

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**November 13, 2007- REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Tuesday, November 13, 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 Attorneys David Neumann and Curtis Potter, Library Director Anna Yount, Social Services Director Carson Griffin, Board of Elections Director Judy Mathews, Finance Director Gay Poor, Veterans Services Officer Frank Pearsall, Emergency Services Director David McNeill, Human Resources Director Sheila Cozart, Delores Dodson and Clerk to the Board Trisha McLeod.

Media: *Times News*- Leigh Kelley  
*Transylvania Times*- Mark Todd

There were approximately 30 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**

Mr. Guis Siniard: Mr. Siniard informed the Board that a committee was formed to create signs to place around the County that welcome people to Transylvania County. The State has agreed to put up the signs with approval and permission from the County Commissioners. Mr. Siniard added that the County could purchase a sign for \$250. The group plans to put up seven to nine signs.

Mr. Bob Hunter: Mr. Hunter noted that the message on the sign is personable and that the size and color meet State requirements.

Chairman Chappell asked if there were other individuals or agencies involved in this project. Mr. Siniard responded that with the Board's approval he will be contacting agencies to request financial assistance. The group currently has enough funds for two signs. Commissioner Guice requested that the Manager provide a report at the next

meeting regarding the process and offering financial assistance. He added that this is a project that will benefit the County so the Board of Commissioners should take the lead.

### **AGENDA MODIFICATIONS**

There were no Agenda modifications.

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

### **CONSENT AGENDA**

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

The following items were approved:

#### MINUTES

Minutes from the October 22, 2007 were approved. Minutes from the October 12, 2006 were approved and unsealed.

#### FACILITIES USE REQUESTS

The use of the courthouse lawn by Mr. Benson Galloway to preach on the remaining Sundays in 2007 was approved.

### **PRESENTATIONS/RECOGNITIONS**

#### RESOLUTION 65-07 IN RECOGNITION OF DELORES C. DODSON

On December 1, 2007, Ms. Delores Dodson will retire from Transylvania County with over 20 years of service. Chairman Chappell read Resolution 65-07 In Recognition of Delores C. Dodson.

**Commissioner Guice moved to approve Resolution 65-07 In Recognition of Delores C. Dodson, seconded by Commissioner Hogsed and unanimously approved.**

Ms. Dodson thanked the Commissioners for the recognition. Mr. Jim Boyer with Environmental Health thanked Ms. Dodson for her years of service. Commissioners presented Ms. Dodson with Resolution 65-07.

(Resolution 65-07 In Recognition of Delores C. Dodson attached as part of the Minutes.)

#### RESOLUTION 66-07 IN RECOGNITION OF NANCY B. HUGHES

Ms. Nancy Hughes retired from Transylvania County on November 1, 2007 with over 29 years of service. Chairman Chappell read Resolution 66-07 In Recognition of Nancy B. Hughes.

**Commissioner Hogsed moved to approve Resolution 66-07 In Recognition of Nancy B. Hughes, seconded by Commissioner Bullock, and unanimously approved.**

Commissioners presented Ms. Hughes with Resolution 66-07 and thanked her for service to the County. Social Services Director Carson Griffin thanked Ms. Hughes for her many years of service and for making a difference to so many families in the community. Ms. Hughes stated that she has appreciated the opportunity to serve Transylvania County.

(Resolution 66-07 In Recognition of Nancy B. Hughes attached as part of the Minutes.)

## **APPOINTMENTS**

### TRANSYLVANIA NATURAL RESOURCES COUNCIL

**Commissioner Bullock moved to reappoint Randy Burgess, Thomas Dierolf, Steve Pagano, Carroll Parker and Bill Thomas. The motion was seconded by Commissioner Hogsed and unanimously approved.**

### TRANSYLVANIA COUNTY COUNCIL ON AGING

**Chairman Chappell moved to reappoint Delores Stroup, Sara Miller and Kathe Harris to subsequent terms, terms to expire August 2010. The motion was seconded by Commissioner Phillips and unanimously approved.**

**Commissioner Guice moved to appoint Sue Robinson to replace Tore Borhaug, seconded by Commissioner Phillips and unanimously approved.**

**Commissioner Guice moved to appoint Robert Anderson to replace Barbara Vorhees, seconded by Commissioner Bullock and unanimously approved.**

**Commissioner Guice moved to reappoint Kathy Thorpe as Chairman, seconded by Commissioner Phillips and unanimously approved.**

**Commissioner Guice moved to appoint Linda Dodds to replace Sybil French, seconded by Commissioner Hogsed and unanimously approved.**

### AREA COUNCIL ON AGING

**Commissioner Guice moved to appoint Molly Wilmot to replace Linda Fluck with the term expiring June 2010, seconded by Commissioner Bullock and unanimously approved.**

### JOINT HISTORIC PRESERVATION COMMISSION

**Commissioner Hogsed moved to appoint Rosie Craig to replace Dawn Marie Jiles-McCall, seconded by Chairman Chappell and unanimously approved.**

**Chairman Chappell moved to appoint Henning Meyn, seconded by Commissioner Guice and unanimously approved.**

SENIOR VOLUNTEER SERVICES ADVISORY COUNCIL

**Commissioner Phillips moved to reappoint Sara Miller and Kae Parker to the Senior Volunteer Services Advisory Council, seconded by Commissioner Guice and unanimously approved.**

**OLD BUSINESS**

COURTHOUSE USE POLICY

The Manager explained that at the last Commissioners' meeting, the Board agreed to allow the use of the courtrooms with the understanding that the parties using the facility must pay for a deputy who would provide security during the event. The Commissioners were presented a policy for their approval which was patterned after the Rogow Room policy. Staff recommends a charge of \$35 per hour for each deputy needed which is based on the overtime rate. Those wishing to use the facility would have to complete a Facilities Use Request form and would be held responsible for any damages. The Manager asked the Board to approve the proposed policy.

**Commissioner Guice moved to approve the proposed policy, fee and facilities use request form, seconded by Chairman Chappell.** Commissioner Phillips asked how the number of deputies needed for each event would be determined. The Manager responded that the Sheriff would determine the number of deputies needed in order to maintain security. Commissioner Phillips requested to add a statement to the policy that reads, depending on the size of their group, more than one deputy may be needed to maintain security. The Manager recommended adding a statement to the Facilities Use Request form indicating that the Sheriff would make the determination of how many deputies are needed. **Commissioner Guice amended the motion to include a statement on the bottom of the Facilities Use Request form regarding the number of deputies needed, seconded by Commissioner Phillips. The amended motion passed unanimously. The main motion passed unanimously.**

(Courthouse Use Policy attached as part of the Minutes.)

**NEW BUSINESS**

ANNUAL AUDIT

Mr. Terry Andersen of Carland and Andersen presented the Audit Report for FY 2007. He showed a Power Point presentation reviewing the County's finances and noted the following:

- The audit found that the County complied with all of the applicable rules and regulations that were chosen for testing relating to expenditures.
- General Fund revenues for FY 2007 were \$41.6 million, a 6.01% increase from FY 2006.
- The current tax collection rate is 99.27%.
- Expenditures for FY 2007 totaled \$37.4 million, a 9.7% increase from FY 2006.
- No function of the General Fund exceeded the budget for the year.

- Revenues exceeded approximately \$700,000 more than budgeted, mostly due to an increase in ad valorem and sales tax revenues.
- Expenditures were \$3.9 million below budget, mostly due to savings generated in the Administration and the Tax Offices.
- The total Fund Balance available in the General Fund at the end of the year was \$30.6 million, an increase of \$900,000 from the prior year, with \$10.5 million being undesignated, which represents 28.1% of the total General Fund expenditures. The Local Government Commission recommends a minimum of an 8% unreserved and undesignated Fund Balance. Transylvania County has exceeded this benchmark for a number of years.
- Transylvania County continues to exceed the minimum standard which is an excellent indicator of the County's financial stability and sound conservative fiscal management.
- The County received the GFOA Certificate of Excellence for last year. Mr. Andersen expects this report to also qualify for the Certificate.
- Mr. Andersen noted that Board of Commissioners, Management and Staff have done an excellent job at implementing their recommendations for improvement in previous years. Current recommendations include increasing the frequency of approval of budget amendments.

The Manager thanked Finance Director Gay Poor and her Staff for their hard work and dedication to Transylvania County. He also thanked Mr. Andersen and his staff for the great work they have done during the audit process.

After clarification and discussion, **Commissioner Phillips moved to accept the Audit Report for FY 2007, seconded by Commissioner Bullock and unanimously approved.**

#### COUNTY PERSONNEL POLICY

Human Resources Director Sheila Cozart presented revisions to the Personnel Policy for the Board of Commissioners' review. She first recognized Mr. Tom Crawford, Chairman of the Personnel Board, and named the Personnel Board members. The Personnel Board has been working on revisions to the policy for the last couple of years. She noted that the items in bold print indicate additions to the policy and the items with a strike-through indicate changes to the policy. She highlighted some of the changes to the policy, noting that the majority of the changes were related to terminology and other modifications for clarity.

The Personnel Board recommends adding three new sections to the policy: an Employee Harassment Policy, a Statement of Safety and a Media Relations Policy. Ms. Cozart also noted changes to the current policy for payment of vacation leave upon termination. The current policy states that the County will pay a maximum of 225 hours of vacation leave to an employee that works 7.5 hours per day and 240 hours to an employee that works 8 hours per day. The revised policy would allow the County to pay an employee the entire accrued amount of vacation leave.

Mr. Tom Crawford stated that the Personnel Board studied the policy with great detail as to make it fair for employees while not lessening the ability of Management. He believes the new policy is clearer and more professional.

**Commissioner Guice moved to approve the changes as recommended by the Personnel Committee, seconded by Commissioner Hogsed and unanimously approved.**

#### UPDATE ON TRANSYLVANIA HERITAGE COALITION

Mr. Tony Morrow provided an update on the Transylvania Heritage Coalition and their efforts to create a Transylvania Heritage Museum. After a brief history, Mr. Morrow stated that in January 2008 the Transylvania Heritage Museum will move into the space currently occupied by the Jim Bob Tinsley Museum. He said a committee is pursuing grants and other fundraising activities with the hopes of opening the Museum in May 2008. Mr. Morrow stated that they are also looking to hire a new director and renovate the museum to suit their needs. He requested startup funds from the County in order to hire a new director and move forward with the creation of the Transylvania Heritage Museum. Commissioner Hogsed congratulated Mr. Morrow and the Heritage Coalition on their hard work in making the Transylvania Heritage Museum a reality.

**Commissioner Guice moved to set aside \$10,000 from Fund Balance for startup money for the historical museum. The motion was seconded by Commissioner Bullock. After comments from Commissioners, the motion passed unanimously.**

#### NOMINATIONS TO SERVE ON REGIONAL DOMESTIC PREPAREDNESS AND READINESS COMMITTEES

The Manager explained that the Department of Crime Control and Public Safety has established seven "Readiness Regions" to be responsible for developing and expanding regional approaches to natural or manmade emergencies. Each region will have an oversight committee made up of representatives of ten core disciplines critical to adequate emergency response. The ten disciplines include: Public Health, Municipal Police, Sheriff's Department, Hospitals, Emergency Management, Rescue, Public Works, Emergency Medical Services, Municipal Fire and Rural Fire Departments.

In addition to the Domestic Preparedness and Readiness Committee, each county will have one representative per discipline. The purpose of the discipline subcommittees is to provide local stakeholders with the ability to fully participate in regional planning activities. The Manager received nominations from City Manager Joe Albright for the City functions. Emergency Services Director David McNeill provided the nominations for the County functions.

**Commissioner Hogsed moved to approve the nominations representing Transylvania County in each discipline, seconded by Commissioner Phillips and unanimously approved.**

(Transylvania County nominations attached as part of the Minutes.)

### FEE CHANGES- LANDFILL ITEMS

The Manager stated that due to recent changes in the revenue received from computers, a decrease in the disposal cost of televisions, and the need to get rid of mulch, the Solid Waste Director recommends the following changes to the fee schedule for the following items:

	From	To
CRT's	\$10/unit	Free
Other	\$5/unit	Free
Small televisions	\$10/unit	\$5/unit
Mulch	\$30/ton	\$5 pickup load OR \$10 dump truck load

**Commissioner Hogsed moved to approve the fee changes, seconded by Commissioner Phillips and unanimously approved.**

### MANAGER'S REPORT

The Manager reported the following:

- There is a Public Meeting on Wednesday evening at Connestee Falls Fire Rescue regarding the potential use of Connestee Falls. A Public Hearing will be held at the December 10 Board of Commissioners' meeting.
- At the November 26 meeting, Staff will be discussing space needs and the parking issues.
- Bids for the Public Safety Facility are due Thursday. The County has received good reports from Moseley Architects regarding potential bidders.
- The December 10 meeting will be a busy meeting since it is the only meeting in December, if the Commissioners so choose. Agenda items will include the bids for the Public Safety Facility and the Pay Classification Study recommendations.
- The Manager congratulated Staff and the Board of Commissioners for their efforts in the United Way Campaign. The County raised \$20,335. He specifically thanked Sheila Cozart, Dean Landreth and David Reid for heading up the Campaign.
- The Manager met with the WCCA today regarding the Senior Center. Contractors have looked at the electrical and air conditioning issues at Silvermont. The Manager hopes to have the details worked out by February 2008 and expects the costs to be much higher than expected.
- The Community Appearance Initiative is close to signing a contract with the homeowner on Highway 215. If they agree to the contract, the cost of cleanup will be donated by citizens in the community.

### **PUBLIC COMMENT**

There were no comments from the public.

## COMMISSIONERS' COMMENTS

Commissioner Hogsed thanked the Commissioners, the Manager, the Clerk to the Board, and Veterans Service Officer Frank Pearsall for their work in organizing the Veterans Day Event yesterday at the Courthouse. He requested that Commissioners hold this event annually.

Chairman Chappell expressed his appreciation of our local Law Enforcement and offered his thoughts and prayers to them throughout their investigation regarding the events that led to an elderly woman's death in the Pisgah Forest National Forest and the search for missing husband.

**Chairman Chappell moved to enter into Closed Session per NCGS 143-318.11 (a) (5) to instruct staff on position of terms of contract after a 5 minute recess, seconded by Commissioner Phillips and unanimously carried.**

## CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (5) to instruct Staff on position of terms of contract, closed session was entered into. Chairman Chappell, Commissioners Bullock, Guice, Hogsed and Phillips, County Manager Artie Wilson, County Attorneys David Neumann and Curtis Potter, and Clerk to the Board Trisha McLeod were present.

Commissioners discussed terms of a potential contract and instructed Staff on how to proceed.

**Chairman Chappell moved to reenter Open Session, seconded by Commissioner Guice and unanimously carried.**

## OPEN SESSION

**Chairman Chappell moved to seal the Minutes from the Closed Session, seconded by Commissioner Guice and unanimously approved.**



**ADJOURNMENT**

There being no further business to come before the Board, **Chairman Chappell moved to adjourn, 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