

**MINUTES OF A  
WORK SESSION  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
FEBRUARY 13, 2018**

The Jackson County Board of Commissioners met in a Work Session on February 13, 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) SOUTHWESTERN COMMUNITY COLLEGE (SCC) SHOOTING RANGE:**

Dr. Don Tomas, SCC President; Dr. Marc Boberg, SCC Director of Facility Services and Operations; William Brothers, Vice President for Financial and Administrative Services; Jim Stahling, Senior Environmental Geologist, ECS Mid-Atlantic, LLC; John Stewart, Principal Geologist, ECS Carolinas, LLC; and Curtis Dowdle, Dean of Public Safety, were present for this item.

Dr. Tomas stated they wanted to give the Board an update on the firing range and where they were in the mitigation process.

Dr. Boberg presented:

(a) Executive Summary: The SCC Firing Range was on a site of approximately 1.5 acres east of River Road and the TWSA Wastewater Treatment Facility. After more than 30 years of firing, there was a relatively small area (approximately 2500 SF) immediately adjacent and down-gradient to the range that had been identified as being adversely impacted by contamination. SCC contracted with CCI Environmental services to remove lead impacted soil while ECS observed and collected soil samples. Soil was excavated, treated and disposed. Monitoring wells were dug and groundwater tested, which did not detect lead above the NC Groundwater Quality Standards. Based on the test results, NCDEQ changed their guidance from capping the site and initiating best management practices (BMPs) to ensure lead does not migrate off the range in the future to require additional soil to be excavated, treated and removed; however ECS recommended additional testing to understand the extent of any additional contamination. SCC, in conjunction with ECS, dug test pits to determine the vertical extent of the remaining contamination at various locations.

Based on the results of analysis of soil samples collected from the test pits, it appeared that the remaining impacted soil may be able to be removed to unrestricted levels either at or near the soil/rock interface. NCDEQ approved a work plan to excavate, treat and remove an additional 200 CY or 300 tons of soil, which should result in clearing the site. After clearance, BMPs should still be put in place to ensure no future migration of lead off the range.

(b) Summary of Actions:

- Area of possible contamination identified adjacent and down-gradient of the firing range.
- ECS selected as environmental consultants and testing agents.
- Selected CCI that treated/removed soil IAW NCDEQ approved plan.
- NCDEQ requested installation of monitoring wells and at the same time stated they could plan to cap the site and install BMPs to ensure no future migration of lead from the range.

- RFQ resulted in Amec Foster Wheeler selection as firm to design BMPs.
  - Water sampling came back within NC State limits for lead.
  - NCDEQ provided new guidance to treat and remove additional soil.
  - Following water testing, they dug test pits and conducted additional soil sampling to determine depth of any additional contaminated soil.
  - NCDEQ approved the work plan to excavate, treat and remove additional 200 CY / 300 tons of soil.
  - Amec Foster Wheeler to design BMPs and possible sound mitigation.
- (c) Area of excavation activities and monitoring wells:
- NCDEQ required additional soil be extracted, treated and removed from the area.
  - After removal, implementation of best BMPs to ensure lead does not migrate off the firing range in the future.
  - Commissioners asked for proposals related to sound abatement.
- (d) Budget Request: NCDEQ approved the work plan to treat and remove approx. 200 CY / 300 tons of additional soil. This would require consulting, testing, project management, engineering services, and the excavation, treatment and removal of the soil.
- ECS Project Mgmt / Testing / Consulting – \$39,750
  - Amec Foster Wheeler Engineering Services - \$54,600
  - Expected Cost for Soil Mitigation (must be bid) – approximately \$160,000
  - Total Requested Budget - \$254,350

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

**(2) VAYA HEALTH STRATEGIC PLAN FOR THE STATE’S MEDICAID TRANSFORMATION:** Shelly Foreman, Western Regional Community Relations, Vaya Health presented:

(a) NC Managed Care Organizations announce coalition: On November 15, 2017, leaders of three North Carolina managed care organizations (MCOs) announced a new partnership to leverage strengths and expertise in response to Medicaid reform. The coalition would unite the efforts of three high performing MCOs – Alliance Behavioral Healthcare, Trillium Health Resources and Vaya Health to address significant, statewide health policy issues that impact North Carolinians across the state. The coalition was in full alignment with the Medicaid Reform plan proposed by the NC Department of Health and Human Services.

(b) Standard Plans:

- Standard Plans would cover most beneficiaries in Medicaid managed care, including adults and children.
- Most Medicaid beneficiaries would ultimately be in Standard Plans.
- Integrated plan providing both physical health and behavioral services.
- Would be expected to ensure that beneficiaries could access a network of providers for routine and some crisis BH services in addition to physical health services.
- Would include statewide commercial plans and regional PLEs.
- Would be selected through a competitive process.
- Anticipated for Phase 1 of managed care in July 2019.

(c) Behavioral Health and I/DD Tailored Plans:

- Specialized plans targeting 120,000 beneficiaries with significant BH and I/DD needs; would have access to expanded services array.
- Integrated plan providing both physical health and behavioral services.
- Would be expected to ensure that beneficiaries can access a network of providers for the full, expanded array of BH and I/DD Services (and physical health).
- Anticipate a phased rollout after launch of standard plans: Tailored plan population would temporarily remain in current arrangement (physical services in state administered fee for service, behavioral services authorized through LME/MCOs).

- Tailored plans would be selected through a competitive process to ensure entities could meet requirements for both behavioral and physical health delivery.
  - Capitation rate setting formula would reflect enhanced risk of this population.
- (d) Further work to develop BH and I/DD Tailored Plans: DHHS intends to work closely with the NCGA to further develop additional components of Tailored Plans:
- Governance structure for BH and I/DD Tailored Plans:
    - Non-Medicaid federal grant dollars would be managed by Tailored Plans; thus only non-profit or governmental (122C) entities would be able to offer them.
    - Anticipate that some LME/MCOs would submit bids in partnership with a physical health plan to serve as a Tailored Plan.
  - Number of regions.
- (e) Coming together as a coalition would enhance their ability to respond to challenges and opportunities of Medicaid reform, demonstrating to NC DHHS, the General Assembly and potential commercial healthcare partners that MCOs were able to:
- Work together successfully, leveraging their strengths, experience and expertise and utilize best practices to increase efficiencies.
  - Implement Medicaid Transformation in a way that would advance high-quality care, improve population health, engage and support providers and establish a sustainable program with predictable costs.
  - Support both Standard and Tailored Plan concepts to offer a proven, North Carolina based solution that would meet statewide and regional needs for MH/DD/SUD and other complex care populations.

*Informational item.*

**(3) ORDINANCE REGARDING SMOKING IN COUNTY BUILDINGS:** Danielle Wittekind, Human Resources Director and Janelle Messer, Public Health Education Specialist were present for this item.

Ms. Messer presented:

(a) A map showing all of the North Carolina Counties and Municipalities Reporting 100% Smoke-Free or Tobacco-Free Government Buildings. Jackson County was one of 18 counties with no documented protection. She also shared a letter of support from Shelley Carraway, Health Director, which stated the health consequences of involuntary exposure to tobacco smoke included:

- Premature death in children and adults who do not smoke.
- Increase risk of SIDS, respiratory infections, severe asthma, etc. in children.
- Immediate adverse effects on the cardiovascular system, such as coronary heart disease and lung cancer.

Overall, the report stated that there were no safe level of exposure to secondhand smoke.

Ms. Wittekind presented:

(b) The current Ordinance Regulating Smoking in Jackson County Buildings. This ordinance was done in 1993 and addressed smoking in county owned or leased buildings. It allowed for tobacco use in the cell block or jail. Currently, it was not permissible to use tobacco products in the jail or for inmates to use or have access to tobacco products in the jail. That language was not applicable to current practice.

(c) Draft Ordinance Regulating Smoking in Jackson County Buildings. The revised ordinance reflected current practices in county owned and leased buildings. Cigarettes and vaping was not permissible, however, there was no signage or any documentation in place that stated vaping was not allowed in the buildings. The revised ordinance addressed no smoking or e-cigarettes in buildings. Should the Board pass the revised ordinance, there would be signage placed at the entrance of all buildings to let the public and employees know that it was not permissible to vape inside the building.

Chairman McMahan stated that he would only add the word “vape” or “vaping” in the definition for e-cigarettes in the revised ordinance since that was the word that was seen in the public to describe and advertise electronic cigarettes.

Commissioner Luker stated that in the revised ordinance, under 2C, it stated that the County Manager or Sheriff may designate outside areas on county grounds. He understood the Sheriff having designated areas with the jail, but the way he read it, it would give the Sheriff broad authority at any county facility as it did the jail.

Mr. Adams stated they could revise the language in that section so that it was more clearly defined. Chairman McMahan inquired about the timeframe to present this to the Board for consideration.

Ms. Baker stated that they could have a public hearing, although it was not required. Also, they were working under a tight deadline to provide information for the map to be updated.

**Consensus:** *Hold a public hearing on the revised ordinance on Monday, February 19<sup>th</sup> at 5:55 p.m. and add this item to the regular meeting agenda on February 19<sup>th</sup> for consideration.*

#### **(4) RESOLUTION OF SUPPORT FOR NCDOT – MONTEITH GAP ROAD:**

Stephen Williams, Division Planning Engineer, NCDOT and Michael Poston, Planning Director, were present for this item.

Mr. Poston stated that the North Carolina Department of Transportation recently made available a High Impact/Low Cost funding source to NCDOT Divisions to address transportation concerns in their respective area. Division 14 submitted several projects from Western North Carolina for consideration, including a project to widen Monteith Gap Road, adding sidewalks and bicycle facilities, from Old Cullowhee Road to the intersection of Ledbetter Road. This project would be completed in conjunction with the replacement of Bridge #159 (on Monteith Gap Road) over Cullowhee Creek. The total anticipated cost for the project was 1.7 million dollars. Due to the cost of this project, NCDOT requested that the Board of Commissioners adopt a Resolution of Support for this project.

Included in the resolution was a statement that the county was aware of NCDOT requirements for a 30% match for sidewalk construction and was willing to maintain the sidewalk segment along Monteith Gap Road. Although the roadway design had not been completed, according NCDOT the average cost across the state for sidewalk construction was \$35.10 per yard. The Planning Department estimated that there would be approximately 1450 LF of sidewalk for the project (may change based on the final project design). For a five-foot wide sidewalk segment that would require approximately 805 yards, which amounted to \$28, 255. The county would be responsible for 30% of the cost, which was approximately \$8,500.

The widening and modernization of Monteith Gap Road was recommended in the 2017 Jackson County Comprehensive Transportation Plan and was also consistent with the Jackson County Land Use Plan 2040, specifically Transportation Goal 1 “Promote connectivity between schools, housing, business districts, recreation and community centers.”

He requested that the Board of Commissioners consider approval of the Resolution of Support for NCDOT’s use of High Impact/Low Cost funds to improve Monteith Gap Road at their regular meeting on February 19, 2018.

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

#### **(5) MEMORANDUM OF UNDERSTANDING FOR FAMILY CONSUMER SCIENCE AGENT:**

Rob Hawk, Extension Director, stated that this MOU was regarding the position that Sherrie Peeler retired from on December 31<sup>st</sup>. In order to review the position with NCA&TSU, they wanted to move to a 50/50 match with the county. This would increase the county’s portion \$3,500-\$4,000.

Three years ago NC State went to a new strategic plan where they were sharing Family Consumer Science Agents between adjoining counties. They could get an agent 100% if they went through NCA&TSU, but if they went through NC State they would need to find a county to share an agent with. The preference would be to have a full-time agent and not share the position.

Mr. Adams stated to keep the full-time position in the county it would cost an additional 10%, which would be \$5,100-\$6,300 including benefits.

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

**(6) CATTLE CORRAL SYSTEM:** Commissioner Deitz inquired about the cattle corral system that the county had in storage. Did the county have an area that the system could be set up so that it could be used by citizens? He knew that the equipment could be checked out, but it was difficult to move the equipment and set it up in a different location.

Mr. Hawk stated that it would be ideal to have the equipment set up permanently in a location as it would be beneficial to a lot of people. He inquired if they could set it up on a temporary basis in the parking area adjacent to the Skyland Services Center?

Mr. Adams stated he would get with Mr. Hawk and Chad Parker, Public Works Director to start looking at the property for a temporary setup and continued discussions.

*Informational item.*

**(7) 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.
  - “Brunch Bill” Public Hearing in Cashiers Monday, April 16, 2018 at 5:30 p.m. Location – TBD. (Note – Public Hearing on this issue will be held on Monday, March 19, 2018 at 5:30 p.m. in Sylva. Location – Commissioner Meeting Room, Justice and Administration Building.
- Re-focus 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 February, 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 and January 29, 2018.
- Capital projects and where they would be located.
  - Joint meeting scheduled with Town of Dillsboro and with WCU representatives at 5:30 p.m. on March 5, 2018 to discuss the closed landfill, Staffed Recycling Center and Green Energy Park Campus.
- Combining social services and the health department:
  - Board of Commissioners’ Meeting on November 16, 2017.
  - Public Hearing held on Monday January 29, 2018.
  - Board Passed Resolution forming a Consolidated Human Services Agency on January 29, 2018.
- Affordable housing.
  - Initial planning meeting held December 11, 2017.
  - Planning Department creating an executive summary of existing programs.
  - Committee to meet in February/March 2018 to discuss next steps.

Commissioner Luker inquired about lighting on Highway 107 at WCU.

Mr. Adams stated that he submitted a request to NCDOT and they reached out to WCU. He had not yet heard back. NCDOT was looking to work with WCU to see if they were willing to install lighting at that intersection.

***Consensus:*** *Hold the “Brunch Bill” public hearing at the Albert-Carlton Library on April 16<sup>th</sup> at 5:30 p.m.*

**(8) HOMELESS SHELTER MANAGEMENT REPORT:** Mr. Adams stated that at the last work session, a Homeless Shelter Management Report was presented to the Board. He requested feedback from the Board as far as next steps.

Chairman McMahan stated he thought they needed to figure out how to take the information that had been given to them and make a decision on what the next steps would be. He had mentioned before that they may want to consider having a task force or committee to help them talk about where they go either after a decision was made or have them involved with helping the Board make the decision. Obviously, from what that had been told about other communities dealing with the homeless issue, it was usually a joint venture between government and non-profits, etc. and was never just one entity. He thought they needed to find a way to build support in the community for whatever they decided to do and include the municipalities, the faith community and non-profits that deal with homelessness directly.

Commissioner Deitz stated he thought they should move faster rather than slower as they had talked about this for a long time. He thought they needed to have folks that worked with this issue on a daily basis to help guide them.

Chairman McMahan inquired if the Board wanted to have a standalone work session and invite the community to share their thoughts and have a discussion. They could have someone facilitate the discussion and walk them through what had been recommended. They needed feedback and direction from the community because they would need to make this decision together, as a community.

Mr. Adams stated they could have a kick-off meeting and invite stakeholders and the community to provide comment on the report with general discussions.

Commissioner Luker stated he thought the public needed to be involved and have an open dialogue.

Commissioner Mau suggested Sara Thompson to be the facilitator.

Mr. Adams stated he was interested in developing a partnership with a non-profit or group. He would work on dates and speak with Ms. Thompson.

*Informational item.*

**(9) MOUNTAIN PROJECTS:** Commissioner Elders stated that at the last Mountain Projects meeting, there was an indication that the Haywood County Board of Commissioners agreed to match Jackson County’s contribution towards helping to fund the shortfall for the Mountain Projects’ building remodel. They were trying for May to have the opening in the new building.

Mr. Adams stated that there was \$300,000 in additional needs above and beyond what had been done. If he understood correctly, it would be \$150,000 each from Haywood County and Jackson County. The funds would come from the contingency fund, which had a balance of \$266,087. He would contact Haywood County for an official response.

***Consensus:*** *Mr. Adams to reach out to the Haywood County Manager to inform them that the Jackson County Board was prepared to take action on this issue and inquire how they wanted to proceed forward on their end.*

**(10) ABANDONED MOBILE HOME:** Commissioner Deitz inquired about the status of the removal of the abandoned mobile home in Dillsboro.

Mr. Adams stated that the owner had been identified and NCDOT was now going through their process of notifying the owner that the mobile home needed to be moved. If it was not moved within the timeframe given, that would allow NCDOT to go in and proceed as discussed previously.

*Informational item.*

**(11) NO WAKE ZONE REQUEST:** Chairman McMahan stated that at the last regular meeting, the Board approved the request to petition the NC Wildlife Resource Commission for an appeal of the no wake zone ruling issued by NCWRC. The request was sent to NCWRC and it was on their calendar for February 28<sup>th</sup>. Since then, he had received calls from property owners along the lake that were out of state at the time, but wanted an opportunity to comment and weigh in on the discussion. The request was made that the county write a letter to NCWRC formally asking them to “table” or “carry over” the item until late spring to give those seasonal residents or property owners a chance to go to the committee that would meet prior to the NCWRC meeting and offer public comment. It did not change how the Board voted or what they had done thus far, it would only be asking NCWRC to give a window of time to allow for those folks that were out of state to comment.

**Consensus:** *The county to provide a letter to NCWRC requesting to “table” or “carry over” the item. Also, staff to contact the citizens that attended the public hearing and were planning to attend the NCWRC meeting in Raleigh and inform them of the request that would be made to NCWRC.*

**(12) CULLOWHEE VOLUNTEER FIRE DEPARTMENT:** Mr. Adams announced that on Saturday, March 3<sup>rd</sup> at 10:00 a.m., Cullowhee Volunteer Fire Department would have a groundbreaking ceremony on site.

*Informational item.*

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 2:47 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman