

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**September 10, 2007- REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, September 10, 2007 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

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

Staff members present were County Manager Artie Wilson, County Attorney David Neumann, Communications Director Kevin Shook, Emergency Services Director David McNeill, Planning and Economic Development Director Mark Burrows, Project Manager Larry Reece, Finance Director Gay Poor and Clerk to the Board Trisha McLeod.

Media: *Times News*: Jonathan Rich  
*Transylvania Times*: Mark Todd

There were approximately 15 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**

Mr. Joe Galloway: Mr. Galloway addressed the Board to express his concern about sinking culverts and deteriorating road conditions on US 64 near Faith Baptist Church. He said the road is dangerous and needs to be repaired quickly.

Chairman Chappell thanked Mr. Galloway for bringing the concern to the Board's attention. He instructed the Manager to contact the North Carolina Department of Transportation to report the problem.

**AGENDA MODIFICATIONS**

The Manager reported on the Agenda modifications. Under Old Business, Item C Change Order for Courthouse Re-pointing Project was added.

**Commissioner Phillips moved to approve the revised Agenda, seconded by Commissioner Hogsed and unanimously carried.**

## CONSENT AGENDA

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

The following items were approved:

### MINUTES

Minutes from the August 13, 2007 Regular Meeting and Closed Sessions #1 and #2 were approved. Minutes from the August 27, 2007 Regular Meeting and Closed Session were approved.

**Commissioner Guice moved to seal the Minutes from the August 13<sup>th</sup> and August 27<sup>th</sup> Closed Sessions, seconded by Commissioner Hogsed and unanimously approved.**

## APPOINTMENTS

### AREA COUNCIL ON AGING

**Commissioner Bullock moved to reappoint Kathy Thorpe and Louise Koontz, seconded by Commissioner Guice and unanimously approved.**

### TRANSYLVANIA COUNTY COUNCIL ON AGING

**Commissioner Phillips moved to reappoint Louise Koontz, seconded by Commissioner Bullock and unanimously approved.**

## OLD BUSINESS

### UPDATE ON ROSMAN LITTLE LEAGUE

Mr. Matt Galloway thanked the Board for the funds they provided to the Rosman Little League earlier in the year. They used the monies to purchase two pitching machines for their league and to send the all-star girls' team to the District and State tournaments. Mr. Galloway added that they constructed a backstop from donated fencing.

Mr. Tim Petit also thanked the Board for their financial assistance. He noted that they had a 25.8% increase in enrollment this year. Mr. Petit has been searching for property in the Rosman area to build a sports complex for the youth. He has identified two tracts of land, approximately 22 acres, owned respectively by Ms. Ila Israel and Ms. Sharon Hogsed, that are available for lease. Mr. Petit said both owners are willing to give the Rosman Little League a long term lease.

He asked the Board to consider securing property for a sports complex in Rosman. Chairman Chappell asked Mr. Petit to share any information he has regarding the property owners and potential lease arrangements with the Manager.

Commissioner Hogsted asked if there were any restrictions placed by the owners on the use of the land. Mr. Petit responded that the use of the property had to remain within the scope of youth sports and the owners must grant the authority to build any permanent structures on the property. Chairman Chappell instructed the Manager to research the information provided by Mr. Petit.

#### UPDATE ON ECONOMIC DEVELOPMENT STRATEGIC REPORT

Planning and Economic Development Director Mark Burrows reported on the Economic Development Strategic Plan. The Plan was adopted in December and focused on two primary measures: new investment and labor force. The County exceeded its goal in both areas in 2006-2007. Mr. Burrows noted that the policies put in place by the Board of Commissioners have created an environment conducive to new investment and new job creation.

Mr. Burrows highlighted some of the major accomplishments:

- Received and processed 355 requests for assistance or information from existing businesses
- Partnered with Blue Ridge Community College to organize and conduct training sessions and marketing opportunities
- Assisted two businesses with training opportunities
- Continued to focus on attracting manufacturers specializing in medical devices, nutraceutical/natural products, and outdoor recreational devices
- Invited Jack Schultz (Boomtown USA) to the community to speak about economic development
- Electronic newsletter goes out to approximately 600 individuals in both Transylvania County and outside the County
- Website continues to attract people with requests for information
- Established the Community Appearance Initiative which has worked to remove junk and abandoned mobile homes from the around the County
- Brought economic development allies/partners together to inform and assist existing and new businesses
- Participating with AdvantageWest in the Certified Entrepreneurial Program

#### CHANGE ORDER FOR COURTHOUSE RE-POINTING PROJECT

The Manager explained that it was recently discovered during the re-pointing project that the white band around the Courthouse is deteriorating. Strickland Waterproofing can replace the band on the old section of the courthouse for \$8,700.00. The Manager recommended approving the Change Order.

After clarification and discussion, **Commissioner Phillips moved to approve the Change Order to replace the white band on the old section of the courthouse with funds to come from contingency, seconded by Commissioner Guice and unanimously approved.**

## NEW BUSINESS

### ANNUAL PLANNING BOARD REPORT

Planning and Economic Development Director Mark Burrows presented the 2006-2007 Planning Board Report and highlighted the following:

- New development and subdivision activity has increased significantly in the County
- Created the Community Appearance Initiative to focus on removing junk in the County
- Working on a draft Sedimentation and Control Ordinance which is currently under review by the State
- Met jointly with the Transylvania County Transportation Committee and the NCDOT to discuss transportation needs
- Worked on a tower permit for the County
- Currently studying the Subdivision Ordinance and how steep slope issues are impacting economic development in the County

**Commissioner Guice moved to accept the report, seconded by Commissioner Phillips and unanimously approved.**

Commissioner Guice requested a future agenda item to review the City of Brevard's plans to extend the City limits and the ETJ. He said a number of citizens are concerned about this issue. He asked Staff to provide the Board with the most recent plans from the City. He noted that the citizens living inside the ETJ are not represented by the City and the County Commissioners owe it to them to address this issue. Chairman Chappell instructed the Manager to gather the necessary information from the City.

### REGIONAL PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT APPLICATION

The Manager stated that Haywood County is asking for participation from eleven counties, the City of Asheville and the Eastern Band of the Cherokee Indians to apply for a Public Safety Interoperable Communications Grant (PSIC). Transylvania County is one of the eleven counties being asked to participate. Communications Director Kevin Shook has been the liaison between Transylvania and Haywood counties. The Manager asked him to speak about the proposal from Haywood County and how it would affect Transylvania County.

Mr. Shook explained that the PSIC grant is being offered by the Department of Homeland Security in order to regionalize communications efforts for all emergency services. Each State was allocated funds based on certain criteria. North Carolina was allocated \$22,130,199.00 for up to ten projects. Each region must be Project 25 compliant which will allow emergency agencies to be radio compatible throughout the region, a major benefit of the plan. Mr. Shook noted that the County should be able to reapply for grant funding each year.

The Manager added that the grant includes a local match of 20% which can be made up of in-kind contributions such as the new tower at the landfill or the new 911 equipment purchases for the new Public Safety Facility.

After discussion, **Commissioner Guice moved to support Transylvania County's participation in the Public Safety Interoperable Communications Grant Application and authorize Kevin Shook to serve as the County's representative, seconded by Commissioner Phillips and unanimously approved.**

#### BIDS FOR WHITE GOODS STORAGE FACILITY AT THE LANDFILL

The Manager stated that requests for bids were sent out for construction of a White Goods Storage Facility at the landfill. The State has set aside approximately \$100,000 in grant funding for this facility. The Manager hopes to receive full funding; however any remaining funds would come from the White Goods Account. The following four bids were received:

- H & M Constructors           \$ 99,950.00
- Construction Logic, Inc.     \$123,500.00
- Wolfpen Associates, Inc.     \$140,790.00
- T & K Construction, LLC    \$160,786.00

The Manager recommends awarding the bid to H & M Constructors.

**Commissioner Bullock moved to allow H & M Constructors to construct the White Goods Storage Facility, seconded by Commissioner Phillips and unanimously approved.**

#### PANDEMIC PLANNING FOR COURT OPERATIONS

The Manager explained that he recently received a letter from Senior Resident Superior Court Judge Mark E. Powell regarding Pandemic Planning for court operations. The Manager met with Health Director Steve Smith and Emergency Services Director David McNeill to discuss the information.

The Manager feels that while there is a need to have a plan, there seems to be conflict in the assumption of a basic principle in the memorandum of agreement "that the court system shall not cease to function" in a pandemic situation. The Manager suggested modifying the memorandum of agreement such that the County will work with the courts as practical and other considerations.

He noted that certain things must continue even in a pandemic situation. He requested that the Board authorize him to sign the agreement with the proposed changes. By consensus, the Board authorized the County Manager to sign the Memorandum of Agreement with the noted changes.

## MANAGER'S REPORT

The Manager reported the following:

- Staff recently met with the City's Appearance Committee to discuss sidewalks at the new Public Safety Facility. He plans to meet with the City Manager on Monday to discuss this issue as well. The City placed restrictions on the County pertaining to buffers and vegetation. The issue may have to be resolved by City Council.
- Staff should go out to bid on the parking lot within the next two weeks. The bids will include two addendums to add pavers to the sidewalks, entrance and exit.
- Employees are currently completing Position Analysis Questionnaires (PAQ) for the Pay Classification Study.
- Work continues on Cell #5. Staff will provide Commissioners with an update at an upcoming meeting.
- Transylvania County has been recommended for a dialysis center.
- The Courthouse Security Committee will meet on Wednesday to discuss the report from the Rural Courts Commission.
- The Low Impact Development Roundtable discussion will be held Tuesday at the Library.
- Henderson and Polk counties are adding the land transfer tax referendum to their November ballot.

## **PUBLIC COMMENT**

There were no comments from the public.

## **COMMISSIONERS' COMMENTS**

Chairman Chappell gave an update on Transylvania County Board of Education member Mike Rogers who was recently injured in an accident. He noted that messages can be posted at [www.caringbridge.org](http://www.caringbridge.org).

Chairman Chappell recognized that tomorrow is September 11, 2007, the anniversary of the terrorist attack on US Soil. He read two paragraphs from President George W. Bush's speech on September 11, 2001.

**ADJOURNMENT**

There being no further business to come before the Board, **Commissioner Guice 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