

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 03, 2020**

The Jackson County Board of Commissioners met in a Regular Session on November 03, 2020, 6:00 p.m., Justice and Administration Building, Room A201, 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 Zoom video conferencing)	Angela M. Winchester, Clerk
Ron Mau, Commissioner	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order. He stated that he hoped everyone had voted. He thanked all who had voted and all those working the election. They were anxious to see the election come to an end and were hopeful to see results and support whomever was elected from the Whitehouse to the Courthouse.

(1) **AGENDA**: Chairman McMahan requested to remove one item: Commissioners' Meeting Schedule. Commissioner Mau moved to approve the amended agenda. Commissioner Woody seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Deitz moved to approve the minutes of a Public Hearing (2021 Schedule of Values) of October 06, 2020; a Public Hearing (UDO Amendment) of October 06, 2020; and a Regular Meeting of October 06, 2020 as presented. Commissioner Woody seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: None.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Mau gave an update from TDA. It was not an all-time record, but September revenues were 9.3% above last year. Keep doing well.

(b) Commissioner Woody commended Lisa Lovedahl, Board of Elections Director and her staff, for the hard work they obviously had done in planning for people to be safe and feel that their vote was secure. She went to seven of the different centers that day and was so gratified to see how smoothly things were going. Everyone was so respectful. She spoke with people from all parties, poll workers and poll watchers. Everyone was so gratified to see how smoothly things were going.

(c) Commissioner Deitz stated that he spoke with the Sheriff that day and he was talking about how smooth everything was going. He talked with him about their preparation and working with Intelligence from all over the state. They were not expecting any trouble, but they were well prepared.

Also, he and Commissioners Woody went to Cashiers that past week. They visited the Code Enforcement and Permitting Office. They also visited the Recreation Center and the Fire Chief, who showed them the property they had recently discussed. They talked with a couple of constituents that called them individually, specifically about traffic. They also visited the Chamber of Commerce. He thought it was a good visit.

(5) **COUNTY MANAGER REPORT:** None.

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

(7) **BLUE RIDGE SCHOOL CDBG WATER AND SEWER:** Mr. Adams stated they would not be opening bids for this project until November 5th. He would be requesting that the Board recess the meeting to November 10th at 12:55 p.m. He would be able to present the bids for this project to them at that time so they could consider the notice of award of the contract.

This was the project for water and sewer at Blue Ridge School. This would place a water pump and replace the 10,000 gallon per day treatment plant. They sent an advertisement for bids on October 5th and held a pre-bid meeting on site on October 21st. They were due to receive bids on November 5th. On November 10th, he would bring the bid tabulations back to the Board. They did have CDBG Grant Funds to help fund this project.

If this fell within budget, he would request the Board to award the contract and authorize the Chairman to sign off on the construction contract with the approval of the County Attorney. They were looking for construction to be completed by June 5, 2021 with a final inspection to take place on July 9, 2021. They had been working with school staff on this project.

Commissioner Woody asked if any private entities would be able to hook onto the wastewater system?

Mr. Adams stated no, with the CDBG rules it was only for the school.

Chairman McMahan stated they would take the item up at the reconvened meeting on November 10th.

Hold open.

(8) **OFFERS TO PURCHASE AND CONTRACT FROM HOWE AND RESOLUTION R20-21, R20-22, R20-23:** Ms. Baker stated that she received three offers from Charles Howe:

- Lot 64, Bear Pen, containing approximately 3.15 acres (PIN #7545-47-0700) in the amount of \$8,700.00, which was the amount the county had in the property.
- Lot 66, Bear Pen, containing approximately 1.98 acres (PIN #7545-48-1117) in the amount of \$13,144.83, which was the amount the county had in the property.
- Lot 65, Bear Pen, containing approximately 1.96 acres (PIN #7545-47-0985) in the amount of \$12,417.17, which was the amount the county had in the property.

She presented Resolutions R20-21, R20-22 and R20-23 for consideration. If the resolutions were approved, these would go through the upset bid process. Also, they would send letters to adjoining property owners.

Ms. Baker stated that Mr. Howe was available via Zoom, if anyone had questions for him.

Motion: *Commissioner Mau moved to approve Resolutions R20-21, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

Motion: *Commissioner Mau moved to approve Resolutions R20-22, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

Motion: *Commissioner Mau moved to approve Resolutions R20-23, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(9) OFFER TO PURCHASE AND CONTRACT FROM WOODMAN AND RESOLUTION R20-24:

Ms. Baker stated that she received an offer from Karen Woodman for Lot BB, Waterfall Cove, containing approximately 0.50 acres (PIN #7563-07-0359) in the amount of \$2,000.00. The county had a total of \$5,597.96 in the property, but had owned it since February, 2017. The Woodman's were trying to expand and needed this adjoining property for septic. According to the Woodman's, it was not a buildable lot, which was why the county owned it for so long. She was unsure if there was lake access to the lot.

She presented Resolution R20-24 for consideration. If the resolution was approved, these would go through the upset bid process and letters would be sent to adjoining owners.

Chairman McMahan stated they could table this item and check the lake access.

Ms. Baker stated they would have to do a full title search and look at the covenants. This went through the original tax foreclosure sale with no bids. She felt if it had lake access or was desirable, it would have sold already. She did not know why the lot was not buildable.

Chairman McMahan stated that according to the spreadsheet, the county had the lot assessed at \$75,000.

Commissioner Woody stated that her sense was to go with the sale to put it back on the tax rolls.

Motion: Commissioner Woody moved to approve Resolution R20-24, as presented. Commissioner Mau seconded the Motion.

Discussion:

Commissioner Woody stated that if the property had been available for nearly four years, in the current climate, if there had been any possibility for building, she thought it would have been taken.

Commissioner Deitz stated that it was worth more to Woodman than anyone else if he needed it for sewer. He was offering \$3,900 less than what the county had in it.

Chairman McMahan asked if they had done a perc test on the lot?

Ms. Baker stated that they had gotten a verbal that it would work from Mountain Soil.

Mr. Adams stated that if the Board did not want to proceed forward with the offer, they could counter by stating they would take what they had in it.

Chairman McMahan asked how this purchase would affect the tax value?

Ms. Baker stated they usually discarded discounted sales. They would know the amount and take it into consideration, but that was not the only thing they looked at.

Commissioner Mau stated that he did not have a problem with asking if they were interested in paying what the county had in it.

Commissioner Deitz stated that he agreed.

Motion: Commissioner Woody withdrew the motion.

(10) EDA DEED OF TRUST AUTHORIZATION: Ms. Baker stated that in 2018 they were approved for the EDA Grant for the Health Sciences Building at SCC for over \$2 million. They were just at the point in the building process where they would need to start drawing on the EDA Fund, so it was time to record the document that would secure their interest. Even though it was a grant, if anything went wrong, they wanted secure their interest in the property.

She presented a Deed of Trust and an Intercreditor Agreement, which was between EDA, Sterling Bank (primary lender) and the county. The agreement stated they were in a shared first lien position. She requested approval and authorization for the Chairman to sign these documents.

Motion: Commissioner Deitz moved to approve the Deed of Trust and Intercreditor Agreement and authorize the Chairman to sign the documents, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

**(11) CASHIERS-GLENVILLE VOLUNTEER FIRE DEPARTMENT
RESOLUTION R20-20:**

Ms. Baker stated that this was an item from the work session. The fire department needed this document in order to move forward with their loan to purchase the property and fire truck. It was a formality to obtain the Commissioners' approval, but was required for the loan. They also held a public hearing on October 23rd at 2:00 p.m.

Motion: Commissioner Mau moved to approve Resolution R20-20, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

(12) RESOLUTION R20-25 PUBLIC TRANSPORTATION PROGRAM GRANT:

Norma Taylor, Transit Director, stated that the grant was made available annually through the state to assist transit systems with administrative and capital funding. Listed below was the estimated funding request for FY2022, which included the match required by the county for each program:

Project	Total Amount	Local Share	
5311 Administrative	\$192,747	\$28,912	15%
Capital (Vehicles and Other)	\$0	\$0	10%
5310 Operating	\$87,500	\$43,750	50%
TOTAL	\$280,247	\$72,662	
	Total Funding Request	Total Local Share	

Ms. Taylor stated that on the 5311 Grant was 80% federally funded, 5% and 15% local. However, she had been told that there was a possibility that the state would not be able to provide their typical 5% match. If at a later time the state was not able to provide the match, she would need to come back before the Board and request 20% instead of 15% match.

She requested that this item be held open until the recessed meeting on November 10th at 12:55.

Commissioner Woody asked if the money came from the DOT and was that the reason they may not be able to provide the 5% match because of the shortfall?

Ms. Taylor stated that was correct.

Commissioner Mau noted a correction to the Resolution document. It stated R20-20 instead of R20-25.

Hold open.

(13) CULLOWHEE PLANNING COUNCIL:

Motion: Commissioner Luker moved to appoint Chris Stuckey to a three-year term on the Cullowhee Planning Council, term expiring December 31, 2023. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

(14) PLANNING BOARD: Carry over.

(15) PRESS CONFERENCE: None.

There being no further business, Commissioner Mau moved to recess the meeting to November 11th at 12:55 p.m. Commissioner Woody seconded the Motion. Motion carried and the meeting recessed at 6:31 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman