

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, PUBLIC HEARING AND GENERAL ACCOUNTS OF
CLOSED SESSIONS- March 12, 2007

The Board of Commissioners of Transylvania County met in regular session on Monday, March 12, 2007 at 7:00 p.m. 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: Manager Artie Wilson, Health Director Steve Smith, County Attorney David Neumann, Mike Thomas, Planning and Economic Development Director Mark Burrows, Board of Elections Director Judy Matthews, Finance Director Gay Poor, Sheriff David Mahoney, Tax Assessor/Collector David Reid, Library Director Anna Yount, Project Manager Larry Reece, Social Services Director Carson Griffin and Clerk to the Board Trisha McLeod.

Media: *Times News*- Jonathan Rich
Transylvania Times- Kim MacQueen

There were approximately 50 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding called the meeting to order at 7:00 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting.

PRAYER

Commissioner Hogsed offered the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Bullock led the Pledge of Allegiance.

PUBLIC HEARING

MASS GATHERING ORDINANCE

Mike Thomas, with Planning and Economic Development, addressed the Board of Commissioners. He stated that Transylvania County currently has a Mass Gathering Ordinance, but after an event held last year in the County, the ordinance has proved to be

inadequate and does not address the details and implications of holding mass gatherings in the County. The current ordinance has no limitations on operating hours, does not address the details in the permitting process or give consideration to the total costs of holding mass gatherings. Health Director Steve Smith, County Attorney Jeanne Hall and Mr. Thomas researched Mass Gathering Ordinances in other counties and states. They wrote a very detailed Mass Gathering Ordinance and Mr. Thomas highlighted some of the changes in the proposed ordinance. He stated that the current ordinance defines a mass gathering as any event occurring over 24 hours. The proposed ordinance defines a mass gathering as any event that is substantially continuous for greater than or equal to fourteen (14) hours. The current ordinance allows up to 5,000 attendees before the State of North Carolina takes over jurisdiction. Mr. Thomas said Transylvania County is not equipped to handle an event with up to 5,000 attendees, so the current proposal limits the number of attendees to 2,000. He also noted that mass gathering applications could be denied because of the nature of the event or prior history of the sponsors of the event.

Chairman Chappell declared the Public Hearing open.

Dan Harless, President of Toxaway Views Condominiums Homeowners' Association:

Mr. Harless spoke on behalf of the property owners at Toxaway Views and in support of the proposed ordinance. Mr. Harless stated that Smile Fest, an event held last year at Gorges State Park, was out of control and the volume of people there was overwhelming. He said that because of the lack of facilities, people were using the woods on their property for a bathroom. He also said that the music festival began as early as 9:00 a.m. in the morning and continued until 4:00 a.m. the following morning. Mr. Harless stated that this was well beyond a reasonable period of operation. He is very much in support of the proposed ordinance and would like to see it implemented.

James Keenan, Citizen:

Mr. Keenan requested further information on the criteria that would be used to deny an application for a mass gathering event. Mr. Thomas responded. He stated that applications could be denied based on the prior history of criminal behavior by attendees, prior violations of the ordinance, or environmental or health risks. He further explained that the overall purpose of revising the ordinance is to protect public health, safety and welfare.

There being no further comments from the public, Chairman Chappell declared the Public Hearing closed. Commissioners will vote on the proposed Mass Gathering Ordinance at the next meeting on March 26, 2007.

PUBLIC COMMENTS

There were no comments from the public.

AGENDA MODIFICATIONS

The Manager reported on the Agenda Modifications as requested. Under New Business, Item B Rosman Little League and Item C Sheriff's Request for K-9 were added. All other Items were moved down in succession. Under Closed Session, an Item was added per NCGS 141-318.11(a) (4) Location or expansion of a business. Chairman Chappell requested to table Item D BRCC Board of Trustees under Appointments.

Commissioner Phillips moved to approve the Agenda as modified, seconded by Commissioner Bullock and unanimously approved.

CONSENT AGENDA

APPROVAL OF MINUTES

The minutes of the February 12, 2007 and February 19, 2007 meetings were approved with a few changes.

- February 19, 2007-Page 3- Identifies Gil Coan as a former County Commissioner; Change to Citizen
- February 19, 2007-Page 3- Identifies Chick Martin as a citizen; Change to former County Commissioner
- February 19, 2007- Page 6- Requested to identify Mike Hawkins as a former County Commissioner

Commissioner Guice moved to approve the Consent Agenda with the changes noted, seconded by Commissioner Phillips and unanimously approved.

PRESENTATIONS/RECOGNITIONS

RECOGNITION OF VISITORS FROM RUSSIA WORKING ON REGIONAL BIRD FLU PLAN

Mr. Tom Bertrand, former President of Brevard College, addressed the Board. He announced that several distinguished medical scientists from Russia have been visiting our community over the past week as part of a planning process sponsored by national and local organizations, including the SCIAN Institute in Transylvania County. The scientists are epidemiologists studying the possibility of a future flu pandemic.

He introduced the visitors from Russia. Mr. Bertrand said they are engaged in the same type of work our State and County are, trying to keep the people of their communities safe and the possibility of a future for their children promising. He also introduced Mr. Lee Feldman, the Chief Scientific Officer and Chairman of the SCIAN Institute.

Chairman Chappell thanked Mr. Bertrand, Mr. Feldman and the Russian scientists on behalf of the Commissioners and applauded them for their important work in the community.

APPOINTMENTS

PERSONNEL BOARD

Mr. Keith McCoy's term has expired and he is not eligible for another term. Chairman Chappell stated that the Commissioners need to appoint a Department Head to the Personnel Board and noted there were three applications from Economic Development Mark Burrows, Library Director Anna Yount and Tax Assessor/Collector David Reid.

Commissioner Phillips moved to appoint Ms. Anna Yount, seconded by Commissioner Guice.

Commissioner Guice commented that three fine employees have expressed an interest in serving on this board but the Commissioners could only select one of them. He thanked them for their exceptional work in their role as Department Heads. Chairman Chappell thanked them for their willingness to serve.

Anna Yount was unanimously appointed to the Personnel Board.

Chairman Chappell stated that the Chairman to the Personnel Board is appointed annually by the Board of Commissioners. Tom Crawford has served as Chairman since 2001.

Commissioner Hogsed moved to appoint Mr. Tom Crawford as Chairman of the Personnel Board, seconded by Commissioner Bullock and unanimously approved.

Commissioner Guice moved to appoint Sheriff David Mahoney to fill the unexpired term of former Sheriff Geoff Shepherd, seconded by Commissioner Bullock and unanimously approved.

EDAB

The Chamber of Commerce appointee on the EDAB is vacant. Mr. David Watkins' term has expired and he is not eligible for another term.

Commissioner Guice moved to appoint Ms. Janet Metzinger, seconded by Commissioner Hogsed and unanimously approved.

FLOOD STUDY

Chairman Chappell stated that the consultant for the Flood Study has recommended a five member committee work with him during this project. The committee will be comprised of the City Planning Director, the County Planning and Economic Development Director, a Brevard City Council Person, a Transylvania County Commissioner and a representative of the public with planning or responsible development background. Chairman Chappell noted that Commissioner Bullock is willing to serve on this committee.

Commissioner Guice moved to appoint Commissioner Bullock to serve on the committee, seconded by Commissioner Hogsed and unanimously approved.
Commissioner Hogsed moved to appoint Mr. Bob Twomey as the public representative, seconded by Commissioner Phillips and unanimously approved.

The Manager added that he and the City Manager suggest that the Brevard City Council person and the Transylvania County Commissioner serving on the committee serve as co-chairpersons.

Commissioner Guice moved to appoint the Brevard City Council person and the Transylvania County Commissioner as co-chairpersons, seconded by Commissioner Hogsed and unanimously approved.

OLD BUSINESS

UPDATE ON SECURITY AT COURTHOUSE

The Manager stated that the ad hoc Security Committee met on Friday, March 2, 2007 to discuss security measures at the courthouse. He stated that the Sheriff has hired a deputy to patrol the courthouse and courthouse grounds. Clerk of Court Rita Ashe and Judge Cilley have been discussing holding morning and afternoon court sessions to reduce the number of people at the courthouse at one time on court days. The Manager stated that after studying the plans for a metal detector more closely, it was found that there was not enough room in the lobby area and it would create a significant bottleneck with the traffic coming in and out of the courthouse. An alternative to this problem is to extend the lobby out to the sidewalk, which would create additional space. He noted that the cost would double from the figures provided in the original proposal from \$40,000 to \$80,000. The Manager noted that Architect Rich Worley believes there are some other possibilities and the County should consider the long term plans for the courthouse and the Administration Building before moving ahead with extending the lobby to the sidewalk. The Manager recommended delaying the initial plans for the courthouse lobby and allowing Mr. Worley time to bring forth additional plans. He is concerned that spending \$80,000 to extend the lobby to the sidewalk will only be a temporary solution. He noted that the some of the other security measures have already been implemented.

Commissioner Guice added that the original plan included the installation of an x-ray machine or a metal detector. Without having the x-ray machine, all items will have to be searched through, slowing down the process of entering the courthouse. The traffic congestion will also block access to the elevators, which is the only handicapped access to the courthouse. The Security Committee asked the Architect to identify other alternatives. Commissioner Guice believes the deputy and other volunteers on the courthouse grounds will have a tremendous impact on security at the courthouse. Commissioner Phillips said he did not want to compromise safety in the courthouse for any amount of money. Chairman Chappell asked Sheriff Mahoney to comment on this issue.

The Sheriff stated he has hired a deputy that will be available at the courthouse after completing the mandatory in-house training. He agreed with the Commissioners that the deputy's presence will serve as a deterrent to some of the fights. He said he has located two metal detectors and two x-ray machines at no cost to the County. He can have the equipment ready to operate upon instruction from the Commissioners.

Chairman Chappell asked the Manager when the County could expect to hear back from the Architect. The Manager said Mr. Worley plans to present some alternatives in about four weeks and added that the courthouse security issue is his number one project. He emphasized that the County has implemented other security measures but there is not enough space in the lobby to move ahead with the other plans at this time.

Commissioner Guice stated that this is just the beginning of this process and the Commissioners need to make some decisions concerning courthouse space needs and the commingling of populations on court days. He added that there is no secure hallway to move offenders in and out of the courthouse.

Commissioner Hogsed said he has spoken to some of the employees in the courthouse and they seem to believe that having a uniformed officer on site and having morning and afternoon court sessions will help tremendously. He believes having these measures in place will buy some time until the County gets additional information from the Architect.

Commissioner Bullock said he understands that the x-ray machine is too large for the lobby. He asked if having the metal detector there would bottleneck traffic. The Sheriff responded saying the only people that would be slowed or held up by the metal detector are those that have things on them that are not allowed in the courthouse. He thinks some of that could be alleviated by pulling those folks off to the side and conducting an appropriate investigation. He added that the metal detector can be moved freely to any location. Commissioner Bullock said he would like to see the metal detector in place. Commissioner Guice said metal detectors can go off for seemingly no reason at all. He said those incidents have to be investigated further. He stated that without the x-ray machine, all pocketbooks, briefcases, laptop cases, etc. have to be searched. Commissioner Bullock clarified saying if the metal detector was in place until there was room for the x-ray machine, then it would still be better than not having the metal detector at all.

Commissioner Phillips said he agreed with all the comments made but he thinks the County should move forward with what was originally agreed upon and install the metal detector. Commissioner Guice said it will be difficult to install the metal detector with only one entrance and exit. He said that the Security Committee recommended waiting for four weeks until the Architect can provide additional alternatives.

Commissioner Hogsed said most fights happen in the lobby area. He is concerned that more innocent people will be more likely get hurt because of the traffic there caused by having the metal detector. The Sheriff said that is why the original proposal included expanding the lobby to create an entrance and an exit. Commissioner Guice added that everyone on the Security Committee is very concerned about security in the courthouse. The Committee recommended waiting to allow the Architect to present some solutions that may address some of the long term issues and Commissioner Guice said that recommendation should not be ignored. The Sheriff added that his recommendation would depend on what decisions are made regarding the future of the two buildings.

Commissioner Hogsed moved to put on hold the extension of the lobby until plans are made on how the buildings can be connected as has been recommended by the Courthouse Security Committee, seconded by Commissioner Guice.

After a brief discussion and clarification on the motion, **the motion passed unanimously.**

NEW BUSINESS

TAILGATE MARKET

Charlene Nimer and Dianne Hill from the Transylvania Tailgate Association addressed the Board to request financial assistance for a portable bathroom with hand washing capabilities during their six-month season. They feel that this amenity is necessary to ensure sanitation since many of them handle food products. The Transylvania Tailgate Association consists of approximately thirty-five (35) vendors and many of them are the sole vendor for their business and can not leave the area to use facilities in other areas. Many of the vendors participate in the market to supplement their fixed incomes; therefore their financial contribution to the market is limited. This year's season runs from April 21, 2007 through October 27, 2007. They requested \$600.00 for the cost of renting a portable bathroom for the six-month season.

Commissioner Hogsed noted that the Commissioners had received information stating the price for renting the portable bathroom would be \$498 for the 6 month period, which is a special rate of \$83/month providing that it remain locked when the market is closed. If it is used by the public after the market closes for the evening, it will require more than one weekly service, therefore costing more to operate. The Manager added that the special rate includes a facility with hand washing capabilities.

Commissioner Guice noted that there are no public restrooms within their vicinity so he is not opposed to supporting their request. He added that they provide a very unique opportunity for the local citizens and tourists. Commissioner Hogsed concurred with Commissioner Guice and said that the Tailgate Market is very unique to the County and he believes it is part of the many things that gives Brevard and Transylvania County a small town appeal.

Commissioner Bullock moved to fund the Transylvania Tailgate Association's request for the portable toilet providing that all of the City's regulations can be met, seconded by Commissioner Guice and unanimously approved.

ROSMAN LITTLE LEAGUE

Mr. Tim Pettit, with Rosman Youth Baseball, addressed the Board. He stated that the organization's biggest issue is that they have no place to play. He said they have looked at applying for grants to help them with their program but they have never been able to secure a field with a long-term lease, which is a grant requirement. He would like the County to consider building a sports complex on the property recently purchased by the County for the new animal shelter.

Mr. Pettit added that the league has some short-term needs that need to be met in order to operate this year. He requested assistance in the amount of \$5,000 and said he would provide the Commissioners with a list of their specific needs. David Galloway, Secretary of the Rosman Little League, said they try to keep their registration fee very low to keep costs down.

Chairman Chappell noted that the Board of Commissioners has approved a Recreation Study and he asked the Manager to provide Mr. Pettit with the contact information for the Recreation Study Committee. Commissioner Guice added that there should be representation from other areas of the County on the Committee. He said recreation is extremely important for all ages, especially for young people. Commissioner Guice said he believes Transylvania Little League will work with them on some of their immediate needs and he is also supportive of helping them with some of those needs.

Commissioner Phillips said he is very supportive of their request and added that investment in our youth is very worthwhile. He asked Mr. Pettit to identify some of their specific needs. Mr. Pettit said any money received would be used towards baseball, girls' softball and tee-ball and they plan to split it fairly. Commissioner Phillips suggested they return to the next meeting and bring a specific itemized list of their needs.

Chairman Chappell said he also supports their request for assistance and asked them to return to the Commissioners' meeting on March 26, 2007.

SHERIFF'S REQUEST- DRUG K-9

Sheriff Mahoney said that last year at this time he began stressing the importance of implementing a K-9 Program to help combat illegal drug activity in our County. In December, he entered into a partnership with Animal Lighthouse with the goal of raising the necessary funds to purchase up to four (4) K-9's to train with the Narcotics Detectives. Through that partnership he has secured funding at this time for one (1) K-9. The Sheriff needs the Commissioners' approval to spend those funds.

Sheriff Mahoney added that he has received over \$8,000 in funds donated by the citizens through Animal Lighthouse and directly to his office. He requested that the minutes reflect how very much he personally appreciates the Animal Lighthouse for partnering with Law Enforcement. He also thanked the citizens that donated so generously to this cause. Sheriff Mahoney added that the K-9 Program is going to be a tremendous deterrent to drugs in our schools. Chairman Chappell stated that he is amazed at the generosity of this community.

Commissioner Phillips moved to approve the purchase of the K-9 with the donated funds, seconded by Commissioner Bullock.

Commissioner Guice asked Sheriff Mahoney to elaborate on his plans for outfitting the vehicle, training staff, and his initial plans for implementation. Sheriff Mahoney said his office already possesses the in-car kennel and he will order the installation of that kennel if the Commissioners approve the motion. Secondly, training will be for a period of six

(6) weeks. The funding he has received includes the training, handling, all applicable certifications, and care and maintenance of the in-car kennel. Each handler will enter into a contract for a certain number of years. He added that his goal is to eventually have four (4) K-9 Units, one assigned to each patrol shift.

The motion passed unanimously.

GRANT PROPOSAL FOR MOSQUITO CONTROL

Health Director Steve Smith addressed the Board to request permission to apply for a mosquito control grant. Mr. Smith said the request is similar to what the County acquired last year. The Health Department utilized approximately \$4,000 last year for educational efforts, surveillance, and the purchase of chemicals to kill mosquito larvae. Mr. Smith said this is a worthwhile program. As part of the funding request, the North Carolina Department of Environment and Natural Resources (NCDENR) specifically requires the Board of Commissioners authorize the Health Department to be the receiver of those funds.

Commissioner Guice moved to approve Resolution 43-07, Designating the Health Department as the Official to Sign Papers and to Otherwise Represent the Board in Connections with Mosquito Control, seconded by Commissioner Hogsed and unanimously approved.

Resolution 43-07 attached as part of the minutes.

LEED CERTIFICATION FOR THE PUBLIC SAFETY FACILITY

The Manager stated that in order to obtain LEED Certification, the County must have a consultant review the project and document progress during construction. Moseley Architects has received bids from four (4) vendors that range in cost from \$60,000 to \$158,000. The County recommends entering into contract with ELM Engineering to manage the oversight of the LEED process, for the bid amount of \$60,000. Chairman Chappell added that when the County started this process that it was the desire of the Commissioners to make this facility energy efficient and this is part of that process.

Commissioner Hogsed moved to approve ELM Engineering for consulting services in the LEED process, seconded by Commissioner Phillips and unanimously approved.

PUBLIC DEFENDER POSITION FOR 29B

The Manager stated that the County received information from the Office of Indigent Defense Services in the State of North Carolina about the possibility of establishing a Public Defender Office in District 29B. The initial information received by the County indicated that this program could save the State approximately \$182,000. General Statutes would require the counties to provide space for the Public Defender Office. Subsequent information received by the County indicated that the savings to the State was considerably less than had been originally calculated. The Office of Indigent Defense Services is requesting Commissioners and other officials to provide feedback to

their office about this proposal. The Manager added that currently the County would have to lease space outside of the courthouse because the courthouse is overcrowded. In the future as the space needs project materializes, space should be available for a Public Defender Office. He requested direction from the Commissioners on how to proceed with the response to the letter.

Commissioner Guice said the letter from the Office of Indigent Defense Services indicates that a Public Defender Office has the institutional infrastructure to work with the courts and the jails to implement system efficiencies that typically save counties money by reducing the jail population and county jail costs. He added if the current space needs issues are not addressed, the County will have to lease space for the Public Defender Office. He is supportive of writing a letter that would indicate the Commissioners' support for a Public Defender Office in District 29B but also requesting financial assistance to help lease space for this office.

Chairman Chappell echoed Commissioner Guice's comments. He said he is supportive of a Public Defender Office in District 29B and would like to indicate in the letter that the County would be requesting financial assistance if this program is implemented because of the additional. He instructed the Manager to draft and send a letter to the Office of Indigent Defense Services indicating the Commissioners' support and the need for financial assistance.

TRANSYLVANIA COUNTY CHILD PROTECTION REPORT

Carson Griffin addressed the Board to make an annual report to the Commissioners by the Child Protection Team as required by General Statutes. The Child Protection Team is comprised of agency representatives, child advocates, and citizens at large. Ms. Griffin stated that the Team reviewed 26 cases this past year. The big issues for them continue to be Substance Abuse, Domestic Violence and Mental Health issues. She added that there are many Team members involved in several initiatives in the community that are working towards these issues.

Transylvania County had one child fatality in 2006 and one in 2007. Ms. Griffin said a team from the State is required to perform a review on those child fatalities. Prior to the review, a State representative will work with the Child Protection Team to help them understand the review process.

In August, Ms. Griffin and Health Director Steve Smith began looking at combining the Community Child Protection Team and the Child Fatality Team. The Health Department has to review every child fatality in the County, whether it is from an automobile accident, a health issue, etc. Several members are on both Teams and they thought it might be a better use of their time if they combined the Teams.

Ms. Griffin said the Child Protection Team is studying ways to get information to citizens in the community about reporting abuse and neglect, information about what is appropriate discipline, how to keep their kids safe, etc. The information would be used

by DSS, the Health Department, the Children's Center, and other agencies throughout the community.

Ms. Griffin thanked the Commissioners for their interest in Mental Health issues in the County and for providing money to guarantee that consumers receive services. Chairman Chappell stated that it has been a very difficult few months for some of our agencies and the community. He thanked Ms. Griffin for the work she and her Staff do.

Commissioner Phillips moved to approve the Annual Child Protection Team Report, seconded by Commissioner Bullock and unanimously approved.

REQUEST TO USE ROGOW ROOM

The Unitarian Universalists of Transylvania County have requested to use the Rogow Community Room at the new Library on Sunday, June 3, 2007. The congregation would like to hold an ordination service for their minister that day. Per policy, this request must be approved by the Board of Commissioners.

Commissioner Bullock moved to approve the request, seconded by Commissioner Guice, and unanimously approved.

MANAGER'S REPORT

The Manager stated that the County did not receive any bids on the house or outbuildings on the Calvert property. The County will be looking to remove the house and outbuildings in the most cost-efficient manner.

The Board of Commissioners will hold a joint meeting with the Board of Education on Tuesday, April 3, 2007 at 7:00 p.m.

The Manager suggested the Commissioners wait to schedule a planning session until after the joint meeting with the Board of Education. He said that the County has already begun the budget process and postponing the planning session will not delay the process.

PUBLIC COMMENT

There were no Public Comments.

COMMISSIONERS' COMMENTS

Commissioner Guice commented about the joint meeting with the Board of Education. He said he became quite concerned when the Board of Education produced graphs indicating that Transylvania County fell far below what other counties pay in teacher supplements. He stated that the numbers they produced were old numbers and did not reflect the information the County had. The Board of Education members informed the Commissioners that for the meeting's purpose, they were going to use the information they had. Commissioner Guice stated he was very concerned about the way the joint meeting was handled. He stated that he looks forward to meeting with them again to gain

some understanding of their needs and hopefully the next meeting will be handled differently. He added that the Commissioners represent all of the citizens of Transylvania County.

Commissioner Hogsd concurred with Commissioner Guice. He said he was disappointed that the Board of Education did not have information prepared regarding their capital needs. He hopes they will provide more information at the next meeting. Commissioner Bullock added that he hopes both Boards can have a successful meeting.

Chairman Chappell noted that it has been the request of both Boards to share all the information they receive. He stated that the purpose of the joint meeting is to discuss the lottery funds and their capital needs.

Chairman Chappell moved to enter into Closed Session per NC General Statute 143-318.11 (a) (4) Location or Expansion of a Business and NC General Statute 143-318.11 (a) (5) Negotiate Proposed Contract, seconded by Commissioner Phillips and unanimously carried.

Chairman Chappell requested that Planning and Economic Development Director Mark Burrows attend the first Closed Session.

CLOSED SESSION-GENERAL ACCOUNT AND MINUTES

PER NC GENERAL STATUTE 143-318.11 (a) (4) LOCATION OR EXPANSION OF A BUSINESS

Mark Burrows, Planning and Economic Development Director, was contacted recently by a representative from a company that is interested in purchasing Ecusta. He updated the Commissioners on the information he received and asked for direction in moving forward. He noted that the NCDENR's focus is on the cleanup of the mercury, etc. at the Ecusta Plant and the parties involved are not in agreement on how to do that. After discussion, the Commissioners instructed Mr. Burrows to keep them informed of any information he receives from any party involved.

PER NC GENERAL STATUTE 143-318.11 (a) (5) NEGOTIATE PROPOSED CONTRACT

The Manager stated that at the March 2, 2007 Board of Elections meeting, they voted to move Brevard Precinct #1 and One Stop Voting to the Community Services Conference Room. The Manager drafted a letter to the American Legion regarding entering into contract for a first right of refusal for the property in exchange for providing funds for improvements to the building. Commissioners have raised some concerns about the letter. The Manager brought this issue back before the Commissioners and asked for direction on how to proceed with the American Legion.

Commissioner Phillips said the County has a different issue with the American Legion now since the Board of Elections decided not to use it at all for voting. He said he is uncomfortable spending taxpayer dollars on renovations when the County only has a shot

at purchasing the building if they ever decide to sell. Commissioner Guice said he believes entering into a contract with the American Legion provides more to the County than just a first right of refusal. He said the County has used their building for a number of years for no cost. Other groups use the American Legion as well. Commissioner Guice said the County could possibly use the American Legion Hall for events.

Commissioner Bullock stated that he does not believe the American Legion will dissolve. He added that if the County does decide to help in renovating the building, to do only those things requested by the American Legion and not include the initial requests made by the Board of Elections. Commissioner Guice said that over the last few years, they have talked about selling their building so having the first right of refusal may be the bigger issue. He said he feels obligated to help them. Commissioner Guice asked the Manager if there was anyway to secure grant funding to help them with renovations since there seems to be an issue of whether or not it is appropriate to spend taxpayer dollars for the renovations. The Manager said he would check into the possibilities. The Manager stated that NC General Statutes allows counties to use taxpayer dollars for certain things and the action must benefit the citizens of the county.

Chairman Chappell said at this time it would just be appropriate to inform the American Legion that the Board of Elections no longer wishes to use their building for voting. The Commissioners instructed the Manager to take this action.

Chairman Chappell moved to return to Open Session, seconded by Commissioner Phillips and unanimously carried.

OPEN SESSION

Chairman Chappell moved to seal the minutes of the first Closed Session, seconded by Commissioner Phillips and unanimously approved.

ADJOURNMENT

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

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha D. McLeod
Clerk to the Board

