

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
November 28, 2016 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, November 28, 2016 at 7:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Vice-Chairman Larry Chapman, Jason Chappell, Chairman Mike Hawkins, and Page Lemel. Commissioner Kelvin Phillips was absent due to illness. Also present were County Manager Jaime Laughter, County Attorney Tony Dalton and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Derrick McKissock

There were approximately 40 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 7:03 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the public for participating in their local government. He introduced Commissioners and staff in attendance.

PUBLIC COMMENT

Kent Wilcox: Mr. Wilcox encouraged Commissioners to consider the recommendation for County support of citizens' efforts to try to control the hemlock wooly adelgid infestations. He said he has experience treating hemlocks and that chemical treatment can be very effective. He asked the Board to support a proposition to educate our citizens and encourage citizens to work to save hemlocks. He believes this is very important to the French Broad River and our watershed.

Ed Buckley: Mr. Buckley advocated for a fulltime attorney for Child Protective Services in the Department of Social Services in order to serve the needs of children in Transylvania County. He reported that the County ranks the worst in the State in terms of the number of court case continuances and much of that was due to DSS attorneys not being as prepared as they should have been for court cases. Contract attorneys have other clients whose needs many times come before the needs of children. He implored Commissioners to ensure this is not the case anymore by hiring a full time attorney whose priority is the needs of the children whose circumstances are beyond their control.

David Whitmire: Mr. Whitmire spoke on behalf of the hemlock cost share initiative. He has seen the success of the program in treating hemlocks and he believes it is a worthy project. He noted that NC Agriculture Commissioner Steve Troxler fully supports the program. The focus will be on treating hemlocks in riparian areas along the waterways. The health of our waterways is important for protecting the trout habitat in a community where fishing is important. Hemlocks are important to the economy in many ways and he urged Commissioners to support the program.

David Lee: Mr. Lee, as a representative of Carolina Mountain Land Conservancy, expressed support of the hemlock cost share program. He reported that the Conservancy has secured approximately \$10,000 in federal grant funding to support the County's program. The support is intended to go toward the Little River watershed in Transylvania County. The Conservancy believes a program that is designed to help landowners restore these hemlock forests and protect trees, especially in the riparian corridors, is of great benefit to the landowner and the community as a whole. The presentation tonight will speak to those benefits. He said the Conservancy is proud to be a partner in this endeavor and he asked Commissioners to consider the proposal before them tonight.

AGENDA MODIFICATIONS

There were no agenda modifications from staff. Commissioner Chapman requested to remove Item VIII.D Attorney Position Analysis: Contract vs. In-House under New Business. Commissioner Phillips is ill and not able to be at the meeting tonight and he felt that all Commissioners should be in attendance to discuss this item. He requested to delay the item until the first meeting in December.

Commissioner Lemel moved to approve the agenda as modified, seconded by Commissioner Chappell 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

Commissioners met in regular session on September 26, 2016, which included a joint session with Brevard City Council. Commissioners held a capital planning workshop on November 1, 2016. Following the workshop, Commissioners reconvened a recessed special meeting from October 28, 2016 and then entered into closed session to discuss a personnel matter. Commissioners approved the following minutes as submitted:

1. September 26, 2016 Regular Meeting
2. November 1, 2016 Capital Planning Workshop
3. November 1, 2016 Reconvened Recessed Special Meeting
4. November 1, 2016 Sealed Closed Session

ATHLETIC FIELD USER FEE REFUNDS

Commissioners approved a fee schedule along with the FY 17 Budget Ordinance. The Parks and Recreation fee schedule included field user fees. Parks and Recreation staff notified user groups in advance so they could budget accordingly. Some individuals were charged for the use of two softball fields at the Recreation Center since the fee schedule was implemented. Commissioners recently suspended the field user fees for further consideration until the end of the fiscal year. Staff recommended refunding user fees to those who have been charged already this year in keeping with the spirit and intent of the Board's recent decision to suspend the field user fees.

User fees would be refunded to:

- Micky Robinson: \$340
- Brett Best: \$40
- Jeff Walker: \$10

- Steve Hildebran: \$110

Commissioners authorized staff to issue refunds totaling \$500 as listed above.

DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORT

Each month the Tax Administrator has a listing of proposed releases for that month. The Board of Commissioners has the responsibility of approving the releases. For October 2016, total tax dollars released was \$111.62 and refunds totaled \$951.68. Commissioners approved the Discovery, Release and Monthly Settlement Report for October 2016.

CLOSING OF COUNTY OFFICES FOR EMPLOYEE CHRISTMAS LUNCHEON

The County Employee Christmas Luncheon is scheduled for Friday, December 16, 2016. Staff requested permission to close County offices at noon on this day. Offices will be closed for the remainder of the day. Commissioners approved closing County Offices at noon on Friday, December 16, 2016 in order for County employees to attend their annual Christmas Luncheon. Staff will properly advertise and post notice.

COUNTY EXTENSION CONTRACT REVISION

At the October 24, 2016 Board of Commissioners meeting, County Extension Director Bart Renner presented information about how local and State changes will impact their budget. At that time, he presented three major points for Commissioners to consider.

Commissioners requested to approve the updated Memorandum of Understanding separately from the presentation so it is being brought forth for approval at this meeting. Mr. Renner has updated the section that reflects the salary percentage changes. The financial impact of these changes results in a savings of about \$15,000 from moving the horticulture position to more district programs, but a somewhat higher cost by moving the program assistant position to more local foods and 4-H programming. Overall, these changes are still within Transylvania County Extension's budget and no increase is being requested. Commissioners approved the revised Memorandum of Understanding between the County and Extension Service which reflects the salary percentage changes as presented on October 24, 2016.

RESOLUTION ALLOWING RETIRING OFFICER TO PURCHASE SERVICE HANDGUN

Jimmy Jones retired effective November 1, 2016. NCGS 20-187.2 allows the governing board to award to a retiring member the service gun of the retiring member. Sheriff Mahoney requests Commissioners approve a resolution allowing for Officer Jimmy Jones to purchase his service handgun for the price of \$1.00. Commissioners approved Resolution 33-2016 Allowing Retiring Officer to Purchase His Service Handgun and thanked Mr. Jones for his service to the County.

(Resolution 33-2016 Allowing Retiring Officer to Purchase His Service Handgun is hereby incorporated by reference and made a part of these minutes.)

OLD BUSINESS

SHERIFF'S OFFICE RESERVE FUND REQUEST

During the FY 17 Budget process, Sheriff Mahoney requested that some of the revenue generated within his department be used to fund a tuition assistance program for law enforcement. Sheriff Mahoney drafted a tuition assistance policy that he feels will improve the skill sets required in law enforcement and also serve as a recruitment and retention tool.

At the direction of the Manager, the Finance Director placed FY 16 funds in the amount of \$30,397.71 into a designated fund balance reserve in anticipation of the approval of a tuition assistance program.

This allows for funds to be available immediately should the policy be adopted. FY 17 funds are projected to be \$25,560.

Staff recommended Commissioners adopt the tuition assistance policy for law enforcement personnel and authorize expenditure of revenues from FY 16 (held in reserve) and FY 17 from jail phone and commissary sales, minus expenses, to be utilized according to this policy, and modify the budget accordingly. The draft policy was included in the Commissioners' agenda packets and it has been reviewed by the County Attorney.

Sheriff Mahoney responded to questions and comments from Commissioners.

Commissioner Chappell requested to include a statement within the policy acknowledging that tuition assistance may be deemed additional income for IRS standards. It is important that applicants know this up front and they should sign a statement indicating such. The County Attorney reported that his research appears to indicate the policy covers this concern. With that said, Sheriff Mahoney stated he has no issue with incorporating a statement to this effect into the application.

Commissioner Chapman inquired as to how many officers are expected to take advantage of this opportunity. Sheriff Mahoney said the policy limits the number of applicants in that the revenue source is limited and award is based on first-come first-serve. He believes three or four will be participating and funds could accommodate six or seven depending on the degree program.

Commissioner Chapman asked for an update in a year's time. He would like to know if the program is a success and how it may be tweaked in the future. Sheriff Mahoney intends to provide an annual report and he said this is just one component of an overall recruitment strategy for his department that he intends to bring forth in future budget cycles.

Commissioner Chapman asked if approval of this policy is going to create issues within other departments. The Manager believes employees in other departments would be interested in this type of program. Commissioner Chapman stated that Commissioners should keep this in mind as they look at future budgets as to what the impact to the County's finances might be. It is important that Commissioners consider all County employees and be consistent across all departments.

Commissioner Lemel complimented the Sheriff on the policy's level of detail, specifically the requirement for using an accredited school and that the degree must be relevant to the officer's field. Sheriff Mahoney commented that it was a team effort and heavily involved the Manager and County Attorney.

Commissioner Lemel moved to approve the Sheriff's Office reserve fund request for tuition assistance. The motion was seconded by Commissioner Chappell. Chairman Hawkins referred to the clawback provisions of the policy. He asked if the officer must fully reimburse the County if he or she does not remain on with the department for a period of three years. He also asked if there was a clawback provision for an officer not completing the degree program. Sheriff Mahoney stated it would not necessarily be a complete refund. For example, if the officer gave two of the three years of service obligation the policy would require repayment of one year. He stated there is no clawback provision for not completing the degree program. There would be expenditure while the officer is working toward the degree program, but the expenditure would stop once the officer ceased the program. He also noted there is a provision within the policy that limits the number of total hours that a person can complete. Chairman Hawkins stated that the purpose of the policy is to assist members with the cost of obtaining a college degree. He believes it is contrary to the stated purpose of the policy if the officer takes classes and does not complete the degree. Sheriff Mahoney understands Chairman Hawkins' concern and said he

would review this further prior to implementation. He pointed out that policy requires the member to be enrolled in a degree program. Some level of trust must be given to the institution to ensure the person is complying with that course of study for the particular program. He would be willing to monitor on a regular basis as well. Chairman Hawkins supported the policy, but with the stated purpose that the officer successfully completes the degree program. Commissioner Lemel inquired about the application process. Sheriff Mahoney stated that the policy requires an initial application and subsequently must submit proof of registration and tuition payment and that the course was successfully completed with a grade of C or better. Sheriff Mahoney thanked the Board of Commissioners for their consideration. He said that his office must be innovative in order to be competitive. Commissioner Chappell asked the Sheriff to keep the Board informed if the desire for participation in the program is greater than the funds available. **The motion was approved unanimously.**

HEMLOCK RESTORATIVE INITIATIVE COST SHARE PROGRAM

County Extension Director Bart Renner began the presentation for the Hemlock Restorative Initiative Cost Share Program. He introduced partners in attendance from the following agencies or organizations:

Primary Partners

- WNC Communities/Hemlock Restoration Initiative
- Carolina Mountain Land Conservancy
- Transylvania Cooperative Extension Service
- Transylvania Soil and Water Conservation District
- Transylvania Natural Resources Council

Goals of the Proposed Program

- Invest in prevention of hemlock demise to avoid higher costs that are associated with the loss of these trees in the future
- Incentivize and empower private land owners to address the health of our forests and waterways
- Protect our threatened waterways and avoid the high costs of removing log jams and stream bank remediation

Hemlock Woolly Adelgid

The Hemlock Woolly Adelgid (HWA) is a tiny insect that is closely related to aphids. It is a piercing sucking insect that protects itself with a waxy woolly coat. They are extremely small and remain that way through most of their life stages. The HWA was accidentally introduced from Japan less than 100 years ago and it has decimated hemlock populations throughout the Appalachian Mountains within the last 40 years. The HWA has been effective because it has no natural predators, spreads very easily, has an ample food supply in hemlocks, and the mild winter temperatures allow them to survive over winter. All of the individual HWA are female and are capable of reproducing which they can do twice a year and up to 300 eggs each. The HWA depletes the plant's nutrient stores causing the needles to dry and drop making trees unable to photosynthesize, produce new growth, and withstand other stressors such as drought, other pests or disease. The drought we have experienced this year is likely to drastically exacerbate the problem in this area.

The arrival of the HWA has been referred to as the worst ecological disaster to hit the southern Appalachians since the chestnut blight brought down the American Chestnut. Researchers continue to call HWA our largest current forest threat. The loss of the American Chestnut has had grave economic, social and ecological impacts in our area; however, it was eventually replaced by similar mass-producing hardwood species, such as oaks and hickories. Hemlocks have no substitute, native or otherwise. They are considered a foundation species and a major driver of ecosystems processes. Hemlocks line our headwater streams and tributaries, stabilize streambanks preventing erosion along streams and rivers,

shade streams and regulate water temperature. They reduce flooding associated with peak low events, influence the nutrient cycle including the soil and water PH levels, and provide habitat for increased terrestrial and aquatic wildlife biodiversity. Hemlocks are thought to be replaced almost exclusively in this area by rhododendron which is eliminating the ability for any other hardwood or evergreen tree to come up in its presence. The loss of the hemlocks will dramatically alter the composition of the forests.

Project Administration and Funding

Mr. Renner requested \$15,000 come from Transylvania County in order to leverage an additional \$10,000 from nonprofits and \$5,000 from the Hemlock Restoration Initiative. In addition, private landowners will be responsible for 50% of the cost of the treatment. The goal is to ensure that private landowners have a vested interest. The proposal includes a variety of application methods, to include soil injection, trunk treatment, and a drench method. All three of these treatment methods have different circumstances in which they are the most effective. Cooperative Extension is going to rely on a partnership with the certified applicators in Transylvania County that are proven in their profession and willing to be a part of this program. Anyone in Transylvania County can apply to be a part of this program. The goal is to benefit up to 600 private parcels which are along the four forks of the French Broad River and Little River. Mr. Renner stressed the importance of taking care of our forests and making sure they are in the best state possible ecologically.

At this point in the presentation, Mr. Renner called for questions and comments from Commissioners.

Commissioner Lemel expressed appreciation for the effort that went into drafting the policy and the prioritization of the more sensitive areas that are impacting the river tributaries. She also appreciated getting buy-in from the State and participation from landowners.

Commissioner Chapman inquired about the landowner participation and what it might cost property owners. Mr. Renner provided an example of a cost breakdown. Based on the maximum amount of chemical treatment used, the highest cost a property owner could incur would be \$150/acre. Private landowners would responsible for 50% of that cost per acre, assuming hemlocks are easily accessible. The cost will be unique for each landowner.

Commissioner Chapman asked if the treatment requires a certified professional to administer it or if it could be purchased at a local hardware store to be applied by the property owner. Mr. Renner said if a property owner pays someone to apply such a chemical to trees on their property, that person must be certified. These chemicals are available commercially, but at a much more expensive rate than what a professional can purchase them at wholesale prices. Transylvania Natural Resources Council Chairman Lee McMinn added that when the initial appraisal is performed on a site, the property owner will be left with a prescription for treatment and it will be up to them how to proceed.

Commissioner Chapman asked how staff intends to inform the public/property owners about this opportunity and also wondered if staff had received any negative feedback. It was reported that staff will use all of the tried and true methods of mail, email, website posts, social media, etc. and will also perform a targeted outreach to landowners that could stand to benefit. The partner agencies have received numerous phone calls from landowners seeking technical and financial assistance. Everyone that has been involved in this program has been very much relieved there is a potential program to assist them. There are some property owners concerned about using chemicals, but there is research available to help alleviate their concerns. There are non-chemical alternatives available, but there is no guarantee they would be effective.

Commissioner Chapman asked where the State and federal governments stand in support of this program. The Hemlock Restoration Initiative is a State and federally grant funded project. The project has been

focused primarily on public lands with the intention of introducing biological controls in Western North Carolina at the federal level to include a long term strategy to eventually phase out the need for chemical treatment. Recognizing that Transylvania County is one of 25-30 counties in the State suffering from this same problem, the State intends to have a program that can be replicated into all the other counties.

Commissioner Chappell pointed out that a former Board of Commissioners committed funds to saving hemlocks at Silvermont and other locations. Their efforts may or may not have been successful. He wanted the public to know that the reason Commissioners asked for additional information and a presentation by these groups is because Commissioners wanted specific information about the parameters in which these public monies are intended to be spent. Commissioners very much care about this issue. He requested that the action recommended by staff be modified to state that the County will fund up to \$15,000 provided matching funds are available. Mr. McMinn assured Commissioners that there is an additional \$15,000 in funding available contingent on the County's commitment.

Commissioner Lemel moved to approve up to \$15,000 for treatment of hemlocks in Transylvania County provided that sufficient matching funds exist. The motion was seconded by Commissioner Chapman. Commissioner Chapman requested staff report back on the status of this program since it involves the use of public funds. He noted that if they intend to request funds in future years, they need to make their request along with the budget timeline. Commissioners thanked staff, Mr. McMinn, partner agencies and others who have championed this project. **The motion was approved unanimously.**

NEW BUSINESS

EMERGENCY MANAGEMENT VEHICLE PURCHASE WITH EMPG FUNDS

Assistant County Manager David McNeill presented this item to Commissioners. He reported that Emergency Management and 911 Communications are dependent on a 1998 F-250 for response to requests for Emergency Management resources and access to remote tower sites for maintenance and repair. The vehicle has 154,000 miles on it. Emergency Management staff has been planning to request utilization of Emergency Management Performance Grant Funds (EMPG) to replace the vehicle in the near future. EMPG funds are intended for use to enhance the Emergency Management program. Staff has made every attempt to extend the life of the vehicle to maximize the investment; however, its transmission failed this past weekend during the response to the Pinnacle Mountain wildfire. Staff obtained an estimate to repair the vehicle that totals \$3,652.44. Given the mileage and condition of the vehicle, staff is recommending that Commissioners approve replacement of the vehicle utilizing these federal funds that are awarded to enhance the Transylvania County Emergency Management program annually. Acquisition of the vehicle enhances local Emergency Management's ability to deliver resources, Hazmat trailer, command post, generator equipment, light tower and various other resources to the field response agencies in a timely manner. The estimated cost of the vehicle is \$33,936.97. Staff will be utilizing the Sheriff's Association contract to purchase the vehicle at a better rate through Asheville Ford, rather than purchasing locally. The 1998 vehicle will be sold in accordance with the County's surplus property policy.

Commissioner Lemel moved to approve the use of EMPG Funds for the vehicle replacement as presented, seconded by Commissioner Chapman and unanimously approved.

APPROVAL OF TRACK HOE REPLACEMENT AT THE LANDFILL

Assistant County Manager David McNeill presented this item to Commissioners. On August 8, 2016, the track hoe at the landfill overheated and became nonoperational. The operator reported that no warning systems activated inside the cab. Staff documented a possible lightning strike to the equipment causing a failure of the electrical system resulting in the overheating. In order to continue landfill operations, staff is renting equipment at a cost of \$5,500 per month.

Volvo did an assessment of the track hoe and provided the County with a repair estimate of \$32,913.57. The track hoe is a 2004 model with 9,583 operating hours. The trade-in value of the machine is approximately \$24,000. The Solid Waste Director is recommending replacement of the track hoe due to age and condition. The estimated cost of replacement is \$134,525 after trade in. Mr. McNeill is hopeful that we can recoup some costs through insurance, but staff has not been able to make much progress in that regard.

Commissioner Lemel moved to allow replacement of the track hoe at the landfill per the quote provided in the agenda packet for a financial impact of \$134,525 with funds to come from fund balance. The motion was seconded by Commissioner Chappell. Commissioner Chappell asked if this item was to be included in next year's budget request. Solid Waste Director Jeff Brookshire reported that a year ago he felt that the engine was still in good shape. The undercarriage was worn out and replaced at a cost of \$52,000. His plan was to request replacement in two years. Commissioner Chappell expressed concern about the amount of money invested in this equipment and getting only \$24,000 in trade in value. Commissioner Chapman noted there are places that sell used equipment in good condition at much cheaper prices. Chairman Hawkins asked if this equipment is used daily in landfill operations. Mr. Brookshire said this equipment is used daily and is needed in order to meet State requirements for coverage. Mr. Brookshire reported that Volvo can deliver a new track hoe within two weeks. Volvo quoted the lowest price compared to other vendors. Mr. Brookshire has been pleased with the Volvo model. The Manager pointed out that the \$24,000 figure is the salvage value of the vehicle. Chairman Hawkins stated it should be important to note during next year's budget preparation that Commissioners have approved this large capital request and it was not anticipated. **The motion was approved unanimously.**

CONNECT NC BOND GRANT APPLICATION FOR SOUTH BROAD PARK

Parks and Recreation Director Carleen Dixon presented this item to Commissioners. The Connect NC Bond has allocated one-time funds of \$3 million to be used for parks and recreation purposes throughout the State. The maximum request per applicant is \$500,000. There is a grant match requirement of \$1 for every \$4 offered in grant funding. North Carolina counties and incorporated municipalities are eligible to apply. Grant funding can be used to build special recreational facilities or adapt existing facilities in parks that meet the unique needs of children and/or veterans with physical and developmental disabilities. Land acquisition projects are not eligible and projects must be located on a single park site. The application deadline is December 1, 2016.

The Parks and Recreation Commission met multiple times to discuss potential options for use of the grant funding with a focus on South Broad Park. The Parks and Recreation Commission considered three options and recommended Option A. Here are the three options they considered:

Option A:

- Add a fully accessible (ADA compliant) outdoor fitness area to the grass area behind New Adventure
- Improve the arboretum portion of the park to meet ADA standards
- Improve sight lines for safety purposes
- Improve the physical features to make the park much more attractive for downtown Brevard, to include concrete sidewalks, accessible benches and water fountains, as well as improved entrances

Option B:

- Improve the arboretum portion of the park to meet ADA standards
- Improve site lines for safety purposes

- Improve the physical features to make the park much more attractive for downtown Brevard, to include concrete sidewalks, accessible benches and water fountains, as well as improved entrances

Option C:

- Add a fully accessible (ADA compliant) outdoor fitness area to the grass area behind New Adventure

Ms. Dixon showed graphics depicting sample fitness areas and park entrances. She also showed a map of the property indicating how these features would be laid out in the park. She is working with the City on sidewalk improvements.

Ms. Dixon reported that she reached out to several groups in the community to get feedback on these options, including Transylvania County Special Olympics, VFW Post 4309, Public Health officials, Library Foundation, etc. This is a summary of feedback from the various groups:

Pros	Cons
Most benefit to teens and adults	Restroom access limited
Trail upgrade excellent	Fitness area is close to road; is barrier enough?
Will improve sightlines of this area	Requires supervision/assistance for people with certain limitations
Improve safety in wooded area	No fitness access year round due to weather conditions
Improve use of this park	No funding for free instructional programs
Access to free fitness area for all citizens	Limits future expansion of library
Flooding issues improved	Is downtown location appropriate?
Addresses one of the top three health concerns	Close to kinetic fish sculpture
Interpretive signs and story walk a plus	Parking concerns
	Must be properly maintained

Commissioner Chapman asked how this project fits in with the parks and recreation study that was recently completed. Ms. Dixon stated this project definitely addresses issues identified in the study. ADA accessibility in all our parks is a priority that needs to be addressed. This project makes South Broad Park much more usable by the public and dramatically improves the sightlines and sidewalks.

Commissioner Chapman asked if the acceptance of this grant restricts future use of the property (for example, if land was needed for library expansion). Ms. Dixon stated that those stipulations usually fall under PARTF or LWCF grant requirements. She is unaware of any such restrictions with the NC Connect Bond.

Commissioner Chapman inquired about what it would cost to maintain and upkeep the park on an annual basis. Ms. Dixon stated that the recommended improvements to the arboretum area would make the park easier to maintain and control runoff. The project cost includes landscaping with plants that are easier to manage. The pour-and-play surface for the fitness area requires minimal maintenance. Routine maintenance to ensure equipment remains in good working order will be required.

Commissioner Chapman asked when the grant award would be announced. He also inquired about a timeline for completing the project if funds are awarded. Ms. Dixon informed Commissioners that applications will be reviewed in February and March. Applicants should be informed in March or April.

The grant allows a timeline of two years to complete the project; however, Ms. Dixon feels the project could be completed in less than two years.

The Manager pointed out that the Library Director is concerned about the option to include a fitness center. Option B was provided as an option to make improvements to the park without the fitness center. Option C is a future consideration to look at locating the fitness center on a different area of the site. The Library Director was concerned about the fitness area being located in the appropriate place from a visual standpoint. There was also concern about space for future expansion for both the Library and New Adventure. The Manager pointed out there is some history with some folks feeling particularly protective of the grassy area near the Library. With that said, she stressed that we are under a very tight deadline to submit the grant application and noted there has been a tremendous amount of public input involved with this recommendation which has been positive with exception of the concern about the location of the fitness component.

Commissioner Chapman reminded Commissioners that the budget was passed with a high priority on parks and recreation. He believes this an opportunity for the County to improve services.

In response to Commissioner Chapman, Ms. Dixon stated that more than half of the project cost is designated to the fitness area. Total cost of Option A is estimated at \$300,000, with the County's match being \$60,000.

Commissioner Chappell asked if staff reviewed other facilities for ADA improvements. Ms. Dixon stated that unfortunately the grant does not allow her to spread funds over several facilities. The grant specifies the project must be a single park site. South Broad Park was a logical choice because the work required at other facilities is much more extensive and will require professional engineering services.

Chairman Hawkins stated his biggest concern about Option A is the location of the fitness park. He is not sure that South Broad Park is the best location. However, given the time frame, he understands there is no time to look at alternative sites. Commissioner Lemel inquired about relocating the fitness area to another part of the park since there appears to be some sensitive feelings about the proposal. Ms. Dixon said the whole layout would need to be rearranged. The current proposal makes the site very visible and includes lighting for night use. She pointed out that the Public Health Department is working toward a program in response to the health assessment and this project fits in with their work. Commissioner Lemel said she is fine with keeping the fitness center at the park, but given the sensitivity around the grassy area she wondered if it could be located elsewhere at the park. She does not want to eliminate the County's ability to get the biggest opportunity for matching funds.

Commissioner Chappell pointed out that the project must be completed within two years so theoretically it can be split over three budget cycles, depending on the award of the funds. He also stated that turf issues are not an appropriate reason to forego this grant opportunity.

Commissioner Chappell moved to approve Option A and, if awarded, to spread the project over three budget cycles. The motion was seconded by Commissioner Lemel. Ms. Dixon said she intends to finalize the grant application and deliver it this week by the deadline. Chairman Hawkins noted that this project fits in with the County's strategic goals to make parks and recreation a priority. It is also a great opportunity to leverage State dollars. **The motion was approved unanimously.**

VAYA HEALTH FISCAL MONITORING REPORT

Per NCGS 122C-117 (c), the quarterly Fiscal Monitoring Reports (FMR) for the local management entity/managed care organization 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 report for the first quarter of FY 17.

For the first quarter, revenues were \$93,615,505, or 22.4% of the budget. Revenues were slightly less than last year. Expenditures for the first quarter were \$90,930,377, or 21.8% of budget. Expenditures were slightly higher than this same time last year. Net year-to-date income is \$2,685,126. Last year that amount was much higher at over \$8 million. The County's contribution to VAYA is \$99,261 per year.

Commissioner Chappell moved to receive the report, seconded by Commissioner Lemel and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- Interviews for Tax Administrator continue tonight and on Wednesday in closed session
- December 5 at 8:30 a.m. in Commissioners Chambers-Swearing in and Organizational Meeting for the Board of Commissioners
- Update on fire that began on November 9 in South Carolina
 - Forestry Service of NC and SC
 - Responsible for activities to fight forest fires in their respective states
 - Local Fire and Rescue Departments
 - Responsible for preventing and fighting structure fires
 - Also back up and assist in containing forest fires
 - County Emergency Management
 - Responsible for gaining access to additional resources as needed, evacuation as needed and communication
 - Event has been very challenging from a communication standpoint; information released to public has been contradictory; working to improve cross-state relations for future events

Current Status

- 10,097 acres involved so far; fire grew 531 acres from yesterday as reported this morning
- It is anticipated the fire will burn another 230 +/- acres today connecting some interior sections
- 281 personnel have worked on this fire so far between NC/SC/Federal
- Fire perimeter is 50% contained
- Spot fires continue to be a threat with 4 noted yesterday in the NC sector
- USFS has installed a smoke/weather monitoring station at the Public Safety Facility to give local air quality forecasts
- Expected precipitation to assist with fire suppression, but the weather has been so dry that a heavy rain event is needed to make a significant impact
- Fire crossed into NC, efforts kept it at bay

Kudos Report!

- Personnel and volunteers involved in the forest fire event for their dedication in preventing any structures from being consumed by this fire and for preventing loss of life
- Larry Hoxit in Maintenance working with Duke Energy on Community Services Building Energy Efficiency project
 - 78% of project costs from Duke (County portion \$5,914)
 - Savings of approximately \$7,813 per year on utilities
 - 7 Year Warranty

- Other County buildings may benefit
- Maintenance for Christmas decorations at the Courthouse
- Chairman Hawkins appointed to a second term on the Economic Development Partnership of NC
- Transylvania Public Health was successful in competing for a 3-year award of Title X funds to continue current family planning services to the community; award is for \$29,304 per year for three years
- Transylvania County nominated for Employer of the Year by the Transylvania County Career Center- Awards Luncheon next Tuesday at Mountain Area Workforce Development Board
 - # of postings at career center
 - ACT WorkReady Community Program Support

Commissioner Chapman asked about the costs incurred by the County to fight these forest fires. The Manager did not have an estimate at this time. Emergency Management has been activated so there is a cost involved there. At the local fire department level, there are paid staff and many volunteers hours were put into this effort.

Commissioner Chappell thanked the Manager for her comments with regards to the frustrations experienced in communicating information to the public. He would like a report from Emergency Management and the NC Forest Service once the fire event is complete citing specific examples of those frustrations. The Manager stated there have been some troublesome moments. She noted that both Congressman Meadows' office and Senator Burr's office reached out to Transylvania County the moment they learned of any potential danger to offer their assistance and to be able to leverage funding if needed. She is also talking with them about those frustrations to ensure if this happens in the future that we will have improved communications across state lines.

PUBLIC COMMENT

Sheriff David Mahoney: Sheriff Mahoney stated that this fire event has been a mess south of the state line. As a citizen, he said he is extremely proud of our Emergency Management and emergency services volunteers from all over the County for protecting the citizens and residents of this County. He publicly thanked all of them.

Sheriff Mahoney also recognized Jimmy Jones who retired November 1 and wears both hats as a law enforcement officer and a fire fighter. Sheriff Mahoney said he recently learned that Commissioners are no longer recognizing retiring individuals with resolutions, so he offered some brief statements in recognition of him and wished him well in his retirement. Chairman Hawkins clarified that Commissioners have charged staff with finding a better way to recognize retirees, something that shows meaningful appreciation. Commissioners intend to recognize Jimmy Jones and others in the near future.

David Morrow: Mr. Morrow is the Chairman of the Board of Elections. He invited everyone to attend an open house of the new Elections Center on Friday from 11:00 a.m. to 2:00 p.m.

COMMISSIONERS' COMMENTS

Commissioner Lemel said she continues to be disappointed in the quarterly Fiscal Monitoring Report provided by VAYA Health because it does not refer to the services being provided. She pointed out that the second quarter County Commissioner Advisory Council meeting was cancelled. The next meeting will be in February. On a positive note, VAYA staffs have been coming to Transylvania County to hold quarterly meetings with the Commissioner Lemel, the Manager and other stakeholders to review services in an effort to hold them accountable for the services they are providing here in Transylvania County. At

that meeting, we are receiving information on direct service figures. She shared that since the mental health forum that was held in October, she has responded to three situations. Two of those situations involved agencies complaining about the crisis response that we receive here. She has since been in contact with the person at VAYA who oversees the contracts for crisis response and he is pulling numbers together so we will be able to review those responses soon. Another situation involved a complaint from a private citizen about services available to help her with an adult child that suffers from several mental health issues. Commissioner Lemel stressed that Transylvania County is actively engaged in monitoring the services that we receive from VAYA Health.

Commissioner Chapman thanked Board of Elections Director David Morrow and Elections staff for their hard work in pulling off a successful election. He has heard lots of positive feedback from the public and those volunteering during the process. Commissioner Chapman reported that today he rang the bell at Food Lion for Salvation Army. He encouraged everyone to remember those in need this time of year. He also encouraged citizens to continue reaching out to County Commissioners to ensure their tax dollars are being spent as they see fit.

Chairman Hawkins moved to enter into closed session per NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee, after a 5 minute recess. The motion was seconded by Commissioner Lemel and unanimously carried.

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee, closed session was entered into at 9:15 p.m. Present were Chairman Hawkins, Commissioners Chapman, Chappell, Lemel and Phillips, and County Manager Jaime Laughter.

Commissioners interviewed a candidate for the Tax Administrator position. No action was taken. Further interviews are scheduled for November 30, 2016.

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

OPEN SESSION

Chairman Hawkins moved to seal the minutes of the closed session until such time that opening the minutes does not frustrate the purpose of the closed session, seconded by Commissioner Lemel and unanimously approved.

ADJOURNMENT

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

ATTEST:

Mike Hawkins, Chair
Transylvania County Board of Commissioners

Trisha M. Hogan, Clerk to the Board