

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
September 12, 2011 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, September 12, 2011 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

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

Media: *Hendersonville Times News* – Leigh Kelley
The Transylvania Times – Mark Todd

There were approximately 25 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 HEARING

TRANSYLVANIA COUNTY HAZARD MITIGATION PLAN UPDATE

Transylvania County and its municipalities are required by the “Disaster Mitigation Act of 2000” and “44 CFR Parts 201 and 206” to review, update, and submit for approval their Hazard Mitigation Plan every five years in order to remain eligible for federal disaster assistance funding. This plan identifies hazards within the jurisdiction, provides a history of occurrences, and outlines mitigation goals, objectives, and actions for each hazard to be carried out if possible over the subsequent five year period.

Over the last year through a series of 10 meetings, Transylvania County Emergency Management staff has coordinated the federally required five year update of the Transylvania County Multi-Jurisdictional Hazard Mitigation Plan. This plan includes the jurisdictions of Transylvania County, the City of Brevard, and the Town of Rosman.

Agencies participating in this process included Emergency Management, Planning and Economic Development, Building Permitting and Enforcement, Soil and Water Conservation District, City of Brevard Planning Department, City of Brevard Public Services, Brevard Police Department, Brevard Fire Department, Town of Rosman, NC Division of Forest Resources, Gorges State Park, and USDA Natural Resources Conservation Service.

There was a public meeting held June 21, 2011 at 7:00 p.m. at the Public Safety Facility with no public participation. On June 23, 2011 the proposed plan update was submitted to North Carolina Emergency Management for their review and approval. Approval was received the same day at which time the plan was forwarded to FEMA for their review and approval. A letter of approval from FEMA subject to formal local adoption was received on July 19, 2011 with no required revisions other than inclusion of adoption resolutions from the respective jurisdictions.

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In order to finalize this process a public hearing is required followed by a resolution adopting the plan from the three political jurisdictions participating in the plan.

Transylvania County Emergency Planner Anita Lowe reported on the changes to the plan. One significant change was that the County was allowed to remove hazards that do not apply to the County, such as volcanoes and tsunamis. Staff also updated the historical data of occurrences that have happened within the last five years since the last update and also added a few new maps, which included the dam classification map, the City of Brevard future land use map, and a map showing the federally owned land.

Part of the process also included updating the mitigation action plan. Staff's largest focus centered on the process for providing public information and notification. Copies of the plan are available on the County website, at the Town of Rosman and City of Brevard, and at the office of County Emergency Services.

Chairman Hawkins declared the Public Hearing open at 7:12 p.m.

There were no comments from the public.

Chairman Hawkins declared the Public Hearing closed at 7:13 p.m.

This item will be placed on the next meeting agenda for approval by resolution.

PUBLIC COMMENT

Eleanor Mockridge: Ms. Mockridge thanked the County for the work and the resources that went into producing the 150th Birthday Celebration on September 3. She said the event was fabulous. Ms. Mockridge also said she has enjoyed attending some of the community events and looks forward to attending the others. Again, she thanked everyone for a great celebration.

Joseph Skowron: Mr. Skowron spoke out against the proposed false alarm ordinance. He said the ordinance as written infringes on his business, particularly the parts about requiring an annual fee and permit and regulations about the certain type of system he must use. He does not understand the bearing these things have on an emergency call because emergency services agencies are obligated to respond. If the response occurs as the result of a false alarm, then he expects to be penalized and fined accordingly. He urged the Board to reconsider the ordinance and keep it simple.

Chairman Hawkins responded that this item will be discussed during the meeting. Commissioner Chapman added that Commissioners have already talked about removing the permit application and fees and support that action.

Gerry Hunsicker: Mr. Hunsicker said he is concerned about four bills being discussed in the NC Legislature that could affect Transylvania County and that could allow for the "backdoor" of the reclassification of Boylston Creek. He urged Commissioners to consider a resolution opposing the reclassification of all waterways in Transylvania County in order to protect citizens' property rights.

Mr. Hunsicker said the County should award bids for different projects to local contractors. Commissioner Hogsd responded that NC laws govern the bidding and contracting process and includes provisions that prohibit counties from showing favoritism.

AGENDA MODIFICATIONS

The Manager reported on the agenda modifications and requested to add Item IX-H NC 215 Project under New Business and to move the Manager's Report to Item IX-I. The Manager also requested to add

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Closed Session per NCGS 143-318.11 (a) (4) to discuss matters relating to the location or the expansion of industries or other businesses in the area served by the public body.

Commissioner Hogsed moved to approve the revised agenda, seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chappell absent)

CONSENT AGENDA

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

The following items were approved:

MINUTES

The minutes of the August 22, 2011 regular meeting and sealed closed session were approved.

FACILITIES USE REQUESTS

The use of Silvermont by the Transylvania County Republican Party on Saturday, October 22, 2011 for its Autumn Fundraiser was approved. User fees will apply.

The use of the Courthouse gazebo on Saturday, September 23, 2011 from 4:30 p.m. to 6:00 p.m. by the White Squirrel Brass for a brass quintet performance for the Transylvania Community Arts Council's 4th Friday Gallery Walk was approved.

The use of the Courthouse gazebo by the Rotary Club of Pisgah Forest on Saturday, November 29, 2011 from 7:00 a.m. to 5:00 p.m. to hold a food drive for the Sharing House was approved.

The use of the large courtroom in the Courthouse by the Heart of Brevard on Saturday, December 3, 2011 from 5:30 p.m. to 8:00 p.m. during the Twilight Tour to provide entertainment was approved. There will be user fees associated with the use of this facility because security is required.

The use of the old detention facility by a film company to shoot some scenes for an upcoming movie was approved along with indemnification agreements so that the County will be held harmless should accidents occur during filming.

PRESENTATIONS/RECOGNITIONS

RESOLUTION DECLARING THE WEEK OF SEPTEMBER 17-23, 2011 AS CONSTITUTION WEEK

Saturday, September 17, 2011 begins the national celebration of Constitution Week and a weeklong commemoration of America's most important document. A resolution petitioning Congress to set aside September 17-23 annually to be dedicated to the observance of Constitution Week (submitted by the Daughters of the American Revolution) was signed into Public Law #915 on August 12, 1956 by President Dwight D. Eisenhower.

The aims of the celebration are to (1) emphasize citizens' responsibilities for protecting and defending the Constitution, preserving it for posterity; (2) inform people that the Constitution is the basis for America's great heritage and the foundation for our ways of life; and (3) encourage the study of the historical events which led to the framing of the Constitution in September 1787.

Commissioner Hogsed moved to approve Resolution 35-11 Declaring the Week of September 17-23, 2011 as Constitution Week, seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chappell absent)

(Resolution 35-11 Declaring the Week of September 17-23, 2011 as Constitution Week is hereby incorporated by reference and made a part of these minutes.)

APPOINTMENTS

PERSONNEL BOARD

Staff has been recruiting applicants to fill a long time vacancy and the expired term of Mark Emory. There are now three eligible applications on file.

Commissioner Hogsed nominated and moved to appoint Nancy Stricker and Scotta Orr to fill the vacancies, seconded by Commissioner Chapman and unanimously approved. (4-0, Commissioner Chappell absent)

JURY COMMISSION

The term of Gay Phillips expired at the end of June. It is the recommendation of Clerk of Superior Court Rita Ashe to reappoint Ms. Phillips to serve another term.

Commissioner Hogsed moved to reappoint Gay Phillips to serve another term, seconded by Commissioner Chapman and unanimously approved. (4-0, Commissioner Chappell absent)

WCCA BOARD OF DIRECTORS

The terms of Nicola Melby and Ron Schieve expired at the end of August. Both are eligible for reappointment. It is the recommendation of David White, the Executive Director of WCCA, to reappoint Nicola Melby and Ron Schieve to serve another term.

Commissioner Phillips moved to reappoint Nicola Melby and Ron Schieve to serve another term, seconded by Commissioner Chapman and unanimously approved. (4-0, Commissioner Chappell absent)

TRANSYLVANIA COMMUNITY ARTS COUNCIL BOARD OF DIRECTORS

Planning and Economic Development Director Mark Burrows has requested that someone else be appointed to represent the County on the Transylvania Community Arts Council Board of Directors. Mr. Burrows has served in this capacity since approximately 1992.

The Board of Directors meets the 2nd Wednesday of each month at noon at the Arts Council. The meetings last approximately 1 hour. The next meeting dates are: 9/14, 10/12, 11/9, and 12/14.

Commissioner Chapman nominated and moved to appoint Chairman Hawkins to represent the County on the Transylvania Community Arts Council Board of Directors. The motion was seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chappell absent)

OLD BUSINESS

FALSE ALARM ORDINANCE

Due to an increasing number of false alarms over the past few years, the Board of Commissioners asked staff to draft a proposed False Alarm Ordinance for its review. A Public Hearing was held on Monday July 25, 2011. There were no comments made at the meeting, however, staff did receive comments from the chiefs of six volunteer fire rescue departments. At the August 22, 2011 meeting it was the consensus of the Commissioners to eliminate the requirement for a permit application and permit fee and to keep the ordinance itself as simple as possible. Staff worked with the County Attorney to draft a revision. Under

this new proposal the fines themselves would encourage compliance. There are provisions still included in the ordinance that addresses the type of equipment allowed.

The Manager asked the Board to discuss the revisions and direct staff on how to proceed.

Commissioners discussed the revisions at length and expressed the following:

1. Consideration should be given to businesses like hospitals or nursing homes with regards to false alarms
2. Ordinance needs to be as simple as possible and once a business or homeowner reaches its third false alarm, the County should impose the fine and send a bill accordingly
3. Ordinance will not affect the overall public very much, only those that have numerous false alarm calls
4. Agree that the purpose of the ordinance is not to penalize the public or affect the lives of citizens, but rather to ensure that emergency personnel are exposed to the least amount of risk
5. Fines should go along way to reduce the false alarm calls
6. Requested explanation of the automatic dial protection device requirement
7. Requested ceiling for the penalties of \$100 per day

The Manager and staff offered the following responses and additional information:

1. Ordinance addresses the responsibilities of alarm owners and stresses the importance of providing updated information to the monitoring center
2. Ordinance includes the provision of governmental immunity and defines the appeals process; the draft has been shortened significantly from the original proposal
3. Ordinance encourages owners to maintain equipment to reduce false alarms
4. There are a small handful of alarm users that emergency services agencies respond to habitually; most users keep their equipment up to date and fix any problems that arise
5. Emergency services agencies have experience in dealing with businesses such as nursing homes, etc.; technically speaking, false alarms are not considered false alarms because the alarm worked properly; many calls occur because a patient pulls the alarm
6. The ordinance only applies in the jurisdiction of the County; the City of Brevard and Town of Rosman would have to adopt this ordinance within their jurisdictions
7. Automatic dialing devices are sometimes installed onto alarms; these devices would call into the E-911 Center using a prerecorded message that announces an emergency but does not provide the address or direction to the emergency; the device locks up a phone line; this ordinance prohibits the use of the device
8. Agreed to include daily cap on penalties
9. Ordinance does more than prevent false alarms; it makes sure the monitoring center has up to date information to provide to first responders when they arrive to a call; puts responsibility on the owner to provide updated contact and key holder information to the monitoring station
10. Will take appropriate measures to educate the public and alarm companies

Commissioners instructed staff to incorporate the changes discussed by the Board and provide an updated ordinance for the Board's consideration at a meeting in October. Commissioners also instructed staff to forward a copy of the draft ordinance to the City of Brevard and Town of Rosman for their possible consideration.

NEW BUSINESS

APPLICATION FOR LOTTERY FUNDS

The Transylvania County Board of Education has requested to draw down \$128,000 in lottery funds in order to pay for the clean up of underground storm water and drainage lines and to pave parking lots.

Lottery funds are allocated to counties by formula. The Board of Commissioners must approve the Board of Education's request to draw down lottery funds since the funds pass through the County.

Commissioner Phillips moved to approve the application to draw down \$128,000 in lottery funds by the Board of Education, seconded by Chairman Hawkins and unanimously approved. (4-0, Commissioner Chappell absent)

REQUEST FROM TOWN OF ROSMAN TO CONSTRUCT STEPS ON COUNTY PROPERTY

Rosman Mayor Brian Shelton has requested that the Town be granted permission to build steps down to a grassy area on property that the County owns adjacent to Rosman Town Hall. Building Permitting Director Jeff Fisher met with Mayor Shelton to discuss what would be required to meet building code and become ADA compliant. Furthermore, Mayor Shelton indicated that the project costs were being covered by private donations; however additional building code requirements may exceed the funds available. The cost of the project is unknown at this time. The site would be used by the Town for Rosman Heritage Day and other Town events. The Manager believes this project enhances the County's property and he asked Commissioners to grant permission to the Town to move forward with the project.

Commissioner Chapman moved to grant permission to the Town of Rosman to build steps on County property as long as the building code requirements are met. The motion was seconded by Commissioner Hogsed. Commissioners instructed the Manager to communicate to the Town of Rosman to keep the County posted on this project and to request assistance from the County if needed. The motion was unanimously approved. (4-0, Commissioner Chappell absent)

REQUEST TO FILL A VACANT POSITION

The Public Health Nurse III/Clinical Services Supervisor position in the Health Department is now vacant. Job responsibilities tie directly to mandated services for adult health, communicable disease and women's health services. Having this position also assures conformance with mandated services, accreditation standards, legal requirements and agreement addendum standards. If the position remained vacant, the clinical caseload would have to be decreased which would compromise program compliance efforts and likely reduce the department's ability to draw down State program funds. Revenues associated with clinical services would also decline. It is highly likely that this position will be filled internally.

Chairman Hawkins moved to approve filling the Public Health Nurse III/Clinical Services position, seconded by Commissioner Phillips and unanimously approved. (4-0, Commissioner Chappell absent)

REQUEST TO PROVIDE UP TO 150 DOSES OF FREE FLU VACCINE TO THE FREE CLINIC

For the past several years the Health Department has provided free flu vaccines to the Free Clinic. The Board of Health is making the request again this year and is asking permission to provide up to 150 doses of the vaccine to the Free Clinic in time for the upcoming flu season. The request would not compromise the budget obligations in the current budget and will be given to the Free Clinic on an incremental basis as needed.

Commissioner Chapman moved to approve giving up to 150 doses of the flu vaccine to the Free Clinic at no cost. The motion was seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chappell absent)

COMMUNITY PARK NEAR ROSMAN

The Board of Commissioners approved moving forward with Phase 1 of the Community Park near Rosman in October, 2010. Phase 1 consisted of completing all the drainage, constructing the parking lots and leveling the fields, which was completed in August 2011.

Staff put together an estimate of the cost of the remaining phases per the Manager's instruction. Also, staff recently learned that the State is making funds available for recreation projects through the Parks and Recreation Trust Fund (PARTF). The applications are due January 31, 2012.

Parks and Recreation Director Rick Pangle said the plan would be to phase out the project somewhat longer, that way the project continues to move forward. This will also increase the County's opportunity to receive grant funds particularly because the Board has made a commitment to the project. Mr. Pangle suggested that parts of phase 2 begin this fall so that people can begin using the park by spring 2012. He requested Commissioners consider funding now for the fencing for the large baseball field, for moving the fencing from the Wood Yard field, and for purchasing infield dirt and bases, etc. and four small sets of bleachers. The cost would be approximately \$53,000. In the mean time, staff will prepare a PARTF grant application for approval and submittal in January. PARTF grants are awarded in May.

In response to comments from Commissioner Chapman, Mr. Pangle noted that this would also provide space for soccer and other activities. He noted there may also be monies made available by the Transylvania Youth Soccer Association to purchase goals.

Mr. Pangle explained the grant process further at the request of Commissioner Chapman. He reported that the PARTF grant requires a local match. The maximum grant request and award is \$500,000. The monies are awarded by a PARTF Board and it meets in the spring of each year to allocate the funds. A second funding cycle occurs in July.

The Manager concurred with Mr. Pangle's suggestions and asked that the Board authorize funds in the amount of \$53,000 to begin phase 2 in the fall and furthermore to allow staff to begin preparing a PARTF grant application for the Board's consideration in January. He reminded Commissioners that they have already made a significant investment in this project and he believes it will be a great opportunity for the public.

Commissioner Phillips moved to allow staff to move forward with preparing a PARTF grant application for future approval and to approve \$53,000 from Fund Balance to begin phase 2 of the project. The motion was seconded by Commissioner Hogsed. Commissioners thanked all those who have worked on the project. The motion was unanimously approved. (4-0, Commissioner Chappell absent)

RESOLUTION DELAYING THE 2013 REVALUATION CYCLE

The next revaluation is scheduled to occur in FY 2013. The County's sales assessment ratio has not changed significantly (the 2011 ratio is 98.77%) since the last revaluation; therefore the Tax Administrator is requesting that the next revaluation cycle be delayed until January 2016. North Carolina General Statute 105-286 (a) (2) allows the Board of Commissioners to change the date of the revaluation earlier than required which is currently every eight years. The proposed date would be in the seventh year of the cycle.

Tax Administrator David Reid explained that a county's sales assessment ratio is a comparison of a property's sales price to its tax value. Several years ago the County delayed the revaluation because the sales assessment ratio indicated no significant changes and there was little reason to go through the experience, plus revaluations are costly and time consuming to staff. He asked Commissioners to consider delaying the 2013 revaluation cycle for the same reasons.

The sales assessment ratio in 2009 was 99.6%. Currently in the third year of the 2009 revaluation cycle, the sales assessment ratio has decreased to 98.77%. He does not believe the figure will fall below 95% by the fourth year. What the sales assessment ratio says to him, while it may be controversial, is that if the County were to move forward with the revaluation in 2012, property values would probably increase

slightly across the board. Another problem is the number of sales are down dramatically and it is difficult to appraise property without good sales data. Mr. Reid further noted that if property values are reduced, Commissioners would have to increase the tax rate in order to remain revenue neutral. There are always winners and losers when revaluations occur and the reason for revaluations is to gain a higher level of equity. Currently the tax valuations are holding strong and are slightly under what properties are selling for. He noted that foreclosures and family transactions are not considered in determining the sales assessment ratio.

In response to a question from Commissioner Chapman, Mr. Reid said the cost of doing a revaluation with an outside contractor could cost \$10-\$20 per parcel which is upwards of \$500,000. An in-house revaluation would cost less at somewhere between \$150,000 and \$200,000. He said he does not have enough staff at this time to complete an in-house revaluation especially since more work would be involved due to the fact that there is not much sales data. Furthermore, it takes approximately two years to complete a revaluation. However if property values were to start dropping or increasing, staff could come back to the Board in 2013 to change the revaluation date.

Commissioners discussed this item briefly and preferred to decide upon this matter when a full Board was present and furthermore they would like to hear from citizens on this item.

Commissioner Chapman moved to table the consideration of the resolution to delay the revaluation until the first meeting in October. The motion was seconded by Commissioner Phillips. Mr. Reid said that equity still exists across the County which is quantified by the fact that the number of sales are down significantly, but when sales occur the values are holding well. He also noted that the Department of Revenue has concurred with the County's sales assessment ratio. **The motion passed unanimously. (4-0, Commissioner Chappell absent)**

ROCK CREEK BRIDGE

The North Carolina Department of Transportation (NCDOT) is in the process of developing alternatives for constructing a new bridge over US 64 West, a major transportation artery in Transylvania County. The original proposal was to construct a temporary bridge over Rock Creek that would extend into Burlingame's golf course. A public meeting was held at the Sapphire/Whitewater Community Center to explain the proposal. At the request of the residents of Burlingame another meeting with NCDOT officials was held at the golf course to examine the impact this would have on the golf course. It was determined that this detour would significantly impact the golf course and NCDOT officials learned about several utility pipes and lines in the area that would have to be dealt with which would add to the cost of the project. Therefore the residents encouraged NCDOT officials to consider the possibility of another detour that would close US 64 and go from NC 281 South to SC 130 to SC 413 to SC/NC107 back to Cashiers to US 64.

According to Tracy Walter with the NCDOT the bridge project is to be let in February of 2013 with the construction period in April 2013 – July 2013. Mr. Walter has asked the Board of Commissioners to comment on this detour proposal. On Wednesday, September 7, 2011 the County Manager held a meeting with representatives from Lake Toxaway Volunteer Fire Rescue, Transylvania County Schools, Transylvania County Emergency Medical Services, Transylvania County Communications and Transylvania County Emergency Management to discuss how this detour alternative might impact the various agencies. It was the consensus of this group that the NCDOT should keep one lane open during construction which would lessen the overall impact to traffic in this area. Otherwise, shutting down the road and creating a detour would have a negative impact on tourism and businesses in the area and would increase emergency response time.

County EMS Director Bobby Cooper recently traveled the detour route and reported the following:

- From the intersection of US 64 and NC 281 South (Whitewater) to Wiginton Road (SC) is 9.6 miles and takes 13 minutes
- From Wiginton Road to NC 107 is 2.2 miles and takes approximately 4 minutes
- From NC 107 to US 64 in Cashiers is 10 miles and takes approximately 14 minutes

The total miles for the detour to Cashiers is 21 miles and takes approximately 28 minutes. Furthermore, from Cashiers to the intersection of US 64 and NC 281 South using US 64, the distance is 10 miles and takes approximately 14 minutes. Anyone traveling from Cashiers to a point below the intersection of US 64 and NC 281 (Whitewater) would have an increased distance of 11 miles and an increased time of 14 minutes.

The Manager noted that NCDOT officials are considering the option to keep one lane of traffic open during construction. They plan to hold another public meeting to gather input from citizens and local businesses.

Commissioners briefly discussed this item and agreed with the recommendation that the NCDOT should keep one lane of traffic open during the construction of the bridge. They believe the County can not afford the impact of a detour.

Commissioner Hogsd moved to authorize Chairman Hawkins to send a letter to Tracy Walter with the NCDOT indicating that the Board of Commissioners has discussed the proposal and would ask them to consider leaving one lane of traffic open during construction of the Rock Creek Bridge. The motion passed unanimously. (4-0, Commissioner Chapman absent)

NC 215 Project

The number one transportation project for Transylvania County for a number of years has been the construction of a new route to Balsam Grove, project number R 2594. Several alternatives have been reviewed including a new road that would begin at Cherryfield and come out at SR 1379 south of Balsam Grove. Another alternative is to make improvements to the existing road which essentially would mean an off-site detour and a construction period of five years. North Carolina Department of Transportation (NCDOT) officials recently met with construction experts and three independent construction contractors to discuss the challenges of trying to improve NC 215 on its current alignment. Their conclusion was that the realignment alternative would be very difficult given they would have to maintain access for those living along the realignment area. In addition there is no nearby location to store the tremendous amount of material that would be hauled away and an offsite detour would be needed for the entire construction period. On the other hand, a new route could be constructed while maintaining the old route which would require no detours. The Manager asked the Board to approve a resolution in favor of constructing a new two-lane road at a new location. The Manager also noted that through years of public meetings, it has been the consensus of the citizens to construct a new route to Balsam Grove.

If approved, the next steps for the County would be to forward the resolution to NCDOT officials. The NCDOT would then begin the process of gaining rights-of-way, etc.

Commissioner Phillips moved to approve Resolution 36-11 In Support of the Construction of a New NC 215 at a New Location, seconded by Commissioner Hogsd and unanimously approved. (4-0, Commissioner Chappell absent)

(Resolution 36-11 In Support of the Construction of a New NC 215 at a New Location is hereby incorporated by reference and made a part of these minutes.)

MANAGER'S REPORT

The Manager reported the following:

1. Reminded Commissioners of the Secondary Roads Meeting with the NC Department of Transportation on Tuesday, September 27, 2011 at 5:30 p.m. in the Community Services Building Conference Room
2. Staff reviewed closed session minutes as required per policy and there are none to open at this time
3. When the Public Safety Facility was constructed, the City required that the County construct a sidewalk along Morris Road within two years after the completion of the project and the time has come to construct the sidewalk; staff is ready to go out for bids; there are monies set aside for the project
4. Bids are due on the renovation of the old Sheriff's Building on September 27, 2011
5. The audit is underway
6. The Board of Elections is unveiling its new website on Friday and is holding an open house for the public in the Rogow Room at the Library from 3:00 p.m. to 5:30 p.m.
7. The Cedar Mountain Community event is Saturday; the Manager thanked all those who helped with the Birthday Party celebration on September 3, 2011; there are still several events occurring from now until the end of the year

PUBLIC COMMENT

Karen Brinson: Ms. Brinson is the Board of Elections Director. She commented about the Rock Creek Bridge project and noted that when roads are closed voters can not get to the polls. She announced that Board of Elections Chairman Jack Hudson was elected as the President of the Elections Board Association of North Carolina. He will be representing all 100 elections boards in the State and he was elected by his own colleagues. This left a spot available on the District Board and Ladene Newton was elected as Secretary of the District Board.

Edwin Jones: Mr. Jones said a good reference to refer to on the Rock Creek Bridge project is when the Little East Fork of the Pigeon River flooded when the hurricanes came through a few years ago. The hurricanes washed out two or three bridges on Little East Fork Road which goes from Highway 215 in Haywood County to Camp Daniel Boone. He said it took approximately three years to replace the bridges and in order to facilitate traffic in those areas massive steel one-lane bridges were installed and a system of stoplights was used that would allow traffic to go in either direction.

COMMISSIONERS' COMMENTS

Commissioner Chapman announced that this past Saturday he and Commissioner Chappell attended a function at the Lake Toxaway Community Center that was sponsored by the Mountain Resource Group, a group of citizens that has come together in Lake Toxaway that supports its local community. This event was billed as a safety day. EMS staff conducted blood pressure checks, etc. The group also sponsored a program at TC Henderson Elementary School where students participated in an essay contest about what it means to be an American. Prizes were awarded to the winners. Commissioner Chapman said this group is doing some impressive things in their community and he encouraged Commissioners to support them in any way they can.

Chairman Hawkins reported that TVS recently celebrated a new contract they received which provides food product to the people of Haiti. This project helps TVS and also does something good for people in the world. He congratulated TVS and staff on being awarded the contract.

Chairman Hawkins moved to go into closed session per NCGS 143-318.11 (a) (4) to discuss matters relating to the location or the expansion of industries or other businesses in the area served by the public body, after a 5 minute recess. The motion was seconded by Commissioner Hogsed and unanimously carried. (4-0, Commissioner Chappell absent)

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or the expansion of industries or other businesses in the area served by the public body, closed session was entered to at 9:35 p.m. Present were Chairman Hawkins, Commissioners Chapman, Hogsed, and Phillips, County Manager Artie Wilson, County Attorney Curtis Potter, and Clerk to the Board Trisha Hogan.

Commissioners discussed a potential economic development opportunity and instructed staff on how to proceed.

Chairman Hawkins moved to leave closed session, seconded by Commissioner Hogsed and unanimously carried. (4-0, Commissioner Chappell absent)

OPEN SESSION

Chairman Hawkins moved to seal the minutes of the closed session until such time that opening the minutes does not frustrate the purpose of the closed session, seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Chappell absent)

ADJOURNMENT

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

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board