

**SEALED MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**September 27, 2010 – CLOSED SESSION**

Closed Session #2

Pursuant to NCGS 143-318.11 (a)(5) to instruct staff or negotiating agents concerning the position to be taken on behalf of the public body. Present were Chairman Chappell, Commissioners Bullock, Hawkins, Hogsd and Phillips, County Manager Artie Wilson, County Attorney Curtis Potter, and Clerk to the Board Trisha Hogan.

Since the last closed session, the Manager and Chairman Chappell met with officials from the Town of Rosman to discuss the County's offer of a \$45,000 tap fee for utilities and an easement for a new animal shelter at the Calvert site. The Town of Rosman indicated it would not provide utilities at the preferred site on the road frontage of Old US 64. The Town would allow utilities to a site located on the back of the property in the vicinity of the old maintenance shed. They offered to install water and sewer lines to the beginning of the County's old landfill property. The County would be responsible for installing utilities the remainder of the way. In exchange for utilities the Town requested the County give them approximately 20 acres of property previously purchased as a buffer to the old landfill, or if the County did not give them the land, the Town would assess a \$250,000 impact fee upon the County and the County would be responsible for installing the lines for the utilities from the front of the County's property on Old US 64.

The Manager provided a cost summary of the property options Commissioners have discussed.

	<b>Jennings Property</b>	<b>Calvert - Front</b>	<b>Calvert – Back* Property</b>	<b>Calvert – Back Tap Fee</b>
<b>Cost</b>	\$375,000	\$145,000	\$480,000 - \$570,000	\$554,000
<b>Added Cost</b>	\$230,000	0	\$335,000 - \$425,000	\$409,000

\*The range places a value on the 2 acres of frontage property at \$50,000 per acre and back property (18 acres) at \$5,000 and \$10,000 per acre respectively.

Commissioners discussed the offer from the Town of Rosman and the consensus of the Board was to cease negotiations. The least expensive option available is to build the animal shelter as designed on the original site and construct a well and septic system.

Commissioners also discussed the legality of the large impact fee proposed by the Town of Rosman.

At the next regular Board of Commissioners' meeting, Commissioners will vote on the location of the new animal shelter. Commissioners requested information from the County Attorney about what can be publicly stated regarding the negotiations with the Town of Rosman. Commissioners also expressed a willingness to negotiate with the Town of Rosman in the future for water and sewer if the Town is willing to do so.

**Chairman Chappell moved to leave closed session, seconded by Commissioner Phillips and unanimously carried.**

ATTEST:

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

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Trisha M. Hogan  
Clerk to the Board

09/27/2010