

**MINUTES OF A PUBLIC HEARING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
OCTOBER 01, 2018**

The Jackson County Board of Commissioners held a Public Hearing on October 01, 2018, at 2:30 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 public hearing to order and stated the purpose was to receive public input concerning abolishing the Jackson County Consolidated Human Services Agency and Consolidated Human Services Board and exercising the authority of the Jackson County Board of Commissioners to assume all powers, responsibilities and duties of the County Board of Social Services and the County Board of Health in accordance with NCGS §153A-77.

**PUBLIC COMMENTS:**

(a) George Durden of Sylva, stated he was a retired Military Officer and Department of Defense Civilian of 37 years. He was familiar with government civilian jobs and for the most part efficiency was never considered, even when lost to contractors. There was a difference between the private sector and government as there were duplications of what offices did that could be consolidated. This would provide accountability in the Jackson County offices that had been absent for years. He thought consolidation was a positive.

(b) Kathy Farmer of Sylva, stated she served on the Board of Health, working first with Health Director Paula Carden before her retirement and then participating in the search and hiring of the current Health Director, Shelley Carraway. As chair of the Consolidated Human Services Board, she had just started to learn and appreciate the leadership of Jennifer Abshire, DSS Director. Many did not think it was a good idea to consolidate the two agencies that were already working well together. Nonetheless, the Consolidated Board moved forward because they believed in the leadership of Ms. Carraway and Ms. Abshire.

During the August 20<sup>th</sup> Board of Commissioners meeting, Commissioner Elders stated this was no place for politics with the Health Department and DSS. County Manager Don Adams stated that in his mind, the whole process had become politicized. Commissioner Luker stated that it had become nothing but a political battle, which was shameful. Bringing in the School of Government to have a discussion among stakeholders was a reasonable step and not political. Having a public hearing afterwards was not political. Was it political to vote to change the organizational structure when it was clear that all those that spoke were not in favor of the change?

The Commissioners then approved the appointments of 16 individuals to the Consolidated Board and gave them a directive. Was it political to ask good questions to clarify new roles for a new board? No, she did not think so. Neither was it political to hear sound rationale for extending the timeline to bring in the new director. The reasoning was fair to the taxpayers and fair to the selected candidate. Was it political to prepare a resolution to abolish the Consolidated Board because good questions and sound rationale were troublesome and could not be suppressed? The citizens of the county want and need good services. They had excellent leadership, teamwork, knowledge and delivery at both agencies.

(c) Dr. Bill Mobley of Cullowhee, stated he was a retired physician with a completely unblemished medical career in private practice for 35 years and he remained licensed to practice in North Carolina. Since retiring, he had focused on the public health issues of the county. He was flattered to be selected for the combined Health and Human Services Board only to experience what came to be the first time in his life that, along with his colleagues on the board, he was fired. The underhanded and cynical process by which that occurred was demeaning and insulting to him and the volunteer county citizens and colleagues on that board. He intended to give four reasons why the action was inappropriate, underhanded, naïve and insensitive to those in need of those services and based on false information as reported in the news. He meant no disrespect to the Board or anyone on it.

His first point, they lacked the knowledge, time and background to handle public health issues facing the county, front and center. Second, they lacked the sensitivity and understanding of the necessity of those services and how they were really delivered. Third, the decision to abolish the board was based on false information presented to them, if it was the same information presented to the press. One Commissioner said “They had a job to do and they didn’t do it”. He challenged the Commissioners to look at their minutes and agendas and ask that Commissioner to show one agenda item that was not absolutely completed, 100% at every single meeting. They got the work done. Another misinformation “The Social Services Board brought politics into this and that was unacceptable”. Again, look at the minutes of the meeting and the facts. The board simply voted to delay, not table, not deny hiring a redundant, costly director. The vote was unanimous irrespective of affiliations or political influence except for one negative vote by one Commissioner, who failed to contribute any comments at all during the discussion of that motion. He then moved to abolish the board, a motion which was passed by a party-line vote. If there was politics, it was coming from the party-line affiliations there and not the unbiased votes of all of the other members. Misinformation three “bordered on insubordination”. They were not their employees. He had served on federal, state and local boards of health and in none of those did it say they were to answer to the dictates of a board of that nature. The idea that this was insubordination was inappropriate.

(d) Debbie Stanley of Sylva, stated that she had been on the DSS Board since last year and then on the combined board. During the first meeting of the new Health Services Board, the members took an oath of office. The meetings continued in the following month with complaint after complaint lodged against combining the departments. One would have thought they would have gone on with the business of the new board, but they were swamped with overweening verbosity from those wanting a change in the political setup of the County Commissioners. Dr. McGuire called for a vote to wait until after the election to approve a director over the combined departments. She voted to wait, voting against her party because the only information she had from Dr. McGuire was that the new position was going to cost taxpayers \$74,000 or more. She was a conservative and she did not like spending the tax money unless she had to. Later she found out about the information that Buncombe County saved between \$2-\$3 mil each year from combining departments and other counties saved as well. There was always room for improvement. She learned that improved efficiencies came by combining the departments. The people of the county deserved efficiencies. She heard from Ms. Abshire and Commissioners that there would be no jobs lost. She supported the three Commissioners that tried to help the county.

(e) Ralph Slaughter of Cashiers, stated that he stood in support of the three Commissioners on this problem. He really thought that if the people on the various boards would have taken the time to find out and realize that they were not the only ones that could do the job that they would be much better off. With the other counties that made the change, it worked very well for them. The five Commissioners were well capable of being able to utilize the extra money that would go back to the county.

(f) Henry Dowling of Webster, stated he was a retired vocational rehab counsellor. His initial concern of the consolidation and combined boards was due to his 35 years of experience, mainly with DSS and also with the health department. In recent years, he worked with DSS employees with volunteer work. What disturbed him was seeing the eleven names of people that stood before the Commission and gave legitimate, well thought out reasons as to why this did not need to be done. Where were the problems and where were the specifics of the money savings. He hoped they could keep politics out of this as best they could and try to get out without hard feelings towards each other.

(g) Charles Wolfe of Sylva, stated he was a business person there for 36 years and he served on a lot of various community boards, but never like the Consolidated Board. When he agreed to be appointed by the Commissioners, he thought he was entering into a partnership with the Commissioners to try and make the best decisions possible for the benefit of DSS, the Health Department and the citizens of the county. It was asked upfront by one of their board members what was expected of them. Normally, in a partnership, there would be agreements and disagreements, give and take and the reason was to come up with the best decision possible. But, the first time there was disagreement, the board was dissolved.

As a result of dissolving them, it was his opinion that what was really wanted was for them to follow orders and be a rubber stamp to what the Commissioners said they wanted to have done. He was not interested in being a part of something like that and he did not think that was a good system to have. He thought they had an opportunity to help one another and the Commissioners passed up on that. The reason for deciding to delay the selection and offering a position to a new Human Services Director, had nothing to do with politics, it was thinking about the person they would be hiring and also could have an effect upon the candidates that were interested in that position. This was already politicized when the decision to consolidate was done on party lines. It became more politicized when the very rash action was taken to dissolve them.

(h) Diane Parker of Sylva, stated she had 31 years in at DSS and she challenged anyone to tell how to do her job. She had to learn it and when they were talking about oversight, the state level monitored them. When she started in 1983, some counties had Commissioners that had control of the checks and balances, would review the applications and would say who got approved. She resented someone having that kind of authority with the potential of politics. This was not right. Until they knew what these people were doing, they had no reason to be changing it. They did not need to supervise something they did not know.

(i) David Pruitt of Whittier, stated he wanted to show his support to the three Commissioners and he had full confidence in them to run the departments, if need be. He thought they did a good job and as Commissioners, they were voted on.

(j) Kim Cowan of Whittier, stated he was a former board member and joint board member. He was against the move to Option Three, which was basically what they voted for last time. He did not think it was a good idea and he thought it would have a negative impact on public health by integrating politics, the two should be separate as much as possible. They did not need to have politicians dictating to the departments. The better choice would be to return to two separate boards. The joint board had asked for an explanation of why the two boards were joined and they never got a really good answer. He questioned the arguments of economic savings as he compared Jackson County to Buncombe County. They could have an infinite number of comparisons with the 100 counties in the state. It was not good math, it was cherry picking and was pointless. It looked impressive, but it did not have any backing.

(k) Mark Jones of Cashiers, stated he was a former County Commissioner for ten years and served on the Health Board for ten years. He looked to Commissioner Elders as the wise one and he went to him many times as they made decisions as Commissioners. When they were educated on Option Two, he recalled that they had conversations that Option Two allowed counties and municipalities with a population of 100,000 or more to consolidate because there could be some savings with that large of a population. To compare Jackson County to Buncombe or any other county except the size of 41,000 would be the only fair comparison. What specifically changed Commissioner Elders' mind to go along with this? It had to be promises of no jobs being lost, yet the taxpayers would pay someone approximately \$70,000. Transparency was talked about many times in the 2016 race. They also discussed putting the Commissioners up to commit to those 20 appointments would be a lot of pressure and there needed to be a firewall between county politics and these departments, there was too much sensitive and private information.

(l) Dr. Cliff Faull of Sylva, stated that he had been a resident of Jackson County for 38 years and was a retired physician. He was also one of the fired members of the Consolidated Board. His understanding that the purpose of a public hearing was to allow the public to express their thoughts and opinions on an upcoming vote or action to be taken by the County Commissioners. However, this time, the majority had not only made up their minds, but they already voted.

It seemed that all of the Commissioners and previous Consolidated Board Members were in agreement that politics did not belong in DSS, Health Department or the short-lived Consolidated Board. All also seem to agree that was exactly what happened. He firmly believed that the whole situation began with a political power play by the three Republican Commissioners. He did not pay much attention to the process or discussion that took place that resulted in the formation of the Consolidated Board. However, when he received a call asking him to serve on the new Consolidated Board, he accepted. There was no political bias for offering or accepting that board position. As part of the responsibility he accepted, he looked into the duties and expectations of a Consolidated Board Member. He began wondering and asking why consolidation had occurred and what Commissioners wanted the Consolidated Board to accomplish. The more he asked, the more he was told that the legacy department of DSS and Health had been performing well and had competent and effective leaders. He could find no deficiencies that consolidation alone could correct, no potential improved or additional services achievable only by consolidation and no areas of expected savings by increased efficiency of cost-sharing that consolidation alone could accomplish. In fact, consolidation required creating a new administrative position at a salary of approximately \$100,000 per year, plus benefits, up fitting an office, an assistant and a county car.

What was it that the Commissioners wanted him to do and accomplish as a board member? Several Consolidated Board Members asked the county manager for help in getting a response. The second Consolidated Board meeting was more of the same with no answer. At the third meeting the three Commissioners responsible for consolidation sent a statement that was all fluff and no substance. It was obvious that this was purely a political situation created by the party in charge and the desire to have more control over the Health Department and DSS. That brought them to the Commissioners' meeting where the consolidation was reversed and the board fired. The three Commissioners of the party in control were animated in their arguments about why a consolidated human services board was so much better, after they ranted about how good consolidation could be, the three of them then voted to dissolve it. Not to work with the Consolidated Board to obtain the benefits they had just enumerated, but to dissolve it and make themselves the controlling board. The proof to him that the three were more concerned with power and control. The firing of the board was vindictive and a showing of power of what could happen if their motives or wisdom were questioned. He personally felt that the individual departments were not a bad idea as they had historically worked well. However, Commissioners overseeing the two departments was a ridiculous idea. He urged the county to remove politics from the Departments of Health and DSS and return to nonpartisan, volunteer boards with knowledge and experience in the fields needed to make the departments effective.

(m) Lorna Barnett of Cullowhee, stated she was asked to read a statement from former Health Director, Paula Carden: She requested to reconsider the decision to consolidate until they thoroughly considered all options and what was best for the residents and communities they served. A consolidated health and human services added a layer of government bureaucracy for local agencies to work through to solve problems rapidly. Dealing with communicable disease, it was very important to have the ability to respond quickly without waiting for the wheels of government to begin turning. The county had experienced outbreaks over the last several years of communicable diseases and had been recognized for the rapid response to protect the health of others. The county had always had great success working with other government agencies and some of that was because of being able to respond immediately without waiting on decisions that could be political. The county local government officials had always been updated of the response and potential problems. The Board of Health played a critical role in the response because of the professional roles they represented. Always in connection with response, the Chairperson and the appropriate Board of Health Member were consulted.

The Commissioners would have protection through the lines of the Health Director reporting to the Board of Health, which also protected them from trying to influence regulations for a family member, interested party or constituents. It was difficult for staff and directors when there were Commissioners ruling with power and not going through the lines of proper authority. The residents were protected from services that may be politicized when Boards of Commissioners had direct supervision of the departments.

The agencies delivered services as outlined in General Statutes and most of the services were regulatory. Department directors hired by independent boards, such as the Board of Health and DSS, could function without influence of political power. This was a safety or checks and balances the legislature thought was necessary to protect the public. Several counties had consolidated and there were many considerations about the correct way to do this. It was important to not have all the power in the hands of elected officials. Public health and DSS staff, directors and boards had years of education and training to make the decisions and the decisions should never be made because it was politically correct.

Ms. Barnett stated that she had a Masters of Public Health and had been retired for ten years. She still used her knowledge and expertise to review federal grants from all across the country. She reviewed many grants requesting funds for the particular purpose of consolidation or to undo consolidation when there were unintended consequences that were very serious. From that perspective, without question, any cost savings or efficiencies they could achieve by consolidation could also be achieved through simple contract, agreement or hand shake and there was no reason to have a consolidated board.

(n) Dan Perlmutter of Cullowhee, stated he was asked to read a statement from former County Commissioner Tom Massie: At a time when public confidence in government was declining overall, it was nonsensical to reduce the general public's involvement in the local government by dissolving the volunteer participation in the oversight of the Health Department and DSS Boards, either individually or as a consolidated board. He read multiple explanations as to why these two independent bodies, established by the state and overseen by local citizens of various backgrounds, needed to be first consolidated and then abolished. However, none of those explanations seemed genuine. This was a simple power play by the political majority to consolidate their hold on power at the general public's expense, thereby lessening citizen participation in government. This represents extremely poor policy and would be detrimental to the county in the long run. Perhaps the Commissioners believed they had the knowledge base for the necessary oversight of these two vital services, but he doubted they had the collective wisdom that the professional specialists had that volunteered to serve on these boards.

Falsely claiming politics as the justification for dissolving the board was a lame excuse. Good luck finding any qualified, public minded persons that were willing to serve on this or any other volunteer board going forward. Most would remember how the former members were vilified by the majority of the Commissioners and ejected from the board without so much as a "thank you for your service". As a former Commissioner, he strongly objected to recent actions that required this public hearing. The former structure of these boards worked well for many years and would continue to do so without creating change for change's sake. Additionally, their actions were procedurally wrong. Public hearings should take place prior to a decision, not after the decision was already made.

(o) Mary Jo Cobb of Tuckasegee, stated she was sorry for the unnecessary confusion that had been created for DSS and the Health Department. It made no sense and she could not understand why the three Republican Commissioners were pushing this. The Boards of DSS and Health Department were staffed with experienced and caring professionals. How could they question their integrity when they freely provided their services to help families in the county. There was no way a Board of Commissioners could have the expertise to address the issues that must be handled by experienced and responsible professionals. Folks would remember this when they went to the polls in a few weeks.

(p) Carol Ann Cope of Sylva, stated that for the third time, she was there on the same issue. She was a retired and grateful Jackson County employee having spent her entire career at DSS. She felt she had something to add and was very concerned about the citizens of the county. As a taxpayer, she thought that every penny possible should be given to the people that were the most vulnerable in the communities, which were the majority that DSS and the Health Department served. How could the Commissioners fulfill the need as they had all the other services in the county, personal lives, businesses and their own health and mental viability to serve the communities well. Now they would be tacking on another responsibility to know exactly what all the special rules, laws and regulations were for both of these departments. The departments were doing extremely well and had been for years and had the reputation for working hand in hand. She did not know how they could gain the knowledge for all the different people in those two departments and come close to advising well.

(q) Betsy Swift of Sylva, stated she was asked to read a statement from Jerry DeWeese: He too was tired of discussing consolidation. Simply put, it should never have happened. Since the decision was made by the Commissioners, there had been unnecessary disruptions to the Health Department and DSS, not to mention the disruption in the normal management responsibilities of the Commissioners and County Manager. If consolidating the two boards was an innocent attempt to streamline the permitting process, then why wasn't that need initially discussed with the Director of the Health Department? DSS should never have been involved with an innocent permitting issue. The issue was one of citizen representation or lack thereof. The Commissioners, elected by the citizens of the county, should have execute what the people asked not what they deemed was best for them.

When the plans for consolidation became public 18 months ago, over 20 people stood before the Commissioners and spoke against the action. In researching the minutes of each board, it was evident that consolidation was a power play. The maneuver used a recent change in state law that allowed the Commissioners to gain control of the county's permitting process. The disruptions to DSS and the majority of the Health Department functions were merely collateral damage. The new power or one stop shop approach would allow big developers to fast track their projects without input from more than a very few people. Anyone in the way of the new process would simply be replaced. While it had become evident that this group of Commissioners would be unable to work for the people because it interfered with their personal agendas, it was his hope that the upcoming elections would change the dynamic of the Board so that the work of the citizens of the county could resume effectively and without distraction.

Ms. Swift stated that she was a Registered Nurse and Certified Nurse Midwife and had been a Jackson County health provider for over 20 years. She concurred with the thoughts of those spoken against consolidation of the two boards.

(r) Dana Tucker of Sylva, stated that she worked in the Jackson County Schools and she was one of the people that got fired from the Consolidated Board. In August, after three meetings, which was really not enough to get to know people, they were all fired. According to that decision and according to the different options that were available, as she understood it, the Commissioners were going to appoint an advisory board to the Commissioners about the fact that they were over the Health Department and DSS.

When there were people that were politicians, business owners or a university professor, name recognition and public opinion was pretty big. Unfortunately, many of the children or citizens of the county that accessed the Health Department and DSS were really more concerned about feeding children or getting them immunized or getting themselves protected. What a lot of the people on that board had done for a long time, herself included for about 25 years, was to stand to be a voice for people that had no voice.

She was hard pressed to believe that the Commissioners had the time or the qualifications to oversee all of the responsibilities of these two agencies. These agencies were accredited and audited on local, federal and state levels and they did internal audits of themselves and they worked to remove barriers for children. For people that had no voice, they kept them safe from disease, dishonesty, fraud and rabid dogs. They tried their best to keep the sewage out of the rivers and creeks. Did they feel qualified to make those decisions for the two agencies? She asked them to do what was best for the community. She asked them to re-establish the two separate boards as it was before.

(s) Marie Leatherwood of Sylva, stated the health department and DSS did not have a common background, they were each specialty and needed advice and help on a basis that fit them. They did not do the same things. This was a power grab. They wanted the opportunity to stack the boards with their own choosing and that did not serve the citizens.

Commissioner Deitz stated that it showed how important this was with a crowd showing up at 2:30 and he thanked them all for coming. On behalf of all the Commissioners, he thanked the Consolidated Board members for their service. With the amount of time they had spent in almost two years, if they would have put that much effort into improving the Health Department and DSS, they would probably win some kind of award. This was political. They should be able to come to a unanimous decision, but they haven't so he thought it would just have to be political. He wished this had never come up. He for one was not qualified to run or advise these two departments, but he would do his best.

Commissioner Elders stated that this was exactly turned around the opposite the way it was started. Never had he had any indication of dissolving the boards. They started out with this to streamline, be able to answer questions, cross-train and consolidate the Health Department and DSS. His hope at that time was that the boards would be consolidated just as they did the departments. They had expert people on that board and his hope was that they would still choose to serve. He hoped that the board would be made up of the same people they had on the DSS and the Health Department. It had gotten all blown away and it had gotten political, which it never should have.

There being no further public comments, Commissioner Deitz moved that the public hearing be adjourned. Commissioner Mau seconded the Motion. Motion carried.

Attest:

Approved:

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Angela M. Winchester, Clerk

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Brian Thomas McMahan, Chairman