

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**SPECIAL MEETING- January 31, 2007**

The Board of Commissioners of Transylvania County met in a Special Called Session on Wednesday, January 31, 2007 in the large courtroom of the Transylvania County Courthouse.

Commissioners present were Lynn Bullock, Chairman Jason Chappell, David Guice, Daryle Hogsed and Vice-Chairman Kelvin Phillips.

Staff Members present were County Manager Artie Wilson, Library Director Anna Yount and Library Staff, Board of Elections Director Judy Matthews, Finance Director Gay Poor, Tax Assessor/Collector David Reid, Health Director Steve Smith, Project Manager Larry Reece, Veterans Services Frank Pearsall and Clerk to the Board Trisha McLeod.

Media: *Transylvania Times*- Carleigh Knight

There were approximately 80 people in the audience.

**CALL TO ORDER**

Chairman Chappell called the meeting to order at 4:30 p.m.

**WELCOME**

Chairman Chappell welcomed everyone to the Special Called Meeting.

**PRAYER**

Chairman Chappell offered the invocation.

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Kelvin Phillips led the Pledge of Allegiance.

**NEW BUSINESS**

**TO ADDRESS THE BOARD OF ELECTIONS' LETTER REGARDING THE USE OF THE ROGOW COMMUNITY ROOM FOR USE AS BREVARD PRECINCT #1 AND ONE-STOP VOTING**

Chairman Chappell explained the purpose of the Special Called Meeting was to address the Board of Elections' letter regarding the use of the Rogow Community Room for use as Brevard Precinct #1 and One Stop Voting.

***Presentation by the Board of Elections- Jack Hudson:***

Chairman of the Board of Elections, Jack Hudson, addressed the Board of Commissioners to express the concerns of the Board of Elections and Elections Staff. He stated the American Legion building, the current location of Brevard Precinct #1, is an old building with inadequate heating and lighting. The location also has more space than they need. During the last election, a party was held in the building on Saturday after the voting equipment and materials were moved in on Friday night. Upon returning, they found dirty dishes and stale food. Some of their signs had been moved and were difficult to locate. The Board of Elections was not made aware of the event.

Mr. Hudson stated the Rogow Community Room at the new library, with its central location, has everything the Board of Elections needs in a polling place. He noted that the new voting machines, which are considerably larger, have to be connected differently and require more electrical outlets. The American Legion building, in its current state, would need additional and sufficient wiring. He asked the Board of Commissioners to consider discussing Brevard Precinct #1 and One-Stop Voting as two separate issues. He asked if there were any questions from the Commissioners.

Chairman Chappell asked the Board if they had any questions or concerns for Mr. Hudson or his Staff. Commissioner Guice felt it would be appropriate to hear the entire request at this time.

Mr. Hudson explained that the amount of time required for One-Stop Voting is 3 ½ weeks. When One-Stop Voting was first available in 2000, 3,885 people voted, which was 62.8% of the people that voted in that election. In 2002, a non-presidential election, the number decreased to 2,283, which was 52.7% of the voters. In 2004, a presidential election, 67.4% of the people who voted, voted early, which was 5,650 people. In 2006, 60.8% of the people voted early, which was 6,417 people. Due to the fact that 2008 is a presidential election and they are seeing a steady increase in the number of voters, the Board of Elections is projecting that 9,660, or 70%, will vote early. Mr. Hudson said they will need the space to accommodate that many voters and have room for 12-15 voting machines. He noted that only 10 machines were used during the last election and voters were waiting up to 30 minutes.

Mr. Hudson stated it is the Board of Elections' duty to provide the best possible place to hold an election because it encourages people to vote. The Board of Elections has voter registration drives and they advertise voter awareness articles in the newspaper in order to do everything they can to increase the number of voters. He noted in the last election, Transylvania County led the state with the percentage of voters that voted with 61%, but that still means 39% of registered voters did not vote. Mr. Hudson hopes to appeal to more people.

Mr. Hudson believes the 2008 Presidential Election will set a record for voter turnout and they need to be prepared. He stated the Rogow Community Room is large enough and

has everything they need for the election. He also stated that events held at the library were once held at other locations and social events should come second to voting.

Chairman Chappell asked if the same number of voting machines were used in the primary as in the general election. Board of Elections Director Judy Matthews explained she would determine the number of machines needed by the level of public interest in the election. For instance, if there were 6 or 7 Republican or Democrat candidates for county commissioner on the ballot, she would know there'd be a lot of public interest so more machines would be used. Mr. Hudson added that the number of machines needed would depend on the length of the ballot.

Commissioner Guice stated in a memorandum to him as Chairman of the Board of Commissioners dated 7/24/06, Mr. Hudson indicated that in the November 2002 General Election there were 5 voting machines used and in the General Election of 2004, there were 10 voting machines used. Commissioner Guice asked how many voting machines were used in the 2006 General Election. Mr. Hudson said 10 machines were used.

Chairman Chappell noted that One Stop Voting for municipal elections is held at the Board of Elections office. Commissioner Guice stated that One-Stop Voting would occupy about 7 weeks or 13-14% of the time that it is available for use at the Rogow Community Room.

Commissioner Bullock asked how much space was needed for the voting machines in order to maintain the privacy of each voter. Mr. Hudson stated that the new machines are almost 4 feet wide and state requires 3 feet between each machine. Each machine would require 10 feet of space if you count 3 feet on either side.

Commissioner Guice asked about the possibility of using partitions. Mr. Hudson said partitions are a possibility but are expensive and the State Board of Elections would have to approve the machines being so close together.

Chairman Chappell asked what additional lighting requirements are needed at Brevard Precinct #1. Mr. Hudson claimed the lighting is not good. Commissioner Hogsed inquired about what changes are needed at the American Legion as it relates to electrical outlets. Mr. Hudson said the new the machines require more electrical outlets. Ms. Matthews noted that they currently have to use extension cords and power strips and poll workers and voters have to step over all those cords.

Commissioner Guice said One-Stop Voting is extremely important and looking at the number of voters the Board of Elections anticipates, that there should be some thought to doing things a little different as it relates to the general election. Rather than having 18 polling places, maybe we ought to consider doing something different. Mr. Hudson said what Commissioner Guice is referring to is called voting centers and the legislature is doing a pilot in a few selected counties, one of which was opposed and refused to do it. He noted the decision would have to be made by the General Assembly and the State Board of Elections.

Commissioner Phillips asked if the American Legion had any plans to upgrade their building and if we have the right to restrict what they do once we are using the building. Mr. Hudson said the American Legion is a private building and that the county has never paid them to use it but by entering into a contractual agreement with them, we could upgrade the facility and restrict the use of the facility for whatever period of time the Board of Elections needed.

Mr. Hudson noted that the majority of counties in North Carolina, 53, have One-Stop Voting at their Board of Elections office. Of the 47 remaining counties, more than half use libraries and 12 use schools, colleges or college facilities.

Chairman Chappell asked if there were any concerns about the Brevard Precinct #1 being in a different location. Mr. Hudson stated that anytime a precinct location is changed, the BOE must send letters to all the registered voters in that precinct informing them of where the new election place is going to be.

***Alternatives to the Board of Elections' Request- Staff:***

After receiving the letter from the BOE, the Manager started looking at other options that were available to the county for Brevard Precinct #1 and One-Stop Voting. These options were put together in a Power Point Presentation in conjunction with Library Director Anna Yount, Project Manager Larry Reece and Maintenance Director David McNeill.

Options

American Legion:

- Parking- 47 Regular, 5 Handicap
- 3,850 square Feet

Renovated Community Services Conference Room:

- Parking- same as American Legion
- 1,101 square feet

New Library (Rogow Room)

- Parking (lot)- 84 Regular, 4 Handicap
- Parking (S. Broad)- 26 Regular, 1 Handicap

American Legion

- 3,850 square feet; more than twice the size of the Rogow Room
- Work with the American Legion to correct the concerns noted by the Board of Elections which include: Appearance (painting), Housekeeping (use county housekeeping), Heat, Security and Lighting
- Enter into a 5-10 year contract- we have contracts with the community centers to use facilities as voting places
- American Legion has expressed willingness to discuss use for One-Stop Voting

- Excellent parking
- No change of location for the precinct

The Manager showed pictures of the American Legion facility. He stated the county can replace the light fixtures and dramatically improve the quality of lighting in the facility. He noted there are 6 to 8 overhead gas heaters in the facility and with those operating properly feels that we should be able to adequately heat that facility.

#### Community Services Conference Room

- For 2007, expand the conference room by taking in the closet and adding an outside door- Total space is 759 square feet
- For 2008, expand the conference room further by taking in Vocational Rehabilitation. Total space is 1,101 square feet. This area would have 145 square feet more space than half of the Rogow Room (956 square feet)
- Parking is excellent
- Would be a change in precinct location, but is nearby

The Manager showed a diagram of the renovations: “A” is the existing conference room as it is today and the proposal is to take in “B” and install an outside door so one could enter through the doors leading into the community service room then exit through the second door directly to the outside. “C” would be included in 2008 when Vocational Rehabilitation relocates.

#### Library Rogow Room Concerns

- Proposed use by the Board of Elections
  - Brevard Precinct #1- 5 days in odd-numbered years
  - One Stop Voting- 7 weeks in even-numbered years
    - Primary 3.5 weeks
    - General Election 3.5 weeks
- 2007- Board of Elections Needs November 2-7
  - Library has already committed to host the North Carolina Storytelling Festival that will use the Rogow Room and the Amphitheater on November 2, 3, and 4
  - This event would have to be relocated to another county
- 2008- In even numbered years this would require 7 weeks use by the Board of Elections with the following impact:
  - Eliminate Library events. Usage ranges from a high of 9 programs/351 attendance per month to a low of 3/251 attendance per month
  - Also would eliminate community (non-library) usage from a high of 21/890 attendance per month to a low 2/232 attendance per month
- If One-Stop Voting was held in the new Library this year, the following Library programs would have to be cancelled. These programs are held every October.
  - October 1-15 Friends of the Library Annual Book Sale, Whole Room

- October 16 Bag Lunch Arts, 11:00 a.m.- 2:00 p.m., Whole Room
  - October 18 “It’s Not Too Early- Preparing for College, 7:00 p.m.- 8:30 p.m., Rogow A
  - October 20 Happy Harvest Party, All day, Whole Room
  - October 23 Together We Read program, 6:00 p.m.- 8:00 p.m., Rogow A
  - October 27 Teen Animation Class, 10:00 a.m.- 12 noon, Whole Room
  - October 27 Slightly Spooky Stories, 6:00 p.m., Whole Room
  - October 29 Library Film Series, 2:00 p.m.- 5:00 p.m., Rogow A
- Parking
    - May 15, 2006- December 31, 2006
      - Average Daily Door Count was 833 per day or 96 patrons per hour using 88 parking spaces. Thus parking would be a concern.
  - Other logistics that are being requested would have to be worked out

The Manager showed a chart for Rogow Room Usage for Non-Library and Library Events from May 15, 2006 thru January 25, 2007. From January 1<sup>st</sup> through the 25<sup>th</sup>, there was a high of 9 Library events held with 351 participants. There have been 78 Non-library events from May 15, 2006 thru January 25, 2007 with a high of 21 in a month and a low of 2. The facility is well used. During this time, the attendance for the Rogow Room was 8,043 people. A picture of the Library parking lot, taken Monday, January 29, 2007, showed the parking lot as full.

The Manager also showed a picture of the handicap parking spaces. The front row is the only place there is handicap parking except for the one space on South Broad Street.

### Summary

- There are viable alternatives available other than the Rogow Room
- Use of the Rogow Room by the Board of Elections will disrupt essential functions and programs of the Library
- Use of the Rogow Room by the Board of Elections will prevent use of the room by community organizations

### ***Public Comment:***

Mike Shelley, Chairman of the Library Board: The Library Board is a board of 6 people appointed by the County Commissioners. He stated the library is important to the citizens and taxpayers in this county. It is a vital and irreplaceable part of our daily lives and is going to be a foundation and asset as we work to build a new future for the county. Mr. Shelley quoted the first sentence of the Transylvania County Library Facilities Use Policy: “The Transylvania County Library provides meeting and activity space to groups, organizations and businesses as part of the Library’s mission to support the educational, cultural and civic activities of the community.” He noted that the Library’s

mission is to serve the public in the best way. The statistics shown in the PowerPoint Presentation indicate that better than 1000 people each month have used the Rogow Room for one purpose or another. He noted that 60% of the use is for non-library purposes that are not connected to or sponsored by the library in any way. He said there is a growing demand to use this facility. The location and the quality of the facility are two things that make this especially attractive to groups. He noted some of the groups or organizations that have used the library in the last several months.

- Western North Carolina Public Health Nurse Administrators
- Friends of the Dupont Forest
- United Way of Transylvania County
- Western North Carolina Medicaid Supervisors
- Transylvania Community Hospital
- Goliath Home School Group
- French Broad Fly Fishers
- Eagle Lake Property Owners' Association
- SAFE, Inc.

Mr. Shelley stated that several groups attract people from outside the county. These are not social events. They are groups or organizations that are meeting the civic, educational and cultural mission of the library. He noted that in order to foster use of this facility by the largest number of different groups and organizations the policy limits reservations to 3 months in advance. This means that nobody can go in and hold the facility on a repeated basis and that it's going to be just as available as possible for a group that needs to come in and have a meeting. He mentioned some of the not so obvious impacts of the proposal by the Board of Elections, especially if it's used for up to seven weeks per year. Based on their experiences up to now, 25 events would be displaced and 1,600 people would not come to the library. Also, the Library is averaging about \$100 each week in room usage fees so the use of the Rogow Room for seven of the weeks by another county organization of this sort would be a loss of revenue to the county of at least \$700 a year.

Mr. Shelley noted that people are still discovering the library. He thinks it's possible that despite the best of intentions, the very best planning and hopes for the future, that it cannot be guaranteed that use will be limited to seven weeks. He again quoted from the Library Facilities Use Policy, stating that "Library facilities may not be used for any activities likely to disturb regular library functions." Mr. Shelley said the library staff has consulted with numerous North Carolina libraries in different parts of the state that are used as polling places and virtually all of them have reported that their operations have been disrupted in various ways in addition to the loss of space. None have reported a compensating benefit to the patrons or to the library. He noted that on the wall, right outside the Rogow Room, there are the names of several thousand people who contributed private money for the construction and outfitting of this library and they did that with certain hopes and expectations. He thanked the Commissioners for their time and willingness to look into this issue.

David Watkins, Chairman of the Library Foundation: The Library Foundation is a mechanism to support the library through private foundations. Mr. Watkins said they were able to raise several million dollars for this facility because people knew where their money was going. He said people aren't willing to give to a vision that they don't believe in. The Library Foundation was more successful in their fundraising than they expected. He noted that the interesting thing about their fundraising campaign was most of the gifts were small, with lots of people giving \$50, \$100, or \$250. They didn't see large donations which is typical in fundraising for this sort of thing.

Mr. Watkins said there's a groundswell of interest in this facility for a number of reasons and the vision of its use is a big part of that. He noted that there was a lot of excitement about the Rogow Room in particular and the fact that it was associated with this project. People recognized that they needed a community meeting room facility, one that was well equipped. It became part of their economic development plan for the county. It would allow businesses that exist here time to grow to become healthy.

In response to the numbers that Mr. Hudson projected for the 2008 general election, Mr. Watkins noted that 533 people a day for the 3 weeks of One-Stop Voting would come to the library, in addition to the 832 people that are already using the facility on a daily basis. He said 832 of them are filling up the parking lot.

Mr. Watkins asked the Board of Commissioners to keep in mind the vision that was created through the fundraising and collaboration in building this facility.

Bill McAfee, Citizen: Mr. McAfee stated that he has worked at One-Stop Voting and has spent a lot of time in the library, and that One-Stop Voting does not belong in a library. He said there are facilities available for One-Stop Voting and that the nature of One-Stop Voting is that people come at their convenience. He noted that people shouldn't be expected to show up only when parking is available.

Bill Uhle, Citizen: Mr. Euly stated that he is a judge at the Cedar Mountain Precinct and has been involved with the library. He noted that in Cedar Mountain one third of the people that voted voted early and he was wondering if there could be more than one location for One-Stop Voting. Ms. Matthews responded and referred to an earlier discussion about voting centers and noted that the General Assembly would have to approve it. She also noted that in one election, two locations were available for One-Stop Voting. But they found that 2000 people still voted in Brevard and only 400 voted in Rosman. She also noted that costs would have to be considered because twice as much money and equipment would be needed. Mr. Euly closed by saying that he'd hate to see the library used for voting because he thinks the library is a good facility and people put a lot of time and effort into it and he feels the general public would be let down.

Tabitha Owen, Citizen: Ms. Owen said she has worked with One-Stop Voting since it began. She noted that in the last election several that voted were over 90 years old, blind, deaf, in wheel chairs, or using walkers and canes and many couldn't get out of their cars.



She said people in Transylvania County take voting very serious and she thinks they need the best that this county has to offer. She believes the library is that place.

Carl Wilson, Citizen: Mr. Wilson asked what the time frame was for making the community services room usable or improved and if it would meet the needs for the Board of Elections. Ms. Matthews said they would have to look at it and determine whether or not they could fit 12 or more voting machines in it. She noted that one of the years they used the community services building there were long lines and they received lots of complaints. The Board of Elections made improvements and the next year was better. Those improvements generally mean adding voting machines. Mr. Hudson added that he did not believe parking was adequate at the community services building.

The Manager stated that as far as the time frame, the plan would be to expand the room to 759 square feet in 2007. In 2008, the room could be expanded to 1100 square feet after the Vocational Rehabilitation office relocated. As far as parking, he noted there is an agreement with First Baptist Church for the use of parking.

Ms. Matthews added that no matter where they go, they displace somebody and that no building, including the library, was built for voting. She stated they are going to displace people until they have a place that is built for them.

Catherine Hargreaves, Citizen: Ms. Hargrave said that in her working life she was in education and she knew the importance of the library. She believes the hope of this country is to educate the children and make them love to learn. She noted she and her husband made a large donation to the library because they realized its importance and that we must keep it in tact.

Jim Hardy, Citizen: Mr. Hardy said the library is a unique facility that can't be replaced by any other facility in this county. He thinks it would be a shame for it to be disrupted for almost two months, especially when there are other alternatives in the county.

Brian Du Toit, President of Friends of the Library: Mr. Du Toit said Friends of the Library interacts with people who love the library, who love participating in activities, who want to see educational programs, and who join and support the library for educational reasons. He thanked those who spoke and said thanks to the Manager and others on behalf of the Friends of the Library and the thousands of people in this community, who contribute every month, join in activities and use the facility.

Barbara Johnson, Citizen: Ms. Johnson thinks the Community Services Conference Room is not a good choice as an alternative. She asked how much a contract with the American Legion would cost the county. The Manager explained that based on what maintenance staff has seen at the American Legion, there shouldn't be a lot of expenditure on the project. He noted the Commander of the American Legion is willing to discuss options with the county and that the county is not paying anything at this time to use the facility.

Ms. Johnson stated that the ease of voting should be given consideration and the Rogow Room is ideal for this purpose. She said it is a public facility and Board of Elections should be able to use for something as important as voting. She said she is impressed with all the activities that go on at the library and but feels that some of these events could be held at other places. Ms. Johnson would like to see the Board of Elections use the library for its purposes and this important function.

Charlie Vincent, Citizen: Mr. Vincent is a Democratic Judge at Brevard Precinct #1 and his concern is getting the assurance that the lighting and heating can be repaired adequately. Artie said the county is working with the American Legion and believes the building just needs some care that it hasn't received over the years. Mr. Vincent added that voting is very important and the Rogow Room would be a comfortable place for voting. He also stated that if it wasn't for the right to vote, there wouldn't be a library or any county commissioners. He believes the County Commissioners should find an adequate facility because the American Legion building isn't up to par.

David Vance, Citizen: Mr. Vance stated that he has used the Community Services building for several reasons and has never had a problem parking there. He believes the Community Services building has the space to accommodate voting.

Mason Sexton, Citizen: Mr. Sexton said he voted, along with approximately 6,800 others, at the old library facility last election and doesn't think parking was an issue. He mentioned the 800+ people that use the library everyday are citizens and residents that are already going to be voting. He also said that approximately 750 people would not be able to use the Rogow Room for a particular function during One-Stop Voting but over 9,600 people would be using it for voting so he encourages the Board of Elections to use the Rogow Room.

***Commissioners' Comments:***

Commissioner Bullock said that when an issue comes before the Board, the Commissioners must consider all sides of the issue and that many people are going to be involved in the decision making process. He said the Board should take into consideration the Board of Elections' projections of the 2008 Presidential Election and ensure there is adequate space at the Community Services building if they intend to use it. When looking at polling places, he believes we should take a realistic look at what will be disrupted. Commissioner Phillips added that the Board of Elections needs a place to store voting machines and a place to do training.

Commissioner Guice believes there are viable alternatives. He indicated that he has emails and letters dating back to 2002 showing communication with the Board of Elections. Much of the correspondence is from the Board of Elections thanking the commissioners for the fine job they have done in providing adequate space. Commissioner Guice mentioned that there's probably been one occasion that the Board of Elections indicated that additional parking was needed for One-Stop Voting and the Commissioners addressed that issue. He asked the Commissioners to truly take a look at

the Board of Elections' needs. Things are changing with regards to elections in our community and how elections should be held. Elections play an important role and Ms. Matthews and her staff do an exceptional job.

Commissioner Guice believes the two options provided may work. He said the Board of Elections could possibly use the Community Services Conference Room while working out a contractual arrangement with the American Legion. After visiting the American Legion, he believes the heating and lighting can be adequately repaired or replaced. He noted that the Veterans have provided this place for us for years at no cost and maybe they could use some assistance with making improvements to the building or could use a little extra income. Commissioner Guice stated if the American Legion is too big, then we'll put up dividers, whatever is necessary. He noted that we are responsible by statute for providing adequate space and we need to do that. He thinks it is important to allow the library to continue to function as it is and for the Rogow Community Room to be available to the community. The Board of Commissioners should make an effort, not only to address the immediate needs of the Board of Elections, but to address their long term needs as well.

Commissioner Phillips said he received input from voters that did not like voting in the Community Services building. He said voters expressed their concerns about parking issues and long lines, so he has a real a real concern about using this building.

Commissioner Hogsed thanked the Library Staff and the Board of Elections Staff for the wonderful job they do. He stated that when he went into this process he was not aware of the Community Services building as being an alternative. To him, the Community Services Conference Room is not a good alternative. He said there are space issues there as well as potential parking issues. He believes the use of the American Legion building is a viable option, but we have to address the Board of Elections' concerns about the heating, lighting, parking and electrical issues. But he also realizes after reading NCGS 163-128, the Board of Elections has the authority to use the library if they choose to do so. However he hopes the Board of Elections will consider the American Legion option.

Commissioner Hogsed noted that voting is a very important function and if he had to prioritize it, voting would be a more important function than many of the things that take place at the Rogow Room. However, if there is a facility for One-Stop Voting and Brevard Precinct #1 and programs can continue to be offered in the Rogow Community Room, then he asks the Board of Elections to consider that option. He hopes they can reach a compromise that will make both parties happy.

Commissioner Chappell has heard the same concerns about the Community Services building as it relates to parking but noted that parking is an issue everywhere in Brevard. He offered some background on why this special meeting was called. He stated the Board of Commissioners received a letter from the Board of Elections stating they will consider a resolution at its meeting on Friday, February 2, 2007 to alter the voting place for Brevard Precinct #1 which will be forwarded to the Executive Director of the State Board of Elections for approval.

Commissioner Guice commented that we have had a legal analysis done and he thinks it would be only proper to have our staff review that. He thinks there is more to this issue than just the verbiage in the statute.

Jeanne Hall, County Attorney stated that this is a grey area of the law and there is no clear answer. There is a statute that says that the Board of Elections can select a place; however the language used in the statute shows how difficult this issue is. Ms. Hall believes it is not the intent of the law to allow an agency to commandeer any building at its whim. She said we disagree on the law but right now we have an opportunity to do what is best for the citizens and be examples to our children of how to treat issues, how to discuss things and how to work as a team.

Commissioner Hogsd clarified that we have an interpretation of the General Statute from Gary Bartlett with the State Board of Elections and from the Attorney General's office but if we have a lawsuit, the only interpretation that's going to matter is the judge's. So we have to approach this from the stance that the Board of Elections has the authority according to the statute to choose a place.

Ms. Hall noted that the Attorney General's interpretation is not law. We should just do what is best for the citizens.

Chairman Chappell stated he hopes that a judge does not have to decide this issue and if it comes to that, then we have failed. He said his responsibility is to serve the citizens of Transylvania County.

Commissioner Guice said he wants to continue to discuss these options. He believes it was indicated that parking has been an issue at the Community Services building. He said he received letters from the Board of Elections after those elections indicating everything was fine. He noted that the Community Services Conference Room is needed for additional space for other county functions but the Board of Elections could transition from there to the American Legion. He is thankful there is space available but noted that parking anywhere in the downtown area is very difficult at best. Commissioner Guice said we have options but whether or not the Commissioners vote tonight, the Board of Elections is meeting Friday morning to make a decision. He stated hopefully the Board of Elections saw good dialogue at this meeting and that they know people are interested in trying to solve their immediate and long-term needs.

Chairman Chappell asked how many fewer parking spaces there are since First Baptist Church began expanding their programs. The Manager stated we have lost no parking spaces since that time. Commissioner Guice stated there should be more than four designated parking spaces for voters in front of the Community Services building. Ms. Matthews added that one of those is reserved for curbside voting.

Commissioner Phillips noted that since there are concerns about using the Community Services building and that more services are going to be offered there because of the

Health Department expansion, creating more traffic and a need for more parking, we should rule out using the Community Services building and move on to the next option.

Commissioner Guice said we've got to give some assurance to the Board of Elections that we're going to do what we say we're going to do and if we have to spend money, then that is what we have to do.

Commissioner Phillips stated that Board of Elections staff feels their needs have not been addressed and asked Mr. Hudson for time to resolve this issue.

Commissioner Hogsed asked Mr. Hudson if the Board of Elections would be willing to consider postponing the vote on the resolution to give Commissioners time to work on these alternatives. Mr. Hudson responded saying he could not speak for the Board but assured him they will discuss all the options presented here tonight.

Chairman Chappell asked the Public for any final comments.

Susan Salter, Citizen: Ms. Salter asked if the American Legion will close their bar when voting is going on. She noted that she had never been to that building before and wasn't sure if there were two separate building. She received several responses noting that the bar and the American Legion are separate. There is a connecting passageway that would have to be secured during voting hours.

**Commissioner Guice moved that Jason Chappell, the Chairman of the Board of Commissioners, write a letter to the Board of Elections stating that we have reviewed their letter regarding their proposal to use the Rogow Room at the new Library for Brevard Precinct #1 and One-Stop Voting and do not agree with their proposal due to the negative impact and disruption it will have on the essential functions and programs of the library. However, the Board of Commissioners is prepared to correct the problems noted regarding the American Legion and will work with the American Legion to establish a contract to allow for its continued use for Brevard Precinct #1 and One-Stop Voting given the space and location of the building. Further, the Board of Commissioners will work with the Board of Elections to look at longer range plans to meet the needs of the Board of Elections. Commissioner Hogsed seconded the motion.**

Discussion ensued. Commissioner Guice stated he believes this is a compromise and indicated we will look closely at developing a contractual arrangement with the American Legion. He stated that staff acknowledges that there are some issues related to lighting, heating, housekeeping and security and these things that could be dealt with in a contract. There has been some willingness from the Commander at the American Legion to discuss this issue with us and he sees that as positive. There is excellent parking and there would be no change in the precinct location. Commissioner Guice did not include the Community Services building in the motion because of the concerns expressed earlier.

Commissioner Bullock said he agrees with the motion but did not want to portray that as an unwillingness to work with the Board of Elections.

Commissioner Phillips stated he does not believe we can arrive at a conclusion on whether we agree or disagree with the Board of Elections' letter. He is concerned that that there is no confirmation on whether or not work can be done at the American Legion.

**Commissioner Hogsed moved to amend the motion to strike from the motion where it begins "and do not agree" and the rest of the sentence.**

Chairman Chappell noted that it has been moved to strike the part of the motion that reads "and do not agree with their proposal due to the negative impact and disruption it will have on the essential functions and programs of the library." Chairman Chappell read the entire motion as Commissioner Hogsed would have it amended.

Commissioner Guice asked for a recess for the Clerk to type the proposed amended motion so the Commissioners could see the changes. Chairman Chappell noted a recess could not be taken while a motion is on the floor.

**Commissioner Hogsed withdrew his amendment. Chairman Chappell moved to recess, seconded by David Guice and unanimously carried.**

Chairman Chappell called the meeting back to order at 7:25 p.m. He noted there was a motion on the Board from Commissioner Guice. Commissioner Guice withdrew his motion. Chairman Chappell asked if the person that seconded the motion was ok with the withdrawal. Commissioner Hogsed was ok with the withdrawal.

**Commissioner Guice moved that the Chairman of the Board of Commissioners write a letter to the Board of Elections stating that we have reviewed their letter regarding their proposal to use the Rogow Room at the new library for Brevard Precinct #1 and One-Stop Voting. At this time, we believe there are other viable options to the use of the Rogow Room. We respectfully ask that the Board of Elections consider the use of the American Legion for Brevard Precinct #1 and One-Stop Voting. The Board of Commissioners is prepared to correct the problems noted with regard to the American Legion and will work with the American Legion to establish a contract to allow for its continued use for Brevard #1 and One-Stop Voting given the space and location of the building. Further, the Board of Commissioners will work with the Board of Elections to look at longer range plans to meet the needs of the Board of Elections.**

Commissioner Guice made a point of clarification about his motion saying that if there is difficulty with the American Legion we are to begin a process to look at other alternatives whether that is the Community Services building or some other place in county government.

**Commissioner Bullock seconded the motion.**

Discussion ensued.

Commissioner Phillips expressed concern for the part of the motion that reads “The Board of Commissioners is prepared to ...” because the American Legion has not given us permission to make any corrections to the building. Commissioner Guice said in his motion that “prepared” means we are identifying and acknowledging that there are problems with the facility. He noted that the Manager has spoken with the commander and he is willing to work with us.

Commissioner Bullock does not want to convey to the Board of Elections that we are not willing to work with them and doesn’t want to appear as being narrow-minded with only one solution, that being the American Legion.

Commissioner Chappell stated he understands the reasons for the Board of Elections’ request. He understands that they need to get the resolution to the State Board of Elections as soon as possible so they can notify voters quickly about the location change of the precinct. He thinks it’s a good idea to look towards the future and work together with staff and the Board of Elections to address long term needs, especially with regards to One-Stop Voting.

There was no further discussion. Chairman Chappell requested that Commissioner Guice read his motion aloud once more before voting.

**The motion passed 3-2 with Chairman Chappell and Commissioner Phillips voting “No”.**

There being no other business to come before the Board, **Chairman Chappell moved to adjourn, seconded by Commissioner Phillips and unanimously carried.**

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Jason R. Chappell, Chairman  
Board of Commissioners

ATTEST:

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Trisha D. McLeod  
Clerk to the Board

