

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
APRIL 13, 2021**

The Jackson County Board of Commissioners met in a Work Session on April 13, 2021, 1:00 p.m., at Southwestern Community College, Burrell Building, Rooms C and D, 447 College Drive, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
Mark Jones, Commissioner	Angela M. Winchester, Clerk to the Board
Tom Stribling, Commissioner (via Zoom video conferencing)	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

Darlene Fox, Finance Director was present for the meeting.

(1) PUBLIC RECORDS POLICY: Kathleen Breedlove, Human Resources Director was present via Zoom video conferencing.

Mr. Adams stated the county did not have a formal Public Records Policy. He, along with Ms. Breedlove and Ms. Baker worked on this proposed policy. They would continue to provide information to requesters as soon as possible, but in the past year or so, they had been running into requests for tremendous amounts of information. They wanted to meet all requests, but they also had the ability to require requests for information to be under certain rules and they could charge fees.

For the most part, when requests were specific, it was easily found and did not require a lot of legal oversight, so they could respond quickly. When they received large records request that were very generalized, it did take a lot of time and effort. They wanted to make sure the policy was followed and the county was reimbursed when deemed appropriate.

Ms. Breedlove stated that NCGS 132 Public Records Law did not outline a specific procedure or form to request a public record. Therefore, the county developed a Public Records Process, a Public Records Request Form and a Public Records Request Fee Schedule. The process outlined the various entities to which requests may be made, how to submit a request and fees for producing copies of records.

In accordance with 132-6.2 the county may assess fees for different media as prescribed by law. Such fees were limited to direct, chargeable costs related to the reproduction and delivery of a public record as published on the county's website. Fee estimates greater than \$25 may require a 75 percent deposit prior to the duplication of the record.

If a public records request were to require extensive use information technology resources or extensive clerical or supervisory assistance by personnel involved, a special service charge may be assessed, which shall be reasonable based on actual cost(s) incurred for the extensive use of information technology resources or the labor costs of personnel providing the services. The requester would have the option to pay the charge or revise the request to narrow the nature or scope.

Payment must be made prior to the release of public documents. If payment had not been made within 30 days of when fees were incurred, the requester may not begin a new request until the amount had been paid in full. Advance payment in full may be required before work begins on a new request. The county may require a requester to inspect the requested information on site if deemed appropriate and necessary.

This process may be reviewed annually by the County Attorney and County Manager. The County Manager was given administrative authorization to implement this process to comply with NCGS 132 – Public Records, publish/update a fee schedule and to monitor compliance.

Ms. Baker stated that with most requests, they would answer as they normally did. When they received large requests that would take a long time to go through, they would respond with this policy.

Mr. Adams stated that the response to the large requests would be to narrow the request so that they could respond within a reasonable time. If they chose to not do that, they would have to follow the policy. They would respond to the majority of the requests the same as they had always done.

General discussions were held.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(2) HISTORIC DESIGNATION SURVEY: Michael Poston, Planning Director stated that in June 2020, the county contracted with Landmark Preservation Associates to conduct an architectural survey of approximately 200 resources dating to the 1945-75 period. The project, funded by the county, had two phases: a short planning phase and the survey proper, with fieldwork conducted between June and December 2020 and project finalization in early 2021. The planning phase characterized resources for survey and gathered relevant historical information for context. The survey phase resulted in the architectural survey or resurvey of approximately 220 resources, data entry into the N.C. State Historic Preservation Office (HPO) Access database and the completion of a project report, including recommendations for individual resources and areas that warrant consideration for the state's Study List of resources that were potentially eligible for listing in the National Register of Historic Places.

The project was undertaken by architectural historian J. Daniel Pezzoni of Landmark Preservation Associates and was supervised by Caroline E. LaFrienier, Jackson County Planner II, through December 2020. Michael Poston, Jackson County Planning Department Director, supervised the project from January 2021 on. Guidance was provided by Annie McDonald, HPO Preservation Specialist and was assisted by the Jackson County Historic Preservation Commission. The project area was the unincorporated area of the county as well as the towns of Sylva, Dillsboro, Webster and the Village of Forest Hills. Land in the county in federal ownership or management and the Qualla Boundary were excluded from the survey. The temporal range of the survey 1945 to 1975 reflected the fact that the project was a follow up to comprehensive county survey in the 1990's, which examined resources up to the 1940s. The thirty-year span from 1945 to 1975 therefore covered resources that were or would soon be considered historic but were not recorded in the previous survey. Field reconnaissance during the summer of 2020 determined a lack of previous survey of pre-1945 resources in areas of Balsam and Sylva that appeared to have historic district potential and after consultation between the county, HPO and the consultant the decision was made to extend survey coverage to the pre-1945 period in certain circumstances.

The survey entailed the field documentation of selected resources involving photography and the noting of architectural features. Property histories were determined largely from secondary sources and primary sources, such as period newspapers and interviews with knowledgeable individuals. The survey was conducted in two subphases with the first occurring in June-August 2020 and focusing on resources in incorporated communities. The second in November-December 2020 focused on rural properties and properties outside incorporated communities.

The principal product of the survey was approximately 220 property records entered into the HPO's survey database and generated as paper files archived at the HPO's Western Office in Asheville. A digital version of the property records and photographs was provided to the county. Another product was a final report that summarized the project findings, a brief historic overview of the county during the mid-twentieth-century period, a more in-depth architectural discussion and a Study List recommendation, which were presented at the February 2021 meeting of the N.C. National Register Advisory Committee (NRAC). The report also included recommendations for follow-up work, such as additional survey (general and targeted/thematic), National Register nominations and publication.

Informational item.

(3) BUDGET CALENDAR: Mr. Adams presented: Budget Calendar:	
April 13 th at 1:00 p.m.	Regular Commissioner work session – Summary of all new requests
April 19 th – 30 th	Manager/Finance budget meeting with Departments and Agencies
May 11 th at 1:00 p.m.	Regular Commissioner work session – Capital Projects, update on new requests
May 18 th at 1:00 p.m.	Regular Commissioner Meeting – Manager’s recommended budget
May 20 th – 21 st at 8:30 a.m.	Special called budget work session to hear presentations, if needed (safety, education, nonprofits, other departments)
June 1 st at 6:00 p.m.	Regular Commissioner meeting – Budget Public Hearing
June 3 rd – 4 th	Special called budget meeting, as needed and regular work session June 8 th at 1:00 p.m. to make final adjustments
June 15 th at 1:00 p.m.	Adoption of budget

Commissioner Deitz stated that he would start chemotherapy treatments soon on Thursdays and may have a conflict with Thursday or Friday meetings.

Mr. Adams stated he would look at dates for Tuesdays and Wednesdays and bring this item back to the Board next Tuesday.

Informational item.

(4) SUMMARY OF FY2021-22 BUDGET REQUESTS: Mr. Adams presented:

- (a) Capital Outlay Detail: Total Equipment \$2,635,224,.87
 - (b) Capital Improvements Detail: Total Capital Improvements \$4,364,130.08
 - (c) Personnel Changes: Total additional increases \$969,851.95
- General discussions were held.

Informational item.

(5) HEALTH INSURANCE RENEWAL: Mr. Adams presented: Medical and Dental Rates FY2021-2022: The total Health Plan cost increased 3% for the Employer contribution. Employee contributions remained the same. Increase per employee would be \$35 per month or \$420 per year to the employer with no increase to employee rates and no change in benefits. Rates were effective July 1, 2021.

Chairman McMahan stated they had been working to align the start of the Plan date with the budget. Did they accomplish that?

Ms. Fox stated yes they did. The new Plan would start on July 1st.

Mr. Adams stated that the current Plan was extended to June 30th, which gave more than a 12-month year.

Chairman McMahan stated that it would be important to let employees know going forward that the annual amount paid in towards meeting deductibles would be based on July 1st to June 30th instead of a calendar year, which was used in years past.

Ms. Fox stated that would be discussed at open enrollment.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(6) CULLOWHEE VFD REVISED BUDGET: Mr. Adams presented a revised budget for Cullowhee VFD. The revisions included the proposed revenues that would come in for their operations. There was a total need for additional funding of \$1,076,789.00. Under the current revaluation, assuming there were no major changes after the appeal process, one penny would cover the requested budget from Cullowhee VFD.

Commissioner Woody stated that she thought it was important to point out the information she learned that a lot of the funding went toward mutual aid. There was so much support from one fire department to another within the county. She thought people needed to be aware of that in the communities because she was not aware of it. Also, the fact that with the full-time employees, it would benefit the entire county. That would be a huge benefit to health and safety in the whole community.

Commissioner Jones stated that also every department in the county that obtained lower fire ratings was supported by Cullowhee VFD. That enabled those areas to have a lower rating, which was a value in those communities.

Chairman McMahan stated that as he had stated before, Cullowhee VFD provided mutual aid to every department. Cullowhee VFD was essential for all of the other departments to be able to have their ratings lower as well.

Commissioner Stribling stated that he was all for that.

Informational item.

(7) FIRE BUDGET REDUCTIONS AND OPTIONAL FUTURE DISBURSEMENT:

Mr. Adams stated that this item followed through with conversations the Board had regarding other fire departments. He, along with Todd Dillard, Emergency Management Director and Michael Forbis, Fire Marshal, were scheduled to meet with the fire chiefs on April 22nd to continue these types of conversations from the direction that he received from the Board. He wanted to proceed forward to discuss how they could assist the other fire departments, not including Cullowhee or Cashiers, since they were or were going to full-time operations.

He wanted to provide information and receive feedback from the Board. If Cullowhee VFD went to a full-time status and they were awarded the budget he presented, then funds would be freed up in the county's general fund fire budget.

He presented:

(a) Fire Budget Reductions/Additions:

- Salary and Benefits: \$64,527
- Cullowhee Fire Operations: \$157,562
- Cullowhee Building Debt Payment: \$200,271
- Total: \$422,360
- Hold for Grade adjustments on FSDC: \$22,360
- Funding remaining for five departments: \$400,000

(b) Potential Distribution Options: The concepts that he would discuss with the fire chiefs were related to the justification of the Cullowhee VFD. The number of calls and the types of calls they were responding to and the stress this was putting on volunteers were the elements of what was driving them to move to full-time. There were things that the county could do to help relieve the pressure of the problems other departments faced. It was good policy to talk with the departments to let them say what their needs were. The intention was to help relieve the issues with the volunteer base.

Ms. Fox presented:

- Option One: Percentage based on stations and substations:

<u>Annual Contract Funding Amounts</u>	<u>Current Year Funding</u>	<u>Additional %</u>	<u>Additional Amount</u>	<u>Total Amount</u>
Main Station				
Canada	\$101,175	17%	\$68,000	\$169,175
Main Station + 1 Substation				
Balsam	\$121,409	20%	\$80,000	\$201,409
Qualla	\$121,409	20%	\$80,000	\$201,409
Sylva	\$121,409	20%	\$80,000	\$201,409
Main Station + 2 Substations				
Savannah	\$137,327	23%	\$92,000	\$229,327
TOTAL FUNDING	\$602,729		\$400,000	\$1,002,729

- Option Two: Percentage based on five-year average of calls:

Department	2016	2017	2018	2019	2020	Total Calls	Average	% of Calls	Additional Amount
Balsam	259	260	258	257	172	1206	241	11.64%	\$46,568
Canada	122	113	108	88	75	506	101	4.88%	\$19,539
Qualla	568	563	640	635	511	2917	583	28.16%	\$112,636
Savannah	460	334	343	281	252	1670	334	16.12%	\$64,485
Sylva	860	826	770	855	751	4060	812	39.19%	\$156,772
	2269	2094	2119	2116	1761	10359	2072		\$400,000

- Option Three: Hybrid 50% substation/50% calls:

Canada	\$34,000	\$9,769	\$43,769
Balsam	\$40,000	\$23,284	\$63,284
Qualla	\$40,000	\$56,318	\$96,318
Sylva	\$40,000	\$78,386	\$118,386
Savannah	\$46,000	\$32,242	\$78,242
	\$200,000	\$200,000	\$400,000

General discussions were held.

Chairman McMahan asked the Board if there was a general agreement to potentially explore these options?

Commissioner Jones stated yes. He thanked Mr. Adams and Ms. Fox for their work on this issue.

Commissioner Woody stated that she really liked the idea of asking the departments because she thought it was obvious they each had very different situations and needs.

Chairman McMahan stated this was only for the Board's education that day. Mr. Adams would meet with the fire departments later in the month and after that, they could have more detailed conversations about what may be recommended from the other departments.

Informational item.

(8) OTHER BUSINESS:

(a) Mr. Adams stated that the North Carolina Association of County Commissioners 114th Annual Conference would be held on August 12th – 14th at the Wilmington Convention Center. Members could attend in person or via Zoom.

Informational item.

(b) Mr. Adams stated he spoke with Chad Parker, Public Works Director, who wanted him to let the Board know that at a previous meeting, he indicated that he did not believe the issues and changes in law with the SRC sites would impact providers in the Sylva area. Apparently, there were a couple of small providers that were using the Mineral Springs SRC site occasionally that would now have to use the Transfer Station. Those sites were on the same road and should not be a major impact.

Informational item.

(c) Commissioner Stribling stated that he wanted the Board to recognize and consider the adoption of a resolution declaring Jackson County a constitution protecting county. The Chairman of the Haywood County Board of Commissioners shared a resolution they adopted and he forwarded it to each of the Commissioners.

Chairman McMahan suggested to schedule the item on an upcoming work session agenda after they had a chance to read it so they could discuss it and consider taking action.

Informational item.

(d) Commissioner Stribling stated that he wanted the Board to receive consistent updates on the ongoing opioid problem in the county. He thought something needed to be done on this. Maybe they could initiate something with the Sheriff because it was really getting out of control.

Chairman McMahan stated that in the past, they held a county forum on the opioid crisis and had it on their agenda several times. It may be time to have an update to make them aware of all the different components of the entire opioid issue to include statistics, what was being done and what needed to be done potentially. They could get guidance and direction to put them in a better position to make sure they were putting their resources and efforts in the right area.

Informational item.

(e) Commissioner Jones stated that he wanted the Board to consider and discuss, at an upcoming meeting, renaming a section of highway for Conrad Burrell. He was not familiar with the discussions that were held in the past, but he had some thoughts of his own.

Chairman McMahan requested staff to research the issue and to provide a copy of what took place to the Board.

Informational item.

(f) Commissioner Woody stated that Mr. Poston had been working diligently on using the infrastructure of the temporary bridge between Sylva and Dillsboro. The DOT was going to take it apart, but the infrastructure would still be there. Mr. Poston had been working with the Town of Dillsboro and the Appalachian Women's Museum. There was some exciting potential to have a walking/bicycle bridge across that span of Scotts Creek.

Informational item.

(g) Chairman McMahan stated that he wanted to continue discussions concerning the Confederate Statute. He and Commissioner Woody agreed to work on draft language for the plaque that would be adhered to the monument base. This would give the Board a chance to look at the language, think about it, have comments or suggestions and put them on a path to move forward. This would also give Mr. Adams something to work with potentially to get pricing and come back to the Board with more details, if this was in the direction they wanted to go in.

He proposed to cover the flag with a plaque stating:

*Jackson County
N.C.
Civil War Memorial
This monument was erected by
citizens of Jackson County in
memory of those who died during
the American Civil War.*

*Originally Dedicated on
September 18, 1915*

*Rededicated on May 11, 1996
to honor Jackson County Veterans of
all wars.*

E Pluribus Unum

The portion on the base that read “Our Heroes of the Confederacy” would be completely removed. Commissioner Woody had a great suggestion to place the unofficial national motto “E Pluribus Unum”, which was Latin for “Out of many one”. This would be going with a theme that the nation was divided, but it came back together after the Civil War united as one. They could add three stars above E Pluribus Unum, if they wanted. Those would be the only recommended changes to the monument.

Commissioner Jones stated that he thought they did a good job.

Commissioner Stribling asked why they had to cover the Confederate flag part?

Chairman McMahan stated that the previous Board voted to do that. They were requested by the Town of Sylva to completely remove the monument, but the Board voted to not take it down. As a compromise, because it was stated the most offensive part of the monument was the Confederate flag, they agreed to cover the flag portion with a plaque. That was what brought them to where they were that day.

Commissioner Stribling asked if everyone voted to have the flag removed?

Chairman McMahan stated that everyone voted to have the Confederate flag removed.

Commissioner Stribling stated that was a shame. That was history. He did not understand that, but they voted on that so he had no say so.

Chairman McMahan stated that they did not want to do any more than they had to on the monument. They wanted to minimize the amount of changes. It had been suggested by people in the community to place all the names of the soldiers, but that would be a difficult task to find all names and make sure they did not leave anyone out.

Commissioner Woody stated they had thought about doing some contextual story boards that would be similar to the ones seen at historic sites throughout the nation and in the county. The boards would expand on the information that was factual to help people understand. They felt that would be the best place to list the names and even the different companies the soldiers from the county served under. Also, Jason Gregory had done extensive research and found Union soldiers that were citizens of the county and their units that were represented. This would give a truer picture of the involvement of people from Jackson County in the American Civil War.

Chairman McMahan stated that the boards could be placed out beside the monument where citizens could view the monument and the historic architecture of the entire hill. There would be a story board with information and history with the assistance of the local historians.

Commissioner Woody stated that she thought there had been some valid concern to not leave names out. With the story boards, if names were found later, it would not be difficult to add them.

Commissioner Deitz stated that the proposed language was somewhat simple. He knew they had put a lot of time into it and he appreciated them doing so. He thought they had a desire to, in some way, try to bring people together in the country, state and county. He thought that was part of what he saw they had done.

Chairman McMahan stated this was just informational and they could take this up at a later date.

Informational item.

There being no further business, Commissioner Jones moved to adjourn the meeting. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 2:51 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman