

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
APRIL 05, 2022**

The Jackson County Board of Commissioners met in a Regular Session on April 05, 2022, 6:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present:	Brian McMahan, Chairman	Don Adams, County Manager
	Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
	Mark Jones, Commissioner	Angela M. Winchester, Clerk to the Board
	Tom Stribling, Commissioner	
	Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

(1) **PROCLAMATION FOR SEXUAL ASSAULT AWARENESS**: Chairman McMahan read a Proclamation to proclaim April as Sexual Assault Awareness Month. Commissioner Woody moved to approve the Proclamation. Commissioner Stribling seconded the Motion. Motion carried.

Commissioner Woody stated that the Board appreciated that Ms. Baker served on the Center for Domestic Peace Board and supported efforts in the community.

Wesley Myers, Executive Director, Center for Domestic Peace (CDP), accepted the proclamation and stated that CDP was happy to be in the community and grateful for all of the support they had received from the county. He announced they would be taking on sexual assault services as the primary provider beginning in July. They would be taking over from REACH of Macon County, who had provided those services in the county for over a decade. CDP would receive the state and county funds to provide those services.

(2) **AGENDA**: Commissioner Deitz moved to approve the agenda. Commissioner Woody seconded the Motion. Motion carried.

(3) **MINUTES**: Commissioner Stribling moved to approve the minutes of a Work Session of March 08, 2022; a Reconvened Regular Meeting of March 08, 2022; a Reconvened Regular Meeting of March 09, 2022; a Special Budget Work Session of March 10, 2022; and a Regular Meeting of March 15, 2022, as presented. Commissioner Jones seconded the Motion. Motion carried.

(4) **CHAIRMAN'S REPORT**: Chairman McMahan shared a press release for the Coach Dan Robinson Endowed Scholarship:

"Efforts are underway to create an endowed scholarship to honor the life and legacy of Dan Robinson, a World War II veteran, former head football coach at Western Carolina University, Jackson County Manager, North Carolina State Senator, Wildlife Commissioner and advocate for Western North Carolina."

Several former WCU students-athletes, who played football for Robinson in the 1960's, are spearheading the campaign to create the endowed scholarship that will provide educational financial assistance for Western North Carolina high school football players with preference given to student-athletes from Robinson's seven-county state senatorial district, including Cherokee, Clay, Graham, Haywood, Jackson, Macon and Swain.

Robinson passed away February 11, 2022 at the age of 95. He was a native of McDowell County, NC. At age 18, he was a member of the US Navy and participated in the Normandy Invasion. After World War II, he enrolled at Western Carolina and was an all-star lineman that helped the Catamounts win the 1949 North State Conference Championship.

He became Western Carolina's head football coach in 1956 and served in that role for 13 seasons, in which he aided in the development of hundreds of public school teachers, coaches and administrators, successful businessmen and government leaders.

Following his retirement from coaching, Robinson became a well-known and highly respected public servant as Jackson County's first County Manager, North Carolina Wildlife Commissioner and a two-term State Senator for North Carolina's 56th District, where he was a funding advocate for WCU and the seven-counties in his district."

Chairman McMahan stated that contributions in support of the Coach Dan Robinson Endowed Scholarship could be made through WCU's Catamount Club. This was a great and worthy cause. He encouraged everyone to contribute.

Commissioner Deitz stated that Dan Robinson was a fine man and he thought a lot of him. When he was coaching and would win a big game, it meant so much to him when Coach Robinson would call him on Saturday morning to tell him he was proud of him and his team. Coach Robinson did not know how much that really meant to him.

Chairman McMahan stated that he was a county employee the day Mr. Robinson was sworn in as County Manager. He was able to celebrate that new position with him and then work with him over the years. He was a great public servant.

(5) COMMISSIONER REPORTS:

(a) Commissioner Woody stated she had the privilege of representing the seven-western counties for the North Carolina Association of County Commissioners. They had their board meeting that past weekend in Beaufort, North Carolina. It was one of the best meetings she had attended. There was a focus on emergency preparedness, which would be a theme that year for the Association. She was so thankful for Todd Dillard, Emergency Management Director and his staff and for how the Emergency Management team worked together so well. They also had a lot of information about the Opioid Settlement and ways counties could address this very grave concern in the community.

She, along with Commissioner Deitz, attended the Southwest Commission meeting on Monday. There were two speakers, who spoke about the programs they were doing in the seven western counties. She requested to consider inviting those individuals to speak with the Board. One was the Mayor of Murphy. They were working successfully with a homeless shelter, which always intersected with substance use and abuse. He thought they had a similar vision as Jackson County.

The other was Macon County Commissioner Ronnie Beale. They had a program called "No Closed Doors" that they started with \$14,000. It directly addressed drug abuse and the opioid crisis. They were now operating with a budget of \$44,000 from donations, which was being very successful. She thought it was good to hear from some of the rural areas and what they were doing that was effective.

Chairman McMahan stated that they very much appreciated Commissioner Woody. She was very active as a Commissioner and she traveled to a lot of meetings representing the Board and county. They appreciated the hard work she put in.

Commissioner Woody stated that it was an honor for her. She was always so proud of Jackson County and being able to represent them.

(b) Commissioner Deitz stated that he and Commissioner Woody went to the Southwestern Commission Region A meeting on Monday. The meeting was very good. Russ Harris, the new Director was doing so good. He had his heart in the job. Sometimes they may forget about how important Southwestern Commission was. There was a lot of money going through there and they were helping a lot of folks. He enjoyed the meeting.

(6) **COUNTY MANAGER REPORT**: Mr. Adams reported:

(a) **February Zoning and Building Permits**: He provided a report that listed the zoning district (if applicable), the owner/business name, the work permitted and the location of the project where the permit was issued. The Planning Department issued one renovation/addition zoning permit. Code enforcement issued one commercial permit and one renovation/addition permits.

(b) **Southwestern Rural Planning Organization (SWRPO) – NCDOT Projects Update**: The local Technical Coordinating Committee for the county met on March 15th. The TCC Member, Michael Poston, Planning Director, provided a summary of the information discussed:

- SWRPO Project Development:
 - The Skyland Road sidewalk project let date was shown as April 26, 2022.
 - R-5600 (NC 107) let date remained July, 2024. They were in ROW acquisition.
 - Let date for the Monteith Gap Road project was July, 2022.
 - Three bridge replacements were set to let in 2022. The Monteith Gap Road bridge was let in late February.
- Current construction projects in the county:
 - R-4753 (NC 107 roughly East Laporte to NC 281) 70% complete. No estimate on date of completion.
 - Resurfacing project on US 64 (from Transylvania County line to SR 1120) 72% complete.
 - Resurfacing project along NC 107 (Power House to Grassy Creek Road) no progress at this time.

(c) **Construction Projects**:

- Animal Rescue Center/Green Energy Park: The project was approximately 70% complete. The retaining walls were complete and the grading contractor started walking paths and storm sewer. The metal building frame and roof were completed. The interior block walls and stud walls were completed. The contractor was working on all interior electrical, plumbing and HVAC items. Staff was working on ordering furniture and equipment.
- Fairview Press Box, Concession and Restroom: Construction would be completed on schedule. The contractor finished the siding and roof. Most of the electrical and plumbing “rough in” items had been installed. They would start working on interior finishes that month. The storage containers were on-site. The facility should be in use by the end of June.
- Indoor Pool: Construction documents were almost complete. The plans would be reviewed by the Department of Insurance and local code enforcement for any final changes prior to bidding. General contractors who wished to bid on this project must go through a pre-qualification process. Contractors must respond to the pre-qualification process by April 25th. Details on how to submit qualifications had been advertised in both local and regional newspapers. It was anticipated that the project would go out to bid in the next month. The bid opening was tentatively scheduled for June 2nd. A finalized bid schedule would be developed in the next few weeks. An anticipated bid opening of June 2nd required the county to move forward with the bonding/borrowing process.

- Domestic Violence Shelter: The county received \$2,111,497.50 from Dogwood Health Trust to match county funds to build a domestic violence shelter. The total project budget for the domestic violence shelter was \$4,223,995. The county had gone through the legally required qualification process to select an architect. The selected architect firm was Clarknexsen. The next steps in this process would be for Clarknexsen to develop a proposed contract for services. Once this was completed, then the contract would come back before the Board for approval.

(d) Vaya Health Regional Board Meeting: He attended the Vaya Health Region One Board Meeting on March 28th. He provided a copy of the Talking Points to the Board. On February 18th, NCDHHS released the CFSP Policy Paper, which outlined the Department’s vision for a Medicaid Managed Care health plan for children, youth and families served by the child welfare system. The CFSP would be a single, statewide plan managed by one entity. Only commercial health plans operating Standard Plans in NC Medicaid Managed Care or LME/MCOs awarded Behavioral Health and I/DD Tailored Plan contracts may bid to operate the CFSP.

On its face, it appeared to be a good idea, but this had not taken into consideration the infrastructure already in place through Vaya Health and through partnership built through Vaya Health, mental health services and partners such as DSS and other Social Services Programs. Many of the service providers were concerned that if this switched to a single statewide provider, then dealing with issues for a child, they would be dealing with administrators not from the area. The partnerships and connections would have to be rebuilt. There was a concern that the services provided would not be adequate.

The counties, DSS Directors and others were being requested to write a letter to the Secretary of Health and Human Services and the Legislators to request the process be paused to allow LME/MCOs to have input on how the services would be delivered. There may be ways to accomplish what the state was trying to do utilizing the existing infrastructure.

Chairman McMahan stated he had a conversation with Shelly Foreman, Vaya Health Community Relations Regional Director. He also requested the County Manager to follow up with Cris Weatherford, DSS Director. They wanted to advocate for what would be best for Jackson County. Other counties may like the way this was going, but it was their belief that there was a need to pause. The DSS Director and the County Manager saw the impacts that could be had locally and they thought they needed to pause and ask the state to revisit the issue.

In light of the request for a letter of support, Chairman McMahan asked the Commissioners if they were in agreement.

Commissioner Woody stated that she was in support of the letter.

Commissioner Jones asked if there had been a conversation about this issue in a Juvenile Crime Prevention Council meeting?

Ms. Baker stated they last met in March and had not heard of anything to that point. They may be affected as well.

Commissioner Jones stated that it would be interesting to know the program provider’s perspective.

Consensus: *Move forward with the letter of support.*

(7) INFORMAL COMMENTS BY THE PUBLIC: Dick Darnall of Pine Creek reported the need for asphaltting in various locations in the Glenville and Pine Creek areas, including slow vehicle turnouts.

(8) WORKFORCE INNOVATION AND OPPORTUNITY ACT CONSORTIUM AGREEMENT: David Garrett, Workforce Director, Region A, stated that in 2015, the Workforce Innovation and Opportunity Act came about, which allowed them to reestablish the Consortium of the seven counties. Their board updated the section regarding the way they established the Chief Elected Official. They needed to be more clear in the document.

On March 1st, their board voted to update the document. He was attending all of the Commissioner meetings requesting approval. At that time, the Chief Elected Official was Commissioner Gary Shields of Macon County. His term would end on June 30, 2023, the progression would then go to Graham County for a two-year term. This was laid out for each county to make each one had a turn as the Chief Elected Official.

On November 10th, the NC Works Commission, which was a Governor appointed workforce board, announced a study on a possible realignment of the 22 boards. Some of the boards were single county in the larger areas, such as Durham. The reason was that they were not aligned with economic development in their regions.

The good news was that they were aligned with the seven counties through the Council of Governments Southwestern Commission and that was their economic development. The study was not about them, but to be proactive, on March 1st, their board voted and adopted a resolution that they wanted the region to stay a seven county. They wanted local control and local decision making within the region for their workforce and wanted it to stay that way.

He requested that the Board of Commissioners recognized the Region adopted the resolution and that the county recognized the document.

Mr. Adams stated they did have the Consortium Agreement requested for the Board to vote on. They did not have the resolution item. They could list the resolution on the next agenda for consideration.

Commissioner Deitz stated that this area was very different than other areas such as Asheville. They needed to be strong about this. More and more they were losing their ability to make decisions on the local level.

Motion: *Commissioner Woody moved to approve the Amended Workforce Innovation and Opportunity Act Consortium Agreement, as presented. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

(9) MUNICIPAL GRANT APPLICATION: Mr. Adams presented a Municipal Grant application from the Village of Forest Hills. They had missed the deadline for the Municipal Grant application, but did follow up and were requesting \$5,000.00 for landscaping the Village entrance.

Motion: *Commissioner Woody moved to approve the Municipal Grant Application for the Village of Forest Hills, as presented. Commissioner Jones seconded the Motion.*

Discussions:

Commissioner Jones stated that it would be prudent to see a more broke down cost for the \$5,000.00 in landscaping. The other municipalities did provide a breakdown on their projects. He was not against the request, but he did want to see more details.

Commissioner Woody stated that it was her understanding, when she talked to Ron Yount and Nilofer Couture, both Village of Forest Hills Councilmembers, that they wanted lighting for the entrance area.

Commissioner Stribling stated that he would like to see what the landscaper offered for \$5,000.00.

Commissioner Jones stated that he thought they should give them more time so they could present more information on how the \$5,000.00 would be spent.

Commissioner Woody withdrew the motion.

Commissioner Jones moved to table the item. Commissioner Stribling seconded the Motion. Motion carried.

(10) CULLOWHEE VOLUNTEER FIRE DEPARTMENT EASEMENT: Mr. Adams shared an aerial photo of the Cullowhee Volunteer Fire Department and Cullowhee Staffed Recycling Center. When constructing the fire department, they had a retention pond that was holding water runoff, which had been converted to a sand filter system. They were requesting an easement to take the pipe onto county property, along the fire department side of an existing fence, to the filter. He did not believe there would ever be a need for this section of the county property.

The request would be to install the pipe and then survey afterwards for recording as a permanent easement. He provided a copy of the proposed easement agreement for consideration.

Motion: Commissioner Deitz moved to approve the Easement Agreement, as presented. Commissioner Stribling seconded the Motion. Motion carried by unanimous vote.

(11) SAFETY DISCUSSIONS: Mr. Adams presented the agenda packet from March 10th. He was looking for direction from the Board of how they wished to proceed. He was prepared to proceed in multiple directions, but would need guidance from the Board.

As a reminder, they had Glenville-Cashiers Rescue Squad came before the Board and requested additional funds in their EMS contract to provide raises, which was a \$289,000 request. They also presented a request to proceed forward with the construction of their new rescue facility of approximately \$4,100,000 not to exceed \$4,500,000. Also, they requested reimbursement of \$350,000 they expended for the grading costs.

The grant match request from the volunteer fire departments for personal protective equipment had somewhat already been accomplished. Also, the Town of Sylva presented an operations request with call volume information. The request to the county would be \$805,255 above and beyond what the county was already funding.

Chairman McMahan stated that they were not in a position to make any decisions that day. He did not even think they were in a position to discuss this item. As a Board, they needed to know if they wanted to move forward with some or all of the requests. Could they afford to and what could be a way to pay for them? He requested staff to look at some options and for the Board to set aside time in an upcoming work session to see if there were ways to accomplish this and how it would impact the budget. That would then put the Board in a position to decide if they wanted to move forward.

Mr. Adams stated there were schedule conflicts with the work schedule date of April 12th. Did the Board want to cancel or reschedule the work session? The only items other than the safety discussions would be a summary of budget requests and a bridge naming request in Dillsboro. These were the only three items scheduled.

Also, regarding revenues, he would show what it would take to move to a service district and what type of tax rate would be required. This would be more complicated because they had multiple municipalities involved, they were not just dealing with Sylva. Webster and Dillsboro contracted with Sylva to provide services also. He would provide information from a general fund standpoint also. He would provide information for other service tax opportunities.

The Board would need to decide if they agreed to move forward to fund the requests. He and Ms. Fox would show multiple ways of how to fund the requests, which would be with general fund dollars or service tax dollars. These items could be moved to the April 19th regular meeting agenda for further discussions.

Motion: Commissioner Stribling moved to cancel the April 12th regularly scheduled work session, as requested. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

(12) FINAL OFFER FOR LOT C BIG RIDGE: Ms. Baker stated that on December 14, 2021, the Board approved the initial bid from Cub Lands, LLC of \$3,000.00 for Lot C Big Ridge (PIN #7575-81-4434). The offer was upset and the final bid was for \$6,000.00 from Nancy Stamp. This had been advertised for ten days with no further upset bids. She requested approval of the final bid, which was \$6,000.00.

***Motion:** Commissioner Jones moved to approve the offer for the final bid of \$6,000.00 for Lot C, Big Ridge from Nancy Stamp, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(13) ABC BOARD: Carry over.

(14) HISTORIC PRESERVATION COMMISSION: Carry over.

(15) PRESS CONFERENCE: None.

(16) CLOSED SESSION:

***Motion:** Commissioner Woody moved that the Board go into closed session pursuant to G.S.143-318.11(a)(4) Business Expansion. Commissioner Stribling seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated that no action was taken in closed session.

Commissioner Woody reminded everyone of the dedication at AWAKE in honor of Phil Haire at 3:30 p.m. on April 7th. Also, at 10:00 a.m. on Friday would be the SCC Health Sciences Building grand opening.

There being no further business, Commissioner Woody moved to adjourn the meeting. Commissioner Stribling seconded the Motion. Motion carried and the meeting adjourned at 8:02 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman