

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
SEPTEMBER 06, 2022**

The Jackson County Board of Commissioners met in a Regular Session on September 06, 2022, 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
	Mark Jones, Commissioner	Angela M. Winchester, Clerk to the Board
	Tom Stribling, Commissioner (Via Zoom)	
	Gayle Woody, Commissioner (Via Zoom)	

Chairman McMahan called the meeting to order.

(1) **PROCLAMATION: HONORING FRANCES NINA STEPHENS WHITMIRE'S 100<sup>TH</sup> BIRTHDAY:** Commissioner Deitz read a Proclamation Honoring Frances Nina Stephens Whitmire's 100<sup>th</sup> Birthday. Commissioner Deitz moved to approve the Proclamation. Commissioner Jones seconded the Motion. Motion carried

(2) **PROCLAMATION: FIREFIGHTER, RESCUE SQUAD AND FIRST RESPONDER WEEK:** Commissioner Jones read a Proclamation declaring September 11<sup>th</sup> – 17<sup>th</sup> as Firefighter, Rescue Squad and First Responder Week. Commissioner Jones moved to approve the Proclamation. Commissioner Woody seconded the Motion. Motion carried.

Chairman McMahan presented the proclamation to Michael Forbis, Fire Marshal.

(3) **AGENDA:** Commissioner Jones moved to approve the agenda. Commissioner Deitz seconded the Motion. Motion carried.

(4) **MINUTES:** Commissioner Deitz moved to approve the minutes of a Work Session of August 09, 2022 and a Regular Meeting of August 16, 2022, as presented. Commissioner Woody seconded the Motion. Motion carried.

(5) **CHAIRMAN'S REPORT:** None.

(6) **COMMISSIONER REPORTS:**

(a) Commissioner Woody stated that she and her husband Phil were in Raleigh representing the county at the Senior Games. They were both participating in two events. It was an honor to be there with seniors from all across the state.

She commended Eddie Wells, Department on Aging Director and Kristi Perino, Department on Aging Program Coordinator. Also, the event was in coordination with Dora Caldwell, Parks and Recreation Program Supervisor. They had great people supporting this event for seniors staying active.

(b) Commissioner Jones reported that he would be attending a community college conference in Asheville and he was hopeful to have an opportunity to see the state legislators. His number one priority would be to work on getting the grants for the school projects.

(c) Commissioner Deitz stated that at the Methodist Church in Sylva on Saturday, there was a Skate-O-Rama with around 70 skaters of all ages. He thought that showed there was a need for a skate park. He hoped they continued working on that.

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

(a) **County Attorney:** He shared a press release from the North Carolina Association of County Commissioners announcing that Ms. Baker won the Attorney of the Year Award. She had been the County Attorney for seven years. Through her accolades to the association and to her great service to the county, it was a privilege to congratulate and recognize her service.

Commissioner Woody stated they appreciated all that Ms. Baker had done.

Chairman McMahan stated they had great county attorneys represent the county and work on behalf of the Board over the years. Seven years ago they made the decision to hire a full-time staff attorney and it was one of the best decisions the Board ever made. The decision put the county in a position to have a local expert to be trained and gain knowledge of how government worked.

This gave the county an opportunity to have someone in-house that could become versed in the law and how it applied to local government. It was a unique opportunity and he thought they were a better government because of it. They could never have chosen a better first county attorney than Ms. Baker. She had done a remarkable job and set the standard very high. They hoped she was there for many more years in that role.

Commissioner Jones stated that Ms. Baker had experience in criminal law and real estate. To bring that together with county government had been such an asset. They could look to Ms. Baker and get advice immediately and not have to wait weeks.

Mr. Adams continued:

(b) **Qualla-Whittier Park:** He announced that through the good work of Rusty Ellis, Parks and Recreation Director and his staff, the county had been awarded the Parks and Recreation Trust Fund Grant in the amount of \$500,000 to go toward the build-out of the park in the Qualla-Whittier area on the property next to Smokey Mountain Elementary School. They would proceed forward to bring information back to the Board in October with the selection of an architect.

(c) **GREAT Grants:** Tiffany Henry, Economic Development Director, had been working with several internet providers within the community. She assisted them to submit applications to the state to build out internet access in the community. The Board previously chose to move forward to be a matching partner with ARPA funds to assist and incentivize the entities to make application.

They were informed that Charter (Spectrum) received a GREAT Grant award in the amount of \$3,822,863.10. This would serve approximately 1,156 households. They were awaiting additional information from the state for next steps. The details of the application and grant match would come back to the Board. The Board's participation in the program reduced the potential match in the project from 50% to 15%. It was exciting news that they were able to proceed forward.

General discussions were held.

**(8) INFORMAL COMMENTS BY THE PUBLIC:** Dick Darnall of Glenville stated that he thought the Board should look into a Coffee Ordinance. This would be where establishments that served alcohol would have to provide coffee as well. Also, he understood that SRC Republic employees were only making \$7.25 per hour. He thought that was wrong and needed to be addressed.

**(9) AWAKE BUILDING REQUEST:** Crystal Jones, AWAKE Executive Director, stated that she wanted to mention how much Ms. Baker had done for AWAKE and how much they appreciated her as well.

She presented the AWAKE Building Request:

**(a) AWAKE:**

- Established 5013c for nearly 30 years.
- Partners with law enforcement, DSS, district attorney’s office, mental health agencies and multiple others to bring services to abused children in the county.
- Only CAC in the county.
- Services offered were non-duplicative.

**(b) Child Advocacy Center (CAC):**

- Formed to bring the services to the child rather than the child to the services.
- AWAKE was established in 1993 and ensured children had access to a local agency.
- The local LE, DSS, district attorneys and mental health professionals did not need to travel to Asheville for services.

**(c) Need for services increased from June 2019 to July 2022:**

- Forensic interviews up 62%
- Child medical evaluations up 350%
- New families up 81.66%

**(d) Capital Campaign:** AWAKE staff began a Capital Campaign – “Bring it Home!”. They garnered support from numerous foundations.

**(e) VOCA Fix: State grants and the Pandemic:**

- VOCA – 67% decrease in funding. VOCA Fix Act signed, but years away from correction.
- VOCA Well Child – Competitive grant and due to the Pandemic, AWAKE and many other CACs were not awarded.
- DHHS – AWAKE and all other CACs in North Carolina waited ten months for reimbursements to be sent from the state - \$184,000 +.

**(f) How VOCA and DHHS affected AWAKE:**

- AWAKE was denied a crucial medical grant because of the Pandemic and the VOCA Fix Act.
- AWAKE lost over \$50,000 in VOCA grant monies despite increasing services for child abuse victims.
- The reimbursement timeframe forced AWAKE to focus on operational expenses rather than the Capital Campaign.

**(g) Phil Haire’s Generosity:** Necessary repairs had been contracted with Western Builders, Inc.

**(h) Revenue vs. Expenditures:**

- Amount needed for essential repairs: \$156,000.00
- Total from Capital Campaign: \$91,288.43
- Amount needed to finish repairs: \$64,711.57
- Total request from the county: \$64,711.57

**(i) Progress into construction:**

- November 2021 – Architect and Western Builders met with AWAKE
- April 2022 – Met with Western Builders and Architect to finalize plans
- June 2022 – Construction began:
  - Old siding removed
  - Concrete poured for footers for covered walkway
- To date:
  - Siding had been started
  - Covered walkway had been built
  - Windows and doors installed

- Wiring for new lights and security system
- (j) Sustainability:
  - Child-friendly setting
  - Local access to care for abused children
  - One ask from county to continue serving
- (k) Summary:
  - Collaboration with other foundations and private donors
  - Essential service
  - One-time ask
  - Only getting busier
  - Collaborative partner
  - Strive for excellence

Chairman McMahan stated that the Board recently discussed this item in a work session. At that time, he polled the Board and it was unanimous to place this on the regular agenda to move forward with this request. They knew the great work AWAKE had done in the community and what a great service this was for the children. They wished no child had a need for this service, but they knew the reality. Making sure they had the facilities and services was very important.

The request to the Board was to assist AWAKE with this capital project as they were short \$64,711.57. The request was to fund this amount that could be taken from the American Recovery Funds they had set aside to use for one-time expenses.

***Motion:*** Commissioner Stribling moved to approve the request to AWAKE for their capital project in the amount of \$64,711.57, to be taken from the American Recover Funds, as requested. Commissioner Deitz seconded the Motion.

**Discussions:**

Commissioner Deitz asked if these funds would finish the project?

Ms. Jones stated yes.

Commissioner Woody stated that she appreciated that AWAKE had an educational component in their program, she thought that was very important. With some of the social issues, they could see the numbers increasing, but they did not have to stay there. She thought they could be proactive with education. She applauded AWAKE for doing things in primary prevention.

*Motion carried by unanimous vote.*

**(10) OPIOID SETTLEMENT FUNDS PLANNING:** Chairman McMahan stated this was an informational item to help set the stage for all of the discussions that would take place in the weeks and months to come. This would be a long, drawn out process. When the lawsuit was settled, there were many parameters and conditions they would have to adhere to for the expenditure of the funds. There were still waiting for final instructions on how some of this would go forward.

The Board would be faced with determining what the best use of the funds in the county would be to help the citizens and help combat the opioid crisis. They would go through a process to learn more about what the funds could be used for and what kind of potential impacts they would have. It would also give them an opportunity as they discovered what they thought may be best for the county and have the same conversations with their neighboring counties to see how they could partner together.

Some solutions may be to partner together to provide a greater service that would benefit more individuals than just a few in a certain area. The North Carolina Association of County Commissioners had done a great job summarizing the information into a concise presentation.

Mr. Adams stated this was a follow up from the last work session. The North Carolina Association of County Commissioners (NCACC) created an initiative to provide resources to counties to help them go through a long-term process to determine how to expend the funds.

He presented slides prepared by Jason King, NCACC Strategic Member Services Department and Nidhi Sachdeva, NCACC Director of Strategic Health and Opioid Initiatives Strategic Member Services for the NCACC.

NC Opioid Settlement Strategies, Resources and Collaborations:

**(a) Opioid Settlement Assistance Program Goals:** to assist and support NC counties in planning for and utilizing national opioid settlement funds, managing strategic health initiatives and maximizing resources through outreach, education and collaboration.

**(b) Supportive TA Services:**

- Strategic action planning:
  - Prioritization of evidence-based strategies
  - Legal consultation/translation
- Collaboration and connections:
  - Connections to technical experts
  - Fellows and Special Project Coordinators
- Program implementation support:
  - Education and training
  - Consultation and coaching
  - Outreach
  - Evaluation and data reporting
  - Preparation of financial reporting

**(c) Allocation Model:** Opioid settlement funds received in NC would be allocated as follows:

- 80% would go to local governments listed in the MOA
- 15% would go to the State of NC
- 5% would be used for County Incentive Fund

**(d) 18-Year Payment Schedule:** Jackson County would receive \$3,270,043 over an 18-year period.

**(e) MOA Guiding Principles:**

- Spend the money to save lives.
- Use evidence and data to guide spending.
- Invest in prevention of root causes.
- Focus on equity and populations disproportionately impacted. Include people with lived experience.
- Transparency and accountability. Fair and transparent process for deciding where and how to spend the funding.

**(f) Remediation Strategies:** MOA offers local governments two options:

- A: One or more strategies from a shorter list of evidence-based, high-impact strategies to address the epidemic.
- B: One or more strategies from a longer list of strategies after engaging in a collaborative strategic planning process with diverse, local stakeholders.

**(g) NC MOA: High Impact Abatement Strategies (Option A):**

- Collaborative strategic planning
- Evidence-based addiction treatment
- Recovery support
- Housing
- Employment
- Early intervention
- Naloxone
- Post-overdose response

- Syringe service programs (SSPs)
  - Legal system diversion
  - Addiction treatment for incarcerated persons
  - Reentry programs: Opioid overdose death rates 40 times higher than general population during the first two weeks after release. 11 times more likely to die one year after release.
- (h) Collaborative strategic planning:**
- Undertake a structured process to identify the best strategies for local governments to fund to address identified needs.
  - Get input from representative groups and diverse experts – including from people with lived experience.
- (i) Evidence-based OUD treatment:**
- Only an estimated 10% to 20% of people with opioid use disorder received any treatment
  - Goal: Increase access to Medications for Opioid Use Disorder (MOUD).
  - Improve patient survival.
  - Decrease overdose, withdrawal symptoms, transmission of communicable disease.
  - Decrease illicit opiate use and other criminal activity among people with substance use disorders.
  - Increase patients’ quality of life.
  - Improve birth outcomes among pregnant people who have substance use disorders.
- (j) Recovery Support – Drivers of HEALTH:**
- Housing
  - Education
  - Access to Care, Services
  - Labor/Employment
  - Transportation
  - Happiness, belonging
- (k) Exhibit C to NC MOA: Collaborative Strategic Planning Process under Option B**

Commissioner Woody expressed her appreciation to Mr. Adams for delving into this. It was a lot of information. They had to do something and wanted to do something, but they had to be strategic about it. There had been conversations about a regional effort for inpatient treatment, as they did not have that locally. They could collaborate with other counties.

Also, she had talked with Mr. Adams about inviting strategic stakeholders to appear before the Board. Those would include people in recovery, with criminal justice involvement and family members of loved ones. She thought it would be wise to get a snapshot of how local people were impacted and where the gaps were.

Chairman McMahan stated that this would be a process they would have to go through. They would need to learn about what options were available. They may need to bring in professionals to educate the Board to make sure they fully understood the options.

They also needed to reach out to the community and hear experiences from families. He thought they could find a way to weave it all together in a process that would span the next several months to educate the Board. This would put them in a position to figure out the best way to expend the funds locally. Hopefully, their counterparts in other counties were doing the same and then they could work together on a regional concept to find ways to partner.

Commissioner Deitz stated that this was complicated and would go on for years. He thought Mr. Adams and Ms. Baker knew the most about this in the county, but they had jobs. He wondered if they needed to find someone to take this on and keep the Board informed.

Commissioner Jones stated that he agreed, it was an undertaking. He had always been resistant to giving a pot of money to a new administrative position without knowing guidelines. He wanted them to use the money on the people that needed it the most for addiction recovery and help, rather than create another layer of management.

Mr. Adams stated that a collaborative strategic planning process would require a person to organize an ongoing effort. This was a strategy that some communities had taken to eventually have a lead agency take them through the process. In this case, he would look to find resources other than these dollars, such as Dogwood Health or the NCACC.

The second track was if the Board wanted to continue to be educated. As they were moving forward, he could bring in experts that would be part of a stakeholder planning group.

Chairman McMahan stated it would be good to educate the Board and the public at large to understand the opioid crisis. He thought there would be a lot of positive benefit.

Commissioner Stribling stated they needed to get a grip on the situation as it was out of hand. It desperately needed to be done.

Commissioner Woody stated that Surry County, which was relatively rural as well, had the second highest overdose rate in the state. They hired a departmental head for prevention, intervention, treatment and recovery. He coordinated all of the different departments, including the Sheriff's Office, DSS, etc. This department head worked to connect the dots so that there were not gaps in service. It was a continuum of care that was strategic. It was something to think about.

Chairman McMahan asked if everyone felt comfortable with the concept to start having discussions in the work sessions to hear from various experts and local families. He thought the first step would be to hear the basic information and understanding of opioid abuse.

General discussions were held.

**Consensus:** *Move forward to begin having education and discussions during work sessions.*

**(11) UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS:** Michael Poston, Planning Director, presented proposed UDO Amendments to Section 6.4 Industrial Development Standards, Table 9.5.4 US 441 Permitted Use Table and Article XI Definitions. The Planning Department worked with the Planning Board and the US 441 Planning Council on proposed amendments to the Unified Development Ordinance.

The proposed amendments included Section 6.4 Industrial Development regulations to address small scale animal processing facilities, crypto-currency facilities and renewable energy facilities. The amendments also included proposed new definitions for these new uses in the Article XI.

The proposed text amendment to the U S 441 Planning Corridor table of uses (table 9.5.4) was a request made by Greg Wasik to allow micro-breweries/breweries in the Gateway zoning district. Staff also recommended allowing the use in the industrial zoning district. The 441 Planning Council held a public hearing regarding the proposed amendment to allow for breweries/microbreweries and recommended approval of the proposed amendment unanimously.

The Planning Board also reviewed the proposed changes to the table of uses and unanimously recommended approval. The Planning Board also held a public hearing for the proposed changes to the Industrial Development Standards and the proposed definitions and unanimously recommended approval. Both the 441 Planning Council and the Planning Board adopted Statements of Consistency with the land use plans that stated the proposed amendments were consistent with the adopted plans.

General discussions were held.

*Informational item.*

**(12) CENTER FOR DOMESTIC PEACE LEASE:** Ms. Baker presented a lease for property owned by the county on Ridgeway Street for Center for Domestic Peace (CDP). The Board discussed this item at a previous work session and called for a 30-day notice, which was published in the newspaper. More than 30 days had passed with no comments received.

She noted that on behalf of CDP, they were very appreciative of this lease. However, they had increased to seven full-time employees and one part-time employee. Their budget that year included two more employees for a total of ten as they took on human trafficking and sexual assault services on July 1<sup>st</sup>. They were in the schools offering preventative services, along with all of the services they had provided years ago.

CDP would soon enter into a lease with Mountain Projects for shared space at the building used for the temporary health department. The Ridgeway Street space would primarily be used for support groups and counselling services. This space would provide the privacy for those services.

***Motion:*** *Commissioner Jones moved to approve the Lease for Center for Domestic Peace for the Ridgeway Street property, as presented. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(13) REPORT TO THE CITIZENS:** Kerri Tucker, Executive Assistant to the County Manager was present for this item.

Mr. Adams stated that he was unable to acquire an intern that year to help with this process. He asked Ms. Tucker to take the lead on the report. He commended her for her work on the report and her work with the departments to produce the document.

Ms. Tucker thanked all of the department heads who provided the information for the report. She presented:

- (a) The report provided:
- Updated goals for each department
  - Summary of each department
  - The services offered by each department

She highlighted three departments:

- (b) Economic Development:
- Departmental Goals for FY2022-2023
  - Focus of the Economic Development
  - Partnerships within the community
  - How to explore the county
  - Buy Local Campaign
- (c) Department of Aging section included:
- Departmental Goals for FY2022-2023
  - Elder Walk photos
  - Senior Center Offerings
  - Meals on Wheels
  - Project CARE
  - Project Fire
  - Adult Daycare
- (d) Sheriff's Office:
- Mission Statement
  - Departmental Goals for FY 2022-2023
  - Office within the Department
  - Courts/Justice Center Security
  - School Resource Officers (SROs)
  - Shop with a Cop



The link of the report would be online the next day for the public's use.

Chairman McMahan stated this was a great service. The link was a great resource for anyone that had questions about the county government and the services provided. It was a good way to showcase all the great work folks had done.

*Informational item.*

**(14) FINAL OFFERS:** Ms. Baker stated that on July 19, 2022, the Board approved the initial bid from Mitchell L. Humphries and Denise C. Humphries for Lot 45, Bear Pen in the amount of \$4,500.00. The offer was upset and the final bid was for \$10,000.00 from Catherine Donnelly.

On June 07, 2022, the Board approved the initial bid from Daniel Clements for Lot 5, Norton Ridge in the amount of \$7,600.00. The offer was upset and the final bid was for \$13,000.00 from Jacob M. Cox.

Both offers had been advertised for ten days with no further upset bids. She requested approval of the final bids for both offers.

***Motion:*** *Commissioner Deitz moved to approve the offer for the final bids for both Lot 45, Bear Pen and Lot 5, Norton Ridge, as presented. Commissioner Stribling seconded the Motion. Motion carried by unanimous vote.*

**(15) CASHIERS PLANNING COUNCIL:**

***Motion:*** *Commissioner Jones moved to appoint Judy Zachary to fill an unexpired term on the Cashiers Planning Council. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

**(16) HISTORIC PRESERVATION COMMISSION:**

***Motion:*** *Commissioner Woody moved to reappoint Beth James to a three-year term on the Historic Preservation Commission. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(17) PRESS CONFERENCE:** None.

There being no further business, Commissioner Deitz moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 8:10 p.m.

Attest:

Approved:

\_\_\_\_\_  
Angela M. Winchester, Clerk to Board

\_\_\_\_\_  
Brian Thomas McMahan, Chairman