

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 16, 2022**

The Jackson County Board of Commissioners met in a Regular Session on August 16, 2022, 1:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman (Via Zoom)
Boyce Deitz, Vice Chair
Mark Jones, Commissioner
Tom Stribling, Commissioner
Gayle Woody, Commissioner

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

Vice-Chair Deitz called the meeting to order.

(1) PROCLAMATION: OPIOID AWARENESS MONTH: Commissioner Woody read a Proclamation declaring September as Opioid Awareness Month. Commissioner Jones moved to approve the Proclamation. Commissioner Stribling seconded the Motion. Motion carried.

Vice-Chair Deitz presented the proclamation to Janelle Messer, Health Education Supervisor.

(2) AGENDA: Mr. Adams requested to add one item: Building Reuse Grant. Commissioner Jones moved to approve the amended agenda. Commissioner Woody seconded the Motion. Motion carried.

(3) MINUTES: Commissioner Stribling moved to approve the minutes of a Regular Meeting of August 02, 2022, as presented. Commissioner Woody seconded the Motion. Motion carried.

(4) CHAIRMAN’S REPORT: None.

(5) COMMISSIONER REPORTS:

(a) Commissioner Woody reported that she had the privilege of representing the county at the North Carolina Association of County Commissioners annual conference in Concord. They had great speakers, including a keynote addressing the opioid crisis and the impact on counties.

Also, she participated in a workshop and received a certificate for “100 Counties Prepared Training”. This was done by the president of the association regarding 100 counties being prepared in any type of emergency situation. One of the privileges of going across the state to attend these conferences, was hearing about some of the wonderful staff they had in the county.

She heard a lot of positive feedback about Todd Dillard, Emergency Management Director. He had a reputation statewide on how well he worked with others across the state. During the workshop, a suggestion was to have the Emergency Management Director present the county’s plan to the Board, so they were all educated.

Vice-Chair Deitz thanked Commissioner Woody for representing them all. It was very important information and they appreciated her.

Commissioner Woody stated it was an honor to represent the county.

Mr. Adams noted that Mr. Dillard was set to present to the Board at the September work session.

(b) Commissioner Jones stated that regarding county staff, he would have to say that the County Manager, Health Director, Sheriff's Office, National Guard and the Fire Departments were so well coordinated during the vaccine drive. The effort and collaboration that went into those injections sites around the county were incredible.

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

(a) **June and July 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. In June, the Planning Department issued one commercial zoning permit. Code Enforcement issued five commercial permits and three renovation/addition permits. In July, the Planning Department issued two commercial zoning permits and one renovation/addition permit. Code Enforcement issued five commercial permits and two renovation/addition permits.

(b) Construction Projects:

- Animal Rescue Center/Green Energy Park: The project was 84% complete through the month of July. Delays had once again moved the anticipated substantial completion date back to October or November. The paving contractor was lined up to be onsite the first week of September and the flooring contractor was lined up to start August 29th. The built-in cabinetry was lined up to be installed by the end of September and the final finishes were scheduled to take place in October. The furniture was scheduled to be delivered and installed in the month of October. He would set up tours once the pavement, flooring and painting had been completed.
- Aquatics Center: The pre-construction meeting for the Aquatics Center took place on August 11, 2022. Mobilization was scheduled to take place mid-September. The initial goal would be to build the new parking lot near the basketball goals and prepare the new entrance of the facility. This must be accomplished before the existing parking lot was occupied for construction. A full transitional plan was being developed over the next couple of weeks. There was an 18-month construction schedule once the contractor was mobilized.
- Domestic Violence Shelter: The architectural contract had been executed. They were moving forward with surveying the property and once the survey information was available, then the facility planning process could fully begin with the Center for Domestic Peace.
- Cashiers Splash Pad/Qualla-Whittier Park: Equinox was developing proposed architectural contracts for both projects. The proposed contracts would be brought before the Board when ready.

(c) **Back to School Event:** He was impressed with the event on Saturday at the Cullowhee Recreation Park. They had a great turnout. He thanked Dr. Dana Ayers, School Superintendent and Rusty Ellis, Parks and Recreation Director.

Commissioner Woody stated that there were many partners at the event and that was what it was all about. A collaboration of the different agencies working together to serve the citizens. She thanked everyone that was a part of the event.

(7) INFORMAL COMMENTS BY THE PUBLIC: None.

(8) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented the Finance Report for July, 2022 and one Budget Ordinance Amendment for fiscal year ending June 30, 2023, for approval.

(b) Brandi Henson, Tax Collector, presented the Tax Collector and Refund Reports for July, 2022, for approval.

(c) Ms. Henson presented the Tax Settlement Report for February 1, 2021 – June 30, 2022 for approval.

Motion: *Commissioner Jones moved to approve the Consent Agenda. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(9) SHERIFF'S DEPARTMENT SERVICE SIDEARM: Chief Deputy Matt Wike stated that on behalf of the Sheriff, he requested authorization, pursuant to N.C.G.S. 20-187.2, to present service sidearms to:

Senior Deputy Steve Collins
Sergeant Nan Tritt

He recommended that the price for the sidearms be set at \$1.00. It was recommended that the firearms be declared surplus and the Sheriff be authorized to present the sidearms, as requested. In addition, the Sheriff should be directed to provide the serial numbers and descriptions of the weapons to the Finance Director for removal from the fixed asset inventory and replace with a new sidearms at no cost to the county.

Motion: *Commissioner Stribling moved to declare the sidearms surplus for \$1.00 and authorized the Sheriff to present them as requested. The Sheriff was directed to provide the serial numbers and descriptions of the sidearms to the Finance Director and replace the sidearms at no cost to the county. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

(10) PICTOMETRY AGREEMENT: Tabitha Ashe, Tax Administrator, stated that this item was discussed at the last work session. She requested approval for the Pictometry Agreement presented.

Motion: *Commissioner Woody moved to approve the Pictometry Agreement, as presented. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(11) TRANSIT 5311 AND 5310 – CAPITAL PROJECTS PROGRAM GRANTS PUBLIC HEARING: April Alm, Transit Director, requested to be placed on the September 20th agenda to request Board approval of a resolution to make application for the grants. A joint public hearing was acceptable for both applications.

These grants were made available annually through the state to assist transit systems with operating, administrative and capital funding. The 5311 program grant supported the director and assistant director's salaries and fringes, as well as administrative costs, such as office supplies, drug and alcohol testing, uniforms and marketing. The 5310 program supported operating costs for elderly and disabled transportations.

She requested to set a public hearing on September 20th at 12:55 p.m.

Motion: *Commissioner Stribling moved to set a public hearing on September 20th at 12:55 p.m. for Transit 5311 – Capital Projects Program Grants. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

General discussions were held.

(12) SUPPLEMENTAL PAID LEAVE POLICY: Kathleen Breedlove, Human Resources Director, stated that on Tuesday, March 17, 2020, the Board of Commissioners approved a State of Emergency Leave (SOE) policy. This policy permitted employees paid leave time due to COVID-19 infection or exposure, to care for sick family members, to manage other eligible COVID-19 issues and a work absence due to the public closure of a county facility during the actual state of emergency.

The SOE Leave Policy was developed to address a specific emergency. When that State of Emergency ended, the policy would no longer be in effect. It was proposed to structure another leave category to use for unknown extenuating circumstances which may occur in the future. The Board of Commissioners would be the authority to authorize and approve paid leave under the Supplemental Paid Leave (SPL) Policy.

It was apparent COVID-19 would continue to have an impact on the workforce and require employee absences due to isolation/quarantine periodically. Therefore, Human Resources recommended any remaining SOE leave balances be converted to the to the SPL so it may be available for use by those employees, should the need arise. No additional leave would be provided employees other than that allotted previously under SOE.

General discussions were held.

Motion: *Commissioner Jones moved to approve the Supplemental Paid Leave Policy, as presented. Commissioner Woody seconded the motion.*

Discussions: Chairman McMahan stated that he executed the Termination of the State of Emergency to go into effect on August 16, 2022 at 5:00 p.m. This request was in line with the action he took, so the time would automatically transfer that day.

Motion carried by unanimous vote.

(13) PUBLIC SCHOOL CAPITAL GRANT: Dr. Dana Ayers, Public Schools Superintendent and Jake Buchanan, Assistant Superintendent, were present for this item.

Dr. Ayers stated the Back to School Bash success was due in large part to working collaboratively with Mr. Ellis. The Health Department and the Library participated as well. There were a lot of county agencies that participated, which was a true testament to the collaboration and community desire to make the event happen. Local churches and school staff also participated. It was a phenomenal event.

Last week at the work session, they shared information containing estimates for the grant applications. Since that time, they had more firm and solidified information. If the Board approved the 15% match, it would be a tremendous savings for them as a community, as a county and as a school district. The projects were totaling approximately \$40 million. If they only paid \$6 million to get the \$40 million, it seemed like a win-win situation.

Mr. Adams noted the 10% escalation numbers, since they would not actually be building for two years. They did feel 10% would be a reasonable number to use. He presented the following information:

(a) Needs based public school capital fund grants:

Project	Cost	10% Escalation	15% Match
Fairview Cafeteria and Classrooms	\$15,064,713.55	\$16,571,184.91	\$2,485,677.74
SMHS Stadium ADA Upgrades and Track on Jones Street	\$10,177,401.40	\$11,195,141.54	\$1,679,271.23
Blue Ridge Gym/Performance Space and Classrooms	<u>\$12,657,516.07</u>	<u>\$13,923,267.68</u>	<u>\$2,088,490.15</u>
Totals	\$37,899,631.02	\$41,689,594.12	\$6,253,439.12

Mr. Buchanan stated that this was the conversation they wanted to have based on the grants. They were cautiously optimistic they would be awarded one of the grants. However, if they were not awarded a grant, they did intend to come back to the Board, at the appropriate capital time, to discuss what the Board of Education wanted to do moving forward.

Mr. Adams presented:

(b) Summary of Fairview Elementary:

- Classrooms \$7,240,700.72
- Kitchen \$5,772,611.54
- Renovations \$2,051,401.30
- Total \$15,064,713.55

(c) Summary of Smoky Mountain High:

- Visitor concessions, toilets \$1,298,029.74
- Home concessions, press box, toilets \$4,789,834.45
- ADA ramp \$1,261,285.92
- Track installation \$2,827,711.29
- Total \$10,177,401.40

(d) Summary of Blue Ridge Elementary:

- Classrooms \$5,846,560.58
- Kitchen \$6,810,955.50
- Total \$12,657,516.07

(e) Sales Tax Revenue for Appropriation:

Source of Sales Tax	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025	FY 2025-2026	Totals
Article 40 and 42	\$432,212.25	\$1,983,954.26	\$2,242,777.82	\$2,513,612.56	\$2,778,459.04	\$9,951,015.93
Article 46	<u>\$337,000.31</u>	<u>\$1,601,668.53</u>	<u>\$1,741,745.83</u>	<u>\$1,887,885.00</u>	<u>\$2,040,378.62</u>	<u>\$7,608,678.29</u>
Total by year	<u>\$769,212.56</u>	<u>\$3,585,622.79</u>	<u>\$3,984,523.65</u>	<u>\$4,401,497.56</u>	<u>\$4,818,837.66</u>	<u>\$17,559,694.22</u>
Cumulative Totals		<u>\$4,354,835.35</u>	<u>\$8,339,359.00</u>	<u>\$12,740,856.56</u>	<u>\$17,559,694.22</u>	

(f) Article 40 and 42 Sales Tax: Capital Reserve Projected amounts available after commitments:

	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025	FY 2025-2026
Balance	\$2,735,148.01					
New year addition	-	<u>\$1,706,511.24</u>	<u>\$1,983,954.26</u>	<u>\$2,242,777.82</u>	<u>\$2,513,612.56</u>	<u>\$2,778,459.04</u>
Balance available after commitments	<u>\$2,735,148.01</u>	<u>\$432,212.25</u>	<u>\$2,416,166.51</u>	<u>\$4,658,944.32</u>	<u>\$7,172,556.88</u>	<u>\$9,951,015.92</u>

(g) Options to fund SCC and K-12 from Article 46 Sales Tax:

	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	FY25-26
Projection Amount	<u>\$1,457,471.62</u>	<u>\$1,632,001.60</u>	<u>\$2,065,208.89</u>	<u>\$2,305,472.41</u>	<u>\$2,420,746.03</u>	<u>\$2,541,783.33</u>	<u>\$2,668,872.50</u>	<u>\$2,802,316.12</u>
Cumulative total	\$3,710,463.35	\$5,342,464.95	\$7,407,673.84	\$9,713,146.25				
SCC Health Sciences Bldg. Debt Payment		(\$878,364.94)	(\$857,187.50)	(\$838,137.50)	(\$819,087.50)	(\$800,037.50)	(\$780,987.50)	(\$761,937.50)
Transfer to School Improvement Projects			(\$182,293.00)	(\$3,400,000.00)				
Transfer to SCC HS Bldg Project		(\$3,220,163.00)						
New year additional after debt payment			\$1,025,728.39	(\$1,932,665.09)	\$1,601,658.53	\$1,741,745.83	\$1,887,885.00	\$2,040,378.62
Cumulative Total	<u>\$3,710,463.35</u>	<u>\$1,243,937.01</u>	<u>\$2,269,665.40</u>	<u>\$337,000.31</u>	<u>\$1,938,658.84</u>	<u>\$3,680,404.67</u>	<u>\$5,568,289.67</u>	<u>\$7,608,668.29</u>

Mr. Adams stated that when they were talking about how much money was available for these projects, they would look at a two fiscal year span. If they went in that direction, they would be committing a lot of the Article 46 to this. But, there were funds available above the \$6.2 million.

It would be a good problem to have if they received approval of \$41 million worth of projects with a \$6 million match. If the Board voted to move forward with this, they would be committing the 15% match. It did tie the funds up until they heard if they were awarded. If an emergency came up, they did have the general fund, fund balance and other funds they could work with.

Dr. Ayers noted that these were all separate projects and grants that were applied for. There was a real possibility that they would be awarded one and not another. The matching funds may be less than the \$6.2 million requested.

General discussions were held.

Mr. Adams stated that the application was due on September 1st and this would be taken to the Board of Education on August 30th. They were planning on the ability to have multiple meetings within the set schedule. But unfortunately, that was not the timeline that was presented. Did the Board wish to proceed forward with the grant application? If so, they were approving \$6.2 million of capacity to be a match to the grant application. This was the initial approval being requested.

The second part would be if they wanted to wait on these projects. Some of these projects were priorities for the Board with or without grants. They could have future conversations about starting design work instead of waiting. There could be conversations among the two boards to proceed forward with design work so that they would be ready to make decisions in January when they learned if the grants were awarded.

Commissioner Jones stated that at the end of fiscal year 2024, with the funds that would be available with Articles 40, 42 and 46, they would still have \$2.1 million to go towards other projects or costs, if they were fortunate enough to get the grants.

***Motion:** Commissioner Stribling moved to approve the Public Schools Capital Grant Application, as requested. Commissioner Jones seconded the motion.*

Discussion:

Vice-Chair Deitz stated that they had good intentions and called these priorities. But, many times they were pushed to two or four years away. He thought it would be a shame to continue going down the road with some of the things that were needed to wait for it all to come together as a unit. They could pick out one project to start with and find some way to do it in less than two years.

The restroom and concession stand issue at the football field had not been right for a long time. The stadium was built in 1960. He did not know if there was anything wrong with getting people involved to do some things. He knew it was more difficult to do this because of inspections, etc. But, the reason to get the community together was because it was a priority and also because it was so helpful if a community could go together and build something.

Mr. Buchanan stated that it was a different world now. He had seen that when he organized to get things done where an architect and an engineer were not involved, there were issues that would arise from that later. He would not feel comfortable taking a plan to the School Board to construct anything, where kids were going to be involved, that did not have all the things that came with a licensed architect and a licensed contractor and all the hoops that went with it.

Commissioner Jones suggested a fundraising component as something the community could do to contribute toward a specific project. The community could come forward and help in certain facets from a financial donation component. They should be able to have an avenue to reach out to the public on certain projects.

Chairman McMahan stated that maybe they could find ways to move forward quicker on some of the projects, but that would be at a work session when they could sit down with the School Board. He wanted to prioritize a list and find ways to make some of these happen soon.

Motion carried by unanimous vote.

Commissioner Woody requested a letter be prepared on behalf of the Board of Commissioners to be included with the grant applications stating the Board's support for the grants.

(14) CITIZENS ACADEMY 2022: Mr. Adams presented a list of 16 participants in the upcoming Citizens Academy. The kickoff was September 8th at 5:00 p.m. and all of the Commissioners were invited to attend if they wished to address the group at the initial meeting. The deadline for applications had passed, but they still had space if anyone else was interested.

Informational item.

(15) BUILDING REUSE GRANT: Mr. Adams stated that Tiffany Henry, Economic Development Director, was unable to attend the meeting. He presented a letter from Ms. Henry stating that she had been working with representatives from the Economic Development Partnership of North Carolina (EDPNC) a Division of NC Department of Commerce to provide some assistance to American Sewing Corp. They were expanding their facility adding approximately 10,000 square feet with over two million in capital and real property investment adding an additional 12 jobs making an average annual wage of more than \$37,000.

American Sewing received a proposal from NC Department of Commerce for their Building Reuse Program and wanted to apply for the \$60,000 benefit, which required a 5% match from the county in order to secure the funding. The full application was due on August 25th and would require approval to submit the application.

They would rely on the Council of Governments (COG) to help administer the grant. A portion of the grant budget would be for administration. The \$3,000 match would go to help administer the grant. The approval would be for the application. If they were awarded the grant, a resolution would then have to be adopted by the Board.

***Motion:** Commissioner Woody moved to approve the match of \$3,000 for American Sewing to apply for the grant, as requested. Commissioner Stribling seconded the motion.*

(16) REFUND OF EXCISE TAX ON CONVEYANCES RESOLUTION R22-18: Ms. Baker stated that this item was discussed at the work session. The resolution allowed the Board to delegate authority to refund excise tax to the County Manager and County Finance Office. She requested consideration of approval for Resolution R22-18.

***Motion:** Commissioner Woody moved to approve Resolution R22-18, as presented. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

(17) PRESS CONFERENCE: None.

There being no further business, Commissioner Stribling moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 2:43 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman