

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 07, 2016**

The Jackson County Board of Commissioners met in a Regular Session on January 07, 2016, 6:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, 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
Heather C. Baker, County Attorney

Chairman McMahan called the meeting to order.

(1) PROCLAMATION FOR MARTIN LUTHER KING, JR. DAY OF SERVICE:

Enrique Gomez, President Jackson County Branch of the NAACP, stated that Martin Luther King, Jr. Day was the only national holiday that calls on citizens to volunteer on behalf of their communities in areas with the greatest need.

Chairman McMahan read a Proclamation to proclaim January 18th Martin Luther King, Jr. Day of Service. He asked the Commissioners and citizens of the county to do service for their community on that day. Commissioner Elders moved to approve the Proclamation. Commissioner Greene seconded the Motion. Motion carried.

(2) AGENDA: Chairman McMahan amended the agenda by deleting FY 14-15 Audit Report. Commissioner Greene moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

(3) MINUTES: Commissioner Greene moved to approve the minutes of a Chinquapin Development Public Hearing of December 10, 2015; a Cell Tower Application Public Hearing of December 10, 2015; a Cell Tower Application Quasi-Judicial Hearing of December 10, 2015; a CDBG Block Grant Public Hearing of December 17, 2015; and a Regular Meeting of December 17, 2015. Commissioner Elders seconded the Motion. Motion carried.

(4) CHAIRMAN'S REPORT: Chairman McMahan stated he and the Commissioners had received a letter from Mr. Wooten stating his intent to retire from the position of Jackson County Manager, effective July 1, 2016. He was most grateful to serve the citizens of the county over the past five years.

Chairman McMahan expressed his appreciation for Mr. Wooten and the work he had done.

(5) COMMISSIONER REPORTS:

(a) Commissioner Greene stated she recognized a lot of people in the audience and knew they were there as advocates for a new animal shelter. Missing was Veronica Nicholas, who as her friends know, was diagnosed with inoperable brain cancer. Veronica had been an advocate for any and all vulnerable populations including animals, the elderly, children, the homeless or the food insecure. Veronica had been there making things happen for all those groups. Commissioner Greene expressed her appreciation and love for Veronica, Jackson County's first female Commissioner.

(b) Commissioner Jones expressed his thanks to Mr. Wooten. Also, he stated that with the recent heavy rainfall and flooding event, he discovered that some citizens were not aware of the county's Red Code system. He would like the system to be advertised more so that more citizens are signed up, particularly the citizens living along the river areas.

(c) Commissioner Elders congratulated Mr. Wooten and thanked him for a remarkable job. Also, he stated he served with Veronica Nicholas over the years on several boards and agreed with Commissioner Greene and asked for prayers and best wishes for her. Also, he spoke with Ms. Riddle of the Governor's Office and they are willing to help with the Duke Power flooding situation.

(d) Commissioner Deitz thanked Mr. Wooten, stating he had done a great job and he was first class. Commissioner Deitz was very impressed with Mr. Wooten and appreciated what he had done. Also, he thought Todd Dillard had done a great job during the flooding event. He suggested the Commissioners meet with Duke about their water releases in the future so that there could be a better plan in place. He spoke with Bill Yarborough of the Department of Agriculture and Secretary Troxler's office. They are working with anyone that may have lost agriculture. Additionally, Commissioners need to work together with the community to come up with a solution to the situation of trash along the roadways.

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

(a) **High Water Event:** Todd Dillard, Emergency Management Director, will be at the next meeting to discuss future plans to be better prepared for high water events. Also, Lisa Leatherman of Duke Energy will be in attendance to discuss their decisions and communications on drawing down the lakes. Hopefully, they will all gain a better understanding of the challenges in those type situations.

(b) **Golden LEAF Applications:** TWSA and SCC/Jackson County Schools are finalizing the grant applications which are due back to Golden LEAF on January 22nd. Pat Cabe-Cantrell was reviewing these applications for their completeness and accuracy.

(c) **Annual Planning Retreat:** The draft agenda was provided for your comment. They will begin with conversation at 8:30 am and convene the meeting at 9:00 am. The morning session will be devoted to capital projects planning as they currently have several projects that have been discussed and it was time to consider formalizing a schedule and financial plan for completing these projects. The afternoon session will allow Michael Poston, Planning Director, to have an opportunity to meet with the Commissioners and hear from the Commissioners about areas of focus. They will have the final values for the 2016 revaluation as they plan to mail new values during the weekend of January 23rd. Finally, they want to have a preliminary discussion about planning for the FY 16-17 budget. Consistent with the past three years, they will convene at the North Carolina Center for the Advancement of Teaching.

(d) **Savannah Community Park:** The only outstanding item for due diligence activities was an environment report which they should have within the next week or 10 days. Equinox has prepared a conceptual site master plan and has confirmed that they can develop a community park on this property. It was anticipated that they would have a closing on the transaction before the end of January.

(e) **Locust Creek Pedestrian Bridge:** The bridge components are on site and are being assembled. The tentative schedule was for the bridge to be set on Friday, January 8th, weather permitting.

(f) **Property Adjoining Old Courthouse:** They had the lower level of the house inspected and did find asbestos in the floor tile on the lower area that will require mitigation efforts before the house could be removed. In addition, there was an underground oil tank that must be removed. The bid to remove and clean up both of these situations was \$4,500.

(g) Upcoming Meetings:

Tuesday, January 12th: Landslide Study Stakeholders, Heritage Dining Room, 6:00 pm

Monday, January 18th: Martin Luther King Holiday – Offices Closed

Tuesday, January 19th: Annual Planning Retreat, NCCAT 8:30 am

Thursday, January 21st: Employee Service Awards Reception, Heritage Dining Room, 4:00 pm

Thursday, January 21st: Commissioners Meeting, 6:00 pm

Monday, January 25th: Region A Meeting, Franklin, Dinner at

(7) INFORMAL COMMENTS BY PUBLIC:

(a) Sally Johannessen of Cashiers stated she served on the Animal Control Task Force and unequivocally stated there was no point in pursuing a plan to remodel the existing shelter. A new shelter must be constructed.

(b) Marie Leatherwood of Sylva stated she was concerned about black mold and asbestos at the Drexel Building. She believes it should be tested before any food items are placed in the building.

(c) Mary Adams of Sylva stated she was Vice President of ARF and served on the Animal Control Task Force and strongly believed that a new animal shelter was needed in the county.

(d) Kaleb Lynch of Cullowhee stated he was the shelter manager at Catman2 and he volunteered at the animal shelter. The current shelter was lacking and a new shelter would be much better for the community.

(e) Betsy Ashby of Dillsboro stated that she volunteered with ARF and the animal shelter. A new shelter was needed for better and more space.

(f) Allison Padgett of Sylva stated she volunteered at the animal shelter and it was time for a new shelter.

(g) Harold Sims of Cullowhee stated he planned to open a cat museum in the US 441 area and thought that would also be a good location for a new shelter.

(h) Jane Finneran of Cullowhee stated there was no doubt a new shelter was needed. She felt a new shelter could be more self-sustaining if they added services such as dog training, a dog park, etc. Also, they should consider banning animals being sold in pet stores.

(i) Jimmy Carden of Sylva stated he thought they should use the funds for the new turf at the high school for a new animal shelter instead.

(j) Janet James of Sylva stated that the health of a community was measured by the way it treated its animals. A new animal shelter does not have to be a burden, it could be something really amazing.

(8) CDBG SCATTERED SITE HOUSING PROGRAM: Mr. Wooten stated that upon the request Commissioners at the last meeting and Commissioner Greene's concern that they would be de-obligating funds, a request was made for an extension of the grant, which was successful. The Department of Commerce has extended the date funds must be expended and activities completed to May 30, 2016 and closeout deadline to June 24, 2016. They will be working closely with Mountain Projects to make sure they will spend the full amount the grant. Bid packets for two projects have gone out and they anticipate bid packets for two more projects will be going out soon. He thanked Pat Mitchell, Assistant Director of the Department of Commerce, and her staff for being willing to hear the concerns and to grant the extension.

Chairman McMahan thanked Commissioner Greene, who championed the cause at the last meeting. If not for her persistence and researching, they may have seen the funds go back and never been given the extension of the grant.

Commissioner Elders stated that as Vice Chairman of the Mountain Projects Board of Directors, they extend their thanks and gratitude for Commissioners' understanding and the work that was done to accomplish this.

Commissioner Greene stated her appreciation to Mr. Wooten for his work and getting the extension.

Informational item only.

(9) ANIMAL CONTROL TASK FORCE REPORT: Paula Carden, Health Director, stated that the members of the Task Force had spent many hours and she was very appreciative to them.

Pat Thomas, Chair, stated that the Jackson County Animal Control Taskforce (JCACT) was tasked with developing ideas and strategies aimed at identifying ways to improve the Animal Shelter facilities and public perception as well as identifying model facilities, programs, policies and communication strategies. The objectives are as follows:

(a) Develop an existing conditions report for the current animal shelter. An existing conditions report was generated by ShelterPlanners.com, based on information from the JCAS statistics. Please refer to the attached report from ShelterPlanners.com.

- Current shelter was greater than 30 years old, operating on a septic system that has been repaired.
- Well does not have back-up power.
- Shelter heating system was also subject to the lack of back-up power.
- Internet service was subject to frequent downtime.
- Current number of dog runs was 15 and the current number of cat cages was 15.
- Current facility was difficult to secure. There have been multiple animals left at the gate at the airport road with no protection from the elements and without food. The shelter has been broken into by people seeking to obtain drugs, money, etc.
- The current facility struggles to meet the animal shelter requirements of the NCDA

(b) Develop a list of preferred components if a new shelter was constructed:

- Sally Port, preferably in the back of the building, large enough to fit two AC vehicles in, have floor drains and HVAC
- Appropriate HVAC systems to help prevent the spread of diseases
- Dog kennels that are stainless steel, situated so dogs are not facing each other. Also kennel doors open inward, not outward
- A feature room for both dogs and cats in lobby area
- Offices for AC personnel not accessible or visible from lobby area for privacy
- Nursery area for puppies and kittens (separate areas for each)
- Cat cages on rollers for ease of cleaning, especially underneath cages. Also, have an upper shelf in cat cage, this aids when cleaning
- Hoses on pulley above kennels to clean dog cages
- Retail space for leashes, collars, etc.
- Have a generator at the shelter in case of extended power outages
- Soundproofing
- Heated floors in outside kennels
- Pet food pantry to help community needs
- Spay neuter performed in facility
- Grooming area
- Intercom system for communication (for safety)
- Hydraulic exam tables
- Good lighting in building
- Scale for weighing animals
- Secured outside area for cats
- Public conference room, could be for multi-use, both dog and human training
- Separate quarantine area
- Get acquainted area – separate rooms for dogs and cats, make it homey (12x15 room in new facility at CHHS, has chair, lamp, rug, television, referred to as “real life” room)
- Adequate storage
- Laundry area if needed
- Area to clean and sanitize multi use items
- Reliable internet connection
- Work area for volunteers, maybe double as a place to take photos
- Separate outdoor play area for dogs

(c) Identify models of excellence for a new facility. Transylvania County and Buncombe County Animal Shelters were visited as well as the Catman Shelter on Bo Cove Road and the Cashiers/Highlands Humane Society (CHHS) existing shelter and the additional shelter area under construction at CHHS. Jackson's population was approximately 42,000. Transylvania's population was approximately 34,000 and Buncombe's population was approximately 250,000. The taskforce also visited the Catman and CHHS shelters in the county to look at their operations. The consensus of the taskforce:

- A new facility was needed, preferably intake and adoption center combined
- Need an architecture firm to provide a needs assessment
- Location will preferably have access to have public water and sewer
- Desirable location would be close to town, allowing for easy access to citizens

(d) Develop a best practices report consisting of recommendations related to adoptions, fees, spay/neuter services, pet retention, and responsible pet ownership. The Department of Public Health has developed policies and procedures for the operation of the Animal Shelter and Animal Control. These address adoptions, fees, and spay/neuter services. The NC General Statutes and Public Health Law require that animals over the age of 16 weeks be vaccinated against rabies and also address animal cruelty and dangerous dogs which address responsible pet ownership. Pet retention, ways to make it easier for pet owners to keep their pets:

- Food bank for pet owners unable to buy pet foods
- Care for pets whose owners are hospitalized
- Care for pets whose owners are involved in domestic violence

(e) Develop recommendations for a public relations campaign, including the Animal Shelter website.

(f) Identify areas of the Animal Control Ordinance that should be considered for modifications to better serve the citizens of the county. The opinion of the JCACT was that most modifications needed can be accomplished by Animal Control Program policy and procedure change. The area where ordinance modifications would better serve the citizens of the county was in the area of enforcement actions, fines, etc. for violations of the Animal Control Ordinance.

(g) Develop recommendations for improving the overall operations of the animal shelter by strengthening potential partnerships with private organizations and other local governments. Formalize the relationship between the various humane organizations in the county.

Motion: *Commissioner Greene moved to adopt the Animal Control Task Force Report. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(10) ANIMAL SHELTER NEEDS ASSESSMENT / BUILDING FEASIBILITY:

Paula Carden, Health Director, requested that Commissioners provide funding for Phase One of the proposal for Community Needs Assessment or Building Planning Study for the Animal Shelter in the sum of \$12,000 plus travel costs.

Motion: *Commissioner Jones moved to approve the request to fund Phase One in the sum of \$12,000, plus travel costs, from the contingency fund. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(11) SHERIFF'S OFFICE RECORDS RETENTION AND DISPOSITION

SCHEDULE: Ms. Baker stated that the Government Records Section of the North Carolina State Archives located within the North Carolina Department of Cultural Resources has issued a revised version of the County Sheriff's Office Records Retention and Disposition Schedule. Some major updates to the Schedule include the following:

- Addition of an item for mobile audio/video devices
- Removal of the dashboard camera item
- Splitting the weapons permits into two separate items: one for concealed weapons and one for handgun permits
- Deleting several items that are covered by other standards to avoid clutter

The revised schedule must be approved by the Board of Commissioners.

Motion: *Commissioner Greene moved to approve the revised Sheriff's Office Records and Disposition Schedule. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(12) ORDINANCE DECLARING TEMPORARY TRAFFIC REGULATION FOR GREENING UP THE MOUNTAINS 5K RACE - COUNTY EVENT:

Ms. Baker stated the Recreation and Parks Department will be doing its annual Greening Up the Mountains 5K race on April 23rd. A change in the NCDOT rules and regulations, require that the Commissioners adopt an ordinance approving the event. There will be no road closures and no public hearing was required.

Motion: *Commissioner Greene moved to adopt the Ordinance for the Greening Up the Mountains 5K Race as presented. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(13) FIREMEN'S RELIEF FUND: Recommendations for appointments were submitted by the respective fire departments.

Commissioner Greene stated that Grady Parker was listed as one of the appointments for Cullowhee VFD, set to expire January 1, 2017 and he had recently passed away.

Mr. Wooten stated he would contact the Cullowhee VFD regarding an appointment to fill the unexpired term.

Motion: *Commissioner Greene 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 a two year terms on the Firemen's Relief Fund Board of Trustees, terms expiring January 1, 2018. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(14) BOARD OF EQUALIZATION AND REVIEW:

Motion: *Commissioner Elders moved to reappoint Gail S. Cooper, Robert T. Edwards, Richard Robson, David A. Noland and Hart Goodson to one year terms on the Board of Equalization and Review, terms expiring April 4, 2017. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

Motion: *Commissioner Greene moved to reappoint Gail S. Cooper as Chair and Robert T. Edwards as Vice Chair for one year terms on the Board of Equalization and Review, terms expiring April 4, 2017. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(15) ROAD NAMING 911 BOARD:

Motion: Commissioner Greene moved to reappoint Todd Dillard, Margie Harris and Jack Knight to two year terms on the Road Naming 911 Board, terms expiring February 01, 2018. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(16) HEALTH BOARD: Carry over.

(17) JOINT COMMITTEE WITH THE HEALTH BOARD: Carry over.

(18) PLANNING BOARD: Carry over.

(19) RECREATION AND PARKS ADVISORY BOARD:

Motion: Commissioner Jones moved to appoint Annette Kesgan to a three year term on the Recreation and Parks Advisory Board, term to expire December 31, 2018. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

(20) PRESS CONFERENCE: None

(21) CLOSED SESSION:

Motion: Commissioner Jones moved that the Board go into closed session pursuant to G.S.143-318.11(a)(6) Personnel and G.S.143-318.11(a)(5) Real Property (PIN #7529-62-6412 and 7529-62-8531). Commissioner Greene seconded the Motion. Motion carried.

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session.

There being no further business, Commissioner Greene moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 8:37 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman