

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
October 12, 2015 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, October 12, 2015 at 7:00 p.m. in Commissioners Chambers at the County Administration Building.

Commissioners present were Jason Chappell, Chairman Mike Hawkins, Page Lemel and Kelvin Phillips. Vice-Chairman Larry Chapman was out of town and unable to attend. Also present were County Manager Jaime Laughter, County Attorney Tony Dalton and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Derek McKissock

There were approximately 75 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and 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 Commissioners and staff in attendance.

PUBLIC COMMENT

David Morrow: Mr. Morrow addressed the Board in reference to the reclassification of the Deputy Director of Voting Systems in the Elections Department. This item is on the agenda under New Business. He asked Commissioners to consider the reclassification and salary increase. He noted the Manager will recommend the reclassification and salary increase to the minimum of the salary grade. The Board of Elections however has requested an additional increase. Mr. Morrow described the job duties and believes the person in this position is very deserving of the salary recommendation. He urged Commissioners to approve the full Board of Elections request.

PUBLIC INPUT

COURTHOUSE OPTIONS

Commissioners added a separate public comment/input period to allow citizens to provide input on the Courthouse options. The Manager gave a brief presentation on the history of the discussion and the work that has gone into this process thus far.

Issues with Current Facilities

- Inadequate parking – no separation of judge, public and staff parking
- No ability to securely transport and move prisoners into the facility
- Aging infrastructure
- Not enough courtrooms for increased caseloads
- Inadequate public screening and queuing spaces
- Mixed movement paths for judges, public and prisoners – safety and liability concerns
- Varied security and accessibility issues

- Inadequate prisoner holding areas
- No jury pool space
- Inadequate court jury deliberation space
- Inadequate courtroom size other than superior courtroom
- Inadequate conference and attorney breakout space

Courthouse Timeline

- 2005 County Space Needs Study began
- 2007 Rural Courts Commission inspection cited security concerns, some changes made
- 2008 Study Group A – to study economic impact of moving Courthouse out of downtown
 - Recommended Morris Road, but expressed concern that the building be used for a purpose and not left vacant; included survey of business community
- 2008 Study Group B – to study cost factors
 - Recommended relocation at then cost of \$30 million
- 2012 Tax and Register of Deeds moved out of Courthouse to Broad Street location
- 2013 Downtown Architect Study was completed by Moseley Architects and presented to the Board
- 2015 Letter from Superior Court Judge Mark Powell expressing security and efficiency concerns
- 2015 US Marshal's Office issued letter expressing security concerns
- 2015 Morris Road Architect Study was completed by Moseley Architects and presented to the Board

Courthouse Fast Facts

- Only court functions are being discussed to relocate or expand and will include Probation/Parole and Juvenile Justice
- Tax Administration and Register of Deeds are not proposed to move. They relocated in 2012.
- Visitor-ship
 - 12,293 people visited the Register of Deeds in 2014 (relatively unchanged pre and post move from Courthouse)
 - 23,550 people visited the Tax Administration Office in 2014
 - 48,726 people entered the Courthouse in 2014
 - 829 inmates were transported from public safety to Courthouse
 - 216,837 people entered the library in FY 2014-15
- Options for Courthouse space if relocated to Morris Road
 - History museum
 - Office Space- nonprofits, development services for businesses locating
 - Town square space for events, functions
- Economic impact can be difficult to gauge
- County staff total approximately 330 people
 - Public Safety, Solid Waste, Parks and Recreation and Animal Control are the only functions not currently downtown
- Approximately 21 people work daily in the Courthouse
 - Clerk of Court, District Attorney's Office
 - Found one study regarding the economic impact of downtown workers: \$2,500-\$3,500/year (Langdon article Public Buildings Keep Town Centers Alive)

Option B: Downtown Addition Location

- Estimated needed square footage is approximately 36,000 (figures from 2013 study)
- Addition would be located directly next to the existing Courthouse

- Architect attempted to ensure the addition does not take away from the historic nature of the Courthouse
- Total cost is estimated to be \$12.1 million
- True cost of the project would include a parking structure on property that the County does not currently own estimated to cost \$4 million, for a total cost of more than \$16 million

Option C: Morris Road Location

- Would be relocated from downtown area, but still within the Brevard city limits
- Estimated square footage needs through the year 2025 is just over 60,000
- Located next to Public Safety Facility and allow for onsite transfer of inmates
- Some discussion about moving facility closer to Public Safety Facility structure to provide more secure transport of inmates and move the access road around to the immediate right of the new courthouse building
- Currently presented as two-floor plan, but Commissioners have asked for pricing for a third floor shell in the event that additional space is needed in the future
- Moseley Architects presented three different schemes for consideration, including traditional (matches architecture of the existing Courthouse), transitional (incorporated modern and historical architectural references), and modern
- Current cost estimate is \$22.5 million that has risen since the presentation by an additional \$752,000

Decision Matrix Analysis – Downtown Addition

- Pros
 - Keeps existing historic court location
 - Less expensive than other two options
 - Reason to keep historic building open
 - Provides for public toilets for after-hours use
- Cons
 - Provides only a 15-year need
 - Does not improve existing parking issues – actually reduces the existing number
 - A large expansion will negatively affect historic Courthouse appearance
 - During renovation, unknown latent issues may be discovered needing repair
 - Does not have ideal layout given use of existing courthouse
 - “Front door” is hidden to the rear

Decision Matrix Analysis – Morris Road

- Pros
 - Purpose designed for 21st century courts; court function and expectation of facilities have changed over time, including the need for technology
 - Close proximity to detention facility and Sheriff’s Office that will allow for safer transport of inmates
 - Adequate proper and separate parking areas
 - Expansion capability for future growth; either onsite or third floor
 - Less expensive than 2008 needs study
 - Better security and public accessibility
 - Will repair current site drainage issues
- Cons
 - Moves current court location from downtown into another area in the City of Brevard
 - Costs more than the 2013 study addition

Commissioner Lemel inquired about how much land is actually needed and the potential costs for a parking garage should Commissioners decide to move forward with the downtown addition option. The Manager reported that Moseley Architects did not indicate how much property would be needed for a 200-space parking deck nor has space been identified for a structure.

Commissioner Lemel inquired about how much contingency should be included for latent issues. The Manager suggested at least 10% contingency since the project would involve renovating an older structure. She noted that Commissioners approved 10% contingency for the renovation of the old detention center and it was found early on that the monies would be needed for asbestos mitigation. The architect has included about 10% for miscellaneous fees and costs, but she is unsure at this time if it includes renovation work.

Chairman Hawkins set the parameters for the input session. Speakers were allowed three minutes each and time would be monitored. Commissioners will not respond to comments at this time, but may during Commissioners' comments. He opened the floor for public input.

Gerry Hunsicker: Mr. Hunsicker commented that the County's population remains constant at about 30,000, yet local government has grown by over 350% in the last two decades. He said over \$60 million has been spent on facilities renovations and new buildings. Mr. Hunsicker does not believe there is a need for a new 61,000 sq. ft. facility. He believes the current facility should be maintained, noting that local businesses benefit from the court traffic. Mr. Hunsicker suggested converting the old Administration building into an additional courtroom and using video arraignment in lieu of transporting inmates which he believes would save millions of dollars. He believes the County should have invested in an industrial park which would have boosted tax revenue and improved the overall economy.

Pat Childress: Ms. Childress is the President of the Transylvania Heritage Museum. If court functions are relocated, she asked Commissioners to consider space in the Courthouse for the Museum which will allow the front doors to be open again. She stated that the Museum frequently gets artifacts it does not have room to store. Their current budget for facilities is \$13,000 annually which is difficult for them to manage. The Museum occupies about 3,800 sq. ft. of space, including exhibit rooms and offsite storage. They are the only local museum whose sole purpose is to preserve the heritage of Transylvania County. The Museum positively impacts the County by attracting tourists and offering genealogical research resources. Ms. Childress stated it is important to the Museum volunteers and the citizens of this community to have a place where everyone can view and enjoy the artifacts of Transylvania County.

Rita Ashe: Mrs. Ashe is the Clerk of Superior Court and is a resident of Lake Toxaway. She is a Transylvania County native and has worked in the Courthouse since 1988. She said she loves the Courthouse building and what it represents; unfortunately, the current functions have outgrown the building and it is no longer sufficient to meet the needs. The layout of the building is not appropriate for current needs from a security standpoint. Parking needs are also not being met and the situation worsens on court days when jurors are required to be in court. Mrs. Ashe has been involved with several Courthouse space needs studies since 2007, as well as her predecessor. In her opinion, there is no need to study the issue any further. She noted that many reputable sources have reported that the current Courthouse has served the County well, but is no longer sufficient. She urged the Board to move forward with the construction of a new building which will meet the needs of the court system for many years.

Kristi Brown: Mrs. Brown is a resident of Rosman and she has worked in the current Courthouse for 15 years. She loves the building and understands the concerns of not wanting the building to sit vacant and deteriorate. However, she also has firsthand knowledge of the issues with keeping the court system in this building. She stated that the size and layout make it difficult for the daily operations to function properly. The building also has structural issues and recent repairs seemed to be only a band-aid

approach. There is also not enough regular or handicap parking. Mrs. Brown stressed that security is the most important and immediate issue that needs to be addressed. Commingling of judges, defendants, civil litigants, victims, jurors and other court participants in the same hallways expose all of them to threats and physical altercations, including the potential for mistrials. Mrs. Brown reported that in 2007 the Rural Courts Commission recommended the County construct a new facility to respond to security and space needs and ADA accessibility. Furthermore, in June 2008, Courthouse Study Committee A found that a majority of business owners thought that safety would improve if court functions were moved from the downtown area. Mrs. Brown noted that Mayor Jimmy Harris recently wrote in a guest column in *The Transylvania Times* regarding the road construction on Caldwell Street stating that Brevard's streets were originally constructed to accommodate horse and buggy, not the automobile traffic of today. She stated the same goes for the Courthouse. It was built in 1881 and has served its purpose well for many years, but it no longer does. Mrs. Brown urged Commissioners to act now and do what is best for the citizens of Transylvania County. Meanwhile the Clerk's Office will continue to offer the best service possible to the community.

Dee Dee Perkins: Mrs. Perkins is a resident of Brevard and a local business owner. She has served on many community boards, including the Chamber of Commerce and Heart of Brevard and also as a member of Brevard City Council. Mrs. Perkins is a current member of the Blue Ridge Community College Board of Trustees and the Transylvania Alliance for Economic Development. She believes the Courthouse should remain in downtown Brevard. From a historic preservation and local economic perspective, having the functions of the Courthouse in downtown is extremely important to preserving the synergy and cohesiveness of a community. Mrs. Perkins reported that experts in downtown development and commercial revitalization confirm that public buildings are important both socially and economically because they attract large numbers of residents who put money into the local economy. Public buildings also add to the authenticity of a town. She is concerned that if the Courthouse moves out of the downtown to an automobile-oriented location, those who live here may have no compelling reason to come to downtown. Attorneys that occupy downtown offices may be inclined to move out of downtown as their daily business would be conducted somewhere else. Mrs. Perkins pointed out that the Public Safety Facility is not walkable from most Brevard neighborhoods and does not have sidewalks leading to the site to provide safe pedestrian routes. She believes there is an incalculable worth to keeping the Courthouse downtown, either at the current site or another downtown location.

Geraldine Dinkins: Ms. Dinkins is a resident of Brevard and has lived and worked in Transylvania County since 2006. She stated she lived in two other communities prior to Transylvania County that moved prominent public buildings out of the downtown which negatively impacted their economy. She is concerned the same may happen to Brevard if the court functions are moved to another location. Ms. Dinkins believes downtown Brevard is beautiful and vibrant and the Courthouse is a big part of that. While she wants court staff to be able to work in a safe environment and for the Museum to have a more prominent location, she believes sending the court functions out of downtown would create a wound for this community that would not heal.

Monica Driscoll: Ms. Driscoll is a native Transylvanian and resident of Brevard. She preferred that Commissioners keep the Courthouse in the center of downtown because it is tradition and represents the County's history. She also thinks pedestrian access to the Courthouse and public services is vital. She said she was pleasantly surprised with the architectural drawing of the renovation and, in her opinion, it is obvious that the sizeable renovation will resolve the issues with the courtrooms and security. Ms. Driscoll also believes the parking deck, along with the redesigning of Broad Street, will be a cohesive unit to place behind the Courthouse. She suggested a renovation project that looks new and behaves modern, including the use of technology to reduce inmate transports. If renovating the Courthouse does not appeal to the majority, she would prefer a brand new facility be built at the current location, although she would hate to see the current facility demolished.

Heath Seymour: Mr. Seymour is the Executive Director of the Heart of Brevard and a resident of Brevard. He stated he was happy to hear that no matter the decision on the court functions, Commissioners want the Courthouse to house some function and they do not intend to move forward until that function has been defined. He reported that the Heart of Brevard has not taken an official stance on this issue. The Heart of Brevard is surveying its members and out of the responses received thus far, the majority wants the Courthouse to stay downtown either at the current location or another downtown location. He has forwarded the comments from the surveys to the Clerk to the Board and will continue to do so. Mr. Seymour stated there are studies that prove that having a courthouse downtown helps the economy because that is where people spend the money. He also stated there is value to the site next to the Public Safety Facility and it could be used as an industrial site instead. Mr. Seymour's personal preference is to find another location for court functions somewhere within downtown Brevard, while preserving the historic Courthouse and finding a new use for it.

Davis Whitfield Cargile: Mr. Cargile stated that the County has performed enough studies and understands what is needed and now is the time to address those needs. He believes additional options need to be considered other than the two offered, but regardless those needs should be addressed with a downtown option. He reported that the downtown business district is one of the primary sources of sales tax revenue in the County, so it does not make sense to him why the County would invest \$30 million in a new facility elsewhere that would take 47,000 visitors out of downtown. In addition, a move to Morris Road will increase traffic in an area that was not meant to handle large amounts of traffic. Mr. Cargile pointed out that the County is the largest landowner in the City of Brevard. If Commissioners cannot locate a new court facility on County-owned property, they should be looking at acquiring additional property downtown. He said a court facility should fit into the overall plan for the County both from a fiscal and community standpoint.

Jimmy Jones: Mr. Jones is a citizen of Transylvania County. He is also the employee assigned by the Sheriff to ensure the safety and security of the Courthouse. He has worked either inside the building or had frequent contact with it for over 29 years. He reported that the caseloads and number of people entering building has grown continuously and significantly. Along with the increase in caseloads, the contentiousness between the parties involved has grown significantly as well. Mr. Jones pointed out that studies have identified numerous problems concerning spaces needs, safety and security. Some of the studies date back many years. His concern is security for everyone: judges, jurors, other court personnel, officers, attorneys, etc. Commingling of judges and inmates in the same hallways occurs frequently and is not safe. Those who work there on a regular basis face these problems on a daily basis. Mr. Jones stated those working in the Courthouse are in critical need of some relief to they can do their jobs more effectively and provide better service to the citizens. He urged the Board to take whatever action they deem appropriate.

Jack Hudson: Mr. Hudson is a Brevard resident. He thinks safety should be the number one concern. He noted that the architect and others have made numerous reports to the Commissioners stating the current Courthouse cannot be made safe. In his opinion, the only way to address safety is to build a new facility on Morris Road which will include an inmate corridor connection to the Public Safety Facility whereby inmates would never come into contact with others. This will also eliminate the need for transporting inmates to the current Courthouse location. He believes overall this will save the County money in the long term. Mr. Hudson believes there are better uses for the Courthouse, noting that both the Heritage Museum and Historical Society need space. There is also the option of keeping the upper floors open for use by others, including County departments. Mr. Hudson does not believe parking can be addressed with the renovation option. He encouraged the Board to build a new facility at the Morris Road site

Brian Stretcher: Mr. Stretcher is a resident and local attorney who occupies an upstairs office in downtown Brevard. He stated that the Courthouse is the true heart of Brevard and if it is not used in the

same way it has been over the last 150 years, the City and County will not be the same. Mr. Stretcher moved here from Ohio two years ago. He cited some of the same issues in several county courthouses in Ohio: aging facilities, safety concerns, commingling of inmates and others, parking, etc. He does not begrudge his colleagues and coworkers for wanting new space and new offices and for being concerned about security, but it worked in Ohio and he believes it can work here just as well.

Chairman Hawkins thanked the public for their comments. He announced that Commissioners have invited Brevard City Council to give their input on this topic at the next meeting on October 26.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Lemel moved to approve the agenda, seconded by Commissioner Chappell and unanimously approved.

CONSENT AGENDA

Commissioner Lemel moved to approve the Consent Agenda. The motion was seconded by Commissioner Chappell. There was some discussion on the Smoky Mountain Center Fiscal Monitoring Report and those comments are noted under the same agenda item below. **The motion was unanimously approved.**

The following items were approved:

MINUTES

The Board of Commissioners met in regular session on Monday, September 14, 2015. Commissioners approved the minutes of the September 14, 2015 regular meeting as submitted.

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE VETERANS DAY CEREMONY

The North Carolina Department of Transportation's (NCDOT) Special Event Guidelines stipulate that counties shall pass an ordinance declaring a road closure for a special event. The purpose is so NCDOT can review for conflicts and concerns, and is neither approving nor denying the event. The Clerk has submitted the special use permit application to the City of Brevard to close a portion of Main Street on November 11 for the Veterans Day Ceremony at the Courthouse Gazebo. Commissioners approved "An Ordinance Declaring a Road Closure for the Veterans Day Ceremony" and instructed the Clerk to send the document along with the cover letter included in the agenda packet to the NCDOT Highway Division 14.

("An Ordinance Declaring a Road Closure for the Veterans Day Ceremony" is hereby incorporated by reference and made a part of these minutes.)

APPOINTMENT TO FIREMEN'S RELIEF FUND BOARD OF TRUSTEES

Local fire departments must submit to the NC Department of Insurance on an annual basis a form entitled "Report of Fire Conditions" for the Firemen's Relief Fund. The report used to be filed by the Finance Director and Fire Marshal. The new procedure calls for two members of the Local Firemen's Relief Fund Board of Trustees to be appointed by the Board of Commissioners. Per Ann Garren, Little River Volunteer Fire Department presents the names of Dennis Clark and Shane Mackey for approval by the Board of Commissioners. Upon approval, they will complete and submit the form to the NC Department of Insurance. Commissioners approved the appointments of Dennis Clark and Shane Mackey to the Relief Fund Board.

SMOKY MOUNTAIN CENTER FISCAL MONITORING REPORT

Per NCGS 122C-117 (c), the quarterly Fiscal Monitoring Reports (FMR) 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 at least twice a year. Finance Director Gay Poor presented the fourth quarter report from Smoky Mountain Center and noted that it was not the final audited report for FY 2015.

Commissioner Phillips stated the report is very lacking and does not explain how dollars were spent in Transylvania County. Commissioner Lemel agreed and reported that she and the Manager are working on this issue because there are other reports Smoky Mountain Center is statutorily required to provide as well. There are 23 counties in their catchment area and the funding provided to Smoky Mountain Center by those counties is nearly \$3 million (Maintenance of Effort funds), which represents 0.08% of their total budget of \$373 million. These funds are the most flexible funds they receive; however, there is no apparent or sensible formula for how much each county contributes. She and the Manager intend to meet with officials to get more information on what services are being provided here in Transylvania County and to determine how to help those who uninsured, underinsured and underserved.

PRESENTATIONS/RECOGNITIONS

UPDATE – 2025 COMPREHENSIVE PLAN

Planning and Community Development Mark Burrows and Planning Board Chair Wayne Hennie provided Commissioners with an update on the 2025 Comprehensive Plan. Mr. Burrows introduced the Planning Board members in attendance. He reported that the Planning Board members and Planning staff have devoted a tremendous amount of time to create a reasonable Comprehensive Plan with the amount of information that has been gathered during this process. This is a summary of the presentation that was given via Power Point:

Accomplishments Since May

- Planning Board adopted the final report of all the community outreach meetings on September 10, 2015
- Successfully closed out the 2025 Survey Monkey questionnaire
 - 2,113 citizens responded or 6.4% of the County's 2010 Census population
 - Demographic statistics trend similar to the County's 2010 Census regarding age, location and ethnicity; differences in male/female ratio and income
 - Ended up with 227 pages of detailed responses to the "open-ended" questions

Initial Survey Results

- Approximately 27 questions
 - Where do you live?
 - Majority of respondents from the City of Brevard and the ETJ area
 - How many people in the household?
 - Predominant answer was two
 - How many children in the household?
 - Predominant answer was zero
 - Responses mirror who we are as a retirement community
 - Work status?
 - Top answer was full time employee
 - In what county does respondent work, go to school or do business?
 - Majority Transylvania County
 - Many individuals indicated they work somewhere other than Transylvania County

- Do you like living in Transylvania County?
 - Majority “love it”
 - Combine with those that “like it” equals 90.3% of respondents
 - Tried to identify those respondents who indicated they were neutral or did not like the County at all; these respondents tended to be the younger respondents in the age group 20-44
- Is Transylvania County heading in the right or wrong direction?
 - Most were unsure
 - Detail provided a variety of responses; open-ended questions
 - Right direction followed as the second most response
 - Lesser number responded wrong direction
- Characterize the rate of growth in the County
 - Most responded “about the right amount of growth”
 - Trying to understand where in the County these respondents came from and their age group
- What do you like best about Transylvania County?
 - Most people answered: small town/rural atmosphere, scenic beauty, quality of life, etc.
- Planning Board meets this week with the community advocates and will be analyzing the questions to determine how much more background materials to bring back to the Board of Commissioners and community

Next Steps

- Compile, review and synthesize the 2025 survey data (October - November)
- Complete 2025 survey report (November)
- Planning Board and community advocates to focus on crafting draft goals based on:
 - Existing elements
 - April 28th community meeting
 - Community outreach meetings
 - 2025 Survey Monkey survey (November – December)
- Begin drafting 2025 Comprehensive Plan (December)
- Next County Commissioner update on January 25, 2016

All of the information the Planning Board has done thus far is online along with the questionnaire and responses. This concluded the presentation.

Chairman Hawkins referred to the questions regarding how respondents felt about living in Transylvania County and about whether or not they thought the County was moving in the right direction. He felt that the responses were contradictory. Mr. Hennie agreed they are contradictory. He noted that approximately 1,500 individuals responded in greater detail to justify their answers. The Planning Board and staff plan to provide that level of detail at the next update in January.

APPOINTMENTS

JOINT HISTORIC PRESERVATION COMMISSION

There are two vacancies on the Joint Historic Preservation Commission. The Clerk recently received one application. Planning and Community Development Director Mark Burrows believes the applicant will make a good addition to the Commission.

Commissioner Lemel moved to appoint Rick Lasater to fill the vacant member-at-large position on the Joint Historic Preservation Commission, seconded by Commissioner Phillips and unanimously approved.

JURY COMMISSION

Gay Phillips has served as the Board of Commissioners' appointment to the Jury Commission since at least 1999. There are no other applications on file. Ms. Phillips' is eligible and willing to serve one more two-year term. Clerk of Court Rita Ashe recommends her reappointment.

Commissioner Lemel moved to reappoint Gay Phillips to the Jury Commission, seconded by Commissioner Chappell and unanimously approved.

TRANSPORTATION ADVISORY COMMITTEE

The terms of Timothy Garner, David Carter and Daniel Cobb have expired. Timothy Garner has not been attending meetings and recent emails and letters have gone undeliverable. There is an application on file to replace him on this committee. David Carter has served two full terms and part of another. There are no other applications on file. He has been an asset on this committee and it is Planning and Community Development Director Mark Burrows' recommendation to waive his term limits and reappoint him to another term. Daniel Cobb is the City of Brevard's appointee and it has been requested by the City that City Planner Josh Freeman replace him on this committee.

Commissioner Phillips moved to appoint Dr. John Folger to replace Timothy Garner, waive the term limits and reappoint David Carter and appoint Josh Freeman to replace Daniel Cobb as the City's representative. The motion was seconded by Commissioner Lemel and unanimously approved.

NEW BUSINESS

APPROVAL OF FY 15-16 RURAL OPERATING ASSISTANCE PROGRAM GRANT APPLICATION

The County applies for Rural Operating Assistance Program (ROAP) funds annually. Funds cover the following programs/services: 1) Elderly & Disabled Transportation Assistance Program (EDTAP), 2) Employment Transportation Assistance Program (EMPL), and 3) Rural General Public Program (RGP). There is no public hearing required this year in order to make application for these funds.

The County will apply for the following amounts: EDTAP-\$55,902; EMPL-\$9,591, and RGP-\$59,544. There is no County match required for the first two programs; however, a 10% (\$5,954) County match is required with the RGP which is obtained through client fares. The total grant amount is \$125,037.

Commissioner Lemel moved to approve the Rural Operating Assistance Program grant application in the amount of \$125,037. The motion was seconded by Commissioner Chappell. Commissioner Lemel noted there is great disparity in the cost per trip with the different programs. Program Assistant Sheila Hunter stated that factors include distance traveled and the number of riders. The cost per mile is less when there are more participants. She also pointed out that the County qualifies for \$1,885 more than last year. **The motion was unanimously approved.**

EMERGENCY SERVICES AGENCY EVALUATION AND EMERGENCY SERVICES MASTER STUDY PLAN

Operations Manager David McNeill presented this item. The Board of Commissioners authorized County staff to issue a Request for Proposals (RFP) for an Emergency Services Agency Evaluation and Emergency Services Master Study Plan and approved a committee to review the proposals and return with a recommendation to the Board of Commissioners. The County received six proposals. The cost for

the proposed study ranged from \$39,895 to \$72,370. The review committee recommended the County contract with Public Safety Solutions, Inc. Committee members individually reviewed the proposals submitted by each company and evaluated the proposal compared to the RFP. The committee discussed as a group and issued follow-up questions to two companies and asked references for input following the initial review process. Based on the review and the response to follow-up questions, the committee invited Public Safety Solutions, Inc. to present additional information.

The committee was unanimous in its recommendation to contract with Public Safety Solutions, Inc. for the completion of the Emergency Services Agency Evaluation and Emergency Services Master Study Plan. The committee believes that Public Safety Solutions, Inc. demonstrated the most comprehensive plan and has the experience on the study team to best evaluate Transylvania County and develop a plan for the provision of quality services in the future. Key areas that the committee focused on were experience in North Carolina evaluating emergency services, overall experience and expertise of the study team identified in the proposal, the GIS component, the company's experience with evaluating and operating 911 communications centers, knowledge of fire and rescue protection laws in North Carolina, and demonstrated experience in the study and development of emergency services master plans. The committee also considered cost and time of completion when evaluating the proposals and making a final recommendation to the Board of Commissioners. The financial impact of the proposal is \$44,850.

Commissioner Phillips inquired about how long it has been since the County had such a study completed, if ever. Mr. McNeill said he is unaware of an external master plan study being completed. This external master plan study will look at all the various disciplines of emergency services and provide the County with a baseline as to how it compares with peer counties and national standards. It will also provide guidance for how the County might address deficits in certain areas if they exist.

Commissioner Lemel said she was impressed with the proposal and particularly with the firm's ability to address Transylvania County's specific issues. She was also impressed with the cumulative qualifications and experience of the investigative team. The firm appears to be incredibly professional, knowledgeable, and capable. Mr. McNeill pointed out there were some things that were very important to the review committee. One was the firm's experience in performing studies in North Carolina. Also, the expertise of the group members actually performing the study was taken in account. The firm has excellent staff with knowledge of the various disciplines and had the most experience in 911 communications.

Commissioner Lemel moved to approve a contract with Public Safety Solutions, Inc. for the completion of an Emergency Services Agency Evaluation and Emergency Services Master Study Plan for service delivery in Transylvania County. The motion was seconded by Commissioner Chappell. Chairman Hawkins pointed out that the study period should be complete within 150-days which should allow time to include items in next year's budget for consideration by the Board. The Manager confirmed and reported that she will be working with the consultant during the budget process to identify any immediate concerns. Mr. McNeill added that staff and volunteers who provide these services will be working directly with the firm throughout the study process. Commissioner Chappell inquired about the study group's intended availability to ensure they gain a wide perspective of all the services being provided. Mr. McNeill said the firm addressed this specifically. They have a good understanding of the County's situation and that their work would require nights and weekends. **The motion was approved unanimously.**

911 AUTOMATIC ROUTING/MAPPING DISPLAY SYSTEM

Operations Manager David McNeill presented this item on behalf of Communications Director Kevin Shook. The Map Data System (MDS) is the mapping portion of the Computer Aided Dispatch (CAD) software and equipment utilized by 911 dispatchers to provide correct routing for emergency providers to calls for service. Currently, Transylvania County 911 dispatchers are required to manually develop

routing instructions from the computer generated map. This is a time consuming process and additional work for the 911 dispatcher. Time is of the highest importance when formulating call information that includes type of call, location, appropriate response agencies and hazards. At the direction of the County Operations Manager, Transylvania County 911 Director Kevin Shook has been working with Southern Software, the CAD system provider, to develop a plan to expedite access to call routing and eliminate the human delay and potential for human error. This includes routing instructions for fire, rescue, EMS, law enforcement and many other providers dispatched by the Transylvania County 911 Center. The importance of this project cannot be overstated. This technology will provide rapid access to computer generated turn-by-turn directions for use by the 911 dispatcher to assist field providers in locating a call for service. The implementation of this technology will assist in ensuring accurate routing without the delay of manual route determination by the 911 dispatcher. One of the most frequent concerns from field providers is access to rapid and accurate call directions. The implementation of this program will help the Communications Department ensure efficient dissemination of computer generated information to field responders and reduce delays associated with manually determining the quickest response route. Calls from cellular phones continue to be routed manually.

The County Operations Manager recommended the use of Emergency Management Supplement Grant funds to pay for this project which is expected to cost \$14,000. The supplement grant is intended to assist emergency management agencies in implementing strategies to improve the emergency services system. This project is a perfect example of thoughtful use of the grant funding to improve services through the use of this technology. The implementation will improve information to all disciplines in the emergency services system and certainly improve the overall emergency management program.

Commissioner Melmel moved to approve the use of funds from the Emergency Management Supplement Grant Funding to implement the Automatic Routing/Mapping Display in the Map Data System in the amount of \$14,000. The motion was seconded by Commissioner Chappell.

Commissioner Chappell asked if there will continue to be issues with cell phones because of the terrain and because sometimes cell phones may bounce off two different towers. Mr. McNeill said the new software may help with the issue of bouncing off more than one tower. It may assist with providing the coordinates. Commissioner Phillips asked if this dealt with the prioritization of calls. Mr. McNeill responded that prioritization of calls is part of the emergency medical dispatch program that the Board approved during the budget process and will be implemented this year. The two programs together will provide assistance to 911 staff to more rapidly dispatch calls. Chairman Hawkins inquired about the cost and asked if the \$14,000 will be an annual ongoing expense. Mr. McNeill replied no; this is a one-time expense for the software setup. There may be associated maintenance cost in the future, but he does not envision those costs to be ongoing. Lastly, Chairman Hawkins referred to the previous agenda item in reference to the study that was approved and asked if the firm would approve this action to implement the software. Mr. McNeill believes the implementation of this software would be recommended by the firm.

The motion was unanimously approved.

REORGANIZATION OF ANIMAL SERVICES

The Manager presented this item to the Board. The Animal Services Department recently experienced an inspection from the North Carolina Department of Agriculture in which deficiencies were identified in the department resulting in the recommended reorganization proposal. This reorganization and reassignment of staff positions the Animal Services Department to eliminate the deficiencies identified in the Department of Agriculture report. The reorganization proposal takes advantage of an Animal Control Officer position that is currently open. Staff requested reclassification of the open position from Animal Control Officer to Lead Animal Control Officer for Community Relations and Programs. This position will receive direct supervision from the Animal Services Director and act in a lead animal control capacity to train and assist the animal control staff in proper field response to animal related emergencies, train staff on proper safety and response procedures, work with public health to ensure measures are in

place to respond to public health concerns related to animal control, develop programs to educate the public on animal ownership and animal welfare laws, respond to and mitigate animal abuse and neglect cases, and provide direction to animal control staff in these areas.

As staff evaluated the structure of the department in comparison to the work being conducted, it became apparent that there are programmatic elements that are above and beyond State requirements that have been beneficial to providing animal control and shelter services that have not been acknowledged within the job description structure. This position will also be responsible for the development of programs and implementation of programs designed to engage and educate the public concerning animal care and animal related issues, including but not limited to spay and neuter programs, bite prevention, rabies awareness, vaccination requirements and opportunities, volunteer programs to enhance animal care and educational presentations to public, school and community groups concerning animal issues and opportunities to enhance the animal life for animals and citizens in Transylvania County. This includes programs to reduce the stray animal population through effective and caring programs. Administration believes that educational and community outreach programs are essential to reduction of the need for shelter services in the future and will aid the organization in meeting the desired outcome of a high quality program that exceeds the requirements of state regulation.

The proposed reclassification was submitted to Springsted for review. Springsted recommended a salary grade of 16 for the reclassified position, if approved by the Board of Commissioners. The reclassification of this position will allow the Animal Services Director to concentrate and focus attention on animal care within the shelter and ensure compliance with all local, State and federal requirements. The estimated financial impact to the current fiscal year would be \$10,700.

Chairman Hawkins asked the Manager to describe the organizational chart for this department should Commissioners approve the recommendation. She responded that the organizational chart would include the Director, Lead Animal Control Officer and two Animal Control Officers. The Lead Animal Control Officer would be responsible for programs and outreach that provide education. There would also be training responsibilities, but supervision would be left to the Director.

Chairman Hawkins asked for clarification that the request is not to add a new position, but to reclassify an Animal Control Officer position to a Lead Animal Control position. The Manager confirmed.

Chairman Hawkins asked if the duties of that position also included the basic control responsibilities of working with the public and wanted confirmation the person in that position would be fully qualified and would have obtained all the required certifications. The Manager confirmed. The person in this position would also be responsible for those education and outreach programs and initiatives that are above and beyond State requirements. It is the goal of the department to provide a program that meets the needs of citizens and animals.

Commissioner Phillips commented that the financial impact is a greater figure than he anticipated.

Commissioner Lemel moved to approve the reclassification of the Animal Control Officer Position to Lead Animal Control Officer for Community Relations and Programs. The motion was seconded by Commissioner Chappell. Chairman Hawkins noted this is an important change for this department. Although it involves additional cost, it is an essential component in order to properly address and fulfill the State admissions that have been determined for this department. Commissioner Chappell echoed Chairman Hawkins' comments. He is also concerned about the dollar figure and the recent fines the County was assessed, but said if this position ensures that situation does not occur again then it is money well spent. This action puts in place procedures to make sure the department is providing the needed services and meeting statutory requirements. Commissioner Phillips inquired about the time

period it takes an employee to reach the maximum of their pay scale. The Manager reported that the minimum of the pay scale covers 0-3 years span. It would take more than 20 years for an employee to reach the maximum of their pay scale. **The motion was approved unanimously.**

PAVING EXTENSION PROJECT AT PARKS & RECREATION/PISGAH FOREST ELEMENTARY

Operations Manager David McNeill presented this item. The parking lot at the Parks and Recreation Facility is used by both the Parks and Recreation facility and Pisgah Forest Elementary during pick up and drop off of students. The traffic with both uses going on concurrently can make the common entrance off of Ecusta Road difficult to navigate. After meeting with school staff and maintenance staff, a possible solution of creating a connection between the Parks and Recreation parking lot and the side lot of Pisgah Forest Elementary was suggested to help circulate traffic better by having a separate entry point for drop off and pick up from the exit point. This new traffic pattern could help alleviate some existing concerns. Mr. McNeill noted it may also help in the future if there was a need for an emergency shelter or vaccination clinic.

The County had budgeted for and has completed resurfacing of the entrance road and parking area. The Manager recommended the approval of the connector to help both parties function better during peak use times. She requested a total of \$12,450 for the paving project and an additional \$500 for signage and for the funds to come from contingency.

Commissioner Lemel moved to approve the connector road at the Parks and Recreation Department to improve circulation and safety at peak times at the shared facility at a cost of \$12,450 for the paving and an additional \$500 for signage with funds to come from contingency. The motion was seconded by Commissioner Phillips. Commissioner Chappell commented that the connector also helps with emergency situations, not just in times when a shelter is needed. **The motion was approved unanimously.**

RECLASSIFICATION OF POSITION IN ELECTIONS DEPARTMENT

The Board of Elections has had turnover that resulted in a redistribution of duties including an increase of responsibilities for the Deputy Director of Voting Systems. Upon request from Elections Director Tracie Fisher and the Board of Elections, a new Position Analysis Questionnaire (PAQ) was completed by Ms. Fisher with the new job duties. Human Resources sent it to Springsted to review and recommend where the new job duties should fall with the Transylvania County Compensation Plan. They recommended that the position be reclassified at a grade 17, which would result in a 5% increase for that position, or \$2,037.36 annually. Due to staff turnover, there are funds in the personnel line item to cover this increase.

Ms. Fisher requested that \$3,627.34 in additional salary to that recommended by Springsted be allocated by Commissioners for this position for a total increase of \$5,664.70, or a 13.9% salary increase. This would make this position inconsistent with the County's Compensation Plan that currently governs salary guides for over 300 employees. The County has a classification and pay system to prevent inequity in pay for similar or the same job functions.

There are specific State statutes that apply to Boards of Elections and their staff separate from other County functions. Staff worked with the NC Association of County Commissioners (NCACC) and the School of Government regarding the authority of Boards of Elections to determine the salary of Elections employees. State law along with the court case *Graham County Board of Elections v. Graham County Board of Commissioners* indicate that the Board of Elections has the authority to grant any pay they wish to approve for Elections employees outside of the Director provided that they do not exceed their overall departmental budget as adopted by the Board of Commissioners. Therefore, it is legal for the Board of

Elections to adopt on their own an increase to the salary by any amount they choose to do so, whether approved by the Board of Commissioners or not, as long as they are within their annual budget.

The following chart shows the pay classification ranges and differences:

	<i>Classification Title</i>	<i>Grade</i>	<i>Range (min to max)</i>
Current	Deputy Director of Voting Systems	GR 16	\$40,746.99 – 61,120.49
Recommended	Deputy Director of Voting Systems	GR 17	\$42,784.34 – 64,176.51

The Manager's recommendation would cost \$2,037.36 annually and is within the salary budget for Board of Elections. The request to increase the salary by a total of \$5,664.70 annually would exceed the line item allocated for salaries in the Board of Elections budget; however, the legal references above would allow the Board of Elections to allocate from other line items providing they did not exceed the overall departmental budget.

The Manager recommended approving the reclassification in the amount of \$2,037.36 as justified under the PAQ analysis from Springsted as it is consistent with the County's compensation structure. She did not recommend approval of the additional funds requested because it would create inequity in the compensation system.

Commissioner Lemel moved to approve the reclassification of the Deputy Director of Voting Systems from a grade 16 to a grade 17 and an additional salary amount of \$2,037.36 as justified with the PAQ analysis from Springsted. The motion was seconded by Chairman Hawkins.

Chairman Hawkins asked if an employee loses longevity when their position is reclassified. The Manager stated that years of service would be the same no matter the salary range. Commissioner Chappell emphasized that this item is to consider the reclassification of a position, not a person. Commissioner Phillips asked how the reclassification would impact next year's budget. The Manager said the increase will not impact next year's budget if their budget request remains the same. **The motion was approved unanimously.**

BUDGET AMENDMENTS

Finance Director Gay Poor presented this item. Based on Section 28 of the FY 2016 Budget Ordinance, certain budget amendments must be submitted to the Board of Commissioners for approval. Below is a summary of amendments that have been requested that require Board approval either because they increase the total General Fund budget by more than \$5,000 and are derived from funding sources that have not been previously approved by the Board and are not simply pass-through funds or because they decrease the total General Fund budget and reflect reductions in projected funding sources.

#10: \$83,909 from unassigned fund balance for FY 2016 debt service on the installment financing agreement for renovations to the former detention center

#12: \$31,913 from restricted fund balance for Emergency Services related to Supplemental EMPG and Local Emergency Plan Community funds received in FY's 2014 and 2015 to be used in FY 2016 (this item was approved earlier in the meeting)

If approved, these amendments will increase the General Fund budget by \$115,822, bringing it to a total of \$48,335,519.

Commissioner Chappell moved to approve the requested budget amendments, seconded by Commissioner Lemel and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- Parks and Recreation is moving forward with the strategic plan with public meetings scheduled in late October/Early November
- Next Commissioners' meeting will include a joint session with City of Brevard Council to discuss the Courthouse
- October 21 at 1:00 p.m. focus groups for the strategic plan will come together to view the latest draft, presentation to Commissioners will be on November 9
- Tomorrow at 3 p.m. Laura Blackburn, NCDOT Director of the Division of Bicycle and Pedestrian Transportation will be coming to the County to make a presentation on her division
- Citizen Tom Martino called regarding Frank Pearsall, Veteran's Services, "His help has been amazing and I just can't thank him enough or you enough for having him as a representative here. I wish I had found him sooner."
- Ms. Nancy Garcia wrote in about three departments that she "left feeling she had entered another world of years past when competent, capable people providing friendly, efficient services seemed the norm." (Mary Ann Mickewicz, Cooperative Extension; Jim Boyer, Environmental Health; Beth Landreth, Register of Deeds)
- In reference to the recent tragedy in South Carolina, the Manager was impressed with the County's Emergency Services staffs and volunteers in the community on how they came together to be prepared for adverse weather conditions; everyone should feel comfort in knowing there are well trained and dedicated people to prepare for those kinds of tragedies.

Commissioner Chappell thanked the Manager for her comments about Emergency Services staffs and volunteers. He reported that Anchor Baptist Church is taking donations for the people in Columbia, SC. Commissioner Phillips concurred and mentioned that the local 4-H Club took hay to South Carolina to help feed horses and cattle.

PUBLIC COMMENT

Gerry Hunsicker: Mr. Hunsicker pointed out to Commissioners there is no directional signage anywhere in the County leading people to the animal shelter and there needs to be. He also commented about the Courthouse and said if Commissioners decide to move court functions out of the downtown, it will cause thousands of people not to shop and dine in downtown Brevard.

Brian Stretcher: Mr. Stretcher inquired about the time frame for the connector road. He is president of the Transylvania Youth Soccer Association and he is concerned how the paving impact their season. Mr. McNeill replied he is unsure of the timeframe, but assured Mr. Stretcher the project would not hinder the organization.

Davis Whitfield Cargile: Mr. Cargile commented on the Manager's report of the public accolades of County staff and he pointed out that he has had the same experience with his interactions with County employees as well. In reference to Chairman Hawkins' comments earlier about the contradictory questions/responses in the Comprehensive Plan survey, Mr. Cargile does not believe the responses are contradictory. He said there are several reasons people love living here and the number one reason noted was because of its small town feel. He hopes Commissioners will consider that when making a decision about the Courthouse. People can love living here, not agree with decisions being made by its local government. Mr. Cargile said Morris Road and the roads connected to it are not designed to handle court traffic. He believes investing in technology now with things like video conferencing will help reduce or

eliminate inmate transports. He challenged the Board of Commissioners to do what is necessary to help Transylvania County remain a great place to live.

Jack Hudson: In response to Mr. Cargile, Mr. Hudson pointed out that State law governs when video conferencing can be used. He believes the majority of people visiting the Courthouse are there because they are required to be in court. Only a small number of people associated with the Courthouse are going to shop and dine downtown. It is his understanding that Commissioners were impressed with their visit to the Rockingham County Courthouse and that they plan to use their old facility for a museum. He feels confident the Board of Commissioners will find a very good use for the Transylvania County Courthouse as well.

COMMISSIONERS' COMMENTS

Commissioner Phillips would like an issue addressed with the City of Brevard and/or Department of Transportation. He has seen firsthand and been made aware by others of the sidewalks near Strauss Park and the need for a guardrail or barrier between the sidewalk and highway. He is concerned about users falling into traffic.

Commissioner Lemel reported on her County Commissioner duties since the last meeting. She continues to work on mental health issues. She and the Manager have a meeting with Smoky Mountain Center officials on Wednesday. She stopped by the Farm Bureau dinner which was well attended and had great food. Commissioner Lemel attended the Historical Society dinner at the Rogow Room and it was well attended also. She continues to pursue early childhood education programs and has been in contact with entities across WNC and other initiatives that have the goal of improving the success of children when they enter kindergarten.

Chairman Hawkins reported that Rosman Heritage Day was postponed due to weather and has been rescheduled to Saturday, October 17. He responded to a comment made during the public comment period on the Courthouse where it was said the County has spent \$60 million on facilities renovations and new construction. Chairman Hawkins said the figure is nowhere near being accurate and when comments such as this are made it becomes a self-perpetuating falsehood that government is wasteful. He believes government is a force for good in people's lives, which is why he felt the need to correct the statement. (Public Safety Facility: approximately \$20 million; Library: between \$6 million and \$7 million split three ways among County, Library Foundation and grants)

ADJOURNMENT

Commissioner Lemel moved to adjourn the meeting, seconded by Commissioner Phillips and unanimously carried.

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board