

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**June 25, 2007- REGULAR SESSION**

The Board of Commissioners of Transylvania County met in regular session on Monday, June 25, 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 present: County Manager Artie Wilson, Board of Elections Director Judy Mathews, Veterans' Services Coordinator Frank Pearsall, Finance Director Gay Poor, Tax Assessor/Collector David Reid, Sheriff David Mahoney, Human Resources Director Sheila Cozart, Social Services Director Carson Griffin and Clerk to the Board Trisha McLeod.

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

There were approximately 20 people in the audience.

**CALL TO ORDER**

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

**WELCOME**

Chairman Chappell welcomed everyone to the meeting.

**PUBLIC COMMENT**

There were no comments from the public.

**AGENDA MODIFICATIONS**

The Manager reported on the Agenda Modifications. Under Old Business, Item B, Brevard Little Theater was added. Under New Business, Item C, Manager's Report was deleted. Under New Business, Item C, Western Highlands Network Fiscal Monitoring Report, Item D, Budget Amendments and Item E, Request to Use Administration Bathrooms were added.

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

## CONSENT AGENDA

### MINUTES

Minutes from the April 27, 2007 Planning Workshop, the May 31, 2007 Regular Meeting and the June 18, 2007 Regular Meeting were approved.

**Commissioner Phillips moved to approve the Minutes as presented, seconded by Commissioner Guice and unanimously approved.**

Sealed Closed Session Minutes from the May 31, 2007 Regular Meeting were approved.

**Commissioner Guice moved to approve the Sealed Closed Session Minutes as presented, seconded by Commissioner Bullock and unanimously approved.**

### DISCOVERY AND RELEASE REPORTS

The Discovery and Release Report for Accounting Period 5/1/07 to 6/25/07 was approved.

**Commissioner Bullock moved to approve the Discovery and Release Report, seconded by Commissioner Hogsed and unanimously approved.**

## PRESENTATIONS/RECOGNITIONS

### APPALACHIAN TREATMENT ALTERNATIVES

Ms. Tina Nowak, Director of Appalachian Treatment Alternatives (ATA), addressed the Board. She explained that ATA, a non-profit organization, was created in 2006 with the mission of addressing the growing need for support and funding in the area of Mental Health Care. Their goals are to help fund mental health care and substance abuse treatment for families and bring providers into the community. ATA seeks funding sources through grants, donations, gifts and fundraising activities. Ms. Nowak asked for the Board of Commissioners' support in accomplishing these goals.

## APPOINTMENTS

### SOCIAL SERVICES BOARD

**Commissioner Phillips moved to reappoint Hale Siniard, Jr., seconded by Commissioner Bullock and unanimously approved.**

### TRANSPORTATION COMMITTEE

**Commissioner Hogsed moved to reappoint Fred Tinsley, seconded by Commissioner Guice and unanimously approved.**

## OLD BUSINESS

### FY 2007-2008 BUDGET ORDINANCE

A Public Hearing on the Budget Ordinance was held on Monday, June 18, 2007. Three citizens spoke during the Public Hearing but no one expressed opposition to the Budget being presented. The FY 2007-2008 General Fund is budgeted at \$42,476,320. The Budget Ordinance contains information such as expected revenues to support the Budget, fire tax rates for the various fire districts and fee schedules for several departments.

**Commissioner Guice moved to approve the FY 2007-2008 Budget Ordinance for Transylvania County, seconded by Commissioner Bullock and unanimously approved.**

### BREVARD LITTLE THEATER

Brevard Little Theater has requested to use the large courtroom to perform an Agatha Christie courtroom drama on the following dates:

10/28/07	3pm- 5pm	Rehearse
10/30/07	7pm- 10pm	Rehearse
10/31/07	7pm- 10pm	Rehearse
11/02/07	7pm- 11pm	Performance
11/03/07	7pm- 11pm	Performance
11/04/07	2pm- 6pm	Performance
11/09/07	7pm- 11pm	Performance
11/10/07	7pm- 11pm	Performance
11/11/07	2pm- 6pm	Performance

Clerk of Court, Rita Ashe and Judge Cilley recommended having an off-duty officer available during rehearsals and two off-duty officers available during performances to provide security and ensure that court documents and other equipment are not interfered with. According to Sheriff Mahoney, off-duty officers for high schools events, etc. are charged \$20 per hour. The cost to Brevard Little Theater would be \$1,120. Brevard Little Theater has indicated that they are willing to pay \$500 for security.

The Manager's proposal is to allow the Brevard Little Theater to use the large courtroom contingent upon them paying \$500 for security and having a volunteer acceptable by the Sheriff to be present during rehearsals and performances to monitor security.

Commissioner Hogsed said he does not feel that it is fair to charge Brevard Little Theater for security since it has not been policy in the past to ask the same from others that use the facility. Commissioner Guice added that Commissioners have not yet made any decisions as it relates to courthouse security.

Chairman Chappell said the County needs to put a policy in place to address all these concerns. Commissioner Bullock asked what security concerns have been expressed by the Clerk of Court and Judge Cilley. Commissioner Guice responded that one of the

concerns is that when the courthouse is open after hours and no one is monitoring the entrance, there is the potential for someone to enter the courthouse and hide something inside the courthouse.

Ms. Lyn O'Hare with Brevard Little Theater addressed the Board. She said Brevard Little Theater will not need any sound or lighting equipment for their play. She expects approximately 100 people will attend the play, not including the 20+ cast members.

**Commissioner Hogsed moved to allow Brevard Little Theater to use the large courtroom of the Transylvania County Courthouse for the dates and times that been provided and not require them to pay for security, seconded by Commissioner Guice.**

Commissioner Phillips asked who was going to provide security. Commissioner Guice replied that others that have used the courtroom have not been asked to provide security. Chairman Chappell said the policy needs to be applied evenly to those that request to use the courthouse.

**The motion passed unanimously.**

Chairman Chappell asked the Manager and to revisit the Facilities Use Policy and make recommendations or proposals to address these concerns.

## **NEW BUSINESS**

### **THE PEACE POLE PROJECT**

Mr. Glenn Rogers and Ms. Joan Williams have requested to place a Peace Pole on County property. A Peace Pole is an internationally recognized symbol of the hopes and dreams of the entire human family. Each Peace Pole bears the message: "May Peace Prevail on Earth". Currently there is a Peace Pole located on the campus of Brevard College. The Manager and Recreation Director Rick Pangle located a spot for the Peace Pole in South Broad Park.

Mr. Rogers addressed the Board. He explained that the message on the Peace Pole will be displayed in four languages: English, Spanish, French and Cherokee. The Peace Pole will be secured in the ground by concrete. The dedication of the Peace Pole will take place on September 21, 2007, which is World Day of Peace. Mr. Rogers added that the Peace Pole will be made in Brevard.

**Commissioner Bullock moved to allow the erection of a Peace Pole in South Broad Park, seconded by Commissioner Guice.**

After discussion, **the motion passed 3 to 2, with Commissioners Hogsed and Phillips voting no.**

### SECOND CANINE

The Sheriff has received enough contributions to fund a second canine and the cost of handler training. The total cost of the canine and the training is \$7,850.

Sheriff Mahoney addressed the Board. He thanked Animal Lighthouse and the citizens of Transylvania County for their generosity in funding this project. He added that the first canine and the handler have been fully trained and are in use in the Sheriff's Department.

**Commissioner Guice moved to approve the purchase of a second canine and the training for the handler, seconded by Commissioner Hogsed and unanimously approved.**

### WESTERN HIGHLANDS NETWORK FISCAL MONITORING REPORT

A new monitoring report for the LME's has been instituted per NCGS 122C-117 (c). The Manager asked the Commissioners to accept the report for the quarters ending December 31, 2006 and March 31, 2007.

**Commissioner Phillips moved to accept the reports, seconded by Commissioner Bullock and unanimously approved.**

### BUDGET AMENDMENTS

Finance Director Gay Poor reported on the Budget Amendments.

- To begin FY 2006, General Fund appropriations totaled \$40,715,886
- 1<sup>st</sup> quarter- reduction of \$297,147
- 2<sup>nd</sup> quarter- added \$1,092,509
- 3<sup>rd</sup> quarter- added \$1,097,547
- 4<sup>th</sup> quarter- added \$2,754,023
- Changes for FY 2006-2007 total \$4,646,932
- Revised Budget as of 6/30/07 is \$45,362,818

**Commissioner Guice moved to approve the Budget Amendments, seconded by Commissioner Phillips and unanimously approved.**

### REQUEST TO USE ADMINISTRATION BATHROOMS

The Manager received a request from Mr. Joe Smith to use the Administration Building bathrooms on Tuesday evenings while square dances are being held on East Main Street. The Manager recommended that the Commissioners deny his request since it would require the Administration Building to remain unlocked and unattended.

**Chairman Chappell moved to deny the request, seconded by Commissioner Bullock and unanimously approved.**

## PUBLIC COMMENTS

Carson Griffin, Social Services Director, thanked the Board of Commissioners for their guidance to Staff during the Budget Workshops.

## COMMISSIONERS' COMMENTS

Commissioner Hogsed congratulated Mr. David Reid and his Staff for reaching over a 99% collection rate.

Chairman Chappell asked everyone to remember and pray for the families of the firefighters that lost their lives recently in South Carolina.

## ADJOURNMENT

There being no further business to come before the Board, **Commissioner Bullock moved to adjourn the meeting, seconded by Commissioner Phillips and unanimously carried.**

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Jason R. Chappell, Chairman  
Board of County Commissioners

ATTEST:

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Trisha D. McLeod  
Clerk to the Board