



**Amendment of the November 19, 2012 Resolution Confirming the Levy of an Existing 3% Occupancy Tax, Increasing the Levy of Occupancy Tax by 1%, and Creating the Jackson County Tourism Development Authority
Amended January 30, 2017
Amended October 16, 2017**

WHEREAS, on November 19, 2012, the Jackson County Board of Commissioners adopted a Resolution, authorized under Session Law 2011-170, House Bill 96, to continue assessing and collecting the current 3% occupancy tax, to levy an additional 3% occupancy tax, and to create a single Tourism Development Authority (“Authority”); and

WHEREAS, the Jackson County Board of Commissioners amended the Resolution on January 30, 2017; and

WHEREAS, the Jackson County Board of Commissioners recognize that the Tourism Development Authority would like to operate more efficiently; and

WHEREAS, the Jackson County Board of Commissioners recognize that reducing the number of Board members from fifteen (15) members down to nine (9) members and changing the definition of a quorum would allow the Board to operate more efficiently; and

WHEREAS, the Jackson County Board of Commissioners recognize that expanding the group classification definition is necessary to obtain more eligible members; and

WHEREAS, keeping the makeup of the Board unchanged while reducing the number of members of the Board will allow the Board to operate efficiently while remaining in compliance with the legislation that enabled the Authority; and

WHEREAS, the Jackson County Board of Commissioners, after a public hearing on October 16, 2017 desire to amend the Resolution (R12-34) adopted November 19, 2102 and amended January 30, 2017 to reduce the number of members of the Board of Directors of the Authority and to revise the definition of a quorum and the definition of group classifications.

NOW, THEREFORE, BE IT RESOLVED by the Jackson County Board of Commissioners as follows:

1. That the text of R12-34, Section 2: Appointment of Membership (A) is hereby amended to read as follows:

Section 2: Appointment of Membership

- A. The Jackson County Tourism Development Authority shall consist of nine (9) members who shall be appointed and approved by the Jackson County Board of Commissioners. They shall also be voting residents and/or taxpayers of the County or employees of a Jackson County business that collects Jackson County Occupancy Tax or pays Jackson County Property Tax. At least one half of members should be active in the promotion of travel and tourism in Jackson County.

Group One – (3) Lodging Properties; (2) Hotel/Resort/Inn Properties - North Jackson County; (1) from other occupancy tax remitters from establishments with 10+ units/rooms.

Group Two – (3) Lodging Properties; (2) Hotel/Resort/Inn Properties - South Jackson County; (1) from other occupancy tax remitters from establishments with 10+ units/rooms.

Group Three – (1) Tourism-related business representative from Jackson County At-Large

Group Four – (1) representative from the Cashiers Chamber of Commerce in a non-lodging, tourism-related business (who is not employed by the CACOC). The Executive Director from the Cashiers Area Chamber of Commerce. The Executive Director will be an ex officio member with no term limit.

Group Five – (1) representative from the Jackson County Chamber of Commerce in a non-lodging, tourism-related business (who is not employed by the JCCOC). The Executive Director from the Jackson County Chamber of Commerce. The Executive Director will be an ex officio member with no term limit.

2. That the text of R12-34, Section 3: Terms of Appointments is hereby amended to add an exception to the second paragraph to allow for Board Member consistency when there is a reconfiguration of the Board of Directors. Section 3 shall read as follows:

Section 3: Terms of Appointments.

The initial terms of the members of the Authority shall be as follows:

- A. One year term: two members from Group One, two members from Group Two and one member from Group Three.
- B. Two year term: two members from Group One, two members from Group Two and one member from Group Three and one member from Group Four.

- C. Three year term: one member from Group One, one member from Group Two, one member from Group Three, one member from Group Five.

Thereafter, all terms shall be for three years except, in order to continue a rotating membership, when there is a reconfiguration of the Board Members by Resolution of the Commissioners, one member of Group One and one member of Group Two may have their current term extended for an additional year. Reappointment to the Authority shall be limited to two consecutive terms with eligibility for another reappointment after sitting out for one year.

3. That the text of R12-34, Section 9: Quorum is hereby amended to change the definition of a quorum to be a majority of the number of directors required by these By-laws. Section 9 shall read as follows:

Section 9: Quorum. A majority of the number of directors fixed by these By-Laws shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

ADOPTED the 16th day of October, 2017.

JACKSON COUNTY BOARD OF COMMISSIONERS

By: Brian Thomas McMahan, Chairman

ATTEST:

Angela M. Winchester, Clerk to the Board



**JACKSON COUNTY TOURISM
DEVELOPMENT AUTHORITY**

Sept. 6, 2017

Jackson County Board of Commissioners,

At our August 16 regular board meeting, the Jackson County Tourism Development Authority unanimously agreed to recommend to Commissioners, for their consideration, a reduction in our board size from 15 to 9 members. A board of nine voting members would be far more operationally-efficient moving forward. The board makeup would remain unchanged, with sixty-six percent of the board comprised of lodging and accommodations and the remainder from the retail and tourism sector.

Magellan Strategy Group's Chris Cavanaugh conducted a study throughout the state and among 31 TDA's from the mountains, and elsewhere, our board is the largest. The average board size for TDA's among those surveyed (attached) is 8.2 members.

With one vacancy, five board members rotating off this year and one board member who will step down this December, it would be the ideal time for this reduction. With those changes, we will have nine members on the board without removing any sitting board members.

We also suggest:

- Changing the group classifications to 'hotel/resorts/inns' and '10+ rooms' for the accommodations partners on the board.
- A change in the quorum from a fixed number of 8 originally contained in the local resolution to a majority.
- Extending two terms to expire in December 2020 to allow for three board members to rotate off per year for the next three years. This change prevents a majority of the board from rotating off and ensures continuity of board operations and organizational knowledge. We are in the process of checking with board members to ensure they would agree to the extension of their term by a year.
- To ensure future appointments remain staggered, we would like the County Attorney to look at revising the 'Terms of Appointment' section of the bylaws.

All of these recommendations have been vetted by our County Attorney and found to be compliant with our enabling state legislation.

While there are a number of changes to consider, we placed them together so as to not have to revisit board structure in the near future. If you have any questions, please do not hesitate to contact me. Thank you for your consideration of our recommendation; we look forward to talking with you Sept. 12 about this request.

Sincerely,

A handwritten signature in black ink that reads "Nick Breedlove".

Nick Breedlove, JCTDA Director

Sample of TDA Boards (n = 31)	Number of Voting Members
Alleghany County TDA	5
Beech Mountain TDA	5
Blowing Rock TDA	5
Boone TDA	9
Buncombe County TDA	9
Burke County TDA	9
Brunswick County TDA	10
Camden County TDA	8
Carteret County TDA	9
Cherokee County TDA	7
Craven County TDA	9
Cumberland County TDA	7
Currituck County TDA	5
Dare County Tourism Board	13
Durham TDA	11
Forsyth County TDA	13
Franklin County TDA	7
Granville County TDA	7
Guilford County TDA	11
Haywood County TDA	12
Henderson County TDA	9
High Point CVB Board	5
Leland TDA	9
Lumberton TDA	6
New Hanover County TDA	10
Rutherford County TDA	9
Swain County TDA	9
Transylvania County TDA	7
Tryon TDA	6
Watauga County TDA	6
Wilkesboro TDA	7
Average Size	8.2

Current Legislation

Section 2: Appointment of Membership

- A. The Jackson County Tourism Development Authority shall consist of fifteen (15) members who shall be appointed and approved by the Jackson County Board of Commissioners. They shall also be voting residents and/or taxpayers of the County or employees of a Jackson County business that collects Jackson County Occupancy Tax or pays Jackson County Property Tax.

Group One – (5) Lodging Properties – south Jackson County; (3) medium properties – 10 rooms/units and up, (1) B&B, B&B Inn/Country Inn-25 rooms or less; and (1) Home Rental/Condo/Timeshare/Vehicular Campsite (if they collect tax),

Group Two – (5) Lodging Properties – north Jackson County; (3) medium properties – 10 rooms/units and up, (1) B&B, B&B Inn/Country Inn-25 rooms or less; and (1) Home Rental/Condo/Timeshare/Vehicular Campsite (if they collect tax),

Group Three – (3) Retail/Tourism related business representatives to include (1) from south Jackson County, (1) from north Jackson County and (1) Jackson County At-Large,

Group Four – (1) representative from the Cashiers Chamber of Commerce and Executive Director from the Cashiers Chamber of Commerce. The Executive Director will be an ex officio member with no term limit.

Group Five – (1) representative from the Jackson County Chamber of Commerce and Executive Director from the Jackson County Chamber of Commerce. The Executive Director will be an ex officio member with no term limit, and

Section 3: Terms of Appointments.

The initial terms of the members of the Authority shall be as follows:

- A. One year term: two members from Group One, two members from Group Two and one member from Group Three.
- B. Two year term: two members from Group One, two members from Group Two and one member from Group Three and one member from Group Four.
- C. Three year term: one member from Group One, one member from Group Two, one member from Group Three, one member from Group Five.

Thereafter, all terms shall be for three. Reappointment to the Authority shall be limited to two consecutive terms with eligibility for another reappointment after sitting out for one year.

Any member of the Authority may resign by filing a written resignation with the Chairperson of the Authority.

Section 9: Quorum. A quorum shall consist of eight (8) voting members of the Authority. Any question coming before the Authority shall be determined by a majority of those present.

Proposed Changes

Section 2: Appointment of Membership

- A. The Jackson County Tourism Development Authority shall consist of nine (9) members who shall be appointed and approved by the Jackson County Board of Commissioners. They shall also be voting residents and/or taxpayers of the County or employees of a Jackson County business that collects Jackson County Occupancy Tax or pays Jackson County Property Tax. At least one half of members should be active in the promotion of travel and tourism in Jackson County.

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Group Two – (3) Lodging Properties; (2) Hotel/Resort/Inn Properties - South Jackson County; (1) from other occupancy tax remitters from establishments with 10+ units/rooms.

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Group Four – (1) representative from the Cashiers Chamber of Commerce in a non-lodging, tourism-related business (who is not employed by the CACOC). The Executive Director from the Cashiers Area Chamber of Commerce. The Executive Director will be an ex officio member with no term limit.

Group Five – (1) representative from the Jackson County Chamber of Commerce in a non-lodging, tourism-related business (who is not employed by the JCCOC). The Executive Director from the Jackson County Chamber of Commerce. The Executive Director will be an ex officio member with no term limit

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Any member of the Authority may resign by filing a written resignation with the Chairperson of the Authority.

Section 9: Quorum. A majority of the number of directors fixed by these By-Laws shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

Current Board Structure – Members in Yellow Rotate off in 2017

TOURISM DEVELOPMENT AUTHORITY (TDA)			
<i>NAME</i>		<i>APPOINTED</i>	<i>EXPIRES</i>
Kathy Korb Laurelwood Inn P.O. Box 196 Cashiers, NC 28717 kathykorb@live.com 828-743-9939	South Jackson 10+ Rooms	03-06-2017	12-02-2019
Mary Lanning – VICE CHAIR Hampton Inn & Suites P.O. Box 1271 Cashiers, NC 28717 mary.lanning@hilton.com 828-743-4545	South Jackson 10+ Rooms (formerly Med. 25+ Rooms)	12-03-2012 01-08-2015	12-04-2017
Mark Jones P.O. Box 2164 Cashiers, NC 28717 markjelect@yahoo.com 828-226-6132	South Jackson 10+ Rooms (formerly Med. 25+ Rooms)		12-02-2018
Henry Hoche Innisfree Bed and Breakfast 108 Innisfree Drive Glenville, NC 28736 innisfreeinn@gmail.com 828-743-2946	South Jackson B&B/ B&B Inn/ Country Inn 25 Rooms or Less	01-08-2015	12-04-2017
Gareth Daley Landmark Vacation Rentals P.O. Box 3007 Cashiers, NC 28717 Gareth@LandmarkVacations.com 877-747-9234	South Jackson Home Rentals/Condos/ Timeshare/Vehicular Campsite (if they collect tax)	03-06-2017	12-02-2019
Sarah Jennings Lonesome Valley P.O. Box 1430 Cashiers, NC 28717 sarah@lonesomevalley.com 828-743-7696	South Jackson Retail/Tourism Related	01-08-2015	12-04-2017
Joel Sowers 62 Wild Top Trail Cullowhee, NC 28723 jcsowers@sundogplaces.com 407-388-8499	North Jackson 10+ Rooms (formerly Med. 25+ Rooms)	Fill an unexpired vacant term 12-15-2016	12-04-2017

Current Board Structure – Members in Yellow Rotate off in 2017

Vick Patel Best Western Inn 65 Lenora Lane Sylva, NC 28779 vickpatel8@hotmail.com 828-586-6060	North Jackson 10+ Rooms (formerly Med. 25+ Rooms)	12-03-2012 12-17-2015	12-02-2018
Megan Orr Holiday Inn Express 61 Windsong Lane Whittier, NC 28789 megano@nighstarlodging.com 828-736-2894	North Jackson 10 + Rooms	Filled unexpired Noah Bell 03-06-2017	12-02-2019
Jim Hartbarger – resigned, vacant Jarrett House P.O. Box 219 Dillsboro, NC 28725 bj.hartbarger@gmail.com 828-586-0265	North Jackson B&B/ B&B Inn/ Country Inn 25 Rooms or Less	12-03-2012 01-08-2015	12-04-2017
Laura Bowers Smoky Mountain Getaways 12 Younge Lane Sylva, NC 28779 Lbowers460@gmail.com 828-269-8912	North Jackson Home Rentals/Condos/ Timeshare/Vehicular Campsite (if they collect tax)	03-06-2017	12-02-2019
Kelly Custer – *will step down for board reduction as of December* Current Medical Services 365 Nanny’s Lane Sylva, NC 28779 kcuster@currentmedicalservices.com 828-586-8160	North Jackson Retail/Tourism Related	Fill the unexpired term of M. Luker 01-08-2015 12-17-2015	12-02-2018
Bob Williams 668 Tamarack Trail Cullowhee, NC 28723 bob@mountainbearcabins.com 828-293-7480	At Large Retail/Tourism Related	12-15-2016	12-02-2019
Ann Self P.O. Box 2201 Cashiers, NC 28717 info@villagegreencashiersnc.com 828-734-4487	Cashiers Area Chamber of Commerce	12-17-2015	12-02-2018
Robert Jumper – CHAIRMAN P.O. Box 784 Clyde, NC 28721 robejump@nc-cherokee.com 828-359-6482	Jackson County Chamber	Fill unexp term Seagle 12-03-2012 01-08-2015 Reappt chair 12-17-2015 12-15-2016	Appointment 12-02-2017 Chair 12-02-2017

Current Board Structure – Members in Yellow Rotate off in 2017

Stephanie Edwards, Executive Director Cashiers Area Chamber of Commerce P.O. Box 238 Cashiers, NC 28717 stephanie@cashiersareachamber.com 828-743-5191	Cashiers Area Chamber of Commerce	12-03-2012	Ex-Officio
Julie Spiro, Executive Director Jackson Chamber of Commerce 773 West Main Street Sylva, NC 28779 julie@nc-mountains.com 828-586-2155	Jackson County Chamber of Commerce	12-03-2012	Ex-Officio
Ron Mau 997 North Country Club Drive Cullowhee, NC 28723 ronmau@jacksonnc.org 828-293-3772	Commissioner	01-09-2017	Ex-Officio
Darlene Fox 401 Grindstaff Cove Road Sylva, NC 28779 darlenefox@jacksonnc.org 828-631-2249	Finance Officer for TDA	12-03-2012	Ex-Officio

3 Year Terms (initial terms staggered)
TDA formed 11/19/12 by Resolution R12-34
Chairman appointed each year by Commissioners
Session Law 2011-170, House Bill 96
15 Member Board BOC does not have to approve the Vice Chair

Makeup as of Dec. 5, 2017

TOURISM DEVELOPMENT AUTHORITY (TDA)			
<i>NAME</i>		<i>APPOINTED</i>	<i>EXPIRES</i>
Kathy Korb Laurelwood Inn P.O. Box 196 Cashiers, NC 28717 kathykorb@live.com 828-743-9939	South Jackson Hotel/Resort/Inn	03-06-2017	12-02-2019
Mark Jones P.O. Box 2164 Cashiers, NC 28717 markjelect@yahoo.com 828-226-6132	South Jackson Hotel/Resort/Inn		12-02-2018
Gareth Daley Landmark Vacation Rentals P.O. Box 3007 Cashiers, NC 28717 Gareth@LandmarkVacations.com 877-747-9234	South Jackson 10+ Rooms	03-06-2017	12-02-2019 Propose change to 2020
Vick Patel Best Western Inn 65 Lenora Lane Sylva, NC 28779 vickpatel8@hotmail.com 828-586-6060	North Jackson Hotel/Resort/Inn	12-03-2012 12-17-2015	12-02-2018
Megan Orr Holiday Inn Express 61 Windsong Lane Whittier, NC 28789 megano@nighstarlodging.com 828-736-2894	North Jackson Hotel/Resort/Inn	Filled unexpired Noah Bell 03-06-2017	12-02-2019
Laura Bowers Smoky Mountain Getaways 12 Younge Lane Sylva, NC 28779 Lbowers460@gmail.com 828-269-8912	North Jackson 10+ Rooms	03-06-2017	12-02-2019 Propose change to 2020
Bob Williams 668 Tamarack Trail Cullowhee, NC 28723 bob@mountainbearcabins.com 828-293-7480	At Large Retail/Tourism Related	12-15-2016	12-02-2019
Ann Self P.O. Box 2201 Cashiers, NC 28717 info@villagegreencashiersnc.com 828-734-4487	Cashiers Area Chamber of Commerce	12-17-2015	12-02-2018

Makeup as of Dec. 5, 2017

New Appt for December	Jackson County Chamber of Commerce	12/4/2017	12/4/2020
Stephanie Edwards, Executive Director Cashiers Area Chamber of Commerce P.O. Box 238 Cashiers, NC 28717 stephanie@cashiersareachamber.com 828-743-5191	Cashiers Area Chamber of Commerce	12-03-2012	Ex-Officio
Julie Spiro, Executive Director Jackson Chamber of Commerce 773 West Main Street Sylva, NC 28779 julie@nc-mountains.com 828-586-2155	Jackson County Chamber of Commerce	12-03-2012	Ex-Officio
Ron Mau 997 North Country Club Drive Cullowhee, NC 28723 ronmau@jacksonnc.org 828-293-3772	Commissioner	01-09-2017	Ex-Officio
Darlene Fox 401 Grindstaff Cove Road Sylva, NC 28779 darlenefox@jacksonnc.org 828-631-2249	Finance Officer for TDA	12-03-2012	Ex-Officio