

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 16, 2018**

The Jackson County Board of Commissioners met in a Work Session on January 16, 2018, 1:00 p.m., Justice and Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Charles Elders, Vice Chair
Boyce Deitz, Commissioner
Mickey Luker, Commissioner
Ron Mau, Commissioner

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

Chairman McMahan called the meeting to order.

(1) HOMELESS SHELTER MANAGEMENT TASK FORCE REPORT: Dr. Marilyn Chamberlin, Director of Operations and Development, Southwestern Child Development and Chair of the Homeless Shelter Management Task Force and Jennifer Abshire, DSS Director and Homeless Shelter Management Task Force Member, were present for this item.

Mr. Adams stated that the Commissioners responded to homelessness in the county in several ways. First, the Commissioners approved of added funding for the shelter and case management. Second, the Commissioners requested an agency assume oversight of the program to help the homeless. Finally, the Commissioners requested that a task force be formed to study the options for sheltering homeless in the county.

Dr. Chamberlin presented the Homeless Shelter Management Task Force's final report:

(a) Membership: On April 12, 2017, the first meeting of the Homeless Shelter Management Task Force was held. The members of the task force were:

- Jennifer Abshire, DSS Director
- Judy Annis, Jackson Neighbors in Need Representative
- Marilyn Chamberlin, Southwestern Child Development Commission, Inc.
- Shelley Carraway, Health Department Director
- Eddie Wells, Department on Aging Director
- Patsy Davis, Mountain Projects Executive Director
- Lauren Russotti, Jackson County Homeless Program Case Manager
- Monica Frizzell, Vaya Health Representative (resigned in June)

(b) Charge: Mr. Adams gave the committee the charge of researching three shelter models and best practices for shelters. The three models were: the hotel model (currently used), the brick and mortar shelter model and a hybrid model. The costs, benefits and disadvantages of each model should be presented to the County Commissioners. The Task Force was not making the decision about which model or making recommendations about one model over another just gathering and reporting information.

(c) Best Practices: Best practices were those practices that have been found to be effective in working with a specific population, in the current case, homeless people in shelters. The best practices presented by the Task Force were a collection of practices and activities that were used by other shelters and described by national organizations like the Coalition to End Homelessness. These practices were based on the definitions of homelessness that were applied by a specific shelter/program.

The categories of best practices for shelter included: operating hours, criteria for admittance, background checks, drug/alcohol testing, goals to be accomplished by client/residents, case management, transportation provisions and the program goal of rapidly housing (moving residents out of the shelter).

Best practices selected for a shelter could limit the funding available for shelters. The federal funding sources required or were in the process of requiring by 2019, the application of the Housing First Model for programs and shelters. Housing First assumed:

- Homelessness was a housing issue that needed to be addressed;
- Housing was a right for all individuals;
- People that were homeless should be returned to housing stability as soon as possible; and
- Issues that contributed to the homelessness could be addressed after housing.

One element of the Housing First model was low barrier programming/shelter. Low barrier program/shelters focused on screening people in, not out. The Task Force took this approach into consideration when recommending the best practices. According to the Coalition to End Homelessness, low barrier programs/shelters had the following elements:

- Shelter was open 24/7.
- People did not have to line up for a bed each night or leave early in the morning.
- No drug and alcohol testing to get in.
- No criminal background checks to get in.
- Not requiring income to get in.
- Not requiring “housing-readiness” to get in.
- Allowing people, pets and possessions.

While these were the elements for low barrier that did not mean everyone was accepted. If a person/family puts the other residents at risk they were not accepted at the shelter. In addition, rules focusing on safety and legality were imposed. For example: no weapons, no substances on premise, no harm to others, respecting others and treating everyone with dignity and respect were at the core of the successful shelters.

Some of these practices were dependent on the available space for the shelter or the model adopted. Most of the shelters examined for this report did not follow the housing first model and were not receiving state or federal funding. The Task Force factored funding sources into the discussion on best practices.

(d) Advantages and Disadvantages of different Shelter Models:

- Hotel Model:

<u>Advantages:</u>	<u>Disadvantages:</u>
No start-up costs	Greater need to verify homelessness
Privacy for residents	Lack of accountability of residence in terms of participating and maintaining the facility
No maintenance cost of building	No dedicated on-site meeting space
Flexibility in number of rooms – no empty rooms/space	No dedicated on-site office space for staff
Food /breakfast provided in cost	Funding can be harder to obtain
Fewer staff needed because security and housekeeping provided by hotel	Expenses do not go into the equity of the building
Smoking/non-smoking option	
Pet options	
Lower stigma	

- Brick and Mortar Shelter:

<u>Advantages:</u>	<u>Disadvantages:</u>
On-site office for staff	High start-up costs
Entire program in one space	Cost of maintenance
On-site meeting space	Greater staff needed
Greater monitoring of residents	Reduced resident privacy
Residents were active participants in the shelter	Cost of supplies (not covered unless residence were charged)
Longer term equity in the building	Smoking regulations
	Need for segregating populations which increase space needed
	Some populations would not be able to be sheltered (i.e. sex offenders)

- Hybrid Model:

<u>Advantages:</u>	<u>Disadvantages:</u>
Same as brick and mortar shelter	Same as brick and mortar shelter
All populations were able to be sheltered	Residents would not be treated the same (some in hotels /some not)
	Clients were spread out making case management more difficult

(e) Homeless Program and Shelter Budget Comparison:

	<u>Hotel Model</u>	<u>Shelter Model</u>	<u>Hybrid Model</u>
Total	\$241,373	\$491,753	\$494,023
Total without start-up	\$241,263	\$365,853	\$368,123

(f) Recommendations:

- Open 24 hours, seven days a week, 365 days a year. Residents would not be turned outside each day, but would be required to complete activities toward achieving the goal of housing stability. The length of residency was 30 days with reevaluation on a case by case basis.
- Provide shelter to those individuals or families that fall into the following two categories:
 - People that were living in a place not meant for human habitation, in emergency shelter, in transitional housing or were exiting an institution where they temporarily resided. The only significant change from existing practice was the people would be considered homeless if they were exiting an institution where they resided for up to 90 days (previously it was 30 days) and were in a shelter or a place not meant for human habitation immediately prior to entering the institution.
 - People that were losing their primary nighttime residence, which may include a motel, hotel or a doubled up situation, within 14 days and lack of resources or support networks to remain in housing.
- Provide shelter to individuals over the age of 17 and families where children were accompanied by an adult. When unaccompanied children, 17 and under, were referred or located through outreach, they would be referred to one of the two programs that specialized in children.
- Provide shelter to all of those in need, regardless of sex or family status.
- Use criminal background checks to identify behaviors that put others in the shelter at risk and when those existed, offer housing services and/or alternative shelter (for a limited time), but do not allow in the shelter with others.
- Provide shelter to all, but perform drug tests when drug use was suspected and was putting others at risk. If a person continued to use drugs and could not maintain housing stability or move towards housing stability, a break from services would be initiated.

(g) Conclusion: After several months of research and deliberation, three models were presented and recommendations have been made for best practices. The Task Force made no recommendations about the shelter models as that was not included in the expectations for the task force.

Mr. Adams requested that the Board take time to consume the report and the item would be placed on the next work session for next steps.

Chairman McMahan inquired about funding for the current program.

Dr. Chamberlin stated that they had went through about 70% of the budget, but they were not 70% through the season. She hoped they could make it through the season without requesting more funds.

Mr. Adams requested that Dr. Chamberlin put together some numbers and touch base with him in February.

Informational item.

(2) HOLIDAY SCHEDULE – FIRST RESPONDER DAY RESEARCH: Danielle Wittekind, Human Resources Director, stated that in November, the Board approved the Holiday Schedule and Chairman McMahan had mentioned legislation that was passed declaring September 11th as First Responders Day and a state recognized holiday. AT that time, the Board requested that she do further research on the holiday.

First Responders Day was added to the list of legal public holidays when the Governor's veto of Senate Bill 257 was overridden in both the NC Senate and NC House and became session law on June 28, 2017. There were a total of 19 public holidays recognized by the state. North Carolina state employee holidays were established by the State Human Resources Commission, not to exceed 12 paid holidays per year, with three paid holidays being given at Christmas. First Responders Day was not a paid holiday for employees of the state.

Regionally last year, Swain County did recognize First Responders Day, but were undecided for 2018. Cherokee, Graham, Haywood, Macon and Transylvania Counties; Jackson County Schools; OSHR; Southwestern Community College; WCU; and the Town of Sylva would not have First Responders Day as a paid holiday in 2018.

Consensus: *Leave the 2018 Holiday Schedule as it was adopted in November, without adding the First Responders Day holiday.*

(3) JACKSON COUNTY GOVERNMENT CONTACT INFORMATION: As requested by the Board, Mr. Adams presented a list of contact information that with would run in the Sylva Herald and the Crossroads Chronicle the week of January 22nd. The ads would be ¼ page and would cost a total of \$588.18.

Informational item.

(4) NCDOT SOLID WASTE REQUEST: Chad Parker, Solid Waste Director and Mark Hill, Assistant District Engineer NCDOT, were present for this item.

Mr. Parker stated that the county had made a request of NCDOT to remove an abandoned mobile home that was parked within the right-of-way of US 74/441 at the intersection of SR 1514 Haywood Road. The request was made by Tony Elders, Permitting and Code Enforcement Director and he indicated that the county had received several complaints from the public regarding the mobile home.

Mr. Hill stated that NCDOT was asked to investigate the matter and it was confirmed that the mobile home was parked within the NCDOT right-of-way, which was a violation of state law. Their standard procedure to address the violation was to contact the owner by certified mail and give them 30 days to remove the illegal encroachment from the right-of-way. If the owner failed to comply, they were authorized by law to remove it and bill the owner for the cost incurred by the department.

Every effort had been made to identify the owner of the mobile home without success. Therefore, they had no choice but to remove it and absorb the associated costs to their maintenance budget for the county. Their maintenance forces would demolish the mobile home and dispose of it at the appropriate county solid waste facility as required by law. They respectfully requested that the county waive the tipping fee associated with disposal of the debris.

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

(5) CASHIERS WATER SYSTEM: Mr. Parker was also present for this item.

Mr. Adams stated that this item was for general discussion of the Board. It was his understanding that the county purchased this water system to assure that the county operations had a reliable source of water. This was a public water system and the county was permitted to provide water to others. When they purchased the water system, they assumed the current customers as well. He understood that it was a policy of the county to not take on new customers to the system, but if that was not correct, they would need to debate that policy.

They were in conversations with Tuckasegee Water and Sewer Authority (TWSA) about assuming the system and if the system was taken over by TWSA, they may be in a position to take on new customers. If they did take on larger customers, they would need to discuss how to expand and maintain the system in a way that it could provide adequate water to all of their customers.

With the current 11 customers they did not meter the water, but they did have a base fee of \$110 per customer. The majority of customers were basic, small users of the system. Recently, he was approached by an existing customer about the idea of expanding capacity as they were looking to significantly expand their use. Since this was an existing customer, did the Board want to negotiate with them to expand their use or would they apply their current policy of no new customers and would that also go towards expanded use by a current customer?

He was unable to give them all of the details, but the potential new use would take approximately one-third to one-half of the current capacity. Did the county want to limit the customer's capability of using their property and try and reserve that capacity, specifically for the county's use because they do not know what the future use would be?

Chairman McMahan stated that there was one well with the library property, which was a fairly significant well. Then the county had an opportunity to buy an existing well near that location and they saw that as an opportunity to protect the county's interest, from a water standpoint since they knew that at some point the rec center would be built, etc. At some point they conducted a draw down test on the wells and it was determined that the two were connected and probably fed from the same aquifer, but there was still a significant supply of water.

Mr. Adams stated that the county was permitted for 117 gallons per minute. They had contracted with TWSA to run the system and the information they had provided was a safe number to utilize for the system was 50 gallons per minute, as they did not have the pumps to actually produce the 117 gallons per minute. If the well was upgraded, they could increase the capacity. If they did allow for the expanded use by the customer and then the county had a need in the future, the county would have to upgrade the system. Currently, the system had usage of approximately 17 gallons per minute, with a peak of 38.

Mr. Parker stated that currently, the only county facility that was not hooked up to the system was the old Nichols house, which was the Sheriff's Office and Health Department facility.

Mr. Adams stated that a conservative number for the expanded use would be approximately a peak of 18 gallons per minute, which was more than the system was using at that time on average. He thought they could serve this customer, but it would be a first come first serve situation in that if they allowed this customer the expanded use, they would pretty much be done until they started discussing upgrading the system. At that time, he was being told that they could handle the request. If they did proceed forward with this request, he would recommend certain improvements such as metering and pressure reducing valves.

Commissioner Deitz inquired if there had been any request made by current customers before now.

Mr. Parker stated that no changes of use had occurred on any connections to the system.

Chairman McMahan stated that he thought there had been some informal requests for new customers, but they never made it to a formal request that came before the Board.

Mr. Adams stated that the difference was that if they were an existing customer, they may not have another choice. This request was for a restaurant.

Chairman McMahan stated that the basic question was, did they want to expand usage, whether it be to an existing customer or not.

Ms. Baker stated that one of the discussions she and Mr. Parker had been about rates and it was determined that they could charge more for one customer than another. They could charge differently because of use, but not for status.

Commissioner Elders stated that he always liked to see new businesses, especially if it showed good potentials. He thought a restaurant in Cashiers would be that type. If they did go this route, he would not want them to sit idle on making plans for future needs because this would cut them close, but he would not want to stand in the way of entertaining this facility's opportunity.

Commissioner Luker stated that he agreed with Commissioner Elders.

Commissioner Mau stated he thought the bigger question was did they want to be in the water business. He knew those conversations were going on with TWSA. Someone would have to spend money on the system at some point when there was growth in that area. Did the county want to do that or would it be better to get it transferred to TWSA, but in the short term his answer was yes, he did not have a problem with it.

Commissioner Deitz stated that he was like Commissioner Mau, he did not think the county needed to be in the water business. He thought there were two things to look at. If someone with expertise could tell them that there was plenty of water to take care of everyone on the system, plus doing this, then he had no problem with it. But the other problem was the county would have to upgrade the system if it needed more water.

Mr. Adams stated that his view on this was that if they were to entertain this conversation, it just needed to be backed up by engineer's numbers that the system could handle this. Also, he thought this would be a one and done, first come, first serve in the sense that if the numbers worked correctly, as they were being presented to him, after that there really would be no more capacity. He wanted the community to understand there would not be any more capacity.

Chairman McMahan stated that he was in favor as long as they had the resources.

Mr. Adams stated that he would work on this and get the numbers put together.

Informational item.

(6) CONSOLIDATED PROCEDURE: Mr. Adams stated that as a reminder, he would present the options that had been presented to the Board previously:

(a) Options under "new" law:

- Option one:
 - Department was not consolidated.
 - BOCC assumes powers and duties of board(s) after public hearing.
 - BOCC appoints department directors.
 - If public health affected, must appoint health advisory committee.
 - Employee subject to SHRA.
- Option two:
 - BOCC creates CHSA and appoints CHS board.
 - Manager appoints CHS director with advice and consent of CHS board.
 - CHS director appoints person with health director qualifications.
 - SHRA option.
- Option three:
 - BOCC creates CHSA and assumes powers and duties of CHS board after public hearing.
 - Manager appoints CHS director with advice and consent of BOCC acting as CHS board.
 - CHS director appoints person with health director qualifications.
 - SHRA option.
 - If agency includes PH, must appoint health advisory committee.

The option that was being considered was Option two.

(b) A notice for a public hearing was posted and sent for publication in the Sylva Herald for January 18 at 5:00 p.m.

- (c) He discussed selected sections from North Carolina General Statute §153A-77:
- In the exercise of its jurisdiction over commissions, boards, and agencies, the board of county commissioners of a county having a county manager pursuant to G.S. 153A-81 may Create a consolidated county human services agency having the authority to carry out the functions of any combination of commissions, boards, or agencies appointed by the board of county commissioners or acting under and pursuant to authority of the board of county commissioners, including the local health department, the county department of social services, or the area mental health, developmental disabilities, and substance abuse services authority;
 - A consolidated human services board appointed by the board of county commissioners shall serve as the policy-making, rule-making, and administrative board of the consolidated human services agency. The consolidated human services board shall be composed of no more than 25 members. The composition of the board shall reasonably reflect the population makeup of the county and shall include:
 - A consolidated human services board not exercising powers and duties of an area mental health, developmental disabilities, and substance abuse services board shall include four persons who are consumers of human services.
 - Eight persons who are professionals, each with qualifications in one of these categories: one psychologist, one pharmacist, one engineer, one dentist, one optometrist, one veterinarian, one social worker, and one registered nurse.
 - Two physicians licensed to practice medicine in this State, one of whom shall be a psychiatrist.
 - One member of the board of county commissioners.
 - Other persons, including members of the general public representing various occupations.
 - The initial board shall be appointed by the board of county commissioners upon the recommendation of a nominating committee comprised of members of the preconsolidation board of health, social services board, and area mental health, developmental disabilities, and substance abuse services board.
 - The consolidated human services board shall have authority to:
 - Set fees for departmental services based upon recommendations of the human services director. Fees set under this subdivision are subject to the same restrictions on amount and scope that would apply if the fees were set by a county board of health, a county board of social services, or a mental health, developmental disabilities, and substance abuse area authority.
 - Assure compliance with laws related to State and federal programs.
 - Recommend creation of local human services programs.
 - Adopt local health regulations and participate in enforcement appeals of local regulations.
 - Perform regulatory health functions required by State law.
 - Act as coordinator or agent of the State to the extent required by State or federal law.
 - Plan and recommend a consolidated human services budget.
 - Conduct audits and reviews of human services programs, including quality assurance activities, as required by State and federal law or as may otherwise be necessary periodically.
 - Advise local officials through the county manager.
 - Perform public relations and advocacy functions.
 - Protect the public health to the extent required by law.

- Perform comprehensive mental health services planning if the county was exercising the powers and duties of an area mental health, developmental disabilities, and substance abuse services board under the consolidated human services board.
- Develop dispute resolution procedures for human services contractors and clients and public advocates, subject to applicable State and federal dispute resolution procedures for human services programs, when applicable.
- Local employees who serve as staff of a consolidated county human services agency are subject to county personnel policies and ordinances only and are not subject to the provisions of the North Carolina Human Resources Act, unless the county board of commissioners elects to subject the local employees to the provisions of that Act. All consolidated county human services agencies shall comply with all applicable federal laws, rules, and regulations requiring the establishment of merit personnel systems.
 - The human services director of a consolidated county human services agency shall be appointed and dismissed by the county manager with the advice and consent of the consolidated human services board. The human services director shall report directly to the county manager. The human services director shall:
 - Appoint staff of the consolidated human services agency with the county manager's approval.
 - Administer State human services programs.
 - Administer human services programs of the local board of county commissioners.
 - Act as secretary and staff to the consolidated human services board under the direction of the county manager.
 - Plan the budget of the consolidated human services agency.
 - Advise the board of county commissioners through the county manager.
 - Perform regulatory functions of investigation and enforcement of State and local health regulations, as required by State law.
 - Act as an agent of and liaison to the State, to the extent required by law.
 - Appoint, with the county manager's approval, an individual that meets the requirements of G.S. 130A-40(a).

(d) He presented a draft resolution that would approve the creation of a consolidated human services agency in accordance with G.S. 153A-77:

- A nominating committee comprised of members of the existing and currently serving Board of Health and Social Services Board, shall provide recommendations to the County Board of nominees for membership to the Consolidated Board in accordance with requirements of NCGS §153A-77(c)(1) through (c)(5) no later than a date set by the Board.
- A Nominating Committee composed of current members of the Board of Health and Social Services Board, will provide recommendations to the County Board no later than a date set by the Board, for nominees to membership of the Consolidated Board.

Chairman McMahan stated that they would be hold a public hearing on January 29th at 5:00 p.m. concerning this issue. At 6:00 p.m. would be a regular meeting where they would be in a position to take action on this resolution, which be the legal document that would move consolidation forward and set a date of potentially 45 days for the other boards to meet and make recommendations.

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

(7) 2018-19 PROPOSED BUDGET SCHEDULE AND PROCESS: Mr. Adams presented the proposed 2019-19 Budget Schedule:

January 16, 2018 1:00 pm	Regular Commissioner Work Session – Set budget calendar
January 29, 2018	Manager’s preliminary meeting with staff
February 2018	Commissioner’s Budget Retreat (needs to be set)
March 1, 2018	Non – Profit Grant Applications Disseminated
March 23, 2018 March 30, 2018	All requests submitted to Finance Non – Profit Grant Applications Due
April 10, 2018 1:00 pm	Regular Commissioner Work Session – Summary of all new requests
April 17 – May 4, 2018	Manager / Finance Budget Meeting with Departments & Agencies
May 15, 2018 1:00 pm	Regular Commissioner Work Session – 5 Year CIP / Capital Projects, update on new requests.
May 21, 2018 6:00 pm	Regular Commissioner Meeting – Manager’s Recommended Budget
May 30 & 31, 2018	Special called budget work sessions to hear presentations if needed (safety, education, non-profits, other departments)
June 4, 2018 3:00 pm	Regular Commissioner Meeting – Budget Public Hearing
June 5 – 12, 2018	Special called budget meetings as needed and regular work session (June 12, 2018 at 1:00 pm) to make final adjustments.
June 18, 2018 6:00 pm	Adoption of budget

Mr. Adams requested that the Board set a date for the Budget Retreat in February.

Consensus: *The Board set February 28th at 1:00 at the Aging Center for the Budget Retreat.*

(8) COMMISSIONER GOALS: Mr. Adams provided an update on the Commissioner Goals:

(a) Complete:

- Performance evaluation for the county manager.
- Referendum or resolution on when to put sales tax issues on a ballot.

(b) Ongoing:

- Administration and departmental goals.
- Land Use Plan - follow up with the plan and support departments.

(c) In Progress:

- Off-site meetings in different communities from time to time.
 - Tuckasegee VFW Post Meeting September 18, 2017.
 - Will schedule public hearing on “Brunch Bill” in spring 2018.
- Refocus on the “one-stop” issue - create and develop a plan to cross-train and where to house everyone.
 - Contract was signed with McMillan/Pazdan/Smith Architecture for updating the Health Department programming to include Code Enforcement and Planning.
 - Rough schematic drawing to be discussed with staff in January 2018
- Indoor pool at the Cullowhee Recreation Center - bond referendum for the public to decide.
 - Architect recommendation on December 12, 2017.
 - Board tabled architect decision on December 18, 2017.
- Capital projects and where they would be located.
- Combining social services and the health department:
 - Board of Commissioners’ Meeting on November 16, 2017.
 - Public Hearing scheduled on Monday, January 29, 2018.
- Affordable housing.
 - Initial planning meeting held December 11, 2017.

Consensus: *The Board set two Public Hearings on the Brunch Bill. One for March 19th at 5:30 p.m. at the Justice and Administration Building in Sylva and the other on April 16th at 5:30 p.m. at an undetermined location in Cashiers.*

Commissioner Luker requested that the item “Aquatics Addition and Renovations Contract for Programming and Pre-design Services with Clarknexsen”, regarding the indoor pool, be placed back on the next regular meeting agenda for consideration.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 3:28 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman