

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 14, 2020**

The Jackson County Board of Commissioners met in a work session on January 14, 2020, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
Mickey Luker, Commissioner (via speakerphone)	Angela M. Winchester, Clerk to Board
Ron Mau, Commissioner	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

(1) RIVER PARK PROPOSAL: Anna Fariello, President of CuRvE introduced CuRvE Board Members in attendance: Jay Spiro, Maurice Phipps, Craig Forest and Gail Lazaras. Members not in attendance were Molly Neary, Rick Bennett and Mike Byers.

Ms. Fariello presented: Proposal for Phase 1 River Park:

(a) CuRvE proposed the development of a family river park the along the river between the Cullowhee dam and the new bridge over the Tuckasegee River.

(b) CuRvE looked at river parks in other states. In Colorado, 25 towns developed river parks.

(c) Impact of development of the river corridor:

- In 2014, CuRvE commissioned an economic impact study to determine the impact of river park development.
- In the near-term, the Cullowhee river corridor development would add \$1.2 million of new spending in the county annually.
- Support 16 new local jobs each year.
- Generate \$145 thousand in annual tax revenues.
- Long-term estimates had the potential to be much greater.

(d) CuRvE promoted sustainable uses of the river for recreation and economic development.

(e) The majority of the parcels were already in public hands.

(f) Next Steps: DOT and WCU supported the river park concept and stood ready to work with CuRvE and the county toward the development of a family river park.

She shared an updated map of the footprint showing properties in the area. There were two properties in private hands that were not currently for sale, but they had been sitting. Many of the properties were already owned by DOT and WCU owned one. Both WCU and DOT were supportive of the concept. They contacted DOT to find out what it would take to move the properties from DOT to the county. DOT stated this could be accomplished by a formal request from the county to DOT and it would be no cost. They wanted to make the county aware that DOT and WCU both stood ready to work with CuRvE and the county on the project in the near future.

Chairman McMahan stated that they just needed the county to officially request the action.

Mr. Spiro stated that the two privately owned properties, one was a house the other was a building, were both derelict properties. He thought they could both be acquired, but they did not have the funds to make serious offers.

Commissioner Woody stated she was on the Greenway Committee and was aware of what CuRvE was working on because Ms. Neary was also on the Greenway Committee. Mainspring was working on the other side of the river to create the ability to walk under the bridge so they would be able to connect, within the foreseeable future with the current Greenway. She was pleased to see how far along they were on that. There were several property owners that had already agreed to give right-of-way or easement to the Greenway. It looked like this would be a wonderful connection and enhance the use of the beautiful river.

Chairman McMahan stated that in the immediate short-term to get started, the county would need to acquire the DOT and WCU properties. If they were willing to participate, it seemed like an easy first two steps.

Ms. Fariello stated that there was also another privately owned property that was for sale. It was the Pressley Body Shop.

Commissioner Deitz inquired about the status of the dam removal.

Mr. Phipps stated that it would be a two year process, so they wanted to start the process without the in-river structures until they knew if the dam would stay or not.

Ms. Fariello stated they had held out for the bigger project, but when they realized that a lot of the property was in DOT hands, they thought they should not wait.

Mr. Spiro stated that they thought the project could be phased. If the dam could be removed, they were hoping for some grant money for enhancements for the project through their partnership with American Rivers.

Commissioner Deitz inquired if the Army Corps of Engineers had been involved?

Mr. Phipps stated they had the pre-application meeting with the Army Corps of Engineers and they also had S2O, a Colorado Company that develops river parks all over the country, to develop the feasibility study.

Commissioner Woody stated that this had been the least attractive part of Cullowhee for many years and this could really change not just the look, but the economic impact.

Mr. Spiro stated that CuRvE saw this as a way to jump start the larger CuRvE mission, which was to revitalize that area of Cullowhee, but developers had to have a reason to come there.

Commissioner Deitz stated that the resources that were so valuable in the county were the mountains, streams and people. People used the Greenway so much and he thought if they could ever get the Greenway all the way through and connect, it would be phenomenal what it would do for the county.

Consensus: *Staff to move forward with working with DOT and WCU to start the process for the property acquisitions. This item would be brought back to the Board for final consideration at a future regular meeting.*

(2) MOBILE SOUND SYSTEM: Kelly Fuqua, I.T. Director and Justin Thomas, I.T. Assistant Director, were present for this item.

Mr. Adams stated that after the Cashiers meeting, he requested that Ms. Fuqua and staff research equipment for off-site meetings.

Ms. Fuqua presented: Mobile PA System and Accessories. The quote was to replace the county's mobile PA system as follows:

(a) Mobile PA system:

- Wireless Microphone System with eight microphones: \$587
- Eight microphone stands: \$100
- Fender Passport Venue 600W PA System: \$1,000
- Two 50 ft. speaker cables: \$100
- Eight 20 ft. XLR cables: \$160
- Assorted speaker cables: \$400
- Two tripod speaker stands: \$130
- Yamaha 16-Channel Mixer: \$900

- Four sets of JBL Powered Monitors: \$840
- Price: \$4,217
- (b) Laptop for Mobile PA system:
 - Dell Latitude Laptop – To Include:
 - Windows 10 Professional
 - Microsoft Office Professional 2019
 - Five year Parts and Labor Warranty
 - Price: \$1,250
- (c) Mobile Projector & Projector Screen:
 - Mobile projector screen with 16:9 Aspect - \$60
 - Anker Mars II Pro Mobile Projector - \$570
 - Travel Case - \$40
 - Portable Projector Stand - \$75
 - Price: \$795
- (d) Total amount: \$6,262

Mr. Adams stated that Dogwood had an opportunity for grants. He had recommended that all county departments apply. The I.T. Department would apply for the grant to purchase the equipment.

Chairman McMahan stated that he wanted to make a suggestion separate from this. He had some folks comment to him that they had a hard time hearing the Commissioners at the last meeting in the board room. He thought part of it was that they needed to be closer to their microphones. It may be worth investigating equipment for the board room.

Mr. Adams stated that they may also want to research the pros and cons of wearing wireless microphones.

Consensus: *Staff to move forward with the new equipment for off-site meetings. Also, review the equipment in the board room separately so that they may be able to look to upgrade that equipment in the next budget year.*

(3) PROPOSED BUDGET CALENDAR: Darlene Fox, Finance Director, presented the Proposed FY2020-21 Budget Calendar:

- January 14, 2020 Regular Commissioner Work Session – Set budget calendar – 1:00 pm
- February 17, 2020 Manager’s preliminary meeting with staff
- February 20, 2020 Commissioner’s Budget Retreat - 1:00 pm (Lunch starting at 12:00 pm)
- February 27, 2020 Special Called Budget Meeting-Revenue Discussions - 1:00 pm
- March 2, 2020 Non – Profit Grant Applications Disseminated
- March 23, 2020 All requests submitted to Finance
- March 31, 2020 Non – Profit Grant Applications Due
- April 14, 2020 Regular Commissioner Work Session –summary of all new requests - 1:00 pm
- April 20 – May 1 Manager / Finance Budget Meeting with Departments & Agencies
- May 12, 2020 Regular Commissioner Work Session – Capital Projects, update on new requests - 1:00 pm
- May 19, 2020 Regular Commissioner Meeting – Manager’s Recommended Budget -3:00 pm
- May 21 – May 22 Special called budget work sessions to hear presentations if needed (safety, education, non-profits, other departments) - 8:30 am – 1:00 pm
- June 2, 2020 Regular Commissioner Meeting – Budget Public Hearing - 6:00 pm
- June 4 – 5, 2020 Special called budget meetings as needed and regular work session (June 9, 2020 at 1:00 pm) to make final adjustments.
- June 16, 2020 Adoption of budget - 3:00 pm

Commissioner Woody requested to move some dates due to a planned trip.
General discussions were held.

Mr. Adams stated they could shift the dates up a week on all meetings in June:

June 9	Regular Commissioner Meeting – Budget Public Hearing - 6:00 pm
June 11 – 12	Special called budget meetings as needed and regular work session (June 16, 2020 at 1:00 pm) to make final adjustments.
June 23	Adoption of budget - 3:00 pm

He requested everyone look at the February 20th date for the budget retreat. Also, on February 27th there would several organizations come before the Board to discuss taxes. For example, they would potentially have fire tax conversations with Cashiers and Cullowhee. Also, they may discuss the referendum and the process.

Consensus: *Make the stated changes to the calendar and place this item on the next regular meeting agenda for consideration.*

(4) LIABILITY INSURANCE REQUIREMENTS TO RENT COUNTY FACILITIES: Mr. Adams stated there had been some issues and questions regarding the rental of the Heritage Room. He requested that Ms. Baker review all policies for county facilities to make sure they were renting consistently and to look at liability insurance as a whole.

Ms. Baker stated that she gathered all of the room rental agreements and everyone had different ones. She looked at Fontana Library Regional Library, Recreation Department facilities and for the pool, Aging Department and Cooperative Extension. Most of the agreements did not require a group to have insurance if they were going to rent the room. It was required at the Recreation Department if it was a group coming in to have a tournament or special event, which seemed appropriate.

The one they had the most difficulty with and the most questions about was the Heritage Room at Aging. It required everyone to have not just liability, but beyond that, which cost around \$400. If they were a nonprofit or a for-profit corporation and had liability, it would probably be no cost to add the county as an additional insured and to cover a special event. For groups and individuals that did not have insurance policies, they were required to have a policy.

She spoke with the county insurance agents regarding the matter and she and Mr. Adams agreed they wanted to make it easier for people to rent the room for a meeting or a small event, which was probably covered under the county policy. With larger events of fundraisers or selling food, they would need to have a policy or add the county to their existing policy. The difficult part would be defining when the policy would be required.

Mr. Adams stated that he would recommend to the Board to follow up on the Heritage Room policy and make changes to not require liability insurance for every meeting that occurred there.

Chairman McMahan stated that staff was requesting to remove the insurance requirement except in certain limited circumstances.

Ms. Baker stated that she requested that the county's insurance company get a price for the county obtain the policy and then charged for it. That may be less money and more efficient.

Chairman McMahan stated that he thought they should make it accessible to the citizens because it was their tax dollars that built the facilities.

Ms. Baker stated that they could some have general terms that were consistent.

Consensus: *Staff to move proceed forward to amend the Heritage Room policy to remove the liability insurance requirement except in certain limited circumstances.*

(5) MCMILLAN, PAZDAN AND SMITH AGREEMENT: Mr. Adams presented the Proposed McMillan, Pazdan and Smith Agreement:

(a) Project scope of work: The county approved a construction budget of \$3,000,000 for the Animal Rescue Center building, a \$500,000 construction budget for the associated site work and \$1,235,995 construction budget for remaining site work for the Green Energy Park. The total project budget for all hard and soft costs was \$5,400,000. The county also approved Schematic Design for the Animal Rescue Center and overall Green Energy Master Plan. The scope of the project moving forward included completion of design and construction documents for both the Animal Rescue Center and Green Energy Park.

(b) Proposed schedule:

<u>Phase</u>	<u>Duration</u>
Site Testing:	
Site Survey (topo and boundary)	Unknown status
Geotech, Phase 1, hazmat as required	Assumed complete
Design development	6 weeks
Updated cost estimate	4 weeks
Construction documents	12 weeks
Review/permitting with AHJ	4 weeks
Bidding and negotiation	4 weeks

(c) Scope of basic services:

- Civil
- Architectural
- Structural
- M/E/P:
 - HVAC
 - Plumbing
- Electrical
- Cost estimating

(d) Scope of services by phase:

- Design development
- Construction documents
- Reviews by authority having jurisdiction (AHJ)
- Bidding and negotiation
- Construction administration
- Anticipated owner meetings: 27

(e) Additional services:

- Exclusions: items not included in the scope of services, but may be provided for an additional pre-negotiated lump sum fee.

Mr. Adams stated that one item on the exclusion list was Acoustical Consulting.

Commissioner Mau stated that he would assume the Animal Rescue Center would have some noise issues and he assumed that some of that would get addressed as part of the design that was not necessarily a special exclusion.

Mr. Adams stated that they would put products in the center that were sound absorbing, but if they wanted to come out and do a true full plan, that would be separate.

Commissioner Woody inquired if they were going to have any solar panels installed on the Animal Rescue Center to generate electricity.

Mr. Adams stated that they were not, but he could instruct the engineers to look at solar. He was investigating experimenting with the methane gas as a source. Also, they would do energy efficiencies with the facility.

Chairman McMahan stated that they could do some after thoughts also. They had talked about solar on that site before, but it was expensive.

(f) Owner responsibilities:

- Site testing and investigation
- Special inspections
- HVAC commissioning
- Owner allowances and contingencies

Commissioner Woody stated that she wanted to emphasize that the Tuckasegee River was near by the site and after what had happened in Cullowhee, she hoped they were very conscientious of being good stewards of runoff and potential erosion issues.

Mr. Adams stated that yes, he was very aware of what she was talking about. They would get an erosion control plan and a grading plan that would be bid out to a contractor. It would be the contractor's responsibility to adhere to that. This was a state project and the county could not technically inspect their own project. That did not mean he could not use the services of Steve Beasley, Chief Erosion Control Officer, to look at the erosion control plan and help the county, as the owner, to make sure all was installed properly. If they wanted more, that was what special inspections were for.

(g) Compensation:

- Animal Rescue Center
 - Total construction cost \$2,734,005 (per SD cost estimate)
 - Total A&E Services for Animal Rescue Center \$217,353 (7.95%)
 - Additional services previously approved (structural analysis of existing steel) \$2,500
 - Less fees already billed for Programming and Schematic Design \$60,108
 - Less fees already billed for Structural Additional Services \$2,500
 - Remainder of fee to be billed \$157,245
- Green Energy Park Fee
 - Total construction cost \$1,235,998 (per approved budget)
 - Total A&E Services for Green Energy Park \$179,647
- Total Design Services for Animal Rescue Center and Green Energy \$397,000 (10%)

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(6) NCDOT PETITION FOR ROAD ADDITIONS AND DIVISION 14 PRACTICES: Mr. Adams stated that this item was a follow up from an earlier meeting. Commissioner Deitz had brought up that there was a culvert issue on the road going to Morning Star Nursing Facility. The first step would be for the community to do a petition for a road addition for NCDOT. Once the petition was sent to NCDOT that would start the process of NCDOT assessing the road.

The Pre-1975 Road Additions stated that NCDOT would assess conditions and other items of the road. If NCDOT believed there was enough people on the road and it would meet certain specifications, the road would have to be brought up to standards. There was a policy in place of how much money NCDOT would put in to help fix issues. If this was done, the Board of Commissioners would then consider passing a resolution requesting that NCDOT take the road over. There would potentially be costs to the residents in order to bring the road up to standard.

Informational item.

(7) JUVENILE JUSTICE - PROBATION OFFICE LEASE: Mr. Adams stated this was a lease that the county had done in the past to help the Juvenile Probation Officers. This would be a five year lease for \$1,450 per month. The funds would come out of the court facilities. In the past, they were out of space in the Justice Center, so a decision was made to move them out. They did have a responsibility to house probation officers as part of the court system. In the long-term, as the Board discussed a new five year plan and the Justice Center, this would part of that conversation. After three years, they could give six month notice on the lease. He was comfortable with the terms.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(8) OTHER BUSINESS:

(a) Commissioner Deitz inquired where they were on securing a location for the recycling center for Dillsboro?

Mr. Adams stated they were still looking at the property they had discussed.

Commissioner Deitz stated that he heard from the recycling hauler contractor that there was not enough room at the location in Dillsboro they were looking at.

Mr. Adams stated that in the contract with Republic, they provided the service to the county and would work at the facility or location that the county determined. They had not received any feedback from Republic about that location.

Informational item.

(b) Commissioner Deitz stated that they had water to the Appalachian Women's Museum. He talked with Tim Parris of the Town of Dillsboro. He had stated they were going to have to put in a sewer system below the house for their park and one for the museum as well. He thought it would be good if there was some way to put in one sewer system for both locations.

Commissioner Woody stated that her son in law worked for Infiltrator and they had donated the systems, not the installation, to nonprofits in the past. She would be willing to contact him to see if they would donate the system to the Women's Museum.

Chairman McMahan stated they were getting ready to go into the budget sessions. Appalachian Women's Museum had annually requested an appropriation. They may want to consider this item.

Informational item.

(c) Chairman McMahan requested that the Board consider changing the second regular meeting of each month, the third Tuesday, from 3:00 p.m. to 1:00 p.m. He did have a conflict with his work schedule and the 3:00 p.m. meeting.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(d) Commissioner Woody stated that she had sent all of the letters of support for the road naming for Dr. Jerry Wolfe and she had received back several great letters of support. She was awaiting one more letter, so that was moving forward.

Chairman McMahan stated that he would follow up on the Conrad Burrell information.

Informational item.

(e) Mr. Adams provided the Board with information regarding ADA issues that the school was working on at the baseball field. They completed the items at the upper level and were working on the items on the lower level. They had gone out to bid and received three bids. They were looking to award the contract on January 28th. This was a cost, along with the safety cost they discussed within the existing resources, but it had not been budgeted.

At the January 21st regular meeting, Darlene Fox, Finance Director, would present a Budget Ordinance Amendment to put the funds in place. This would come out of the school capital reserve fund for the required ADA upgrades for the baseball field to include:

- Two ADA compliant restrooms at the field level
- ADA compliant bleachers at the field level
- ADA compliant parking lot between the batting cages and the baseball field – parking lot must be capable of holding the weight of a fire truck because of existing structures
- Road to connect 107 to the new parking lot – also must be able to hold the weight of a fire truck
- Improve drainage at the field level due to all of the new paved surfaces
- ADA walkways to each baseball dugout

They received three bids with the low bid being Western Builders of Sylva. Jake Buchanan, Assistant Superintendent of Jackson County Public Schools, agreed to attend the January 21st meeting to provide updates on this project and other school issues as well, if the Board wanted.

Commissioner Deitz stated they were putting the ADA restrooms in for the fans and had to get that done.

Mr. Adams stated that they had no choice, they had to get that done.

Commissioner Deitz stated that they had visitor’s bleachers at the football field that they did not have restrooms for and had not had since 1960.

Mr. Adams requested to put Mr. Buchanan on the January 21st agenda and he could answer any specific questions they had.

Commissioner Woody stated that she had talked with Mr. Buchanan and the access they were planning onto Highway 107 would blend in with the new Highway 107 renovation. She thought that was important that they were taking that into account.

Chairman McMahan inquired about the safety improvements.

Mr. Adams stated they did have a transition with Cort Architecture being bought out by McMillan, Pazdan and Smith (MPS). They were operating under a contract with Cort Architecture. Mr. Cort was working for MPS for a period of time and had to rearrange to continue, which delayed the school safety project.

Informational item.

There being no further business, Commissioner Woody moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 2:51 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman