

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
APRIL 09, 2019**

The Jackson County Board of Commissioners met in a Work Session on April 09, 2019, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Boyce Deitz, Vice Chair
Ron Mau, Commissioner
Gayle Woody, Commissioner
Absent: Mickey Luker, Commissioner

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

Chairman McMahan called the meeting to order.

(1) REQUEST FOR DELEGATION OF AUTHORITY FOR QUALIFICATION DETERMINATIONS: Kathleen Breedlove, Human Resources Director, stated that currently when there was an applicant considered for a position at the Department of Public Health, the Health Department was required to send the applicant information to the State Office of Human Resources. They would then determine whether the candidate was qualified to fill the position.

The Health Department staff attended training last spring and they were now qualified to assess applicants' education and experience as it related to the positions at the Health Department. They requested that the delegation of authority be transferred from the State Office of Human Resources to the Health Department and Martha Thomasson, who was the person qualified. She presented a Memorandum of Understanding for consideration. The MOU would then be sent to the State Office of Human Resources for approval.

Consensus: *Place this item on the next regular agenda for consideration.*

(2) HEALTH INSURANCE INFORMATION:

(a) Mr. Adams stated that a memo was sent out to all employees regarding Medical and Dental Insurance changes. There would be a change in that the deductible would be from January, 2019 through April, 2020 instead of June to align the deductible with the plan year, which was May through April. Next year they would work to align both of those with the fiscal year.

Commissioner Woody suggested that they state that the deductible would be extended 16 months in the memo.

(b) Ms. Breedlove presented a new Health Insurance Policy for Users of Tobacco Products that would supersede a prior policy adopted April 1, 2013, which provided a separate group health insurance coverage plan for users of tobacco products. Effective May 1, 2019, the county would only offer one discounted health insurance plan. The new policy was applicable to all health plan eligible employees of any age and retirees under the age 65, regardless of hire date.

The new policy required health plan eligible employees of any age and retirees under 65 to certify their status as a user or non-user of tobacco products at the time they began health plan eligible employment and annually at open enrollment. Identified tobacco users were provided the opportunity to attend a Tobacco Cessation Program offer by the Health Department.

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

(c) Mr. Adams stated that in the past week, Mark III had been in communication with Crescent regarding retaining their nurse to continue Disease Management Services. Crescent agreed to continue to provide these services at a cost of \$5 per employee per month. Using an employee count of 437, the service would cost \$26,220 annually.

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

(d) Mr. Adams stated that in the process of researching additional details regarding the dental program offered by Blue Cross Blue Shield (BCBS), it was discovered that BCBS would only allow direct billing from providers in their network, which was limited in the county. This would require employees that visited out of network providers to pay the provider directly and then get reimbursed from BCBS. Crescent also offered to continue to provide administration of the current dental plan. This plan did not require the use of a dental network. The cost for Crescent to provide this service was \$3 per person, per month. This was only \$0.50 more than the BCBS plan. This service was offered to employees, pre-65 retirees and post 65 retirees. Using an employee/retiree count of 508, staying with Crescent would only cost the plan an additional \$3,038 per year for administration costs. It was recommended that the county stay with Crescent for the administration of dental services.

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

(3) TOURISM DEVELOPMENT AUTHORITY REQUEST: Laura Bowers, TDA Secretary, stated presented two capital requests for consideration and approval. Per the TDA's establishing legislation, Board approval was needed for the projects, even though they were funded through the TDA budget.

The two projects:

(a) Cashiers Area Chamber and Visitor Center: Pave the parking lot to enhance visitor safety while pulling out of a limited sight distance location. This project would also enhance the appeal of the Visitor Center and encourage increased visitation. They were obtaining estimates, but they estimated the project cost to be approximately \$19,537.35, based on an estimate in-hand. He requested the project be approved at that time for funding in fiscal year 19-20.

Jackson County Chamber of Commerce and Visitor Center: Safety related improvements to the steps and sidewalk area that was the main access to the Visitor Center. The sidewalk was decades old and had risen up and developed cracks in recent years. The cost of the work was \$8,050.00. He requested approval and funding in fiscal year 18-19, as funds were available in their budget.

(b) They wanted to make signage and landscape improvements to enhance the prominence of the Jackson Chamber and Visitor Center at a cost of \$1,875. She requested approval of the secondary project for funding in fiscal year 19-20. She requested authorization for a 10% contingency on all projects. All projects had been worked through the budget process.

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

(4) COUNTY SIDEWALK OWNERSHIP AND MAINTENANCE: Michael Poston, Planning Director; Chad Parker, Public Works Director; and John Jeleniewski, Senior Planner, were present for this item.

Mr. Adams stated that this was a follow up conversation regarding the Vision Cashiers presentation, where they requested the county to take over the ownership and maintain sidewalk systems they were looking to build out. The Board had questions and requested staff to do some additional research. One question was to gain understanding of what DOT required as far as oversight of the build out of the sidewalks. The second question was what maintenance really meant. The third item he wanted to discuss was what sidewalks the county owned.

Mr. Poston stated that staff reached out to the DOT to confirm how the process worked from design approval through the final inspection. During design approval, they would have an engineered design and they would work with the applicants to look at items such as accessibility, minimum design standards and storm water on site management. Once they approve the plan, they would issue permits and move forward. During the inspection process, they would make every effort to be out while they were pouring the sidewalk and they would drive by the site during the project. In the final inspection process, they would be looking at ADA compliance. They did not do materials testing because of the type of facility that was being. DOT did not have any expectation of the county regarding maintenance. What concerned them would be things that affected the travel way, such as the curb settling.

Chairman McMahan inquired if WCU, the Town of Sylva or other municipalities had maintenance plans of what DOT was accustomed to dealing with. DOT may come to expect that the county would do something similar and may be held to the same.

Mr. Poston stated that his impression was that DOT had no expectation. They stated that the county was in charge of maintenance, unless there was a problem with the travel way and then DOT would be part of the solution process.

Mr. Parker stated that in talking with the Town of Sylva and the City of Hickory, as far as he could tell, there was no expectation from DOT. He did find in the City of Hickory, they did require the landowners to do snow removal. Below was a list of what Jackson County currently did as far as maintenance of sidewalks:

- Edging
- Weed removal from sidewalks
- Mowing and weed eating (county owned adjacent properties)
- Five year inventory for hazards
- Snow removal in accordance with priority schedule (subject to change):
 - Emergency Management
 - Sheriff's Department
 - Other county facilities
 - Schools
 - Sidewalks

Commissioner Woody stated that she thought it was realistic that property owners would keep their sidewalk, in front of their property clear.

Commissioner Deitz stated that he thought sometimes they would think about a business, but some property owners would have many feet, not just in front of their home.

Commissioner Woody stated that she did not think it was realistic for the county to do that when they were trying to make public areas safe.

Commissioner Mau asked how they would enforce it.

Chairman McMahan stated that the county would technically own the sidewalk, it would probably fall on the county.

Mr. Parker stated they were currently doing this on the sidewalks that were owned by the county.

Mr. Jeleniewski identified existing county owned sidewalks. These sidewalks were installed and programmed or approved sidewalks. The list was fluid and may change before the end of the year. All of the jurisdictions required sidewalk instruction. As development or redevelopment happened, they were enforcing the ordinance, so by default the county owned those sections.

Mr. Adams stated that the ordinances that had been passed, where the county was assuming the sidewalks, was an issue he brought to the Board previously. They were doing this on a case by case basis and then they asked permission of the Board to go ahead and assume ownership of the sidewalks, which was the beginning of the conversation about being in the "sidewalk business".

As long as they were continuing with the ordinances and with the authority given to the county manager to accept ownership of the sidewalks, then to some extent, they were already in the sidewalk business. Currently, they were in the sidewalk business as it was being built out by developers and that was how they evolved to the Vision Cashiers plan.

Commissioner Mau stated that if the county said they were going to remove snow from the sidewalk, but did not and someone slipped and fell, what was the issue versus stating it was the owner's responsibility?

Ms. Baker stated that she was going to talk about liability broadly. The first thing they wanted to do and really the most important thing, was as soon as the sidewalks were constructed and the county became responsible for them, they would need to make sure they made Ms. Fox aware so that it would be listed and covered on the insurance.

Also, she would like to see the priority schedule made public so everyone was aware. Eventually, they would even have priorities within the sidewalks category as some would be more traveled than others. Even if they stated they were not going to maintain the sidewalk for snow removal, the liability was still there.

Mr. Adams stated that the Board could proceed forward with the understanding that staff would develop a policy, especially for the Cashiers area. He did not necessarily believe they were tied together time wise.

Ms. Baker stated that it really was already the policy of what maintenance was doing, they would just need to put it in writing.

Mr. Parker stated they would include the sidewalks in the facility software to keep track of them like any other structure, so they would know when they needed to inspect them.

Chairman McMahan stated that if what they had heard that day answered the questions the Board raised at a previous meeting regarding sidewalk maintenance, it could put them in a situation where they would be ready to vote on the Vision Cashiers issue to allow the county manager to accept the sidewalks of Phase I.

Commissioner Woody stated that as long as they understood about the snow removal maintenance prioritization schedule.

Ms. Baker stated that she would revise the Resolution for Phase I to include language regarding the maintenance prioritization.

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

(5) INDOOR POOL SURVEY: Rusty Ellis, Recreation and Parks Director; Michael Hopkins, Assistant Recreation and Parks Director; Michael Poston, Planning Director; and Kevin Jamison, GIS Director, were present for this item.

Mr. Adams stated that he requested that Mr. Ellis look at the survey and come up with questions and how the survey would be distributed. He asked Mr. Poston and Mr. Jamison to be involved with how they would separate and make the survey statistically correct.

(a) Mr. Ellis presented the survey questions:

1. What is your age range?

15-30 31-45 46-55 56 & up

2. Enter the number of persons in your household by appropriate age groups

Under 9 10-15 16-25 26-35 36-50 51-60
 61 & up

3. In what town/city/area of Jackson County do you live?

Balsam Cashiers Cullowhee Dillsboro Glenville Qualla
 Sylva Webster Whittier _____ other

4. What Zip Code do you reside in?

28707 28717 28723 28725 28736 28779
 28783 28788 28789

5. Do you support building an indoor pool in Jackson County?

Yes
 No

6. Do you support a tax increase to construct an indoor pool?

Yes
 No

7. Would you utilize an indoor pool?

Yes
 No

8. How far would you travel to utilize an indoor pool?

0-5 miles 6-9 miles 10-14 miles 15+
 wouldn't travel

Mr. Adams stated they may want to change the first category on #9 to be 0-3 miles.

Commissioner Woody stated that she thought the survey was good and really hit on the questions she had. The one thing she wondered about was that she was in favor of having the pool in Cullowhee. The caveat to her was that the expense was much less there because they owned the land and the site preparation would be minimal compared to some other location. That would influence her response to the location. Although she lived in Dillsboro, she thought Cullowhee was the best location.

Mr. Adams stated they stayed away from the Cullowhee question because they wanted that to be a discussion among the Board.

Commissioner Mau stated that he had suggested a question: "If constructing an indoor pool at an existing county facility saved millions of dollars, should the existing county site be given preference over other potential sites?"

Commissioner Deitz asked if they were looking for the best place for the structure or the best place for the people of the county to use it.

Mr. Adams stated that because the Board had been in discussions about location, they were trying to leave that question to the Board, if they wanted to enter that on the survey.

9. How would you utilize the indoor Pool?

Lap Swim Therapy Swim Lessons Pool Parties
 Swim Competitions Water Fitness N/A
_____ other

10. What Pool Features are important to you?

Swim Lanes Diving Board (Diving Well) Therapy Pool
 Party Rooms Walking Ramps into pool N/A
_____ other

11. Do you currently own real property in Jackson County?

Yes
 No

12. Do you own other taxable property?

___ Yes

___ No

13. What is your current residency status?

___ Full-time resident

___ Part-time resident

(b) Distribution of Surveys:

- Email blast from both Recreation Centers membership database (2,705)
- Email blast from program participation
- Hospital physical therapy participants?
- Swim team participants/parents
- Senior Center users
- County employee emails
- Advertise in paper/billboard
- Create link on county’s main page and Park and Recreation site
- Scheduled dates at district community buildings to have the public come and fill out paper surveys.

Commissioner Woody suggested adding the library as a location.

Mr. Ellis stated that they brought Mr. Jamison and Mr. Poston in to help break down the population in the zip codes. They were hoping to get a combination of 700 responses from the survey.

(c) Number of responses by Zip Codes in Northern/Middle/Southern Jackson County:

<u>Northern Zip Codes</u>	<u>Middle Zip Codes</u>	<u>Southern Zip Codes</u>
28789 (Whittier) 79	28723 (Cullowhee) 176	28736 (Glenville) 14
28725 (Dillsboro) 0	28783 (Tuckasegee) 30	28717 (Cashiers) 27
28779 (Sylva) 296	28788 (Webster) 0	28741 (Highlands) 4
28707 (Balsam) 0		28774 (Sapphire) 13
28751 (Maggie Valley) 1		
<u>28719 (Cherokee) 58</u>		
435 / 62.00%	206 / 29.53%	59 / 8.46%

Mr. Adams stated that at the budget retreat, he asked if they wanted this statistically correct. If so, they would have to hire someone to do that. They were going to try with the first 700 surveys to capture this percentage out of each region.

Mr. Poston stated they had to pick a data set and it had to be based on something that people would know to be able to glean the information. They picked zip codes because everyone could say what their zip code was. Several of the zip codes had “0” because they did not have delivery routes. They used a GIS program that assigned geography to different areas to come up with the data set. Everyone would be counted. The main goal of this was geographic parity in the survey and this gave them the best opportunity for that without going through a system where they would be calling people. They wanted to make sure they were capturing all different segments of the county as best they were able. That was why they settled on zip codes.

Chairman McMahan suggested asking “what community could the indoor pool be built in that would serve Jackson County the best?”. They could list all of the communities for options. Also, he was assuming they could sort the data when it was in the final format.

Mr. Adams stated that barring a phone survey that went out statistically correct, they would have skewed results. This was as close as they could get. They were going to try and give them randomized statistically correct along with the overall data as well.

Chairman McMahan suggested they ask a question about a cost associated with membership fees to maintain and operate the pool. Also, on #9 could they add “open swim” and on #10 add “kiddie feature”. He suggested that they try not to overwhelm this by trying to have a meeting at every community building. Maybe they could target the seven fire stations.

Mr. Adams stated that when Mr. Ellis provided the final survey, he would give it to the Commissioners to have for knowledge. Also, he asked the Board of Elections when the resolution had to be presented to them for this to be placed on a ballot. The official answer from the Board of Elections was that it would technically be in July, 2020. So the goal would be June, 2020 as the last month that the resolution would need to be adopted to be placed on the ballot.

Informational item.

(6) FY19-20 BUDGET SUMMARY OF NEW REQUESTS:

(a) Ms. Fox provided the Board with Non-Profit Grant Application Notebooks.

Mr. Adams stated that in the notebook, they budgeted \$85,000 for the Homeless Program. They would have Southwestern Child Development come back and shore up and that would be around \$35,000. They had one entity interested next year to provide homelessness services and that application amount was for \$245,000.

Ms. Fox stated that they had three new projects that year:

- Mountain Projects Circles of Hope in Cashiers
- Watershed Association of Tuckasegee River
- Webster Enterprises

Mr. Adams reminded the Board of meetings listed on the budget calendar for May 22nd and 23rd 8:30 a.m. to 1:00 p.m.

(b) Ms. Fox presented:

- Requested Budget – Capital Outlay Detail: \$2,778,354.44.
- Requested Capital Improvements: \$3,084,274.27
- New Positions Requested: \$324,516.80
- Salary Reclassifications Requested: \$72,845.03
- Sheriff’s Office Reclassifications Requested and Retention Incentives

Mr. Adams stated he would provide a report to the Board that would have recommendations for personnel, capital, etc. and they would be able to compare requested versus recommended. There may be items added or taken away and they would provide a summary again at the next work session.

Informational item.

(7) HARRIS EMS CONTRACT AMENDMENT: Mr. Adams presented an amendment to the Harris EMS Contract. At their last quarterly meeting they discussed this with the EMS Service and they all agreed that they did not feel that quarterly meetings were necessary. This would amend the contract to holding two meetings per year in March and November. The March meeting would allow them to have a year-end report and the November meeting would be when they did the shore up at the end of the contract. Those were the two meetings that were necessary.

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

(8) RESOLUTION OPPOSING S.790: Mr. Adams presented a sample resolution opposing Bill S.790, a bill that would allow the Catawba Indian Nation of South Carolina to build a casino in North Carolina.

Commissioner Woody stated she made a few changes to the document as follows:

- She added: “Whereas, half of the Qualla Boundary of the Eastern Band of the Cherokee Indians lies within Jackson County.”
- The original sample stated Swain and Jackson having a certain amount of unemployment in 1997. At that time, Jackson was very different from Swain, mainly because of WCU. She removed “Swain” from that statement and stated: “Whereas, directly and indirectly, the Cherokee casino resorts have reduced the unemployment rate in Jackson County.”

Chairman McMahan stated that it was his understanding that the tribe, the Catawba Nation that was primarily located in South Carolina, wanted to construct a gaming casino in North Carolina, which would be in Cleveland County. The opposition coming from Cherokee was because of the negative impact that it could have economically on their gaming industry.

Commissioner Woody stated that the headquarters of this tribe was in South Carolina. If they did have their gaming in Cleveland County, the revenues would primarily go back to South Carolina, which was the problem she had with this that it was taking revenues from North Carolina and allowing them to go to another state.

Mr. Adams stated that the casino was a large employer. Rich Price, Economic Director, had discussed with him that there were 1,119 Jackson County residents that worked for the casino and ten that worked at the Murphy location, which was \$33.2mil in salary. That was very significant.

General discussions were held.

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

(9) OTHER BUSINESS:

(a) Tax Bill: Mr. Adams stated that this was a follow up from a previous discussion regarding displaying information on the tax bills. He emailed a sample to the Board to show the percentage versus the pie chart for what tax dollars were spent on. It was a space issue on the actual bill and it would rearrange the bill. It was difficult to read the pie chart in the space available.

Chairman McMahan stated that one year they provided an insert with a picture of a dollar bill that broke down how much of each dollar went where.

(b) Riverview Church: Mr. Adams stated that the Planning Department was doing a review of the Riverview Church to determine historical value.

(c) Conservation Policy: Mr. Adams stated that he talked with the Deputy Director of the Trust Alliance and there was a difference between Membership and Accreditation. With Accreditation, they were checked and required to comply with all Standards and Practices.

(d) Online Financial Information: Mr. Adams stated that he, Ms. Fox and I.T. Staff, had a conversation with Buncombe County regarding proceeding forward to try and duplicate Buncombe’s Budget Checkbook. They were following up with that.

(e) Joint Meeting with the Municipalities: Mr. Adams provided possible dates for a joint meeting with the municipalities: July 22nd or July 23rd. Chairman McMahan stated he preferred July 23rd.

(f) Rural e-Connectivity Pilot Program: Commissioner Woody stated that she and Commissioner Deitz attended the Regional Meeting, where they stated that USDA announced an opening date for Rural E-Connectivity Pilot Program applications. The applications were due April 23rd.

(g) Involuntary Commitment Transportation Plan: Chairman McMahan stated that Senate Bill 630 required counties to adopt a Transportation Plan. He did not think any county had followed through with this as it had fallen through the cracks from the state’s perspective.

Mr. Adams stated he would have discussions with the Sheriff about this item.

(h) Information Packets: Mr. Adams provided information packets to the Board and the press in relation to all that he had regarding the health insurance renewal and history. The packets included all emails and information that had been exchanged and it also included four years of reinsurance and calculations.

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 3:29 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman