

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 20, 2024**

The Jackson County Board of Commissioners met in a Regular Session on August 20, 2024, 6:30 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present:	Mark A. Letson, Chairman	Kevin King, County Manager
	Todd Bryson, Vice Chair	John Kubis, County Attorney (Via Zoom)
	Mark Jones, Commissioner	Angela M. Winchester, Clerk to the Board
	John W. Smith, Commissioner	
Absent:	Tom Stribling, Commissioner	

Chairman Letson called the meeting to order.

(1) **AGENDA**: Chairman Letson requested to remove one item from the agenda: Great Trails State Program Grant. Commissioner Smith moved to approve the amended agenda. Commissioner Jones seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Bryson moved to approve the minutes of a Regular Meeting of August 06, 2024 and a Work Session of August 06, 2024. Commissioner Smith seconded the Motion. Motion carried.

(3) **CHAIRMAN’S REPORT**: None.

(4) **COMMISSIONER REPORTS**: None.

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

(a) **Fairview Elementary School Project**: He met with the school system to discuss this project. A Request for Qualifications had been sent out to architects in the Western North Carolina area for September 20th.

(b) **Food Service Contract**: A Request for Proposals had been sent out for the Food Service Contract for the Department on Aging and Detention Services for September 15th. This item would be on the September 17th agenda for consideration.

(c) **Aquatics Center**: A test performed on the shell of the pool failed. The architect and contractor proposed a material to be put on the shell. They were working to negotiate to extend the warranty period based on the new material. The project should be completed by October.

(d) **Center for Domestic Violence**: The project stalled briefly due to a power line issue.

(e) **Whittier-Qualla Park**: Equinox was working on the bidding package and was close to bidding out. This would include the Cashiers-Glenville Splash Pad.

(6) **INFORMAL COMMENTS BY THE PUBLIC**: Antoinette MacWatt stated regarding the Fontana Regional Library Agreement, specifically the section dealing with how the FRL Board Members were to be appointed, she thought the local Library Board should pick who went to the FRL Board. She was concerned how the Board of Commissioners would determine which candidate would be the best appointee.

(7) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented the Finance Report for July, 2024; one Budget Ordinance Amendment for fiscal year ending June 30, 2025; and two Recreation Equipment Leases, for approval.

(b) Tabitha Ashe, Tax Administrator, presented the Tax Collector and Refund Reports for July, 2024, for approval.

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

(8) RECODIFY CASHIERS: Chad Meadows, Principal, CodeWright Planners, presented: Recodify Cashiers Status Update:

(a) Project Status:

- Drafted portions of UDO pertaining to Cashiers, but outside §9.3, with county attorney review.
- Created internal draft of Cashiers Standards in UDO §9.3.
- Created initial draft version of updated Zoning Map

(b) Methodology Residential:

- Lots with a single-family home or other residential use were designated residential.
- Vacant lots with no frontage on an NCDOT street were designated residential.

(c) Methodology Non-Residential:

- Non-residential included office, commercial, industrial or institutional uses.
- Lots with an existing non-residential use were designated non-residential.
- Vacant lots with frontage on an NCDOT street were designated non-residential.

(d) Methodology Mixed Use: Mixed use was a lot with both residential principal and a non-residential principal use.

(e) Zoning Map Workshop: Next logical step:

- Engaging many landowners who had not participated in Recodify Cashiers Project.
- Collecting a nuanced view about growth and development in Cashiers.

(f) Next steps:

- Ordinance language review with staff.
- CPC Meeting on map and text.
- Review feedback on Zoning Map.
- Transmit Cashiers UDO language to attorneys.

Informational item.

(9) UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS: Michael Poston, Planning Director, stated the Planning Department worked with the Planning Board on technical amendments to the Unified Development Ordinance Subdivision Regulations. The proposed amendments addressed inconsistent ordinance references for paving requirements, modernized paving materials references and clarified the paving requirements for campgrounds.

The Planning Board held a public hearing on July 8th and recommended the changes unanimously to the Board of Commissioners. They also adopted a statement of consistency with the County Land Use Plan 2040. The Planning Department requested the Board consider calling for a public hearing on September 17th at 6:20 p.m., at the Albert Carlton Library in Cashiers.

Motion: Commissioner Smith moved to set a public hearing on September 17th at 6:20 p.m., for the Unified Development Ordinance Amendments, as requested. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.

(10) TRANSIT 5311, 5310, CAPITAL PROJECTS PROGRAM GRANTS: April Alm, Transit Director, requested to hold a public hearing for the FY26 Community Transportation Program Grant Applications on September 17, 2024 at 6:25 p.m. One public hearing was acceptable for all four Community Transportation Program Grant Applications. As the applicant, Transit would seek permission to apply for the Public Transportation Program funding, enter into an agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

The 5311 Administrative Grant Program helped to subsidize the administrative costs of running a transportation system, which included administrative salaries and benefits, as well as office supplies, uniforms, training and marketing. The 5310 Operating Grant Program supported transportation operating costs for the elderly and individuals with disabilities.

The Combined Capital Grant Program allowed Community Transportation systems the opportunity to apply for funding to maintain a public transportation system fleet and other capital needs. This capital project consisted of two replacement vehicles (two Raised Roof vans with lifts), lettering and logos for each vehicle and two propane conversions. Also, included was a replacement repeater for radio communication. All vehicles and equipment were being requested due to having met the end of their useful life and meet the minimum requirements for replacement with NCDOT IMD.

The Non-STI Rural Expansion Vehicle Program supported rural systems interested in applying for expansion vehicles. The opportunity for funding requests made through the program would only be considered after all Combined Capital funding requests. Transit would request to apply for one expansion Raised Roof van with lift, lettering and logos and one propane conversion.

Total estimated amount requested for the period July 1, 2025 through June 30, 2026:

Project	Total Amount	Local Share
Administrative	\$212,321	\$31,849 (15%)
Combined Capital	\$241,200	\$24,120 (10%)
5310 Operating	\$165,000	\$82,500 (50%)
Non-STI Rural Expansion Vehicle	\$117,956	\$23,592 (20%)
TOTAL PROJECT	\$736,477	\$162,061

She requested to set a public hearing on September 17th at 6:25 p.m., at the Albert Carlton Library in Cashiers.

Motion: Commissioner Jones moved to set a public hearing on September 17th at 6:25 p.m. for Transit 5310, 5311 and Capital Projects Program Grants. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.

(11) OFFER TO PURCHASE AND CONTRACT FROM FRANKS AND RESOLUTION R24-08: Kerri Tucker, Executive Assistant to the County Manager, stated the county received an offer from Jacob Franks for Lot 61, Bear Pen, containing 1.01 acres, (PIN #7545-48-4058) in Mountain Township for \$1,000.00.

She presented Resolution R24-08 for consideration.

General discussions were held.

Motion: Commissioner Jones moved to approve Resolution R24-08, as presented. Commissioner Smith seconded the Motion. Motion carried by unanimous vote.

(12) FONTANA REGIONAL LIBRARY AGREEMENT: Mr. Kubis presented the proposed Fontana Regional Library Agreement for consideration. The document represented the product of collaborative efforts of members of the interlocal agreement, including Jackson, Macon and Swain Counties, along with Fontana Regional Library. The proposed agreement was the result of a joint meeting between the counties and Fontana Regional Library.

The intent of the meeting was to produce an effective document that complied with North Carolina Law and Administrative Code, which was therefore an enforceable document. The other goal was for the agreement to keep with the spirit and mission of the original agreement to allow for continued public access and to share resources for community needs.

Commissioner Jones stated he agreed with public comments made earlier in the meeting. He trusted the integrity of the Board and the benefit they all had in common to make the county and all their assets better functioning systems. Regarding Section III. 5. and the word “may”, he felt the Board would make the right decisions. He would recommend they slow down and ask questions on filling appointments. Also, he thanked Mr. Kubis and the Swain County Commissioners for removing the portion of the agreement stating the chair would take questions from the public during public comment period. Citizens could always speak to the chair after the meeting.

Chairman Letson stated regarding Section III. 5., the Board did take recommendations from boards seriously, especially for another position within that board. They tried to take and weigh them heavier than an ad hoc request because there was local knowledge in that decision. Those people had been involved in the process and understood what was going on. It was a stepping stone from a local board to a regional board. It may say “may”, but he thought if there was a recommendation from a board, it was going to be weighed and measured before it was brought to the Commissioners. He felt confident in the agreement.

He thanked Mr. Kubis, Commissioner Smith and Commissioner Jones for helping get the agreement through to the end after nine months of discussions. It was not a win for everyone and it was not a loss for everyone. It was a meeting in the middle to try and give the best for everyone in the county and surrounding counties.

Commissioner Smith stated when they had the joint meeting with other counties, he did not believe any of the commissioners at that meeting wanted to have response from the chair during public comment. Also, regarding public comment about appointments to boards, they did have multiple candidates. The last one they voted on, came up on four different meetings and was tabled twice because people were not there to vote. Out of all the four meetings, people had an opportunity to speak about the candidates during public comment. Given the applications and testimonials by the public, they made the choice they thought was the best. He appreciated Ms. MacWatt’s comments.

Commissioner Bryson thanked Mr. Kubis, Mr. King, Don Adams (former county manager) and Ms. Fox. This had been a long nine months of discussions and he was glad they were getting this completed. He requested Mr. Kubis state who he worked with during the process.

Mr. Kubis stated they initially began by attempting to work with all the members of the original adopted interlocal agreement, which included Macon and Swain Counties and the Fontana Regional Library. It was primarily Jackson County working with Swain County and Fontana Regional Library for the completed draft.

Motion: Commissioner Smith moved to approve the new Fontana Regional Library Agreement, as presented. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.

(13) COON HUNTERS ASSOCIATION LEASE: Mr. King presented an agreement with the Coon Hunters Association for consideration. This item was discussed previously at the work session. This was a standard format lease for ten years with two ten-year options. The Coon Hunters Association had occupied the 3.5 acre property in the Mineral Springs area for the past 25 years.

Commissioner Bryson asked about the 4-H section?

Mr. King stated the 4-H section had been removed from the lease. The Coon Hunters Association would allow 4-H to practice through state competition of September 15th. The site was not conducive to skeet shooting. The county was working to secure another site for 4-H before next season.

Motion: *Commissioner Bryson moved to approve the Coon Hunters Association Lease, as presented. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(14) JUVENILE JUSTICE LEASE: Mr. King stated the county had leased the building located at 8 Colonial Square since the 90's for Juvenile Justice. The lease would now be increased to \$2,500 per month. The county would sublease a portion of the building to AWAKE, as they needed additional space. The lease would be for five-years, with an option in three years. Space for Juvenile Justice was programmed inside the Justice Center Building for the future, which would allow AWAKE to occupy the entire building at Colonial Square.

Motion: *Commissioner Bryson moved to approve the Juvenile Justice Lease, as presented. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(15) PRESS CONFERENCE: None.

(16) CLOSED SESSION:

Motion: *Commissioner Bryson moved that the Board go into closed session pursuant to G.S.143-318.11(a)(3) Legal and G.S.143-318.11(a)(5) Real Property. Commissioner Jones seconded the Motion. Motion carried.*

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

There being no further business, Commissioner Bryson moved to adjourn the meeting. Commissioner Smith seconded the Motion. Motion carried and the meeting adjourned at 8:27 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Mark A. Letson, Chairman