

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MAY 11, 2021**

The Jackson County Board of Commissioners met in a Work Session on May 11, 2021, 1:00 p.m., at Community Services Center, 538 Scotts Creek Road, Conference Room 243, 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 and recognized Shelley Carraway, Health Director. This was the first time the Board had been in the newly renovated Community Services Center in an official capacity. It was a great opportunity to be there that day.

Ms. Carraway expressed appreciation to the Board for their patience and support on the project. She would provide a tour of the facility after the meeting. Also, she wanted to note that Melissa McKnight, Deputy Health Director would be leaving the county with her last day being May 21st. They could not have gotten through everything without her. She was a gem and they would miss her.

Ms. McKnight stated that it had been an honor and pleasure to work for the county over the past nine years. She thanked them for the opportunity to work there and serve the community.

Chairman McMahan stated that they would not be where they were that day without Ms. McKnight's hard work.

(1) BLUE RIDGE PUBLIC RADIO FEE WAIVER REQUEST: Michael Poston, Planning Director, was present for this item. Jason Reed, Director of Technology, Blue Ridge Public Radio, was present via Zoom video conferencing for this item.

Mr. Poston stated the county received a request from Blue Ridge Public Radio (BPR), who had been working with the Airport Authority and Ms. Baker to look at placing an antenna on an existing tower at the airport. Previously, they leased a space for another frequency, but they were also acquiring 90.5 from WCU and incorporating that into their holdings.

The request was to waive the \$1,000 colocation fee for the antenna on airport property. BPR would still be responsible for obtaining all necessary permits under the Planning Department and would continue to work with the Airport Authority to finalize the lease agreements. This request was not for any regulatory framework to be withdrawn, this was simply a fee waiver request.

Mr. Reed noted that they would be broadcasting BPR News to the county, so they would be adding a new service by adding this antenna.

Chairman McMahan stated that they had done this before with BPR, so there was a precedent.

Commissioner Jones stated that the Airport Authority was fully supportive of this.

Commissioner Woody stated that she appreciated BPR expanding coverage to local communities and Lilly Knoepp's series on the seven western counties.

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

(2) MEMORANDUM OF AGREEMENT NORTH CAROLINA OPIOID SETTLEMENT AGREEMENT:

Ms. Baker shared information and a PowerPoint that the North Carolina Association of County Commissioners (NCACC) had sent out. Once a federal settlement occurred and North Carolina received an amount that they thought would be approximately \$850 million, counties would only directly receive 15% under the automatic allocation. With the Memorandum of Agreement developed by the NCACC working with the 5-5-5 Committee, along with the North Carolina Department of Justice, each county in North Carolina that signed off on the memorandum would receive directly 85% of their allocated share.

For Jackson County, the amount would be approximately \$4 million over 18 years, but they would receive the majority in the first three years. North Carolina was working to be proactive on how this would be allocated to counties so that when the settlement occurred, this would already be in place for distribution. There was no specific deadline, but the goal would be for everyone to have this done by October.

The NCACC and the Department of Justice stated that they wanted all 100 counties on board, but there was some indication that as long as a majority of counties signed off, they would proceed in this way.

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

(3) BUDGET REQUESTS FY2021-22: Darlene Fox, Finance Director, was present for this item.

Mr. Adams stated that he and Ms. Fox had been meeting with all of the departments and operations over the last couple of weeks. He provided the Board with an updated summary of budget requests:

- (a) The Nonprofits list included the requests, the percent of increase and new requests.
- (b) Capital Outlay Detail. There was an addition of security cameras for the Library Complex.
- (c) Capital Improvements Detail. There were several changes/additions:
 - Increase in the amount for the Cashiers Library sidewalk from \$25,000 to \$50,000.
 - East LaPorte Park: \$65,000 for picnic shelter replacement (movement of funds from another area).
- (d) Personnel Requests:
 - Tax Administrator requested two new positions in the re-evaluation budget.
 - Fire Budget:
 - Proposed existing Fire District Service Coordinator grades to be increased from 18 to 20.
 - Five new positions to be funded for Balsam, Qualla, Canada, Savannah and Sylva.
 - Request to bring Processing Assistants at the Health Department to match other employees in that area. Code Enforcement Assistants would be moved under the Health Department in order for the One Stop to work appropriately.

These included all of the changes made since the original requests. They identified these items as they went through the details and as they went through the budget process. On Tuesday May 18th, he would present the Manager's Recommended Budget.

General discussions were held.

Mr. Adams stated that he believed they would have a lot fewer nonprofits appear before the Board. Also, coming up in the summer, they would need to develop plans for the Recovery Act funds. He had briefly mentioned to the Board that he hoped they could move forward with priority for Human Services. He and Ms. Fox had discussed revenue replacement for recreation, etc., but he also believed there was a provision that allowed for partnerships with nonprofits with the Recovery Funds.

Part of the overall plan, past the budget process, would be to start designating a portion of the funds and challenge the nonprofits to come in and work within the rules provided for the funds. He did not know what a recommended amount to set aside would be, but to set aside monies, specifically for nonprofits, who could partner with the county to achieve the goals for the American Recovery Act Funds.

Commissioner Jones stated that there was some recovery funding that could be used for transportation and transporting individuals to work locations. This could jumpstart some ideas to create some public-private partnerships they had discussed.

General discussions were held.

Commissioner Woody stated that Teen Challenge of the Smokies, a nonprofit group, had reached out to her about receiving funds. They were one of the few entities that directly served opioid and drug addicted individuals in the county. They also just expanded to provide job training.

Informational item.

(4) MEETING SCHEDULE: Mr. Adams presented the upcoming meeting dates:

05-18-2021	6:00 pm	Regular Meeting	A201
05-24-2021	8:30 am	Special Budget Work Session	SCC-Burrell Building
05-25-2021	8:30 am	Special Budget Work Session	SCC-Burrell Building
05-26-2021	8:30 am	Optional – Special Budget Work Session	SCC-Burrell Building
06-01-2021	1:00 pm	Special Budget Work Session	SCC-Burrell Building
06-01-2021	5:55 pm	Budget Public Hearing	A201
06-01-2021	6:00 pm	Regular Meeting	A201
06-02-2021	1:00 pm	Special Budget Work Session	SCC-Burrell Building
06-07-2021	1:00 pm	Optional - Special Budget Work Session	SCC-Burrell Building
06-08-2021	1:00 pm	Work Session	A201
06-09-2021	1:00 pm	Optional - Special Budget Work Session	A201
06-15-2021	1:00 pm	Regular Meeting	A201

Informational item.

(5) VOLUNTEER FIRE DEPARTMENTS BUDGET DISCUSSIONS: Mr. Adams stated that the Board had been in conversations regarding Cullowhee Volunteer Fire Department moving to full-time status. The Board indicated a willingness to look at a potential overall general tax rate increase of one cent to help fund that. Previously, the Board discussed that once the Cullowhee Volunteer Fire Department went full-time, there would be approximately \$400,000 in the fire fund that would become available. The Board wished for the County Manager to meet with the fire chiefs and have a discussion about their needs.

On April 26th, county staff met with five fire chiefs. The purpose of the meeting was to discuss the \$400,000 that may become available in the fire fund if Cullowhee VFD became a full-time operation. Cashiers-Glenville VFD, Cullowhee VFD and Highlands VFD did not attend because funding for their operations would be handled differently.

The following were in attendance of the meeting:

- Chief Brian McMahan, Balsam-Willets-Ochre Hill Fire Department
- Chief Terry McCall, Canada Fire and Rescue Department
- Chief Kent Moore, Qualla Fire and Rescue Department
- Chief Mike Beck, Sylva Fire Department
- Chief Floyd Green, Savannah Fire Department
- Don Adams, County Manager
- Todd Dillard, Emergency Management Director
- Michael Forbis, Fire Marshal

The following items were discussed regarding additional funds:

- The five fire chiefs agreed that an additional administrative person at each fire house would greatly assist in their operations. Estimated costs, including all benefits, for all five positions would be \$270,910.
- The fire chiefs would also like to see some type of pay per call provided to each member that responded to an emergency. It was recommended that this pay per call be set at \$12 per call. The remaining \$129,090 would be used to cover these costs.
- The fire chiefs also discussed that there were needs regarding personal protective equipment. It was requested that the Commissioners consider assisting with these needs. It was requested that the county be prepared to expend \$50,000 per department (\$250,000) to match other funding sources (grants, donations, Town of Sylva) to go towards the purchases of personal protective equipment. This would be an allocation from the county's fund balance.

This may be a continuing conversation, he thought they should initially look at this as a one-time expense and see how the fire departments came back and submitted their requests.

Chairman McMahan stated that the state grant cycle opened in February and announced the award in May. Federal grants were open in the spring and announced the grants from FEMA in September. A lot of the departments applied for the federal FEMA grant 15 years ago and were awarded for new equipment. The departments were able to buy new equipment at the same time, but it all expired at the same time.

Most departments were coming up on the 15 years for replacement. If they could get them on a grant again and cost share, then it made it much more achievable. If the departments could buy together in bulk, it could mean they would get a better price. There was a lot of discussion about how to approach this to provide the protective equipment and meet the requirements in a cost effective way to benefit everyone. Also, the three items discussed were unanimous by all five departments.

Commissioner Jones asked if the \$250,000 had been set aside for matching grants?

Mr. Adams stated that because of the timing, it would take some time for the fire departments to find out what other funding sources were available. All of the fire chiefs agreed, if there were other funding sources, they would attempt to go with them. At that point, instead of setting the funds aside, the county did have a good fund balance and the Board could go ahead and set this as something they intended to do. When the fire departments were in a place to come make their requests, it would then just be a fund balance allocation.

Commissioner Woody stated that she was so pleased they approached it in this way by getting the fire departments together. Did they get a sense that the fire chiefs felt this was approached in a fair way? Did they feel it was right for Cullowhee to have full-time?

Chairman McMahan stated that he did not hear any negative expressions about Cullowhee moving to become a full-time staffed department, nor had he heard those expressions from any of the individuals privately. He went as far to say to the group that Cullowhee had spent quite a bit of time coming up with a plan, presented the plan to the county and was ready to move forward.

If any point in the future any of the other departments felt the same, then the opportunity and the door was open for them to make a presentation as well. They all recognized that they all relied on each other for help through mutual aid agreements. None of them could do what they did without the help of the others.

Mr. Adams stated that this item would be addressed in the recommended budget.

Chairman McMahan stated that in the same line of thought, he requested staff to look at the rescue squads as he thought they suffered from some of the same issues that the fire departments suffered from as far as recruitment and retention. There may be some opportunities to assist them in some way.

Informational item.

(6) CONRAD BURRELL ROAD NAMING: Mr. Adams stated that this item was in response to a request from Commissioner Jones. He presented information from April, 2020, when this item was previously discussed, including the following summary: Renaming a portion of a highway checklist:

- NCDOT Application – completed.
- NCDOT Character Certification Form – completed, unsigned.
- Map - Description with no map.
- Resolution passed by the Jackson County Board of Commissioners - Draft Resolution
- A copy of the meeting minutes that state the resolution was passed and the opportunity for public input was provided.
- A minimum of 3 recommendation letters (civic, business, or service organizations) – Two letters from: Sylva Rotary and Southwestern Community College.
- A letter from the family indicating that they were aware of and approve of the honorary designation – Letter from family.
- Written documentation that affirms the willingness of the local government or sponsor to participate financially by paying an administrative fee of \$2,000 to offset costs associated with the program.

Chairman McMahan requested that Commissioner Jones follow up and make sure these items were checked off.

Commissioner Jones stated that it was his understanding that a third letter of endorsement was needed. He would follow up on the information.

Commissioner Deitz asked if Commissioner Jones was going to follow up, did that mean that was what they were going to do?

Chairman McMahan stated that Commissioner Jones had requested this item be back on the agenda. They would need to complete the checklist before they could consider the item for a vote.

Commissioner Deitz stated that he did not understand why they were doing this again.

Commissioner Jones stated that it was new information for him as he was not part of the original discussions. He had numerous individuals call him requesting that the Board revisit this issue

Commissioner Deitz stated that they had decided not to do this. The biggest reason they decided that was nothing against Mr. Burrell, but he had been recognized, prominently. There were other prominent people in the county that had never been recognized. Why did they keep recognizing one person over and over? Someone mentioned Mary Jane Queen, a musician known throughout the country. Others mentioned were Coach Robinson and Bob Setzer - some people that did a lot for Soil and Water and Wildlife. They were not considering that. He did not understand why they were doing this again and asking someone else to write a letter.

Commissioner Jones stated he thought the Burrell Building at SCC campus was a dedication to Mr. Burrell's service at STI and SCC. The other side of that recognition was to honor all the work Mr. Burrell did for Western North Carolina and projects in the county from the DOT's perspective. He knew Ms. Queen, Coach Setzer and worked with Dan Robinson. All those were great and they should look to give them recognition. He thought there was a lot of opportunity to recognize those individuals as well.

Chairman McMahan stated that the last time this was brought forward, the vote that was held by the Board was a 2-2 vote, which meant the motion failed because there was not a tie breaker. Commissioner Jones requested this item be placed on the agenda, which any Commissioner had the right to do. Any Commissioner that did not want to vote on it the next time they considered it, that was their prerogative.

Commissioner Deitz stated that this was strictly a political thing.

Informational item.

(7) **MONUMENT PLAQUE:** Mr. Adams stated this item was proceeding forward with the conversation about the wording on the statue. He provided a quote from AOA signs for the amount of \$11,190.85 plus \$1,910.00 for installation. The price included a fabricated aluminum panel/pedestal wrap and cast bronze plaque to go on top of the pan, plus two cast bronze plaques for the bottom. The wording presented at the last work session would be used on the plaque:

*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

Commissioner Woody mentioned the placement of the stars as well.

Mr. Adams stated that if the Board wished to move forward, the company would do a spec design for approval.

Commissioner Stribling asked if they were going to spend \$13,000 to cover the Confederate Flag? Chairman McMahan stated that was correct.

Commissioner Stribling stated that he thought it was a waste of money.

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

(8) **OTHER BUSINESS:**

(a) Commissioner Stribling requested that the Board consider a resolution regarding the constitution.

Chairman McMahan sent a copy of a resolution that the county had previously drafted to each Commissioner. He thought they should compare the two resolutions and discuss it at the next meeting.

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

(b) Commissioner Stribling stated that a resident called to inquire about the Fairview baseball fields being taken away by the high school.

Chairman McMahan stated that they only knew about the softball field at Fairview being used by Little League.

Commissioner Stribling stated that he would get more information.

Mr. Adams stated that if it was the softball field, there was going to be a story in the newspaper about the high school softball team moving to Fairview Elementary School. He, along with the rec director and Chairman McMahan, met with Little League on site to discuss the concession building. He could provide him with all of the information.

Informational item.

(c) Chairman McMahan stated that two resolutions had been requested. They briefly discussed one previously in support of a historic marker recognizing the Cowee Tunnel Nineteen, where 19 African-Americans died at the Cowee Tunnel when they were constructing the railroad. He provided a generic resolution for the Board's review. The NAACP was working to put together an application to the state for a marker and were looking for local support.

The other request was regarding House Bill 405 that was in the General Assembly for consideration. This would divide the State District Court 30 into two judicial districts 30A and 30B. Superior Court would be realigned to be Jackson, Haywood and Swain, which would be the same alignment for District Court. Macon, Clay, Graham and Cherokee would be 30B. Five out of the six District Court Judges lived in Haywood County. It was his understanding that all of the Judges in the District endorsed this.

Ms. Baker stated that all of the District Court Judges and Judge Letts endorsed this.

Commissioner Woody stated that if they placed Jackson into a different section, Swain and Jackson would then be together. That was another reason to support this because Jackson and Swain both contained parts of the Qualla Boundary.

Ms. Baker stated that some of the District Court Judges were saying that if they had a smaller district with Haywood, Jackson and Swain, it may provide other opportunities for specialized court such as a drug court or family court. When they were so spread out with seven counties, they did not have that opportunity.

Chairman McMahan stated they would be naming two judges from the 30B District. The existing judges already in 30A would remain. They would not gain judges immediately, but it would change the election cycles. No current incumbent judge would lose their position.

Consensus: *Add these resolutions to the future agendas for consideration.*

(9) CLOSED SESSION:

Motion: *Commissioner Woody moved that the Board go into closed session pursuant to G.S.143-318.11(a)(6) Personnel. Commissioner Jones seconded the Motion. Motion carried.*

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

There being no further business, Commissioner Woody moved to adjourn the meeting. Chairman McMahan seconded the Motion. Motion carried and the meeting adjourned at 2:53 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman