

MINUTES

TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS AND NC DEPARTMENT OF TRANSPORTATION SECONDARY ROADS MEETING- February 7, 2007 Community Services Conference Room 3:00 p.m.

The Transylvania County Board of Commissioners met in special session on Wednesday, February 7, 2007 at 3:00 p.m. in the Community Services Conference Room for the purpose of considering the North Carolina Department of Transportation's (DOT) recommended program of total needs for Secondary Road Improvements in Transylvania County.

Commissioners present were Chairman Jason Chappell, Vice Chairman Kelvin Phillips, David Guice and Daryle Hogsed. Commissioner Lynn Bullock was not present.

DOT representatives present were Division 14 DOT Board Member Conrad Burrell, District Engineer Mark Gibbs, Division 14 Engineer Brian Burch, Division Maintenance Engineer Joel Setzer, County Maintenance Engineer and Right-of-Way Supervisor Frank Dills.

County Staff: Manager Artie Wilson and Clerk to the Board Trisha McLeod

Media: *Transylvania Times*- Carleigh Knight

There were five people in the audience.

CALL TO ORDER

Chairman Chappell called the meeting to order at 3:00 p.m.

WELCOME

Chairman Chappell welcomed the public and representatives from the NC Department of Transportation.

PRAYER

Commissioner Guice offered the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Phillips led the Pledge of Allegiance.

AGENDA MODIFICATIONS

There were no agenda modifications.

PRESENTATIONS

SECONDARY ROAD IMPROVEMENTS

Mr. Conrad Burrell, Division 14 DOT Board member, welcomed everyone to the Secondary Roads Meeting for Transylvania County. He stated that Division 14 consists of 10 counties in Western North Carolina. The purpose of the meeting is to share with the Board the proposed secondary road programs for the next fiscal year and listen to comments and answer questions from the Board of Commissioners and the public. The list of programs was distributed. Mr. Burrell introduced the DOT representatives present at the meeting.

Mr. Burrell stated the proposed plan is based on Transylvania County's share of the secondary road trust fund money which is approximately \$2,162,000 for FY 2007. He asked the Board to pass the resolution of the proposed plan at the conclusion of the meeting. He turned the meeting over to Joel Setzer, the Division Engineer, to discuss the secondary roads program.

Mr. Joel Setzer stated the Secondary Road Improvement Program is heavily dependant on getting rights-of-way. The program has traditionally been called the "Pave the Gravel Road" Program because the focus over the years has been to pave gravel roads. NCDOT has done a lot of work in that arena over the past years and since 1989 their efforts have doubled with the passing of the trust fund law which gave them more money for paving gravel roads. The FY 2007 allocation is approximately \$2.1 million. There has been a backlog of work in Transylvania County but for the 2007 calendar year they intend to make up some of that backlog of work. They are scheduled to spend over \$3 million in calendar year 2007. Mr. Setzer turned the meeting over to Mr. Mark Gibbs to present the proposals for Transylvania County.

Mr. Gibbs noted that the roads listed first on the proposal were previously programmed projects from prior fiscal years, most of which are paved road improvements. There is additional money available to complete projects on Cold Mountain Road, Tannasee Gap Road, Allen McCall Road, Rich Mountain Road and McKee Road, all unpaved roads. NCDOT plans to spend over \$1 million in previously allocated funds to complete these projects. As previously stated, allocations for FY 2007 are approximately \$2.1 million. FY 2007 programmed projects include additions to Ivy Lane and Lime Kiln Lane. Ivy Lane will be extended by 2.6 miles, making it one of the longest road additions the NCDOT has ever done. There is only \$114,000 from the secondary roads program allocated to complete this project. However, contingency funds were set aside for the project and the property owners collected funds to help offset some of the cost as well. The addition to Lime Kiln Lane is being funded from Industrial Access Funds because an industry is located on that road. Both roads will be upgraded to state road standards this

year. Also included in FY 2007 allocations are administrative funds for survey and right-of-way work, and spot stabilization funds to maintain gravel roads.

PUBLIC COMMENTS

Ms. Karen Coling stated she moved to Transylvania County about 2 years ago and lives off the unpaved section of Cascade Lake Road. She understands there has been a right-of-way issue in that the primary owner has not been willing to give right-of-way. She informed the Board that new owners had purchased approximately 80 acres between Hart Road and the dam which includes the most dangerous part of the road. Ms. Coling claimed that banks of soil have fallen away from the rock edge and the drainage on the side of the road near the rock edge is poor. She also noted that the fence is falling away from the road on the cliff side. In many cases it is impossible to meet a car or truck on the road at all. If it cannot be paved, she asked that the road at least be widened so it isn't as dangerous. There are about a dozen families that live up there so there is a lot more traffic. She asked if it was possible now to access the new owner and perhaps get right-of-way permission. Mr. Setzer responded and said they would be glad to look into the willingness of the new owner to grant right-of-way. He noted, however, if the new owners do not give permission of right-of-way to pave the road, they are probably not going to give right-of-way to widen it either.

Ms. Coling noted that because of the poor drainage issues, the width of the road in places has been reduced by a third and asked if these parts of the road could be restored for safety purposes. Mr. Setzer again responded and said they would follow up on this issue.

The Manager thanked the DOT staff for their help with the Ivy Lane and Lime Kiln Lane additions. He also noted that he received a phone call today from some Sapphire property owners who want to close access to the road at Sapphire Lakes and Whispering Lakes. This issue has arisen several times. There are property owners within the same subdivisions that do not want the road gated. The Manager would like to know the DOT's official stance on this issue. The Board of Commissioners' stance is that if 100% of the property owners are not in support of gating the road, it would be difficult for them to recommend to the DOT to do so. Mr. Setzer stated officials in Raleigh prefer that 100% of the property owners are in agreement. Mr. Burrell added the procedure would be for the County Commissioners to pass a resolution to abandon the road and then the matter would go before a review board then on to the full board. If the recommendation to the full board is to support the property owners then the full board will pass it. Commissioner Guice noted that 100% of the property owners are not going to agree on this. Mr. Gibbs stated NCDOT has copies of documentation in opposition to this issue. Mr. Setzer stated that the NCDOT would be glad to participate jointly in a Public Hearing on the matter if necessary.

The Manager thanked the DOT representatives for their work on Rock Creek Bridge. Mr. Setzer explained that this project will be included in the new TIP. They will be going through the planning process and studying the environmental impacts. He believes work could begin in three years.

Commissioner Hogsed noted that he frequents Cascade Lake Road and understand Ms. Coling's concerns. He would appreciate it as well if DOT would follow up on this issue.

NEW BUSINESS

APPROVAL OF SECONDARY ROAD IMPROVEMENTS

Chairman Chappell moved that the foregoing resolution and attached program of total needs for Secondary Roads in Transylvania County be approved, seconded by Commissioner Phillips and unanimously approved.

COMMISSIONERS' COMMENTS

Chairman Chappell thanked the members of the public for attending the meeting and voicing their concerns.

Commissioner Phillips asked if additional guard rails have been installed on Cascade Lake Road in recent months. DOT representatives didn't believe any guard rails had been installed. Commissioner Guice thinks the new property owner's may be the key to resolving some of the issues.

Commissioner Hogsed thanked Mr. Setzer, Mr. Burrell and their DOT staff.

Manager noted that Mr. Fred Tinsley, member of the Transportation Advisory Board was present.

ADJOURNMENT

There being no other issues to come before the Board, **Commissioner Guice moved to adjourn the meeting, seconded by Commissioner Phillips and unanimously carried.** The meeting adjourned at 3:30 p.m.

Jason R. Chappell, Chairman
Board of Commissioners

ATTEST:

Trisha D. McLeod
Clerk to the Board