

MINUTES
JOINT MEETING OF THE TRANSYLVANIA COUNTY BOARD OF
COMMISSIONERS & TOWN OF ROSMAN BOARD OF ALDERMEN
October 26, 2009 – Rosman High School Auditorium

The Transylvania County Board of Commissioners met jointly with the Town of Rosman Board of Aldermen on Monday, October 26, 2009 at 7:00 p.m. in the Rosman High School Auditorium. The purpose of the meeting was to discuss the potential location of a new animal shelter on the County's Calvert property.

Commissioners present were Lynn Bullock, Chairman Jason Chappell, Mike Hawkins, Daryle Hogsed, and Vice-Chairman Kelvin Phillips. Also present were County Manager Artie Wilson, County Attorney David Neumann, and Clerk to the Board Trisha Hogan.

Aldermen present were J.C. Chapman, Jimmy Lance, Eric Owen, Roger Petit, and Mayor Pro-Tem John Raines. Also present were Mayor Brian Shelton and Town of Rosman Attorney Don Barton.

Media: *Transylvania Times* – Mark Todd

There were approximately 100 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding called the Board of Commissioners' meeting to order at 7:04 p.m. and welcomed everyone to the meeting.

Mayor Brian Shelton presiding called the Board of Aldermen's meeting to order at 7:05 p.m.

Commissioner Daryle Hogsed requested to amend the Agenda. He asked Commissioners to consider a proclamation in recognition and honor of Veterans Day after the discussion on the animal shelter.

ANIMAL SHELTER

INTRODUCTION

County Manager Artie Wilson recognized the team members that have been working on the animal shelter project:

1. Steve Smith, Health Director
2. David McNeill, County Operations Director
3. Larry Reece, Project Manager
4. Artie Wilson, County Manager
5. Bill Daggett, Architect, Daggett and Grigg
6. Evan Williams, Architect, Daggett and Grigg

HISTORY

Health Director Steve Smith provided some background on the project.

Individuals and citizens have expressed concern about the current animal shelter for a number of years; however the history begins in 2004 when Commissioners started making formal decisions about how to proceed. The discussion initially began during a budget workshop in 2004.

Commissioners at that time were hearing a lot of different perspectives about the animal shelter which led to the development of an animal shelter committee, and included County staff, as well as advocacy groups, animal welfare organizations, and citizens at large. They were given the mandate to try to develop options for increasing animal adoptions, establishing a spay/neuter program, educating citizens, and establishing a new shelter, which they were to include in their report to Commissioners.

In October 2004, the Animal Shelter Committee reported back to Commissioners. One of the summary statements included in their document was asking the County to “construct a better located, attractive, modern, efficient, well lighted, well ventilated, customer friendly animal shelter of adequate size that presents adoptable animals to the best advantage”. It represented a general consensus to promote a shelter as a community facility that supported animal adoptions as much as it supported other direct animal control functions.

Subsequent to the Animal Shelter Committee report, the Commissioners at that time made an initial designation of \$300,000 toward the project. This was favorably received by the community as a formal recognition of need. In late 2005 and early 2006, the County contracted with Daggett & Grigg to conduct a limited feasibility study and needs assessment. This was a preliminary report that reviewed the current facility, intake numbers for animals and trends within the County so that initial projections could be made about the basic size of a proposed shelter with recommended features. After Commissioners reviewed that information, another \$450,000 was dedicated toward the project based on the cost estimates included with the report. In 2007, the County advertised an RFQ (request for qualifications) for architectural design services and operational programming expertise relative to a new animal shelter project. Daggett & Grigg fully met the proposal and Commissioners subsequently approved Daggett & Grigg as the entity to proceed with the animal shelter design. In 2006 an Animal Shelter Transition Committee was created to define specific actions to accomplish recommendations from the original committee and provide input for shelter location, design elements, and operations. In 2008 there was a series of final design reviews from Daggett & Grigg.

Part of the concept for a new animal shelter originated in correspondence from Mr. Don Jones to Commissioners. Mr. Jones dubbed that correspondence an “unsolicited letter” to the County Commissioners. In that letter, Mr. Jones stated that any shelter design along with operational programming decisions was ultimately guided by the stated philosophy and objectives of the operations. This was a particularly relevant point for the Animal Shelter Transition Committee discussions because members found that there were multiple perspectives about the specific features a new animal shelter should have. All of these differences could be traced back to different philosophies about the role of the animal shelter. The shelter proposal from Daggett & Grigg represents a compromise of sorts between the two extremes.

Some of the distinctive features of the final design include:

- Meets needs for 25+ years
- Segregation of public access areas
- Acoustical control within the facility; landscape buffers on exterior
- Viewing/adoption areas
- Compliant with Animal Welfare Act
- Consistent with recommendations of Animal Shelter Committee

Criteria for site selection included:

- Water/Sewer

- Central location
- Public access
- Adequate size
- Cost

At that time, given the sites that were available that had been reviewed, the Calvert site near the old County landfill was identified as the best site.

The most recent animal shelter or hospital constructed using a septic system was in 2000. Onsite wastewater systems could be costly, although substantially less than what was originally estimated. Mr. Smith noted that site specific considerations drive the cost level, at least one half acre or more is required for the system, and septic systems are prone to fail within seven to ten years.

Mr. Smith discussed the reasons why a new animal shelter is needed:

- Existing outdated facility that can not be improved or expanded (circa 1950's)
- Increased demands for animal housing space due to population growth
- Application of Animal Welfare Act shelter standards
- Intense public focus on outdated shelter and community demand to replace the facility and improve adoption rates

In summary, Mr. Smith stated that a series of Commissioners have made formal decisions to obtain broad community input and objective information relative to the establishment of a new shelter facility. The proposal put forth by Daggett & Grigg is a product of those decisions and stakeholder input. The broad array of perspectives about the animal shelter exists because of different values and expectations.

REVIEW OF DESIGN

Bill Daggett of Daggett & Grigg Architects showed a Power Point presentation outlining the process which determined the proposed design of the animal shelter, noting that the proposal meets the County's needs now and well into the future.

Planning Goals

1. The County must comply with the comprehensive North Carolina Animal Welfare Act
2. Program capacity to 25+ years
3. Program facility to encourage adoptions, reduce euthanasia rates, and increase the life of the facility
4. Program facility to meet budget expectations

Shelter Sizing

Over a 3 year average, the shelter is receiving animals at a rate approximately 4% of the population. National averages are between 3% and 4%. The current shelter averages 755 canines and 437 felines. A 5 year projection factors in a population growth rate of 2% and provides an initial planning goal of 835 canines and 485 felines.

The average adoption for both canines and felines at the current facility is 17%. An average adoption rate should be 40-60%. The County's euthanasia rate is 78% whereas the national average is 10-40%. The focus of the new shelter will be to increase adoption and reduce euthanasia rates.

Programming to Achieve Goals

The proposed shelter will accommodate cats to year 2030 and dogs to approximately 2015, or a thirty year period for felines and a ten year period for canines, at which time the facility can be expanded to add kennels.

Architectural Response

Seven primary functions that are critical to any animal shelter and are important to increased adoption, decreased euthanasia and extending the life span of the facility:

1. Public reception and sales of basic pet care needs for adopted animals
2. Administrative areas including private offices for Animal Control Officers and staff
3. Public education provisions such as classroom or multi-function meeting room
4. Animal receiving, including examination and grooming function
5. Animal kennels for adoption and strays
6. Animal kennels for quarantine and routine observation
7. Clinic space for shelter animal care, euthanasia, emergencies and spay/neuter programs

The first architectural response was to evaluate the site. The Calvert site is relatively flat and provides the opportunity for a formal public entrance and a small parking lot directly related to the public entrance to the building. A secondary entrance has been included in the design to keep animal control functions separate from the public. The design also includes a play yard behind the facility, kennels that are open to the outdoors, an area for storage, and incorporates sound buffers to adjacent properties.

The second architectural response was to design the building plan and includes the following features:

- Large reception area with seating space for the public
- Multipurpose room
- A room for puppies and small breeds
- Additional space for an animal display and play area
- Cat adoption area
- Dog adoption kennels with interior and outdoor runs
- Two small acquaintance rooms for families to meet with animals
- Cat isolation and observation areas
- Laundry and grooming area
- Clinic and euthanasia room
- Animal receiving area through garage/sally port
- Dog isolation area and holding cells

Technical Issues/Influences

Mr. Daggett said it was the desire of the County to create a low maintenance facility which is the focus of the general design. The County also desired to incorporate sound proofing to address the concerns of some of the public. Daggett & Grigg took extra efforts to include a sound absorbing material that can resist a high humidity environment.

Besides having the ability to sanitize the primary enclosures around the animals, the Animal Welfare Act specifically addresses drainage in that it must be designed in a manner where disease can not be transferred from kennel to kennel. As a result, Daggett & Grigg recommended individual drains for every single kennel. The Act also addresses air ventilation systems. Sick or potentially sick animals must be separated from other inhabitants so that the air that enters the isolation areas does not become mingled with the air in the healthy kennels. In response, Daggett

& Grigg incorporated a negative pressurized system where all air flows into the isolation area and is collected and returned through a very extensive filtering process and an ultraviolet chamber that kills both viruses and bacteria.

Daggett & Grigg also incorporated a septic pretreatment system in the design. Mr. Daggett said grinder pumps will not grind animal hair which can clog the intake of the grinder pump and inhibit the flow of storage. The Architects created a system similar to a septic tank. All of the animal waste would flow into a septic tank where a filter traps the animal hair and allows only the effluent to flow into the sewer system. The filter would need to be cleaned periodically.

Daggett & Grigg also included a number of cost control measures in the design through a series of alternates. Mr. Daggett reviewed the alternates for the structural systems, roofing, flooring, windows, lighting, garage, sound isolation, kennel walls, ceilings, and sound absorption.

LOCATIONS

The Manager reviewed the pros and cons of potential locations for an animal shelter.

Calvert Property

Pros:

- County owns the property
- Identified by the study group as a good location and easily accessible
- Water and sewer are adjacent to the property

Cons:

- Rosman Aldermen have expressed concern about locating a shelter on the property
- Question remains whether the Town of Rosman would allow water and sewer connectivity to their utilities

Landfill Property

Pros:

- County owns the property

Cons:

- Not easily accessible
- Does not have access to water and sewer; costly for construction of treatment facility
- Layout of property is restrictive

Other

Pros:

- The Manager did not cite any pros; however he noted that staff is currently working with a realtor to explore other potential locations per the direction of the Board of Commissioners

Cons:

- Would have to purchase property unless it is donated; property is very expensive
- Must be located near water and sewer utilities
- Must deal with the City of Brevard's UDO if built within City limits

ESTIMATED COST

The Manager reviewed the estimated construction costs.

Construction Costs	\$ 997,000
Contingency 5%	\$ 49,850
Remaining Architect Fees	\$ 39,000
FF & E	\$ 69,790
<u>Misc. Bidding, etc.</u>	<u>\$ 5,000</u>
Total Project Cost	\$1,151,640

The Manager announced that the plans and specifications are complete and staff is ready to go out for bid. The costs may be lower especially in the current building climate. The County has approximately \$800,000 reserved for this project.

The Manager also noted the original estimates for a well and septic system has been reduced to a range of \$10,000 to \$20,000, as opposed to the \$100,000 to \$150,000 range. The cost will be determined according to the site location. He further noted that two separate systems would have to be constructed, one for humans and one for animals, which would be connected to each other. The animal waste would not enter the septic system, but would be filtered and disposed of in the current landfill.

MCGILL STUDY OF CALVERT PROPERTY

The County hired the services of McGill Associates to evaluate the Calvert property and determine if there were uses for the property other than the animal shelter as well as the overall best uses for the property. Some have expressed an interest in constructing workforce housing at this location.

Mike Norris of McGill Associates reviewed the existing conditions of the Calvert site. The County owns 25 acres at this site. The animal shelter could fit on approximately 2 acres. The remaining 22 acres consist of mainly valleys. Mr. Norris noted that one of the primary elements of this property is that it is adjacent to the old landfill. The old landfill is unlined and the County purchased the property to serve as a buffer between the landfill and neighboring property owners. McGill Associates considered these factors when determining the best use of the property. The property has a mixture of vegetation, open meadows, and large existing mature wooded areas. The topography is general rolling but very steep in other areas. There are also existing roadways running through the property, a Duke Energy utility right of way and a 50' deeded right of way, although no roadway has been constructed, all of which present various restrictions. In addition there are two wells located on the property to monitor potential contaminants.

McGill Associates considered the topography, existing grading features, rights of way, natural features, etc. to determine the best use of the property; however the primary consideration was the landfill and the intent to provide a buffer to surrounding properties. Mr. Norris said any contamination from the landfill would relatively follow the existing topography. In order to have the ability to remediate in case of any ground water contamination, Mr. Norris presented a plan that includes green space, which is directly adjacent to the existing landfill, and a 100' buffer on either side of the creek. This allows the County to access these areas and maintain ownership. Mr. Norris included the location of the animal shelter on the site and space for single family workforce housing units. Other commercial property could also be located on the 2 acre site recommended for the new animal shelter. Another portion of the property is fairly steep and

developing it could be costly unless a portion of the adjacent property could be obtained to allow better roadway access.

DISCUSSION BY BOTH BOARDS

Board of Aldermen

1. How were the members of the Animal Shelter Committee chosen? There were no citizens from Rosman on this committee.

Response: Those who were chosen to serve on the Animal Shelter Committee were people who had expressed an interest in the animal shelter, volunteers, local veterinarians, and some recommended by the interim health director at the time. At the time the Committee was formed the Calvert site had not been chosen as the potential location for a new shelter.

2. When making the comment that the Calvert site is a centrally located area, do Commissioners mean that it is centrally located in the County?

Response: Yes

3. A new animal shelter is needed but \$1.2 million seems to be too much to spend on a new shelter, specifically in the current economy.
4. The current landfill seems to be a better location for a new shelter.
5. The Town of Rosman has a stray animal problem and a shelter located at the Calvert site would compound the problem.
6. The citizens of the Town of Rosman are opposed to the proposed location.
7. The Calvert site was purchased as a buffer zone. Was it also purchased as a County liability? Was the County paying the property owners for damages that had occurred?

Response: The County purchased the property from the Huggins family. Part of the purchase included granting the Huggins a right-of-way. The property was purchased to serve as a buffer so the County would have the ability to remediate against any potential contamination. There was no known contamination to the Huggins property.

8. Can the County sell or trade the Calvert property?

Response: Selling or trading the property is always an option, but the property was purchased for a purpose, which was to serve as a buffer to surrounding properties in case of potential contamination from the old landfill.

Board of Commissioners

Commissioner Hogsed said the potential for workforce housing and a community park in Rosman is not tied to the animal shelter. He stressed the importance of community approval of the shelter at Calvert and said if the Town of Rosman and its citizens are opposed to the site, he does not want to force it upon them. Although it is advantageous for the County to build the shelter at Calvert, he said it is most important to have community acceptance.

Commissioner Bullock echoed Commissioner Hogsed's comments. He noted that staff is working with a realtor to locate other potential properties on which to construct a new animal shelter. Commissioner Bullock said he looks forward to working with the Town of Rosman on building workforce housing in the Rosman area.

Commissioner Hawkins said the County respects that the Board of Aldermen represents their citizens and if the public does not want the animal shelter on this site, the County needs to do everything it can to find an alternate site; however, the Board of Commissioners represents the entire County so Commissioners must seriously consider the increased costs of locating the shelter elsewhere. It will take time to find an alternate site, and while he agrees with Commissioners Hogsed and Bullock, he said it is the County's decision to complete this project in the most economically efficient way.

Commissioner Phillips said he does not believe the County needs to purchase other property at the expense of the taxpayers. If the Calvert site is not desirable, which the Town of Rosman has indicated, he said the current landfill site should not be ruled out as a possible location.

Chairman Chappell expressed concern about finding a site with accessibility to water and sewer. He also expressed concern about purchasing additional property and commented that the current landfill site does not seem like a feasible location since it lacks water and sewer.

Commissioner Hawkins asked for clarification from the Board of Aldermen about the issue of supplying utilities to the Calvert site.

In response to a question from Commissioner Hawkins, Mr. Daggett said the all of the alternates have been included in the specifications so none of the drawings would have to be redone. Many of the specifications are required by the Animal Welfare Act. Other changes can be made that will not seriously affect the cost.

Commissioner Bullock inquired about standards for drainage in kennels. Mr. Daggett said the standards indicate that drainage must be installed to prevent contamination from kennel to kennel. The drainage system in the proposal meets those requirements.

Response:

The Board of Commissioners should make a formal request to the Board of Aldermen for their consideration and discussion at an upcoming meeting.

Considering the estimated cost of the animal shelter, the cost of purchasing land should not be an issue. The location should not be an issue for those who are serious about adopting an animal.

PUBLIC COMMENTS

Vicki Walker: (Resident of the City of Brevard) Ms. Walker said since the spay and neuter clinic opened in Transylvania County the number of euthanasia cases should have decreased. She said Transylvania County residents are adopting animals at shelters outside of the County because there are more pleasant facilities to visit. She pointed out that many people in the community work hard to save every possible animal week after week from entering the current shelter and those same people try to adopt out those animals that are in the shelter. Ms. Walker commented about the potential location saying the shelter should be built centrally located to the population

and there are several good sites in and around Brevard. She urged Commissioners to find a site immediately and added that she and other animal lovers will find ways to raise additional capital.

Berta Leftkovich: (Lives off Calvert Road) Ms. Leftkovich said she used to volunteer at the current animal facility. She said she would not classify the current facility as a shelter, but rather as a place where animals go to die. Ms. Leftkovich said the issue with the County and the Town of Rosman is a “not in my backyard” syndrome. She said the shelter will not negatively impact residents, as some would feel. She closed by saying the County is in dire need of a new animal shelter and she believes the Calvert site is a perfect location. She further commented that the current landfill would not be an ideal location.

Bob Heseltine: (Resident of Pisgah Forest) Mr. Heseltine has been involved with animal rescue through TAAG. He said the current shelter is in horrible condition and animals should have a decent place for their interim home. He noted that euthanasia rates started to decrease after TAAG was created in 2005. TAAG’s primary adoption site is Pet Smart in Asheville. He commended the animal organizations and volunteers who do more than their share for taking care of these animals. He said many animals in the County are fostered temporarily because the shelter does not have capacity. Mr. Heseltine said the proposed facility is a fantastic facility and should be pleasant and convenient to visit. He said he hopes the County will increase the number of hours the new facility is open to the public.

Roger Eades: (Resident of Little Egypt) Mr. Eades asked when the County would be in violation of State laws and if there was a timeframe for compliance. Chairman Chappell said the County is not currently in violation of State laws at this time. The Manager said the situation is the same as is with the new Public Safety Facility, whereby the State understands the County is working to construct a new facility. Mr. Eades said he agreed with the need for a new shelter but there must be other suitable locations since the Town of Rosman is opposed to the Calvert site.

Tommy Hooper: (Resident of Rosman) Mr. Hooper said he is an animal lover and supports a new animal shelter, just not at the Calvert site. He questioned why no one from Rosman served on the Animal Shelter Committee.

Nola Owen: (Lives off Calvert Road) Ms. Owen said she lives adjacent to the Calvert property and said if the County builds the animal shelter there she would like the County to purchase her property.

Mike West: (Resident of Rosman) Mr. West addressed an earlier comment regarding the “not in my backyard” syndrome. He said Rosman has the current landfill, the old landfill, the current shelter, and was considered for a prison site at one time.

COMMENTS

Commissioner Phillips made a motion to add a proclamation in recognition and honor of Veterans Day 2009. The motion was seconded by Commissioner Hogsed and unanimously approved.

Commissioner Hogsed read and presented the proclamation prepared by Retired Chief Petty Officer Joe Parker.

Commissioner Bullock moved to approve the Veterans Day 2009 Proclamation, seconded by Commissioner Phillips and unanimously approved.

(Proclamation 53-09 Veterans Day 2009 is hereby incorporated by reference and made a part of these Minutes.)

ADJOURNMENT

There being no further business to come before either Board, **the meeting was adjourned.**

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board