

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
July 23, 2007- REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, July 23, 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 were County Manager Artie Wilson, County Attorney Jeanne Hall, Board of Elections Director Judy Mathews, Veterans' Services Coordinator Frank Pearsall, Health Director Steve Smith, Human Resources Director Sheila Cozart, Soil and Water Conservation Services Director Jeff Parker, Transportation Director Keith McCoy, Finance Director Gay Poor, Project Manager Larry Reece, Captain Eddie Lance, Bailiff Supervisor Jimmy Jones and Clerk to the Board Trisha McLeod.

Media: *Times News*- Jonathan Rich
Transylvania Times- John Lanier

There were approximately 20 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.

PUBLIC COMMENT

There was no public comment.

AGENDA MODIFICATIONS

There were no Agenda modifications.

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

CONSENT AGENDA

Commissioner Bullock moved to approve the Consent Agenda, seconded by Commissioner Hogsed and unanimously approved.

MINUTES

Minutes from the July 9, 2007 regular meeting were approved.

PRESENTATIONS/RECOGNITIONSRESOLUTION IN RECOGNITION OF KATHYLEEN JONES

Kathyleen Jones of the Housekeeping Department will retire August 1, 2007. She has been employed by the County since October 1987. Mr. Keith McCoy thanked Ms. Jones for her hard work and dedication to the County. Chairman Chappell read Resolution 53-07, Resolution in Recognition of Kathyleen Jones, and presented the resolution to Ms. Jones.

Commissioner Guice moved to approve Resolution 53-07, Resolution in Recognition of Kathyleen Jones, seconded by Commissioner Bullock.

Commissioners thanked Ms. Jones for her hard work and wished her well in her retirement. **The motion passed unanimously.**

Resolution 53-07, Resolution in Recognition of Kathyleen Jones, is attached as part of the minutes.

ESC EMPLOYER AWARD

Chairman Chappell and Human Resources Director Sheila Cozart recently attended a reception at which Transylvania County was awarded the Employment Security Commission Employer Award. The award was presented to Transylvania County for outstanding contributions to the economy of the State of North Carolina through support of the mission and programs of the Employment Security Commission. Ms. Cozart explained that approximately 33 awards were given and the award goes to an agency in the county that provides stability to the county and is involved in community activities. Anita Lowe with the Employment Security Commission nominated Transylvania County for the award. Transylvania County has received the award for two consecutive years. Ms. Cozart presented the award to Chairman Chappell.

APPOINTMENTSJUVENILE CRIME PREVENTION COUNCIL

Commissioner Guice moved to reappoint Paul Lekanides, seconded by Commissioner Phillips and unanimously approved.

Chairman Chappell moved to reappoint Dr. Sonna Lyda, seconded by Commissioner Bullock and unanimously approved.

Commissioner Guice moved to appoint Commissioner Lynn Bullock, seconded by Chairman Chappell and unanimously approved.

Chairman Chappell moved to appoint Gay Poor as the Designee for the County Manager, seconded by Commissioner Guice and unanimously approved.

Commissioner Guice moved to reappoint Brad Renegar, seconded by Commissioner Phillips and unanimously approved.

ECONOMIC DEVELOPMENT ADVISORY BOARD

The EDAB recently requested that a Commissioner serve on the board in a non-voting role. Commissioner Phillips was appointed to the EDAB in an ex-officio role but due to the meeting schedule he is unable to serve on the board. Commissioner Guice commented that a previous Board of Commissioners agreed that Commissioners should not serve on a wide range of boards and committees unless statutorily required to do so. Commissioners are not required to serve on the EDAB. Commissioner Phillips said he would like to encourage committees to rotate their meeting schedules so more citizens may be able to participate.

Chairman Chappell suggested polling the committees to determine why their meeting times are scheduled at the time in which they are. Commissioner Hogsed stated that the committee members decide when is best for them to meet. He said he believes the EDAB would welcome any Commissioner to their meetings. Commissioner Guice suggested that Commissioners attend the EDAB meetings on a rotating schedule. Commissioners agreed and asked the Manager to contact the EDAB and inform them of this action.

PARKS COMMISSION

Commissioner Hogsed moved to appoint Janet Edwards McCall to the Parks Commission, seconded by Commissioner Phillips and unanimously approved.

OLD BUSINESS

BIDS FOR FREEMAN/MERRILL STREAM BANK STABILIZATION PROJECT

The County received six bids for the Freeman/Merrill Stream Bank Stabilization Project. The bids received were:

- Adams Contracting Co.- \$143,900
- Waldroup Construction, Inc.- \$171,000
- Clark Ledbetter Grading and Hauling, Inc.- \$173,598
- Innovative Technical Solutions, Inc.- \$177,080
- Appalachian Environmental Services- \$184,072
- Hendersonville Equipment Rental and Sales, Inc. - \$194,000.

The Soil and Water Conservation District Supervisors reviewed the bids and recommend awarding the contract to Adams Contracting Co.

Commissioner Phillips made a motion to award the bid for the Freeman/Merrill Stream Bank Stabilization Project to Adams Contracting Co. for \$143,900, seconded by Commissioner Hogsed and unanimously approved.

UPDATE ON COURTHOUSE SECURITY

The Ad Hoc Courthouse Security Committee met recently to discuss the status of projects involving security at the courthouse. The Manager reported that due to staffing issues the Sheriff has been unable to have a full time officer on duty at the courthouse; however he currently has an SRO available during the summer to patrol the courthouse facility and grounds. The Manager also reported that Architect Rich Worley has discontinued working on plans to renovate the Administration Building. The Administration Building is not able accommodate the actual space needed. The Committee instructed the Manager to contact the Chief Superior Court Judge and the Administrative Office of the Courts to determine if there were any guidelines for space requirements, etc. The Manager contacted Mr. David Hoke, the Assistant Director of the AOC. Mr. Hoke informed the Manager that a Rural Courts Commission had been formed to study court security and space issues in facilities in rural counties. Chief Superior Court Judge Powell drafted a letter to the Rural Courts Commission requesting their assistance in Transylvania County. Mr. Hoke also informed the Manager that a study was completed in the 1970's on courthouses in all 100 counties. The study of our courthouse indicated measures necessary to provide security and a lot of those items have been completed over the years, such as installing an elevator.

The Committee would like to move ahead with creating a single port of entry which would require constructing another doorway from the parking lot entrance and extending the sidewalks. Everyone that enters the courthouse would pass through a metal detector. Attorneys, County employees and other staff would be able to pass through the metal detector with proper identification. The front door of the courthouse would become an emergency exit only. There will be security cameras installed as well and will be monitored by an officer. Commissioners appropriated \$51,500 to deal with courthouse issues in February 2007. The approximate cost of the project, which includes the purchase of the cameras, signage, advertisements, etc., is \$26,000. The estimated cost of installing the additional doorway is \$6,600. Before the new system is implemented, notice of the changes will be advertised to the public.

Commissioner Guice stated that he is supportive of the Committee's recommendation although it still does not address all areas such as space needs or secured hallways for inmates, etc. He said the Commissioners must continue to work to solve these problems. The Manager added that Clerk of Court Rita Ashe is working with the District Attorney and the Judge to schedule morning and afternoon court sessions to help reduce the number of people in court at the same time. He feels it is important that the Rural Courts Commission take a tour of our facilities. He offered that the Administration Building could be used for purposes other than an additional courtroom, possibly a space for jurors.

Chairman Chappell agreed that moving forward with this project is a step in the right direction. He wants to make sure Commissioners are making the right decisions while still protecting the employees and citizens. He said the key is to educate the public on these changes.

After further discussion and comments, Commissioners were in consensus to move forward with installing the additional entrance and metal detectors and to continue to address all the issues regarding courthouse security and space needs.

NEW BUSINESS

OCCUPANCY TAX ADMINISTRATIVE CHANGE

The Manager reported that due to the recent passage of Session Law 2006-162, the deadline for Occupancy Tax payments was changed from the 15th day of the month to the 20th day of the following month in which the tax accrues. The change will require a revision to Chapter 7, Article II, Section 22 of the Transylvania County Code of Ordinances.

Commissioner Phillips moved to approve the revision to Chapter 7, Article II, Section 22 of the Transylvania County Code of Ordinances to comply with State law, seconded by Commissioner Guice and unanimously approved.

HEALTH DEPARTMENT FEES-VACCINES AND WELL PROGRAMS

Health Director Steve Smith addressed the Board. He asked the Commissioners to approve the fee proposals for vaccines and the Well Program. The Health Department will be offering a Shingles Vaccine on a private pay basis only. The Board of Health adopted local well rules that will be effective September 2007.

Commissioner Guice moved to approve the fees as recommended, seconded by Commissioner Hogsed and unanimously approved.

MENTAL HEALTH UPDATE

Health Director Steve Smith addressed the Board. He reported that the Health Department received an additional \$75,000 from the NC Office of Rural Health and Community Care to help meet the service gaps in mental health. He explained that in the previous year the funds were used for staff expansion for private sector providers, a prescription assistance program, increasing psychiatric capacity, and hospital coverage for completing in-house evaluations and assessments. The funds for the current year will be used for evaluating service gaps and looking at sustainability issues for providers in the community.

The Manager reported that Horizons in Henderson County will be going out of business which will put more strain on Appalachian Counseling. He noted that he will be attending an LME meeting next week to discuss MOE funds.

PROPOSED BOARD POLICIES- WESTERN HIGHLANDS LME

The Manager and Health Director Steve Smith serve on the LME Board which is comprised of two members from each of the eight counties. Recently CFAC requested to change the make up of the Board and not allow two county employees to serve on the Board. The Manager stated that there is no rule that prevents this as long as the requirements of the General Statutes are met. CFAC would like one of the representatives

to be a consumer or family representative. The LME Board will vote on this issue in September. The Manager asked for direction from the Commissioners.

Commissioners agreed that participation from a consumer advocate is important; however with the complexities of mental health, they felt it was necessary that people that are knowledgeable about the mental health system serve on the LME Board, especially since the LME makes critical decisions that affect counties. Commissioner Hogsed would like to advocate for a consumer or family member of someone that uses mental health services to represent Transylvania County as well.

MANAGER'S REPORT

The Manager reported the following information:

- The County has received eight bid proposals for the Pay Classification Study which he will present to the Commissioners at their next meeting.
- The survey of the sidewalk on Morris Road was submitted to the engineer today.
- The revised application for the parking lot will be submitted to the City on Wednesday.
- The issues regarding the SRO positions have been resolved.
- Comments on the Comprehensive Transportation Plan are due back to the State on Wednesday. He requested that Commissioners submit comments about the CTP no later than Tuesday.
- Staff is finalizing the contract with Verizon/Cellco. No work is being delayed at the site.
- The Regional Health Exercise will be held on Tuesday at the Recreation Department and Pisgah Forest Elementary. 18-19 counties will be participating. Participants will be conducting mock transports and other drills.
- Health Director Steve Smith recently received a complimentary letter from a person praising the staff in Environmental Health.

PUBLIC COMMENT

There was no public comment.

COMMISSIONERS' COMMENTS

Commissioner Guice inquired about when the communications tower will be in use. Commissioner Phillips asked how much space is available on the tower. The Manager responded that there is space for four providers and Verizon should be connected by the end of August.

Commissioners Phillips thanked Health Director Steve Smith for pursuing mental health funding for the County. Commissioner Bullock praised the Environmental Health Department.

ADJOURNMENT

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

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha D. McLeod
Clerk to the Board