

Board approved and unsealed Minutes on 08/25/08.

**SEALED MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MEETING – SEPTEMBER 26, 2005**

Pursuant to NCGS 143-318.11(a)(3) (to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged) the group entered closed session in the large courtroom. Members present were Chairman Ray Miller, Commissioners Jason Chappell, David Guice and Kelvin Phillips, the county manager, County Attorney David Neumann, and the clerk to board.

The manager updated commissioners on the Duckworth Trailer Park situation. He reported that letters were mailed by the City of Brevard, the Health Department and the Building Department a few days earlier to Mr. Hanan, owner of the Duckworth Trailer Park, and the other owners affected by flooding during Hurricanes Ivan and Frances in 2004, giving them thirty days in which to respond. There were 14 trailers damaged by the flood waters. The city would like to get these trailers raised to one foot above the floodplain. It was noted that Mr. Hanan is the key in that the biggest problem is the septic system at the trailer park. If the septic system is not repaired, it will do no good to raise the affected properties.

City council has reported that they must move on this project as soon as possible. The city must abide by FEMA regulations or risk losing flood insurance for the City of Brevard. Mr. Hanan has spoken with City Clerk Glenda Sansosti and made a proposal. The manager does not know the terms of the proposal. However, if Mr. Hanan does not comply in a timely manner, we must condemn the properties. According to North Carolina statutes, if any septic system within a park fails and is not repaired, the governing body must condemn the whole park.

The cost for the trailer park to connect to the city sewer system is in the range of \$150,000 to \$200,000. The manager stated that the city is willing to work with the homeowners and Mr. Hanan regarding connection fees for city sewer.

The commissioners discussed the situation and agreed that Manager Wilson must do whatever is necessary to resolve the issue, including condemning the property.

Following the discussions, **Commissioner Miller moved to leave closed session and reconvene open session, seconded by Commissioner Chappell and unanimously carried.**

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha D. McLeod
Clerk to the Board