

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MAY 15, 2018**

The Jackson County Board of Commissioners met in a Work Session on May 15, 2018, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Charles Elders, Vice Chair	Heather C. Baker, County Attorney
Boyce Deitz, Commissioner	Angela M. Winchester, Clerk to Board
Mickey Luker, Commissioner (via speaker phone)	
Ron Mau, Commissioner	

Chairman McMahan called the meeting to order.

(1) BLACKROCK / EXPANSION OF PINNACLE PARK: Bill Holman, Conservation Fund NC State Director (via speaker phone), stated that The Conservation Fund and Mainspring Conservation Trust had been working with America's Home Place (AHP) to acquire and conserve 912.32 acres they owned in the Plott Balsam Mountains in Jackson County. The Fund expected to be under contract with AHP in May 2018, to purchase the property in two phases starting in 2018. The AHP property adjoined Pinnacle Park, future Blue Ridge Parkway (now owned by Southern Appalachian Highlands Conservancy) and Nantahala National Forest.

The fund would take the lead in acquiring and conserving the 441.53 acre Blackrock Creek tract at a cost of about \$2,162,450 and expanding the Town of Sylva's Pinnacle Park. Mainspring Conservation Trust would take the lead in working with the Eastern Band of Cherokee Indians in acquiring and conserving the 470.79 acre Shut-In Creek tract.

In February, 2018, the Fund applied to the NC Clean Water Management Trust Fund (CWMTF) for a grant of \$1,005,000. CWMTF would request project and budget updates on June 1, 2018. Commitments of matching funds were critical to competitive projects. The CWMTF Board of Trustees would review and approve grants at its September meeting.

On behalf of the Fund, he respectfully requested that the Town of Sylva and Jackson County each contribute \$250,000 to help the Fund acquire the property for future conveyance to the Town of Sylva and write a letter to CWMTF on or before June 1st. The funds would need to be available in FY 2018-2019. The commitment letter could be contingent upon approval of the CWMTF grant, new appraisal and an acceptable conservation easement. The Fund was working to raise the balance of funds from private sources. The Fund could not pay more than fair market value for the property so they would commission an appraisal of the property.

Commissioner Mau stated that they were being asked to give up future taxes on the property.

Chairman McMahan stated that they were also gaining a conservation protecting a ridge top that was extremely visible in the northern part of the county and it helped maintain the Plott Balsam Ridge that ran down through the county. It would also help protect the watershed and it joined Pinnacle Park, which gave alternatives in the future for recreation enhancements.

Mr. Adams stated they had done conservations in other areas of the county and yes, it would be giving up the future taxes.

Commissioner Deitz stated there was a very nice road to the top of Pinnacle Bald and he was sure that the Town of Sylva would come up with a master plan and it would be very accessible to the public.

Commissioner Luker inquired about which fund the \$250,000 would be taken out of?

Mr. Adams stated it would come from the Conservation Preservation Recreation (CPR) Fund, which was the same fund being used for Savannah Park.

Commissioner Mau inquired if they wanted to purchase property for a park in Whittier, would that be the same fund they would use to make that purchase?

Mr. Adams stated it was the same fund.

Chairman McMahan stated that it was the same fund they used for Greenway expansion also.

Commissioner Mau inquired what happened if the appraisal came back with a lesser value?

Mr. Holman stated that if the appraisal supported the price they had a deal, if it did not support the price, they did not have a deal. They could not pay more than fair market value for the property. He thought it would be the third quarter of the year before the appraisal would come back.

Commissioner Luker inquired how this played into the Parks and Recreation Master Plan?

Mr. Adams stated this would be an additional item, it was not part of the Master Plan.

Chairman McMahan stated that from the county's perspective, they were looking at this mainly from a conservation viewpoint. The Town of Sylva was looking at it from a conservation viewpoint with a potential that in the future the town may have conversations about recreation.

Commissioner Mau inquired what the purpose was of transferring ownership to Sylva instead of the county keeping it?

Mr. Holman stated it was because Sylva had the existing Pinnacle Park, they were already in the land management business, they had partnerships with groups that built the park and trails and the park was very popular. It seemed logical to try and work with the town to expand the park for other recreational uses and take advantage of the strong volunteer group they had.

Mr. Adams stated that the request that day was for the Board to consider a commitment letter for \$250,000 contingent upon the grant, a new appraisal and an acceptable conservation easement.

Commissioner Mau stated he wanted to hear about Savannah Park as that would potentially impact this decision.

Commissioner Elders stated that he was definitely interested in what the future may be for the Qualla-Whittier area.

Darlene Fox, Finance Director, stated they had \$758,000 available in the CPR Fund. They already funded the \$250,000 for Savannah Park.

Mr. Adams stated that they were talking about putting \$500,000 into the CPR Fund next year. He would be requesting that some of the improvements that were being requested by recreation be moved out of this fund this year.

Commissioner Deitz stated that they had to finish what they had started. He thought the conservation at Blackrock would be a good thing.

Commissioner Elders stated he agreed with Commissioner Deitz. They made promises and he was concerned about the Qualla-Whittier area and other parts of the county. They needed to make sure they had them covered and underway before they took on a lot more.

Rusty Ellis, Recreation and Parks Director, stated that they were focused on finishing the Savannah Park and putting a park in at Whittier. Any time they could save land on a conservation that was what they were there for. Instead of putting houses on ridge tops they would be preserving the land for walking trails or mountain bike trails.

Commissioner Deitz stated that there were other reasons this could be helpful. When talking about those mountain ranges, much of the land was currently not accessible even though a lot of it was Forest Service property because of private land that surrounded it.

Mr. Ellis stated they were looking to do the Savannah Park project in three phases. The first would be the well drilling and the septic. Then they would have contractors bid on phase two, which would be site prep, bathrooms and trails. Phase three would be for an independent contractor to install the playground and shelter. After meeting with the contractors he would be able to give them a number to finish the project.

Mr. Adams stated that previously, they only received one bid and early indications were that the cost was almost double what was originally budgeted. They were trying to come up with ways to bring the project closer to the original estimated amount.

Chairman McMahan inquired if there was support to put the conservation request on the agenda for Monday or did they want to hold off?

Commissioner Mau stated he preferred to hold off until they got all of the numbers.

Commissioner Elders stated he wanted to hold off.

Commissioner Luker stated that they just had a discussion that they did not want to commit to buying or looking to buy anything else until they got the projects they had going completed or the ones they had not even started, such as Qualla. He also thought about how they still did not have an adjoining Greenway and there was a lot outstanding there. It bothered him that they were going to spend money on this piece of property and then just turn it over and have no control or say in it. He was inclined to hold for now and not move forward.

Commissioner Deitz stated they did not have the opportunity to do these type things much when talking about conservation and protecting property. They needed to take advantage of it while it was there and a lot of it, they could not just put off until it was a better time. They may end up losing something and then looking back later thinking they wished they would have taken advantage of it. He did not think it would hurt them to move forward.

Chairman McMahan stated that they should go ahead and do the commitment letter. There could be problems down the road with the appraisal and they did not even know if it would work out. They had been pretty aggressive at trying to expand the Greenway. Staff had been working hard behind the scenes negotiating with property owners to try and expand it and if there was any way that could have happened, he thought it would have happened by now. The money was there and they were always ready to take advantage of those opportunities, but none of those opportunities had presented themselves yet. Regarding Whittier, they should work on it harder and try to identify some opportunities, but he thought if they passed up this opportunity to commit to help preserve that tract, they would have missed a great opportunity.

Informational item.

(2) SAVANNAH PARK: Mr. Ellis stated since they met last, he met with Western Builders and Buchanan Sons and they agreed to take the well and septic out of their bids. He had since gotten the permits for both the well and the septic. He also met with Greene Brothers and Hedden Brothers for bids for the well drilling. He was hopeful they would start on the well that week. He had gotten the Verizon phone line raised an additional ten feet so that it would not be a concern for the playground.

Upon the well being drilled, he would meet back with Western Builders and Buchanan Sons to get phase two of the project going, which would include site work, parking lot, walking trail and the bathrooms. Once that was completed, they would move to phase three where he would have an independent contractor install the playground and build the shelter.

Informational item.

(3) FY17-18 COLD WEATHER SHELTER FUNDING: Sheila Hoyle, Executive Director, Southwestern Child Development and Dr. Marilyn Chamberlin, Director of Operations and Development, Southwestern Child Development, presented: Report for Homeless Program:

(a) The Jackson County Homeless Program (JCHP) was a year-round program that offered case management, housing support and a Cold Weather Shelter. The JCHP transitioned from a five month shelter to a year-round program in 2016-17. The full time case manager hired in December 2016 continued to serve clients throughout the year, providing mental health, substance use and job training referrals; landlord negotiations once the clients were housed from the previous shelter season; and assistance with obtaining housing during the non-shelter season. Funding for housing was obtained from Rapid Rehousing program, Section 8 Voucher Program, Permanent Supportive Housing and a Vaya Health Housing Grant Fund. Attention was also given to fostering landlord relationships and working with clients that were still negotiating a new job and new household finance responsibilities.

(b) April 2017 – November 2017 number of people served 74:

- 34 children
- 40 adults
- 32 were new clients and 42 were continuing from the shelter period
- 43 households
- 65% of the households were housed
- 32 received case management only (referred to other services (rehab, dv, mental health), helped with connecting to resources (DSS, section 8 housing, job searches), checked in with clients at three month and six month period before transitioning them from services.

(c) In addition to working on with the homeless during this period, SWCDC worked with other agencies on the Homeless Shelter Management Task Force. Dr. Chamberlin led the Task Force and a final draft of the report was presented to the Board in October 2017. The report outlined the best practices for homeless programs, a description of the Housing First Model of homeless programs and a comparison of three shelter models including expenses and services (Brick and Mortar Shelter, Hotel Model and a Hybrid Model). A presentation of the report was made to the Board in January 2018.

(d) Additional funding was obtained throughout the non-shelter season. In addition to county funds the JCHP received the following funds:

- Jackson County: \$85,000 for shelter and case management plus \$3,778.88 (from 2016-17)
- Evergreen Foundation: \$20,000 for salaries, travel, and communication
- The Church of the Good Shepherd Grant: \$5,000 for clients services including: gas cards, application fees, laundry services, storage rental (for household items, clothing and furniture for the clients), transit, and other incidental expenses clients had.
- Great Smokies Health Foundation Grant: \$1000 for medical expenses for clients
- Emergency Services Grant (HUD): \$3,740 for shelter cost (hotels) and case management
- JNIN: \$11,800 for shelter cost (hotels)
- Total \$130,280.88

(e) Cold Weather Shelter Season. A contract was negotiated with the Quality Inn owner to provide rooms for the Cold Weather Shelter at a rate of \$57 per night. The shelter opened on November 1st with four rooms and added rooms each week of November until the room count reached 10. In December the region experienced unusually cold temperatures and snowfall, so additional rooms were added at the Microtel Hotel at \$58 per night. The weather pattern continued throughout the winter season resulting in maintaining 6 additional rooms per night than was originally planned. Every effort was made to move people into permanent housing but rental properties were not available during the months of December and January. The rental market began to open more in February and the clients began to move into housing. As with every year as people move out of shelter more need to come in and so they maintained the higher number of rooms while diverting people to families and friends as much as possible. The client population this year shifted somewhat from last year and they had more households without children this year. This was a trend seen across the state. In addition they were faced with more households that had chronic homelessness. Those with chronic homelessness require more services and take a longer time to locate housing due to a history of financial, mental health, health or substance issues.

(f) November 2017-March 2018:

- Number of people served 104
 - 23 children
 - 81 adults
 - Sheltered: 63 people – 51 adults and 12 children; 41 were either housed quickly, referred elsewhere or were put on a waiting list but contact was lost.
 - The average number of rooms per night was 16.
 - The total cost for shelter was \$100,483.34 with a rate of \$41.54 per room per night

- 61 households left the shelter before it closed: 24 were housed, 34 were removed from shelter due to violations of the rules (drugs on site, violence against another client, time limit expired, hotel violation, visitation violation); 3 left on their own to another shelter or moved on
- Of the 61 households served 19 have been housed which was 32%.
- Continuing services
 - Connecting to natural supports
 - Prevention and Diversion assessment
 - Rapid Rehousing and Permanent supportive housing
 - Referrals for services that were available

(g) While the program went through some growing pains, this year with the resignation of the case manager, there were many successes both programmatically and with the clients. Programmatically, JCHP developed a working relationship with JC Transit so that clients could use the services and the program would be billed. This reduced the need for clients to have cash when the transit arrived. In addition a network of support was created with county churches. Fifteen churches in Jackson County helped with donations of items, providing food on Wednesdays and delivering food on other days from Community Table. They continued to have meals provided by Community Table. They also had the continued support of Jackson Neighbors in Need, United Christian Ministries, Mountain Projects, and the Department of Social Services. In addition two part-time case managers were hired to assist with the caseload.

(h) Request: Additional funding for FY2017-18 in the sum of \$30,183. Their costs for the program were greater this year than the original budget allocation. They spent an additional approximately \$30,183.00 in shelter costs, staffing costs and leadership and development costs for the Task Force Report. If any year-end funds were available to help with these costs, Southwestern would be very appreciative of these funds. They were willing to continue again for another year stating that personnel was an issue and to keep good cooperation with the hotels and motels.

Mr. Adams stated that the two barriers that they needed to address were the staff improvement and the relationship with the hotels/motels. They had to resolve those barriers by June 30th. They never intended for Southwestern Child Development to be the permanent home for the homeless program and he appreciated all that they had done and for agreeing to take on the program for another year. They did provide staffing and a report to the Board. The real struggle and challenge would be to find the permanent entity that would say they were responsible for working with the homeless clientele. For the next year, he thought they should try to go out for a request for proposals to the public at large and non-profits to see if they could get an entity interested in taking on this task.

Consensus: *Add the additional funding request of \$30,183 to the May 21st regular meeting agenda for consideration.*

(4) **ABC BOARD TERM LIMITS:** David Noland, Chairman, Jackson County ABC Board stated that on June 30, 2018, one of the county's appointments and one of the town's appointments would expire. As the merger agreement presently was written, neither would be eligible for reappointment. The county and town would need to make new appointments for these two positions for three year terms or amend the merger agreement to change the allowable number of consecutive terms. Both of the current appointees expressed an interest in continuing to serve on the ABC Board, if allowable. On May 10th, the Town of Sylva Board voted to strike the wording that restricted consecutive terms.

Consensus: *The Board agreed with the Town of Sylva's decision to strike the wording that restricted consecutive terms.*

(5) CASHIERS WATER SYSTEM: Mr. Adams stated that the Cashiers Water System was initially purchased to ensure there was an adequate water resource for county functions. At that time there were customers using the system that were inherited. The Board had previously been approached by individuals that wanted to be new customers and at that time it was reinforced that the primary purpose of the system was to provide water resources to county functions and that they were not going to expand the system for new customers.

Approximately six months ago, he was approached by an existing customer, Grouse Point, LLC regarding expanding their existing use. He then came back to the Board for a brief discussion where they decided that since they were an existing customer, they should at least have the conversation about what it would take to possibly take to serve existing customers. He had made it clear to Grouse Point, LLC, that if they expanded the system, it would be up to that customer to pay for the expansion.

An initial evaluation was done to see if any expansion or upgrade was needed to the system to meet the needs. As that process was going along, he started receiving feedback from the engineer and it became apparent to him that The Village Green project was not being considered. The Village Green had been in a fundraising expansion effort for at least two years, working with county staff and the public to build facilities and expand their use.

They then obtained The Village Green's engineering information and turned it over to Mr. Lofquist to see if they could handle the needs of both existing customers. In a letter he received from Lofquist & Associates, Inc., it stated that at the time of the previous evaluation they were unaware that The Village Green was planning the addition of a new Community Center at their facility. They had subsequently updated the preliminary evaluation based on both the change in service proposed at 188 Burns Street (Grouse Point LLC) and the addition of the new Village Green Community Center. They based the updated evaluation on the May 1, 2018 letter from Alec Stillwell, PE to Chad Parker, Public Works Director.

Using the data presented in the Stillwell letter (including both potable water demands and fire sprinkler tank filling), they recommended upgrading the existing water system by replacing the 49 gallons per minute well pump with a new pump and controls having a minimum capacity of approximately 75 gallons per minute. This upgrade would provide for the additional demands without the need for increasing well capacity or increasing the size of the existing hydro-pneumatic storage tank. This proposed well pump upgrade would increase the motor horsepower from 7.5 to approximately 10 or 15. Plan approval and an Authorization to Construct would be required from NC Public Water Supply prior to replacing and upgrading the well pump. The total estimated project cost \$47,850.

Mr. Adams stated that in order to provide service to these two existing customers an upgrade would need to happen. There were two choices: (1) Upgrade the system to serve the two customers and if so, how was it going to be paid for? (2) Choose not to upgrade the system and they would potentially have capacity for one of the two customers.

Chairman McMahan stated that both projects had been well underway for some time and he would support upgrading the system. But, he did not think the county should be in the water business that was why they created Tuckasegee Water and Sewer Authority (TWSA) to get out of the water and sewer business. He did not believe they should be expanding the water system to create a new customer base, but those were existing customers. He still hoped this would eventually go on to TWSA where they would completely run the program.

Mr. Adams stated that they did have six private customers above the county's use. The county did not set up rates to recoup costs, so when talking about this type of upgrade, how would they pay for the \$47,850. When he started talking with Grouse Point, LLC, he made clear that if there would be an upgrade, they would need to discuss if this would be put on to the users. He had not had those types of conversations with The Village Green.

If they had already turned over the system to TWSA, there would be fees associated with both of the requests regardless of the existing capacity. If TWSA owned the system, based on usage and expansion costs, there would be an approximate \$14,000 fee for The Village Green and \$12,000 for Grouse Point, LLC. Each of those amounts contained \$3,450 towards a meter. Also, they would like to give notice to the remaining four customers so if they were looking at a need for additional usage, there would have to be a process.

Chairman McMahan stated that The Village Green had been working on this project for some time and it benefited the public. He felt they should consider assessing the fees and then come up with some form of grant for The Village Green. Grouse Point, LLC had known in advance that they may have to bear the cost.

Mr. Adams stated that adopting the rules of TWSA would allow him to follow up with the remaining customers to let them know that if they did expand there may be some assessment cost. If they moved forward, he could let TWSA know that these two entities would have access based on the rules that would be set, it would release The Village Green to move forward.

Consensus: *Move forward with the upgrade to the Cashiers Water System for the two existing customers.*

(6) FY18-19 BUDGET UPDATE: Darlene Fox, Finance Director presented:

(a) Budget Personnel Requests

(b) Capital Outlay:

- Last year budget 2016-17: \$668,232.00
- Current year budget FY2017-18: \$676,252.00
- New year budget requested FY2018-19: \$1,136,754.99

(c) Capital outlay motor vehicles:

- Last year budget 2016-17: \$1,147,721
- Current year budget FY2017-18: \$539,721.75
- New year budget requested FY2018-19: \$864,508.67

(d) Capital Improvements:

- Last year budget 2016-17: \$190,600.00
- Current year budget FY2017-18: \$334,256.33
- New year budget requested FY2018-19: \$1,108,700.00

(e) Non-profit grant applications:

- Last year budget 2016-17: \$307,629.00
- Current year budget FY2017-18: \$320,071.00
- New year budget requested FY2018-19: \$515,769.58
- Proposed FY2018-19: \$342,071.00

(f) Budget work sessions:

- May 21st: Manager's recommended budget presented to the Board.
- May 31st and June 1st: Budget work session for entities that wished to speak with the Board regarding the recommended budget.
- June 1st – June 12th: Special called meetings as needed.

Informational item.

(7) REQUEST FOR FIRE MARSHAL TRUCK: Mr. Adams stated that he received requests from several fire departments for the fire marshal's truck that was being replaced. The following departments have made the request:

- Canada VFD
- Qualla VFD
- Balsam VFD
- Glenville-Cashiers Rescue Squad

Consensus: Have a drawing out of a hat and the department that received the truck would not be eligible for a truck next year, if one was available.

(8) THOMAS VALLEY GROWERS, LLC REQUEST: Carry over.

(9) COMMISSIONER GOALS:

(a) Complete:

- Performance evaluation for the county manager.
- Referendum or resolution on when to put sales tax issues on a ballot.
- Refocus on one stop issue.
- Combining social services and health department.
- Indoor pool at Cullowhee Recreation Center – Bond Referendum. Referendum tabled and would have to wait until next general election to be considered to be placed on ballot.

(b) Ongoing:

- Administration and departmental goals. Departments were instructed to document their accomplishments on FY17-18 goals. They were also instructed to establish some measurable goals for the FY18-19 year.
- Land Use Plan: follow up with the plan and support departments. The action items listed in this plan were distributed to county departments that have direct responsibility for the particular action item. They were instructed to include at least some of these items in their FY 18-19 goals. Planning Department provided an update on first year accomplishments.
- Off-site meetings in different communities from time to time.

(c) In Progress:

- Capital projects and where they would be located.
 - Joint meeting held with Town of Dillsboro and with WCU representatives at 5:30 pm on March 5, 2018 to discuss the closed landfill, Staffed Recycling Center and Green Energy Park Campus.
 - Board authorized staff at March 19, 2018 regular meeting to proceed with requesting the Town of Dillsboro to make changes to zoning to allow for proposed use.
 - Staff presentation to Dillsboro Planning Board on May 15, 2018.
 - Town of Dillsboro would hold public hearing on June 11, 2018.
- Affordable housing.
 - Initial planning meeting held December 11, 2017.
 - Planning Department created an executive summary of existing programs.
 - Committee met on March 20, 2018.
 - Staff met March 28, 2018 to continue discussions.
 - Recommendation for housing committee at June 2018.

Informational item.

(10) CHARTER SCHOOL SRO OFFICER: Mr. Adams stated that the SRO officer that was requested for the Charter School, it would not be in his recommended budget as it was requested. He would be potentially bringing a one cent property tax increase in the budget that would be associated with safety with school counsellors and SRO's, etc. Within that conversation they discussed an SRO for the Summit Charter School. They had now received legal opinions as to whether an SRO could be funded by county tax dollars. Regardless of how it was funded, there would need to be a contract between the Sheriff's Office and Summit Charter School for the Sheriff to provide and SRO to that school. The Sheriff indicated that he was willing to have discussions with Summit Charter School and provide that service. The question would be how it would be paid for.

Ms. Baker stated she did research on the issue and it was litigated in North Carolina in 2011, Sugar Creek Charter School vs. The State of North Carolina. That case determined that local funds could not be used to support anything at the Charter School other than what was specifically authorized by statute.

They did look across the state to see what other counties and towns were doing. There were several counties and towns that were providing SRO's in charter schools, but the schools were paying for those except for one where the town paid 10% of the salary because the officer did work outside of the school for the town. The answer was clear, it could not be funded from county local dollars. They could contract with the Sheriff, but they had to pay for the officer. Also, grant funds could be received by the charter school to help pay for the officer.

Informational item.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 3:40 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman