

**MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
August 9, 2010 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, August 9, 2010 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

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.

Media: *Hendersonville Times News* – Leigh Kelley
Transylvania Times – Mark Todd
WSQL Radio – Wanda Lu Paxton

There were approximately 30 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding called the meeting to order at 7:03 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting and thanked the members of the audience for participating in their County government.

PUBLIC HEARING

FY 2010-2011 RURAL OPERATING ASSISTANCE PROGRAM (ROAP)
Chairman Chappell declared the Public Hearing open at 7:04 p.m.

Each year the North Carolina Department of Transportation (NCDOT) provides funding for the operating costs of passenger trips and other transportation services to counties based on allocations from the State; however counties must apply for the funding which must be administered according to NCDOT regulations. The Transylvania County Transportation Department requested permission to make application for \$91,346 for FY 2011. The County must provide a 10% local match which is recuperated through fares charged to the public. The funding is broken down into three areas:

1. Elderly and Disabled Transportation Assistance Program (EDTAP): requesting \$45,282 which will used for out of County dialysis transportation and to offset the expenses to provide transportation for the senior citizens meal site program
2. Employment Transportation Assistance Program (EMPL): requesting \$7,709 which is used in conjunction with the Department of Social Services for assisting Work First clients in providing their own transportation, helping them become more independent
3. Rural General Public Program (RPG): requesting \$38,355 to provide other limited transportation services in the County; requires local match of \$3,836

There were no comments from the public.

Chairman Chappell declared the Public Hearing closed at 7:07 p.m.

PUBLIC COMMENT

There were no comments from the public.

AGENDA MODIFICATIONS

There were no Agenda modifications.

Commissioner Hogsed 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 Phillips and unanimously approved.

The following items were approved:

MINUTES

The minutes of the June 28, 2010 regular meeting were approved.

FACILITIES USE REQUESTS

The use of the Courthouse lawn and gazebo by the Pisgah Forest Rotary Club for a food drive for the Sharing House on November 20, 2010 from 8:00 a.m. to 5:00 p.m. was approved.

PRESENTATIONS/RECOGNITIONS

PROCLAMATION 31-10 DECLARING AUGUST 17, 2010 AS TRANSYLVANIA COUNTY LIBRARY STAFF APPRECIATION DAY

In 2008, the Friends of the Library approved a resolution proclaiming the third Tuesday of August as the Annual Transylvania County Library Staff Appreciation Day. Commissioners presented a resolution to Library Director Anna Yount on behalf of Library staff and thanked them for the many services they provide to the citizens of Transylvania County. Ms. Yount thanked Commissioners and the Friends of the Library for this recognition.

Commissioner Hogsed moved to approve Proclamation 31-10 Declaring August 17, 2010 as Transylvania County Library Staff Appreciation Day, seconded by Commissioner Phillips and unanimously approved.

(Proclamation 31-10 Declaring August 17, 2010 as Transylvania County Library Staff Appreciation Day is hereby incorporated by reference and made a part of these minutes.)

RESOLUTION 32-10 IN RECOGNITION OF WILMA MCCALL

Wilma McCall retired from the Transylvania County Sheriff's Office on August 1, 2010 where she has been an employee since 1983. During her 27 years, she served as a Tele-communicator, a Detention Officer and Records Clerk. Commissioners presented her with a resolution and thanked her for many years of service to Transylvania County. Sheriff Mahoney also thanked Ms. McCall for her service to the Sheriff's Office.

Commissioner Bullock moved to approve Resolution 32-10 In Recognition of Wilma McCall, seconded by Commissioner Hogsed and unanimously approved.

(Resolution 32-10 In Recognition of Wilma McCall is hereby incorporated by reference and made a part of these minutes.)

UPDATE ON COMPASS SOFTWARE IMPLEMENTATION

In August 2009 the Board of Commissioners approved moving forward with the installation of a software program from Northwood's Consulting for the Department of Social Services (DSS). DSS was experiencing a tremendous growth in public assistance caseloads due to the difficult economy. The software program used by staff would assist with populating different forms thus saving time and automatically filing information on discs therefore saving on space and supplies. DSS Director Stoney Blevins gave an update on the project and reported an overall success with the Compass system. He also reported the Compass system has helped his office meet or exceed the goals outlined one year ago. Those goals were:

1. Avoid hiring staff based on caseload increases at that time (although did reallocate a position)
2. Reduce supply costs
3. Avoid offsite storage of records.
4. Avoid mailing costs of large files
5. Recapture office space being used for record storage
6. Eliminate errors
7. Reduce time to complete forms
8. Reduce time and costs of filing and copying
9. Eliminate purchase of new filing cabinets
10. Utilize system in County departments in the future

Mr. Blevins noted that Wilson County gave the County some software that may be expanded across other areas in DSS. He thanked Commissioners for taking this risk and for helping his office realize efficiencies. In response to a question from Commissioner Hogset, Mr. Blevins reported continued significant growth in public assistance. In response to a question from Chairman Chappell, Mr. Blevins said the only negative from this process, aside from the normal learning curve, was a glitch with a recent update to the Compass system which has since been resolved.

Chairman Chappell moved to accept the report, seconded by Commissioner Phillips and unanimously approved.

APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Commissioner Hawkins moved to appoint Gus Constantine to fill one of the vacancies, seconded by Commissioner Phillips and unanimously approved.

OLD BUSINESS

FARMLAND PROTECTION PLAN

The Transylvania County Agricultural Advisory Board (AAB) was awarded a grant from the North Carolina Development and Preservation Trust Fund to develop a farmland protection plan for Transylvania County. The plan was prepared by John Bonham, M.S. Agricultural & Applied Economics, Virginia Tech, and Brittany Whitmire, M.P.A., University of North Carolina at Chapel Hill. The plan was presented at the January 25, 2010 Board of Commissioners' meeting at which time Commissioners instructed the Transylvania County Planning Board to review the

plan and obtain cost estimates for implementing the plan. The Planning Board reviewed the plan and recommends the adoption of the plan as presented. County Extension Director Eric Caldwell has prepared an estimate of the cost to implement the plan but the AAB recognizes the severity of economic issues surrounding the County budget. It is the consensus of the AAB that the budget situation should not be a hindrance to adopting the plan and that the Board of Commissioners should be reminded that the actions, timelines and expenditures are recommended and full implementation is not required for plan approval.

Mr. Caldwell believes this process has been positive for the County and the agricultural community. He stated the Board can approve the plan without funding and it puts the AAB in a position for other grant opportunities. He said the plan is a good plan and is a good snapshot of the current and future impact of agriculture in Transylvania County.

Commissioner Hogsed moved to approve the Farmland Protection Plan with the understanding that implementation of any item that requires County funding will have to be approved by the Board of Commissioners through the annual budget process. The motion was seconded by Commissioner Bullock. In response to a question from Commissioner Hawkins, the Manager confirmed there are no monies in the current budget for full implementation of the Farmland Protection Plan; however there are elements that can be or have been implemented without County funding. **The motion was unanimously approved.**

NEW BUSINESS

FY 2010-2011 RURAL OPERATING ASSISTANCE PROGRAM (ROAP)

A Public Hearing was held at the beginning of the meeting. There were no comments from the public.

Commissioner Bullock moved to approve the grant application package for the ROAP grant, seconded by Commissioner Phillips and unanimously approved.

PROPOSED DEPARTMENT OF SOCIAL SERVICES ADOPTION SERVICES FEE SCHEDULE

The Social Services Board recommends that the Board of Commissioners adopt a new fee schedule for certain adoption services as outlined in NCGS 48-3-304(a) and 48-2-504(a) as follows:

1. No fee will be charged when one or more of the following circumstances exist:
 - The head of the household for the prospective adoptive family is a TANF or SSI recipient
 - The family unit's income is below 150% of the federal poverty level
 - The family has identified an adoptee who is in the custody and placement responsibility of the Department of Social Services, and the adoptive family continues to pursue the adoption of the identified child
2. ½ of the established fee will be charged to families over 150% of the federal poverty level yet under 200% of the poverty level.
3. For all other families, the standard fees will apply:

• Stepparent and Relative Adoptions	\$ 200
• Independent adoptions	\$1,500
• Annual Pre-placement Assessment Update	\$ 200

Social Services Director Stoney Blevins noted these are not fees for adoption of children in foster care, but rather for private adoptions. Since Social Services is the County's licensed childcare agency, in essence it is an adoption agency and can provide these services to citizens. There are no other private adoption agencies in the County. Since these adoptions are a private service, NCGS allows the County to charge for the service.

Commissioner Hogsed moved to approve the proposed fee schedule for Adoption Services for the Department of Social Services, seconded by Commissioner Hawkins and unanimously approved.

2009 TAX COLLECTION SETTLEMENT STATEMENT

NCGS 105-373 requires the Tax Administrator to present a tax settlement statement/report at the close of each fiscal year. Tax Administrator David Reid noted the year ending tax collection percentage of 99.693% is higher than last year's collection rate of 99.48%. The collection rate for personal property was 99.9% and the Tax Office collected 95.53% of motor vehicle taxes owed. The total amount the Tax Collector is charged with collecting is \$29,691,764.56 for FY 2009. As of June 30, 2010, \$72,537.45 remained uncollected in property taxes. The total remaining uncollected was approximately \$93,000. Mr. Reid also reported on the prior year delinquent taxes that remain uncollected. He commended the Transylvania County taxpayers noting that approximately 96% of taxpayers pay their taxes on time.

Mr. Reid discussed some of the remedies his office uses for collecting taxes. He noted that due to the Commissioners decision during the budget process to reduce his staff, his office will have to utilize forced collection remedies earlier for the coming delinquent collection cycle as the habitual delinquent accounts take a tremendous amount of time. He reported that his staff made approximately 20,000 attempts to reach delinquent taxpayers to try and encourage them to pay their taxes or set up a plan to avoid forced collection remedies. He said without adequate staffing his office will be looking for ways to perform the work more efficiently.

The Manager commended Tax Administration staff for the work they do and for their efforts in working with citizens. He expects Transylvania County will have the top tax collection rate in the State for FY 2009-10. Chairman Chappell publicly thanked the taxpayers of Transylvania County for owning up to their obligations.

Chairman Chappell moved to accept the Tax Administrator's 2009 Tax Settlement Statement, seconded by Commissioner Bullock and unanimously approved.

2010 ORDER TO COLLECT TAXES

Each year the Board of Commissioners must authorize the Tax Administrator to collect the ad valorem taxes for the ensuing year. The estimated levy for 2010 is \$23,575,530 for Transylvania County. The budgeted collection rate is 99% for a net collection of \$23,339,775. Tax Administrator David Reid announced his office is ready to send out tax bills.

Commissioner Hawkins moved to authorize the Tax Administrator to take all legal means to collect the 2010 ad valorem taxes, seconded by Commissioner Bullock and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- The County has been awarded a Silver LEED rating on the Public Safety Facility for energy conservation. This is the first in the State of North Carolina and possibly the first

in the Southeast and one of a few in the United States. He will have more information in the near future.

- Staff continues to work on the Connestee Falls project and hopes to go out for bids on the project in September.
- The one year walk through on the one year warranty for the Public Safety Facility will occur this month. All of the contractors will complete a walk through of the facility. Staff has identified several items that need to be corrected before the warranty expires.

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Commissioner Hawkins thanked Tax Administration staff for the enormous of amount of work they have done this year.

Commissioner Hawkins referred to the recent renovations in the Board of Education building and commended them for the work their staff did on the renovations. He urged everyone to visit their facility.

Chairman Chappell reminded Commissioners they need to select an honor representative to attend the Blue Ridge Parkway's 75th Anniversary event at the next meeting in August.

Chairman Chappell announced the County is expecting its Preserve American designation sign.

Chairman Chappell moved to enter into closed session per NCGS 143-318.11 (a)(3) to consult with an attorney and (a)(5) to instruct staff or negotiating agents concerning the position to be taken on behalf of the public body reference Calvert property after a 10 minute recess, seconded by Commissioner Phillips and unanimously carried.

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a)(3) to consult with an attorney and (a)(5) to instruct staff or negotiating agents concerning the position to be taken on behalf of the public body reference Calvert property, closed session was entered into at 7:55 p.m. Present were Chairman Chappell, Commissioners Bullock, Hawkins, Hogsed and Phillips, County Manager Artie Wilson, County Attorney David Neumann, and Clerk to the Board Trisha Hogan.

Commissioners consulted with County Attorney David Neumann and staff reference the Calvert property and instructed staff on how to proceed.

Chairman Chappell moved to leave closed session, seconded by Commissioner Phillips and unanimously carried.

OPEN SESSION

Chairman Chappell moved to seal the minutes of the closed session until such time that opening the minutes would not frustrate the purpose of the closed session. The motion was seconded by Commissioner Phillips and unanimously approved.

ADJOURNMENT

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

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board