MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
OCTOBER 20, 2015

The Jackson County Board of Commissioners met in a Work Session on October 20, 2015, 10:00 am, Justice & Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Mark Jones, Vice Chair
Chuck Wooten, County Manager
Charles Elders, Commissioner
Angela M. Winchester, Clerk to Board
Vicki Greene, Commissioner
Heather Baker, County Attorney
Boyce Deitz, Commissioner

Chairman McMahan called the meeting to order.

(1) AUDIT ASSESSMENT REPORT - PERMITTING AND CODE ENFORCEMENT: Richard Smith and Pete Bogle of Benchmark Planning, presented a summary that highlighted the process and methods of the evaluation used to perform an audit of the Permitting and Code Enforcement and Planning Departments. They also summarized the results of the audit and recommendations for improvement:

(a) Introduction: In an effort to improve services, the county commissioned the study of the Permitting and Code Enforcement Department operations. The county retained the services of Benchmark Planning to conduct a performance audit of the departments in relation to cross-departmental interactions, overall organizational structure, effectiveness and regulation enforcement.

(b) Process: As a part of this study, the project team reviewed the following specific areas and related topics:

- Organizational structure for the Permitting and Code Enforcement Department;
- Organizational structure and developmental overlap with the Planning Department;
- Work flow of permit applications;
- Applicant / contractor experience with the review process;
- Technology and management systems’ use and accessibility;
- Responsibilities of Permitting and Code Enforcement Department and Planning Department;
- Permit and activity reporting system; and
- Staff professional development.

(c) Research: In order to conduct this study, the project team engaged in the following activities to compile research:

- Conducted detailed interviews with key staff in the Permitting and Code Enforcement Department and Planning Department;
- Reviewed work flow of each application type;
- Reviewed the technological capabilities in the main Sylva office and the satellite Cashiers office;
- Interviewed a sampling of contractors that engage the services of the Permitting and Code Enforcement Department and Planning Department on a regular basis; and
- Completed a comparison of the county’s organization to similarly sized North Carolina Counties and general best management practices.
(d) Survey: As part of the assessment of the county’s Permitting and Code Enforcement and Planning Departments, surveys were conducted to discern each Departments’ performance and the Departments’ ability to serve the citizens of the county. Two surveys were conducted: a public survey and a survey of the Board of Commissioners and Planning Board members.

(e) Evaluation results: The evaluation results are based on observations made from the surveys and interviews that were conducted and review of ordinances, workflow and a sampling of projects. Generally, the public is satisfied with the level of services being provided by the Permitting and Code Enforcement Department as well as the Planning Department. Board members perceive higher service levels being provided by the Planning Department. The evaluation showed no major problems in the function of the individual departments or in the overall quality of work produced by any staff members. Any perceived deficiencies in these areas have been the results of isolated incidents and do not reflect the high quality of work performed on a regular basis. Any issues, once discovered, have been resolved in a responsible manner. Most of the areas noted for improvement include organizational structure and staffing.

(f) Recommendations: The following actions are recommended to improve upon the already exemplary services provided by the Permitting and Code Enforcement and Planning Departments.

- Organizational structure and staffing:
  - Fill the Planning Director position.
  - Create and maintain a minimum staff of four positions for the Planning Department and review workload on annual basis to ensure that the staffing level is appropriate.
  - Move most ordinance related review to Planning Department, once fully staffed.
  - Create a Development Services Director (Assistant County Manager) position to oversee a consolidated Development Services Department with a distinct Planning Division and distinct Permitting and Inspections Division.
  - Amend the county organizational chart to reflect the actual chain of command and departmental divisions.
  - Make both the Sylva and Cashiers offices complete “one stop shops”.
  - Relocate the Planning Division to be immediately adjacent to the Permitting and Inspections Division.
  - Complete an annual review of Permitting and Inspections Division staffing levels to ensure that enough field inspectors are available to keep up with an increase in construction activity.

- Technology:
  - Fully implement the use proprietary ROK software.
  - Unlock internet searches on the field inspection tablets.

- Regulations:
  - Produce a comprehensive Land Development Ordinance that consolidates all 18 development ordinances into one document.
  - Either have the designated department or division carry out administrative and approval functions or amend the ordinances to designate the preferred approval authority.
  - Further illustrate approval procedures with flow charts within a comprehensive Land Development Ordinance so that all procedures can be viewed in one document.
  - Either amend the Mountain and Hillside Development Ordinance to reflect current administrative calculation methods or follow the calculation method currently shown in the ordinance.
• Administration:
  o Add a line on the New Residential / New Commercial Application for work by
    an unlicensed General Contractor or property owner.
  o Formalize the Plan Review Committee by establishing guidelines for the
    Committee. Provide regular updates and reports to the County Manager,
    Commissioners and Planning Board about the Committee’s activities.
  o Set other jurisdictional meeting dates to work with Planning Department
    schedule in order to avoid coverage conflicts as much as possible.
  o Provide additional report details including turnaround times, comments/complaints/surveys, updates on training, as well as online reports of
    activity as a means to convey workload and increase transparency.
  o Review the permitting and inspection fee schedule to ensure that adequate fees
    are being collected to reach a higher level of cost recoup.

• Training:
  o Train and certify Permitting and Inspections staff in the Cashiers office to
    review commercial plans.
  o Continue to encourage and incentivize inspectors to further pursue training and
    gain more levels through pay raises (sometimes referred to as a Career
    Development Plan).
  o Provide joint annual training sessions for all jurisdictional Planning
    Boards/Committees, Boards of Adjustment and elected officials.
  o Either amend the Mountain and Hillside Development Ordinance to reflect
    current administrative calculation methods or follow the calculation method
    currently shown in the ordinance.

  Informational item only.

(2) 2016 REVALUATION SCHEDULE OF VALUES: Bobby McMahan, Tax Assessor,
stated that the last revaluation was done in 2008. Statutorily, the next revaluation must be done in 2016.
In November, he will be presenting the Schedule of Values for adoption by Commissioners, which is
required by each county conducting a revaluation according to state statute. The document is used by the
Tax Assessors Office as a benchmark tool to measure property values. The document will outline factors
that are used to set the values for properties based on land valuation methods, base rates per acre,
neighborhoods, etc. that will be defined in the Schedule of Values.

Mr. McMahan requested that the Board consider going to a four or five year revaluation, rather
than the current eight year cycle.

Mr. Wooten stated that in order to remain revenue neutral, with an anticipated decrease in tax
values, there will likely be an increase of the tax rate.
(3) **RECREATION CAPITAL PROJECT PRIORITIES:** Rusty Ellis, Recreation and Parks Director, stated that at their last meeting, the Recreation Advisory Board voted on a list of projects and ranked them as their top five priorities as follows:

**(a)** Top priority is a feasibility / pro-forma analysis for an indoor pool. He had been in contact with two firms that conduct feasibility studies and would provide a cost analysis to build, run and maintain the pool, along with an analysis of possible revenue. This item was also number one on the recreation masterplan. An estimated cost of a full study, including surveys, would be $15,000-$20,000. There are many groups, organizations and citizens that would benefit from an indoor pool in the county.

**(b)** Purchase property and develop a park in the Savannah Community. He believed the property the Commissioners were looking to purchase would be a good fit for that part of the community. The community group has proposed a paved walking trail, restroom facilities and picnic shelter along with a possible playground and parking area. Mr. Ellis stated this project would be a possible submission for a PARTF Grant in the 2016 cycle. If the Board decided to move forward with the purchase of the property, they could obtain a PARTF Waiver to go ahead with the purchase and that would count as part of the matching funds for the PARTF Grant.

Chairman McMahan stated that the county had voted to purchase the property. He directed Mr. Ellis to move forward with submitting the PARTF Waiver. He also stated that they had a 90 day due diligence period and asked Mr. Ellis to look at the feasibility of the property for the area and needs. He also noted there was no water/well on the property.

**(c)** Locate and purchase property in the Whittier Community for a park area. Recently, they completed the Barker’s Creek River Put-In, but he still believed there was a need in that part of the county as well. He proposed the following options:
- Purchase the adjacent property across from Barker’s Creek Put-In;
- Look at the Drexel Property; or
- Adding a small park at Smokey Mountain Elementary, if no other land is available.
(d) Update Greenway Master Plan. Mr. Ellis believed that in the future there would be a need for pocket parks in communities throughout the county. He thought they should go ahead and update the Master Plan (last updated in 2002) and locate the pocket parks. Equinox Engineering quoted a complete survey and a complete update of the master plan for $70,000-$80,000. This would be an overall county master plan.

(e) Develop a community park at Smokey Mountain Elementary School. If the school is agreeable, they could expand the existing park and move the fence so that the public could access the park when school is not in operation. They could add a playground and/or walking trail.

Mr. Wooten stated he would reach out to Dr. Murray regarding moving the fence at Smokey Mountain Elementary so that the Board could look at that option further.

Informational item only.

(4) GREEN ENERGY PARK ART CENTER AND SOLAR PROJECTS: Timm Muth, Green Energy Park Director, presented Art Center Construction Plans and Solar Installation Proposals:

(a) Architect / Engineering work:
- New Art Center Construction:
  - Design updates:
    - Pottery studio and kiln area first, to utilize equipment in hand
    - Requires electrical / mechanical rooms and restrooms
    - Heating and cooling systems required
    - Parking and access road covering needed
  - Construction contract preparation
    - Final drawings
    - Material specifications
    - Detailed scope of work
  - Bid offering and negotiations
    - Advertising and collection of bids
    - Bid assessment and award
  - Construction administration
    - Monitor construction progress
    - Change orders
    - Billing
- Cost estimate from Odell Thompson $35,000

(b) Bid / Construction Timeline Estimates
- Schedule estimates currently in development

(c) Tenants
- Could begin advertising for four (4) available ceramics studio benches once construction begins
- Overflow of applicants provides potential tenant list for Phase B – 14 rental studio spaces
- Both SCC and WCU have expressed interest in long-term lease or reservation of ceramics studio spaces

(d) Non-profit
- 501c3 status needed for many grant and donor opportunities
- Paperwork from earlier attempt at non-profit (5 years ago) still available for reuse
- Non-profit board member recommendations needed

(e) Funding
- USDA Rural Development Grant
- Rural Energy for America Program (REAP Grant)
  - Not available to county; for small businesses and ag producers only
(f) Requirements
- Board authorizes Odell Thompson to begin A/E process
- Begin monthly payments for A/E work from existing GEP contractual budget line
- Move $35,000 from GEP Enterprise Fund to contractual budget line
- Approval of GEP Director, Timm Muth, to begin advertising for ceramic studio rental spaces
- Approval to begin formation of new non-profit board
- Begin crowd funding efforts to raise additional capital

(g) Photovoltaic Solar Systems
- Solar represents good investment in energy security
- Distributed generation systems (like solar installations) help stabilize local electric grid
- Investigating potential solar installation on landfill cap and GEP building roofs
- Four developers queried for estimates: FLS, Sugar Hollow, Haynes, Sundance Power
- Available land too small for FLS Solar
- Project too big for Sugar Hollow Solar
- Estimates in hand from Sundance Power Systems
- Estimate on building system from Hayes Energy Systems in hand
- County unable to take advantage of tax credits and equipment depreciation, unlike for-profit firms. Developers recommend searching for third party investor

(h) Landfill PV system
- Ground-mounted system
  - Sell all power produced to Duke at 6.9 cents per kWh, -or-
  - Lease land to 3rd party developer for ~ $600/acre/year for 25 years
- Sundance Power – estimates 368 kW installed (uses only flat area on top landfill)
- Haynes Energy – estimates 600 kW installed (uses additional sloped areas)

(i) Building PV system
- Net-metered system: all power generated used to meet on-site electric demands
- Offsets power purchase from Duke Power at 7.9 cents per kWh
- Excess generation credited against future power purchases from utility
- Installed on roof over Glass/Metal shops, and on high roof over concrete pad area
- Sundance Power (south-facing roof only)
  - Estimated 36 kW installed
  - Offset ~ 40% of monthly electric use
- Haynes Energy (north and south-facing roofs)
  - Estimated 60 kW installed
  - Offset ~ 75% of monthly electric use

(j) Recommendations
- Long-term investment in solar will provide security against utility price increases
- Without use of tax credits and depreciation, there is little if any profit to be realized by county
- Continue search for 3rd party investor to partner on project
- Contact large glass organizations for potential partnerships and/or financial support

(k) Fee: They propose to perform the A/E services for the phase one work for the Artist Studios at the Green Energy Park for a lump sum fee of $35,000, which will be invoiced monthly based on the percentage complete of each of the phases of work. Below is a summary of the fee per phase:
- Design Development: $8,750
- Contract Documents: $15,750
- Bid/ Negotiation: $3,500
- Contract Administration: $7,000
- Total: $35,000

1) Sundance Power Systems proposal for two system designs:
- 368 kW Ground-Mounted Solar System (For Landfill) $821,866
- 36 kW Roof-Mounted Solar System (Art Studios Building) $112,308

The 368 kW solar system was based on maximizing the available ground space at the top of the landfill where it is most level. Since there are very minimal electrical loads being consumed at the landfill, this system is designed as a sell-all system, which means that the electricity produced by the solar system is sold back to Duke Energy. This system would be considered a solar farm. It would serve the county as a long-term revenue stream for 25+ years.

The 36 kW solar system on top of the art studios is designed to supply electricity for the art studios. This is referred to as net-metering, where the electricity produced by the solar system will be consumed by the facility, resulting in the lowering of your electric bills at the same retail rate you purchase electricity at.

**Consensus:** The A/E services contract for the Phase One work of the Artist Studio for a fee of $35,000 will be placed on the November 5th agenda for action.

5) **POLICY REGARDING STARTING SALARIES:** Danielle Wittekind, Human Resources Director presented:

(a) Pay administration philosophy: The current pay administration philosophy is captured in the Human Resources Manual and other varying policy revisions, salary study implementations and other source documents. The county strives to administer pay in a fair and equitable manner and the pay structure should be market competitive, maintain internal relationships among all positions, based on relative duties and responsibilities and recognize performance as the basis for pay increases within the established range.

(b) Current hiring rate/starting salary: Currently employees are hired at the minimum of the assigned salary grade. Appointments above the minimum have occurred for Department Heads, hard to fill/critical positions and already certified staff with recommendation from the Department Head and approval of the County Manager. This practice makes it difficult to recruit quality and experienced talent to fill vacancies within the county.

(c) Recommendations for hiring rate/starting salary policy revision: As the need to hire quality talent is imperative in building an efficient and thriving workforce the county should consider adopting a pay practice at setting a starting salary commensurate with education and experience while ensuring that hiring above the minimum does not create internal inequities. Ensuring internal equity may be difficult due the compression of salaries over the last five years. Prior to adopting a new hiring rate/starting salary policy, addressing internal inequities would be recommended. Each of the recommendations would include coordination with Human Resources to determine if hiring above the minimum would not create internal inequities and ensure compliance with equal pay laws.

(d) Recommendation one provide year for year credit for experience: All positions hiring rate/starting salary of new hires would take into consideration years of comparable service in a comparable jurisdiction for all county positions. Provided, that this policy shall not apply to person who have retired form public service with full retirement benefits.

(e) Recommendation two provide year for year credit for experience: Specific positions hiring rate/starting salary of new hires would take into consideration years of comparable service in a comparable jurisdiction for identified positions that are certification specific, difficult to recruit, exempt, and/or otherwise identified as critical to operations of the county. Provided, that this policy shall not apply to person who have retired form public service with full retirement benefits. Specific positions included: list to be finalized to identify each position; inclusive of County Manager, Department Heads, Assistant Directors, Supervisors, Exempt Level Positions, Environmental Health, Public Health Nurses, Physician Extenders, Accounting Technician III, GIS, Certified Building Inspectors, Certified Real Property/Personal Property Appraisers, Sworn Law Enforcement Officers, Certified Detention Officers, IMC II, III, IV, Social Worker I, II, III, and IAT, Veteran Service Officers, and Program Coordinators.
(f) Recommendation three provide credit for experience in 5 year increments for specific positions hiring rate/starting salary of new hires would take into consideration years of comparable service in a comparable jurisdiction for identified positions that are certification specific, hard to recruit, exempt, and/or otherwise identified as critical to operations of the county. Credit will be given in increments of five years:
- <5 years, 1 Step for each year of comparable service
- 5 years - <10 years, Step 5
- 10 years - <15 years, Step 10
- 15 years - <20 years, Step 15
- 20+ years, Step 20

Provided, that this policy shall not apply to person who have retired from public service with full retirement benefits. Specific positions are the same as above.

(g) Recommendation four Department Head recommendation / specific positions:
- The minimum rate established for the class is the lowest rate of the first quantile on the salary schedule.
- Appointment may be made anywhere within the first or second quantile upon recommendation of the Department Head and Human Resources Director and approval by the County Manager.
- Appointment within the third and fourth quantile may be made upon the recommendation of the Department Head and Human Resources Director and approval by the County Manager and the Board of County Commissioners.
- Above the first quantile, appointment shall be based on such factors as the qualifications of the applicant being higher than the minimum education and/or training for the class, and/or a shortage of qualified applicants to accept employment within the first quantile on the salary schedule.

(h) Salary compression is a pay management issue that is characterized by inequitable pay. Such inequitable pays mean that differences in pay are disproportionate to job, performance, and/or tenure differences, in the county’s case inequities exist based on tenure/experience differences. There are many reasons to address salary compression including employee morale, retention, internal equity and fairness, legal compliance, and motivated and engaged employees.

It is important to differentiate from the minimum of the salary when administering a pay policy. Employees should have the opportunity to earn a wage above the minimum after completion of training and gained experience based on service to the county, thus differentiating their pay from newly hired employees with no experience. Recommendations are suggested below to address the salary compression realized over the last five years (7/1/10-6/30/15).

(i) Recommendation one 100% of steps full implementation of step adjustments missed over the past four fiscal years would include:
- Employees hired on or before 7/1/10: 4 Steps (8% increase) - 60% of employees
- Employees hired between 7/1/10-6/30/11: 3 Steps (6% increase) - 5% of employees
- Employees hired between 7/1/11-6:30/12: 2 Steps (4% increase) - 5% of employees
- Employees hired between 7/1/12-6/30/13: 1 Step (2% increase) - 8% of employees

The projected cost to do a full catch-up and reinstate all steps from 7/1/10-6/30/15 would total approximately $882,800 exclusive of applicable fringe benefit payments.

(j) Recommendation two partial reinstatement of steps: Partial implementation of step adjustments missed over the past four fiscal years would include:
- Employees hired on or before 7/1/10: 3 Steps (6% increase) - 60% of employees
- Employees hired between 7/1/10-6/30/11: 2 Steps (4% increase) - 5% of employees
- Employees hired between 7/1/11-6:30/12: 1 Step (2% increase) - 5% of employees
- Employees hired between 7/1/12-Present: no increase - 30% of employees
The projected cost to do a partial catch-up and reinstate all steps from 7/1/10-6/30/15 would total $634,900 exclusive of applicable fringe benefit payments.

(k) Recommendation three provide steps for years of service up to Step 5, 10% above minimum as a full catch-up of step adjustments may not be feasible, the county could decide to provide adjustments up to a specific level to reward employees who have completed minimum training and to differentiate between future staff hired at the entry level rate. The recommendation is to provide step adjustments for years of service since hire that were not received and to limit those adjustments to cap at Step 5, or 10% above the minimum salary. The reason for using this figure is that at five years, an employee is considered to be fully trained and should be performing their duties with minimal direct supervision. The projected cost to provide step adjustments for years of service up to Step 5 would total approximately $155,900 and would positively impact 146 employees (37.7%).

(l) Certification pay: Over the last year how to reward employees who complete state and national certifications has been discussed but no action has been taken. Employees who seek and obtain specific state and national certifications that are related to their position/department add value to the organization and should be recognized if the certification is not part of the pay plan i.e. building inspectors. Other local entities provide salary increases upon receipt of such certifications ranging from 2-5% based on the type of certification. Recommend providing monetary incentive in the form of a bonus and/or salary increase to reward employees for their achievements that will positively impact their work and provision of services to county citizens.

Informational item only.

(6) LIVING WAGE AND SALARY MINIMUM SURVEY: Danielle Wittekind, Human Resources Director, presented Living Wage and Salary Minimum Survey for the county:

(a) Living wage is the minimum amount that an employee must earn to afford his or her basic necessities, without public or private assistance. In short, a living wage is the real, just, minimum wage. The living wage for a single individual living in Western North Carolina for 2015 is $12.50/hour without employer provided health insurance, or $11.00/hour with health insurance provided by the employer. This amounts to $26,000/year without benefits, or $22,880/year with benefits, assuming a 40-hour work week, 52 weeks a year.

(b) The federal minimum wage was enacted through the Fair Labor Standards Act of 1938, which purpose was to eliminate “labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of workers”. Despite these intentions, the federal minimum wage has failed to keep up with the rising cost of living and has instead become a wage that keeps working people in poverty.

(c) Many individuals and families struggle to cover the cost of housing, food, health care, childcare and other basic necessities for themselves and their families. An employee who is paid the minimum wage of $7.25/hour, or any wage below a living wage, cannot feasibly afford basic necessities without assistance. This creates problems not only for employees, but for businesses and the local economy. Paying a living wage is believed to improve conditions for working people, businesses and the local economy.

(d) Studies have shown that paying a living wage leads to increased worker morale, worker health and quality of service. Paying a living wage also lowers absenteeism, turnover rates, and recruiting and training costs.

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<td>WNC Just Economics</td>
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Jackson County Living Wage - Benefits

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Commissioner Greene requested information from Ms. Wittekind for the turn-over rate for the past few years.

Mr. Wooten stated that Ms. Wittekind and Ms. Baker will be reviewing the Human Resources Manuel and will present to Commissioners for revision at a future work session.

*Informational item only.*

**7) RESOLUTION FOR DISPOSING OF PERSONAL PROPERTY VALUED LESS THAN $30,000:** Mr. Wooten stated this is a proposed resolution that would authorize the County Manager to dispose of surplus property owned by the county that is no longer necessary for the conduct of public business and has a fair market value of less than $30,000. The finance director would keep a record of all property sold under the resolution.

*This item will be placed on the November 5th agenda for action.*

**8) RESOLUTION DELEGATING LEASING AUTHORITY:** Chairman McMahan presented a proposed resolution delegating leasing authority to the County Manager for leases of county-owned parcels for periods of up to one year. County Manager will report to the Board at the first meeting of each quarter as to any leases entered into during the preceding quarter.

*This item will be placed on the November 5th agenda for action.*

There being no further business, Commissioner Greene moved to adjourn the meeting. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 3:14 p.m.

Attest:  

Approved:

________________________________________  
Angela M. Winchester, Clerk to Board  

________________________________________  
Brian Thomas McMahan, Chairman