

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 04, 2020**

The Jackson County Board of Commissioners met in a Regular Session on August 04, 2020, 6:00 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, Commissioner (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**: Commissioner Mau moved to approve the agenda. Commissioner Woody seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Luker moved to approve the minutes of a Public Hearing (Communication Tower) of June 23, 2020; a Regular Meeting of June 23, 2020; and a Public Hearing (Cullowhee Planning Area Text Amendment) of July 07, 2020; a Public Hearing (Bond Order – Indoor Pool Facilities) of July 07, 2020; a Regular Meeting of July 07, 2020; and a Reconvened Regular Meeting of July 10, 2020. Commissioner Mau seconded the Motion. Motion carried.

(3) **CHAIRMAN’S REPORT**: None.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Mau reported that TWSA was able to obtain funding to do a limited time study on wastewater COVID testing. It was all new science and they would see what happened. They would try to get information and maybe find more money to keep that going.

(b) Commissioner Woody stated that it was her understanding that Commissioner Mau wrote a grant to allow for the study. She thanked him for doing that and hopefully it would allow them to get some good information.

They had the Health Board meeting, which was very helpful. They were informed by Shelley Carraway, Health Director, that they had secured a Rapid Response Testing Machine for COVID. However, the supplies for the machine were backordered nationwide. Those should be coming by September. She commended them for moving ahead to get the machine as she thought it would help the community as they moved forward.

At United Christian Ministries that past week, she was so impressed by the number of people and the outpouring of support in the community. There were six individuals in the county that gave their \$1,200 incentive check to United Christian Ministries to support the ministry helping people with food, electricity and rent. While she was there, at least ten people came from different churches and donated food. She commended the people of the county that were stepping up in the time of need and giving a wonderful outpouring of support to the citizens.

(5) COUNTY MANAGER REPORT: None.

Chairman McMahan requested to change the order of the agenda given the fact they had such an enormous amount of public comment. They had staff members with brief reports to provide to the Board and he wanted to give them an opportunity to do that so they could depart.

(6) TAX SETTLEMENT REPORT: Brandi Henson, Tax Collector, presented the Tax Settlement Report for July 1, 2019 – June 30, 2020 for approval.

Commissioner Woody asked how the tax collection rate compared to past years?

Ms. Henson stated that last year they were at 97.8%, so they were up 0.26%.

Motion: *Commissioner Mau moved to accept the Tax Settlement Report, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(7) FIREWORKS DISPLAY REQUEST: Tony Elders, Director of Permitting and Code Enforcement, stated that he originally had two requests, but that day he received an email that Bear Lake Reserve cancelled their Labor Day Fireworks. He received a request from Trillium for fireworks on August 29th for a private function. He talked with Fire Chief Randy Dillard, who indicated he would be able to cover the event.

Motion: *Commissioner Woody moved to approve the request for fireworks display, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(8) MILLENNIAL APARTMENTS AND HELM APARTMENTS: Mr. Elders stated that Mr. Adams requested that he provide an update on two student housing projects that were moving forward. They were located across the street from each other on Little Savannah Road in Cullowhee. His office was handling the Helm Apartments building permits, building inspections and erosion control permits. For the Millennial Apartments, officially named the Husk Apartments, his office handled all of the building permits and building inspections. Because that property belonged to Western Carolina University and was state property, the state office of DEQ and Land Water Quality were supervising that project.

Currently, at the Helm, they did a final inspection on only a couple of buildings there. He thought they would struggle meet their goal of getting everything finished. His office had them under Notice of Violation (NOV) for erosion control issues they had until August 20th to complete. He thought their goal was to complete that sooner as they were hoping to move students in on the 15th. They were also under an NOV from Water Quality. Those two violations were basically minor in the grand scheme of the size of the project. He did not feel they would have trouble eventually getting through their NOV's. They would not issue Certificates of Occupancy until they had met the NOV's.

The Millennial was more complicated. He spoke to the Board about this several times over the last year. He talked with Steve Beasley, Senior Erosion Officer, who over the last few days followed up with Land Quality and Water Quality to make sure they had their status correct. Currently, the Division of Water Quality issued a total of seven NOV's with six being active. They had issued fines officially on three of the NOV's. The developer was appealing the fines and a hearing was set for October in Raleigh or Asheville. The other three NOV's had not officially been levied, which as he understood was a long process. The Asheville Office issued the NOV and then it was forwarded to the Raleigh Office where the fine would be decided. The Land Quality Division officially issued one NOV. They did not issue a new notice each time they came out and found something wrong, they would simply add to the one they had. They had also levied a fine, which he thought was in some stage of mediation or appeal.

The buildings at Millennial had the fewest problems they had with the student housing projects that they had dealt with in a long time. The buildings were very efficient and under control. They were there that day and were through with most all of the final inspections. They had more fire alarm testing to do and they were moving furniture in. As far as the buildings themselves, they were really close. He thought their goal was to move students in on August 13th. He had looked at the dates to make sure he had the staff available to handle getting their inspections completed. They were a couple of staff members down at that time, but they believed they would have everything on that one complete.

Commissioner Woody stated that she appreciated Mr. Elders providing the report. She had several community people that reached out to her because of concerns with land and water quality. She was pleased to hear that the building inspections were going well. She knew that the county did not have the inspecting authority over that site. Her concern was that she heard there were some citizens that lived in that area whose property had been damaged by mud and water. Also, they were treated very inconsiderately when they were just trying to drive to their places of residence. It concerned her that they had six active NOV's, they appealed their fines and yet they were moving ahead as if nothing had really happened to the community. They had all seen the river. She had gotten several calls that past week about the mud in the Tuckasee River that came from that stream and that site. It was a very big concern to her.

Part of their responsibility, as Commissioners, was the health and safety of not only the citizens, but the land and water as well. Was there any way they could make sure that before they finished and left that they had mitigated all of the concerns with the water and land problem because they had the violations already.

Mr. Elders stated that it was his experience with dealing with the Land and Water Quality people in the past with larger projects, that the NOV's in place would not be turned loose until they addressed all of the issues. He had been told that they were not appealing the NOV's themselves, they were appealing the fines. There was a mediation scheduled. Their building inspectors were on the site every day. In the past, dealing with these issues, fines were paid and things were cleared up. They were struggling with erosion in the river all the way up. The road job in Tuckasee was not under their prevue either, it was under the Department of Transportation.

Commissioner Deitz stated that in plain words, the county permitting and fines against them, did not dovetail with each other at all did it?

Mr. Elders stated that not when the state was in charge of erosion control.

Commissioner Deitz stated that when they got ready to move in on August 13th, if things in and around had not been taken care of properly, they would still move in.

Mr. Elders stated yes.

Commissioner Deitz stated that a lot of people that had been damaged by this were just stuck. There would be nothing for them to hold their feet to the fire. As they knew, one person who had been damaged the most with the situation was his sister – he wanted that to be known. She was a constituent also and a taxpayer. She had cottages that she rented to university students and one of them got knocked off its foundation in April and it was still sitting there knocked off its foundation. Did the water go straight down into the same stream from Helm?

Mr. Elders stated yes, it did. It was not a live water stream, but it was a wet weather type spring.

Commissioner Deitz stated it was coming right behind her property and she had a problem there. He wanted them to see if there was some way they could rectify that situation. This had been going on since April and they got the reports about the violations, but at the same time they stated the dates they would be moving in and none of the situations had been rectified for the people that had been damaged.

Commissioner Luker stated that in retrospect as far as Mr. Elders and his staff, unfortunately, this did give a mirrored reflection on their department, which was 100% unfair. Mr. Elders, Mr. Beasley and all of those guys went above and beyond each and every day in their jobs to make sure that Jackson County was a better place to live. Because of them, they did make the county a better place to live.

It was unfortunate that they did not have control over those types of situations. He did hate that for Mr. Elders and his staff because they did get that mirrored retrospective reflection to his department because people looked at it as one, but it was truly not and they realized that.

Chairman McMahan stated that he agreed with that and he thought the local county code enforcement staff did an awesome job. He thought they all agreed that if this was a problem that they had direct control over, they would not be sitting there talking about it. This was a state problem and they had no jurisdiction over it, they had no control over it, they had no ability to intervene in the process or change the course of the outcome. There was very little they could do and he knew it was frustrating. He knew they would love to see it resolved, but unfortunately, at that point, it was a state issue with the private contractor. It was an issue between private citizens and the private contractor. The only way this would be resolved was through litigation.

Mr. Elders stated that he did not know what the status was on the litigation as they were not involved in that. They tried to do everything they could to help every citizen of the county that they could. The contractor that was doing the building had allowed Mr. Beasley access whenever he wanted to look at the building. They had been cooperative with his staff.

Commissioner Mau stated that he was thinking about the next project and potential ways to help alleviate this problem. The ordinances for erosion control was designed for a ten-year storm, was something that was worth looking at as far as changing that design? Would that improve things?

Mr. Elders stated that would help. Also, he spoke with Mr. Adams and he had passed it on to Michael Poston, Planning Director, that there were places in their ordinances that they could not issue building permits until all of the infrastructures were in place. He and Mr. Poston were working on putting that language together to put it before the Planning Board.

Chairman McMahan stated that the state was aware that there was an issue. Conversations they had privately with state officials where they said this was an example of where changes on a state level needed to be made. They were working to make sure this type of activity did not happen again on a future project.

Commissioner Deitz stated that his sister had her hands tied. They talked to the Army Corp. of Engineers about doing certain things to correct this. Her sewer lines were hanging out in midair where they had been washed out from under them and red clay was coming out of the bank where it had washed. They told them to not do anything themselves, but this was going to take some time. If they did anything, Water Quality would be on them. What could be worse than the sewer line running in the creek and it washing all the banks away day after day. Was that not detrimental to water quality? It was frustrating.

Commissioner Luker stated that it was frustrating and that he could sympathize with Ms. Deitz 100% when having to deal with those agencies. He would say to Mr. Elders and Mr. Poston that as far as he was concerned, as an individual on the Board, they could not get the wording to them fast enough to change it.

Informational item.

The Board took at recess at 6:39 p.m.

Chairman McMahan called the meeting back to order at 6:48 p.m.

(9) INFORMAL COMMENTS BY THE PUBLIC:

(a) Frank Huguélet thanked all of the Commissioners as he knew they had been going through a lot and had done a lot. He had travelled extensively in his life and seen some rough neighborhoods. During the Town of Sylva's meeting, he heard a Sylva Commissioner state that Sylva had a bad race problem and that there were a lot of racists in the town and that it was an issue. He took issue with that as a citizen of the county. He had lived there along with generations of his family and they never had a race problem in the county. They did not have a violent crime problem in the county. When he heard there were people afraid to walk the streets of the county because of evil thugs and racist monsters, he wanted to see for himself. So, he walked the streets of the county and Sylva. He did not see any problems. He saw families

with kids of every color and size. Everyone was enjoying being in Sylva. The town had always been welcoming, as they had people from many different places that melted into the beautiful mountain culture. It was a wonderful thing. Then, someone decided it was time to divide them because of the national political situation that had nothing to do with Jackson County. When he looked at the Confederate statue, in 1996 the same council and a lot of people in Sylva rededicated the monument as a soldiers' monument to all veterans of all wars from the county. It was a Confederate monument that also represented all veterans and should not be taken down.

(b) Beth James stated that she wanted to thank the people of the county. It had been a very difficult time for all of them. A lot of their neighbors and friends had some very racial slurs towards them. They were safe in the county because of the people. There was fear in the county. There was fear from mothers that could not feed their children. There was fear from children that were scared to go home, but not the fears the other side was talking about. This was not about politics this was about their family. The monument represented their family and to her the women that were left after those farmers were called to be soldiers. The women could not vote, but they stayed and worked so very hard. Because they could sit there in that nice building and talk about million-dollar swimming pools and dream. They had them to thank for that. The irony of it was that there would be a lot of people say a lot of bad things about them that day, but if it wasn't for the people that the monument represented, they would not have Jackson County and would not be there. That was why they were there, it was about their families, it was a personal issue. While she respected their opinion, she was not seeing what they were calling out. The people of Jackson County were good. She had called out to them a lot to help with families. Not one time did they come back to her and ask what color they were, where were they from or how did they get themselves in this mess. They responded to her about where could she meet her or drop the food off. Those were the kinds of people they had in the county, good, good people, but they had been put through the ringer. She thanked the people of Jackson County for not responding negatively. She wanted to talk to Commissioner Woody as her representative. She stood there as a native of the county asking her to not remove the monument. She talked to a lot of people in the district and she thought she would find a majority of them did not want it removed.

(c) Jason Gregory stated that as a historian and native of the county, removing the Confederate monument was wrong for many reasons. Have they all forgotten that in 1996 the monument was rededicated by distinguished guest, county and town officials. As early as 1885, North Carolina gave pensions to Confederate veterans and widows. The men of the county that served were veterans and that was what the monument and statue stood for. The statue of the common soldier was a veterans' memorial to the county's Confederate dead, as many soldiers died away home and this monument served as the only tombstone they would ever have. In a perfect world, he would not change anything about the monument. Sadly, some hate groups had adopted the Confederate flag and it would forevermore be associated with that. As long as the Confederate flag stayed on the statue's base, there would always be people fighting to take the statue down. He thought a compromise was fair to the citizens of the county. Remove the Confederate flag and replace it with a plaque listing the ancestors' names who died in the war. Doing this removed controversial material from the monument while transforming it into a full memorial, which was its original purpose. He wanted to take his children to the monument to say that was their ancestor's name that died in a war they were forced to fight in. This was how they choose to honor and remember them. It was more important to give remembrance by name to these soldiers than to get hung up on symbols that would always put the monument at risk. That way, no one would get 100% of what they wanted, but all sides would get something. He did not support many of the reasons behind those wanting it removed, but if some compromise lets them keep the statue where it was, then it was better than risking the memorial being removed simply to answer to the demands of three men that did not speak for the majority of Jackson County citizens. If there was a doubt, let the citizens vote.

(d) Calvin Autrey stated that everyone he talked to in the town wanted to keep the statue. They could listen to the people that were marching and tear down the statue. Think real hard before they vote because in November, the people would vote. The statue had stood for over 100 years. If they got the Confederate flag, next would be the American flag and what it stood for. Once if fell, they would be in a

world of hurt. He asked they let their hearts make the decision. The Confederate flag represented hate, but there was a thin line between love and hate. They wanted to defund the police, but what they did not realize was that the police were there to protect them. They were not mean people, but they were tired of people shoving stuff down their throats – they were a proud people.

(e) Chad Jones thanked the Board for serving. He was born in the county, graduated from Victory and then joined the United States Marine Corps, where he had ten years of active duty. He had been a lot of places and seen lots of things. He had seen insurgency, which was what they were seeing. These people coming in did not live there and were just coming in to protest – he considered them insurgents. The memorial was important to him because his great-great-great grandfather, Coleman Asbury Ashe and his son Henry Ashe served in the 62nd NC Infantry. They were lucky enough to come home, but a lot of men did not. Some men were in a mass grave somewhere away from there. That was a tombstone to him and so many other people in the county. If they remove the tombstone, they have desecrated a grave, in his opinion. To him that was borderline unforgivable. There was a lot of smoke and mirrors in the political campaign going on saying it was about Jim Crow or about hate. The memorial was never put up there for that, it was put up in memory of the men that went to war when they were called, some against their will, who were not slave owners. A lot of them did not come back. They left women as widows and children without fathers. The memorial was erected by private donations from widows in the county and placed as a memorial to these men, their wives and families that sacrificed much and in some cases all. It belonged to the people of Jackson County and it was his sincere hope that they did not succumb to outside pressures. The people protesting were trying to bully them. If someone on their side of the fence did what they were doing, they would be called bullies, bigots and racists - none of which applied to him and he did not believe it applied to anyone outside the room.

(f) Kim Moore stated that she moved there two years ago. Before she moved into the county, when she came to visit, the first thing she did was go to downtown Sylva, it was so beautiful. She was attracted to the Confederate statue as she could see history sitting at the end of downtown. She took her kids and took pictures with the statue and put them on her Facebook page. She was wondering what happened because two years ago, she was excited to move to a place with all of the history and then to hear it was going to be torn down. She felt that she would be a hypocrite to not show up and say something. She wanted to show a different perspective from the black community. She quoted Booker T. Washington, who was a slave. Over 100 years ago he said, “There is another class of colored people who make a business of keeping the troubles, the wrongs, and the hardships of the Negro race before the public. Having learned that they are able to make a living out of their troubles, they have grown into the settled habit of advertising their wrongs — partly because they want sympathy and partly because it pays. Some of these people do not want the Negro to lose his grievances, because they do not want to lose their jobs. There was a certain class of race-problem solvers who don't want the patient to get well, because as long as the disease holds out they have not only an easy means of making a living, but also an easy medium through which to make themselves prominent before the public”. This was what she saw playing out before their eyes. It had been over 100 years and it was still happening. She would like to see it stop. As someone who had been voting and a taxpayer, she did not have anyone in her family, one either side of her family, not one African-American person that agreed with the statue coming down. All they ever wanted was for police officers that shot and killed an unarmed black person to be investigated. They did not want a lot of the things they believed black antagonizers and white sympathizers were cashing in for the moment. She asked them to leave Sylva Sam where he was. She and her husband went to the Black Lives Matter Movement and to the rally with the Sons of the Confederate. They were pushed out at the Black Lives Matter Movement and called names, but accepted by the Sons of the Confederacy.

(g) Nathan Murray stated that he had lived there since he was about four years old. He was from Gastonia, NC. When they first came there, his grandfather took him to the monument and talked to him about it and told him what it meant. He told him that they had some family members that died in that war. He did not believe it was just for the Civil War, he thought it was for every person that had been to war from the county. He did not think it should be taken down or moved. He thought it should sit up there because it was a great piece of history. He believed a lot of people came to the area to visit the statue and

have pictures made. They had good, bad and the ugly sides of history. The only part that seemed to be pushed was the ugly part and he was tired of it. Tearing down history because of feelings was just ridiculous.

(h) Kitti Bradley-Chisholm stated that she was born and grew up in the county. Like many people her age, she left, but came back home. When she was in school, they never had any in-fighting or any racial problems. They all flowed freely and were a tight-knit family community. She understood that the county was growing and changing rapidly because of the casino and college kids, but they had accepted them into the community and welcomed them. Her children were mixed ethnicity. Her son graduated from Smoky Mountain High School. They moved back to the area when he was in the tenth grade and the community welcomed him and accepted him with open arms. Her son did not experience any racism in the community and in fact, people went the extra mile to lift him up, boost him, give him extra encouragement and he felt the love of the community. She did not see any of the students from WCU or any of those complaining about the town having any problem going from brewery to brewery, getting drunk and having problems walking down the streets of the community. If it had happened, she wanted to be given specific incidents and know what occurred to them because she would be the first person to go stand up and tell whomever offended them how wrong they were. She called on Coach Deitz as a football coach and having coached in the community, he knew how warm and welcoming they had been collectively in the community. The world was in utter chaos. If they gave in to the latest fad, what would come next? Would they be forced to eliminate Mountain Heritage Day? They could remove Sylva Sam, but it would not change people's hearts.

(i) Etta Lou Bradley stated she was born and raised in the county about five miles from Boyce Deitz and played football with him as a little girl. She wanted them to know that she was not racist at all. She had two beautiful bi-racial grandchildren, who she was very proud of. She asked them to leave the statue where it was. They could not erase history, it made the United States of America and Jackson County. They elected all of the Board Members as they went around and solicited their vote. They elected them to represent the people of Jackson County. How many of them had been out in the community asking their constituents how they felt about this? She planned to die in the county and the statue was representative of her great grandfathers who fought in the war. Don't allow them to take up Judaculla Rock next, stop Mountain Heritage next. They better learn to say no and mean it – that was her wish for them.

(j) Mike Parris stated he was of the Sons of the Confederacy Veterans. Their job in the Confederate Veterans was the graves. They would redo graves, place markers and clean graves. The statue meant a lot to him and he was sure it meant a lot to them. He did not like the idea of someone away from there coming in telling him what to do. People getting paid to do a protest and then leave because Sylva allowed it, but they would not allow Blue Lives Matter – he did not like that. He asked them to consider a proposition to solve the problem. He did not agree with it yet, but if it worked to keep everyone quiet and stop the protest with people cursing at people. They grew up in different times than these people and somewhere down the road they would have to say no, it was enough. It was not Asheville it was their county. The statue stood there for 105 years and had not bothered a soul. He hoped they would consider to work it out so the statue would stay up. Do what was right and leave the statue up. They would sue them as Sons of the Confederate Veterans, they would hate to, but they would have lawsuits against them. It was against federal and state law. They would sue each one of them that voted to bring it down and hoped they would get jail time.

(k) Jimmy Ashe stated that there was no doubt in his mind that they would do the right thing because they were Jackson County residents and they tried to do the right thing for everybody. Eventually, it would come to pass that this would be forgotten because he believed the instigators that came in to stir up the community would no longer exist, they would go away. He hoped the County Attorney could look at the legalities of doing things to statues and historical sites. He thought they should study that really well before they did anything. He admired them for standing up for the county and he knew they would continue to do so.

(l) Melissa Dingman stated she came there mostly for her daughter, who was 13 years old. She did not want her child to form an opinion without all of the facts. She took her daughter to the Black Lives Matter rally and the one on the hill and asked them both to tell them why this mattered. All they could tell

her was “Black Lives Matter”. Her daughter asked them why everyone else did not matter as well. When they walked away, they started screaming profanities at her 13 year-old and called them racists because they would not join their side. Later, they took her to the top of the hill and asked them the same questions. They got out documentation and pictures of what the statue was about. She learned that the statue was not about racism, it was there to honor the veterans and the families of that era. People coming to the town that were not born there were making it out to be about race when it was about history. A lot of people did not see it as a black and white issue, they saw it as a memorial.

(m) Michael Moore stated he was from the Qualla Community, District One. For the last 25 years, he, his dad and brother maintained a cemetery on US 441 going into Cherokee across from where they lived. There was a Confederate flag there and a monument to Colonel Thomas, who was one of the early leaders in state politics in the county and he was a Cherokee Chief. Three things he learned about maintaining a cemetery with Confederate graves. They had a lot of history in the county and they needed to respect it. There was a lot of heritage in the county to honor. The third was honor. They honored the dead. Certain parts of the county there were a lot of dedications. In 1999, he entered Smoky Mountain High School under coach Boyce Deitz. A few years before when he took the coaching position at Smoky Mountain there was an uproar in Swain County over removing the name Boyce Deitz off the Boyce Deitz field in Bryson City. That would not have been right for them to remove that name off the field because Coach Deitz did a lot during his tenure at Swain County to build a football program. Just as folks wanting to move the statue would be wrong because it was the Confederate veterans that would have sons and daughters go on to serve in political office in the county. Many former Commissioners gave in 1996 for the rededication of the monument.

(n) Jason Ray stated that the five Commissioners had a very important decision to make. The United States of America was the greatest country on the planet to many and to some it was not. The youth had been taught otherwise, sadly. The Commissioners would decide to keep the statue or remove it. He hoped they kept it. The Town Board decided to remove it, two women decided to keep it, which was proof they needed more women in leadership. The problem was that the United States of America was not the same on the west coast or up north. Freedom of speech, freedom of gathering, freedom of the press, the second amendment – not up north. In the south, someone had to stand up to this ridiculousness. He hoped they would stand up and keep the statue. As it had been stated many times, it did not represent slavery. It represented the dead of those that sacrificed in the Civil War. Right or wrong, there was great sacrifice and that was what that statue represented. The last meeting someone stated they knew people that would not come to Sylva because of the statue – they all knew that was ridiculous. The greatest owner of slaves in Western North Carolina was the Cherokee. Were they going to get rid of the Reservation because they were such racist bigots? No and do not get rid of the statue as well.

(o) Nola Brown stated that she had several Confederate letters. One from her great-great grandmother, Elizabeth Watson to her husband James Watson, who fought in the Civil War. She read one letter that was written to her great-great grandfather, James Watson from his friend Alfred Wilson in March of 1862 from Hamburg, North Carolina. She requested they keep the statue.

(p) Devin Painschab stated he was from northeast Florida originally. He loved to learn about history. He feared, from looking at all going on in the world, young people were striving for views of communism and socialism thinking it was going to solve problems. If they looked back at any time in history, all it did was destroy countries and communities. There was a statue standing in Seattle of Lenin, who was a communist dictator. He was the main reason for a huge genocide of his own people. No one saw a problem with having that statue standing. The Confederate monument was for soldiers that passed fighting for their country at the time, protecting their families and land. To see people that were not from there thinking they had a side to weigh-in whether or not it should stay or go, he found repulsive because they were just erasing history like the communist revolts of the past. If they destroy history and religion, then they could control people. What he saw was America was going down the same road. Luckily, he had the ability to stand and speak out about what he thought was wrong as others did as well because they were in America. Rather than take the ideas of people not from there, they should ask some of the locals

and ask what they thought and not listen to people that came in on buses from other places that were not from there to try and impress their beliefs and destroy a culture that was not theirs.

(q) Sean Bridgers stated that since Charlottesville happened, he and his wife had started working on a documentary about monuments and what they meant. There were a lot of people that did not want the monument touched and a lot of people wanted it taken down. He would say that the majority of people seemed to feel there was another option to contextualize. In his view, it was a memorial for the men in the county that fought and they did suffer. The politics of what the war was about was still in dispute. He could hold in one hand honoring his ancestors as he came from a long line of Confederates. In the same hand understand that they were fighting on the wrong side and things worked out the way they were supposed to work out. It was not an accident that it was put up in 1915, which was the beginning of Jim Crow and was another contextual piece of history that needed to be explained. That said, he was not necessarily in favor of pulling down history. His suggestion would be that if it was a memorial, the names of all of the soldiers should be put on the monument, they sandblast off the Confederate battle flag, which they did not need to see anymore. In place of the flag, they could put a plaque with the names of the men from Jackson County, who fought and died. Many of them did not get to come home, they died in prison camps, from disease – they suffered. At the same time, the context of the flag and what it meant with the growing community they had, it did send a bad signal. The best way to remedy that was for them to communicate about it honestly. History was extremely complicated. He thought in an ideal world, they had so many things in the county to be proud of. First, if they were talking about the history of the county they had to start with the Cherokee, this was their land. There should be a monument to the Cherokee people. They had people like Samantha Bumgarner, a musician and Tommy Love, who was a High School All-American that played at Michigan State and died tragically. He would like to see statues of those people.

Chairman McMahan stated that was the end of the list of people that were in attendance that signed up to speak. They would begin the list of the people that signed up to speak via Zoom video conferencing.

(r) Sanji Watson (via Zoom video conferencing) stated that in 1915 a seven-year old boy named Vess Shook came to Sylva for the first time in his life. He came to the dedication for the Confederate soldiers. He came with his grandfather, daddy and uncles. Fast forward a few years. When she seven years old, they came to town and went to Hooper's Drug Store and had a hot dog. They took it down to the fountain and afterwards, her granddad took her up on the hill to where the Confederate soldier was. He told her that when it was built he could remember giving ten cents to help pay for it. He told her it was built by the people of the county for the men that did not come back and for the women and families that suffered while they were gone. She had worked her whole life doing family and historical research. On Saturdays, she volunteered her time helping people tracing their roots. Many times people came to the Genealogical Society and asked who the soldier was for. She would share the picture of all the veterans and how it was built by the county and what it represented. She had spoken to people of all colors and nationalities and not one had anything derogatory to say about the soldier. Many were very pleased that their ancestors thought enough of them to put something there in their memory. She thought they needed to think about what was going on. She thought it should be put on a ballot and voted on by the people of the county. Her vote would be to leave it alone where it was at.

(s) John Ritchie (via Zoom video conferencing) stated he lived in the county 39 years. He wanted to advocate for three positions related to the Confederate monument. (1) Support a non-central or low traffic location rather than a conspicuous location. He recommended that no monument be placed in a conspicuous location unless the vast majority of the present day community felt positive and inspired in its presence and no substantial group of people felt dishonored, misrepresented or traumatized in its presence. If the goal was to present and preserve Confederate history, then place it in a location where people could choose to see it. Also, place it with other historical monuments having other perspectives for a broader and more accurate presentation of history at that time. Confederate monuments were a selected presentation of

history that excluded the perspectives and experiences of other ethnic, social, economic and political groups. The therefore thought they did not want it to be the monument and symbol in the most photographed location in the town, to represent a majority. (2) Promote community wholeness rather than a group's distinction or preeminence. He believed it was important to not limit focus on what the monument symbolized and its perceived messages because there would always remain conflicting views and experiences. He recommended instead to first clarify the priority mission, values and goals of the county and see whether the monument or any monument fits within those concepts and practices. The decision would then be based on the ever-developing thinking and values of the community rather than the merits of the monument alone. (3) Encourage empathy and nonjudgement rather than self-righteousness and contempt. He believed they all had more in common than their differences, in terms of basic desires, needs and goals. He believed that most everyone wanted to feel loved, supported, respected, accepted and included. Thinking and behavior were often driven by fears and pain, so it could be really helpful to practice empathy and nonjudgement. Compassionately addressing the underlying fears of both sides could allow for some healing. They and their ancestors were products of their upbringing, culture and time of history.

(t) Flemming Sanders-Holt (via Zoom video conferencing) stated she was only 28 years old and had seen racism there for as long as she could remember. She was born and raised there. She had seen it from older generations and being handed down. Denial of this was disrespectful to the black community members and all people of color who had suffered for their silence and comfortability. If the Commissioners voted for the Confederate statue to remain, then they would have voted against a Sylva that was safe for the black community. They would be voting against protecting their most vulnerable community members. Relocation was the only answer. A vote to keep or alter the statue was a vote to help racism thrive in the county. She urged them to leave a legacy or reconciliation instead of perpetuating hate in the community. The silence of the community had perpetuated violence and hate and it needed to end. They all needed to stand up. The statue was only one step, but it was a good one. Vote for removal.

(u) Jonathan Bost (via Zoom video conferencing) stated that he had been hammering on about the moral justification for removing the statue for so long and he could keep going, especially after so many people just lied straight to their faces about a lot of stuff. He wanted to speak on the economic benefits of relocation. He thought they all knew why most black folks were turned off from a town with a Confederate statue in such a prominent place. It was systemic racism that had existed since all men were created equal did not refer to all men, let alone women and gender non binary folk. This was best illustrated by a tourist profile conducted by the Jackson County Tourism Development Authority between August 2018 and March 2019, which found that only 1% of tourist in the county were black. This was in contrast to the 6-8% black students at WCU, the 3% in Sylva and the 2% in Jackson overall. The all lagged behind the national average of 13.%. If the relocated the statue to somewhere else in the county, they were not only opening up downtown Sylva to new visitors, they would also see the old visitors and locals from different parts of the county. How many economic opportunities had they already passed up? He spoke with some folks in the county that stated they did not want the county to grow, they wanted Sylva to stay a small town. Did they agree with them? The same rhetoric of not being native to the county was so egregious that it bordered on nativism. Opportunity still waits, but it would not be there forever. They had the opportunity to make history to set a course for the jewel of Western NC.

(v) Kelly Brown (via Zoom video conferencing) stated he appreciated them and what they did for the community. He had the opportunity to work with so many of them in multi-facets as a black member of the community. As a black member of the community that had stood on the Reconcile Sylva side, he advised that he had heard the "N" word more in the last two months. He had been called a Marxist, a paid terrorist and told how much he did not belong there. He had invested more in the time he had been there than any of the people that had stood up there that day talking about how the community was so important. Also, these individuals had stood up and talked about their ancestry. As a black community member and plenty of black community members that were originally from Sylva, unlike himself, they did not know who their ancestors were due to the factual evidence that they did not have those records. If they wanted to deny that racism was a problem in the community, then they were all turning a blind eye to the fact that there was an individual that was part of the Unity Coalition that was downtown yesterday yelling the "N"

word at the protesters in the community. If they were okay with the “N” word being said in the community, then they were not going to be on the right side of history. He expected them to be on the right side of history and stand up and say that racism was not okay in the community.

(w) Jo Schonewolf (via Zoom video conferencing) stated that they were all in her prayers as they made the decision before them that evening. At her baptism and confirmation in the United Methodist Church, she promised to accept the freedom and power that God offered all of them to resist evil, injustice and oppression in whatever forms they presented themselves. Throughout her life, she had done her best, through God’s grace, to embody this promise in all that she did. It was this promise that called her there. Jesus would sit on his throne and judge the nation for how they had treated the least of them. Jesus was the one that inspired her to speak that day for the relocation of the statue. Jesus called her to pay attention to the suffering around her and to stand in opposition to the idolization of heritage just as he upended his heritage. Jesus knew his heritage and celebrated it, but also called them until a fulfillment of the promise he inherited. Christians had been grafted into God’s promise of salvation because Jesus opened the door for them, not because he held tight to glories of the past. Jesus called them to life abundant where everyone was created equal by their maker and endowed with unalienable rights like life, liberty and the pursuit of happiness. The statue stood for a time when their ancestors decided that liberty and the pursuit of happiness was for white people first leaving table scraps for anyone else. The statue stood for a time when they treated the least of these, the black and brown people of the community with contempt. As long as the statue stood, they would all be chained in place by white supremacy and God would have to work miracles within them in order to free them. Jesus was born and lived and died so they could all be free from the powers of oppression and injustice in the world. Moving the statue would not defeat white supremacy, nor would it restore justice completely, but it was an important step. Until the idol was torn down, they could not restore the people.

(x) Destri Leger (via Zoom video conferencing) stated that they had been presented with very blatant lies that night. When they were talking about white people that get up and say that black people were safe in the community. White people would also say that black people were safe in Birmingham and in Chicago when Emmet Till was killed. They would say it was safe in Minneapolis when George Floyd was killed, so she did not think white people get to stand up and say who was safe in the community and who was not. She wanted to talk about the proposed compromise to cover the flag and remove the context of the statue entirely. She did not think that was a compromise, she did not think it was preserving history, she did not think it was meeting in the middle and she certainly did not think it was in line with conversations of racial equity and justice that were happening in the country. It was in the Confederate tradition ironically of whitewashing history to keep racist comfortable and minorities in their place. To quote John Lewis in his final letter to his country “When historians pick up their pen to write the story of the 21st Century, let them say that it was your generation who laid down the heavy burdens of hate at last and that peace finally triumphed over violence, aggression and war”. She wanted the Commissioners to think about their legacy and how their descendants would think of them. In fifty years when the statue was gone, she wanted them to think about would they be remembered as the purveyors of positive change or would they be remembered as a road block delaying the inevitable.

(y) Nathan Mann (via Zoom video conferencing) stated that he sent each of them a letter voicing his support for relocating the Confederate monument. Recently, there had been rampant action and unprecedented success in removing Confederate monuments from public spaces across the US. That trend would only continue. The Sylva Sam statue would always remind people that there was a time in the country and the area when slavery was both legal and culturally acceptable. The courthouse represented a place where people’s freedom was literally decided on. Standing in front of the word courthouse, which was still prominently visible, the statue looked down upon the town. As long as it remained standing in the middle of town, it sent a clear message that Jackson County continued to honor and celebrate that time and culture when all people were not welcome, free or safe. The statue had become a rallying point for hatred, which seemed to be growing and getting stronger. Violent rhetoric, direct threats and racial slurs had all been used publicly in defense of the statue. They were starting to witness public demonstrations of white supremacy and old KKK tactics locally. The Sylva Town Zoom meeting was interrupted by individuals

spewing racial slurs and hate speech. It was one of the most disgusting things he had ever experienced and that type of behavior seemed to be on the rise. He was proud of the Town of Sylva that took the step to vote for the statue's relocation. He was afraid that if the statue was not promptly dealt with and relocated, they would see a move from it being a rallying point of hateful words to one of hateful actions and violence against others. He believed there was very real threat that black and brown and other individuals, who supported movements toward racial justice, including efforts to relocate the statue. The hatred, direct threats and possibility of violence towards members of the community, warranted immediate action. If someone in the community was not safe, they were all endanger.

(z) Emma Miller (via Zoom video conferencing) stated that one of the main arguments she had heard against relocation of the statue stemmed from a 2015 blog that prohibited the removal or alteration of any statue. They say that they could not vote to remove the statue in good conscious because of the law. However, throughout American history, they had seen the legality in no way defined morality. From the year 1619 to the year 1865 slavery was a perfectly legal institution in the United States. Assisting with the escape of an enslaved person could result in jailing or death. Until 1964 Segregation was also perfectly legal. Roughly three hours from there, students were arrested for sitting in sitting segregated Woolworths ordering coffee in Greensboro. To them those laws seemed to be ludicrous. How could they even be enforced? How could those watching just sit back and let it happen? Did know one realize the true immorality of the situation? She asked the Commissioner to consider what the right thing was. Did they want to be known by their children and grandchildren as a bystander? As someone that had the power to change racist laws and yet did nothing about. They had the opportunity to stand up for the black citizens of Sylva and vote to relocate the Confederate monument. Do not sit idly and wonder in 15 years what they could have done to make their voice heard or what they could have done to make Sylva a truly better place. They had the opportunity to show the rest of the world that they stood on the right side of history and vote to relocate the Confederate monument.

(aa) Tracy Mann (via Zoom video conferencing) stated that she worried allowing the statue to stand in its current location looking over Sylva Main Street would bolster the racism and hate that was being spewed at a very high volume toward the black and brown community members. She was worried that the situation had escalated quickly over a short amount of time and that the people that wanted the statue to remain were demonstrating that by brandishing fire arms, by interrupting local media with yelling horrible slurs, by harassing people that were peacefully protesting for racial justice in Sylva and by encouraging others in joining them in terrorizing those who disagreed with them. She worried that the county relied on tourism and her friends' jobs would be impacted by these obvious mounting tensions and by the intimidation tactics being used by those supporting the Confederate statue. She had personally been in downtown Sylva while she had heard people yelling slurs, not the people holding the signs, but people driving by. She worried that the collective mental health in the county was being negatively impacted by the intimidation of and harassment by the people who want the statue to stay where it was. She worried that this was going to escalate to physical harm to the black and brown community members. She also worried about the physical safety of the people who were carrying signs while walking the sidewalk in Sylva. She thought it was time for courageous leadership and to send a message that the county would not bow to the intimidation and threatening behaviors simply because people were unwilling to face the change that was sweeping across the nation. The county was not in a bubble and not insulated from the rest of the nation, especially if it was courting tourism as a major economic driver. The county needed to move quickly to resolve the public safety hazard and relocate the statue.

(bb) Lianna Costantino (via Zoom video conferencing) stated she was a Cherokee Tribal Member and a property owner in Sylva. She was a former cop and was a DFGL Chaplain for the United States Army. She was not some insurrectionist nor was she bussed in from somewhere else. Her family had lived there for thousands of years. She had yet to meet one of these mysterious people supposedly being bussed in from somewhere else. Her Cherokee family fought with the Confederacy and yes, Cherokees did own slaves and they owe amends for that, one of the many reasons why she was there. She wanted the statue removed because she could easily recognize how painful the daily reminders of slavery were to the black community. She was able to hear the black voices across the United States, especially in the south, the land

of Jim Crow and the heartland of the Civil Rights Movement, straining to be heard once again over the white voices and the rampant systemic racism in the country. Her empathy was with them and she completely supported Black Lives Matter. They were all well aware that all life was precious. All lives should matter, but all lives do not matter until black lives matter as much as white lives do to all people, especially to the police in the country, but this was not currently true at all. To say that all lives matter as a rebuke toward the Black Lives Matter Movement was nothing less than dismissing the very valid concerns of black people in the country. It was a blatant display of obvious anti-blackness that needed to stop. Truth was a precondition to justice, which was a precondition to healing, which was a precondition to peace. The truth was that they had been clearly told by a portion of their constituency in the county that this statue was painful to them, that it did have to do with racism to them. It had to do with the intergenerational grief and trauma, racism and oppression that remained as a result of the Civil War and many other factors and that the white population there could not understand. The statues were coming down all over the south for good reason. Moving the statue to a more appropriate location was a compromise.

(cc) Jessie Swinkford (via Zoom video conferencing) stated this was a truly historic moment. In 1816 there were over 250 slaves in Jackson County. At that time, they represented 5% in the county. In 2020, according to the last census, black folks represented 2% of the population in Sylva. She spoke to people that belong to those original five black families that were brought to Sylva as slaves. Some of those families still owned land there, but did not live there because they were afraid to live there. Just a few months ago, a noose was hung by a bridge, sending a clear horrific message in the community. The Town's Commissioner meeting was attacked by racial slurs. No one was saying that the community could not be loving, warm and uplifting. Certainly, they had all seen the best parts of the community, but that was why so many of them live there and why it was up to them to stand up when they saw their community not being those things. Black folks were recording different experiences than white folks and they had to be willing to listen to them. White folks could walk through downtown and not experience racism because it was not targeted to them. They could not experience it because their grandparents were not slaves, they were honored by a statue and memorials. There were 20 statues in North Carolina that had been removed that year for public safety concerns. The request had been made for relocation for the statue to be placed somewhere else and another memorial with names placed. There were many places that the statue could be to still allow folks to honor their history. If it was a tombstone to honor why could it not be relocated to a Confederate graveyard. If people wanted to know who was responsible for the protests on Main Street they could look at Reconcile Sylva and were local. There were recordings of their protest and no one was screaming at anyone.

(dd) Suzanne Saucier (via Zoom video conferencing) asked that they listen to the Town of Sylva and remove the Confederate statue that casts its shadow over their town. This was county property, but it was squarely inside the Town of Sylva and everyone associated the Confederate statue with the Town of Sylva. The statue was erected during the Jim Crow era as part of Lost Cause propaganda. The citizens that organized the purchase of the statue intended for the notoriously racist Julian Carr, a well-known supporter of the KKK to speak at the dedication. To support the statue now was no different than to vie into that very racist era in history represented. There were individuals in the county that had a lot of good feelings when they thought of that statue because it had been there their whole lives, but when they tell their stories, the stories that were completely absent were those of the slaves of the soldier that was represented. The soldier fought to keep those people enslave and they had not heard their stories at all. The state law that was enacted to prevent anything from being done to statues, in 2015 the Lost Cause was given one more fighting chance when the General Assembly passed the Heritage Protection Act. Some of them had expressed concerns that the law made it impossible for them to do anything, particularly to relocate the statue. Since George Floyd's murder in May, at least 16 Confederate monuments were removed or were in the process of removal in North Carolina. Was it impossible to relocate the statue or an unwillingness on their part to do the thing that was much harder to do. She asked they take the harder, but more just and right position and vote for relocation.

(ee) Lydia See (via Zoom video conferencing) stated she was the daughter of a high school history teacher with an interest in Civil War. She spent hours of her childhood reading historical markers and

visiting significant sites. She had been to Gettysburg and she was a photographer that studied Civil War photographs. She was speaking as someone who was fluent in the historical context of the Civil War, a context which had glaring omissions, misrepresentations and had been used as a prop for racism while upholding a culture of white supremacy. She could not imagine how jarring and uncomfortable it may be for those who saw themselves and their ancestors represented in Sylva Sam to learn of these unspeakable truths. Even if their families were not engaged in the enslavement of human beings, they were fighting for those who were. Those who presented to version of the Civil War was needed to convince people to risk their lives for what they thought would be a brighter future for their family, frankly it stinks that their ancestors were lied to. Unfortunately, the version of history, which Sylva Sam represented had no business on the library steps on Cherokee land in one of the most visible and prominent locations in the beautiful downtown. This version of history was not representative of the reality of the Civil War. Sylva Sam was a symbol of the Confederacy and the Confederacy was a symbol of racism and white supremacy. Not only did Confederate monuments misrepresent the atrocities of the period, the Confederacy misrepresented the people of Sylva under the guise of public art. The presence and absence of certain people and events in artwork affected the narrative they told their community. To many, Confederate monuments glorified inequality, white supremacy, racial discrimination and bigotry. These monuments and their long tenure in the public square were symptoms of larger issues of systemic racism and white privilege. Public art reflected and made permanent their deepest beliefs, both good and bad. Public art could express community values, enhance their environment, transform a landscape, heighten their awareness and question their assumptions. It was for everyone, a form of collective community expression. It was a reflection of how they saw the world and how the world saw them. How did they want the world to see Sylva?

(ff) Amy McKenzie (via Zoom video conferencing) stated she was a homeowner, taxpayer and voter in Sylva. She wanted to request they vote to take down the statue of the Confederate soldier and the images and writing under it. She did not want it to be so central above Main Street in her town for the next 100 years and see what changed. The Sylva Town Board passed this and she thanked them for their leadership. She looked to them to be leaders for change in the county. She had attended their recent meetings and appreciated their thoughtfulness, caring and camaraderie. She asked them to apply them to this vote and really hear what was being requested to relocate an image and reminder of the mindset of the Confederacy. It was to secure the ability to thrive for all of the residents of the county and the region. It was on the steps to the library now because it was dedicated on the steps of the courthouse. She remembered the message of exclusion and inequality before the courthouse moved. Once the statue had been moved, she looked forward to having discussions about freedom, family history and belonging with other white people in the county and working to bring about justice and peace with them and her neighbors who were black, indigenous, Latinic, Asian and otherwise unlike her in race or ethnicity, but they were alike, they were neighbors, they were human. A vote to remove the statue would be a vote for peace and justice. It would be a vote beyond surviving, but rather thriving.

(gg) Christina Sutton (via Zoom video conferencing) stated she was born and raised in Jackson County and she had not been paid for advocating for what was right. Her Cherokee ancestors were there before anyone's great-great-great Civil War grandfather. She wanted the statue relocated. It honored the Lost Cause and it offended many people that lived in the community as well as visitors. Vote to relocate.

(hh) Jacob Jones (via Zoom video conferencing) stated he was born and raised in Sylva. He could trace his ancestors back to many Confederate ancestors that fought in the War. One in particular was named Jehue Jones that fought in the 69th North Carolina Infantry and died in 1863 at Strawberry Plains, Tennessee. Upon hearing of his death, one of his brothers rode to Tennessee, brought his brother back across the Smokies and buried him the Old Fields Cemetery in Jackson County. This was his reason for supporting keeping the statue where it was, like it was. Statues were not racists. This statue had not caused a problem for the 105 years it stood there on the courthouse steps and had been there and had not been a problem. It was a national trend getting a lot of attention and he thought it had no part there. He hoped they would choose to leave it there. He thought it was something decided by the people of the county. The statue represented many other people in the county whose ancestors fought and he thought it was something that should be decided by them.

(ii) Natalie Newman (via Zoom video conferencing) stated that she was standing on the steps of the courthouse and this was a ticking time bomb. The Sheriff was there and the Sylva Police was aware. They were there protesting and the counter protesters showed up. There was a man with a hammer on the property spewing the “N” word repeatedly. She was asking them to make a decision to protect the people of the town. She was not talking about just the black citizens like her, she was talking about the people that were standing up for what was right. They were not just threatening black lives they were threatening anyone that stood with them. They had seen this in history before. They saw the pictures in the 1960’s when people were protesting and it did not matter if they were black or white, they water hosed and beat them too. Do what was right and protect all of the citizens by voting to relocate the statue. This was a serious issue and she did not know if they were taking it serious. The town was divided over a racist statue. She lived in the county for almost five years, owned property, worked, voted, owned a business and contributed to the community and was treated like a dog by people that believed the statue represented their heritage. To hear a white person say that she was safe, they were wrong. She was disappointed in where they were right now. They needed to do what was right by all of the people. She hoped they made the right decision moving forward.

(10) TOWN OF SYLVA RESOLUTION / CONFEDERATE MONUMENT: David Nestler, Town of Sylva Commissioner (via Zoom video conferencing) stated he was there on behalf of the Sylva Board of Commissioners to present a resolution for relocation of the Confederate monument. The majority of the Sylva Board officially requested that the Confederate statue be relocated to outside of Sylva City Limits.

He wanted to speak on behalf of the majority members of the Sylva Town Board that voted in favor of the resolution and he wanted to clear up a few misconceptions about the resolution and what it meant for the County Board of Commissioners. They were not saying that the statue should be torn down and thrown away and they were not saying that the sacrifice that the community members made during the Civil War was something to be forgotten. What they were saying, was that it was not something to be celebrated. They were saying that the community did not put the Confederate soldier’s sacrifice up on a pedestal above the sacrifices that other members of the community had made, including those of the enslaved people who lived and suffered in the community.

It was time that they reconcile with this sad chapter in history and place the statue in a place appropriate for somber reflection instead of glorification. The Town of Sylva today would never choose such a symbol to represent their diverse and thriving culture and they would never choose such a place of prominence for what should be a somber memorial. The debate before them was not necessarily about whether they thought the statue was a symbol of hate or heritage or both or neither. They needed to decide whether or not they could continue to force this statue upon a community that had rejected its presence and who did view it as a divisive symbol.

Despite the county owning the statue, it was located in the heart of their downtown. They had put a lot of time and thought into how their public spaces were a reflection of the community and also how their community was then a reflection of their created space. Through well thought out design and management, they shaped that space to be one where everyone felt comfortable and welcome, but most importantly safe.

What they were holding over their downtown was a symbol that, to many of their residents, represented hate. It was dividing their town and was creating a very unsafe space and that was never going to go away until that statue went away. Removing just the Confederate flag would not make this problem go away. Changing inscriptions would not make this problem go away. The meaning and symbolism of that statue were quite literally set in stone and words would not change that.

There was an article recently in a national publication titled “Twelve of the South’s most racist monuments”. Fortunately for the County Commissioners, Jackson County was not listed in that article, but Sylva was. Sylva was being hurt by this statue and this needed to end. Take action to honor their town’s request to have the statue relocated.

Chairman McMahan stated that they had heard very passionate comments from both sides. Over the course of the last several weeks. They had received several comments, phone calls, emails, texts and in-person visits. He thought they knew this was a very passionate topic for a lot of folks in the county. He thought it had been stated by many that night, he thought they all would like to see the issue laid to rest. There were so many other issues that they needed to be focused on and he could name a whole list of those issues.

Motion: *Chairman McMahan moved to deny Sylva's request to relocate the statue and by doing so, they were affirming that the statue would remain where it was located at the present time and that they would cover the Confederate flag with a plaque that would state Jackson County's involvement in the Civil War with the names of the troops that came from Jackson County. Commissioner Luker seconded the Motion.*

Discussion:

Commissioner Deitz stated there was not enough time that night or the rest of the year to discuss all of the problems in the situation that they were in. He was 72 years old and he had seen a lot go down the pipe in the county. They moved into the black community on Scotts Creek when he was four years old. All of their neighbors were black. They did not call them black folk, they called them colored folks. They were the best people in the world. They worked together, his dad would plow for them and they would come help his dad. It was just pretty awesome. They had a good relationship.

People came to this county to live and stay, not because of the mountain or water, they came there because they had good people. They had people in the county that were racist – he did not like it and no one should like it. He had lost some friends by correcting them for using the “N” word. He wished he had a great answer for what was about to happen.

When Paul Buchanan was the superintendent, they integrated the schools in the county. The black school was in his neighborhood. They did not even think anything about it. When he was a sophomore in high school, Mr. Buchanan decided they were going to integrate schools in the county. On his death bed, he told him about Senator Sam Ervin asking him to come to Washington and tell them how they were able to integrate the schools so smoothly with no problems. Did they have problems, yes they did, but all of the kids got involved in athletics. There were hard working black people in the county that had good jobs and worked side by side at the paper mill and other places together. He knew they still had problems, but his whole hope was that they could work together.

They could tear the statue down, throw it in the river or whatever they wanted to with it, but until people started addressing each other about some of the problems, that was when things would be better. He was going to do that, he had been doing that and he would encourage his grandkids. For anyone to say they did not take this serious – they had taken this serious. They had prayed about it and they had lost sleep over it. They did not want to make their friends mad one way or the other.

All of them had a duty to make a decision and they could make it and they would. Until all of them stopped fighting and started holding hands, they would not solve any of it, statue or no statue. He used to tell his football players about the book that said “All of the things I need to learn, I learned in kindergarten”. That was about taking naps, holding hands and being polite. He tried to teach that to his students, players, kids and grandkids. He did not believe taking a statue down would help unless they changed their hearts.

Commissioner Woody stated that she wanted to comment on the decision she had made, which had been a difficult one. She had tried and worked very hard to listen to all viewpoints. A couple of the people that made public comments asked if they had talked to any citizens. She had talked to many citizens, listened and asked questions. People that came up to her in the store, they would talk about the weather and she would ask them to let her know what they thought about the monument and how did they feel about what was going on.

She wanted people to understand that there were not just two sides, there were many sides. The continuum of viewpoints ranged widely. She talked to some people that changed their stand about the monument during this process of the different protests and things that had been going on. Some citizens told her they did not have an opinion, but recent events forced them to think in a new way about the monument and its meaning. Public discourse was important. Free speech was the foundation of the democracy.

There were two things that defined her decision that she wanted to share. She took the oath of office to uphold the law. She had been working diligently for over a year requesting the State of North Carolina to uphold the law and stop the blatant soil erosion and water runoff that was occurring in Jackson County. Runoff from development was causing terrible damage to the streams and the Tuckasegee River. She had written letters and talked to state officials including the Attorney General, asking them to enforce the laws of the state. If she voted to remove the monument, that was in violation of state law. It was unethical for her, as an elected official, to pick and choose the laws she upheld. Some had accused her of being scared or hiding behind the law. She did know that there were unjust laws, but she had taken an oath to uphold the law, unlike citizens in the county who were not elected officials and therefore had every right to suggest that they do not uphold the law. She did not have that privilege. She did feel that it was important for her if she was asking the state to uphold laws that protected the land and water, then she needed to be willing to uphold other laws. There were legal ways to change law and that may need to be done at some point, but at that time, they had a law General Statute 100-2.1(b).

There was also legal recourse for them to modify the monument because they owned it. She did feel strongly that the image of the Confederate flag on the base must be removed. It was an image that had become a symbol of hate and should no longer be a part of a monument in the community. She would also like to suggest that the words, "Our Heroes of the Confederacy" be removed from the base. Without these elements, the monument could then represent Jackson County residents who fought in any conflict from the Revolutionary War to the War in Afghanistan. Names of those who gave their lives could be put on plaques on the cement wall surrounding the monument. It could become a memorial remembering all who sacrificed their lives. In 1996, at the re-dedication of the statue, it was rededicated to memorialize all those who had given their lives.

Throughout history, artists have repurposed sculptures and given them new meaning. They had a chance to do just that there in Jackson County. She wanted to thank all the citizens who reached out to her expressing their concerns in person, in writing and through texts and emails. There were so many wonderful, thoughtful, people in Jackson County. They had many deeply, caring people there who loved the community and cared about the safety and the respect of each citizen in the county.

Commissioner Mau stated that he had a couple of quotes he wanted to read before he got into any of his comments. The first one went along with what everyone was talking about that night about how fast things were changing in the country.

"Whether it is naming a base or a monument honoring Confederates, I mean, clearly the Confederates wanted not a United States, they wanted Dis-United States, they wanted to leave the country, um, so why are we honoring them?"

The next quote was from a person that felt Confederate imagery represented people that waged war in the United States as well. "We don't have any statues up of King George. Why would we build monuments of people who have attacked the United States of America? You read the Articles of Succession, the number one reason that they are going to war, it says very plainly, is because we believe in the states' rights. That's where most people say, oh well, the war over northern aggression was because of states' rights. Read the rest of the sentence - the states' rights to slavery. You cannot read the same Bible I read and think it is okay to enslave a man".

The first quote was by Moe Davis, Democratic Candidate for NC House District 11. The second quote was by Madison Cawthorn, Republican Candidate for NC House District 11. They could see that at the national level, things were changing and things were changing in a hurry. One of those two gentlemen would be representing the entire region and they both had issues with Confederate statues.

As far as the resolution they had in front of them, he had a question. When he looked at the Report to the Citizens they would have later in the agenda, one of the beliefs they had as a Board of Commissioners was “For the best interest of citizens, it is important to work cooperatively with local municipalities and other governing bodies.” They had precedent where recently they worked with the Town of Dillsboro where they did not like something they were going to locate somewhere and guess what, they worked out a solution that they wanted. So they had a precedent of doing that as a Board.

The other issue he thought they may have and he understood this may be coming up in the work session on Tuesday, was as long as that statue was there, he did not think it laid anything to rest. He thought right now, Commissioner Woody mentioned free speech, he thought they probably violated someone’s free speech recently. They had someone that wanted to put a billboard up to protest the statue on property owned by the county that probably, if they stood at the right spot, they could look at the statue and the billboard and they said no, they could not do it. If he was that group that wanted to put the billboard up, he would sue the county as soon as he could. That was the First Amendment to the Constitution - Free Speech.

Along with that, they had conversations, again, he was jumping ahead of what he guessed they would be talking about on Tuesday, but this was important to the discussion that night, they had the discussion about Christmas Trees up there, do they have to let Menorahs? If there was a symbol up there that symbolized hate whether the Confederate flag was or not, there were going to be people that thought it symbolized hate. Were they going to let something else be put up there, whether permanent or temporary, that was the total opposite of the Confederacy. He did not even know what symbol it would be, but that was something they had to consider if that element was up there.

The other thing that had come up was that it was a safety issue. It would continue to be a safety issue. If they covered it up, he could see the next thing would be who was going to go take the covers off, that sort of thing. It was costing the town and the county money. It sounded like there may be some costs that night. Then the economic issues came up. He knew that Air B&B wanted to do some things and he had talked to some other folks that said people would not publish photos with the statue in it. If they watched the “Old Rugged Flag” video very carefully, they would not see the statue. They made sure it did not show up and he guaranteed them there was a reason. He could go on for more, but he thought he had said enough at that time.

Commissioner Luker stated that as Commissioner Deitz said, this had not been easy. Anyone that thought it had been easy was a fool because they had lost lots of sleep and prayed a lot. Listening that night, the emails, the calls and the texts that they had gotten from both sides. One of his dearest friends spoke that night, Kelly Brown. Kelly had been a great friend and he hoped that he did not lose his friendship, but he had great friends on the other side also. Etta Lou Bradley was someone that he worked with for years at the Department of Social Services. He had to hear great friends and people on both sides.

This had not been an easy decision. He was going to take it back a few years to some of Chairman McMahan’s words when he was talking about the statue. His quote was “Taking down the statue does not remove the hate that was in people’s hearts”. That was so true. Coach Deitz spoke about it. They had a heart problem, they did not have a statue problem, they had a heart problem. They had to get past that with each other first. Chairman McMahan then went on to state that efforts to promote peace and harmony within the community, especially through the younger generations, demonstrated what it meant to love their neighbor and to honor and respect those others around them.

He did not care if it was him and his brother, they were on opposite ends of the spectrum. If they put both of them in a room, they were not going to agree on anything. But, at the end of the day, he loved his brother and he knew that he loved him. If it came down to it, his brother would be there to help him the same that he would be there to help his brother. That was how they should be as neighbors and that was how they should be as citizens of the county. It was not an easy decision. He did second the motion just so they could get to the discussion part, so there they were.

Amendment: *Commissioner Woody moved to make an Amendment to the motion to remove the words “Our Heroes of the Confederacy”. Chairman McMahan seconded the Amendment.*

Discussion:

Commissioner Woody stated that as she said in her comments, she believed that if they removed the symbols of the Confederacy, that would allow the monument to be thought of in a whole new light. It was repurposing it to represent those people who were the relatives of those families who originally put it up. But, it also could represent other Jackson County residents who have given their lives in other wars and conflicts. She believed it would be a way to repurpose the statue in its current location, but give it a whole new context.

Chairman McMahan stated that personally, he disagreed, from a comment standpoint because they did have other monuments that had the names of other conflicts or wars and had the names of the citizens of the county who fought in those wars and who died. This monument was dedicated in 1915 solely about the Civil War. To try to alter it and completely change it, they would eliminate the whole reason why it was put up, from a historical perspective about the Civil War. That was his personal comment.

Commissioner Deitz stated what Chairman McMahan was saying about the amendment, if they put something there that included other soldiers, that it would take away from those soldiers. If the memorial represented and thanked all of the soldiers that died or even just fought in wars that Jackson County had participated in. He thought there was a lot of to be said about what Commissioner Woody was saying.

He had three school mates killed in Vietnam and he did not believe there was anything around there that represented them. His dad was at Normandy Beach on D-Day. His daughter was dead and gone, but she was in the Air Force. There was a Myers that died in Beirut, Lebanon when the Marine Barracks were attacked and it killed 246 Marines. He thought there may be a monument at the High School for him. He did not see where it would take away from anything by thinking and representing all of the people from all over the county that fought for what they thought was the good of the county, state and country.

Chairman McMahan stated that just for clarification, he was not suggesting that it took away, he was just suggesting that there were other monuments that already honored the memory of those that died in those other conflicts. He was not sure if it was all inclusive because there had been conflicts since then that they had not updated. He was not suggesting it took away, but this one particular monument was built in 1915 solely to honor the Civil War dead. He just wanted to keep it within the context of what it was designed for.

Commissioner Mau asked Commissioner Woody about the insignia “CSA” on the satchel of the statue? He also wondered about the Union soldiers from Jackson County?

Commissioner Woody stated that in 1915 the Sylva Journal, they were invited to the dedication. It stated Union soldiers and their families were cordially invited, so there were some there.

The Motion to Amend failed by a vote of 3-2, with Chairman McMahan, Commissioner Luker and Commissioner Mau voting “nay”.

Original Motion: Chairman McMahan moved to deny Sylva's request to relocate the statue and by doing so, they were affirming that the statue would remain where it was located at the present time and that they would cover the Confederate flag with a plaque that would state Jackson County's involvement in the Civil War with the names of the troops that came from Jackson County. Commissioner Luker seconded the Motion.

Amendment: Commissioner Woody moved to make an Amendment to the motion to remove the words "Our Heroes of the Confederacy". Commissioner Mau seconded the Amendment.

Consensus: Reconsider the amendment to the motion. There were no objections.

The Motion to Amend carried by a vote of 3-2, with Chairman McMahan and Commissioner Luker voting "nay".

Chairman McMahan stated that the motion was now to leave the statue, cover the Confederate flag with a plaque that tells the Jackson County Civil War history, who the troops were that came from Jackson County and remove the words from the base "Our Heroes of the Confederacy".

Original Motion as Amended: Chairman McMahan moved to deny Sylva's request to relocate the statue and by doing so, they were affirming that the statue would remain where it was located at the present time and that they would cover the Confederate flag with a plaque that would state Jackson County's involvement in the Civil War with the names of the troops that came from Jackson County. Commissioner Luker seconded the Motion. An Amendment to the motion was passed to remove the words "Our Heroes of the Confederacy". The Amended Motion carried by a vote of 4-1, with Commissioner Mau voting "nay".

(11) HOUSE BILL 1023 CRF ALLOCATION FOR MUNICIPALITIES: Mr. Adams stated that this item was discussed at the work session. This was the summary of the allocations of the Coronavirus Relief Funds to the municipalities. They held a meeting with the municipalities and provided them with the grant applications. They were aware that their budgets were due to the Finance Office for submission to the state by the deadline. The request was to approve the following allocations:

• Dillsboro	5.67%	\$25,765.82
• Forest Hills	2.14%	\$9,736.39
• Highlands	0.22%	\$1,000.00
• Sylva	90.58%	\$411,583.26
• Webster	1.39%	\$6,322.54
• Total	100%	\$454,408.00

Motion: Commissioner Mau moved to approve the Municipal Allocations, as presented. Commissioner Woody seconded the Motion.

Discussion:

Commissioner Mau stated that this was coming from a couple of constituents curious about how this was working. Any money that potentially went to Jackson County Public Schools, was that a separate set of funds or was that included with what came to the county?

Mr. Adams stated that they had access to a separate set of funds. That did not mean that there could not be discussions about these funds, but they, along with SCC had access to a separate fund. Also, he did have a conversation with Daniel Manning, Executive Director of TWSA about access. His recommendation to Mr. Manning was that if there was a need from TWSA, then they should put together an application and submit it to the county along with the municipalities.

Motion carried by unanimous vote.

(12) REPORT TO THE CITIZENS: Olivia Stewman, Intern, stated that she was born in Jackson County, but was primarily raised in Macon County where she graduated from Franklin High School. After graduation, she moved to Boone to go to Appalachian State. She received her Science Degree in December, 2019. She was currently in the Masters of Public Administration Program, which she should receive in 2021 with an Associate in Town, City and County Management. She thanked them for the opportunity. She had a great experience and had learned a lot. All department heads and management had been great.

Over the summer, she was able to shadow each non-elected department, which did not include the Register of Deeds or Board of Elections. The objective was for her learning, but for the county it was to complete the Second Annual Citizens Report.

(a) The report provided:

- Department Goals
- Programs within the Departments
- General Overview of each Department

(b) Table of Contents:

- Governance. The governing body of the county, the Commissioners, set policies and regulated how the entire county government operated.
- Administration and Finance. In the administration office, each individual worked efficiently and effectively to make sure the functions of the county went smoothly. One of the most important aspects of county government was showing transparency and accountability to the citizens and she thought Jackson did a good job at that. She thought the Citizens Academy was a great program to teach citizens about how their government worked.
- Records and Development. When she visited Tony Elders, Director of Permitting and Code Enforcement, he talked with her about the department, the process of permitting and code enforcement and pointed out recent projects that he issued permits for.
- Economic Development. Rich Price, Economic Development Director, provided her with an overview of this department. He showed her maps and projects of real life examples.
- Human Services. When she visited the Senior Center, she was really impressed. Eddie Wells, Aging Director, prepared a PowerPoint for her to show all of the services that they provided. She thought this department displayed the county's values for all age groups.
- Government Services. She visited Parks and Recreation at the Cullowhee and Cashiers locations. Rusty Ellis, Director Park and Recreation and Michael Hopkins, Assistant Director, gave her a tour and overview of what they did. She was able to visit other locations such as Ralph Andrews Park and Judaculla Rock. The citizens of the county valued parks and recreation as it was a nature based community in a lot of ways.
- Government Support. Both GIS and IT were very important services. IT did not outsource, which was impressive. She thought it needed to be noted that GIS offered transparency and accountability to the community through the maps on their website. They also created a portal for the Coronavirus that they updated daily.

Informational item.

(13) PRESS CONFERENCE: Beth Lawrence with the Sylva Herald asked for clarification. They voted to leave the statue where it was, cover the flag and remove the words “Our Confederate Heroes”. The plaque would contain information about Jackson County’s involvement in the Civil War.

Chairman McMahan stated that was correct and the plaque would have troops that came from Jackson County. They would work on a draft of that for the Board to approve at a work session.

Ms. Lawrence asked if it was correct that Commissioner Mau voted against that?

Chairman McMahan stated that was correct.

Commissioner Woody stated that it was “Our Heroes of the Confederacy”.

Commissioner Mau stated that the comment was made to “lay this issue to rest”. His vote against that was that he did not think that laid this issue to rest by keeping the statue there. They would continue to have a problem.

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 9:46 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman