

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING – November 27, 2006

The Board of Commissioners of Transylvania County met in regular session on Monday, November 27, 2006, at 7:00 p.m., in the large courtroom of the county courthouse. Chairman David Guice, presiding, called the meeting to order at 7:00 p.m. There were approximately 40 people in the audience.

Commissioners present were Chairman David Guice, Commissioners Jason Chappell, Jeff Duvall, Ray Miller, and Kelvin Phillips.

Staff members present were Manager Artie Wilson, County Attorney Dave Neumann, Finance Director Gay Poor, Project Manager Larry Reece, Library Director Anna Yount, Emergency Management Director David McNeill, Human Resources Director Sheila Cozart, Parks & Recreation Director Rick Pangle, Richard Fry, Sheriff Geoff Shepherd, Economic Development Director Mark Burrows, Social Services Director Carson Griffin, Co-Operative Extension Director Eric Caldwell, Fire Marshall Gerald Grose, Veterans Service Representative Frank Pearsall, Tax Assessor/Collector David Reid and Recording Secretary Sherry Simpson.

Media: *Transylvania Times* – Kim McQueen
Times-News – Jonathan Rich

Chairman Guice offered the invocation and Commissioner Duvall led the Pledge of Allegiance.

PUBLIC HEARING

INCENTIVE GRANT TO JENNINGS TRUSS COMPANY

Chairman Guice declared the public meeting open.

Mark Burrows reported to the commissioners the Jennings Truss Company has made formal application for a Transylvania County Business Development Incentive Grant as allowed under the Transylvania County Manufacturing Incentive Policy. He noted that Manager Wilson and he have reviewed the application and talked with the Tax Assessor's office. They are recommending that we grant back the taxes paid over the next 3 years, based on the new investment and real and personal property. The actual annual incentive would be determined by the Tax Assessor's Office each year over the next three years. With this in mind, the first incentive payment would be based on \$843,990 as shown by the Tax Assessor's office. This would equate to \$3,235 per year as calculated per county policy. Performance measures would include that Jennings Truss remain a Transylvania County business and that they retain at least 23 employees.

Mr. James Keenan asked how much does the wages/salaries of that facility contribute to the county? Mark Burrows did not have the information Mr. Keenan requested, but Chairman Guice told him that staff would get it for him.

There being no further comments Chairman Guice declared the public meeting closed.

PUBLIC COMMENT (sign-in required)

No one had signed up for public comment.

AGENDA MODIFICATIONS

There were no Agenda modifications.

Commissioner Chappell moved to approve the agenda as submitted, seconded by Commissioner Miller, and unanimously approved.

CONSENT AGENDA

The following items were approved:

MINUTES:

The minutes of the November 13, 2006 regular meeting were approved as submitted.

DISCOVERY AND RELEASE REPORT

The Discovery and Release Report for October, 2006 was submitted for approval.

Commissioner Duvall moved to approve the Consent Agenda, seconded by Commissioner Phillips, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

RESOLUTION HONORING SHERIFF GEOFFREY E. SHEPHERD

Chairman Guice spoke about Sheriff Shepherd briefly. Geoff Shepherd has served with distinction for almost 30 years with the Transylvania County Sheriff's Office. Effective December 1, 2006 he will be retiring from the Sheriff's Office. He then read Resolution 28-06 honoring Geoff Shepherd.

Commissioner Duvall moved to approve Resolution 28-06, seconded by Commissioner Phillips, and unanimously approved.

Chairman Guice then moved to allow Sheriff Shepherd receive his badge at no cost and to purchase his service revolver at a cost of \$1.00, seconded by Commissioner Phillips, and unanimously approved.

Commissioner Duvall paid the \$1.00 for Sheriff Shepherd's service weapon and the money was given to County Manager, Artie Wilson.

Manager Wilson also thanked Geoff and stated what an exceptional job that he has done serving as Sheriff during a difficult time.

Chairman Guice then read a letter sent from Sheriff Elect, David A. Mahoney.

Each of the commissioners thanked Geoff for his service and dedication to the community.

OLD BUSINESS

HEMLOCK WOOLY ADELGID (HWA) CONTROL AT SILVERMONT

Co-Operative Extension Director Eric Caldwell reported back to the commissioners on the wooly adelgid situation at Silvermont. They have completed a survey at Silvermont and presented several options for treatment of the Hemlocks. Based on the current light infestation it was assumed that no more than 25% of the hemlocks would need to be treated on an annual basis. Treatment costs were based on soil treatment at an estimated contract price of \$4.50 per inch DBA. The alternatives available are as follows:

1. Annual treatment of 25% of all trees equals \$3,375 annually.

2. Annual treatment of 25% of trees over 12 inches DBA equals \$1,062 annually.
3. Annual treatment of all trees over 18 inches DBA and one time release of “Sassie” beetles which equals a one time expense of \$2,300 plus an annual expense of \$544.
4. Do nothing and remove 25% of trees annually equals \$8,800 annually for four years.

Diana Zerby spoke to the commissioners regarding Dr. Horan’s use of the beetles on his personal property. He has had very good luck with the beetles, in fact his stand of trees were in very bad shape when he released the beetles. Today they are lush and green and very healthy. He has also offered his services for monitoring the release of beetles at Silvermont if that is what is decided by the commissioners.

Joe Galloway asked ‘what if the beetle decides to eat something else other than the adelgid?’ Eric Caldwell stated that there has been a lot of study and research showing that they only feed on the wooly adelgid.

Commissioner Phillips thanked Eric, Richard Fry and all who were involved in putting together this report. With this report they will now be able to make an informed decision.

Commissioner Miller moved to approve Alternative #3 with funds to come from the Silvermont fund, seconded by Commissioner Chappell, and unanimously approved.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

Tad Fogel, Chairman of the Economic Development Advisory Board spoke to the board about the Economic Development Strategic Plan. He stated that the plan has 6 main goals, 33 tasks and 104 performance based action items. The Planning and Economic Development staff has given over a dozen community presentations through out the county and the plan has also been placed on the county website. He then asked if anyone had any questions. There were none.

Commissioner Duvall moved to approve the proposed Economic Development Strategic Plan, seconded by Commissioner Miller, and unanimously approved.

NEW BUSINESS

REQUEST FROM LAKE TOXAWAY VOLUNTEER FIRE DEPARTMENT

David McNeill, Emergency Management Director reported that Chief Allen of the Lake Toxaway Volunteer Fire Department and to Gerald Grose and himself met and discussed Lake Toxaway’s goal to move forward with the purchase of a ladder truck. They also discussed additional issues with their building i.e. remodeling to accommodate the new truck. During the meeting he and Gerald expressed their desire for the department to hold off on purchasing the truck until they could get additional information because this purchase was not a part of the current year’s budget. Chief Allen has since let him know that the department did vote to purchase the truck and it has been delivered. As a result, the department’s debt service will increase \$54,240 this year and will more likely result in a fire tax increase for next year.

Chief Allen explained that the reason for such a quick purchase was that they were offered a very good deal on this demo, which saved the department approximately \$100,000. He also explained that the department’s debt service will decrease in FY 2008-09 resulting from the pay off of two freightliners. He explained that when he gets the additional information on the remodel of the fire station he will bring it back before the board.

The Lake Toxaway fire district has one of the lowest fire tax rates in the county at this time.

Commissioner Chappell moved to signing the letter to United Financial of NC, seconded by Commissioner Phillips, and unanimously approved.

ARCHITECTURAL SERVICES – ANIMAL SHELTER PROJECT

Manager Wilson reported that the County received two responses to our Request for Qualification (RFQ) for architectural services for design of a new animal shelter. The two firms that responded were Russ Angelo, AIA Architectural Design and consulting Services in Charlotte and Daggett & Grigg Architects, PC in Charlottesville, Virginia. The Animal Shelter Transition Committee reviewed the requests and they recommend that Daggett & Grigg be awarded a contract for architectural design of the new animal shelter.

Commissioner Duvall moved award the design services for a new animal shelter to Daggett & Grigg Architects, PC, seconded by Commissioner Miller, and unanimously approved.

MANAGER'S REPORT

Manager Wilson reported that:

1. The County received an invitation to the Native American Exhibit sponsored by the Transylvania Heritage Coalition Advisory Board for tomorrow evening, November 28th from 7:00-9:00pm at the Jim Bob Tinsley Museum;
2. The Employee Christmas party will be held on December 14th beginning at 12:30pm;
3. The swearing in ceremony will be held on December 4th at 9:00am in the large courtroom;
4. December 11th will be the first meeting of the new commissioners.

RECOGNITION OF OUTGOING COMMISSIONERS

Chairman Guice read Resolution 29-06 in honoring Raymond D. Miller.

Commissioner Chappell moved to approve Resolution 29-06, seconded by Commissioner Phillips, and unanimously approved.

Chairman Guice then read Resolution 30-06 honoring Jeff Duvall.

Commissioner Phillips moved to approve Resolution 30-06, seconded by Commissioner Chappell, and unanimously approved.

Chairman Guice then presented Ray Miller and Jeff Duvall with a framed photograph of the County Courthouse and a photo of the 2004-2006 Board of Commissioners.

Chairman Guice then asked if anyone in the audience would like to say anything to Commissioner Miller and Commissioner Duvall. David Watkins, David Reid, Carson Griffin, Sheila Cozart, Anna Yount, Daryle Hogsed, Gay Poor and Lynn Bullock all addressed Ray and Jeff thanking them for their many years of dedicated service to the community.

Manager Wilson also thanked both Commissioner Miller and Commissioner Duvall for the time he has served with them and their friendship.

PUBLIC PARTICIPATION

There were no public comments.

COMMISSIONERS' COMMENTS

There were no commissioner comments.

CLOSED SESSION

There being no further business to come before the board, **Commissioner Duvall moved to go into Closed Session pursuant to NCGS 143-318.11(a)(5) Acquisition of Real Property and pursuant to NCGS 143-318.11(a)(6) Personnel Evaluations of the Tax Assessor and County Manager and for the real property session the County Manager and County Attorney be allowed to remain and the evaluation session on one to remain, seconded by Commissioner Phillips, and unanimously carried.**

A discussion of potential acquisition of real property was held. The Manager was given direction as how to proceed.

The County Attorney and County Manager were excused and the Board of Commissioners discussed the performance evaluations of the County Manager and Tax Assessor/Collector.

OPEN SESSION

The group entered into open session. No member of the public or media returned to the meeting.

Commissioner Duvall made a Motion to seal the minutes of Closed Session, seconded by Commissioner Phillips, and approved unanimously.

There being no further business to come before the board, **Commissioner Phillips moved to adjourn the meeting, seconded by Commissioner Miller and unanimously carried.** The meeting adjourned at 10:20pm.

ATTEST:

W. David Guice, Chairman

Interim Clerk to the Board