

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 23, 2020**

The Jackson County Board of Commissioners met in a Regular Session on June 23, 2020, 1:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
Mickey Luker (via Zoom video conferencing)	Angela M. Winchester, Clerk to Board
Ron Mau, Commissioner	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

(1) **AGENDA**: Chairman McMahan requested to add an item: Diversity and Inclusion. Commissioner Deitz moved to approve the amended agenda. Commissioner Mau seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Deitz moved to approve the minutes of a Special Budget Work Session of May 28, 2020; a Special Budget Work Session of May 29, 2020; a Public Hearing (FY2020-21 Budget) of June 09, 2020; and a Regular Meeting of June 09, 2020, as presented. Commissioner Woody seconded the Motion. Motion carried.

(3) **CHAIRMAN’S REPORT**: None.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Mau reminded the Board of TWSA’s annual meeting that would be held virtually that evening at 5:30 p.m.

(b) Commissioner Woody stated that on June 24th, she would be participating via Zoom with the North Carolina Association of County Commissioners where she would be representing the seven western counties. A lot of the meeting would be dealing with the COVID-19 issues and how it impacted them locally in each of the counties. If anyone had comments or questions they would for like her to bring up during the meeting, she was glad to do that.

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

(a) **February, March, April and May 2020 Zoning and Building Permits**: He provided reports listing the zoning district, the owner/business name, the work permitted and the location of the project where the permit was issued.

- The Planning Department issued:
 - Two commercial zoning permits and three renovation/addition permits in the month of February.
 - Two commercial zoning permits in the month of March.
 - One renovation/addition permit in the month of April.
 - Three commercial zoning permits and two renovation/addition permits in the month of May.

- Code enforcement issued:
 - Two commercial LDA permits and two renovation/addition permits in the month of February.
 - Three commercial LDA permits and one renovation/addition permit in the month of March.
 - Three renovation/addition permits in the month of April.
 - One renovation/addition permit in the month of May.

(b) Community Services Center: The project was 74% complete through May. The Contractor believed that substantial completion of the building should be accomplished by July 31, 2020. But, there had been substantial issues identified within the parking lot area when the contractor attempted to install storm sewer and expand parking. Examples of these issues included unsuitable soils, a high water table, underground spring, unidentified drainage piping and terracotta sewer line from the Board of Education property. It was also discovered during removal that the underground fuel oil tank had leaked.

The contractor engaged an environmental firm to oversee the initial cleanup and testing. The firm gave verbal notice to the North Carolina Department of Environmental Quality (NCDEQ). Once the test results were known, the environmental firm would put together a remedial action report to be submitted to NCDEQ. Then, NCDEQ would dictate next steps in this process. The overall costs of the cleanup and monitoring would be developed after NCDEQ responded to the initial remedial action report. More details would be discussed with the Board at the July 7th meeting.

(c) Animal Rescue Center/Dillsboro Complex: The total project budget was \$5,390,000 and MPS Architects updated the cost estimates. The new estimates increased primarily in HVAC and site preparations. The new estimates for the total project was in the range of \$5,231,450 to \$5,578,419. The project permit applications would begin in July. The project would be publicly bid starting the second week of August. The bids would be opened and awarded in September. The project would be permitted and construction should begin in October, 2020. A more detailed timeline would be presented at a later meeting.

Commissioner Woody stated that she and Mr. Adams had a conversation some time ago about Heights and relocation during construction. Did they find another location?

Mr. Adams stated that at point, he was not aware. Last he heard, they were working with Rich Price, Economic Development Director, to secure a location. From his perspective, he valued their operation and if they could find county property, they would do the best they could to work with them.

Commissioner Woody stated that she really wanted to see them help in any way they could. The young people involved in Heights had been helping with food for United Christian Ministries and doing other wonderful services for the community, so they appreciated what they did.

(d) Indoor Pool: The Public Hearing regarding the proposed bond order was scheduled for July 7th. Once public hearing was complete, the Board would have to wait 24 hours before voting on the proposed bond order and resolution formally setting the referendum date and ballot question. Please plan on recessing the July 7th meeting to another date that week.

(e) Health Department COVID-19 Data Dashboard and Testing: The Health Department created a new COVID-19 Data Dashboard. The Dashboard could be found at the following link: <http://health.jacksonnc.org/covid19-data-dashboard>. Beginning July 7th the Health Department would also begin a drive thru COVID-19 testing program.

(f) Virtual Meetings: He knew that they had received several phone calls, texts and emails regarding to sound and video quality of the virtual meetings. I.T. put together information for discussions with the Board in July for proposals on upgrades for technology in the Board Room.

(6) INFORMAL COMMENTS BY THE PUBLIC:

(a) Kathleen Brennan (via Zoom video conferencing) stated that she lived in the Town of Sylva for nearly 20 years. She was a Sociologist that studied health, so she was going to talk about the public health effects of Confederate icons to make a case for removing the Sylva statue for public safety reasons.

It was clearly shown that Confederate symbols were bad for black and African-American people's health. They were visible reminders of daily racism people faced and put them through continued stress that resulted in long-term wear and tear on their bodies resulting in early aging, mental stress and faster physical health decline. Different health effects found by race were due to social causes and not biology. Research confirmed that white audiences were typically not open to talking about racism. Racism included actions, whether or not intentional, that ignored and excluded groups in a community. Keeping Confederate monuments in public spaces for the sake of heritage was discriminatory in that it communicated that those that did not share that heritage did not have a right to that space. More importantly, it prioritized the views of one group and prevented another community perspective from being heard. As government officials, they represented the people of the county, including black people, Cherokee people, other people of color and white people, whose lives were not reflected in this so called heritage claim to symbolize the statue. The fact that the Commissioners were solely white political representatives personally did not feel fear, anxiety or community exclusion when they looked at the statue should not solely inform their decision to remove it. Likewise, the idea of spending tens of thousands of county dollars on researching resident's opinion about the statue basically said that some community member's ancestry was more important than other community member's health. She was there because she loved her community and wanted to improve community health for all.

(b) Jenna Kranz (via Zoom video conferencing) stated she wanted to speak about Uncomplicated Kitchen, the nonprofit she was seeking funding for. She founded Uncomplicated Kitchen because too many people she came in contact with every day did not have the skills to make a homemade meal. As a self-taught cook and educator, she knew that she could change this. About a year ago, she met with local professionals whose careers were dedicated to food security for the most vulnerable people. The support was unanimous and overwhelming because this sort of education was necessary and critical to the health of the community. No organization had the resources to provide the support she was going to do. With the county's \$15,000 support they would be able to serve even more community members. With their own space, they would be able to offer more classes to more community members at times that would fit more schedules. They would teach classes geared toward kids, seniors and those with disabilities and chronic illnesses. They would also provide open kitchen times. The space would be community space where they could come together over food and cooking. They would also be eligible to become a food donation hub and partner with food banks and other organizations that serve the community.

(c) Sheryl Rudd (via Zoom video conferencing) stated that she was supporting Ms. Brennan's request to remove the Confederate statue. Mainly, she was there to request reconsideration of the recommended budget amendment for nonprofit funding and include Uncomplicated Kitchen's \$15,000 request. Ms. Kranz started the business due to conversations she had at the Farmer's Market with folks purchasing food and not knowing what to do with it. She realized there was a gap between people receiving food from organizations like The Community Table and knowing how to prepare it. During COVID-19, Ms. Kranz included recipes she created specifically for the food boxes. She also worked with folks that only had a microwave to prepare meals and she created videos to help support these people. She had done an excellent job of working with every organization that allowed her to come in. She requested they fund the organization so they could move it forward and expand services.

(d) Jonathon Best (via Zoom video conferencing) stated that in 2016 the Washington Post honored Sylva with the accolade "Asheville for the crowd weary". During that time Three Billboards was being filmed and it would go on to win multiple Academy Awards and Golden Globes Screen Actors Guild. The following year he started class at WCU and fell in love with the strange and eclectic little town. Sylva was a town whose time had come, but the Confederate statue no longer reflected the town's bright future. Detractors would say what of their history, but did Sylva not already have a monument dedicated to "All Veterans who honorably served their country". There was a public safety concern, which other North Carolina cities had cited in their precedent to remove their Confederate statues and put them in an appropriate and respectful place. Nothing would ever erase such a painful history, but removal could begin a new future. One that reflected the values of Sylva, Western Carolina University and North Carolina as a whole.

(e) Jessie Swinkford (via Zoom video conferencing) stated that she loved Uncomplicated Kitchen and she hoped they would support and fund it. She moved to the county nine years ago and continued to fall in love with the mountains. A lot of her focus had been doing work in the community and working with different vulnerable populations. Visitors experienced everything they had to be proud of in the community, but the statue did cast a shadow over the town and was no longer the best representation of the community. She was not suggesting that they destroy the statue or hide the history, but its current location and context was a place of honor. The ideals of the Confederacy were not ideals they should seek to uphold as they were at their core ideals that centralized around the enslavement and killing of Black Americans. Why not instead create a statue that reflected the true spirit of the community and that had brought pride to the county over the years. The statue could be relocated and given a place of history somewhere else. The Commissioners could make a decision that would not only help reconcile the choices of their ancestors, but announce who they wanted to be moving forward.

(f) Jo Schonewolf (via Zoom video conferencing) stated that the Confederate statue followed the path of a majority of Confederate monuments throughout North Carolina and the South. It was erected decades after the end of the Civil War and during the Jim Crow Era. Western North Carolina was an area that had only 44 slaveholders. During a vote on whether to hold a secession convention, 250 Jackson County residents voted yes and 259 voted no. There were 163 Confederate soldiers from the county. There were also those that hid and those that went to Kentucky to join the union. There were also families with sons that fought on both sides. The county Confederate monument was dedicated on September 18, 1915, 50 years after the war ended. Public sentiment regarding Confederate statues was changing. Painful reminders of repression of fellow citizens were being taken down all over the South and in North Carolina. It was time to have a true reckoning with the varied experience and history of the county during the war between the states.

(g) Destri Leger (via Zoom video conferencing) stated that she was asking as a community member that the Board reconsider the recommended budget amendment for nonprofit funding and include Uncomplicated Kitchen's \$15,000 request. She believed they deserved reconsideration for funding because of the value of its service and cost efficiency of its proposal for funding. She could testify to the effectiveness and need of the services she provided to the community through Uncomplicated Kitchen. She also wanted to state her support to remove the monument from the Courthouse. She had only been in the county for five years, but felt she had made the place her community. The statue was a monument to those that lost their lives fighting for states to continue to have the rights to allow people, like her ancestors to enslave, torture and own human lives. They could all have whatever feelings they wanted about the statue, but it acted like a dog whistle to outside racists and it said that this was something that was tolerated in the community. She hoped they did not give those racists voices equal measure in the discussion of what happened for all of the community members. She hoped they would stand on the right side of history, as a community.

(h) Penny Minich (via phone) stated that this was a wonderful community that was visually represented by the iconic Library Old Courthouse Building. The building was one of the most photographed in Western North Carolina. Unfortunately, the beauty of that image was overshadowed by a monument that was installed to honor, not specific members of the community, but rather racism and white supremacy. The monument continued to signify those things and had also become a lightning rod for hate and divisiveness. In the name of public safety and honoring the true spirit of the community, it was time for the elected leaders to step up, remove the existing monument and replace it with a symbol of inclusiveness and diversity.

(i) Dr. Ben Guiney (via Zoom video conferencing) stated he lived in Sylva and was a physician and Commissioner on the Town Board. He came to them as a concerned citizen regarding the Confederate monument. Recently, they saw people in the streets all across the country rejecting the long history of systemic racism. In Sylva, they had seen a peaceful vigil and marches thanks to the organizers and the efforts of Law Enforcement. He participated in the vigil and marches and was witness to the unease due to the armed men guarding the Confederate statue. The divide could not be more clear. Peaceful marchers on Main Street and armed men and women camped out in the Library parking lot prepared for violent

conflict. His request was to find a more suitable location for the statue. The most photographed courthouse in North Carolina was photobombed by a monument that represented a time of great division in the country. The large, prominent Confederate flag was an image, in its modern usage, was one of white supremacy. This image had little to do with Jackson County and the Town of Sylva. The monument was dedicated to 164 soldiers that fought in the Confederacy. In 1860, there were 268 enslaved people in Jackson County. As they continued to see these monuments removed by force, it was clear the potential for conflict remained high in Sylva due to the presence of the Confederate monument. He requested that the monument be immediately relocated for public safety to avoid undue costs to the town and county managing conflict around it and protect it for residents that had familial attachment to it. Removing the statue would not end systemic racism, but would make a statement that Jackson County and Sylva rejected division and embraced unity as Americans.

(j) Terry Hunter (via Zoom video conferencing) stated that he agreed about the statue removal. It was time for it to go to a museum or special place to be recognized as what it was. He was told it was the most photographed courthouse in the United States. With so many tourists taking pictures, the statue was in the middle of everyone's photograph. It did not speak to how lovely, wonderful and kind the society was in the county. His other issue was the name of the county. His mom's side of his family was Cherokee. He discovered that Cullowhee was the meeting place for all Cherokee women of all tribes to gather greenery for making salad to take back to all the tribes. It was a sacred ceremony there. Jackson was the one who led his relatives out on the Trail of Tears, which was one of the most horrific things the country had ever seen. To have it remain the name of the county, he found to be appalling as well. Both of these things were honoring those people and they did not need to be honoring those people. He wanted to see Cherokees get involved in renaming the county. They owned his ancestors and every one of the Cherokee Tribe the respect and honor and accounting just like with the monument. It was not appropriate.

(k) Christina Sutton (via Zoom video conferencing) stated that she was born and raised in Jackson County. She and her husband owned a home there and they both owned their own businesses. She was an enrolled member of the Eastern Band of Cherokee Indians and her husband was black. Her daughter was mixed. Her husband had stated that he did not feel safe walking in downtown Sylva. Her young daughter had been bullied in the community and in the school system. Racism and hate were a problem in the community and symbols mattered. The monument below the Library was a symbol of white supremacy. Where were the monuments for them? Acts of hate had been on full public display in the county. There had been men armed with guns protecting the statue. This was a public safety issue. The monument endorsed hate and violence. Was this the kind of community they wanted to be known for. They had a long way to go for racial equality in the county, but they could take a stand for what was right. She asked who were the Commissioners that represented them and where did their values align.

(7) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented the Finance Report for May, 2020, seven Budget Ordinance Amendments and one Project Ordinance Amendment for fiscal year ending June 30, 2020, for approval.

Commissioner Mau stated that some of the items were listed as Covid Shelter, would that end up being paid for with the money that came from the Cares Act?

Ms. Fox stated that no, it would be reimbursed from FEMA.

Mr. Adams stated that followed with what he was recommending that they hold off. They were going to try and get reimbursed through FEMA as much as they could from the different expense they had.

(b) Brandi Henson, Tax Collector, presented the Tax Collector and Refund Reports for May, 2020, for approval.

Motion: Commissioner Woody moved to approve the Consent Agenda. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

(8) REQUEST FOR QUASI-JUDICIAL HEARING: John Jeleniewski, Senior Planner, stated that he recently received a complete application submittal for a proposed new cell tower structure to be located on property owned by Gorsie Conly Nations off of Joe Branch Road in Whittier. The applicant was Diamond Communications, LLC (tower owner) and AT&T Mobility would be the service provider with two additional co-locations available on the structure. The proposed tower would be 180' in height and located on an undeveloped area of the property. The Jackson County Telecommunications Ordinance required that a Conditional Use Permit for new tower construction be viewed by the Board of Commissioners during a quasi-judicial hearing, which would need to be advertised in a local newspaper. In addition, the applicant was requesting a waiver for the private access road to exceed the maximum 20% grade as required by the Subdivision Roadway standards. He requested a quasi-judicial hearing be set for August 11th at 3:00 p.m.

Motion: *Commissioner Woody moved to set a quasi-judicial hearing for August 11th at 3:00 p.m. at the Justice and Administration Building, Room A201. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(9) TAX COLLECTION CONTRACTS: Tabitha Ashe, Tax Administrator stated that she had heard from all of the municipalities involved and they were all in agreement with the terms of the contracts.

Motion: *Commissioner Mau moved to approve the Tax Collection Contracts, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(10) HEALTH INSURANCE POLICY FOR USERS OF TOBACCO PRODUCTS: Kathleen Breedlove, Human Resources Director (via Zoom video conferencing) stated that last year the Board approved the Health Insurance Policy for Users of Tobacco Products on April 16, 2019. This policy required health plan eligible employees of any age and retirees under age 65 to certify their status as a user or nonuser or tobacco products at the time they begin health plan eligible employment, annually during the Open Enrollment period, and also submit to mandatory substance testing.

Due to the COVID-19 pandemic situation, an administrative decision was made to temporarily suspend the mandatory substance testing requirement during the recent Open Enrollment in May 2020. The Director of the Jackson County Department of Public Health recommends suspension of testing through at least April 2021.

Last year, they had 90 employees that certified or tested positive for tobacco. 87 attended a cessation program and three did not. They had 12 retirees certify or test for tobacco and nine attended the cessation program and three did not. The county was a provider of employee health insurance benefits and discouraged the use of tobacco products in any form and was seriously committed to assisting tobacco products users with cessation support. For the upcoming year, previously identified tobacco users would be encouraged to contact the Health Department for cessation assistance and education.

The County Manager was given administrative authorization as was necessary to implement this policy and ensure compliance. It was recommended the Board of Commissioners approve a suspension of this policy until Administration and the Health Department Director determined when it would once again be safe to resume mandatory tobacco swab testing as outlined in the policy.

Motion: *Commissioner Mau moved to suspend the Health Insurance Policy for Users of Tobacco Products Policy, as requested. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(11) **AUDIT CONTRACT**: Ms. Fox stated that she recommended to award the audit contract to Martin Starnes & Associates, CPAs, P.A. to audit the county records for the fiscal year ending June 30, 2020.

Motion: Commissioner Mau moved to approve the audit contract with Martin Starnes & Associates, CPAs, P.A., as requested. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

(12) **MEMORANDUM OF UNDERSTANDING EBCI AND COUNTY HEALTH DEPARTMENTS**: Ms. Baker stated that this was a renewal of the Memorandum of Agreement that was signed in 2017 between the Eastern Band and all of the associated county health departments. The state health rules did apply to the Tribe and they consented to that so the health departments enforced those. This was the agreement that set forth the procedures and policies for reviewing that and it allowed for compensation to the county health departments when there was a need for assistance with communicable disease. The agreement had been working well the past few years, so when it came up for renewal, there were not any recommended changes from the health department or the Tribe.

Motion: Commissioner Mau moved to approve the MOU, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

(13) **NCACC ANNUAL CONFERENCE VOTING DELEGATE**: Mr. Adams stated that the North Carolina Association of County Commissioner's 2020 Annual Conference had been cancelled in its previous form, but would be held in a virtual format. The conference would be August 5th-6th and August 14th-15th. Since it would be in virtual format, they were offering this to all Commissioners free of charge. On Thursday, August 6th at 11:00 a.m. there would be a business meeting where the Board would need to designate a Voting Delegate.

Motion: Chairman McMahan moved to appoint Commissioner Woody to serve as the Voting Delegate. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

(14) **FY2020-21 BUDGET ORDINANCE**: Mr. Adams presented the proposed FY2020-21 Budget Ordinance.

The budget total was \$66,550,148. The tax rate remained unchanged at \$0.38 per \$100 valuation of property listed for taxes as of January 1, 2020. The Cashiers Fire District rate remained unchanged at \$0.0233 per \$100 valuation of the Cashiers Fire District. The Highlands Fire District rate was set at \$0.0305 per \$100 valuation of the Highlands Fire District.

A public hearing was held on June 9th with no public comment. A copy of the budget could be found online or at the Justice Center Administration Office.

Motion: Commissioner Mau moved to adopt the FY2020-21 Budget Ordinance with the following amendments related to the General Fund:

- Set the tax rate \$0.342 per \$100 valuation
- Major items to be funded as follows:
 - General Government \$9,300,000
 - Public Safety \$14,600,000
 - Transportation \$780,000
 - Environmental Protection \$85,408
 - Total Economic Development \$855,000
 - Total Human Services \$13,200,000
 - Education \$11,650,000
 - Cultural/Recreation \$3,200,000

- *Transfers \$7,378,000*
- *Salary Increases for County Staff \$422,000*
- *Teacher Supplement \$312,000*
- *Health Insurance Increases \$559,000*
- *Retirement Benefit Increases \$248,000*
- *Increase of Nonprofit Funding \$80,000*
- *Line Item for the Library Project \$55,000*
- *Total General Fund \$62,700,000*
- *This would satisfy all of the items he brought up at the June 11th meeting to make sure all of the nonprofits were funded and that everyone in Jackson County received help during these trying times. It would also start to move the process forward for figuring out what they were going to do on the statue.*

Commissioner Luker seconded the Motion.

Discussion:

Commissioner Mau stated that when he brought this up last week, he heard things about “they had always done it a certain way” and “this person had done things for so many years”. He had a question for some folks: “Anybody in here built a budget during a pandemic?” Things had changed, they had to think different. He was trying to help more people by cutting taxes and funding the nonprofits because most of them came in and stated that they were going to need more services.

Motion failed by a vote of 3-2, with Chairman McMahan, Commissioner Deitz and Commissioner Woody voting “nay”.

Motion: *Chairman McMahan moved to adopt the FY2020-21 Budget Ordinance that had been presented to them that day. Commissioner Woody seconded the Motion.*

Commissioner Mau moved to make an Amendment. He proposed they fund all nonprofits as requested. Commissioner Luker seconded the Amendment. The Motion to Amend failed by a vote of 3-2, with Chairman McMahan, Commissioner Deitz and Commissioner Woody voting “nay”.

Original Motion: *Chairman McMahan moved to adopt the FY2020-21 Budget Ordinance that had been presented to them that day. Commissioner Woody seconded the Motion.*

Discussion:

Commissioner Woody stated that because they were in a situation where they had unprecedented issues that they did not know what they were going to face in the near future, she felt that the budget was a really conservative and sound budget and they could amend at any time to address specific needs that would come up. Her number one concern was the health and safety of the citizens in the county and she knew that these were very serious times. Some of the things that Commissioner Mau recommended, she thought had excellent merit, but she did not feel that it was the time.

Commissioner Mau stated that he had a question for Commissioner Woody. On the proposed budget, what was the percent increase over last year’s proposed budget? What percentage of the proposed budget did they typically spend? It was 90%. So they were proposing a budget of \$66.5 million, so most likely they were going to spend 90% of that. Why could they not get their revenues more in line with the expenses, like almost every other organization.

Commissioner Woody stated that it was because they did not know what the revenues were going to be going forward. They could adjust things when they found out.

Commissioner Mau stated that they could not adjust the tax rate. Would they give the teachers a supplement in pay in the middle of the year? Think about what he was trying to do. She was voting against supporting education. This would be the first time since he was a County Commissioner that support for local education was not increased.

Commissioner Deitz stated that as he understood it, when the superintendent came in with her budget request for the Board of Education, did she not say they understood the bind the county may be in. These were their requests they would love to have. He would love to have them also, but he did not think she expected, nor did any of the teachers expect, of course they would like to have it, a raise or a supplement right now with the lack of knowledge that they had about what was going to happen in front of them. It looked like it was going to get worse instead of better. He sure would like the teachers to have a raise.

Commissioner Mau stated that his proposal was actually a smaller dollar amount. His budget was \$62.7 million versus \$66.5 million.

Commissioner Deitz stated that he could accuse the Board and Commissioner Woody of being slack on education, but there were two departments they were never slack on since he had been on the Board, which was Education and the Sheriff's Office.

Motion carried by a vote of 3-2, with Commissioner Mau and Commissioner Luker voting "nay".

(15) DIVERSITY AND INCLUSION: Chairman McMahan stated that this was a follow up to a conversation they started at the last work session.

Commissioner Woody presented: Comments Addressing Citizens' Response to the Confederate Monument in Jackson County:

"First, I would like to say thank you to all the citizens who have respectfully reached out to me and expressed their very thoughtful, heartfelt opinions.

Second, I have heard opinions expressed from all sides of the issue, and many in between. Each opinion has merit because each citizen has merit. That is what it means to live in a democracy. All respectful voices should be heard.

The challenge before us now is to take these various opinions and find some common ground. I have been thinking long and hard about this. I have reached out to citizens and some have reached out to me. I have listened.

The common ground that I have heard are these two beliefs as a starting place:

- 1) Belief in individual rights
- 2) Belief in freedom

How those rights and freedoms are represented in our public space is where the problem lies. With these rights come responsibilities.

I believe the time has come to address the monument. I do not believe it is fair to our citizens and grandchildren to face this issue year after year. It has come up before and it will come up again if we don't take responsibility to do the hard work to find a resolution. I feel this could be a first step in addressing the greater concern of respect for all citizens in our community. That respect is demonstrated in equality of education, housing, and jobs. Finding a resolution is the responsibility that comes with the freedom to choose.

I would like to propose a task force made up of members of the following groups.

- 1) Sons of the Confederacy
- 2) Black residents of Jackson County
- 3) Jackson County Historical Association
- 4) Town Board of Sylva
- 5) Others as deemed stakeholders

I would like this task force led by Chairman Brian McMahan. He has a great understanding of the history of our community and knowledge of how democracy works best. This would be a time limited task force with the express purpose of listening to all participants and crafting a respectful resolution. The task force would then present their decision to the Board of Commissioners for a vote.

Our country, The United States, has often been referred to as a melting pot. As my friend, Alice Marie Pendergast told me recently, it is currently more like a simmering cauldron. If we don't create a resolution to the monument issue, the cauldron will boil over and we will have no control over the outcome. I do not want to wait until the monument is vandalized or someone is injured before we, as a Board, act. We have before us a challenge, to be a model to other communities of respectful resolution. I want to accept that challenge."

Chairman McMahan stated that he thought they may want to have more discussion on this topic at a work session to discuss Commissioner Woody's recommendation.

Commissioner Mau stated that he thought they needed to and he already had someone comment to him about what had been reported in the press and who should lead this charge. The comment was made to him that it should not be Chairman McMahan.

Chairman McMahan stated that he agreed.

Commissioner Woody stated that she accepted that and agreed.

Commissioner Mau stated he was not interested in leading this either. In the past, he talked about not wanting to tear down history and he struggled with that because he did not know where to start or stop. In the Public Comments, people talked about their heritage. It was not really his because his grandfather was not born in the United States until 1913, which was past the Civil War. It was the same on his mother's side. His wife's family had a little longer history in the States, so maybe she would have a little different of opinion.

People knew that he went to the University of Kansas and he had four degrees from there. They were referred to as Jayhawkers from the Civil War leading Kansas – it was a border war. It was referred to that in athletic events until 10-15 years ago. In 1997, he was at a Kansas vs. Missouri football game and his boys were small. He went to the concession and there was someone there in a full Civil War uniform yelling a word he had never heard before. He stopped and asked what he was saying and he asked what it meant. It was a very derogatory word from the Civil War Era. When the Nebraska-Kansas Act got passed in the 1850's the rush was on to make Kansas a free state. A bunch of people from Missouri supposedly came and stole an election and the Lecompton Constitution was passed. Then Kansas was going to be a slave state and a lot of people did not want that.

A big group of people came from Massachusetts, which was historically, supposedly why Massachusetts Street was the main North/South Street in Lawrence, Kansas. East of Lawrence was the historical part of town and the street names were supposed to be in order the way they all joined the Union. But there were some that were missing and knowing the Abolitionists were there working on the project was a reason why they were missing. In the newer part of town everything went haywires and the names really did not mean as much and they did not have all of the states named.

Another person that came to Kansas at that time was John Brown. His boys came here and said that John Brown was a hero, but here they were learning that he was a terrorist. It was all just perspective of where people were at on the situation. He considered him a hero.

Another thing that went on in Lawrence every day, a new high school was built 20-25 years ago named Lawrence Free State High School – so they were still to this day – Free State Brewery. When he started thinking about the history, the town his boys were born in was attacked by pro-slavery – the Quantrill's Raid. Lawrence was attacked on two occasions. The first was Bleeding Kansas, where John Brown did some things to try to get revenge. The second one was the Civil War with Quantrill. He had friends that had family members that were shot and left for dead in Lawrence, everything was burned to the ground and they lost everything.

As a Jayhawker, there had been a certain side, even though he did not live in Kansas then, he had spent a lot of time in Lawrence and picked up on this stuff. When people would bring up their history and heritage, he started thinking about it differently. Then, fast forward to the late 1950's, early 1960's, the person that was probably the most famous Jayhawker in the State of North Carolina was Dean Smith. Before he came to North Carolina, he tried to integrate his high school basketball team. He went to the University of North Carolina as the head basketball coach and recruited the first black scholarship athlete to the University of North Carolina, Charlie Scott, who played guard for the Celtics.

It did not mean that everything was right in Kansas even though they were a free state. There were stories about the fact that Dean Smith tried to integrate his high school basketball team and Wilt Chamberlain could not get served on Massachusetts Street. Fast forward to now and Roy Williams spent 15 years in Lawrence and came out with an opinion that Silent Sam needed to be taken down, which had actually happened on UNC's campus.

There was a comment last week by a University of Kansas alumni member that basically stated "I hope the legacy of John Brown lives long and prospers in Lawrence". As a Jayhawk and everything that he believed in, he was telling them he could not serve in that position because he was biased. Jayhawks had been fighting this problem for a long time. At Kansas-Missouri football games people were literally holding up signs "University of Kansas fighting the slavers since 1865". That was his heritage and history and he wanted to share that.

Chairman McMahan asked the Board if they wanted to discuss this topic and the proposal of a task force further on a work session agenda or did they want to set aside a separate day?

Commissioner Deitz stated that he did not want to see a group of people put together that would become – he could see putting a group of people together and that become the worst group ever been put together in the county. If they put people on there that felt really strong about this on both sides, there were not going to just sit there. His wife always said this and he agreed with her that none of them knew how it felt to be black. He was proud of his self as far as the way he had handled his self with diverse people through his whole life, but still his wife says "you don't know how it feels to be black".

He was pulled in on an activity bus to get a hamburger after a football game and the last two fellows started to get their order were black. Tommy Love and Leroy Jackson were in the back of the line to get their food last. He thought back and wondered if they thought they were supposed to be in the back of the line or did they just end up in the back of the line. When they got to order, they were told they could not get food there.

He had seen a lot and he did not know what the answer was. He told his wife they would probably have to vote on this and he did not want to vote on this at all. He had a lot of friends that would like to see the statue torn down. He had someone that requested that morning to him to not take the statue down. They would end up voting on this and would probably make a lot of enemies no matter how they voted.

Chairman McMahan requested to place this item on the July 14th work session agenda.

Mr. Adams stated that he thought it was important for people online and the newspaper to understand what he thought he was being instructed. He apologized that it was not on the agenda that day, but there was a little confusion about this meeting. He was going to summarize what he thought he just heard so that it was clear to them and the people listening. This topic was going to be put on a work session agenda. A work session agenda did not have a public comment period. They would still be operating Zoom and citizens could listen to the meeting as it was open to the public, but a work session was for the Board to have these discussions. Public comments were not the intention of this meeting. It was his understanding that the Board would come to the work session with specific ideas and concepts on how to proceed forward with this conversation.

Chairman McMahan stated that at that point, Commissioner Woody was the only one that had presented a request, that he was aware of, to put together a task force to take a look at this issue. Everyone else had remained silent about how they felt about her request or had not stated any other request. That would be what they were debating as well, whether or not to honor her request formally, at some point.

Mr. Adams stated that the starting point of the conversation may be if the Board wished to proceed forward with the task force and if so, who would be on the task force. If they were thinking that a task force was the right idea, they had to start thinking in terms of who they would want to be appointed.

Informational item.

(16) COUNCIL ON AGING:

Motion: *Commissioner Deitz moved to appoint Peggy Wike, Jim Montsinger and Debbie Coffey to three-year terms on the Council on Aging, terms expiring March 01, 2023. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(17) PLANNING BOARD: *Carry over.*

(18) SOUTHWESTERN COMMUNITY COLLEGE BOARD OF TRUSTEES:

Motion: *Commissioner Deitz moved to approve Macon County's request to reappoint Gary Shields to a four-year term on the Southwestern Community College Board of Trustees, term expiring June 30, 2024. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

Commissioner Mau noted that there was an election that day and he did go vote. He felt very safe with the way it was done. Everyone had on masks and it went well. They also had contactless voting from vehicles.

(19) PRESS CONFERENCE: None.

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Luker seconded the Motion. Motion carried and the meeting adjourned at 3:06 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman