

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
October 14, 2013 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, October 14, 2013 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

Commissioners present were Vice-Chairman Larry Chapman, Jason Chappell, Chairman Mike Hawkins, Daryle Hogsed and Page Lemel. Also present were County Manager Artie Wilson, County Attorney Tony Dalton, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Eric Crews

There were approximately 40 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding called the meeting to order at 7:04 p.m.

WELCOME

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

PUBLIC HEARING

RURAL OPERATING ASSISTANCE PROGRAM FUNDING APPLICATION

Each year the County makes application to the NC Department of Transportation for the Rural Operating Assistance Program (ROAP). This year the application is for \$143,001. The programs are paid 100% by the State. The only match required is a 10% match for general public transportation. It is matched by charging a small fare to these individuals.

The programs included in the ROAP are:

1. Elderly and Disabled Transportation which provides operating assistance for the transportation of elderly and disabled citizens (\$59,950).
2. Employment Transportation Assistance for transitional Work First, Workforce Development Programs and general public employment transportation needs (\$12,780).
3. Rural General Public Program to provide transportation services to individuals who are not clients of a human services agency and live in non-urbanized areas (\$70,271).

A public hearing is required prior to the County making application. Public involvement forms were made available to the public as required by the grant.

Chairman Hawkins declared the public hearing open at 7:08 p.m. There were no comments from the public. Therefore, **Chairman Hawkins declared the public hearing closed at 7:09 p.m.** This item will be discussed under New Business later in the meeting.

PUBLIC COMMENT

There were no comments from the public.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Hogsed moved to approve the agenda as submitted, seconded by Commissioner Lemel and unanimously approved.

CONSENT AGENDA

Commissioner Lemel moved to approve the Consent Agenda, seconded by Commissioner Chapman and unanimously approved.

The following items were approved:

MINUTES

The minutes of the August 26, 2013 regular meeting were approved.

IN RECOGNITION OF JUDY R. BURRELL

Judy Burrell will retire from Transylvania County effective November 1, 2013. She has been an employee of the Department of Social Services since 1998. Commissioners approved Resolution 33-2013 In Recognition of Judy R. Burrell.

(Resolution 33-2013 In Recognition of Judy R. Burrell is hereby incorporated by reference and made a part of these minutes.)

IN RECOGNITION OF DONNA M. BANKSTON

Donna Bankston will retire from Transylvania County effective November 1, 2013. She has been an employee of the Tax Administration Department since 2003. Commissioners approved Resolution 34-2013 In Recognition of Donna M. Bankston.

(Resolution 34-2013 In Recognition of Donna M. Bankston is hereby incorporated by reference and made a part of these minutes.)

IN RECOGNITION OF THE 75TH ANNIVERSARY OF THE BREVARD LIONS CLUB

The Brevard Lions Club will celebrate its 75th Anniversary this year. The organization works tirelessly in this community to help improve the lives of the less fortunate. Commissioners recognized them upon their 75th Anniversary and approved Resolution 36-2013 In Recognition of the 75th Anniversary of the Brevard Lions Club.

(Resolution 36-2013 In Recognition of the 75th Anniversary of the Brevard Lions Club is hereby incorporated by reference and made a part of the minutes.)

PRESENTATIONS/RECOGNITIONS

C.A.R.E. COALITION PRESENTATION

Kathleen Mallet is the Project Coordinator for C.A.R.E. Coalition. C.A.R.E. is a coalition that supports substance abuse prevention efforts in Transylvania County. They operate under the Land of Waterfalls Partnership and funding is provided by the State of North Carolina Coalitions Initiative. Over the past year C.A.R.E. completed an assessment of the County in order to gauge drug and alcohol abuse. What they learned confirmed what they already knew, that there is a huge problem in this community with addiction to prescription pills. Since that time they have strengthened the coalition and included more stakeholders in the community.

C.A.R.E. has also created a logic model and a strategic action plan. They are now in phase 2 of the implementation looking at how they can make some changes in the community. Their Fall campaign which begins during Red Ribbon Week is an effort to get citizens to commit to using their medications as prescribed and disposing unused medications in a safe manner. C.A.R.E. will have a booth at the downtown Halloween Festival where they intend to give away 50 lockboxes to those who will sign the pledge and commit to using their medications responsibly. Ms. Mallet informed everyone that there are medication drop boxes at the Sheriff's Office and soon at the Brevard Police Department where people can drop off unused medications. Part of C.A.R.E.'s campaign is to make more people aware of this.

C.A.R.E. created a website (www.transylvaniacare.org) which provides information about the work they are doing. C.A.R.E. has also started a support group for parents and grandparents who have children and grandchildren with chemical addictions. Funding for C.A.R.E. ends in June. Therefore C.A.R.E. may be seeking funding from the County to help them continue their work. C.A.R.E. has recently hired a grant writer as well.

Ms. Mallet finalized her presentation by doing a demonstration representing the number of drug overdoses, suspended students, etc. that have occurred over the last year. She thanked Commissioners for allowing her to make this presentation and she invited everyone to attend C.A.R.E. meetings.

Commissioners thanked Ms. Mallet and the C.A.R.E. Coalition for all they do to help those with substance abuse issues in the community.

PROCLAMATION NATIONAL RED RIBBON WEEK 2013

Kathleen Mallet, Project Coordinator for the C.A.R.E. Coalition, requested that Commissioners declare the week of October 23-31, 2013 as National Red Ribbon Week. National Red Ribbon Week is an ideal way for people and communities to unite and take a visible stand against substance abuse. Chairman Hawkins read aloud the Proclamation for the benefit of the public.

Commissioner Lemel moved to approve Resolution 35-2013 National Red Ribbon Week 2013, seconded by Commissioner Chappell and unanimously approved.

(Resolution 35-2013 National Red Ribbon Week is hereby incorporated by reference and made a part of these minutes.)

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Each year the Government Finance Officers Association (GFOA) reviews the comprehensive annual financial reports of governmental agencies to determine if there is adherence to governmental regulations, if it is meeting the high standards of the GFOA program, and if it communicates a full disclosure financial story of the governmental entity. This is the highest form of recognition in governmental accounting and financial reporting and represents a significant accomplishment by Transylvania County and its management. Commissioners recognized the Finance Department and Finance Director Gay Poor for this significant achievement and thanked them for their hard work and commitment to Transylvania County. Ms. Poor thanked her staff for the work they do and expressed appreciation to the Board of Commissioners for their leadership.

APPOINTMENTS

TRANSYLVANIA NATURAL RESOURCES COUNCIL

At the previous meeting, Commissioners approved changing the bylaws of the Transylvania Natural Resources Council (TNRC) so that some appointments become automatic renewals and those members are appointed by the specific organizations in which they represent. Those appointments are noted on the membership list. Staff is waiting for the Town of Rosman to name a representative.

The terms of Robert Twomey, Peter Chaveas, Carroll Parker, Stephen MacLeod, Marshall McCallie, and Mark Tooley expired at the end of September. Carroll Parker has served two full terms and part of another and is not eligible to serve another term. This particular appointment will now be filled by a representative from the Town of Rosman. Robert Twomey has retired his position with NRCS. Also, Kevin Merrill has resigned because he has a conflict with the meeting schedule. It is also the responsibility of the Board of Commissioners to appoint the chairman annually.

It is the recommendation of staff to remove the position filled by Robert Twomey to comply with the bylaws of having a membership of 15, to reappoint Peter Chaveas, Stephen MacLeod, Marshall McCallie and Mark Tooley, appoint Justin Pettit-Mee to replace Kevin Merrill, and reappoint Susan Brown as chair.

Commissioner Lemel moved to remove the position filled by Robert Twomey to comply with the bylaws of having a membership of 15, to reappoint Peter Chaveas, Stephen MacLeod, Marshall McCallie, and Mark Tooley, to appoint Justin Pettit-Mee to replace Kevin Merrill, and to reappoint Susan Brown as chair. Commissioner Chappell requested to revisit the Rosman appointment if it is not appointed in a timely manner. The motion was seconded by Commissioner Chapman and passed by a vote of 4 to 1, with Commissioner Hogsed voting against.

TOURISM DEVELOPMENT AUTHORITY

Randy Burgess' term expires at the end of October. It is the recommendation of the Tourism Development Authority members to reappoint Mr. Burgess to serve another term.

Commissioner Lemel moved to reappoint Randy Burgess to another term on the Tourism Development Authority, seconded by Commissioner Chappell and unanimously approved.

NURSING/ADULT CARE HOME ADVISORY COMMITTEE

There are two vacancies on the Nursing/Adult Care Home Advisory Committee. The Clerk received one application due to a recent advertisement.

Commissioner Lemel moved to appoint Mary Hinkle Shore to fill one of the vacancies on the Nursing/Adult Care Home Advisory Committee, seconded by Commissioner Hogsed and unanimously approved.

TRANSYLVANIA COUNTY COUNCIL ON AGING

There are two vacancies on the Council on Aging that should be filled by a citizen who is 60 years or older. The Clerk received one application through a recent advertisement.

Commissioner Lemel moved to appoint Vera Taylor to fill one of the senior citizen positions on the Transylvania County Council on Aging. The motion was seconded by Commissioner Chapman and unanimously approved.

NEW BUSINESS

BOARD OF EDUCATION PROPERTY ACQUISITION

The Board of Education and the Transylvania Community Land Trust (CLT) have had an option to purchase the Franks property for two years and have been waiting for sufficient funding to become available. The Board of Education does not expect there to be sufficient funding available from the CLT within the next year. The option to purchase the 2.8 acre lot expires on October 31, 2013 so the Board of Education wants to proceed with purchase of the property. The acquisition of this property would provide land for the proposed affordable housing project on Country Club Road. The cost of the land is \$55,000, which is below the assessed value, and the Board of Education proposes to use available fund balance to cover the purchase. The Manager recommended approval of the purchase of land.

Commissioner Lemel moved to approve the Board of Education's purchase of the Franks property for \$55,000 with funds to come from the Available Fund Balance. The motion was seconded by Commissioner Chappell. Commissioner Chapman asked for an update on this project. Mr. Carroll Parker informed the Board that an engineering firm is redesigning the phasing of the project into smaller phases to meet immediate needs and to reduce costs. This will then go to the City for its approval process which will also involve a change in the zoning district. At the moment they are dependent on meeting the deadlines to comply with City and other requirements. Mr. Parker hopes that construction will start next summer. Commissioner Chapman supports this project but expressed concern about more property being removed from the County's tax rolls. **The motion was unanimously approved.**

APPROVAL OF RURAL OPERATING ASSISTANCE PROGRAM FUNDING APPLICATION

Commissioners held a public hearing at the beginning of the meeting in order to obtain public input on the application for the Rural Operating Assistance Program grant. There were no comments from the public. This year the application amount is for \$143,001. The County should receive funding by October 31.

Commissioner Lemel moved to approve the Rural Operating Assistance Program funding application. The motion was seconded by Commissioner Hogsed. Commissioner Chappell reminded members of the public that they could make additional comments using the Public Involvement forms that were made available at the meeting. Commissioner Chapman thanked the staff of the County Transportation Department for the work they do and how helpful they are to the people in the community. **The motion was unanimously approved.**

FLU-VACCINE-PROVISION TO UNINSURED POPULATIONS

Since 2006, the Board of Health and Board of Commissioners have agreed on an annual basis to provide up to 150 doses of free flu vaccine to uninsured individuals through the Free Clinic and the Health Department. These doses are provided based upon requests from incoming patients when they stipulate that they cannot afford the flu shot. The direct cost for doses of flu vaccine is between \$11 and \$15 each without consideration of immunization supplies and staff time. The current budget is structured to provide this amount without reducing current revenue estimates.

Commissioner Lemel moved to authorize the Health Department to provide up to 150 doses of the flu vaccine free to uninsured populations through the Free Clinic and Public Health Department. The motion was seconded by Commissioner Hogsed and unanimously approved.

WESTERN HIGHLANDS NETWORK FISCAL MONITORING REPORT

Per NC General Statute 122C-117 (c), the quarterly Fiscal Monitoring Reports for the Local Management Entities must be presented to the Board of Commissioners in person and read into the minutes of the meeting at which it is presented. The Manager presented the report from Western Highlands Network for the fourth quarter of FY 2013, which ended June 30, 2013. Revenues to-date totaled \$181,577,454. Expenditures totaled \$171,480,135. This has resulted in a surplus of approximately \$10 million. Western Highlands will be merging with Smoky Mountain effective October 1.

Commissioner Hogsed moved to accept the report, seconded by Commissioner Chapman and unanimously approved.

BUDGET AMENDMENTS

Finance Director Gay Poor presented the following budget amendments for the Board's consideration:

#22: To appropriate \$1,000 in Register of Deeds Enhancement Reserve funds to purchase additional shelving required due to the Preservation Project (which is also paid for through the Enhancement Reserve)

#23: To appropriate \$4,012 from Unassigned Fund Balance to refund Juvenile Crime Prevention Council funds received but not spent in FY 2012 (\$3,973.00 for Temporary Shelter and \$39.12 for Administration)

#24: To appropriate \$25,000 from Tourism Development Authority(TDA) Fund Balance to Special Projects in the TDA fund to assist the City financially with the Way Finding project

#26: To carry forward \$29,865 received in prior years for Special Child Adoptions and \$3,210 received in prior years from St. Philips for PAP and EA grants

#27: To record receipt of \$7,500 from the Governors Crime Commission for night vision goggles for the Sheriff's Office Special Response Team, with the County's \$2,500 match to come from other line items in the current budget, and to carry forward \$1,675 in State Criminal Alien Assistance Program funds received but not spent in FY 2012

If approved, these budget amendments will increase the FY 2014 General Fund budget by \$47,263, bringing the total to \$44,827,472. Likewise, the FY 2014 TDA budget will increase by \$25,000 to \$503,450.

Commissioner Lemel moved to approve the budget amendments as submitted. The motion was seconded by Commissioner Chappell. It was requested that in the future staff not use acronyms in their reports for the benefit of both Commissioners and the public. **The motion was unanimously approved.**

MANAGER'S REPORT

The Manager reported the following:

1. Received four responses on the Request for Qualifications regarding a study of the expansion of the Courthouse. Staff is in the process of reviewing those. Two of the responses were local and two came from outside of the County.
2. Staff has been busy trying to determine the impacts of the federal government shutdown on the community. Staff estimates that the County is at risk of losing approximately \$90,000 in the month of October if the federal government does not reimburse the County for services continued during the month.
3. Met with the Friends of the Animal Shelter. The County has received the first payment of their commitment towards the construction of the new animal shelter. Staff is working on finalizing the last few items in hopes of having the project closed out by year end. The project will be under budget. Commissioner Chapman asked the Manager to investigate a concern expressed by a citizen. According to the citizen, the garage door is apparently not insulated and should have been per the specifications and since the area it encloses is heated.
4. Work continues on finalizing the drawings and specifications for the renovation of the old library with the goal of going out for bids in November.
5. Met with Chairman Hawkins, Board of Education Chair Tawny McCoy and Superintendent Jeff McDaris to discuss the steps necessary for a bond issue in calendar year 2015 and discussed the possibility of holding a joint meeting in December.
6. Met with the County Finance Director and School Finance Director Norris Barger and learned about the accounting for Individual School funds. Received the approved FY 2014 Current Expense and Capital Budgets from the Board of Education and will distribute those to Commissioners soon.
7. The tennis courts at Silvermont were finished last week and play has resumed. The Friends of Silvermont is planning a small celebration on Sunday, October 20 at 2:00 p.m. Advertisement for bids on the renovation of the porch at Silvermont has gone out. There is a pre-bid meeting tomorrow and the bids are due October 29.
8. Met with Elections Director Karen Brinson and Library Director Anna Yount to address the concerns about using the Rogow Room next year for early voting. Unless the federal government

reverses the time frame for early voting, the dates have been worked out so there is no conflict. Staff is looking at other locations as well.

9. The Manager and Chairman Hawkins will be attending a meeting on Wednesday evening regarding the makeup of the Board of Director of the new Smoky/Western Highlands Network Mental Health entity. There are 23 counties in the Smoky Mountain catchment area but NC General Statutes allows for only 21 members on the Board of Directors. Of those, 13 must come from specific areas, leaving only 8 assignments from the 23 counties. The transition team has worked out a solution where 4 members would come from each the Smoky Mountain area and the former Western Highlands area. The Smoky Board will be seeking approval by the Board of Commissioners from each county to request changes in legislation to allow membership from each county.
10. The water project at the Public Safety Facility is awaiting approval from the City.
11. Prepared a draft schedule for the Board of Commissioners for the next three months and will get it out this week for Commissioners' review. At the next meeting on October 28, the Tax Administrator will present information and a timeline for the 2016 revaluation; asked Commissioners to consider a workshop on water on Tuesday, October 29.
12. Staff working on alternatives to a high impact land uses ordinance; asked Commissioners to consider a workshop on this topic on Tuesday, November 26.
13. The first meeting in December is on the 9th; asked Commissioners to consider a joint meeting with the Board of Education on Tuesday, December 10. The second regular meeting in December would be cancelled.
14. Working on meeting schedule for 2014; the potential format is to hold one regular business meeting per month and one workshop per month on various topics

PUBLIC COMMENT

Carroll Parker: Mr. Parker thanked Commissioners for their support of the purchase of the Franks property. He addressed Commissioner Chapman's concerns about this property being taken off the County's tax rolls. Mr. Parker said the cost of housing is unaffordable for much of the workforce here. Because of this, many people who work here live in other counties, making the commute longer and reducing their disposable income because they are spending more on things like gasoline. According to the Superintendent, 15% of the schools workforce lives outside the County which results in taxes the local government cannot collect on, in terms of sales taxes and real estate taxes. The goal is to find a way for people to establish roots here and be able to purchase a home in the future as their incomes increase. Mr. Carroll noted this could be a way to recruit and retain County employees in the future as well.

Bill Briggs: Mr. Briggs is the President of the Brevard Lions Club. He thanked Commissioners for recognizing their 75th Anniversary. He reported on the statistics for the number of people the Lions Club helped last year with vision screenings, referrals for serious eye conditions, hearing exams, and glasses. He invited Commissioners to attend an anniversary dinner on October 25.

Edwin Jones: Mr. Jones spoke about affordable housing. He said that for many years he worked for a company and served as the liaison between that company and another in Japan. Typical for a lot of industries in Japan, this particular industry had dormitories where all new hires lived for two years. The objective was for the new hires to have the ability to set aside enough monies to afford their own housing. Mr. Jones offered this information as another view with the problems of availability of affordable housing.

COMMISSIONERS' COMMENTS

Commissioner Chappell thanked all those who work in the Emergency Services field. There was another waterfall fatality today and understands the difficulties those emergency personnel have in their work and the sacrifices they make in their lives in order to help others.

Commissioner Lemel reported that she and Chairman Hawkins met recently with Bill Watson of the Vision program and Scott Elliott with Transylvania County Schools to discuss creating effective citizen advisory committees. Vision's class project for the year will be looking at cultivating citizen advisory committees within the community. They will study the application process, citizen participation, the mission and vision for each of the different committees, etc. in an effort to engage more citizens in their local government. Commissioner Lemel reported that she attended the retirement party for Parks and Recreation Director Rick Pangle, a City workshop on water, and a recognition ceremony at the Sheriff's Office for one of the K-9 officers. She also represented the Board at a social welcoming Heath Seymour as the new Director of the Heart of Brevard.

Commissioner Chapman commented about the special recognition for Dune, the K-9 officer, who recently passed away. He noted there are three fulltime K-9's serving the community. These animals are very expensive and not one cent of taxpayer money has gone towards the purchase of these dogs. The dogs and handlers do an outstanding job in the community to fight drugs, etc. in the community and they are a great asset. Commissioner Chapman also asked for an update on the hiring of a new Parks and Recreation Director. The Manager hopes the announcement will be made this week.

Chairman Hawkins thanked staff for their response to the federal government shutdown. He also thanked the Tourism Development Authority for the work they did during that time for getting the message out about the attractions that are open.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Chapman moved to adjourn the meeting, seconded by Commissioner Lemel and unanimously approved.**

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board