

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 11, 2019**

The Jackson County Board of Commissioners met in a Work Session on June 11, 2019, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

| | |
|---|--------------------------------------|
| Present: Brian McMahan, Chairman | Don Adams, County Manager |
| Boyce Deitz, Vice Chair | Heather C. Baker, County Attorney |
| Mickey Luker, Commissioner (via speakerphone) | Angela M. Winchester, Clerk to Board |
| Ron Mau, Commissioner | |
| Gayle Woody, Commissioner | |

Chairman McMahan called the meeting to order.

(1) BUILDING RENOVATIONS AT FORMER DREXEL SITE: William Shelton of Thomas Valley Growers, LLC, stated that when they made the plans they did for last year, they agreed to do everything according to the laws and standards, but it ended up not panning out. They ended up pulling the plug on the RV's they had planned to do last year. They found out that when it came to migrant labor, whether it be H2A or from the other parts of the United States, they had to pre-register housing and have it fall under certain guidelines. He worked with the North Carolina Department of Labor Ag Division and went through a process where they looked at the facility and old office area. They thought that would be a perfect solution for the housing as it would be like a bunkhouse.

He had a contractor that was certified to handle H2A workers. They did not have the time to get this done now, but moving forward, he wanted to ask permission to pursue the idea contingent on it being feasible through the permitting process, the Department of Labor and through their own financial ability to do so. He requested permission to look into the potential of the bunkhouse.

In the meantime, he still had the RV hookups that he invested in the electrical infrastructure, they had water to them and they were ready to hook up to the sewer. He did have employees that were with him year-round that were looking to relocate and find permanent housing, but in the meantime, they had RV's that they needed to hook up. He was already paying TWSA monthly for service. He put in a change of use request with TWSA and he asked permission to hook up two to three RV's that summer to get them through until they could find permanent housing. Since they were there year-round, they were migrants and were not subject to the same standard.

Mr. Adams stated there were two requests. Regarding the RV's, the permission before allowed for temporary, seasonal occupancy. He was not sure how that impacted code enforcement in the conversation if they were talking about putting permanent RV's for permanent use. They would have to be sure that was how it was permitted.

Mr. Shelton stated that the intent was for them to find year-round housing. He thought the RV's by nature were temporary, particularly if they made sure they did not build any structures attached to them. The intent would be for them to hook them up and drag them to higher ground in a flood event. They were asking for this to be temporary, but if it went over for one year, would that be an issue?

Mr. Adams stated that the letter stated that on June 18, 2018, the Board voted to allow the installation of up to eight RV's as long as the following conditions were met:

1. No more than eight RV units would be placed on the property.
2. No more than four persons per unit would be allowed to stay in the RV.
3. The RV units would be used on a temporary basis in any given year, as stated in the letter, temporary means they would only be occupied for around four months during peak harvest season.
4. The RV's would be properly hooked up utilizing water, sewer and electrical infrastructure.

Commissioner Deitz stated that he did not have a problem with this if they were trying to find permanent housing.

Mr. Shelton stated that as far as the inside of the building, they would never ask that people be there on a year-round basis, that would strictly be for H2A.

Mr. Adams stated that the question to the Board was did they mind the RV's being there and someone living in them year-round for a year or longer. The second part would be so long as it fell under appropriate codes. He did not know whether or not when Code Enforcement inspected this under a certain set of laws for temporary versus permanent.

Mr. Shelton stated they could potentially live there for a year or longer. He had workers that had been there year-round, but were transient by nature. Based on the prior agreement, he rationalized that he needed to put them there temporarily. He already spent about \$5,000 to put in electric for the RV's and to run the water and prepare for the sewer.

Chairman McMahan stated that he was agreeable if they could come to an understanding about "temporary" and making sure it was acceptable under code.

Mr. Adams stated if they were trying to be more flexible with #3, he thought they would revise it to state:

3. The RV units would be used on a temporary basis in any given year. ~~as stated in the letter, temporary means they would only be occupied for around four months during peak harvest season.~~

Was it the desire of the Board to move forward to allow access to the RV spots however they defined it?

Commissioner Deitz stated yes.

Commissioner Woody stated yes.

Commissioner Mau inquired if there were any legal issues with the lease that came up with this?

Ms. Baker stated that she thought they were at a point if they were going to allow these uses, they needed to amend the lease.

Commissioner Mau stated that he agreed if they checked the permitting and amended the lease.

Commissioner Luker stated that he understood the intent and goal, at the same time they needed to protect the county and county property and he thought they should define "temporary". He would be in favor of leaving it as temporary and go with it from there.

Chairman McMahan stated that he agreed.

Mr. Adams stated that the second part was the request to renovate the facility.

Ms. Baker stated that she recommended changing the lease for this also. They could do an amendment to the lease to allow for both changes. She thought this request was getting outside of the purpose that was defined at the time.

Mr. Adams stated that Mr. Shelton had discussions with Code Enforcement regarding the renovation of the facility.

Ms. Baker stated that also, TWSA was in the process of becoming the owner of the Whittier plant. If they amended the lease, they would take care of this at the same time and change the description of the property Thomas Valley Growers was leasing because they now had a survey to better describe the property.

Chairman McMahan asked if the Board was interested to allow Mr. Shelton to explore options and be in a position to do some conversions and create a bunkhouse.

Commissioner Deitz stated yes.

Commissioner Woody stated yes.

Commissioner Mau stated yes.
Commissioner Luker stated yes.
Chairman McMahan stated yes.

Consensus: *Place an item for a lease amendment on the June 18th regular agenda for consideration.*

(2) **DILLSBORO INTERLOCAL AGREEMENT:** Michael Poston, Planning Director, stated that they had talked with the Town of Dillsboro regarding amending the interlocal agreement for the Planning Department to take over subdivision administration and the Town of Dillsboro wanted to adopt the county's Subdivision Ordinance. They did this already with a couple of the communities and it did require them to create unified interlocal agreements as they had three to four with Dillsboro already.

He presented a draft agreement and stated that it was more consistent with the other agreements with other municipalities to provide countywide services, such as building inspections, erosion control, floodplain regulatory administration, zoning administration and subdivision administration. They also added what they currently did for them with GIS and maintaining their zoning maps and addressing systems. They had general conditions about how they interacted with the town and what they needed to provide to the county to administratively make it work. It also included a new conflict of interested statement that helped staff.

They would be working on the other three interlocal agreements using the same model language so that all agreements would follow the same guidelines. They would be working with the other towns over the next six to eight weeks to update all the agreements.

Commissioner Mau inquired if they could make this item a part of the agenda for the Joint Meeting with the Towns in July.

Consensus: *Add this item to a future regular meeting agenda for consideration.*

(3) **FY2019-2020 BUDGET DISCUSSIONS:**

(a) Community Foundation: Chairman McMahan stated that the request was approximately \$10,000, which included salary and costs of publications and advertising. Over a year ago, they held an opioid awareness event and decided as a Board to take this on as a project to try to educate the community starting with the elected officials throughout the county. The Health Department had a committee to continue working on the process and look at other ways to try to make a difference.

Since the county could not donate money to the Community Foundation because of their status as a nonprofit, they were excluded from being able to accept money from the county. One of the suggestions he had made was to use a line item for the Health Department to help fund the request and work with them to try and meet the needs over the course of the remainder of the year when they were going to have a forum. This would not mean they would amend the budget, but that they had contingency money they may need to transfer over at some point to the Health Department to administer the needs.

Mr. Adams stated that without the salary, the request would be \$7,260. They may have to do a part-time person or maybe Health Department staff could assist.

Commissioner Mau inquired if the Health Department could hire an intern?

Commissioner Woody stated she liked the idea of going through the Health Department.

Commissioner Deitz stated that he agreed.

Chairman McMahan stated that Shelley Carraway, Health Director, had been participating in the meetings and was aware.

Mr. Adams stated that they needed to connect this group with Ms. Carraway and work up a plan with how they needed to proceed forward with the idea and understanding that the Board wished for this to occur through the Health Department. Also, if Ms. Carraway had a manpower issue, the Board was willing to fund an intern to help.

Consensus: *Connect the Community Foundation with the Health Department, transfer funds from contingency as a line item to the Health Department to administer the needs and hire an intern, if needed.*

(b) Circles of Hope: Commissioner Woody stated that there were a couple of questions and she volunteered to follow-up on information about Circles of Hope as far as how many graduates they had. Twelve people started and eight graduated from that series of classes. They did two series per year. She thought that was a good outcome when they considered the demographics of the participants. Over the four years they had been in existence, they had between 35 and 40 graduates. At that time, they had four circle leaders that were former graduates, which she thought spoke a lot about their ongoing success. That helped her to feel better about continuing to fund when she thought that was a significant impact.

Also, she followed up with Cashiers and she talked with Ms. Robson, who was one of the people that presented to the Board. She let Ms. Robson know that they had a concern because the Board wanted to be good stewards of taxpayers' money and they did not see themselves as investing in startups, but they wanted to invest tax money in a group or entity that had already done something and had some success. Once they were up and going, they could come back to the Board and request funding and the Board may fund them.

Informational item.

(c) WATR: Chairman McMahan stated that they had previously funded WATR. Where was this funded from?

Darlene Fox, Finance Director, stated they funded them out of the Clean Water Revolving Loan Fund.

Chairman McMahan inquired about fines from violations for erosion, where did that money go?

Ms. Fox stated that it went into the department's revenue stream.

Informational item.

(d) Webster Enterprises: Mr. Adams stated part of Webster Enterprises' conversation with the Board was that they started a Vocational Rehab Workforce Development Program and they were talking about serving between 63 and 137 workforce development individuals. These were not just the mentally disabled, it was also high school students. He mentioned to the Board that they were going to try to get them access to the CDBG Revolving Loan Fund. They found that because of the federal regulations, they were not going to be able to access those funds.

If the Board wished to move forward, they would have to come up with some type of standard loan with them where they would guarantee the monies and repay the loan when Vocational Rehab reimbursed them. This would come back before the Board in July with discussions of potential adoption in July. This was an economic development conversation, but there was a difference between this and potentially another nonprofit asking to borrow money. They were talking about using the Economic Development Fund for this purpose and conversation. This could and would be distinguished from other nonprofit needs.

Consensus: *Mr. Adams to work on a draft loan plan for Webster Enterprises and bring this item back to the Board in July for discussions and consideration.*

(e) Homeless Program: Mr. Adams stated that he wanted to update the Board on his conversation with representatives of HERE. He met the day before with Bob Cochran, Destri Leger and Marilyn Chamberlain. Below were items that were discussed:

- HERE currently did not have a 5013c designation. They were going to submit their application that week. The designation may take 6-8 weeks, assuming they qualify and everything was filed correctly.
- HERE had identified \$76,500 in grants that they planned to apply for.
 - \$2,500 grant was due by June 30, 2019.
 - \$20,000 grant was due by August 31, 2019.
 - \$24,000 grant was due by October, 2019.
 - The remaining \$10,000 was an ongoing process with no deadline.

The majority of the funds would not be available until November or January. They did plan to continue to raise private funds throughout the year. Some of the grants were through a reimbursement process.

- HERE did not have appropriate contracts in place to operate basic payroll and expense services. It was also discussed that HERE did not have the cash flow to operate without engaging the services of another nonprofit agency or obtaining significant assistance from the county.
- HERE was still working on three separate revised budgets. They were following through on the details after their discussions. In general terms, he believed the following to be reflective of the conversation:
 - Budget One would employ one person and was limited in overall service capability. He believed this budget would require \$130,000 from the county with the grant funds more than likely covering the additional costs.
 - Budget Two would employ two people and was capable of providing both cold weather shelter services along with some case management services throughout the year. He believed this budget may only need \$130,000 from the county if all grant funds were received.
 - Budget Three would employ three people and was capable of providing both cold weather shelter services along with case management services throughout the year. He believed this budget would need more than \$130,000 from the county along with the grant funds.

The additional funds potentially needed for the proposals could range from approximately \$0 to \$126,000 above the \$130,000 allocated. This would be dependent upon the grant funds being received. If grant funds were received, then Budget 3 would require an additional \$40,000-\$70,000 above the \$130,000 allocated. None of this would be absolutely known until the grant awards were made.

It was recognized by all at the meeting that HERE was not ready, at that point, to take over the homeless program under any format. It was decided that it would take a few months for HERE to potentially work out some of the issues. They planned to meet again during the week of July 8th. It was HERE's goal to be operational by September 1, 2019 or October 1, 2019. It was recommended that they support any grant applications in the interim. This was a new organization that would require management and financial support and a planning process for them to progress forward.

They hoped to partner with another nonprofit to move forward. He thought they would have the best ability to create partnerships and go after private sources of funds. But, if the county was fully funding this, then he thought they needed to look internally for the simple fact that all of the controls were built in the county operations.

Informational item.

(4) JULY 2ND REGULAR MEETING: Chairman McMahan stated that it had been requested to cancel the July 2nd regular meeting.

Consensus: *Place this item on the June 18th regular agenda for consideration.*

(5) OTHER BUSINESS:

(a) Mr. Adams informed the Board that Leadership Cashiers would be attending the regular meeting on Tuesday, June 18th. They would be in the Jury Assembly Room prior to the meeting and invited the Commissioners to stop by.

Informational item.

(b) Commissioner Deitz stated that they were in the process of closing the Oconaluftee Job Corps. He hated to see that happen, but it seemed that not many people were concerned about it. He received a phone call with a suggestion that it would be a great place to have a place to rehab young folks in the opioid problem and to train them to work. They could also partner with WCU and SCC. He talked to Ronnie Beale, who said he was going to talk with the governor about this. It could serve folks from the area that really needed help.

Informational item.

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 2:10 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman