

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 14, 2023**

The Jackson County Board of Commissioners met in a Work Session on November 14, 2023, 1:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Mark A. Letson, Chairman	Don Adams, County Manager (Via Zoom)
Todd Bryson, Vice Chair	John Kubis, Interim County Attorney
Mark Jones, Commissioner (Via Zoom)	Representative (Via Zoom)
John W. Smith, Commissioner (Via Zoom)	Angela M. Winchester, Clerk to the Board
Tom Stribling, Commissioner	Darlene Fox, Finance Director

Chairman Letson called the meeting to order.

(1) HOUSING DEVELOPMENT FINANCE INITIATIVE: Tiffany Henry, Economic Development Director, stated this item was regarding an affordable housing feasibility project.

She provided an overview and background:

(a) Development Finance Initiative:

- Jackson County recently kicked off an effort with Development Finance Initiative (DFI) to determine the feasibility of affordable housing in the area.
- DFI was a program of UNC Chapel Hill's School of Government.
- DFI would provide specialized finance and development expertise to local governments to assist them in attracting private investment for transformative projects in their communities.
- This technical assistance allowed them to deepen the housing strategy and make progress on long-term housing goals.
- DFI would conduct several pre-development analyses, alongside community and public engagement efforts to facilitate future public-private partnerships that would serve local priorities.
- DFI engaged in more than 250 projects in communities across North Carolina, South Carolina and Virginia, attracting more than \$1 billion of private investment over the last decade of operations.

(b) DFI 2011-2022:

- 222 total projects
- 138 projects in Tier 1 or Tier 2 communities
- 157 in distressed or severely distressed communities
- 109 in communities with populations of 20,000 or less

(c) DFI 2022 Projects:

- 20 new
- 26 ongoing
- 9 Tier 1 or Tier 2 communities
- 12 distressed or severely distressed communities
- 9 communities with a population of 20,000 or less

(d) DFI Scope of Services: The county engaged DFI to support the county in analyzing opportunities to attract private investment for affordable housing development.

- (e) The Phase 1 opportunity site identification scope of work included:
 - Housing Needs Assessment. Goal: Determine demand for different housing types based on economic drivers and current housing supply.
 - Site(s) Suitability Analysis. Goal: Identify sites that meet the county’s housing priorities.
 - High-level Site and Financial Feasibility. Goal: For each site identified, determine type and scale of housing development possible; estimate potential private funding sources; and identify minimum funding gap for each scenario.
 - Stakeholder Engagement. Goal: Identify community goals and development opportunities to meet housing needs in the county.
- (f) Next steps:
 - One on one meetings with Commissioners
 - Meet with the DFI team to discuss housing priorities in the county.
 - Review/discuss DFI’s housing needs assessment.

She noted the consultant fee was \$67,000 and was covered 100% by a Dogwood grant. General discussions were held.

Informational item.

(2) GREAT GRANT AGREEMENT: Mr. Adams stated this was the follow up grant with Exhibit J the Board passed regarding Balsam West receiving a GREAT Grant award, which required a 7.5% match from the county.

Ms. Henry presented the following Exhibits to the Agreement:

- (a) Exhibit B: Scope of Services
 - Total Project award: \$2,860,154.00
 - Matching Amount: \$429,023.10, split with Balsam West using ARPA funds
 - Locations: 583 households, 53 businesses, for a total of 636.
- (b) Exhibit I: Mapping Files showing locations.
- (c) Exhibit J: County Matching Funds of \$182,000

Mr. Adams stated the funds would be mailed to Balsam West in full within 30 days after completion of the Scope of Services and when Grantee/NCDIT provided evidence to the county of NCDIT’s approval of the Grantee’s final claim. The county dollar would be the last dollar.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(3) ORGANIZATIONAL MEETING RULES: Mr. Adams presented Modifications to Suggested Rules of Procedure for the Board of County Commissioners. The Commissioners had previously been provided with the book “Suggested Rules of Procedure for the Board of County Commissioners” Fourth Edition, 2017, by Trey Allen.

Every December, the Board reviewed the Rules and Procedures in the Organizational Meeting. After previous conversations with the County Attorney, he provided the following recommendations:

Rule 3. Remote Participation in Board Meetings:

- (a) A member who is not physically present for a board meeting and provides at least 24-hour notice to the County Manager, may take part in debate in the meeting by electronic means but ~~may neither~~ **will not** be counted toward a quorum ~~nor may be the deciding,~~ **will not** vote on any matter before the board **and will not be included in closed session.**
- (b) During a State-Level Declared Emergency, the Board will follow the provisions for Remote Meetings set forth in G.S. 166A-19.24.

- (c) Commissioners are encouraged to attend meetings in person to the fullest extent practicable and should give as much notice as possible when not able to attend a meeting in person. When not able to attend a meeting in person, a Commissioner should make every effort to attend the meeting remotely by video or phone.

Chairman Letson stated the County Attorney had mentioned there were exceptions during Covid when everyone was remote. The recommended revisions would return the rules and procedures back to pre-Covid so the county would be in compliance.

Commissioner Jones stated he understood the comments made by Ms. Bechtel regarding closed session and privacy. Technically, they were taking the Commissioners word they were in an enclosed, private space during closed session. How would the closed session information be communicated to the Commissioner that was not in attendance in-person?

Chairman Letson stated the closed session minutes would reflect the meeting.

Mr. Kubis stated the book Suggested Rules of Procedure, was the governing template. The revisions proposed, including those regarding attendance in closed session, were in place to keep the proper decorum and protections afforded with closed session. They envisioned a person needed to be personally in attendance at the closed session to have the full extent of the details. Otherwise, they would rely on the notes provided of the closed session that were sealed.

Commissioner Jones asked for clarification of Rule 21. What was the difference in debate and general comments on a topic? Oftentimes, the Chairman would lead a particular agenda item and give an explanation and/or direction.

Mr. Adams stated he wanted to emphasize the word “may” have the vice chair preside during the board’s consideration of the matter. He believed the rule was there if it became difficult for the chair to lead the board. This gave an avenue for the chair to hand the meeting over to the vice chair.

Commissioner Bryson noted in Rule 3, the added part stated “will not be included in closed session”. The attorney participated on Zoom during the discussion.

Chairman Letson stated he believed within the confines of the attorney’s office, they were in a controlled environment and they were offering an opinion, they were not voting.

Commissioner Bryson stated he did not necessarily agree. The Commissioners were elected to be a part of the discussions, so he felt if the attorneys were able to Zoom, the Commissioners should also be able to Zoom. It seemed like a double standard.

Chairman Letson stated they could discuss this further.

Mr. Adams stated this item was the result of closed session legal opinions. He recommended if there were any questions, for Commissioners to speak with Ms. Bechtel individually.

Commissioner Jones stated there were times when the Board went into closed session and took no action in open session. This was the information he was referring to. He agreed with comments Commissioner Bryson made because closed session conversations were important.

Mr. Kubis stated part of the spirit in which that was intended was also to protect the integrity of having the quorum of decision makers available and in one room. They were open to have further conversations with the Board.

Mr. Adams stated this could be a requested goal to the NC Association of County Commissioners to clarify this attendance rule of not being counted toward a quorum. It was based on state law. Other boards had the ability to zoom and use current technology. There may need to be a lobby to the state law to allow Boards of County Commissioners to utilize current technology.

Mr. Kubis stated he thought Mr. Adams was accurate. He thought the suggestions made in the governing document presented were based on the best interpretations of the case law that existed. These rules and guidelines did admit there was uncertainty about the enforceability of these provisions.

Chairman Letson stated he thought there was room for further discussions.

Commissioner Bryson stated when they took their oath, it was part of the promise to keep information confidential.

Commissioner Jones inquired about Rule 38. Historically, a Commissioner would make a motion to appoint someone and then there was a second. At that point, there was time for discussion. Could there be multiple motions for appointments prior to a second?

Mr. Adams stated within the Suggested Rules of Procedure book, there was a rule that did not allow two motions at the same time.

Informational item.

(4) FRIENDS OF PANTHER TOWN LEASE: Mr. Adams stated the County Manager had the authority to lease property for one year or less. He presented the current lease for the old chamber property, which included an 800 square foot facility, to the nonprofit Friends of Panther Town. The lease was for a term of one-year at \$600 per month and the county helped maintain the front since it was an entryway into town.

It had been requested to lease the property to Friends of Panther Town for another year. They were interested in a multi-year lease, but he did not know if there was enough time with the transition of the County Manager. He wanted to make sure the Board was comfortable to extend the lease for an additional year. This would give time for new leadership to evaluate a multi-year contract.

Chairman Letson stated he had no problems extending the lease another year. Friends of Panther Town had been good tenants. He would like to see them in a longer term lease in the future.

General discussions were held.

Consensus: *Move forward with an additional one-year lease with Friends of Panther Town for the old chamber building.*

(5) GREEN ENERGY PARK POSITIONS: Mr. Adams requested the Board evaluate potentially changing the grade for the Project Manager position and to look at one of the part-time positions. After evaluating the Project Manager position, it was designed around a person. The former manager was an engineer with a specific skill set, which justified his grade of 26. He did not believe grade 26 would recruit another engineer into the position.

They had engineers on contract that assisted with the Green Energy Park and the closed landfill. He thought the Project Manager should be more of a marketing skill set position with an education and supervisory background. They would be directly involved with the artisan base and help maintain relationships with SCC and WCU. This would line up more to be a grade 23 versus grade 26.

He presented:

(a) Current Budget:

<u>Job Description</u>	<u>Fte</u>	<u>FY 2023-2024</u>			<u>Total Wages & Benefits</u>
		<u>Grade</u>	<u>Step</u>	<u>Annual Salary</u>	
Studio Technician	1	20	9	47,304.97	71,966.87
Programming Manager	0.5	17	9	20,431.91	24,837.02
Green Energy Project Manager	1	26	17	72,467.30	102,302.58
Programming Manager	0.5	17	1	15,942.45	19,379.64
	3			\$ 156,146.63	\$ 218,486.11

(b) Proposed Budget:

<u>Job Description</u>	<u>Fte</u>	<u>FY 2023-2024</u>			<u>Total Wages & Benefits</u>
		<u>Grade</u>	<u>Step</u>	<u>Annual Salary</u>	
Studio Technician	1	20	9	47,304.97	71,966.87
Programming Manager	1	17	9	40,863.81	64,201.41
Green Energy Project Manager	<u>1</u>	23	9	<u>54,761.41</u>	<u>80,956.36</u>
	3			\$ 142,930.19	\$ 217,124.64

He requested to move the Green Energy Project Manager from Grade 26 to Grade 23, remove the engineering requirements and focus more on marketing and education. He also requested to remove the new part-time position and turn the Programming Manager into a full-time position.

Ms. Fox stated the grade being proposed fell in line with other site managers in the county at that supervision level.

General discussions were held.

Consensus: *Add this item to the next regular meeting agenda for consideration.*

(6) SOLID WASTE CONTRACTS: Mr. Adams stated all of the preliminary bids had been received and preliminarily awarded. Also, Ms. Bechtel and Chad Parker, Public Works Director, had made their final changes to the contracts. He would work to have all of the contractors sign and bring the contracts back to the Board for final approval at an upcoming meeting.

General discussions were held.

Informational item.

There being no further business, Commissioner Bryson moved to adjourn the meeting. Commissioner Stribling seconded the Motion. Motion carried and the meeting adjourned at 1:55 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Mark A. Letson, Chairman