

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**December 12, 2017 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Tuesday, December 12, 2017 at 9:00 a.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Chairman Larry Chapman, Mike Hawkins, Vice-Chairwoman Page Lemel and Kelvin Phillips. Commissioner Jason Chappell joined the meeting late due to the school delay because of the recent snow storm. Also present were County Manager Jaime Laughter, County Attorney Misti Bass, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Derek McKissock

There were approximately 30 people in the audience.

**CALL TO ORDER**

Chairman Larry Chapman presiding declared a quorum was present and called the meeting to order at 9:05 a.m.

**WELCOME**

Chairman Chapman 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.

**APPROVAL OF MINUTES**

At the first regular meeting in December of each odd-numbered year, the first order of business shall be the approval of minutes. The November 14, 2017 minutes were approved on November 27, 2017, but the sealed closed session minutes were removed because they required further review by the County Attorney. The sealed closed session minutes are ready for approval. Commissioners met in regular session on November 27, 2017.

**Commissioner Lemel moved to approve the November 14, 2017 sealed closed session minutes and the November 27, 2017 regular meeting minutes, seconded by Commissioner Hawkins and unanimously approved.**

**ELECTION OF OFFICERS**

At the first regular meeting in December of each odd-numbered year, the second order of business shall be the election of the Chair and Vice-Chair for the ensuing year, per NC General Statute §153A-39. The Clerk called for nominations for Chair.

**Commissioner Hawkins moved to reelect Larry Chapman as Chairman. The motion was seconded by Commissioner Phillips. There were no further nominations, and the motion to reelect Larry Chapman as Chairman was unanimously approved.**

The Clerk turned the meeting over to Chairman Chapman for the election of Vice-Chair.

**Chairman Chapman moved to reelect Page Lemel as Vice-Chairwoman. The motion was seconded by Commissioner Hawkins. There were no further nominations, and the motion to reelect Page Lemel as Vice-Chairwoman was unanimously approved.**

Chairman Chapman and Vice-Chairwoman Lemel thanked their fellow Board members for the opportunity to continue serving in their respective roles.

### **PUBLIC COMMENT**

Pastor Hank Moffitt: Pastor Moffitt is the Chaplin of the Transylvania County jail. He stated he is working with inmates to help them regain the positive aspects of their lives with the hope they will not come back to jail. He is also working with inmates on learning basic skills, like reading and writing. When the court system allows, the jail assists with placement in alcohol and drug treatment centers so that inmates can receive treatment while incarcerated. The jail has started holding support group meetings there as well. Pastor Moffitt described the ministry work he provides on a regular basis to counsel to inmates. Through his work, and the work of the jail staff and volunteers, they are making a positive difference in the lives of others.

Jan Nickerson: Ms. Nickerson reported on the progress of a grassroots citizen campaign to seek the cooperation of Dollar General to change the look of their proposed store on US 276 S to conform to the look and feel of our mountain aesthetics. She was pleased to announce that Dollar General has agreed to customize the new store, located at the corner of US 276 and See Off Mountain Road, using hardi-plank and brick siding, gooseneck lighting, a low monument sign, and a hand-craft-style wooden-type sign replacing the bright yellow sign installed by mistake. She reported that Dollar General has also contributed to the Connestee Falls Scholarship Fund benefiting Transylvania County high school seniors. Citizens are happy to have Dollar General in their community as good neighbors. Furthermore, Ms. Nickerson stated that signage is important to how the County presents its brand image to the public, tourists, consumers and residents. She said she was impressed with the leadership exhibited by Planning staff and the Planning Board for their consideration of diverse viewpoints and being able to find consensus in order to make recommendations for proposed revisions to the Sign Control Ordinance and Scenic Corridor Designation Ordinance. She was also appreciative of the Commissioners' deliberation and thoughtful process and said she hopes the Board will schedule public hearings in January and move forward with subsequent approval of the ordinances.

### **AGENDA MODIFICATIONS**

The Manager requested to add Item XIII-A Closed Session per NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee and to remove Item VII-C VAYA Health Update to be rescheduled to a later date. The presenter was unable to attend due to winter weather travel conditions.

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

### **CONSENT AGENDA**

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

The following items were approved:

### DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORT

Each month the Tax Administrator prepares a listing of proposed releases. The Board of Commissioners has the responsibility of approving the releases. For the month of November 2017, total tax dollars released was \$566.38 and refunds totaled \$1,461.47. Commissioners approved the November 2017 Discovery, Release and Monthly Settlement Report as submitted.

### BUDGET AMENDMENT

Jacqueline Renee Crocker was fired from Transylvania County Department of Social Services (DSS) on October 8, 2015. DSS employees are governed by the State personnel code and she appealed through that process. The appeal was heard before the Office of Administrative Hearing by the Administrative Law Judge (ALJ) who concluded that DSS did not follow the State personnel process for the firing and must both restore Ms. Crocker's employment with the agency and pay her back pay and benefits. The County appealed to the Court of Appeals that upheld the ALJ findings. The County then requested the Supreme Court provide discretionary review of the case. The discretionary review was denied on November 1, 2017, meaning the original ALJ finding is upheld and there is no additional recourse for the County to appeal. Transylvania County DSS is required to restore Ms. Crocker's employment and pay her for the salary and benefits owed since the termination occurred. The position has since been filled so the County is making the necessary arrangements in order to comply with the requirement to reemploy Ms. Crocker effective February 15, 2018. The budget amendment provides for salary and benefits from October 8, 2015 to February 14, 2018 and totals \$163,216. Commissioners approved the budget amendment and directed staff to comply with the order.

### CANCELLATION OF THE DECEMBER 28 BOARD OF COMMISSIONERS MEETING

Staff recommended the Board of Commissioners cancel the December 28 regular meeting. Transylvania County offices are closed for the Christmas holiday Monday, December 25 through Wednesday, December 27. The Board of Commissioners' Rules of Procedure states that the regular meeting schedule is the 2<sup>nd</sup> Tuesday and 4<sup>th</sup> Monday of each month except when a meeting falls on a holiday, it will be held on the next business day. Therefore the 2<sup>nd</sup> regular meeting in December is scheduled for Thursday, December 28. There is no pressing business and staffs would like to utilize vacation time during the holiday season prior to the next meeting which is scheduled for January 9. Commissioners canceled the December 28 Board of Commissioners' meeting and instructed the Clerk to post and publish appropriate notice.

### POLICY ADDENDUM TO THE TRANSYLVANIA COUNTY DRUG AND ALCOHOL POLICY

As a recipient of 5311 Federal Transit Authority funds through the NC Department of Transportation, Transylvania County is required to maintain a Drug and Alcohol policy which complies with the US Department of Transportation published rules. Staff received notification last week of changes to the rules which will become effective January 1, 2018. Since there is not sufficient time to modify the entire policy for compliance, staff requested approval of the addendum which will be sufficient until a complete modified policy can be presented to the Board of Commissioners for review and approval in January. Commissioners approved the addendum for compliance with US Department of Transportation regulations.

## **PRESENTATIONS/RECOGNITIONS**

### RECOGNITION OF CITIZEN ADVISORY COUNCIL MEMBERS

In July 2015, the Board of Commissioners implemented a recognition program for the purpose of expressing their appreciation to citizens who volunteer their time and expertise on the County's many citizen advisory councils. Commissioners intend to recognize citizens on a semi-annual basis. This period covers July 1, 2017-December 31, 2017. Each person in attendance was presented with a

certificate of appreciation and a coffee mug. The Clerk will mail certificates to those citizen volunteers that were unable to attend.

<b>Last Name</b>	<b>First Name</b>	<b>Citizen Advisory Council</b>	<b>Appointed</b>	<b>Term ended or expired</b>
Ashworth	Carolyn	Parks and Recreation Commission	2/13/2017	8/9/2017
Hambley	Geraldine	County Council on Aging	2/27/2012	8/31/2017
Pettit-Mee	Justin	Transylvania Natural Resources Council	10/14/2013	9/30/2017
Mallett	Kathleen	Juvenile Crime Prevention Council	1/26/2015	9/16/2017
Dugard	Steven	TC Tourism Development Authority	5/11/2009	12/31/2017
Park	Seyl	TC Tourism Development Authority	1/1/2017	9/25/2017
Porter	Frank	Brevard Planning & Zoning Board	4/13/2015	12/31/2017

#### COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY 2016-2017

The laws of the State of North Carolina, along with policies and procedures of the North Carolina Local Government Commission, require that all local governments in the State publish a complete set of financial statements annually. The County received final approval of its audit from the Local Government Commission on December 11, 2017. Kari Dunlap from Martin Starnes & Associates presented an overview of the FY 2016-2017 Financial Report. This is a summary of her presentation:

#### *Transylvania County Annual Financial Report for Fiscal Year Ended June 30, 2017*

#### Audit Highlights

- Unmodified opinion – found no material misstatements that led auditors to believe financial statements would be misleading to the reader
- Appreciative of being able to work with cooperative staff

#### Planning Process

- Planning and risk assessment – planning starts as they are leaving the field the previous year; reads Board minutes throughout the year; updates risk assessment as needed
- Interim procedures – compliance testing, internal controls testing (performs walk-throughs of cash collection points and begins Department of Social Services compliance testing which takes the biggest bulk of their time)
- Final procedures – performs financial statement analysis and begins drafting the financial statements; issues the audit opinion
- Year-round process – constant contact with Finance Office

#### General Fund Summary

- Revenues increased by \$2.85 million, or 6.04%
- Expenditures increased by \$800,000, or 1.72%
- Revenues include transfers in and capital lease obligations issued
- Expenditures include transfers out
- Total revenues approximately \$50 million
- Expenditures totaled nearly \$47.4 million

### **Total Fund Balance-General Fund**

- Significant increase in General Fund of about 10%, or \$2.7 million
- Total Fund Balance General Fund \$27.4 million

### **Fund Balance**

- Available fund balance as defined by Local Government Commission (LGC) is calculated as Total Fund Balance less Non-spendable (not in cash form, not available) less Stabilization by State Statute (by State law, not available)
- This is the calculation utilized as the basis for comparing the County to other units and calculating fund balance percentages

### **Fund Balance Position-General Fund**

- Total Fund Balance \$27.4 million, less Non-spendable of \$58,479 and Stabilization by State Statute of \$3.36 million left an Available Fund Balance of \$24 million, an increase of \$2.4 million from the previous year

### **Fund Balance**

- Serves as a measure of the County's financial resources available.
  - Assets – Liabilities – Deferred inflows of resources = Fund Balance
- 5 Classifications:
  - Non-spendable - not in cash form
  - Restricted - external restrictions (laws, grantors)
  - Committed - internal constraints at the highest (Board) level-do not expire, require Board action to undo
  - Assigned - internal constraints, lower level than committed
  - Unassigned - no external or internal constraints

### **Fund Balance Position-General Fund**

- General Fund only:
  - Non spendable – inventory and prepaid; total\$ 58,479
  - Restricted – (outside source – grants law) Stabilization for State Statute \$3,360,206 – other restricted totaling \$837,109 includes general government, public safety, human services, and culture and recreation
  - Committed – \$3,458,830 general government, public safety
  - Assigned – \$8,869,332,465 – includes general government, economic and physical development, and various items for public safety, human services, and culture and recreation
- Total unassigned fund balance=\$10,856,324
- Total unassigned fund balance decreased \$1.6 million, or 13% over the previous year, even though there was a significant increase in the total fund balance due the restrictions and assignments made

### **Unassigned Fund Balance as a Percent of Expenditures-General Fund**

- Calculated dividing (Unassigned Fund Balance) by (Total Expenditures plus Transfers Out)
- Unassigned Fund Balance as a percent of expenditures is 22.9%
- Different from Local Government Commission calculation because this calculation excludes all restrictions, commitments and assignments

### **Fund Balance as a Percent of Expenditures and Transfers to Other Funds-General Fund**

- For 2017, LGC calculated available fund balance as 50.7% which equates to 6.3 months of reserve, a slight increase from the previous year
- Available fund balance in this calculation includes funds that are restricted, committed and assigned
- For FY 2017, the unassigned fund balance represents 22.9%, or 2.9 months of expenditures and transfers out, versus 26.8% in FY 2016
- LGC requires local governments to have 8% worth of expenditures saved on available fund balance

### **Top 3 Revenues: General Fund**

- Top 3 comprise \$44.3 million, or 89%, of revenues
  - Ad Valorem Taxes 58%
  - Local Option Sales Tax 16%
  - Restricted Intergovernmental 14%

### **Property Tax**

- Increased to \$29.2 million, a 5.8% increase over last year
- Increased tax rate 2 cents over revenue neutral rate, from \$0.4499 to \$0.5110, with increase intended to go into reserves for major capital projects
- County collection rate for FY 2016 was 99.87%; slight decrease in collection rate for FY 2017 at 99.83%

### **Sales Tax**

- Increased to approximately \$7.9 million
- Represents 7% increase over the previous year

### **Restricted Intergovernmental**

- Increased to nearly \$7.2 million
- Represents 6.2% increase over the previous year

### **Top 3 Expenditures: General Fund**

- Top 3 functions comprise \$35.58 million, or 76%, of expenditures
  - Education 29%
  - Public Safety 27%
  - Human Services 20%

### **Education Expenditures (Excluding Related Debt Service)**

- Increased to \$13.8 million
- Represents 4.4% increase over the previous year
- Does not include debt service

### **Public Safety Expenditures**

- Increased to \$12.4 million
- Represents 4.8% increase over the previous year

### **Human Services Expenditures**

- Increased to \$9.4 million
- Represents increase of 4.9% over the previous year

### **OPEB – GASB 75**

OPEB is an acronym for postemployment benefits. For most entities, this would be from where retire health insurance benefits or stipends would be paid. OPEB-GASB 75 will impact both governmental and enterprise funds. During FY 2018, Transylvania County will need to recognize the full liability related to this benefit. Five years ago when local governments were required to show the liability on their financial books, they were allowed to amortize the liability over a period of up to 30 years. Next year local governments will be required to show the entire liability on their books. Going forward, all governments will be required to use the “entry age normal level percentage of payroll cost method” to be consistent. Under current standards, governments are allowed to choose from one of six different cost methods. This could significantly impact local governments’ net position on their full accrual statements, even making some entities have a deficit net position. The auditor is unaware of what the liability will be at this point.

### **Compliance**

Due to a change in procedures from the Office of State Auditor, the direct benefit programs’ expenditures will be coming off the Schedule of Expenditures of Federal and State Awards (SEFSA) in the audit report. This means the total expenditures for federal awards is going to decrease significantly next year. What that means for Transylvania County is that the auditor’s threshold for testing programs is also going to decrease thereby adding to the number of programs that auditors will have to test, many of which have not been tested in the past or in several years. This change will require additional planning and testing of internal controls for different programs within the Department of Social Services and with various grants. There remain several unknowns about this change for the time being.

In addition, since the direct expenditures are being reduced from the SEFSA, the Office of State Auditor is also going to be requiring agreed upon procedures for each county and auditor to perform. The separate agreed upon procedures will be a standalone report aside from the audit. The OSA will select how many files to test, provide participant samples, etc. Again, there is no other information known about the new procedures at this time.

This concluded the presentation.

### **Board Discussion**

Commissioner Hawkins commented that Commissioners have always had a concern about having a certain level of fund balance because it affects the County’s bond rating if the fund balance drops to a certain level. When the Board refers to the fund balance for this purpose, he asked if the reference is to total fund balance or the unassigned fund balance. Ms. Dunlap responded that the Local Government Commission uses the available fund balance total to calculate a bond rating. It is calculated by subtracting non-spendable and restricted by State Statute from the total fund balance. For Transylvania County, that figure is \$24 million. The Manager noted that figure is compared to like size counties with the expectation of seeing the same ratio of fund balance to total annual expenditures.

Commissioner Hawkins noted that the Finance Director’s audit narrative indicated the County’s bond rating improved two levels. He asked if this was a reflection of the County’s available fund balance and if the amount was an appropriate level. Finance Director Gay Poor expressed she thought it was a very strong level.

Chairman Chapman asked Ms. Poor for a report in early 2018 on how Transylvania County compares to its peer counties. The Manager added staff will take into account the recent approvals for the economic development projects so Commissioners can have a picture of the County’s status through the end of the fiscal year and through current.

Commissioner Lemel stated that one of her favorite parts of the audit is reading Ms. Poor's narrative entitled *A Profile of Transylvania County*. There were a few things in the narrative that were striking to her that she wished to share:

- As of June 30, 2017, Transylvania County's unemployment rate was 3.9%, well below the prior year end of 4.8%
- Visit North Carolina reported that in 2016, Travel and Tourism contributed \$94.62 million to the local economy which was up 6.5% more than in 2015, and includes \$17.7 million in payroll and \$8 million in tax revenues
- Compared to FY 2016, retail sales grew by 10.2%, which is the 7<sup>th</sup> consecutive year retail sales have improved
- All but one of the six major business groups tracked by the State reported increases in FY 2017: Apparel, Automotive, Food, General Merchandise, and Lumber and Building Supplies. The only decrease occurred in the furniture industry and was less than 5%.
- 1<sup>st</sup> quarter taxable sales in the County was 4.6% higher than the 1<sup>st</sup> of FY 2017
- Total number of new residential units and commercial structures permitted grew by 8.3% in FY 2015 and then soared by 35.9% in FY 2016, led by housing starts. It continued to improve in FY 2017.
- The industrial base consists of a number of small manufacturers that collectively employs close to 900 people, compared to approximately 600 people five years ago.

Commissioner Lemel commented that Ms. Poor's report is a nice way to look at the big picture of Transylvania County and commended Ms. Poor for the work she puts into developing this report each year.

Chairman Chapman thanked Ms. Poor and her staff for their excellent work. He stated this audit report indicates the County is in good financial health and enables Commissioners to respond to opportunities. The fund balance level is a credit to the financial stewardship of this Board, previous Boards and County staff. Chairman Chapman also thanked Ms. Dunlap for the work she and Martin Starnes does for Transylvania County.

*The Manager noted there was an issue with the audio at the beginning of the meeting and therefore the first several minutes of the meeting were not recorded.*

## APPOINTMENTS

### BOARD OF HEALTH

The Transylvania County Board of Health has three positions with expiring terms on December 31, 2017. Health Director Elaine Russell recommended the reappointment of Dr. William Dalton, Dr. Lawrence Cull, and Chris Biecker to their respective positions.

**Commissioner Lemel moved to reappoint Dr. William Dalton, Dr. Lawrence Cull, and Chris Biecker to the Board of Health, seconded by Commissioner Phillips and unanimously approved.**

### BREVARD PLANNING AND ZONING BOARD

Frank Porter's term on the Brevard Planning and Zoning Board expires at the end of December. He does not wish to be reappointed. There are a few applications on file, but only one applicant resides within the City's ETJ, a requirement to serve on this board.

**Commissioner Lemel moved to appoint Dr. John Folger to the Brevard Planning and Zoning Board, seconded by Commissioner Hawkins and unanimously approved.**

TRANSYLVANIA COUNTY TOURISM DEVELOPMENT AUTHORITY

Seyl Park recently resigned his position on the Transylvania County Tourism Development Authority (TCTDA) due to work constraints. He filled the position of Interested Individual. In addition, Steven Dugard's term will expire at the end of December and at that time he will have served two full terms. He filled the position of Lodging/Innkeeper Owner/Operator.

Included in the Board's agenda packet was a letter of recommendation from current TCTDA Chair Lori Roberts. The recommendation is to appoint Layton Parker to replace Steven Dugard at the end of his term. Mr. Parker is the owner/operator of the Brevard Hampton Inn & Suites. The recommendation to fill the Interested Individual position is Billy Smith, an active artist in the community with experience as a member of the TCARTS Board and involvement in other organizations.

**Commissioner Lemel moved to appoint Layton Parker to fill the position of Lodging/Innkeeper Owner/Operator and to appoint Billy Smith to fill the unexpired term of Seyl Park as an Interested Individual. The motion was seconded by Commissioner Hawkins.** Chairman Chapman asked Commissioner Hawkins to offer a brief description of what the TCTDA does since he represents the County on this important board. Commissioner Hawkins explained that the TCTDA was formed to administer the revenue from occupancy tax which serves as their source of funding. The composition of the board is very specific and no local governmental entity controls their decisions. The bulk of what they do is marketing and promotion of the County outside of WNC. They also provide grant dollars for local initiatives. Commissioner Hawkins commented about the new appointees. He stated that Billy Smith is a strong representative of the local arts community which is not an area that has been well represented on the TCTDA before. Layton Parker has a long history of service in the community with his involvement with the Chamber and other organizations. He feels both of these gentlemen will be great assets to the TCTDA. **The motion was unanimously approved.**

**OLD BUSINESS**

MEMORANDUM OF UNDERSTANDING AND AGREEMENT FOR THE TRANSYLVANIA COUNTY FAMILY RESOURCE CENTER

The Manager reminded Commissioners that staff presented a proposal at a recent meeting where the County would provide facility space for the newly formed Transylvania County Family Resource Center and offer specific services to victims of domestic violence and sexual assault. SAFE, Inc. would be responsible for paying for the utilities and acting as a coordinating partner. Included in the Board's agenda packet was a final draft of a memorandum of understanding (MOU) for consideration. Upon approval, it will need to be signed by representatives of the County, SAFE, Inc., Brevard Police Department, and Pisgah Legal Services. The MOU details that the Sheriff's Office Domestic Violence Investigator and SAFE, Inc.'s Victim Navigator will be working through this location. The Manager recommended approval of the MOU.

**Commissioner Lemel moved to authorize the Chairman to sign the Memorandum of Understanding to house the Transylvania County Family Resource Center. The motion was seconded by Commissioner Hawkins.** Commissioner Lemel commented that the idea behind this facility is to provide support for families in a consolidated center of operations where services can be introduced to families to provide support to aid in the prevention of people ending up in jail and learning about healthy ways to cope with life's stressors. Chairman Chapman reminded that the center will be located in the former Board of Elections building and is intended to serve as a more personable and private location for victims. **The motion was approved unanimously.**

*Commissioner Chappell arrived at 9:55 a.m.*

PLANNING BOARD'S RECOMMENDED REVISIONS TO THE SIGN CONTROL ORDINANCE OF TRANSYLVANIA COUNTY AND SCENIC CORRIDOR DESIGNATION ORDINANCE OF TRANSYLVANIA COUNTY

The Manager stated that recommended changes to the Sign Control Ordinance and Scenic Corridor Designation Ordinance were first presented to Commissioners on November 27. Commissioners requested more time for additional review and planned to submit any questions or concerns to the Manager for discussion at this meeting. Most of the recommended changes are to conform with a 2015 US Supreme Court decision (Reed v. Town of Gilbert, AZ) which ruled that while signs can be regulated for safety and aesthetics, signs are a form of free speech and cannot be regulated based on content.

Planning and Community Development Director Mark Burrows briefly reviewed the significant changes:

- Directional Signs:
  - Real estate signs are content specific
  - Sections regulating Off-Premise Signs and Temporary Signs were modified to address content neutrality
- Electronic Messaging Signs – explicitly addressed bright lights and size
- Lighting – clarified
- Signs along Scenic Corridors – addressed by reducing size and regulating size
  - Currently no Off-Premise Signs allowed
  - Recommendation is to allow On-Premise Signs
- Clarification and grammar – addressed
- Scenic Corridors – updated with correct locations
- Enforcement of ordinances by Planning and Community Development instead of Building Permitting

Mr. Burrows pointed out that since the first presentation staff has found some typos that need to be corrected. Staff also believes there should be some discussion on one particular section that, if adopted, would allow staff to remove small signs, such as political signs. Mr. Burrows reached out to the UNC School of Government and they referred staff back to the County Attorney to assess the County's level of comfortability with this provision. This provision essentially allows staff to take private property. If Commissioners decide to make a change to this provision, it could be done prior to or following the public hearing.

The Manager recommended Commissioners discuss the proposed changes and make any additional modifications they deem necessary and then schedule a public hearing for one of the January meetings and instruct staff to give notice.

Commissioner Lemel stated that the draft ordinances are very thorough and she was appreciative of the time and energy the Planning Board devoted to this work. She was also encouraged to see the general support of the public. She commended everyone involved with this process.

**Commissioner Lemel moved to schedule a public hearing on the Sign Control Ordinance at the 2<sup>nd</sup> meeting in January and instructed staff to give notice. The motion was seconded by Commissioner Hawkins.** Commissioner Hawkins asked if a typical Dollar General sign would be permitted on US 276 if the recommended changes to these ordinances were approved. Mr. Burrows responded yes and noted the ordinance addresses only the size and location. It was through community advocacy that Dollar General Executives agreed to change the look of the sign. Citizens wanted to welcome them into the community, but wanted them to blend in with the community aesthetics, and Dollar General agreed. Commissioner Hawkins suggested Commissioners write a letter to Dollar General to thank them for

working with citizens in that community. Mr. Burrows agreed to draft a letter for the Chairman's review and consideration. **The motion was approved unanimously.**

The proposed changes to the Scenic Corridor Designation Ordinance included simplifying language, clarifying the Scenic Corridor designation for roads within Transylvania County, and reflecting the proposed changes in the Sign Control Ordinance. The Manager recommended Commissioners discuss the proposed changes and make any additional modifications they deem necessary and then schedule a public hearing for one of the January meetings and instruct staff to give notice.

**Commissioner Lemel moved to schedule a public hearing on the Scenic Corridor Designation ordinance at the 2<sup>nd</sup> meeting in January and instructed staff to give notice, seconded by Commissioner Phillips and unanimously approved.**

## NEW BUSINESS

### REQUEST FOR SOCIAL WORK PROGRAM MANAGER POSITION AND REMODEL OF OFFICE SPACE

The Manager presented this item on behalf of Social Services Director Darrell Renfroe who was unable to attend the meeting today. She reported that Social Services policies, laws and statutes are ever-changing and can be overwhelming. Social Workers' roles are extremely difficult and there is a high turnover rate across the State in this area due to the high stress of the job.

This request is for a Social Work Program Manager position to oversee the complexities of the various social work programs, to provide oversight, guidance and quality control and to set ongoing standards for best practices. It is very important that regulations are met in terms of meeting timing and documentation standards. The desire is to have the Program Manager position in place by February 15, 2018.

The financial impact for the remainder of the fiscal year would be \$27,000 salary, \$1,856 FICA, \$1,982 for retirement benefits and \$0 for insurance, for a total of \$30,838. This position will require a secure and private office due to the sensitivity of dealing with personnel and/or case information. There is no additional office space available other than open cubicles. The Manager pointed out the remodel request was deferred from the budget last year and it is a need. The request entails enclosing four cubicles with drywall and installing a solid door for confidentiality and privacy for an estimated cost of \$20,944.62, and to include new furniture estimated at \$4,000. This would increase the total cost to \$55,782 for this fiscal year. However, this position would be able to draw down 50% of their salary as well as the cost of the cubicle enclosure from the State, dropping the County's total amount down to \$27,891.31.

**Commissioner Chappell moved to reinstate the position (Social Work Program Manager) and to approve the financial amendment to cover the salary and necessary office space changes. The motion was seconded by Commissioners Lemel and Phillips simultaneously.** Commissioner Lemel commented that the challenges in Social Services across the State, particularly in child welfare and adult protective services, are profound. It is her hope that the conversation remains at the forefront so that we can focus more on prevention and investing more in our future instead of always reacting. This is a challenge because prevention takes time; reaction is instant. She expressed support for the request, but wanted to take a more global look at the challenges facing our citizens. Commissioner Chappell agreed the position is needed, specifically due to quality control issues. He noted one mistake could cost the agency and County much more than the cost of a position and for many years. Chairman Chapman pointed out the percentage of the County's budget that goes toward Social Services and Public Safety continues to increase, but unfortunately is necessary. He commented that Commissioners try their best to be fiscally responsible, while also being socially responsible to those citizens most in need. **The motion was approved unanimously.**

**RESOLUTION APPROVING DONATION OF SURPLUS ITEMS TO THE BOYS AND GIRLS CLUB OF TRANSYLVANIA COUNTY AND TRANSYLVANIA VOCATIONAL SERVICES**

Pursuant to North Carolina General Statute 160A-280, the County may donate any surplus personal property to another governmental unit or nonprofit organization incorporated in the United States. The County Manager has declared the below items surplus and is proposing to donate them as follows:

- Janitorial Supplies no longer used by County Housekeeping to the Boys and Girls Club of Transylvania County. This includes 17 two-liter bottles of ph7 Ultra and 33 two-liter bottles of GS neutral cleaner, which originally cost a total of \$2,981.
- Van to Transylvania Vocational Services to be used for their delivery service provided by special needs clients. This van was formerly used by Maintenance and then transferred to Animal Services, but is no longer needed by the County. The van is a 1994 Ford E250 (VIN 1FTFS24H7RHB38875) with a total of 61,838 miles on it.

At least five days prior to donation, the County must post a public notice of its intent to donate the property. At the previous County Commission meeting, Commissioners authorized staff to post notice and the requirements have been met per statute.

**Commissioner Phillips moved to approve the donation of the surplus janitorial supplies to the Boys and Girls Club of Transylvania County and the 1994 Ford E250 van to Transylvania Vocational Services via approval of Resolution #36-2017. The motion was seconded by Commissioner Phillips.** Commissioner Hawkins commented about the low mileage on the van and wanted to confirm that no other County department has a use for it. The Manager stated that no other County departments expressed a use for the van. Chairman Chapman noted the County has a large fleet of motor vehicles and he suggested an evaluation of the County's fleet and look at ways to reduce costs. The Manager noted while the car has low mileage, the van has been modified and it is not up to the standard of serving as a passenger vehicle. **The motion was unanimously approved.**

(Resolution 36-2017 Approving Donation of Surplus Items to the Boys and Girls Club of Transylvania County and Transylvania Vocational Services is hereby incorporated by reference and made a part of these minutes.)

**MANAGER'S REPORT**

The Manager reported the following:

- Donation of \$10,000 from the Lois Maxine Gibbs Estate managed by attorney James Kimzey has been made to add hearing loops to Silvermont which will benefit the hearing impaired
- Thanks to Commissioners for Holiday Employee Lunch, although it was cut short due to the snow event; service award presentations deferred and will be done during an upcoming Commissioners' meeting; kudos to Hope and Miss B who cook for the jail every day and took extra time and care to prepare the meal
- CS4WNC update
  - Meeting with County Managers in Land of Sky region and including school superintendents
    - April 23 target date for regional summit, will be looking for interested business and community leaders that understand computational thinking and computer science as a standard
  - Grant received by the Friday Institute at NCSU

- Opportunity to showcase how a regional conversation around making technology standard can work; goal is to have students graduating that not only know how to use computers, but know how to create them
- Proud of local district; Robotics Team from Brevard Middle School won first place in regionals last weekend and are headed to State competition in mid-January; this shows an emphasis in Transylvania County on the aspect of technology and STEM education that will help prepare students for a bright future

### **PUBLIC COMMENT**

There were no comments from the public.

### **COMMISSIONERS' COMMENTS**

Commissioner Lemel stated that the work of the Social Services Working Group that is being pushed by the UNC School of Government and co-chaired by Senator Tamara Barringer and Representative Sarah Stevens and meets bimonthly to discuss the organization of Social Services across the State, lead Commissioner Lemel to being invited to speak to the Thrive Conference in Asheville last Wednesday. The Thrive Conference is a regional gathering of social services directors, county managers and other county officials. Thrive is an initiative of the NC Association of County Commissioners specifically addressing the need of child welfare across the State. Commissioner Lemel reported good discussion and questions regarding a more comprehensive view of social services and other opportunities in an effort to protect our vulnerable citizens. Additionally, Commissioner Lemel was in Raleigh last Thursday participating in the Institute for Emerging Issues Blue Ribbon Committee on Affordable Child Care, which is an opportunity to look at funding early childhood education with a focus on prevention and investment in our children to try to set them up for success so they can be productive citizens later. Commissioner Lemel stated she is proud the State of North Carolina is paying attention to these issues. She pointed out it costs slightly less than \$1,000/month to send a child to an early childhood education program; yet, it currently cost taxpayers \$15,400/annually to house an inmate in the Transylvania County jail.

Commissioner Chappell thanked all those who worked overtime during the recent snow storm. He was very appreciative of their dedicated service to ensure the safety of others.

Commissioner Hawkins followed on the Manager's Report on the CS4WNC initiative. He commended the Manager for showing such foresight and thinking strategically about the project. He pointed out she is one of the drivers on this initiative, along with the Land of Sky. This project has such great potential. Additionally, Commissioner Hawkins pointed out that Commissioner Chappell and the Manager were panelists at a regional workforce development summit last week in Asheville and he asked the Manager to share comments made by the Vice-Director of the Friday Institute. The Manager reported there were other panelists, including representatives from the School System, Tom Dempsey, CEO of SylvanSport, and others, and the Vice-Director of the Friday Institute was impressed by the how many panelists were from Transylvania County and that it seems like there are a lot of great things coming out of our County. This was a huge compliment to all those working collaboratively to move Transylvania County forward in many ways.

Commissioner Phillips expressed appreciation to all those working long hours to ensure citizens had power during the recent snow storm. He wished everyone in attendance a safe and Merry Christmas.

Chairman Chapman thanked citizens for their involvement and support of the local government. He assured citizens that Commissioners take their responsibilities very seriously. He also thanked

Commissioners for their confidence in allowing him to serve as Chairman for another year. He wished everyone a Merry Christmas and Happy Hanukah and to enjoy time with their families. He noted that Commissioners will not meet again until January. Lastly, Chairman Chapman thanked the media for attending the Board's meetings and helping to inform citizens.

**Chairman Chapman moved to enter into closed session per NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, after a 5-minute recess. The motion was seconded by Commissioner Lemel and unanimously approved.**

#### **CLOSED SESSION**

Pursuant to NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, closed session was entered into at 10:30 a.m. Present were Chairman Chapman, Commissioners Chappell, Hawkins, Lemel and Phillips. The meeting was held in the Arthur C. Wilson, Jr. Conference Room.

Commissioners met to conduct the annual performance evaluation of the County Manager.

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

#### **OPEN SESSION**

**Chairman Chapman 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 Phillips and unanimously carried.**

#### **ADJOURNMENT**

There being no further business to come before the Board, **Chairman Chapman moved to adjourn the meeting at 11:00 a.m., seconded by Commissioner Chappell and unanimously carried.**

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Larry L. Chapman, Chairman  
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan, Clerk to the Board