

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**May 23, 2011 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, May 23, 2011 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

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

Media: *The Transylvania Times* – Mark Todd  
*WSQL Radio* – Wanda Lu Paxton

There were approximately 30 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding called the meeting to order at 7:05 p.m.

**WELCOME**

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their County government. Chairman Hawkins introduced the members of the Board of Commissioners and staff.

**PUBLIC COMMENT**

Sharon Brown: Ms. Brown attended the previous meeting and spoke about the 2009 property revaluation. Tonight she continued her comments to the Board about the problems she has been experiencing with the Tax Office and the Board of Equalization and Review because of what she believes is the incorrect assessed value of her properties. She reported that she has appealed several issues to the Tax Office and the Board of Equalization and Review and both have refused to assist her and she was told she would have to wait another year to appeal. Ms. Brown cited several mistakes in the assessed values of her properties and she feels properties are not being valued fairly or consistently across the County. She said she wants someone to sit down with her and address her concerns. Chairman Hawkins noted that Tax Assessor David Reid mailed a letter to her last week. Ms. Brown said she had yet to receive the letter. Commissioner Chappell gave her a copy of the letter.

Reverend Christopher Farmer: Reverend Scott Farmer invited Commissioners to attend a prayer service at Brevard High School in the auditorium on July 3, 2011 at 6:00 p.m. This will be a time for people to spend in prayer for others and for the County.

**AGENDA MODIFICATIONS**

The Manager reported on the Agenda modifications. He requested to add another position to consider under New Business Item VIII.B Permission to Post a Vacant Position in Child Protection Services. Staff will be requesting permission to use part time help to cover the workload while an employee is out on Family Medical Leave.

**Commissioner Hogsed moved to approve the Agenda as modified, seconded by Commissioner Chappell and unanimously approved. (4-0, Commissioner Chapman absent)**

05/23/2011

## CONSENT AGENDA

**Commissioner Phillips moved to approve the Consent Agenda as submitted, seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chapman absent)**

The following items were approved:

### MINUTES

The minutes of the March 29, 2011 Joint Meeting with the Board of Education were approved.

### DISCOVERY & RELEASE REPORT

The Discovery & Release Report for April 2011 was approved.

### UNSEALING OF CLOSED SESSION MINUTES

Commissioners unsealed the following minutes that were related to the case *Transylvania County v. Michael D. Baxley and Charlotte Baxley's Training Facility*: 9/8/2008, 9/27/2008, 10/23/2008, 4/13/2009, 4/27/2009, 5/11/2009, 5/26/2009, 6/22/2009, 7/13/2009, and 9/14/2009.

## PRESENTATIONS/RECOGNITIONS

### UPDATE ON SESQUICENTENNIAL CELEBRATION FOR TRANSYLVANIA COUNTY

Transylvania County is celebrating its 150<sup>th</sup> anniversary as a county this year. Carson Griffin is the coordinator of the Sesquicentennial celebration and she provided an update on the events and activities that have occurred and what's to come for the rest of the year.

Events year-to-date have included Rosenwald, Eastatoe, and Little River community events, the Historical Society's Pioneer Day, the reopening of the second floor of the Silvermont Mansion, a gospel concert, and the opening event which occurred on February 15, 2011. The Transylvania County Library has also held five bag lunch lecture events as well as roundtable discussions. The most recent roundtable discussion was on Ecusta. The Arts Council has sponsored numerous events. Their student art show attracted a record number of people. This past Saturday, they sponsored a historic walking tour of downtown Brevard. The Transylvania Heritage Museum is hosting two traveling historical exhibits that will visit all the community events throughout the year. Also, Transylvania County Schools have created and participated in numerous activities and events. On Friday, Davidson River School played an 1861 baseball game and it was extensively covered by *The Transylvania Times*. Ms. Griffin reported that over 5,000 people have attended one of Sesquicentennial events thus far.

The communities of Blantyre, Cathey's Creek, See Off, Lake Toxaway/Sapphire, Cedar Mountain, Rosenwald, Dunn's Rock, and Balsam Grove are planning events to celebrate their heritage. The Brevard Community Band plans to hold a Patriotic Pops/Heritage Celebration Concert. The Library and the Arts Council will continue to host events.

August, 28, 2011 is Church Heritage Day and churches all over the County will celebrate their heritage and history through various activities and events. Also, the County will hold a birthday party celebration on September 3, 2011 in downtown Brevard for all ages with a fireworks display to follow. There will be something for everyone to do. Lastly, December 3, 2011 will be the closing event. The brochure lists many of the events but was produced before all the events were planned. The website has the most up-to-date information.

Ms. Griffin said the 150<sup>th</sup> logo, "Weaving a Tapestry of Community", is important and highlights the elements that will help this community continue to be great.

Ms. Griffin also gave a demonstration of the Sesquicentennial website. The website links to the 150<sup>th</sup> Facebook page and the Schools' website which shows all the projects they have been working on. Ms. Griffin asked everyone to submit information about the history of their churches, businesses, families, etc.

Chairman Hawkins noted that Commissioner Hogsed participated in the Little River community event and a Civil War performance. Ms. Griffin also noted that on Thursday and Friday of this week, Rosman High School will put on a play called *Dr. John's Traveling Medicine Show*.

Lastly, Wanda Lu Paxton of WSQL Radio wrote a song about Transylvania County at the request of Tissie Stroup with Parks and Recreation during a recent radio interview. She performed the song for Commissioners and members of the audience.

## **APPOINTMENTS**

### NURSING/ADULT CARE HOME ADVISORY COMMITTEE

The terms of Clifford Frady, Cathy Lasater, Margaret Schleining, Delores Stroup and Jane Williams expire at the end of June. Cathy Lasater has resigned; otherwise all others are eligible and willing to serve another term. Staff will continue to recruit for the vacancies.

**Commissioner Chappell moved to reappoint Clifford Frady, Margaret Schleining, Delores Stroup and Jane Williams to subsequent terms, seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chapman absent)**

### TRANSYLVANIA NATURAL RESOURCES COUNCIL

The terms of Randy Burgess, Robert Twomey, Thomas Dierolf, Mac Morrow, Steve Pagano, Carroll Parker, Larry Ragsdale, Bill Thomas and John Witherspoon have expired. Staff has had some difficulty filling several vacancies on this board and has been working over the last couple of months to recruit members and offered several recommendations. Also, Commissioners must appoint a new chair.

**Commissioner Chappell moved to:**

- 1. Waive the term limits and reappoint Randy Burgess (serves US Forest Service),**
- 2. Reappoint Robert Twomey,**
- 3. Replace Thomas Dierolf with Sid Cullipher,**
- 4. Waive the term limits and reappoint Mac Morrow (serves City of Brevard),**
- 5. Waive the term limits and reappoint Steve Pagano (serves Gorges State Park),**
- 6. Reappoint Carroll Parker,**
- 7. Replace Larry Ragsdale with Stephen MacLeod,**
- 8. Replace Bill Thomas with Marshall McCallie,**
- 9. Replace John Witherspoon with Mark Tooley, and**
- 10. Appoint Susan Brown as chair for 2011.**

**The motion was seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chapman absent)**

### JOINT HISTORIC PRESERVATION COMMISSION

The terms of Pat Childress and Reid Wood expire at the end of May. They are no longer eligible to serve another term.

**Chairman Hawkins moved to appoint James Heffel and Nilsa Lobdell to fill the upcoming vacancies, seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chapman absent)**

## NEW BUSINESS

### APPLICATION FOR LOTTERY FUNDS

Transylvania County currently has \$839,796 in lottery funds that have not been allocated for projects. The Board of Education has requested to withdraw \$96,470 for the replacement of a chiller for the air conditioning system at Pisgah Forest Elementary School and \$131,581 to help pay for teachers' salaries for a total of \$228,321. For FY 2011 the Legislature agreed that lottery funds allotted in FY 2011 can be used to pay for teachers' salaries. For the first half of FY 2011 the County has been allotted \$131,581 in lottery funds.

**Commissioner Chappell moved to approve the application for the release of \$228,321 in lottery funds to be used for the replacement of a chiller for the air conditioning system at Pisgah Forest Elementary School and pay for teachers' salaries. The motion was seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chapman absent)**

**Commissioner Hogsed moved to approve the budget amendment for the pass-through of these funds. The motion was seconded by Commissioner Chappell and unanimously approved. (4-0, Commissioner Chapman absent)**

### PERMISSION TO POST A VACANT POSITION IN CHILD PROTECTIVE SERVICES

In January the Board of Commissioners enacted a hiring freeze which requires approval from the Board of Commissioners before a vacant position can be filled.

A Child Protective Services Social Worker position will become vacant on May 31. Stoney Blevins, Social Services Director, has requested permission to fill this position as quickly as possible because the services provided by this position are mandated. There would be no additional financial impact since the position is already budgeted.

Also, the Manager asked Commissioners to cover another Child Protective Services Social Worker position with part time help. The employee in that position is currently out on Family Medical Leave. This position is also mandated.

Mr. Blevins briefly cited the caseload ratio and noted that filling the Child Protective Services position in a timely manner will largely depend on the applicant pool; otherwise he will have to send the new employee to a 4-week training session before he or she is allowed to carry a caseload.

**Commissioner Chappell moved to allow the Human Resources Director to advertise for the Child Protective Services Social Worker position and use part time staff to fill the other position, seconded by Commissioner Phillips and unanimously approved. (4-0 Commissioner Chapman absent)**

### JUVENILE CRIME PREVENTION COUNCIL

Transylvania County receives funds from the Department of Juvenile Justice and Delinquency Prevention annually and the Juvenile Crime Prevention Council (JCPC) recommends how the funds should be allocated to various agencies. This year the JCPC recommends allocation of the funds as follows:

Center for Dialogue	\$25,400
Temporary Shelter	\$ 2,943
Project Rebound	\$46,450
Project Challenge	\$21,334
Administrative	\$ 2,600
Total	\$98,727

There are no County funds required and all matches are made by the receiving agency by either cash or in-kind.

Mike West, current chair of the JCPC, commented that none of these programs are fully funded by JCPC funds. The monies are allocated to match the priorities set by the Council. He noted that the Council met 21 out of 22 standards in their State certification process which determines whether or not the program can continue. The one item noted was that there are still some vacancies on the Council.

Commissioner Chappell suggested staff take a look at the vacancies and determine if the positions can be filled by members of the general public. The Manager will consult with the attorney about this matter.

**Chairman Hawkins moved to approve the Juvenile Crime Prevention Council Plan and authorize the Chairman to sign the necessary paperwork. The motion was seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chapman absent)**

#### MOUNTAIN AREA WORKFORCE DEVELOPMENT

Over the last several years the Administrative Entity for Mountain Area Workforce Development has been housed and serviced by Buncombe County. The costs of serving as the Administrative Entity exceeded \$438,000 in FY 2010. Buncombe County has been working with the Workforce Development Board to transition this administrative service to the Land of Sky Regional Council. Approximately 60% of Workforce Investment Administrative units in North Carolina are performed by local Councils of Government. The transition to Land of Sky will not reduce services or negatively impact service delivery. With the transition, Mountain Area Workforce Development employees will retain their jobs, salaries, State retirement status, and years of service in the State system. The services will continue to be delivered at the same sites thus the transition should be seamless to the public being served. To move forward with the transition each county being served must approve the Mountain Area Local Consortium Agreement and approve a resolution designating the chairman of their respective county to sign the Agreement.

Phil Monk with the Mountain Area Workforce Development Board gave a brief summary of the services they provide. They have a contract with Transylvania County Schools to provide drop out prevention programs and other youth programs. They also serve adults and dislocated workers in providing them with books, tuition and fees to attend career development courses at Blue Ridge Community College. In addition, they offer grants to companies to train existing workers and those grants attempt to build the strength of the businesses and improve the skills of the employees so that the businesses will become more resilient during difficult economic times and make workers more prepared for job changes and possible layoffs and plant closures. Mr. Monk does not anticipate any changes with the transfer of the program to Land of Sky.

In terms of cost, the Mountain Area Workforce Development has not been charged for indirect costs by Buncombe County over the years. They will however pay indirect costs to the Land of Sky. Indirect costs cover personnel administration, financial transactions, and some of the reporting procedures that are necessary for routine operation of the program. Mr. Monk said there will be a substantial reduction in staff but those are mainly through attrition from having to lay off people previously. They are confident they can absorb those costs through the reduction in staff and thereby maintain services to the counties.

**Commissioner Hogsed moved to approve Resolution 15-11 and authorize Chairman Hawkins to sign the Mountain Local Area Consortium Agreement. The motion was seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioner Chappell recused himself from the vote because of the relationship his workplace has with this organization; Commissioner Chapman absent)**

(Resolution 15-11 Resolution to Authorize the Chairman To Execute Documents Pertaining to the Workforce Development Act is hereby incorporated by reference and made a part of these minutes.)

#### REQUEST TO WAIVE TIPPING FEES

Approximately two months ago Dunn's Creek Baptist Church experienced a devastating fire and was declared a total loss. Connestee Volunteer Fire and Rescue will be conducting a controlled burn of the building soon and the Church will haul the remaining debris to the landfill. The Church has requested the Board of Commissioners waive the tipping fees for the debris.

In a similar case approximately a year ago the Board of Commissioners agreed to pay the tipping fees for another church that had burned. The funds to cover the tipping fees came out of contingency funds. This amounted to \$5,234. The County has never waived tipping fees before. The County has \$40,477 remaining in contingency funds.

**Commissioner Chappell moved to authorize paying the tipping fees for debris removal at Dunn's Creek Baptist Church up to \$5,000 with funds to come from the contingency line item. The motion was seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chapman absent)**

#### WESTERN HIGHLANDS NETWORK'S FISCAL MONITORING REPORT FOR THIRD QUARTER FY 2011

Transylvania County is a member of Western Highlands Network. NC General Statutes require that the financial report be sent to the member counties for review. The Manager reported that year-to-date revenues total \$35,265,310 and expenditures total \$33,503,218 for an excess of revenues over expenditures of \$1,762,094. These funds would roll over into the fund balance at the end of the fiscal year and will help offset the loss of revenue for FY 2012.

**Commissioner Hogsed moved to accept the Third Quarter FY 2011 Financial Report for Western Highlands Network, seconded by Commissioner Chappell and unanimously approved. (4-0, Commissioner Chapman absent)**

#### RESOLUTION IN SUPPORT OF THE TOWN OF ROSMAN'S REQUEST TO US POSTAL SERVICE

For years some residents within the town limits of Rosman and outlying areas have had a Brevard mailing address. The Rosman Town Aldermen have requested the support of the Board of Commissioners in asking the US Postal Service to change these citizens' mailing addresses to a Rosman mailing address if feasible. The Manager has been in contact with Representative Shuler's office regarding this matter. Commissioners commented that this change would not just be for identity reasons but for practical purposes too, specifically with the physical addresses. There have been many instances of returned mail and problems with special deliveries as well.

**Commissioner Hogsed moved to approve Resolution 16-11, seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chapman absent)**

(Resolution 16-11 In Support of the US Postal Service Reviewing Addresses in the Rosman Area and Making Changes Where Feasible is hereby incorporated by reference and made a part of these minutes.)

#### MANAGER'S REPORT

The Manager reported the following:

- Staff continues to work on the budget
- Budget Workshops are scheduled for June 1, 2011 at 6:30 p.m., June 2, 2011 at 7:00 p.m., June 6, 2011 at 6:30 p.m. and June 7, 2011 at 6:30 p.m.; On June 2, the Tourism Development Authority will provide dinner and a presentation to elected officials from 5:30 p.m. to 6:45 p.m.

05/23/2011

Commissioner Chappell asked staff to forward the NC Legislature's preliminary budget to Commissioners. It should be available on Tuesday.

## **BUDGET UPDATE & DISCUSSION**

### BUDGET UPDATE & DISCUSSION

At the previous Commissioners' meeting on May 9, 2011, staff presented a list of potential cuts to the Board of Commissioners amounting to approximately \$500,000. Since that time, staff has received further information from the NC Association of County Commissioner regarding Medicaid Hold Harmless fees and sales taxes who now projects a favorable impact of an additional \$200,000 therefore reducing the deficit to \$300,000. The Manager has a meeting with the Sheriff this week to further discuss his budget. These figures do not include the Sheriff's budget or Transylvania County Schools. The Manager believes the County's deficit is manageable.

Transylvania County Schools has requested \$1.6 million more than received in the current year. The Manager noted that in FY 2012-13 there will be no more stimulus funds available to make up the deficit bringing the total deficit for the schools to \$2.5 million assuming no other budget changes occur. Two members each from the Board of Commissioners and Board of Education will be meeting at the end of the week to discuss the budget request further. Staff and Commissioners have been in contact with the schools with several questions and the Board of Education and its staff has graciously provided answers to those questions. Now staff is trying to determine the impact on the schools if their budget was not granted at the level requested.

The Manager reported that the budget books will not be as detailed since Commissioners have had much of the budget information in hand since March. Staff will provide information on the changes to the budget since then as well as projections for FY 2012-13. Staff will prepare the information this week for the Board.

The Manager noted one change from the budget reductions presented at the previous meeting. He included Commissioners' suggestions to reduce the health insurance fund balance by \$50,000 rather than \$100,000. Staff has included some smaller items as well that further reduces the deficit. Staff will provide that information in the budget books. He again noted this does not include the Sheriff's budget. The Sheriff has requested several new vehicles in his budget.

Commissioner Phillips noted that he and Commissioner Chapman have met with the Sheriff on a few occasions concerning his budget. He thanked the Sheriff for his efforts to help the County during these economic times.

Commissioner Chappell noted if the Board of Education's request is fully funded, that would be a 15.9% increase over the current budget which includes both current expense and capital outlay. The Manager explained that the Board of Education actually requested \$1.8 million and asked the County to reduce the capital outlay by \$200,000 which would go towards current spending. They also plan to use \$200,000 of their fund balance and \$200,000 in lottery funds to help bridge the gap.

Chairman Hawkins thanked Department Heads and staff for helping the Board move forward by continuing to make budget reductions. He said Commissioners continue to have contact with the Board of Education and he is optimistic that both Boards will come to a resolution that will help maintain excellence in the schools.

## PUBLIC COMMENT

Edwin Jones: Mr. Jones invited Commissioners to attend a “church chicken for charity” event at Brevard-Davidson River Baptist Church during the White Squirrel Festival from 11 a.m. to 6:00 p.m. The proceeds from the event will go towards one of the Church’s local ministry outreach programs and will help people take care of some repairs in their homes such as plumbing or roof problems, etc. and help ensure that people’s homes are safe.

The Manager updated Mr. Jones on an issue he brought forth at a previous meeting regarding standing water near the old Ecusta plant. The Manager said someone associated with the old plant believes some of the pipes that travel underneath the road and old railroad may be clogged and plans to address the issue.

Joe Castro: Mr. Castro is the Director of Smart Start in Transylvania County. He reported that the proposed budgets by the NC Legislature will negatively impact early education programs in Transylvania County. The NC Senate is proposing deeper cuts than the NC House. He spoke on behalf of Smart Start and More at 4 because these are the two programs that serve children below the age of 5. He asked Commissioners to contact Senator Davis and ask him not to inflict deeper cuts to these programs. The NC House proposal alone could cut their budget by \$80,000. Mr. Castro distributed some facts and figures to the Board in reference to the impact of early education in North Carolina.

Don Surrence: Mr. Surrence commented that the Sesquicentennial presentation on Mrs. Stonewall Jackson was impressive. He also expressed gladness that the County continues to find reductions in its budget. He said there continues to be more people signing petitions that are willing to pay more taxes and he encouraged them to do so.

Bill Ragland: Mr. Ragland serves as the County’s appointment to the Workforce Development Board which works to ensure that Transylvania County gets its fair share of funding. He invited Commissioners to contact him with any questions concerning workforce development. Also, Mr. Ragland encouraged Chairman Hawkins to seek appointment as the Board’s designated chief elected official.

## COMMISSIONERS’ COMMENTS

Commissioner Chappell asked everyone to remember the true meaning of the upcoming holiday weekend. Memorial Day is dedicated to remember those who made the ultimate sacrifice. Also, on behalf of the Bagwell family, he thanked everyone that participated in and donated to the Charlie Bagwell Scholarship Fund event to raise money for the scholarship.

Chairman Hawkins responded to Mr. Castro and said it is also important to contact the budget conferees who will be deliberating on the budgets submitted by both the House and Senate. He noted that Representative Guice will be serving as a conferee.

## ADJOURNMENT

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

ATTEST:

---

Mike Hawkins, Chair  
Transylvania County Board of Commissioners

---

Trisha M. Hogan  
Clerk to the Board

05/23/2011