

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MAY 07, 2018**

The Jackson County Board of Commissioners met in a Regular Session on May 07, 2018, 3:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Charles Elders, Vice Chair
Boyce Deitz, Commissioner
Mickey Luker, Commissioner
Ron Mau, Commissioner

Don Adams, County Manager
Heather C. Baker, County Attorney
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order.

(1) **PROCLAMATION HONORING OLDER AMERICANS**: Commissioner Elders read a Proclamation to proclaim May as Older Americans Month and presented the proclamation to Eddie Wells, Department on Aging Director. Commissioner Mau moved to approve the Proclamation. Commissioner Luker seconded the Motion. Motion carried.

(2) **PROCLAMATION FOR PURPLE HEARTH COUNTY**: Commissioner Luker read a Proclamation to proclaim Jackson County as a Purple Hearth County and presented the proclamation to Scott Matthews of the Veterans Service Office. Commissioner Deitz moved to approve the Proclamation. Commissioner Mau seconded the Motion. Motion carried.

(3) **AGENDA**: Commissioner Mau moved to approve the Agenda. Commissioner Luker seconded the Motion. Motion carried.

(4) **MINUTES**: Commissioner Elders moved to approve the minutes of a Work Session of April 10, 2018; a Public Hearing (Brunch Bill) of April 16, 2018; a Regular Meeting of April 16, 2018; and a Joint Meeting/Opioid Awareness County Leadership Forum of April 23, 2018. Commissioner Mau seconded the Motion. Motion carried.

(5) **CHAIRMAN'S REPORT**: Chairman McMahan offered his condolences to the family of Larry Hunter, former WCU Men's Basketball Coach. He had a remarkable career and would be forever remembered for the leadership he offered. Losing him was a tragic loss for the community.

(6) **COMMISSIONER REPORTS**:

(a) Commissioner Elders stated it was enjoyable to watch the employees of Mountain Projects take over their new office building in Haywood County. It was an honor to see the faces of the employees as they moved. He recognized a Jackson County native that had the reins at Mountain Projects for over 20 years, Patsy Davis. They were proud of the job that she had done and it was an honor to work with her in that organization.

(b) Commissioner Luker offered his condolences to Coach Hunter's family. He had such an impact on the youth in the county and he was a great man that would be sorely missed.

The Commissioners had a great meeting with the North Carolina Association of County Commissioners at WCU and he thanked WCU for hosting. Also, he was asked to speak at the volunteer recognition dinner at the Department on Aging. Eddie Wells and his staff did an outstanding job there. The number of volunteers in the county was amazing, not just in the Department of Aging, but with all of the agencies. The cost savings to everyone and the impact it had on the county was great and he truly appreciated their service.

(c) Commissioner Mau stated there was an article in the newspaper written by Nick Breedlove, Executive Director of the Tourism Development Authority. The article was a good summary of the impact of the tourism industry.

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

(a) **Skyland Services Center Remodel:** All new furniture had been delivered and assembled and Soil and Water and Cooperative Extension would be moving into the facility the week of May 7th. A grand opening and ribbon cutting ceremony had been tentatively scheduled for May 31st. Ceremonies would start between 3-4 pm. The overflow parking lot had been installed on the adjacent property and the temporary coral system had been assembled. He extended his appreciation to the architect Odell Thompson, the contractor Western Builders and to all the staff for making this project successful.

(b) **CDBG Infrastructure Funds for Schools:** The State Water Infrastructure Board awarded Jackson County \$1,000,000 on April 18th to assist with water and sewer infrastructure needs at Blue Ridge School. \$271,842 would be used to improve the water infrastructure and \$728,158 would be used to replace a 43 year old sewer treatment plant.

(c) **Prioritization 5.0:** The North Carolina Department of Transportation (NCDOT) produced a State Transportation Improvement Program (STIP) outlining the funding and scheduling of transportation projects for a ten year period. The STIP was updated every two years through a process called "Prioritization". Work was currently underway to update the STIP for 2020-2029 through the fifth iteration of prioritization (Prioritization 5.0). Projects were broken down into three categories:

- Statewide Mobility
- Regional Impact
- Division Needs

The Southwestern Rural Planning Organization (RPO) prioritization system accounted for 15% of regional ranking of projects and 25% of the divisional ranking of projects (did not count towards statewide projects). Jackson County would need to submit the top four regional projects and the top four divisional projects out of the qualified projects. The Jackson County task force charged with this prioritization would be meeting May 10th. Chairman McMahan and Planning Director Mike Poston would represent the county on the committee. Part of the strategy included matching priorities with projects that ranked high through the other NCDOT ranking criteria. This allowed the county projects to be more competitive on a divisional and regional level.

(d) **Land Use Plan 2040:** The Land Use Plan was adopted by the County Commissioners on June 19, 2017. Mr. Poston provided a progress update in a handout.

(e) **Emergency Operations Plan:** The county contracted with Blue Ridge Emergency Preparedness Group, LLC to update the 15-20 year old Emergency Operations Plan (EOP). Emergency Management Coordinator Todd Dillard worked with the contractor and all of the agencies in the past year on the update and the plan was in final draft form. Mr. Dillard would be conducting a "table top" exercise on May 22nd with all agencies using the new EOP. Mr. Dillard would bring the EOP to the Board of Commissioners for adoption in the summer of 2018.

(f) **No Wake Zone Request – Lake Glenville:** On April 26th the Wildlife Commission voted to disapprove the request for a No Wake Zone on Lake Glenville. The Commission did state that their law enforcement division would increase boating safety patrols on Lake Glenville that summer.

(g) Blackrock/Expansion of Pinnacle Park: Bill Holman, NC State Director of the Conservation Fund, sent a request letter to the county and to the Town of Sylva. The Conservation Fund was looking to take the lead on acquiring and conserving 441.53 acres in an area known as Blackrock Creek at a cost of \$2,162,450. The specific request was for both the county and the town to commit \$250,000 each toward the project. The remaining funds would be acquired from grant sources and fund raising. The commitment could be contingent upon approval of the matching grant/fund raising sources, a new appraisal and an acceptable conservation easement. This topic would be placed on the May 15th work session for further discussion.

(h) Upcoming Meetings:

Tuesday, May 15, 2018 – Commissioner Work Session at 1:00 pm

Monday, May 21, 2018 – Regular Commissioner Meeting at 6:00 pm

Thursday, May 31, 2018 – Budget Presentations at 8:30 am in Commissioner Meeting Room

Friday, June 1, 2018 – Budget Presentations at 8:30 am in Commissioner Meeting Room

Monday, June 4, 2018 – Budget Public Hearing at 2:55 pm

Monday, June 4, 2018 – Regular Commissioner Meeting at 3:00 pm

(8) INFORMAL COMMENTS BY THE PUBLIC:

(a) Henry Dowling of Sylva, stated that he served on two boards involved with the County Commissioners, Webster Enterprises and the Transit Authority. His comments did not have anything to do with either of those two boards. He served for 33 years as a State Vocational Rehabilitation Counselor and then another 10 years after retirement working in the same capacity. Since 2010 he had been a volunteer for Webster Enterprises and also now for Circles of Hope.

He became concerned when he read about the January 29th board meeting where consolidation of Health and DSS was voted on and approved. There were eleven very knowledgeable people who came and addressed the Board about their concerns of consolidation and asked why they needed to do this. To date, he had not seen anything from the Commissioners about why this was being done. Regarding cost savings, how would they save money and expedite service by adding a salary for the person to oversee these departments. Also, in other places where this was done, the departments were in the same building and it did not look like they would be doing that here. The cooperation and services that he had seen with making referrals with the staff with these two departments had only been excellent.

(b) Patsy Davis, Executive Director of Mountain Projects, stated that she wanted to thank the Board of Commissioners for their support of the relocation of Mountain Projects. Last Monday, her coworkers reported to the new space for the first time. She watched in amazement as many carried in plaques, photos and personal decorative items. The sense of pride in their work environment was not something she had experienced. Many said to her last week that they were so excited to go to work.

She learned a long time ago how vital their services were. She saw firsthand the critical needs and she had been humbled as she had listened to so many that had hopes and dreams shattered by things beyond their control that put them in need. Assuring that as much resources as possible went directly into helping the community had always been important to her. She struggled on how to obtain a better building without assuming a crippling debt. Thanks to Jackson County and the great neighbors across the mountain solutions had been found. Their forward thinking and providing funds would help them to continue to serve those hurting in the community while assuring a safe and accessible building to all.

(9) HEALTH DEPARTMENT AND ONE STOP PERMITTING ARCHITECT CONTRACT: Ron Smith, Principal in Charge, McMillan/Pazdan/Smith, presented for consideration, a contract between the county and McMillan/Pazdan/Smith for renovation of the current health department building in order to house the Health Department, the Permitting and Code Enforcement Department and the Planning Department.

Mr. Adams stated that for the Architect's Basic Services the county shall compensate the Architect 8.5% of the cost of the work if all occupants remained in the building during the Project. 8% of the cost of the work if all building occupants were relocated from the building during the Project. If the county asked for additional services of the Architects and/or their consultants, it would be the consultant costs plus 5%. They would pay an hourly rate for services above and beyond the standard contract and reimburse expenses plus 5%. Also, the contract had been reviewed by Ms. Baker.

Motion: *Commissioner Deitz moved to accept the contract with McMillan/Pazdan/Smith for the renovation of the health department. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(10) ABC BOARD TERM LIMITS: Mr. Adams stated he and the Town of Sylva received a letter from David Noland, Chairman of the ABC Board, stating that on June 30, 2018, one of the county's appointments and one of the town's appointments would expire. As the merger agreement presently was written, neither would be eligible for reappointment. The county and town would need to make new appointments for these two positions for three year terms or amend the merger agreement to change the allowable number of consecutive terms. Both of the current appointees expressed an interest in continuing to serve on the ABC Board, if allowable.

The Town of Sylva Board would discuss this item on May 10th. This would be an item on the upcoming work session for further discussion by this Board.

Informational item.

(11) CONSOLIDATED HUMAN SERVICES AGENCY BOARD: Chairman McMahan stated that the Board passed a resolution to move forward with consolidation. The resolution called for the existing Department of Social Services Board and the Health Board to present recommendations to serve on a Consolidated Human Services Agency Board. When the Board of Commissioners made those appointments formally, then the other two boards would be dissolved. There were two vacancies on the list of nominees, one being a psychiatrist because there was not one in the county, so that would remain vacant. The other vacancy was a County Commissioner.

Motion: *Commissioner Mau moved to appoint the following to the Consolidated Human Services Agency Board:*

Mickey Luker, County Commissioner

Dr. Nathan Roth, Psychologist

Dr. Thomas Turrentine, Optometrist

Dr. William Mobley, Physician

Kim Cowan, Pharmacist

Jerry DeWeese, Engineer

Dr. David McGuire, Dentist

Dr. Doug Homolka, Veterinarian

Dana Tucker, Social Worker

Kim Woodard, Registered Nurse

Kathy Farmer, Consumer

Debbie Stanley, Consumer

Charles Wolfe, Consumer

Sherry Rogers, Consumer

Sue Evans, Consumer

Dr. Cliff Faull, Consumer

Commissioner Elders seconded the Motion.

Discussion:

Commissioner Deitz stated that he would vote against this. He was against it from the start and he was still against it. They had two very good boards and none of the Commissioners were critical of them. They were very professional people - they had to be to do what they did. The Board must have decided that those two boards were not efficient enough so they were going to have a new board. He thought 90% of the new appointments to the new board were a part of one of the first two boards that they got rid of. Now they felt that they should reappoint them because they all knew that they did a good job.

Chairman McMahan stated that he concurred and he had nothing against any of the people on the list because a lot of them had served for many years, but he felt as the old saying goes "if it ain't broke, don't fix it".

Commissioner Elders inquired if all of the people that had been named on the list of recommendations had agreed to accept?

Chairman McMahan stated that they all had agreed.

Commissioner Mau stated that this was not about looking backwards it was about looking forward. If they talked to the folks that were involved with Medicaid or Medicare extensively and looking forward to how that was going to change and the environment these boards operated in was getting ready to make a big change. One way to get in front of that issue was to consolidate. That was another positive for this.

Commissioner Deitz stated that when they had hearings, everyone's comments and thoughts were very important that spoke, but sometimes it was obvious that some people knew a lot more about the situation than others. They had 12-14 of the most professional people speak that were involved with this and he was sure they realized that they were looking forward. He did not think any of them were looking back when they all spoke against this.

Not one person spoke for it. These were not people off these streets they were people that their whole lives were involved in this. He did not know what to tell citizens when they asked about it, it was just something they did. He thought that they had a new Commission come in and they had to change something just so it looked different. It was almost like they changed this because they needed to change something.

Commissioner Elders stated that he did not take any part with the two boards and how they reached or screened the recommendations. Did all of the current members of each board have a say so in who was selected for the recommendations? Did any of them volunteer not to serve again? Did any of them request to serve again, but were denied the right to serve again? He did not know a single person on either board that had done a bad job, they had all been outstanding. Personally, he would want all of them to remain on the board, but with consolidation sometimes, they did streamline.

Mr. Adams stated that all of the nominations were brought to both boards and was approved by both boards before the list was presented to the Commissioners to be discussed at the last work session.

Jennifer Abshire, Department of Social Services Director, stated that this was offered to all current Department of Social Services Board Members. Two of the five decided not to serve due to health issues.

Shelley Carraway, Health Department Director, stated she reached to all members and there were some that did have health issues as well and a couple that could not commit to the time needed. They really did ask everyone first. No one was declined an opportunity.

Motion passed by a vote of 3-2 with Chairman McMahan and Commissioner Deitz voting "nay".

(12) CONSOLIDATED HUMAN SERVICES AGENCY DIRECTOR POSITION:

Danielle Wittekind, Human Resources Director, stated that the Board took this item up previously at a work session for this position and a proposed classification at a Grade 37 with a minimum salary of \$74,156. This position would be subject to the State Human Resources Act, so once the classification was approved by the Board, it would go directly to the office of the State Human Resources for their approval before they could recruit for the position. In addition, they did have to send a letter to the state to let them know that they had consolidated, a consolidated board was appointed and what model they were under.

Chairman McMahan stated that for clarification, this was a 100% county employee, but would be subject to the rules and regulations under the State Human Resources Act.

Motion: *Commissioner Luker moved to approve the request to authorize the position. Commissioner Mau seconded the Motion.*

Discussion:

Commissioner Deitz stated that there were two reasons that he heard they were doing this. One was to be more efficient, but they were going to pay someone considerably more than \$74,000 to be over the current two directors for a layer of red tape and that person would be the in between to go to the County Manager. It did not seem to him that would be more efficient. They could hire two more deputies and put them in the schools and be more efficient and help protect the schools better with that amount of money. There was a lot they could do with that amount of money.

The other was the whole thing they heard was one-stop. Mr. Smith went over the plans for putting one-stop in the health department building, but nowhere did he mention anything about social services with one-stop, it had nothing to do with it. If this failed now, they would still have one-stop with the same plan they voted on. It was wanted for these two agencies to be put together for one-stop.

Commissioner Elders stated that he felt that one-stop was off to a good start. The way the county was growing, they were going to find out that they were going to need more. He thought both of the current directors were doing a fine job. As the county grew, it would be a lot better services to the citizens, especially contractors.

Motion passed by a vote of 3-2 with Chairman McMahan and Commissioner Deitz voting “nay”.

(13) BUSINESS AND INDUSTRY ADVISORY COMMITTEE: *Carry over.*

(14) CASHIERS PLANNING COUNCIL:

Motion: *Commissioner Luker moved to reappoint Robin Ashmore and Deborah Stewart to the Cashiers Planning Council, terms to expire on May 07, 2021. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(15) PLANNING BOARD: *Carry over.*

Commissioner Mau stated that in the past this appointment was the chair of the Cashiers Planning Council. Was that a requirement for this appointment?

Mr. Poston, Planning Director stated that there was no rule requiring the Cashiers Planning Council Chair to be appointed to the Planning Board.

(16) US 441 GATEWAY DISTRICT COMMUNITY PLANNING COUNCIL: *Carry over.*

(17) PRESS CONFERENCE:

(a) Quintin Ellison of the Sylva Herald requested that Commissioner Elders clarify why he voted for consolidation.

Commissioner Elders stated that based on how good one-stop was doing, therefore there were a lot of programs in the Health Department and in the Department of Social Services that could interact or interchange together. When they had a client making requests with either department, if they had one person with knowledge of what both departments did, they could feed that information to them at one time. If they were consolidated they would have all of the information about what both departments did and get all of that information to them at one time.

Ms. Ellison inquired if he was talking about programs for the impoverished, poor and women's health programs that overlapped?

Commissioner Elders stated that was correct.

Ms. Ellison inquired if this communication required a position of some \$70,000 of expense and have a hierarchy and grow government?

Commissioner Elders stated that he thought it would be a better operation and more smooth and efficient. A lot of counties had already done this and he had not received a negative from any of the county people he had talked to that had done this. They praised this operation.

(b) Don Richeson of the Crossroads Chronicle inquired if it had to be a Cashiers person for the Planning Board appointment?

Commissioner Luker stated that it had typically been the tradition in the past.

(b) Holly Kays of the Smoky Mountain News stated that Commissioner Elders stated that he was basing his support on how successful the one-stop had been. The Planning Board, Code Enforcement and the Health Department were separate, so why seeing that it was going well without consolidating those departments, why did he feel it was important to consolidate these departments?

Commissioner Elders stated that from the contractor's comments, one-stop would take a lot of pressure off of them to be able to obtain all of their permits at one time from one office. That was where he was thinking about now to get the Health Department and the Department of Social Services consolidated, although they would be in different buildings, they would be under the same advice. It would make more efficiency for the ones that would use those services.

(18) CLOSED SESSION:

Motion: Commissioner Mau moved that the Board go into closed session pursuant to G.S.143-318.11(a)(3) Legal for two items, G.S.143-318.11(a)(5) Real Property for one item and G.S.143-318.11(a)(6) Personnel for one item. Commissioner Luker seconded the Motion. Motion carried.

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

There being no further business, Commissioner Luker moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 5:30 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman