

**MINUTES OF A  
WORK SESSION  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MAY 14, 2019**

The Jackson County Board of Commissioners met in a Work Session on May 14, 2019, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

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

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

Chairman McMahan called the meeting to order.

**(1) TOURISM DEVELOPMENT AUTHORITY INTERN EXTENSION:** Nick Breedlove, TDA Executive Director, stated that the TDA intern, Caleb Sullivan, completed his 150-hour internship and his service to the TDA greatly extended the work they could accomplish. They had greatly benefited from his dedication, professionalism and attention to detail in the work he produced over the last few months.

He requested of the Commissioners that Mr. Sullivan continue the part-time work beyond the 150 hours and be permitted to work the maximum allowed under part-time work this fiscal year and next until they would bring an additional staff member on board. There were funds available in the TDA budget to support the request.

The TDA Executive Board concurred with this and contingent upon the full TDA Board's approval on May 22, he asked the Commissioners to consider this at their June 4<sup>th</sup> meeting for potential action with Mr. Sullivan being able to begin additional work on June 7<sup>th</sup>, if possible.

**Consensus:** *Place this item on the June 4<sup>th</sup> regular agenda for consideration.*

**(2) UNIFIED DEVELOPMENT ORDINANCE PUBLIC HEARING:** Michael Poston, Planning Director, stated that since they had last talked about this, the Soil and Erosion Control Model Ordinance from the state came out with some suggested changes, especially in the enforcement section. They took the entire enforcement section from the model ordinance and transferred it in. Tony Elders, Code Enforcement Director, was working with the group and had already looked at the amendment to the UDO and was pleased with the language.

Also, they made some more modifications, after further discussion with the Tax Office and other boards and commissions. One area of modification was with the conservation easement area, which would better match what they had been instituting over the last five to seven years. It was modeled from the Conservation Easement language from the state statute.

They were at the point to move forward to the Board of Commissioners for a public hearing on the UDO. He requested that to be set for August 6<sup>th</sup>.

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

**(3) CONTRACT EXTENSION:** Randy Dillard, Chief of the Cashiers-Glenville Volunteer Fire Department was present for this item.

Mr. Adams stated this item was regarding the current contract with the Cashiers-Glenville Volunteer Fire Department and extending that contract.

Chief Dillard stated they had an aggressive plan since they got the fire tax four years ago. It had worked great and he felt that everyone benefited from it. They planned to hire more people to add one more per shift in Cashiers. The issue was that they had a four year contract with the county and a five year plan. He requested an extension of one year on the current contract. They currently had six stations and were looking at land on Highway 107 South to tie it all in. They then wanted to look at the entire operations. They had 24 fire trucks and the maintenance that year was \$104,000, which was the most ever. They really wanted to cut back if the state would allow the same rating, which would help them. They wanted a year to prepare and put everything together as they were seeing so much growth.

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

**(4) SHOOTING RANGE:** Don Tomas, SCC President; William Brothers, SCC CFO; and Curtis Dowdle, Dean of Public Safety Training, were present for this item.

Dr. Tomas presented: Firing Range Update: Estimated cost of \$287,000

- Backstop improvements
- Raise Berm with wall/Conex
- Borrow source stabilized with grass
- Leyland Cypress trees
- Adding two firing lanes to increase throughout / reduce range time
- Electric target system

Dr. Tomas stated that they were holding out until that spring to do the bid with the anticipation to do that in the summer with completion by the end of August or the first of September, so that it would not interfere with the BLET Program. They went out to bid three times and were now running up to the end of the timeframe to start if they were going to be able to do this in the summer. The only bid they received came in \$213,000 over what the designers had anticipated the cost to be. This was strictly a mitigation project for the noise that they had discussed and also the backstop and target mechanism. If they decided to hold off, they would have to wait a year because of programming. They would have to rebid this next February or March for a start date right after the end of semester in May.

Mr. Adams stated that when they were going through the budget process with Dr. Tomas, they asked them to go out to bid one more time to see if there were any more interest, but there were none. If they wanted to move forward with the one bid they received and add the additional \$213,000, the question would become if they could accomplish the project during the time period.

Commissioner Luker asked if they were at a point in the mitigation process that they could cap it if they went to an alternative source such as an indoor range.

Dr. Tomas stated there would still be mitigation to be done. The project went out as one complete bid. They would have to go back in and do the backstop for the lead splatter.

Commissioner Luker stated that as far as the lead contamination and the noise abatement, if they explored going into an indoor range, were there grants out there available for a county of this size?

Dr. Tomas stated he was not sure, they would have to look into that. The indoor range was nice food for thought, but they would still have to keep the outdoor range.

Chairman McMahan stated that he thought that was the reality, no matter what happened, they would still have to maintain the indoor range. He was not in favor of authorizing \$500,000 at that time. At best, he thought they should see if they could break it down and maybe just do the backstop. That was something that was necessary no matter what happened.

Dr. Tomas stated that they could go back to Wood Engineering for the minimum of what they needed to do, which was mitigation of the lead. They could try to go out next spring for some of the noise mitigation.

Commissioner Mau asked why they had to maintain the outdoor range.

Dr. Tomas stated they needed it for the rifle and shotgun qualifications.

Mr. Dowdle stated that they seven hours of rifle training indoors – their hearing nor bodies would handle that. If that was the only training they did outdoors, it would reduce it substantially. That was the biggest decibel producers. If they had an indoor range for handguns, the business would go up because people would travel from several counties to use it.

Commissioner Mau stated that if they minimized the amount it was used outdoors, that would help with the noise.

Dr. Tomas stated it would be difficult to say percentage wise as they had several different agencies throughout the year.

Mr. Dowdle stated that they were still pursuing suppressors for the academy.

Commissioner Luker stated he was thinking how they could be a good neighbor and could they go to phase 2 or phase 3 of the Wood plan and go forward with a partial cover. He thought there were some options out there that they definitely needed to look at. All the different agencies coming in had a huge impact on the businesses in the county.

Chairman McMahan stated that a lot of what they talked about was long term. In the short term, what did they do with what they had budgeted and what had been done through the bidding process.

Commissioner Woody stated that Mr. Adams mentioned that part of the backstop improvements would be a process to collect some of the lead. Was that still in play?

Dr. Tomas stated that his understanding of the drawings was that they would remove the backstop and come back in with a heavy plastic to put on the bank and then come in with sand on to the new backstop, which would allow for easier extraction of the lead, which was part of the \$287,000.

Chairman McMahan stated that he did not feel comfortable moving forward with the \$500,000 for the bid they received.

Commissioner Deitz stated that he agreed.

Commissioner Mau stated that he was not comfortable with the \$500,000. He thought taking more time would be good.

Commissioner Woody stated that she agreed.

Commissioner Luker stated that he agreed.

Dr. Tomas stated they would go back to the drawing board with Wood and maybe step it out. They would create new options and bring those back.

*Informational item.*

**(5) NC DEPARTMENT OF HEALTH AND HUMAN SERVICES 2019-2020 MOU:**

Jennifer Abshire, Director Social Services, was present for this item.

Mr. Adams stated that this information had been referenced in previous meetings and they would go through the information that day. One of the key items to understand in looking at the MOU, was that they did not have a choice in the conversation if they wanted to get the state reimbursements. He wanted to focus on the performance measures that would be used. Also, at that time, there were no direct budgetary impacts, but there may be in the future.

**(a)** In the MOU, he pointed out Section 2.1: Default and Modification:

“Default: In the event the county fails to satisfy the mandated performance requirements as set forth in Attachment I or fails to otherwise comply with the terms of this MOU, the Department may withhold state and/or federal funding. Any such withholding shall be in compliance with and as allowed by state and/or federal law.”

Performance Improvement/Corrective Action:

“Prior to the Department exercising its authority to withhold state and/or federal funding for a failure to satisfy the mandated performance requirements set forth in Attachment I or failure to comply with the terms of this MOU, the steps set forth in Attachment II will govern. For this MOU covering fiscal year 2019-2020, the Department will not initiate any actions set forth in Attachment II for a county’s performance related to the performance requirements set forth in Attachment III. Nothing contained in this MOU shall supersede or limit the Secretary’s authority to take any action otherwise set forth in NC General Statute 108A-74.”

**(b) Attachment I: Mandated Performance Requirements.**

- The Standard Measure was the measure set forth in federal or state law, rule or policy that governed the particular program. This was the Measure that all counties were ultimately aimed to achieve.
- The County Performance Measure was the measure that the county was required to achieve to be in compliance with the MOU.
- The Report of Performance was the period of time in which a county’s performance on a particular performance requirement was measured and reported.

Ms. Abshire stated that out of the four mandated Performance Measures, there were 13 performance requirements they would be measured on and could have some type of corrective action on. There were a total of 26 performance measures, but they were only being monitored on the 13.

- Child Support: The county measures were individual targets and based on what that year’s measures were and how that met them.
- Energy Programs
- Work First
- Food and Nutrition Services

The county’s goal was 100% and 80% was required by law. They had always had goals and measures and had always been monitored.

Mr. Adams stated: Attachment II Corrective Action 1.b. and 1.c.:

“b. Upon receipt of notification, the County DSS shall promptly provide the Department with written acknowledgement of receipt.

c. If the County DSS does not agree that it failed to satisfy the mandated performance requirement or comply with the terms of the MOU, it shall set forth, in writing, the basis for this disagreement. If the County DSS believes its failure to adhere to a mandated performance requirement or term of this MOU is due in whole or in part upon the failure of the Department to meet any of its responsibilities under this MOU or other external factors (i.e., limited court dates, continuances, etc.), the County DSS shall set forth in writing how the failure of the Department or external factors to meet its responsibility to the County DSS contributed to the inability of the County DSS to meet the mandated performance standard or other term of this MOU.”

Mr. Adams stated that this may become a resource conversation. If they were not able to meet a goal, it may be because of the amount of people, physical issues or computers. Eventually, this could be a resource discussion with the Board during the budget process. Next year this information would be reviewed by DSS and brought back. Also, the potential need for resources going into the next year could be related around Medicaid expansion.

Ms. Abshire stated that if Medicaid expansion did happen in North Carolina, her prediction was that they would need a couple of Medicaid workers.

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

**(6) HOMELESS PROGRAM:** Robert Cochran, Homeless Program Case Manager presented: Interim Report Jackson County Homeless Program Sponsored by Southwestern Child Development Commission May 14, 2019:

**(a) Summary:**

- Dates of Cold Weather Shelter: November 18, 2018 – March 31, 2019 (134 days)
- Hotels Used: Quality Inn, Microtel, Woodland Inn
- Adults Sheltered: 53
- Children Sheltered: 26
- Hotel Room Nights Provided: 1379
- Cost of Cold Weather Shelter2: \$85,366.00

**(b) Program Outcomes to Date:**

- The goal of assuring no one freezes to death in Jackson County due to lack of shelter was achieved during the winter of 2018-19.
- 34% of the adults served in the cold weather homeless shelter have achieved permanent housing for the future.
- Progress continues in the effort to find permanent housing for the 19% of shelter residents who have not yet achieved this goal.
- Collaboration among Jackson County organizations to meet the needs of the homeless this year had been very effective and successful. Major partners have included Jackson County Government, Quality Inn, Microtel, Southwestern Child Development Commission, Community Table, Mountain Projects, Jackson Transit, JC Advocates for Animals, Evergreen Foundation and Great Smokies Health Foundation.

**(c) Other Observations from this Year's Homeless Program:**

- The challenges of addressing homelessness on a community level were significant and unrelenting. Doing so with insufficient staff was unsustainable.
- The hotel model for housing homeless individuals acts as a magnet. Both Jackson County residents who were not truly homeless as well as residents of other locales were drawn to come and stay in the shelter. Additionally, once housed, very few residents were motivated to move from the hotel even when they have the ability to do so. These issues create ongoing challenges for program case management.
- The hotel model does provide amenities such as safety/security thru locking individual rooms, privacy for bathing, room cleaning, and daily breakfasts. These needs would be strategically challenging and costly to address in a more traditional brick & mortar homeless shelter.
- Even with Section 8 rental vouchers and guaranteed deposits for housing and utilities, many homeless cannot find anywhere to live because landlords would not rent to them. Criminal records, poor credit histories and problems with previous rental housing all combine to create risks in which landlords were not willing to invest. As one landlord put it, "No tenant is better than a bad tenant."
- Being elderly, disabled and approved for Social Security disability payments does not assure someone would qualify for elderly and disabled housing in Jackson County. Individuals with annual Social Security payments of less than \$8,500 do not meet income qualifications for subsidized housing complexes such as the Havens and River Park Apartments.
- One gentleman was immensely thankful to be accepted into the JCHP shelter after camping beside the Tuckasegee River and struggling through endless days of cold and rain. At the end of March, however, he could not find any rental housing that would accept him. He moved back to his old spot on the river, only to be told by law enforcement that he had to leave.

(d) JCHP Outcomes FY2018-19:

- Permanent housing achieved: 18
- Left shelter voluntarily before achieving permanent housing: 5
- Evicted from shelter by management: 10
- Asked to leave shelter by JCHP Staff: 1
- As yet unable to achieve permanent housing: 10
- Below freezing, over capacity, short-term resident: 9

Mr. Adams stated that the additional amount being requested by Southwestern Child Development was \$35,183.

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

(7) **SUMMARY OF NEW REQUESTS UPDATED:** Darlene Fox, Finance Director presented updated requests:

- Non-profit Grant Applications: \$282,955.58
- New Positions Requested: \$419,061.50
- Salary Reclassifications Requested: \$73,739.97
- Sheriff's Office Reclassifications, Incentives Pay, Part-time and Holiday Pay
- Capital Outlay Detail: \$2,805,354.44
- Capital Improvement Detail: \$3,107,774.27

Mr. Adams stated that when he gave the Manager's presentation at the next regular meeting, he would show what was recommended versus what was requested.

*Informational item.*

(8) **LITTER CAMPAIGN:** Commissioner Woody presented the entries for the Litter Campaign Logo. The Board had agreed to pay \$200 to person that created the logo that was chosen. They also agreed to have Norma Clayton and Chad Parker participate in the selection. She hoped that day they could select one logo and then the process forward would be for them to have an article in the newspaper to congratulate the person that designed the logo from SCC. That would then launch the logo as the Litter Campaign moving forward. Then, she and Ms. Clayton would go to some places in the county where they would ask for support for the campaign, such as free billboard space, radio spots and printing stickers to disseminate in the schools. She thought they could also have a community campaign before Cleaning up the Mountains, for each community to work to clean up their areas. Mr. Smith of Bear Lake had stated that he was willing to support the campaign as well.

The Commissioners ranked each logo and then they were tallied to reveal the winning logo. The Board suggested to change the words to be "Keep our Mountains Clean and Green".

Chairman McMahan suggested that the winning student attend the next regular meeting for the announcement and presentation of the logo.

**Consensus:** *Change the logo wording to: "Keep our Mountains Clean and Green".*

(9) **BUDGET CALENDAR SCHEDULE MEETINGS:** Mr. Adams reminded the Board that May 21<sup>st</sup> would be when the recommended budget would be presented. Also, they had May 22<sup>nd</sup> and May 23<sup>rd</sup> at 8:30 a.m. scheduled for budget meetings. They had the public hearing scheduled for June 4<sup>th</sup>. June 5<sup>th</sup> through June 10<sup>th</sup> would be days to schedule meetings to discuss the budget. The Board agreed on Thursday, June 6<sup>th</sup> at 1:00 p.m. If additional days were needed, they would decide on June 6<sup>th</sup>.

**Consensus:** *Add the June 6<sup>th</sup> meeting date to the next regular meeting agenda for consideration.*

**(10) MCMILLAN PAZDAN SMITH CONTRACT:** Mr. Adams presented the McMillan Pazdan Smith proposal for Schematic Design for the new Animal Rescue Center:

- Schematic Design Services: \$58,500.00 (which would be applied toward a construction document)
- Structural Analysis: \$2,500.00

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

**(11) LEASE AGREEMENT WITH THE TOWN OF SYLVA:** Mr. Adams stated that the county granted the Town of Sylva a grant to place a welcome sign on county property. The town was attempting to get this done prior to the end of that fiscal year.

Ms. Baker stated that in order for them to do a multi-year lease, they had to approve it and notice it for thirty days. With the meeting schedule, there was not enough time to do that before the end of the fiscal year.

Mr. Adams stated that he had the ability to sign the document for one year to secure the sign and then follow up after that.

*Informational item.*

**(12) JOINT MEETING WITH MUNICIPALITIES:** Mr. Adams requested that a joint meeting with the municipalities be set for July 23<sup>rd</sup>.

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

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 3:00 p.m.

Attest:

Approved:

\_\_\_\_\_  
Angela M. Winchester, Clerk to Board

\_\_\_\_\_  
Brian Thomas McMahan, Chairman