

**MINUTES OF A  
WORK SESSION  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
NOVEMBER 13, 2018**

The Jackson County Board of Commissioners met in a Work Session on November 13, 2018, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

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

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

Chairman McMahan called the meeting to order.

**(1) FIVE FORTY BROADCASTING COMPANY, LLC:** Roy Burnette, Managing Member Five Forty Broadcasting Company, LLC and Michael Poston, Planning Director, were present for this item.

Mr. Adams stated that he, Mr. Burnette and Planning Staff had been having conversations regarding the current location of the broadcast tower, potential new locations and how that may or may not comply with the Tower Ordinance.

Mr. Burnette stated that the Five Forty Broadcasting Company, LLC was requesting for waivers from the Jackson County Cell Tower Ordinance to allow for construction of a new broadcasting tower for 540 AM WRGC Radio Station:

- The current broadcast tower located at 1846 Skyland Drive, Sylva, was constructed in the early 70's for the operation of WMSJ and later WRGC on the 680 KHz frequency.
- The tower height of 240 feet was based on the 680 KHz broadcast wavelength of the frequency used for the WRGC AM Radio. The wavelength difference between 680 KHz and 540 KHz was considerable and would require a taller tower to meet the FCC Standard.
- The current 240 foot tower operates at a minimum and inefficient level. The ongoing operation was either permitted by the FCC by waiver or was grandfathered in due to it being in operation at the time.
- Due to the age of the tower and the need to relocate, the FCC would require the new tower to be constructed to meet the precise criteria based upon the installation of the ground radials and the antenna height required for proper tuning for the operation of 540 KHz.
- The request for the relocation of the broadcast tower from Skyland Drive to Ferguson Road was due to the land, including the tower site at 1846, being sold.
- Once the new tower was constructed off Ferguson Road, the current tower would be removed. There would be no gain in new towers. Camouflage was not allowed due to interference to the radiated signal.
- There were no commercial AM Radio stations operating in Jackson County. There should be no future requests for waivers of this nature.
- The new tower location was less visible from Highway 74 than the current tower structure for WRGC Radio station. The tower structure would not be visible from the Blue Ridge Parkway.

- The proposed new tower location was approximately one quarter mile from the present WRGC tower structure, so Five Forty Broadcasting Company, LLC requested the balloon test be waived.
- If required, lighting for the new tower structure would employ aircraft visible vertical lighting technology and potentially residences located above 15 degrees of the top of the tower.
- The proposed tower would be located on tract 7652-34-1635, currently owned by Wayne Smith.
- Tower base and transmitter structures would be installed outside the floodway and elevated above the current flood plain.
- Tower height calculations provided by William Culpepper and Associates, Inc.

Mr. Burnette presented a letter from Mr. Culpepper:

Under Federal Communications Commission (FCC) Rules and Regulations, WRGC was a Domestic Class IV station. The minimum antenna efficiency for this class station was 282 mV/m/kilowatt (FCC Rule 73.189(b)(ii)).

Antenna efficiency was a function of the tower height and the ground system. The ground system consists of a number of buried copper wires equally spaced and radiating out from the base of the tower. An ideal ground system at 540 kilohertz would generally consist of 120 radial waves one quarter wavelength long (456 feet at 540 kilohertz). At 540 kilohertz, one wavelength was 1,822 feet.

In this case, the length of the radial wires in some direction was limited to less than 456 feet due to property boundaries. Fortunately, the FCC would permit to ameliorate the deficient radial length by using wires more than 456 feet where space was available and then using the average length of all of the radials.

In this instance, the average length would be 365 feet, still short of the prescribed 456 feet. Fortunately, they could compensate for the ground system deficiency by increasing the tower height. Using an FCC Tool in Section 73.190, they could plug in the average radial length and adjust the tower height to a value that raises the antenna efficiency to the prescribed 282 mV/m/kW. That value was 381 feet. This number was the height of the tower steel and it did not include the concrete base, the base insulator or beacon. He estimated the total, including the above three items at 386 feet.

Mr. Poston stated that without special approval from the Commissioners, the height for a tower was 120' that could go up to 185' with a show of need. He could not accommodate this request. There were also other requirements regarding the ordinance such as setbacks, etc.

Mr. Adams stated that with the FCC rules, they could not comply with the ordinance. This was beyond his and Planning Staff's expertise. The ordinance did allow for modifications, but it also allowed them to hire consultants. If it could be proven that by FCC regulations and engineering there was no way an AM tower could comply with the ordinance, then was the Board willing to entertain a way for the height requirements with conditions. There was a provision in the ordinance that would allow the county to hire an engineering firm, at Mr. Burnette's expense, to confirm the information. If the Board was being requested to waive the height of the tower based on FCC regulations and engineering, that needed to be confirmed. If the Board wanted to move forward, they would recommend a public input process. Since the conditional use process was a quasi-judicial hearing, they would recommend they replace that with some type of other public input process.

**Consensus:** *To move forward with the next steps to engage an additional engineer to take a step further into discussions.*

**(2) JUVENILE MENTAL HEALTH COLLABORATION PROGRAM GRANT:**

Sheriff Chip Hall, Major Shannon Queen and Dr. Albert M. Kopak, WCU Department of Criminology and Criminal Justice were present for this item.

Sheriff Hall stated that Dr. Kopak had done the same project in Haywood County three years ago and Haywood County Sheriff spoke very highly of the study and the impact it had on the detention facility and the inmate population. It was proven very beneficial to them. The opportunity had come up in Jackson County to move forward with the project.

Major Queen stated that the federal grant cost the county zero dollars. The match portion of the grant would be from in-kind contributions from Dr. Kopak and others. They felt the ability to garner the opportunity for the county, which included Transylvania County, would be beneficial. The county would manage the funds to the research teams that would be providing the services.

Dr. Kopak stated that local jails were one the first points of contact for all individuals that became involved with the criminal justice system and represented a unique opportunity to identify those in need of treatments. The purpose of the project was to conduct comprehensive behavioral health and substance use assessments of individuals booked into Jackson and Transylvania County jails in order to develop a system-wide coordinated approach to safely reduce the prevalence of low risk individuals with mental illness, substance use disorders and co-occurring mental illness-substance use disorders in local jails.

The objectives were to:

- Collect and analyze comprehensive behavioral health data from adults booked into the two jails.
- Examine the prevalence rates of the various behavioral health conditions observed among jail detainees.
- Provide Interactive Journals (an intervention shown to reduce recidivism) to those that meet positive criteria for OUD, other SUDs, MI and CMISA.
- Conduct analyses of prospective recidivism rates and their association with prognostic information, offense type, offense severity and connections to services.
- Generate final reports for County Commissioners and Sheriffs.
- Budget Summary:
  - Year 1 \$135,516
  - Year 2 \$121,279

*Informational item.*

**(3) SOLID WASTE CONTRACTS:** Chad Parker, Public Works Director, presented a summary of the Solid Waste Contracts:

(a) Republic Services: Hauling solid waste and recycling from the SRCs to the Transfer Station. Expiration date December 31, 2022.

(b) Kinsland Trucking: Hauling solid waste to the landfill and recycling to MRF. Expiration date December 31, 2022.

(c) American Recycling of WNC: Recycling processor. Expiration date December 31, 2018. Request for proposals were due November 13, 2018.

(d) Waste Management: Landfill contract. Expiration date December 31, 2018. They had an offer for \$21.75 per ton. The current rate was \$22.31 per ton.

(e) US Tire Recycling: Tire hauling contract. Expiration date December 31, 2018.

(f) Metalwood Recycling: Metal recycling contract. Expiration date December 31, 2018.

Mr. Adams stated that in the future, putting all the trucking contracts together could create more competition. Another part would be getting another landfill interested, which could also generate more competition in the future.

*Informational item.*

**(4) VETERANS COUNCIL OF WNC:** Lyn Lazar, Chair, stated that the 210<sup>th</sup> Military Police Company deployed to Cuba returned on October 6<sup>th</sup>. They were planning to do a welcome home meal for these men and women along with their families. The Veterans Council would organize the event, but they were requesting funding from the county for the dinner. They were estimating the cost to cater to be \$9,000. She was also requesting funding from the other western counties and EBCL.

**Consensus:** *Commit \$2,500 for the meal and would be willing to provide more funds if needed.*

**(5) COMMISSIONER GOALS:** Mr. Adams present: Commissioner FY 18-19 Goals:

**(a) Jackson County Recreation:**

- 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.

He met with Rusty Ellis, Recreation Director and Chad Parker, Public Works Director on October 24<sup>th</sup>. Two scoreboards were purchased and installed at Mark Watson Park. The batting cages for Mark Watson Park would be arriving in January, 2019. The goal was to have these installed over the winter months. They were putting together cost estimates for updating the bathrooms at East Laporte Park. This was an item to be potentially accomplished this budget year with additional funds provided. They were also taking a comprehensive look at the Fairview concession stand. He instructed Mr. Ellis and Mr. Parker to look at all recreational improvement projects that year and provide a projected timeline for completion.

**(b) Jackson County – General:**

- Keep working on the Green Energy Park. The engineering and master plan were slated to be completed by January, 2019.
- Highway 107 Informational Boards. Discussions were held with Emergency Management. Attempts would be made to use county information boards when it was known that long delays would occur due to an accident.
- Add the community buildings to the asset management plan. Mr. Parker had begun the process to add the facilities that the county owned (Balsam, Willets, Canada, Norton and Pine Creek). Caney Fork, Barkers Creek and Savannah were not owned by the county.
- Look at internship opportunities for young people in the county to gain experience.
- Continue to explore options and next steps for trash pickup. Public Works coordinated a community roadside litter pick up week October 29 –November 2, 2018. They planned on doing this two times a year. Mr. Parker hired Emily Burnette as the Solid Waste Reduction/Education Coordinator. Ms. Burnette would start November 26, 2018. She would be working with this program amongst other education/reduction programs.
- Work on long term plans for the John Parris cabin.

**(c) Jackson County Policy:**

- Policy for Charitable Donations of Conservation Lands. Commissioner Mau provided a sample policy.
- Buyer’s Agency agreement for land acquisitions for the county.

**(d) Jackson County Public Schools:**

- 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. Chad Parker discussed this issue with Jason Watson with Public Schools.
- Continue to work on school safety and security.
- Have more joint meetings with the School Board.
- Visitor Restrooms at the football stadium.
- Upgrades to School Grounds.

It was recommended to hold a joint meeting with the Board of Education either in January or February 2019 to discuss these issues.

*Informational item.*

There being no further business, Commissioner Luker moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 2:19 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman