

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
DECEMBER 18, 2017**

The Jackson County Board of Commissioners met in a Regular Session on December 18, 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) EMPLOYEE RECOGNITION:** Mr. Adams recognized the following employees for their years of service and retirement:

Retiring January 1, 2018:

Chuck Norris	Transit	31 Years of Service
Teresa Bryant	Department of Public Health	5 Years of Service
Vernon Schutters	Solid Waste	5 Years of Service

20 Years of Service:

Pamela Austin	Department of Social Services
Randy Bryson	Public Works – Grounds
Dora Caldwell	Parks and Recreation
Dianne Cauley	Department of Social Services
Belinda Clawson	Emergency Management
Sherrill Crawford	Board of Elections
Lois Danner	Register of Deeds
Bryan Painter	Code Enforcement
Shannon Queen	Sheriff's Office

25 Years of Service:

Jennifer Abshire	Department of Social Services
James Clawson	Sheriff's Office
Christi Hooper	Department of Social Services
Arlene Rice	Emergency Management

30 Years of Service:

Tamera Bradley	Department of Social Services
Russell Jenkins	Department of Public Health

35 Years of Service:

Robert McMahan	Tax Administration
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Mr. Adams stated that the Board also wished to recognize an employee, Greg Dills that went above and beyond the call of duty. On November 6<sup>th</sup> at 7:45 a.m., Charlene Dillard was travelling north on Highway 107 and a vehicle travelling south crossed the center and hit her head on. There was significant damage and injury. Mr. Dills was on the scene and provided assistance at the scene and was able to communicate with dispatch via radio. The radio communication allowed for an appropriate response to the scene with fire and EMS. He awarded a certificate to Mr. Dills in appreciation of outstanding dedication and bravery above and beyond the call of duty.

Mr. Dills stated that he accepted the certificate, but it was not about anything he did. He thought anyone would have done the same. He accepted this for his department as he had 14 others that worked with him in the grounds department that would have done the very same thing. God was good to him that day and put him places at the right time and he was fortunate enough to get to work with Todd, Chad, Randy and Ira. He appreciated it.

(2) **AGENDA**: Commissioner Elders moved to amend the agenda by deleting the item “Aquatics Addition and Renovations Contract for Programming and Pre-Design Services with Clarknexsen”. He moved to table this item as he thought they needed more time and discussion. Commissioner Deitz seconded the Motion. Motion carried by a 3-2 vote, with Commissioner Mau and Commissioner Luker voting “nay”.

(3) **MINUTES**: Commissioner Deitz moved to approve the minutes of a Regular Meeting of December 11, 2017. Commissioner Elders seconded the Motion. Motion carried.

(4) **CHAIRMAN’S REPORT**: None.

(5) **COMMISSIONER REPORTS**:

(a) Commissioner Luker wished everyone a Merry Christmas and safe travels over the holidays.

(b) Commissioner Elders wished everyone a Merry Christmas and asked that everyone remember the country and the time to celebrate the birth of the Savior. He requested blessings on the Board of Commissioners to do their very best in the upcoming year. Also, to remember all of the elected officials and to pray one for another.

(c) Commissioner Deitz stated that all of the Commissioners were able to attend the Sheriff’s holiday dinner and it was a good event. It had been a year since he lost his daughter and he thanked everyone for their support and help that they had given him and his family during the past year.

(6) **COUNTY MANAGER REPORT**: Mr. Adams wished everyone a safe holiday and a happy new year.

(7) **INFORMAL COMMENTS BY THE PUBLIC**: None.

(8) **CONSENT AGENDA**:

(a) Darlene Fox, Finance Director, presented the Finance Report for November, 2017 and one Budget Ordinance Amendments for fiscal year ending June 30, 2018, for approval.

(b) Brandi Henson, Tax Collector presented, Tax Collector and Refund Reports for November, 2017, for approval.

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

**(9) COUNTY TRANSFER OF NC FOREST SERVICE PROPERTY TO SCC AND APPRAISAL REQUEST:** Dr. Don Tomas, SCC President, stated that as they discussed at a previous work session, there was a piece of property owned by the county containing approximately 1.2 acres, located between SCC property and National Armory property. He requested that the county consider transferring the property to SCC. He had approached the SCC Board of Trustees and they were in favor of pursuing the transfer. Also, there was a requirement to have two appraisals on the property and he requested that the county provide one of the appraisals. SCC would do an environmental assessment and survey on the property. This would then go to the State Board of Community Colleges for approval.

**Motion:** *Commissioner Luker moved to approve the transfer of the property to SCC, provide one of the two required appraisals of the property and authorize the Chairman to sign the deed on behalf of the county. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(10) PERSONNEL POLICY:** Danielle Wittekind, Human Resources Director, presented the final draft of the Personnel Policy for consideration of the Board. She requested that the Board consider adopting the policy effective March 01, 2018 to allow a period of time so that they could review changes in the policy with department heads and staff prior to its effective date. Mr. Adams would be having a department head meeting in January where they would do a presentation and that would allow for time in February to get information out prior to the effective date.

**Motion:** *Commissioner Luker moved to table the item until January 08, 2018, to allow one more read through to take the changes into consideration. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(11) OFFER TO PURCHASE AND CONTRACT - NATIONS:** Ms. Baker stated that on November 20<sup>th</sup>, the Board approved the Offer to Purchase and Contract with Nations. The offer went through the upset bid process and was ready to move forward to closing on December 28<sup>th</sup>. She requested authorization for the Chairman to sign closing documents.

**Motion:** *Commissioner Luker moved to grant authorization for the Chairman to sign closing documents for the Nations closing. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(12) MUNICIPAL GRANT PROGRAM:** Mr. Adams stated the Town of Sylva presented a municipal grant application to install three additional wayfinding signs. The requested grant amount from the county was \$5,000. The Town of Dillsboro presented a municipal grant application to begin a three phased renovation project to the Town Hall building. The requested grant amount from the county was \$5,000.

**Motion:** *Commissioner Mau moved to grant the funding requests in the amount of \$5,000, made by the Town of Sylva and the funding request in the amount of \$5,000, made by the Town of Dillsboro. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

**(13) NO WAKE ZONE REQUEST FOR PUBLIC HEARING:** Mr. Adams stated that the Board discussed this item previously and the No Wake Zone was preliminarily denied by the Wildlife Officer. If the Board wished to move forward, it would require a public hearing. It was required of the Board to hold a public hearing, then adopt a resolution and complete an application. There was also an additional request to split the cost of the actual buoys, which was estimated to be \$1,500.

Chairman McMahan stated that the only action required that day was to set a public hearing.

**Motion:** *Commissioner Elders moved to set a public hearing on January 29, 2018 at 5:55 p.m., to be held at the Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina. Commissioner Mau seconded the Motion. Motion carried by a 4-1 vote, with Commissioner Deitz voting “nay”.*

**(14) JOINT MEETING WITH THE BOARD OF EDUCATION:** Mr. Adams stated that Dr. Kim Elliott, Interim Superintendent for Jackson County Public Schools, requested a joint meeting with the Board of Education and the Board of Commissioners for a public education forum. The purpose of the meeting was to provide educational materials and to educate both Boards on the nuances of school financing.

**Motion:** *Commissioner Mau moved to set a public hearing on January 25<sup>th</sup> at 6:00 p.m., to be held at the Burrell Building at Southwestern Community College, 447 College Drive, Sylva, North Carolina. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

**(15) RESOLUTION FOR NATIONAL PARK SYSTEM MAINTENANCE (R17-21):** Mr. Adams stated that the request was for a resolution encouraging Congress to create a reliable, predictable stream of resources to address deferred maintenance and needs in the National Parks system.

**Motion:** *Commissioner Elders moved to adopt Resolution R17-21 for National Park System Maintenance, as presented. Chairman McMahan seconded the Motion. Motion carried by unanimous vote.*

**(16) CULLOWHEE COMMUNITY PLANNING AREA DEVELOPMENT AMENDMENT:** Michael Poston, Planning Director, requested a public hearing be set to look at recommendations from the Cullowhee Planning Council and the Planning Board to amend Cullowhee’s Zoning Ordinance to allow for alternative styles of exterior treatments.

**Motion:** *Commissioner Mau moved to set a public hearing on January 29<sup>th</sup> at 4:55 p.m., to be held at the Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(17) FIREMEN’S RELIEF FUND:** Recommendations for appointments were submitted by the respective fire departments.

**Motion:** *Commissioner Elders moved to reappoint Harold Parks of the Balsam VFD; Harold Nicholson of the Canada VFD; Randy Dillard of the Cashiers VFD; Leo Webb of the Cullowhee VFD; John Thomasson of the Qualla VFD; and Chris Bowers of the Savannah VFD to two year terms on the Firemen’s Relief Fund Board of Trustees, terms expiring January 1, 2020. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(18) PLANNING BOARD:**

**Motion:** *Commissioner Mau moved to appoint Dr. George Ford to a two year term on the Planning Board, term to expire December 31, 2019. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

**Motion:** *Commissioner Luker moved to request that the Planning Board provide recommendations to the Board of Commissioners for Chairman and Vice-Chair of the Planning Board for consideration. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

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

**Motion:** *Commissioner Luker moved to appoint Barry Stevens to the unexpired term of Alex Stillwell and to reappoint Alex Stillwell to a four year term on the Sediment Control Appeals Board, terms to expire March 09, 2021. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(20) PRESS CONFERENCE:**

Quintin Ellison of the Sylva Herald inquired of Commissioner Elders what specifically, he wanted to discuss regarding the pool and would the discussions be public or private?

Commissioner Elders stated it was just his opinion, but he was not sure they could afford it and he wanted to see more figures on it. He thought they should have the issue placed on another work session to gather more information.

Holly Kays of the Smoky Mountain News inquired if the main consideration was cost or location? Chairman McMahan stated that for him, it was both cost and location.

Commissioner Deitz stated he thought this avenue would cut down on a lot of options such as getting the hospital involved, which he thought would be good and could save a lot of money.

Commissioner Elders stated that in no way was he opposed to a pool at all, he just wanted to know more about costs.

Commissioner Mau stated that part of this was going to be a bond referendum, so yes, people's taxes would go up. So it was not necessarily about being able to afford it, if people wanted it, they would pay for it with raised taxes. As far as the location, he knew that was an issue depending on the part of the county, but they did have an existing facility in Cullowhee at the Recreation Center. If they looked at the additional cost to operate a new facility and from talking with Mr. Ellis and others folks at the rec center, they came up with an estimate of about \$115,000 per year in additional costs for a different location.

In doing the math of \$115,000 per year - forever, plus including buying a site, which would be approximately \$1 mil and they would lose the property taxes on the site valued at \$1 mil, they were really talking about \$118,550 per year. To make a decision like this, one project versus the other they would want to talk about present value. Local government rates were approximately 3.25% and assume the cost would go up 2% per year, the cost advantage at the Cullowhee Recreation Center was \$9.5 mil. He was not saying he was for it or against it, he wanted to put it on the ballot and let the people decide what they wanted to do.

Ms. Ellison stated that as elected officials representing members of the county, was it not their jobs to determine whether this was a good buy or not for the county, rather than putting it to a referendum, was that not what they were elected to do - to make these hard decisions?

Commissioner Mau stated that bond referendums were used all the time for projects, so he did not know if he necessarily agreed with that statement.

Ms. Kays inquired that by not voting on the issue that day, did that mean they were not pursuing this.

Chairman McMahan stated it just meant they were not voting on it that day.

**(21) CLOSED SESSION:**

***Motion:*** *Commissioner Mau moved that the Board go into closed session pursuant to G.S.143-318.11(a)(4) Business Expansion for one item and G.S.143-318.11(a)(6) Personnel for three items. Commissioner Elders seconded the Motion. Motion carried.*

Chairman McMahan called the Regular Meeting back to order.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 5:09 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman