

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MAY 07, 2015**

The Jackson County Board of Commissioners met in a Regular Session on May 07, 2015, 6:00 pm, Canada Community Building, 149 Charley's Creek Road, Tuckasegee, North Carolina.

Present: Brian McMahan, Chairman
Mark Jones, Vice Chair
Charles Elders, Commissioner
Vicki Greene, Commissioner
Boyce Deitz, Commissioner

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

Chairman McMahan called the meeting to order.

PROCLAMATION: Chairman McMahan read a Proclamation honoring Older Americans.

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

PROCLAMATION: Chairman McMahan read a Proclamation declaring May 10th-16th National Law Enforcement Week and May 15th as Peace Officers Memorial Day.

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

AGENDA: Chairman McMahan amended the agenda by adding Animal Shelter Task Force under New Business and Jackson County Planning Board under Appointments. Commissioner Elders moved to approve the Agenda as amended. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Greene moved to approve the minutes of a Regular Meeting of April 16, 2015, a Work Session of April 21, 2015, a Public Hearing of April 23, 2015, a Reconvened Work Session of April 28, 2015 and a Public Hearing of April 30, 2015. Commissioner Elders seconded the Motion. Motion carried.

(1) CHAIRMAN'S REPORT: Chairman McMahan stated he wanted to take the opportunity to express his sincere and deep appreciation for Gerald Green and to publicly honor and thank him for the service that he has provided to the county in the roughly four and half years that he has served as the county planner. He became acquainted with Mr. Green over a decade ago. In 2010, when the county sought to hire a new county planner, the Board of Commissioners at that time worked very hard to attract qualified applicants. He was very pleased that Mr. Green had applied for the position. Mr. Green was and still is recognized by his peers and colleagues around the state, as a senior level planner. His wealth of knowledge of planning issues, his ability to administer very technical ordinances, and even more importantly, his ability to articulate himself well and to communicate in an effective way to a sometimes not so receptive audience of property owners, were the very reasons that he and the 2010 Board of Commissioners chose Mr. Green as the county planner.

Chairman McMahan's level of support for Mr. Green and the confidence that he had for Mr. Green only increased since 2010. He was excited and honored to have been given a chance to serve this county once again as the Chairman of the Board of Commissioners in 2014 and he was looking forward to the many opportunities to work with Mr. Green in the months ahead. He and Mr. Green met on several occasions since the start of his term just a few months ago. They had always had a good working relationship and very open communication. They talked about the challenges that he and his office had faced, the changes to his roles and responsibilities that occurred under the leadership of the previous Board of Commissioners since 2010, the future of his office going forward, and most importantly how supportive that he and this current Board of Commissioners were of him and his office.

As a part of the shared vision of the Commissioners of where they would like to see this county go in the months and years ahead, in respect to the work of the Planning Department, they as a Board of Commissioners worked to develop and to start the implementation of a series of steps that will insure that it is understood that the current Board of Commissioners is fully supportive of the notion of good sound planning. The steps they had taken thus far, included providing guidance to staff on the direction to go concerning current and previously suggested planning initiatives, to request new initiatives such as the amendments to the Industrial Development Ordinance, and to provide for the first wave of additional staff in the Planning department. It is their intention to have a comprehensive review of the process in which permits are being issued and how plan reviews are being conducted, with suggested changes to that process. For now, that conversation and others will be delayed until a new county planner has been selected and be engaged in the conversation.

Mr. Green just recently made him aware that he had applied for a job in Knox County, Tennessee during the fall of last year, prior to his election. He indicated that it was a tremendous opportunity for him. He had strong connections to the Knoxville area and would also be seeing a substantial increase in salary, new career challenges, and an opportunity to enhance his professional life. He expressed to him his reluctance to see him accept the position and to lose him as a Jackson County employee and on behalf of the Board of Commissioners asked him to stay on. However, he indicated that he would support him in whatever decision that he made. He personally called him last Friday evening and made him aware of his decision to go to Knoxville. He personally wished him the greatest of success.

Where do they go from here? He asked county staff to move forward with advertising the position as soon as possible. The county manager will give an update as to where they are in that process. It is critical to find a county planner that is very qualified and possesses the needed skills and abilities that this position requires, and that the individual will be ready on day one to assume the roles, responsibilities, and obligations of being the County Planner. He considered the position to be one of the key positions in county government and the Board of County Commissioners will have a very active role in the selection process, conducting the final interviews and making the selection. In the meantime, current staff in place will fill in where possible and there will be no interruption of work with respect to planning. Once the new planner is in place, they will then be able to continue their conversations about the ongoing work of the planning department.

(2) COMMISSIONER REPORTS:

(a) Commissioner Deitz stated he had been very impressed with Mr. Green and he wished him the best. He thought because of what Mr. Green had done for the county, it would make this job more inviting for others to look at.

(b) Commissioner Elders stated his sincere wishes to Mr. Green, he wished him the very best in all his endeavors.

(c) Commissioner Jones stated Chairman McMahan made very good comments. He thanked law enforcement for being there and thank the community for having them.

(d) Commissioner Greene stated she knew Mr. Green for two years before she became a Commissioner and she was aware first hand of what an outstanding job he had done for the county. She will miss him dearly personally and professionally. Also, Commissioners held a public meeting for a proposed animal shelter - adoption center and it was well attended. The Commissioners will now look to establish an animal shelter task force.

(3) COUNTY MANAGER REPORT: Mr. Wooten reported:

(a) **Planning Director:** Gerald Green has submitted his resignation as the County Planning Director effective May 15, 2015. He talked with both of the other employees in the Planning Department and following a conversation with Chairman McMahan, he have moved forward to convert the part-time clerical position to full time effective May 6th to provide additional coverage in the office during the interim until a new planning director can be recruited. In working with the HR Director, a job advertisement has been developed and she is working with Mr. Green to make sure the job description is up to date. Human Resources has listed the job announcement in a number of locations and Sarah Thompson has also provided links to the NC Planners Association and professional associations. In keeping with our past practice, he would proposed to form a search committee to screen the applicants and to identify the top candidates for interview. He recommended the search committee be composed of a Commissioner, Chair of the Planning Board or designee, HR Director, County Manager, Economic Development Director and John Jeleniewski, an employee in the Planning Department. Realistically, he suspects it will be late summer before the position is filled. Mr. Green has promised to document all unfinished tasks and to provide a status report of the projects and he hopes to review this information with Commissioners at the May 19th work session. Once he has the information, they will develop a short term strategy to cover the duties and responsibilities of the position. The Planning Director is not a statutorily required position; therefore, there is not a requirement to appoint an interim director. Finally, the proposed budget will include the new Planner position; however, he would recommend that they not release the position for recruitment until such time as the new Planning Director is on board. There was also a request this week from the Planning Director to reclassify the clerical position; however, he has determined it best to wait until the Director position has been filled before making changes to existing classifications.

(b) **Unemployment Rate for March 2015:** The county unemployment rate fell from 6.6% in February to 6.4% in March. The March 2015 rate is 1.2% less than the March 2014 rate of 7.6%. The manager of the Waynesville NC Works Office has indicated that the April rates will show a further decline in the unemployment rate.

(c) **ABC Sales Information:** The ABC sales for the county continue to show increases with the total sales in the county through March being \$830,727.28 more than the same period in 2014. The Cashiers store had sales totaling \$1,088,515.58 through March which equals what was projected for the entire year.

(d) **Building Permit Activity:** The region building permit report has been issued for the quarter ending March 31, 2015. The county had 28 residential building permits issued of which 13 were considered to be high end homes. High end homes are defined as having over 4,000 sq. ft. with a permit value over \$400,000. This first quarter report is 2 less than the same time period in 2014. During the first quarter 12 commercial permits were issued which is also 2 less than the same period in 2014.

(e) **Tourism Economic Fact Sheet:** The WCU Hospitality and Tourism Program provided each county in western NC with a fact sheet on the impact of tourism to the county. Jackson County shows \$163.03 in direct tourism spending which is responsible for over 1600 jobs.

(f) **Tarp Day:** The Solid Waste and Soil and Water Department are planning to distribute tarps to pick up drivers on the last Saturday in May at the SRCs. Lowes and Walmart have generously donated tarps and the county has purchased additional tarps to have approximately 50 tarps at each SRC. Based on information of the NCDOT Beautification Office, the majority of litter on our highways comes out of beds of pick-up trucks. Hopefully, some people will take the time to secure their loads with these tarps.

(g) **Charters of Freedom:** The Foundation Forward, Inc. is ready to begin fund raising activities to hopefully raise enough funds to place the Charters of Freedom (The Declaration of Independence, The United States of America Constitution, and The Bill of Rights) at a strategic location identified by the county that is highly visible and easily accessible. The only cost to the county will be site preparation and landscaping once the monuments have been installed.

(h) **NCACC Assembly Day:** He and Chairman McMahan attended the meeting on May 6th in Raleigh. They heard comments from the Governor, Speaker of the House, and Senate Pro Tempore. Two significant announcements concerning the State Budget were made. First, the projected \$270 million deficit has now turned into a \$400 million surplus and secondly, the deficit in the unemployment benefits fund has been paid to the Federal government in full. Both of these events are important and will hopefully benefit the counties in the long run. Following the formal program, they were able to visit with Senator Davis, Representative Queen, and Senator Apodaca. During our meeting with Senator Davis and Representative Queen they specifically asked for their support in the request for funds to construct a sidewalk on the 441 corridor. They had previously submitted approved resolutions from both the county and tribal council in support of this project. Both were cautiously optimistic about funding for this project. They also submitted a formal request seeking a special \$14 million appropriation for the construction of a new fire station in Cullowhee. Realizing that Cullowhee is the only volunteer fire department that provides fire protection for a significant state entity (WCU) it seems reasonable that the state should support this project. There is precedent for this action as approximately 10 years ago the state provided Cullowhee VFD with funds to purchase a platform truck. Senator Davis advised that he had forwarded this request onto Senator Apodaca; therefore, they felt the need to stop by his office to emphasize the importance of this request to the Cullowhee VFD.

(i) **Legislative Updates:**

HB762: This bill was introduced to remove the opportunity for local school boards to sue county commissioners if they are not satisfied with the funding for education provided by counties. Union County is the poster child for this particular bill. Unfortunately, the bill was defeated in the House.

HB506: 911 Funds – this bill would provide more flexibility in the use of 911 funds. The flexibility would only apply to equipment in a 911 call center and radio tower used to dispatch emergency calls. There is a lot of uncertainty about this bill.

Historic Tax Credits: This topic is receiving a lot of attention; however, there is also a lot of uncertainty about whether support exists to pass a bill. Paige Dowling has contacted me indicating the Susan Kluttz, Secretary of Cultural Resources, will visit Sylva on May 22nd to discuss historic tax credits. The Commissioners have been extended an invitation to participate in this visit and the group will assemble at the Jackson County Library at 11:00 am for comments and then a walking tour looking at properties in Sylva that might be candidate for these tax credits.

Broadband Access: This bill would allow counties to invest in broadband infrastructure to ensure community access to critical services. It appears the legislature does want counties to own the companies so they will not compete unfairly with private enterprise.

(j) Future Meetings:

May 19 th	Regular work session beginning at 10:00 am in Room A-227
May 21 st	Regular scheduled meeting
May 22 nd	Secretary of Cultural Resources Visit – 11:00 am JC Public Library
June 4 th	Regular scheduled meeting, public hearing on FY 15-16 budget
June 16 th	Regular work session
June 18 th	Regular scheduled meeting
July 9 th	Regular scheduled meeting (only meeting in July)

Informal Comments by Public:

(a) Marie Leatherwood of Sylva stated her disapproval of using funds for the Drexel site. She also disapproved the fire tax.

(b) Mary Jo Cobb of Tuckasegee stated she appreciated Gerald Green and what he had accomplished for the county. She also stated she wished the citizens would have a chance to vote on the fire tax.

(c) John Leopard of Tuckasegee questioned the Commissioners as to whether they had received a fair reading from the public hearing held in Cashiers regarding the fire tax. He believed they should raise the tax millage rate county-wide and treat all fire departments the same.

(4) HOME AND COMMUNITY CARE BLOCK GRANT: Eddie Wells, Aging Director, presented a request for change of provider for the In Home Aide Level 1 and Level 2 Programs for Jackson County, under the Home and Community Care Block Grant.

In accordance with Home and Community Care Block Grant Guidelines, the In Home Aide Level 1 and Level 2 programs for the county, were required to complete a bidder process, due to the current provider becoming a for profit entity. The current provider, Duke-Life point, also chose not to bid for the contract to provide the service for fiscal year 2015-2016. Because there is a recommendation for a new provider for this service, there is a need for approval from the Commissioners.

The lead agency, Department on Aging, in conjunction with the Area Agency on Aging, completed the bid process with Disability Partners being the recommendation from the Council on Aging. The Council on Aging serves as the Advisory Board for the Department on Aging as well as the Home & Community Care Block Grant funding for the county.

The Area Agency on Aging in conjunction with the Council on Aging, respectfully recommends that Disability Partners be approved as the In Home Aide Provider for the county for the Level 1 and Level 2 services provided by the Home and Community Care Block Grant.

Motion: *Commissioner Jones moved to approve Disability Partners as the In Home Aide Provider for the county for the Level 1 and Level 2 services provided by the Home and Community Care Block Grant. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(5) ANIMAL SHELTER TASK FORCE: Chairman McMahan stated Commissioners held a public hearing regarding a proposed animal shelter and/or adoption center where they had an opportunity to hear from members of the community on how best to enhance the level of service the county currently provides, as far as animal control and shelter. At this point, they are ready to move forward to gather more information to determine which option(s) to take. The next step would be to form a task force. Each commissioner will have an opportunity to make an appointment along with four at large appointments for a total of nine. Commissioners will work to identify names and start making those appointments at the 2nd meeting in May.

Consensus: *Move forward with determining appointments for an Animal Shelter Task Force.*

(6) RESOLUTION R15-08 APPROVAL OF INSURANCE SERVICE PUBLIC PROTECTON CLASS FOR FIRE DISTRICTS: Mr. Wooten stated this resolution approves the boundary lines of the Cashiers-Glenville Insurance Districts in accordance with the maps and descriptions filed with the Board of Commissioners.

Motion: Commissioner Jones moved to adopt Resolution R15-08. Commissioner Greene seconded the motion. Motion carried by unanimous vote.

(7) CEMETERY BOARD:

Motion: Commissioner Jones moved to reappoint Steve Luker and appoint John Reed Clark and Sam Beck to serve four year terms on Cemetery Board. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(8) CASHIERS PLANNING COUNCIL:

Motion: Commissioner Jones moved to appoint Robin Ashmore, Keven Hawkins and Deborah Stewart to serve three year terms on Cashiers Planning Council. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(9) BUSINESS AND INDUSTRY ADVISORY COMMITTEE:

Motion: Commissioner Deitz moved to reappoint Larry Hinton to serve three year term on Business and Industry Advisory Committee. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(10) JACKSON COUNTY PLANNING BOARD:

Motion: Commissioner Deitz moved to appoint Bonnie Claxton to fill the unexpired term of Ben Bergen on the Jackson County Planning Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

Press Conference.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:16 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman