recognizes and understands fully the matching funds required, which would be 5% or \$2,500.

***Motion:*** *Commissioner Deitz moved to adopt the Resolution in support of a grant application for funds to assist in construction of water and sewer extension near Dillsboro (R17-05) as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(13) EQUALIZATION AND REVIEW BOARD:**

***Motion:*** *Commissioner Elders moved to reappoint Gail Cooper, Robert Edwards, Richard Robson, David Noland and Hart Goodson, to serve one year terms on the Equalization and Review Board, terms expiring April 04, 2018. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

***Motion:*** *Commissioner Mau moved to reappoint Gail Cooper as Chair and Robert Edwards as Vice-Chair of the Equalization and Review Board, for one year terms, to expire April 04, 2018. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(14) SEDIMENT CONTROL APPEALS BOARD:**

*Carry over.*

**(15) TOURISM DEVELOPMENT AUTHORITY:** Nick Breedlove, TDA Executive Director provided recommendations from the TDA Board: Megan Orr, Laura Bowers, Kathy Korb and Gareth Daley. He also noted there was an additional vacancy for Clifford Meads' seat. He would provide a recommendation for that seat at a later date.

***Motion:*** *Commissioner Luker moved to appoint Megan Orr to fill the unexpired term of Noah Bell for North Jackson 10+ Rooms, term to expire December 02, 2018; Laura Bowers for North Jackson Home Rentals/Condos, for a three year term to expire December 04, 2019; Kathy Korb for South Jackson 10+ Rooms, for a three year term to expire December 04, 2019; and Gareth Daley for South Jackson Home Rentals/Condos, for a three year term to expire December 04, 2019. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(16) PRESS CONFERENCE:** None.

**(17) CLOSED SESSION:**

***Motion:*** Commissioner Deitz moved that the Board go into closed session pursuant to G.S.143-318.11(a)(5) Real Property for one item. Commissioner Elders seconded the Motion. Motion carried.

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

**(18) AGENDA:** Commissioner Deitz moved to amend the agenda to add one item: (1) Offer to Purchase and Contract from Jahier. Commissioner Elders seconded the Motion. Motion carried.

**(19) OFFER TO PURCHASE - JAHIER:** Chairman McMahan stated that the county had received an Offer to Purchase on a vacant lot (PIN #7553-97-4100) from Jeffrey Jahier in the amount of \$6,500. The property was obtained by the county through tax foreclosure. The offer would be subject to the upset bid process.

***Motion:*** Commissioner Deitz moved to accept the offer and begin the upset bid process. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 3:52 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman