

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
NOVEMBER 17, 2016**

The Jackson County Board of Commissioners met in a Regular Session on November 17, 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

Don Adams, County Manager  
Heather C. Baker, County Attorney  
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order.

(1) **AGENDA**: Chairman McMahan amended the agenda by adding: Two Budget Ordinance Amendments and a Consistency Statement to go with the Cullowhee Community Planning Area Development Standards Ordinance Amendments item. Also, by deleting appointments for: Tourism Development Authority; Business and Industry Advisory Committee; Planning Board; and Board of Adjustment. Commissioner Elders moved to approve the amended Agenda. Commissioner Greene seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Elders moved to approve the minutes of a Regular Meeting of November 03, 2016. Commissioner Deitz seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman McMahan stated he attended one of three focus group meetings organized by Chancellor Belcher. The meeting focused on working to increase the number of post-secondary degree attainments in the region, as that was an issue directly related to poverty and income levels. They discussed what they perceived to be barriers for people to go to college and obtain degrees. It was a very informative session and he appreciated Chancellor Belcher bringing attention to the issue.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Deitz stated he appreciated the preparation that both Commissioner Jones and Commissioner Greene put into the meetings, the passion they had serving and their expertise in what they did. He appreciated what they had done.

(b) Commissioner Elders stated he attended the retirement party for Mark Swanger in Haywood County and it would be a great loss for Haywood County. Also, Mr. Swanger received the Long Leaf Pine Award, which was presented by Senator Davis. He congratulated and commended Mr. Swanger.

(c) Commissioner Jones stated they had a very successful Veterans Appreciation Dinner last Thursday, it was well attended. He was proud to speak on behalf of the Commissioners, thanking the Veterans for their service.

(d) Commissioner Greene congratulated Mr. Swanger and stated he was a good guy. She thanked Mr. Darnall for his comments regarding her attendance record.

**(5) COUNTY MANAGER REPORT:** Mr. Adams reported:

**(a) Capital Projects:**

- Cashiers Code Enforcement Office Renovations: Project was 85% complete. It was estimated that the project would be complete in the month of December.
- Health Department: McMillan/Pasdan/Smith Architecture completed its review of required programming space. Preliminary schematics had been reviewed. The Architects were finalizing the schematics. The architects would begin putting together a renovation cost estimate and also make recommendations on how the renovations should occur. The results of the study should be completed by the end of December.
- Freedom Park: It was anticipated that the project would be complete in December or January. County personnel would complete their portion of the project on the main monuments, prior to winter weather. It was anticipated that the grand opening would be held sometime early spring when the weather would be more amicable.
- Tuckasegee SRC Paving: The Tuckasegee Staffed Recycling Center had been closed since Monday, November 14<sup>th</sup>. Public Works Director Chad Parker informed him that the facility would need to remain closed through Tuesday, November 22<sup>nd</sup>.

**(b) Wildfire Update:**

- The county Open Burn Prohibition was put into effect on November 8<sup>th</sup> to coincide with the state Open Burn Prohibition for Western North Carolina.
- A State of Emergency was declared for Western North Carolina on November 10<sup>th</sup> by Governor McCrory.
- A State of Emergency was declared for the county on November 10<sup>th</sup> by Chairman McMahan.
- County Situation Report as of November 17<sup>th</sup> at 9:30 a.m.
- Health Department Fact Sheet on Wildfire Smoke.

**(c) Tuckasegee Water & Sewer Authority Water Shortage Update:**

- Water shortage advisory.
- TWSA Water Shortage Response Plan.
- Duke Energy Assistance.

Commissioner Jones stated that Dan Harbaugh, Director of TWSA, had reached out to Lisa Leatherman, Duke Energy District Manager, regarding more water releases into the Tuckasegee River. It was imperative to have more flow into the river and Ms. Leatherman helped WCU, TWSA and everyone in the county. He appreciated all of their efforts.

**(d) Longevity:** Longevity checks would be direct deposited on December 9<sup>th</sup>. Also, an appreciation letter would be given to all employees from the Board.

**(e) Holiday Closings:** County non-emergency offices would be closed Thursday, November 24<sup>th</sup> and Friday, November 25<sup>th</sup> for Thanksgiving. The Staffed Recycling Centers would be closed Thursday the 24<sup>th</sup>, but would reopen on Friday the 25<sup>th</sup>.

**(f) Upcoming Meetings:**

Comprehensive Plan Community meeting schedule was shared

Thursday, December 1, 2016 – Regular meeting - cancelled

Monday, December 5, 2016 – Final meeting of existing Board at 5:30 p.m.

Monday, December 5, 2016 – Organizational meeting of the new Board at 6:00 p.m.

Tuesday, December 13, 2016 – Work Session at 10:00 a.m.

Thursday, December 15, 2016 – Administration Building (2<sup>nd</sup> Floor) holiday lunch at 12:00 p.m.

Thursday, December 15, 2016 – Regular Commissioners meeting at 3:00 p.m.

**(6) PLANNING BOARD REPORT:** Scott Baker, Planning Board Chairman, reported:

(a) Cullowhee Planning Council: The Council had taken no more action other than what would be presented that evening to the Commissioners for consideration, regarding the Cullowhee Community Planning Area Development Standards Ordinance Amendments.

(b) Planning Board: The Planning Board had done a lot of work on several ordinance modifications. That past Tuesday, they just finished work on the Wireless Telecommunication Ordinance. He appreciated all the help from the Planning Staff and the County Attorney on getting that finished. The Commissioners would be seeing that come before them for review in the near future. They were currently working to align the Mountain and Hillside Development Ordinance and the Protected Ridge Ordinance.

He thanked members that would be exiting off the Planning Board: Dickie Woodard, Kent Moore and Burt Kornegay. Kirk Stephens and Julie Painter had served one year terms and they all had done a great job. He looked forward to working with new appointees.

**(7) INFORMAL COMMENTS BY THE PUBLIC:** Dick Darnall of Cashiers stated that 80% of the students at Blue Ridge School were Mexican and the majority of those were being picked up by cars with South Carolina license plates. He did not think they had residency and felt they should verify what was going on. Also, tree topping in the area was not being done properly.

**(8) CONSENT AGENDA:**

(a) Darlene Fox, Finance Director, presented the Finance Report for October, 2016 for approval.

(b) Darlene Fox, Finance Director, presented two Budget Ordinance Amendments for fiscal year ending June 30, 2017, for approval.

(c) Brandi Henson, Tax Collector presented, Tax Collector and Refund Reports for October, 2016, for approval.

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

**(9) ANNUAL LEAVE REQUEST:** Danielle Wittekind, Human Resource Director, presented two requests for annual leave:

(a) Paul Warren for a period of November 21, 2016 to December 09, 2016.

(b) Jean Morgan for a period of December 12, 2016 to December 30, 2016.

Both requests were for periods greater than two weeks. The Human Resources Manual states that “No more than two consecutive weeks of annual leave may be taken by an employee at any one time without approval of the Jackson County Board of Commissioners”.

***Motion:*** Commissioner Jones moved to approve the request to grant annual leave for Paul Warren for a period of November 21, 2016 to December 09, 2016 and to grant annual leave for Jean Morgan for a period of December 12, 2016 to December 30, 2016. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

**(10) PHYSICIAN EXTENDER II POSTION:** Danielle Wittekind, Human Resources Director, presented: Physician Extender II Position - Department of Public Health:

(a) Background: In July, 2016, the Department of Public Health had a mid-level provider retire, leaving two mid-level providers. Since then, the two remaining providers have given notice to leave employment with the county. One resigned her position, departing mid-November and the other was retiring at the end of December. The Department of Public Health had been actively recruiting for candidates to fill the positions. The Physician Extender II position was originally advertised in June, with very limited response from qualified candidates. One candidate withdrew her application because they accepted an offer of \$125,000 in the community. There was concern that the starting salary for the position was less than market value.

(b) Mid-level Provider Salary Information: To assess area market conditions, starting salary information was requested from area county governments and hospitals for their mid-level positions. The Western North Carolina average salary was \$87,370, with a range of \$72,465-\$106,679.

(c) Position Recommendation: Upon review of the information collected from area local governments, area hospitals, human resources professionals, online salary databases and reviewing available mid-level provider employment opportunities in the area, it was recommended to reclassify the Physician Extender II position to Grade 39 in order to recruit qualified candidates. The minimum of the salary grade was equivalent to market offerings for new mid-level providers who graduated from an accredited program and had minimal experience.

<u>Current Position Title</u>	<u>Current Grade</u>	<u>Current Range</u>
Physician Extender II	Grade 32	\$58,080-113,876
<u>Proposed Position Title</u>	<u>Proposed Grade</u>	<u>Proposed Range</u>
Physician Extender II	Grade 39	\$81,724-160,235

***Motion:*** Commissioner Deitz moved to accept the position recommendation and reclassify the Physician Extender II position to Grade 39. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(11) **SENIOR PLANNER POSITION:** Danielle Wittekind, Human Resources Director, presented: Land Use Administrator Position – Planning Department:

(a) Background: During the summer of 2015, the county contracted with Benchmark Planning, Inc. to conduct a performance audit of the Permitting and Code Enforcement and Planning Departments. The audit report recommended that the Land Use Administrator position be reclassified to a Senior Planner position in order to better serve the county in its planning needs.

Currently the Planning Department was working on its Comprehensive Plan and would soon be starting on the Unified Development Ordinance that would require significant time and effort of the Planning Department staff members. The Land Use Administrator plays a vital role in both projects.

(b) Modification of Duties and Responsibilities: Recently the Planning Director and Human Resources Director reviewed the job description of the Land Use Administrator position and identified duties and responsibilities the position performed for the Planning Department. Not included in the position were site design and acting supervisor of the Planning Department in the absence of the Planning Director. Additionally, the Land Use Administrator was the individual who calculated slope under the Mountain and Hillside Development Ordinance and trained other Planning Department staff to accurately calculate slope.

(c) Senior Planner Salary Information: In review of Planning Departments across the state, there were 31 counties that employ a Senior Planner, as reported in the UNC School of Government’s 2015 Salary Survey. Of these counties, the statewide average for the position ranges from \$47,563-\$75,077, with an average salary of \$54,455.

(d) Position Recommendation: Upon review of the information included in the Benchmark Planning, Inc. Performance Audit Report and the duties and conditions of the Land Use Administrator, it was recommended to reclassify the position to a Senior Planner and assign to Grade 26.

<u>Current Position Title</u>	<u>Current Grade</u>	<u>Current Range</u>
Land Use Administrator	Grade 24	\$39,310.99-77,076.12
<u>Proposed Position Title</u>	<u>Proposed Grade</u>	<u>Proposed Range</u>
Senior Planner	Grade 26	\$43,340.37-84,976.45

***Motion:*** Commissioner Greene moved to accept the recommendation and reclassify and revise the position title from Land Use Administrator to Senior Planner and assign to Grade 26. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

Commissioner Jones stated that back when the budget was being worked on, they did not have a Planning Director to bring this matter to their attention. They did not have direction at that time, which may have been why this fell through the cracks.

**(12) CULLOWHEE COMMUNITY PLANNING AREA DEVELOPMENT STANDARDS ORDINANCE AMENDMENTS AND STATEMENT OF CONSISTENCY:**

Chairman McMahan stated that the Cullowhee Planning Council and the Planning Staff had worked on proposed amendments to the ordinance. The amendments had been presented to the Board by Michael Poston, Planning Director. The Cullowhee Planning Council held a public hearing for the proposed text amendments on September 12<sup>th</sup> and recommended them to the Planning Board. The Planning Board held their public hearing on the amendments on October 13<sup>th</sup> and recommended adoption to the Board of Commissioners. A public hearing was held prior to this meeting with public comment.

***Motion:*** Commissioner Elders moved to approve the amendments to the Cullowhee Community Planning Area Development Standards Ordinance, as presented along with the Statement of Consistency. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

**(13) ORDINANCE DECLARING TEMPORARY TRAFFIC REGULATION FOR SPECIAL 5K RUN COUNTY EVENT:**

Ms. Baker stated the Recreation and Parks Department would be doing its annual 5K run on January 1<sup>st</sup>, which they have been doing for over ten years. 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 5K Run – New Years as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

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

Ms. Baker stated the Recreation and Parks Department would be doing its annual Greening Up the Mountains 5K race on April 22<sup>nd</sup>. 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.

**(15) PRESS CONFERENCE:** None.

**(16) CLOSED SESSION:**

***Motion:*** Commissioner Deitz moved that the Board go into closed session pursuant to G.S.143-318.11(a)(6) Personnel. Commissioner Elders seconded the Motion. Motion carried.

Chairman McMahan called the regular meeting back to order and stated that action was taken on one item in closed session.

(17) **AGENDA:** Chairman McMahan amended the agenda by adding one item for Personnel. Commissioner Greene moved to approve the amended Agenda. Commissioner Elders seconded the Motion. Motion carried.

(18) **PERSONNEL:** Chairman McMahan stated that earlier in the meeting, the Board approved the position of Senior Planner. They had a recommendation from staff that the position be filled by John Jeleniewski at a Grade 26, Step 13, for recognition of years of service and certifications with a salary of \$54,996.07.

***Motion:** Commissioner Jones moved to approve filling the position of Senior Planner with John Jeleniewski at a Grade 26, Step 13, with a salary of \$54,996.07, thereby abolishing the Land Use Administrator position. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Deitz moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:09 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman