

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MARCH 03, 2016**

The Jackson County Board of Commissioners met in a Regular Session on March 03, 2016, 6:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Mark Jones, Vice Chair
Charles Elders, Commissioner
Vicki Greene, Commissioner
Boyce Deitz, Commissioner

Chuck Wooten, County Manager
Angela M. Winchester, Clerk to Board
Heather C. Baker, County Attorney

Chairman McMahan called the meeting to order.

(1) **AGENDA**: Commissioner Elders moved to approve the amended Agenda. Commissioner Deitz seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Elders moved to approve the minutes of a Work Session of February 16, 2016, a Regular Meeting of February 18, 2016 and a Reconvened Work Session of February 24, 2016. Commissioner Jones seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman McMahan stated he wanted to take the opportunity to express some thoughts and his opinion on a particular subject. For those who had the opportunity to read the current edition of the Sylva Herald newspaper, there was an editorial from the editorial board about the homeless in the county, their plight and potentially what may happen with the homeless shelter and how the county moves forward. He read an excerpt from the article and encouraged everyone to read the entire article.

Chairman McMahan stated it was interesting to note, that the article stated they called to discuss the homeless shelter, but he nor any of the other Commissioners or staff received a phone call or email. They took an option to go ahead and say nothing was happening. One thing that he was not going to do and he did not think a single member of the Board would do is try to politicize and take advantage of people who had fallen into the part of their life where they needed help the most. He did not play politics that way and he was not going to politicize the issue.

Yes, there had been a lot taking place. He did not think Kristi Case, Randall Moss, Veronica Nicholas, Bob Cochran, Patsy Dowling or Cathy Cross would care that he mentioned that he had met with them privately and had phone conversations over the last two months to talk about the issue. He did not think that the Commissioners would care that he mention that they all talked privately about it and he had talked to staff privately about it as well.

He had a copy of an email dated Tuesday, February 9th, which was before they had the work session where they supposedly ignored the homeless. He read an excerpt from an email from Bob Cochran, which stated: "Chairman McMahan had been a leader in recognizing the needs of the homeless and he had recently suggested a meeting between those involved in the effort regionally, with the goal of exploring ideas and possibilities for the future."

Chairman McMahan stated that at his request, Mr. Cochran facilitated a meeting so that they could continue the discussion of how the community was going to deal with the problem of homelessness. This was a problem that the Board was not going to solve. It was not government's responsibility sometimes to solve all these problems, they can help guide the discussion, they can support in ways, but, ultimately, it is the community that was going to have to solve this problem. As a community, they were going to have to come together. He was all for doing everything he could from his position and as a private citizen to help guide them in a direction where they meet the needs of every citizen in the county that does not have a voice because they are homeless. For anyone to suggest that they would use this as a political tool to gain votes, was very disappointing.

(4) COMMISSIONER REPORTS:

(a) Commissioner Elders stated he agreed with Chairman McMahan and that all of the Commissioners were concerned as well.

(b) Commissioner Greene stated that she wanted to see Chairman McMahan's comments in both the Smoky Mountain News and The Sylva Herald. Also, at their last meeting they supplied \$15,000 additional funds to Neighbors In Need to provide shelter for the homeless to help them through the season.

(5) COUNTY MANAGER REPORT: Mr. Wooten reported:

(a) **Homeless Shelter:** He appreciated the Chairman's comments and stated that a shelter was not always the answer. They had a situation at the Justice Center last week where a gentleman spent 2-3 nights in the smoking shelter outside the building. They worked with the Sheriff's Department and Neighbors In Need, but because of extenuating circumstances with the background associated with the individual, they could not actually house him. They were able to work with Meridian to place him, but those situations do exist and a shelter is not necessarily always the answer in that type of situation. It is happening in the community and it needs their attention.

(b) **Contract with EBCI for Environmental Health Services:** He had been in discussions with the county managers from Swain, Graham, and Cherokee counties about how to move forward on future contracts for services with the EBCI. The county's taxation authority for non-tribal owned business personal property was revoked by the 2015 NC General Assembly; however, the bill did provide the opportunity for counties that provide services to EBCI to be fully reimbursed for the costs that are incurred in providing the services. Currently, the Health Department has a contract to provide environmental health services for a fee established by the State that goes to the State with a portion returned to the Health Department. This revenue does not cover the cost of the providing the service, according to the Health Director. Under the terms of the current contract, EBCI must give a 90 day notice if they want to extend the contract. The notice will be required around the first of June.

(c) **Meeting to discuss long term ownership of Whittier Sewer System:** TWSA is facilitating a meeting on March 22nd with the various stakeholders who have an interest in seeing this system succeed. Jackson County, EBCI, Swain County and TWSA all have been involved or have citizens who are served by this utility. The long term financial success of this system is the major concern since it has only 37 customers; however, Jackson County has a significant interest in the successful operation of this utility since it serves Smokey Mountain Elementary School.

(d) **TWSA Future Capital Improvement Projects:** TWSA was beginning their annual budget preparation and asked the forming entities for a list of projects that they should consider. He asked for any projects they would like to submit for consideration.

(e) **Connect NC Bond Referendum:** On March 15th the voters of North Carolina will decide whether to approve \$2 billion bond. WCU and SCC will receive a combined \$117 mil, if approved. Needless to say, the impact to the economy of the county and the region would be significant, if approved.

(f) **Pedestrian Bridge**: The general contractor was waiting for a break in the weather to complete the footings for the access ramps to the bridge. Hopefully, the bridge would be completed in the next 60 days.

(g) **Goodson Property**: The closing date had been set for April 1st and they were in the process of scheduling the work associated with the removal of the remaining portions of the house and the trees.

(h) **Ryan Sherby – Region A**: Ryan Sherby, Executive Director of Region A, has submitted his resignation effective April 29th. The Executive Committee will begin the process of searching for a new executive director.

(i) **Forest Hills Planning Board**: The Mayor of Forest Hills has asked the Commissioners to appoint a representative to the Forest Hills Planning Board who resides outside the Village limits but within the ETJ. Mayor Begley has submitted an application of a person who is interested in serving; however, the Commissioners make the final appointment decision. He would ask the Planning Director to provide a map of the ETJ to assist with identifying someone to serve. This item will be placed on the March 17th agenda.

(j) **Future Meetings**:

March 15th – 10:00 a.m. March Work Session – the first discussion about FY 16-17 budget

March 17th – 6:00 p.m. Monthly Commissioners Meeting

March 22nd – 5:30 p.m. Whittier Sewer System Meeting

March 25th Good Friday – Offices Closed

March 28th – 6:30 p.m. Region A Meeting

(6) **INFORMAL COMMENTS BY PUBLIC**: Ron Mau of Cullowhee expressed his concern about having a sales tax referendum on the ballot in June. If the goal of a vote is to hear the opinion of the people of the county, recent data from the last two presidential elections of 2012 and 2008, suggested a tax increase should be a ballot issue in the November general election and not the June secondary primary. Turnouts of under 4% do not suggest they would be hearing from a representative voice of the county voters. He believed a five month wait would be a small price to pay to have a better and more transparent opportunity for the voters to make their statement.

(7) **CONSENT AGENDA**: Darlene Fox, Finance Director, presented a Budget Ordinance Amendment for fiscal year ending June 30, 2016, for approval.

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

(8) **GOOD SAM CLINIC**: Rebecca Mathis, Executive Director, presented an update. The Good Sam Clinic mission was to provide healthcare to underserved adults as exemplified by the Good Samaritan.

(a) Who are underserved adults?

- Adults 18-65
- No health insurance
 - Ineligible for Medicaid, Medicare
- Income below 175% of poverty level
 - Family of 1 < \$20,497.50
 - Family of 2 < \$27,877.50
 - Family of 4 < \$42,437.50
- Serve: Jackson County and counties west

(b) Health Insurance

- Jackson County has the highest per cent uninsured among comparators in both age groups for 2009-2013.
- Source US Census Bureau via Jackson County Community Health Assessment

- (c) Expanded Care in 2015
 - Golden LEAF Foundation Grant
 - 2 year partnership with WCU
 - Full-time Family Nurse Practitioner in clinic
 - Daily provider visits; training FNP students
 - Sisters of Mercy of NC Foundation Grant
 - 2 years
 - Full-time Nurse Case manager / Volunteer Coordinator (RN)
 - Increased community support
 - Jackson County Nonprofit Grant – Clinical Services Director (RN)
 - Area faith communities, colleges, businesses
 - 155 volunteers logged over 4,104 volunteer hours
- (d) Small staff, big results
 - Full-time
 - Executive Director
 - Clinical Services Director (RN)*
 - Family Nurse Practitioner*
 - Case Manager (RN)*
 - Medication Assistance*
 - Part-time
 - Business Manager
 - Medication Assistance*
 - Data Intern (5 hours)*

**Grant funded.*

No paid clinical support staff or office support staff.
- (e) Serving neighbors in 2015
 - Served 627 unduplicated individuals:
 - Clinic patients (primary care, case management, medication assistance)
 - Community patients (medication assistance only)
 - 2014:
 - 427 clinic patient
 - 877 provider visits
 - 2015
 - 524 clinic patients (22.7% increase)
 - 1,625 provider visits (85.3% increase)
- (f) Good news for the community
 - More patients served
 - Decrease in wait time between enrollment and first medical appointment
 - More consistent and timely follow-up care
 - Downward trend in non-emergency ER visits
 - Improved health outcomes
- (g) What is next?
 - Grants
 - Local and regional foundations
 - Melvin R. Lane finalist
 - Community health grant

- Strategic planning
 - Strengthening non-profit
 - Providing quality, excellent healthcare to underserved
 - Finding ways to expand and create additional access
 - Pursuing sustainable funding models
- (h) Investing in community health
 - Value of donated care: over \$1,008,222
 - Care donated to patients by the community
 - Harris Regional Hospital
 - Health Department
 - LabCorp
 - Non-hospital Physician Specialists
 - Value of services provided: over \$1,777,177
 - Direct primary care at Good Sam
 - Medication Assistance Program
 - Pharmacy Vouchers
 - Value of donated support: \$187,237
 - Not patient specific
 - Facility, medical supplies, etc.
 - Value of donated healthcare professional services: \$121,217
 - For every \$1.00, Good Sam spent \$11.66 worth of care and services were provided to their patients in 2015.

Informational item only.

(9) GLENVILLE COMMUNITY CENTER: Mr. Wooten stated that at the February 16th work session, representatives from the Glenville Community Center made a presentation and requested the county’s help with funding for making improvements to the community center, which totaled approximately \$60,000. They were requesting \$15,000 from the county.

Motion: *Commissioner Jones moved to appropriate \$15,000 to the Glenville Community Center for improvements, from contingency. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(10) LOCAL OPTION SALES TAX REFERENDUM: Mr. Wooten stated in 2007, legislation passed by the NC General Assembly gave to counties a local-option, quarter-cent sales tax, also known as Article 46. The sales tax (G.S. 105-535) must be approved by voters in a referendum before it can be adopted by a county. Article 46 is a general purpose tax, which is not restricted or earmarked and can therefore be used for any allowed use by counties. A county cannot stipulate the use of the money on the ballot. A county Board of Commissioners may adopt a resolution that stipulates how they plan to use the revenues.

The distribution method is based on point of sale, meaning that the tax is distributed back to the county in which it was collected. Unlike other sales tax articles, Article 46 collections are not shared with municipalities. All proceeds are distributed back solely to the county. Article 46 sales tax is currently levied by 27 counties in the state, including Buncombe and Haywood. The local-option sales tax does not apply to unprepared food (i.e. groceries) or gas purchases. There is no local sales tax on gas purchases.

A Board of County Commissioners is not obligated to levy the tax even if the majority of those voting in a referendum vote in support of the levy. The sales tax may become effective on the first day of any calendar quarter so long as the county gives the Secretary of Revenue at least 90 days’ advance notice. For example, if a referendum is held in November during the general election and passes, the earliest a county could begin collecting revenue would be April 1st of the following year, provided it adopts a resolution levying the tax and forwards it to the Department of Revenue prior to December 31st.

The Jackson County Public Schools' five year capital plan has projects totaling \$14,618,094. \$1,686,528 was provided in the FY 15-16 budget, leaving an unmet need of \$12,931,566. Of this amount, approximately \$3.2 mil is allocated for athletic improvements at Smoky Mountain High School.

- Roofing / Renovations / HVAC \$7,503,252
- Athletic facilities \$3,205,000
- Testing, fees and contingency \$1,607,217
- Emergency reserve \$616,097

The Southwestern Community College Master Plan identified priorities established by the SCC Board of Trustees:

- New Health Sciences Building and Balsam Renovations \$21,314,000
- New Library, existing Library renovations, Oaks Hall renovations and additions and new maintenance building \$9,200,270
- Firing range improvements and Summit renovations \$622,000
- Campus signage \$250,000

Mr. Wooten stated that the unknown was the bond issue on March 15th. That would potentially bring \$7.1 mil to SCC, if they pledge the full amount to the Jackson County campus, as part of the cost associated with the Health Building, the county would need to match those funds.

Commissioners could consider the Local Option Sales Tax Referendum as an option when thinking about capital projects, especially as it relates to public schools and the community college. This could be a consideration to put out to the citizens of the county to decide if they would support this option as it could be a permanent funding source to meet the capital needs of the public schools and SCC each year. It would potentially be \$1.4 mil annually that could be used to pay debt service, etc. Since there would already be a statewide election on June 7th, they could consider placing this on the ballot, if it were allowed to be added.

Ms. Baker had reviewed this option and they were awaiting an answer from the Executive Director at the Board of Elections as to whether this can be added to the June 7th ballot.

Commissioner Greene stated that if they were allowed to place this on the June 7th ballot, they would be able to collect the tax sooner, which would result in additional months of tax revenue to go towards school funding.

Chairman McMahan stated there were pros and cons to having this on the June 7th ballot. He thought timing was important with momentum and discussion for the NC Connect Bond and about how it would impact the education system and help create momentum going into the quarter-cent debate. Also, at the November election, people are more focused on the presidential, state and local elections, the referendum would seem less important. They were going to have to fund a special county wide election anyway on June 7th, why not take advantage of that opportunity. The vote would also occur before they the county budget was finalized, so they could take the vote into account prior to finalizing the budget. He also noted, this was for public schools only, not charter schools.

Commissioner Jones stated that out of a sense of pride and the fact that they had a great county where they could maneuver monies and work various budgets throughout the years, they had been able to put off this sales tax for nine years. But the time had come, if they were going to be supporting quality education for the future. He felt the sooner they could get the funds to the School Board and SCC, the better.

Informational item only.

(11) RESOLUTION (R16-02) QUARTER-CENT SALES TAX REFERENDUM:

Chairman McMahan stated the Resolution called for a special advisory referendum concerning the levy of a quarter-cent county sales and use tax, to take place on Tuesday, June 7th, pending that they find favor with the State Board of Elections.

Ms. Baker stated they may want to insert “public” to Jackson County School System in the Resolution, to read “Jackson County Public School System”.

***Motion:** Commissioner Greene moved to adopt the Quarter-Cent Sales Tax Referendum Resolution with the amendment by inserting “public” to Jackson County School System. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(12) CULLOWHEE PLANNING COUNCIL: Carry over.

(13) SEDIMENT CONTROL APPEALS BOARD: Carry over.

(14) WATERSHED REVIEW BOARD: Carry over.

(15) PRESS CONFERENCE: None

(16) CLOSED SESSION:

***Motion:** Commissioner Greene moved that the Board go into closed session pursuant to G.S.143-318.11(a)(5) Real Property. Commissioner Elders seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session except the approval of the Closed Session Minutes of February 18, 2016 and February 24, 2016.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 8:16 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman