

**MINUTES OF A
SPECIAL MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 16, 2017**

The Jackson County Board of Commissioners met in a Special Meeting on November 16, 2017, 6:00 p.m., Department on Aging “Heritage Room”, 100 County Services Park, 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. He stated that the purpose of the meeting was to discuss whether or not to consider consolidation of the Department of Public Health and the Department of Social Services. The last meeting they had on this subject was an informational meeting that included a presentation from the UNC School of Government that discussed the process.

(1) PUBLIC COMMENT: Jenifer Montsinger of Webster stated she retired after working 35 years as a DSS Social Worker and Supervisor in Child Welfare Services. In 2012 she became a court appointed Guardian Ad Litem in the county. In that volunteer capacity, she was assigned to speak on behalf of children who had been with DSS custody. She had worked in both large and small, urban and rural settings and she believed she had an informed perspective on the roles of the Departments of Social Services and Health. She had observed both high quality and mediocre services and Jackson County’s DSS and Health Department staff and services far exceed the norm.

There seemed to be a misperception on the part of some that the services these agencies provided were duplicative, but they were not. While it was certainly true that they served some of the same individuals, the services themselves were very distinct. Each board was charged with a very specialized set of responsibilities. Because the functions of the two agencies were quite distinct and diverse, it was unreasonable to expect that one set of board members could be effective overseers of their responsibilities if they were to be consolidated. The question of consolidation was first raised early that year. The new Commissioners were to be congratulated on the efforts they made to fully understand the issues that were involved so that they could make an informed decision about what method of service delivery would be the greatest benefit to the citizens of the county.

At the March 23rd meeting, each of the Commissioners expressed a belief that what they had in place was working well for them. They complimented each of the boards for doing their jobs consistently and for being proactive in identifying problems and finding solutions to solve those problems effectively. There was no new data, that she was aware of, that would indicate that consolidation of these two boards would improve the efficiency of service or decrease the cost. She requested that they keep the current boards in place.

(2) HUMAN SERVICES ORGANIZATION AND GOVERNANCE OPTIONS: Mr. Adams stated this would be a brief presentation and discussion of where they came from to where they were now. On March 23, 2017 the School of Government gave a presentation to the Board, which was when the Board had discussion and input from the public in general. During that presentation, information was provided to the Board about the options the Board could consider.

At the end of the March 23rd meeting, there were several questions, which he categorized into two topics:

- Why some counties chose not to consolidate after being presented with the information?
 - There was not a lot of the elected officials remaining that chose to consolidate. He was unable to get any concrete or clear information for this question.
- What were the drawbacks and unintended consequences to the counties that did consolidate?
 - He did reach out to the School of Government, with no reply. The School of Government was not conducting follow-up research because they did not have the resources to do so.

Mr. Adams presented:

(a) Thinking about change in county human services:

- Counties were required to provide health and social services.
- In 2012, legislation created new options for these services' departmental organization and governance.

(b) Defining Goals:

- What were the county's goals and what route would get there? Below were from other counties:
 - Improve service delivery for citizens.
 - Create a new vision for human services programs.
 - Create a unified personnel system for all county personnel.
 - Change the relationship between Board of Commissioners and the departments.
 - Identify efficiencies and reduce human services spending.

(c) Options:

- Stay the same.
- Options under "old" laws.
- Options under new law.

(d) New options – key decisions:

- How will local human services be governed?
 - Appointed board(s).
 - BOCC assumes power/duties of board(s); advisory committee(s).
- How will local human services be organized?
 - Separate agencies.
 - Consolidated agency (CHSA).
- If a CHSA was created, which personnel policies apply?
 - County personnel policies.
 - State Human Resources Act.

(e) Options under "new" law:

- Option one:
 - Department was not consolidated.
 - BOCC assumes powers and duties of board(s) after public hearing.
 - BOCC appoints department directors.
 - If public health affected, must appoint health advisory committee.
 - Employee subject to SHRA.
- Option two:
 - BOCC creates CHSA and appoints CHS board.
 - Manager appoints CHS director with advice and consent of CHS board.
 - CHS director appoints person with health director qualifications.
 - SHRA option.

- Option three:
 - BOCC creates CHSA and assumes powers and duties of CHS board after public hearing.
 - Manager appoints CHS director with advice and consent of BOCC acting as CHS board.
 - CHS director appoints person with health director qualifications.
 - SHRA option.
 - If agency includes PH, must appoint health advisory committee.
- (f) Lessons learned:
 - Organizational structure: Flexibility, but still must comply with state and federal mandates.
 - Employees:
 - Advance discussion about implications of change.
 - Update HR policies/ordinance well in advance.
 - Open legal question about transitioning career status employees.
 - Advisory committees: Define roles, including appropriate delegation.
 - Information sharing: Don't assume components of a CHSA will be able to share information more freely than they could before consolidation.
 - Budget impact: Don't assume creating a CHSA will save money.

Motion: *Commissioner Deitz moved to stay the same by leaving the two organizations separate and apart as they were and not to consolidate. Chairman McMahan seconded the Motion.*

Discussion:

Commissioner Deitz stated this came up about nine months ago and there was absolutely nothing wrong with bringing up the issue as they were able to have a discussion about whether this issue was important or not. At that time, it was unanimous to study the issue, which they did. The School of Government did a very thorough job of informing them of all of the ins and outs, but there were still many things they did not know as to how good or bad this would be.

In a pure democracy, everyone would be involved, but that would be difficult to do when there were so many people involved. They had two boards that had approximately 20 members combined. It was awesome that people had given their time to serve on these boards to help have a better Social Services Department and Health Department. During the nine months the Commissioners talked about this issue, he had not seen anyone come forward to let him know of anything that was going really bad. The two departments could be better than what they were, but the five Commissioners could be better than what they were. Everyone always needed to look at themselves and reevaluate to be better.

They needed to do what was best for Jackson County, not any other county. There were some counties surrounding them that had glaring problems that had to be taken care of. When that was the case, something tragic or really bad happened, it would come down to the five Commissioners. If the Board of Commissioners was going to be saddled with that, they would need to take care of it themselves. But he, did not feel that the Board of Commissioners had the expertise to run these two boards.

One person that probably knew more than anyone sitting at the table was Commissioner Elders as he was on the Health Board. He had never mentioned to him how poorly that organization was run and he did not think he would because they were all very proud of that. He was proud of what they had done there, but he thought they would be doing themselves an injustice to change something after looking at it this close and not seeing anything that really called for that change. He would like to think that when they voted it would be 5-0 to keep the boards as they were and that would be the Commissioners' way of saying they appreciated the job they had done.

Chairman McMahan stated that a “one size fits all” approach never really worked. What may work in other counties, may not work in this county. He thought they had two good boards that worked well together and worked well separately. They had demonstrated how they had been doing a very effective job and it was a hard job in looking at what they had to do on a day to day basis. He admired the work they had done and the work that the boards had done. Everyone got a complaint every once in a while, but looking at the full scope, he was proud to say that these two boards had done a tremendous job and he did not have a problem with anything that had happened. He supported keeping them the same.

Commissioner Elders stated he enjoyed Ms. Montsinger’s comments. To his knowledge, he had never advocated entertaining abolishing any board. He thought they needed to research this more for the convenience, as the county was growing. It was a pleasure to serve on the Health Board and it was a big job. To his knowledge, at no time did they say they would abolish the Advisory Board of the Health Department or Social Services.

When they started talking about this it originated out of the Permitting and Code Enforcement Office with complaints they were receiving, at that time from carpenters obtaining necessary permits that they had to get to build homes. Most of them did not want to go through the security system now as most of them were carrying hammers, saws, etc. If they could eliminate and get some of this all under one roof and have a cross trained person available to answer questions and get them in line with what they needed to do to get their projects going.

He enjoyed serving with the Health Department, they did a marvelous job. One of the greatest bunch of people he had ever worked with and from the reports he received, he guessed Social Services was the same. He did not plan to have any part in abolishing the Advisory Boards for either one.

Chairman McMahan stated that Commissioner Elders had been a champion for the One-Stop Permitting and he appreciated his efforts in leading that, but that was something that was a whole separate issue apart from this and they were continuing to evaluate and figure out how to make One-Stop happen.

Commissioner Deitz stated what Commissioner Elders was asking for and he had been for several years, was not going to have anything to do with putting these two boards together. They felt that they were coming closer to figuring something out on the One-Stop, but it was two separate issues.

Commissioner Mau stated that in his opinion Options One and Three were definitely out, so that would leave do nothing or Option Two. He thought the boards did a great job and he had not heard any complaints. This was not about the execution, day to day – it was not tactical at all. He was looking at this in more of a strategic discussion and a bigger picture, longer term outcome. Meaning were there potential synergies on the backend of things, which was one of the items. This was from talking to current County Managers and former County Managers.

DSS contracted with an attorney, there might be, granted it was a work load issue for Ms. Baker, there was a potential savings there and have better access to the County Attorney. Potential benefits would be with I.T., attorney and accounting. Another item was it would create a cleaner, more transparent and accountable line of communication to the County Manager. That was another item that UNC School of Government was very clear about in their presentation.

If they were to decide to consolidate, he thought it would remove a constraint that employees currently had. He knew they did not do the exact same thing, but they did have similar clients and he had been at presentations when people from both agencies said they worked really closely together. One of the advantages of consolidation would be creating an environment for employees to pursue ideas that might improve services in various ways that they would not even know how that would come about right now because they could not do it right now because they were separate - it was more difficult to do it right now.

His view of this was not the day to day stuff, he thought most peoples’ day to day would not even know anything happened. He was looking more at the upper level communications with the County Manager and the directors - that was what he was focused on.

Commissioner Luker stated that they had two options, either do nothing or the only thing he would be in favor of would be the Option Two scenario, he would not attempt to go to an Option One or Three.

Motion failed by a vote of 2-3 with Commissioner Elders, Commissioner Luker and Commissioner Mau voting “nay”.

Motion: *Commissioner Mau moved to pursue Option Two with a Consolidated Human Services Board and a Consolidated Human Services Agency. Commissioner Elders seconded the Motion. Motion carried by a vote of 3-2, with Chairman McMahan and Commissioner Deitz voting “nay”.*

Mr. Adams stated that in order to proceed forward with Option Two, a public hearing was required with a 30 day notice.

Commissioner Elders stated that since the holidays were coming up, he suggested trying to plan on scheduling a public hearing in January.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 6:39 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman