

**MINUTES OF A  
WORK SESSION  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
OCTOBER 09, 2018**

The Jackson County Board of Commissioners met in a Work Session on October 09, 2018, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Charles Elders, Vice Chair  
Boyce Deitz, Commissioner  
Mickey Luker, Commissioner  
Ron Mau, Commissioner

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

Chairman McMahan called the meeting to order.

Mr. Adams stated there had been requests to add items to the agenda: (1) Youth Bike Park at the Greenway and (2) Health Department Revenues.

There were no objections to add the items.

**(1) CASHIERS POOL:** Rusty Ellis, Recreation and Parks Director and Michael Hopkins, Assistant Recreation and Parks Director were present for this item.

Mr. Ellis presented: Cashiers Community Pool Project:

**(a)** Sink hole discovered: After a period of heavy rain in the Cashiers area, a sink hole was discovered at the Cashiers Pool on May 22, 2018. The area in question was located next to a drain at the deep end of the pool and extended underneath the pool deck an estimated 7'-8'.

**(b)** Genco Pools & Spas:

- After a discussion with County Manger Mr. Adam, they contacted Genco Pools & Spas to survey the damage. Once on site June 12<sup>th</sup> they were able to survey the damage and provide a cost estimate of \$10,000 to fix the immediate problem.
- Once the initial move-in/discovery process started (June 19, 2018), Genco determined that they needed extensive repairs to the deck/drainage and existing drainage outside the pool deck. Genco's scope of work did not allow them to work on the outside drainage. Genco stated that they would need the outside drainage work completed before they would continue on with repairs to the pool.
- Thanks to the help of Jeff and Jim Madden, local contractors/excavators, they volunteered their equipment, manpower and labor to fix the outside drainage issue. They replaced 100 feet of culvert and installed two new drains. Drainage issue was complete on July 9<sup>th</sup>. Material cost to the county was all that they were responsible for: \$2,038.77
- Once the outside drainage was repaired, Genco was contacted July 11<sup>th</sup> to give an estimate to repair the pool deck and drainage that resulted from the sinkhole.
- Total including all labor and materials \$17,000.
- Genco stated once they have a notice to proceed, they could be on site in 1-2 weeks and then allow around 2 weeks for work to be completed. Requested that pool tile work be completed before they came on site.

- Reached out to the Cashiers Valley Community Council to discuss their willingness to help out monetarily regarding the additional cost for repairs.
- (c) Cashiers Valley Community Council: The Cashiers Valley Community Council agreed on July 12<sup>th</sup> to help out in the amount of \$7,000 to go towards the \$17,000 total of the project.
- (d) JB Tile:
- JB Tile was contacted July 12<sup>th</sup> to discuss details of pool tile to be replaced. Stated could do the work the week of July 23<sup>rd</sup>.
  - Work was completed on the tile July 27<sup>th</sup>.
  - Cost for materials and labor: \$3,092.20.
- (e) Genco Pools & Spas:
- A new Purchase Order was requested by Genco for the revised scope of work and pricing July 25<sup>th</sup>.
  - Dumpster was requested on site for the week of July 30<sup>th</sup>. This was the estimated start date once the Purchase Order was approved.
  - Genco stated they would be on site August 10<sup>th</sup> to start work, assuming no more bad weather.
  - Subcontractors for Genco on site the week of August 13<sup>th</sup>.
  - Genco Pools & Spas onsite to do the remainder of the pool repairs.
  - August 30<sup>th</sup> the pool deck was poured.
  - Week of September 10<sup>th</sup> depth markers were installed on the pool deck.
  - This finished Genco's scope of work on the pool project.
- (f) Remaining work:
- Gas company would need to install a new gas line from the tank to the pool heater. The old line was removed when addressing the drainage issue.
  - Drain line would need to be installed from the new pool deck drain to the new in-ground drainage system.
  - Pool main drain covers would be installed in the spring of 2019 to maximize the coverage life of the covers.

*Informational item.*

(2) **YOUTH BIKE PARK AT THE GREENWAY**: Mr. Ellis stated that in the last month, there was a Southern Off-Road Bicycle Association (SORBA) meeting where they discussed bringing in either a pump track or youth bike trail somewhere in the Jackson County. He met with JP Gant of SORBA and talked with him about areas of interest and SORBA creating a conceptual plan that would incorporate a bike trail for youth to learn to ride a mountain bike. Both the Trails and Greenways Committee and the Recreation Advisory Committee approved the plan. SORBA had agreed to come in and do all of the work themselves to make the trail, including maintaining the trail for free, except for signage.

**Consensus**: *Supportive of Mr. Ellis having further discussions with SORBA regarding an agreement. Mr. Ellis to bring the details back to the Board for further discussions and consideration.*

(3) **MASTER PEDESTRIAN PLAN**: Michael Poston, Planning Director, presented a resolution of support from Southwestern Commission for the county to make application for a NCDOT pedestrian planning grant. He stated that NCDOT's Division of Bicycle and Pedestrian Transportation announced the availability of Bicycle and Pedestrian Grants for local governments. NCDOT would partner with the jurisdiction and pay 70% of the cost to have a pedestrian or bicycle plan created. There were mobility concerns in the county for bike and ped, particularly in and around WCU, Cashiers and 441.

Also, the Comprehensive Plan spoke to the need and desire to connect the school systems to the communities. This grant would allow them to look at those types of facilities, evaluate the different areas and plan better for what type of facilities would need to be placed in those areas. It would also help them prioritize the greatest needs, which helped when they went to the state and prioritized the transportation projects.

They were in the process of completing the application and in order to meet the timeline, they would also need support from the rural planning organization. Southwestern Commission approved a resolution that if the county applied, they were supportive. They looked to create a steering committee to help with the process and would be made up of the people of the organizations that would be involved, such as the school system, community college, university and other stakeholders.

The county had done a lot of good work as far as pedestrian mobility, which was part of the requirements to be qualified for the grant. This would be a reimbursable grant and was unique because not many organizations funded grants to create plans. Because of the work the county had done in promoting sidewalk and pedestrian mobility, this was the logical next step to help better that system countywide and try to take advantage of DOT projects. This would also help move the needle to achieve key segments that they believed needed to happen sooner rather than later and position themselves for strong scoring opportunities for all of the different funding opportunities they could take advantage of overtime.

Mr. Adams stated that the county did make the conscience choice to accept the responsibility of sidewalks and they did have communities working very hard trying to expand those sidewalks. He thought it was important for the county to come up with a plan where they would eventually be able to create a construction and maintenance budget.

**Consensus:** *Add this item to the November 5<sup>th</sup> regular agenda for consideration.*

**(4) CASHIERS WATER SYSTEM:** Mr. Adams stated the county owned and operated a public water supply system in Cashiers. It was minimal in scope with a minimal amount of customers. The county purchased the system in order to maintain a supply of water for county interest and at the same time, they brought over the existing customers. Tuckasegee Water and Sewer (TWSA) studied the system to see what it would take for TWSA to start providing public water supply in the Cashiers area.

Dan Harbaugh, Executive Director, TWSA presented:

**(a)** The proper management of water resources was one of the key elements for a community to develop, grown and flourish. Water Resources Elements:

- Water Supply
- Wastewater Treatment
- Storm water control (not a TWSA activity)

**(b)** TWSA Cashiers Community Information: What was TWSA's role in Cashiers?

- TWSA was a regional water and sewer authority, so part of their mission was to meet the needs for such services, where feasible. TWSA Charter requires adequate revenue within five years to amortize capital investment.
- In Cashiers, TWSA owns and operates a wastewater system and operates under contract a water system for Jackson County.
- The need for both types of services drive the decisions for the future.

**(c)** Key water resource issues for the Cashiers community?

- Water:
  - Adequate supply, especially in drought periods.
  - Close proximity of wells and resulting influences.
  - On site treatment and potential impacts.
  - Fire protection.
- Wastewater:
  - Adequate capacity
  - Options for discharge

- High quality head water streams
  - Storm water: High quality head water streams
- (d) Factors Impacting Water Supply in Cashiers:
- Existing supplies through multiple wells, small and large.
  - Geology and topography limits options available for water sources.
  - Fractured rock aquifer and thin surface soils increase potential for contamination of ground water by failing septic systems.
  - Systems that do exist do not operate off of elevated storage. Fire protection by pump systems.
- (e) Financial analysis – poverty rate 2.375%:

<b>Item</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>
Phase funding need	\$4,938,000	\$2,821,300	\$3,409,000
Local investment	\$496,000	\$281,130	\$340,900
Balance financed	\$4,442,000	\$2,539,170	\$3,068,100
Customer count phase	250	330	430
Customer count cumulative	250	580	1010
Operating costs	\$53,465.35	\$124,039.60	\$216,000.00
Annual debt service phase	\$173,334	\$99,033	\$119,663
Annual debt service cumulative	\$173,334	\$272,367	\$392,030
Capital reserve	\$49,380	\$77,593	\$111,683
Projected annual costs	\$276,179.35	\$473,999.60	\$719,713.00
Total monthly	\$23,014.95	\$39,499.97	\$59,976.08
Average monthly cost / customer	\$92.06	\$68.10	\$59.38

- (f) Financial analysis – poverty rate 3.125%:

<b>Item</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>
Phase funding need	\$4,938,000	\$2,821,300	\$3,409,000
Local investment	\$496,000	\$281,130	\$340,900
Balance financed	\$4,442,000	\$2,539,170	\$3,068,100
Customer count phase	250	330	430
Customer count cumulative	250	580	1010
Operating costs	\$53,465.35	\$124,039.60	\$216,000.00
Annual debt service phase	\$196,171	\$112,081	\$135,429
Annual debt service cumulative	\$196,171	\$308,252	\$443,681
Capital reserve	\$49,380	\$77,593	\$111,683
Projected annual costs	\$299,016.35	\$509,884.60	\$771,364
Total monthly	\$24,918.03	\$42,490.38	\$64,280.33
Average monthly cost / customer	\$99.67	\$73.26	\$63.64

- (g) Cashiers Water System Consolidation – PER Water Supply Options:
- Connect to existing water supply system as a bulk purchase water system.
  - Construct a new surface water system
  - Construct a ground water system
  - Peak 25 year demand was 400K to 700K gallons per day.
- (h) Cashiers Water System Consolidation – PER next steps:
- Gauge support and interest in public system
  - ID regulatory and financial options
  - Integrate with Cashiers Small Area Plan outcomes and priorities.

Commissioner Luker stated that the public support would deem and push forward the Board's interest.

Mr. Harbaugh stated that over the last four years he had multiple meetings in Cashiers trying to gauge interest and look at priorities to share with the TWSA Board that the priority was the wastewater site. There was support expressed, but it was not taken to the level and developed as it needed to be

Mr. Adams stated that he viewed this as an enterprise fund for the county, meaning it was separate from the tax base and it needed to be self-sufficient.

Commissioner Luker stated that it was no different than running sewer. At that time, they would have to decide if they were going to make it a mandatory hookup.

Mr. Harbaugh stated that the question would be about regulatory rights and responsibilities regarding setting up special districts with mandatory connections.

Mr. Adams stated that he thought the county was directly involved in the conversation when referring to the five year return on the investment. TWSA could look at their own regulatory abilities to raise revenues. The goal of the county would be to support this in a way that the community was self-sufficient.

Chairman McMahan stated he was on the Board when the county bought the well. The reason they purchased the well in the beginning was to provide water to the county owned and operated buildings. That was the original intent. He thought it was their responsibility, as stewards of the county, to have county interests as number one. He was all for the water system and looking for ways to help that area, but before he voted to give away that resource, he would make sure that the county interests were served and they would have adequate water for growth, if they wanted to expand county services.

Commissioner Luker stated he thought that was just good business sense and a good business plan. They would not get into the water business or give away the well until they knew they were protected.

*Informational item.*

**(5) WHITTIER SANITARY DISTRICT:** Mr. Harbaugh gave a brief update on the Whittier Sanitary District Sewer System Ownership Transfer:

- Agreement reached with Swain County Commissioners on payment to WSC.
- Swain County would own any new system tied into WSD and be a bulk customer (Ela Community System).
- TWSA may enter into an operating agreement similar to the one with Jackson County for Cashiers Water Works.
- TWSA had no plans to expand WSD Sewer System in Swain County.
- Swain County may petition to join TWSA in the future, subject to Consolidation Agreement requirements.
- Details being finalized. Anticipating January, 2019 closing.

*Informational item.*

**(6) HEALTH DEPARTMENT REVENUES:** Ms. Fox stated this was follow-up information regarding the Health Department revenues. Regarding Environmental Health fees, last year the budget was \$150,000 and they received \$146,347, which was 97.5% of the total budget. She also provided a brief history of the fees over the past six years and stated that with construction, it did go up and down. Also, with some of the laws that were passed, there may be a reduction in the amount they had budgeted for the current year, but she felt it would be best to wait until they saw what the numbers actually were before making adjustments. She also provided the Board with a chart of services provided at the Health Department along with insurance acceptance.

*Informational item.*

**(7) CONSTRUCTION MANAGEMENT AT RISK:** Mr. Adams stated that he discussed the concept of Construction Management Risk with Ron Smith, Principal in Charge, McMillan/Pazdan/Smith, regarding using the concept with the Health Department project. He also had done research and there was a lot of positive feedback if a contractor came into the process early on during the schematic design phase. He believed that they were too far along in the process now. Although he was not going to recommend the Construction Management Risk concept, he would probably proceed forward with another recommendation of bringing in a contractor during the bidding process to expose and do some demolition early. If they could expose unknowns, then contractors that were bidding would not pad their budget. He would talk with Mr. Smith and come up with a plan on how to implement demolition in the bidding process.

Mr. Smith gave updated estimates for the project in April, but he wanted to potentially bring in a contractor and review all of the information to see if their numbers were close to his estimate. If it was off base, the time to fix that would be before they went out to bid. This would be at most \$10,000 for the two services. Mr. Smith was putting a lot of effort into this to make sure they did not go over budget.

*Informational item.*

**(8) COMMISSIONER GOALS:** Mr. Adams present:

- Recreation facilities for youth sports were in need of renovations and enhancements, including covers for the fields and repairing the score boards.
- Restrooms at East Laporte needed to be updated.
- Add the community buildings to the asset management plan.
- Look at internship opportunities for young people in the county to gain experience.
- Continue to explore options and next steps for trash pickup.
- Work on long term plans for the John Parris cabin.
- Add schools to the new software for facility management when all of the new roofs, etc. were completed. Take the next step to track the schools as well.
- Policy for Charitable Donations of Conservation Lands.
- Buyer's Agency agreement for land acquisitions for the county.
- Keep working on the Green Energy Park.
- Continue to work on school safety and security.
- Have more joint meetings with the School Board.
- Upgrades to School Grounds.
- Visitor Restrooms at the football stadium.
- Highway 107 Informational Boards.

*Informational item.*

**(9) OTHER BUSINESS:** Chairman McMahan inquired of Ms. Baker regarding the Board of Health. He stated that he knew the Board of Commissioners currently served as the Board of Health and the DSS Board. When they had a personnel matter pertaining to one of those agencies and they went into closed session, would they continue the process as the Board of Commissioners or was there a need to separate themselves as a separate entity?

Ms. Baker stated that as the Board of Commissioners, they served as those two boards, so she did not see a distinction.

Chairman McMahan inquired if the minutes they kept now would be the proper place to keep the minutes for anything they discussed regarding the Health Board or the DSS Board. As they had access to closed session minutes for personnel matters that this Board discussed, but in a year from now, if the Board chose to go back to a consolidated board or other type of board arrangement, would those minutes be accessible by a future board that was not the Board of Commissioners? It would be a personnel matter that may not even be under their jurisdiction at that time.

Ms. Baker stated that she would need to look into the matter further. There were specific procedures and she would look at it and give them an answer.

**(10) CLOSED SESSION:**

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

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

**(11) AGENDA:** Commissioner Elders moved to amend the agenda to add two items: (1) Interim Tax Administrator and (2) Human Resources Director. Commissioner Mau seconded the Motion. Motion carried.

**(12) INTERIM TAX ADMINISTRATOR:** Mr. Adams requested that the Board appoint Robert S. McMahan, the former retired Jackson County Tax Administrator, as the Interim Tax Administrator to work part-time, 22-24 hours per week at a rate of \$60 per hour for six months.

***Motion:*** Commissioner Deitz moved to appoint Robert S. McMahan as the Interim Tax Administrator with the terms as described. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

**(13) HUMAN RESOURCES DIRECTOR:** Mr. Adams stated that it was recommended to the Board that Kathleen Breedlove be appointed as the Human Resource Director, with a salary of \$61,635.22 at a Grade 32, Step 4.

***Motion:*** Commissioner Deitz moved to appoint Kathleen Breedlove as Human Resources Director at a Grade 32, Step 4. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 3:29 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

\_\_\_\_\_  
Brian Thomas McMahan, Chairman