

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**November 25, 2013 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, November 25, 2013 at 7:00 p.m. in the Rogow Room at the Transylvania County Library.

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 20 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding called the meeting to order at 7:06 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 COMMENT**

There were no comments from the public.

**AGENDA MODIFICATIONS**

The Manager reported on the agenda modifications. He requested to add Item VIII.A Next Regular December Commissioners' Meeting on December 9 (to consider changing the date) under New Business and move the Manager's Report to Item E and add a second closed session per NC General Statute 143-318.11 (a) (5) concerning the potential acquisition of real property.

**Commissioner Lemel moved to approve the agenda as modified, seconded by Commissioner Chapman and unanimously approved.**

**CONSENT AGENDA**

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

The following items were approved:

MINUTES

The minutes of the September 13-14, 2013 Board Retreat and the September 23, 2013 regular meeting and sealed closed session were approved.

DISCOVERY AND RELEASE REPORT

The Discovery and Release Report for October 2013 was approved. Total tax dollars released was \$6,099.09. Refunds totaled \$1,315.21.

EMPLOYEE CHRISTMAS LUNCHEON

Commissioners approved the closing of all County offices at noon on Friday, December 13 in order for County employees to attend the Christmas luncheon.

**APPOINTMENTS**JUVENILE CRIME PREVENTION COUNCIL

The Clerk received a request from Juvenile Crime Prevention Council Facilitator Ren Uriarte to replace a student on the council. Brenna Phillips is no longer able to serve. She recommended replacing her with Haley Putnam. There is one other vacancy on this council.

**Commissioner Lemel moved to appoint Haley Putnam to replace Brenna Phillips on the Juvenile Crime Prevention Council. The motion was seconded by Commissioner Hogsed and unanimously approved.**

BREVARD/TRANSYLVANIA CHAMBER OF COMMERCE-EX-OFFICIO MEMBER

The Brevard/Transylvania Chamber of Commerce is in the process of determining its Board of Directors membership for 2014. Per the bylaws of the organization, Transylvania County has an ex-officio representative appointed to the Board each year. The County has been asked to submit a recommendation to the Chamber by December 1, 2013. Commissioner Chapman serves as the current ex-officio member but the meeting schedule many times conflicts with his work schedule and he is out of town on many occasions.

**Commissioner Chappell moved to appoint Chairman Hawkins as an ex-officio member to the Brevard/Transylvania Chamber of Commerce. The motion was seconded by Commissioner Chapman.** It was noted that other Commissioners will attend the meetings if Chairman Hawkins is unable to do so. **The motion was unanimously approved.**

**NEW BUSINESS**PROPOSAL FROM FRENCH BROAD RIVER STEWARDS

The French Broad River Stewards is a citizen group formed in response to the large log jam that occurred on the French Broad River in 2011. The group has been working on developing a set of protocols for timely reporting and removal of log jams for safety purposes, to prevent extensive property damage, and reduce clean up and repair expenses. County Cooperative Extension Service and Soil and Water Conservation have been providing technical and organizational development support for this group. County Extension Director Eric Caldwell presented a funding request to Commissioners that he said will help address an immediate need to clear a significant log jam located just upstream from the confluence of the Little River near the site of the 2011 log jam. There are other smaller obstructions that need to be addressed too before they become bigger problems.

Three contractors have given estimates on the cost of clearing the debris that is obstructing the channel at the site of the existing log jam with estimates ranging from \$7,000 to approximately \$17,000. Staff requested Commissioners allocate \$20,000 from the current year's budget to address current issues and to provide "seed" money for future efforts including securing grant funds, private donations, etc. Future efforts will also include the development of protocols to quickly clean up debris before large jams occur,

increasing communication with river users and an information and education exchange with property owners.

**Commissioner Lemel moved to authorize moving \$20,000 from fund balance to River Clean-Up. The motion was seconded by Commissioner Chappell.** It was noted that each log jam will be cleaned up on a per case basis so this process will more than likely involve different contractors over a period of time. It was also noted that cleanup efforts must also have the approval of the property owners. Commissioners thanked this group for coming together to solve a community problem, especially being that the river is one of the County's most important assets. **The motion was unanimously approved.**

#### POLICY AND PROCEDURES FOR NAMING COUNTY OWNED/LEASED PROPERTIES, FACILITIES AND PARKS

Currently the County has no formal policy by which the Board of Commissioners can name any owned/leased property, facility or park for an individual who has made exceptional contributions to the community. Staff has drafted a policy for consideration by the Board of Commissioners. For the benefit of the public, the Manager read the policy aloud. A person being nominated for a naming opportunity must meet one of the following guidelines:

- A. Must be an individual who has made exceptional contributions to the community which resulted in the long term health and/or wellbeing of the people of Transylvania County; must have been actively involved in Transylvania County community affairs for no less than twenty (20) years; the contribution must be of exceptional quality and/or significance; and the efforts of the individual must have made a lasting, significant contribution to the County's goals and objectives.
- B. An elected or appointed public official or public employee only after that individual has ceased to be an elected or appointed public official or public employee.
- C. An individual(s) or groups who have made significant donation of land, money or facilities to the County.

**Commissioner Lemel moved to approve the Policy and Procedures for Naming County Owned/Leased Properties, Facilities and Parks as presented. The motion was seconded by Commissioner Hogsed.** The Manager noted that all requests for naming County facilities would have to be approved by the Board of Commissioners. **The motion was unanimously approved.**

#### FIRST QUARTER FINANCIAL INFORMATION

At the end of the quarter, the Finance Director gives an overview of financial activity for the period.

First Quarter revenues in the General Fund are 20.3% of budget. This level is normal for this point in the year since the majority of the ad valorem taxes are collected in December and January, no sales taxes are distributed to the County until October, and most of the State and Federal funds tend to run at least one month behind. Last year at this time 18.4% of budgeted revenues had been received. A higher percentage of ad valorem taxes has been collected so far due to several factors, most significantly the fact that bills were mailed out earlier than in FY 2013 and because there was an increase in the ad valorem tax rate.

General Fund expenditures are 21.7 % of budget, just below the 25% expected for the end of the quarter. Through September, health insurance claims are only 12.2% of budget. There is generally a 4-6 week lag between the time claims are incurred and the time they are processed. The weekly claims have, however, been averaging less than they did in FY 2013.

Education spending is on budget but higher than last year due to the increase in the County's appropriation to the School System.

Solid Waste operating revenues are 25.2% of budget; while operating expenses are 26.8% due to the purchase of a replacement roll-off truck during the quarter.

There are no major budget concerns at this time.

**Commissioner Hogsed moved to receive the first quarter financial report, seconded by Commissioner Lemel and unanimously approved.**

The Manager noted that the audit will be presented at the next regular meeting.

#### NEXT REGULAR DECEMBER COMMISSIONERS' MEETING ON DECEMBER 9

The Manager reported that he will need to be absent or at least late for the next County Commission meeting on December 9 due to a special family event he needs to attend. He requested Commissioners either allow the Chairman to conduct the meeting until he arrives or reschedule the meeting to Tuesday, December 10.

**Commissioner Chapman moved to reschedule the next regular meeting to Tuesday, December 10 at 7:00 p.m. The motion was seconded by Commissioner Chappell and unanimously approved.**

#### MANAGER'S REPORT

The Manager updated Commissioners on the following:

1. Bids for old Library-Advertisement for bids will occur on December 2 with drawings and specifications available on December 9. A mandatory pre-bid meeting is scheduled for December 18. Bids are due on January 14, 2014. Staff would like to review the bids with Commissioners soon thereafter.
2. Courthouse Expansion Study-The first stakeholders meeting was held today. The need for another courtroom with a jury box has been evidenced by the recent jury trial that has forced other trials to be delayed. The study is estimated to be completed in six months.
3. Workshop-The workshop on alternatives to a High Impact Land Uses Ordinance is scheduled for Monday, December 2 at 6:00 p.m. in the Rogow Room. Following the meeting will be a brief training session on using iPads during Commission meetings.
4. Attended via conference call a merger team meeting on NC 215. There continues to be hurdles to cross. Since the last meeting, two endangered species were found near the proposed new route. Some of the merger team members will be visiting the week of November 25 to see firsthand the existing road and look at proposed new routes. The Manager has scheduled a meeting with them on Wednesday, November 27 to discuss the project. Commissioners felt it would be important to have a representative from Congressman Meadows' and Representative Whitmire's offices in attendance.
5. Attended the Smoky/Western Highlands MCO transition team meeting on mental health.
6. Attended the Blue Ridge College Ambassador Program; there were four people from Transylvania County who participated.
7. Spoke with Dr. Parkhill regarding a change in space needs for the new machining classes on the Transylvania Campus. The latest alternative would move the Job Link Center to another area on campus and allow the machines and classes to be housed in the vacated area by Job Link. This significantly reduces the amount of capital needed.
8. Communicated with the Superintendent of Transylvania County Schools about a possible joint meeting between the Board of Education and Board of Commissioners on Tuesday, January 28, 2014.
9. Met with the Elections Director and discussed the proposal to have two One Stop early voting sites for the next primary election in the spring of 2014 in both Brevard and Rosman. Cost comparisons indicate this is doable.

10. Community Park near Rosman-Final drawings are due by the end of November so the County can go out for bids in early January, with the project to be started in the spring.
11. There is a Red Cross Blood Drive at the Parks and Recreation Department on Wednesday, November 17 from 9:00 a.m. to 1:30 p.m.

### PUBLIC COMMENT

Don Surrette: Mr. Surrette reported that the next meeting of the French Broad River Stewards will be for the purposes of better formalizing the group and establishing guidelines and bylaws. The group will also be discussing mechanisms for collecting private donations for helping with river cleanup efforts.

Edwin Jones: Mr. Jones commented that the French Broad River widens considerably as it moves downstream and passes out of Transylvania County so the length of the trees is insignificant compared to the width of the river.

### COMMISSIONERS' COMMENTS

Commissioner Chappell thanked the members of the public for allowing him to serve as Commissioner and serve the public. He said it is truly an honor to serve the citizens of this community.

Commissioner Chapman attended a meeting at the Transylvania Heritage Museum where they recognized significant contributors and donors. The Museum honored the County as a diamond level contributor and he accepted the certificate on behalf of the Board of Commissioners. He encouraged everyone to visit the wonderful facility. Commissioner Chapman attended a Courthouse Expansion Study meeting today with stakeholders. He said it was an excellent meeting and everyone was given the opportunity to express their needs which gives the architects direction on moving forward with a recommendation and hopefully buy the County a few more years before being faced with building a new courthouse. Commissioner Chapman announced that he intends to seek reelection in 2014 and appreciated any support.

Commissioner Lemel reported on her County Commissioner activities since the last meeting. She recently spoke to the Vision Class about citizen advisory committees. Vision's mission this year will be to examine the application process and how positions are advertised and vetted. She and Chairman Hawkins had breakfast with the Brevard College President to understand their role in the community and how the County can be a partner with the College. Commissioner Lemel met with Susan Threlkel to talk about the youth program Viz, similar to Vision, where students learn to develop leadership. They discussed where it might be appropriate to include young people on citizen advisory committees. She also attended an event at the library called Women's Voices. The premise of that group is to provide education to women in the community who seek to become more educated on community service and politics and governmental processes. Nearly 100 women attended.

Chairman Hawkins wished everyone a blessed Thanksgiving and thanked all those in attendance.

**Chairman Hawkins moved to enter into closed session per NCGS 143-318.11 (a) (5) concerning the potential acquisition of real property and (a) (6) potential location and expansion of business or industries, after a 5 minute recess. The motion was seconded by Commissioner Lemel and unanimously carried.**

### CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (5) concerning the potential acquisition of real property and (a) (6) potential location and expansion of business or industries, closed session was entered into at 8:08 p.m.

Present were Chairman Hawkins and Commissioners Chapman, Chappell, Hogsed and Lemel, County Manager Artie Wilson, County Attorney Tony Dalton, and Clerk to the Board Trisha Hogan.

Commissioners first discussed the potential acquisition of real property and instructed the Manager on how to proceed. Next the Manager provided an update on the potential location or expansion of a business. There was no action taken.

**Chairman Hawkins moved to leave closed session, seconded by Commissioner Chapman and unanimously carried.**

#### OPEN SESSION

**Chairman Hawkins moved to seal the minutes of both closed sessions until such time that opening the minutes would not frustrate the purpose of the closed sessions. The motion was seconded by Commissioner Hogsed and unanimously approved.**

#### ADJOURNMENT

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

---

Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

---

Trisha M. Hogan, Clerk to the Board