

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
January 9, 2018 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Tuesday, January 9, 2018 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, Jason Chappell, Mike Hawkins, and Kelvin Phillips. Vice-Chairwoman Page Lemel was in Raleigh attending the Social Services Working Group meeting, a State committee addressing Social Services reform. 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 20 people in the audience at the beginning of the meeting. At 10:00 a.m. the number increased to approximately 40 due to employees arriving for the presentation of service awards.

CALL TO ORDER

Chairman Larry Chapman presiding declared a quorum was present and called the meeting to order at 9:02 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.

PUBLIC COMMENT

Mickey Robinson: Mr. Robinson is the President of Isaac's Homes. He has been working on a project over the last year to establish a youth shelter for homeless youth in Transylvania County. Mr. Robinson reported there are approximately 90 homeless middle and high school youth in the County. During the winter, many teenagers couch surf at various residences, but otherwise they live in cars and tents. The organization currently works with social workers to provide basic items to homeless youth and over the Christmas holiday they gifted 138 book bags with hygiene products, school supplies and other items. Donations can be made to Isaac's Home Youth Shelter through First Citizens Bank or directly to Mr. Robinson. Mr. Robinson also provided some handout materials to Commissioners.

Sean Trapp: Mr. Trapp is the Co-Publisher of *The Transylvania Times* and he addressed Commissioners regarding the item on the agenda dealing with electronic advertising. He noted there is a movement in the State legislature to eliminate the requirement to publish notices in newspapers in order to save taxpayer dollars and to give local governments the authority to post notices on their websites. Mr. Trapp said upfront there is a conflict of interest with this movement because *The Transylvania Times* makes money on the sale of legal notices. Mr. Trapp shared other concerns as well: 1) newspapers serve as a single location of notices, instead of several different government websites; 2) important that an objective third party performs this duty because they put systems in place to prevent government corruption and serve as a government watchdog responsible for publishing notices; and 3) local newspapers can do the job better than others and do tasks that are very important to communities. Mr. Trapp asked Commissioners to consider his comments when deliberating on this item today. He said he intends to send Commissioners additional information.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Chappell moved to approve the agenda as submitted, seconded by Commissioner Phillips and unanimously approved.

CONSENT AGENDA

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

The following items were approved:

MINUTES

The Board of Commissioners met in regular session on Tuesday, December 12, 2017 at 9:00 a.m. and following met in closed session in which the minutes were sealed. The second meeting in December was cancelled. Commissioners approved the minutes of the December 12, 2017 regular meeting and sealed closed session as presented.

FY 18-19 COMMUNITY SERVICES BLOCK GRANT APPLICATION

Western Carolina Community Action (WCCA) is working on the third year of its three-year Community Services Block Grant package. These grant funds help families in Henderson, Polk and Transylvania Counties out of poverty. The Boards of Commissioners of all three counties are required to acknowledge receipt of the grant application and be given the opportunity to offer comment. The Clerk to the Board forwarded the grant application packet to Commissioners on November 29, 2017. WCCA reported a 21% reduction in funding which will impact services provided to citizens in each of the three counties. Commissioners acknowledged receipt of the grant application, but provided no comments, and authorized the Clerk to the Board to sign the Documentation of Submission to County Commissioners form for submittal.

INTENT TO DONATE SURPLUS ITEMS TO TRANSYLVANIA COUNTY SCHOOLS-BREVARD MIDDLE SCHOOL

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:

- Two scoreboards no longer used by Parks and Recreation to Brevard Middle School of Transylvania County Schools

At least five days prior to donation, the County must post a public notice of its intent to donate the property. A resolution to approve the donation will be presented at the January 22 Board of Commissioners' meeting. Commissioners authorized the posting of a notice of the Board of Commissioners' intent to donate surplus scoreboards to Brevard Middle School – Transylvania County Schools.

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. In attendance receiving a certificate and mug were Steven Dugard and Frank Porter. The Clerk will mail certificates to those citizen volunteers that were unable to attend.

Last Name	First Name	Citizen Advisory Council	Appointed	Term ended or expired
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
Davis	Norah	Transportation Advisory Committee	11/11/2011	12/5/2017

VAYA HEALTH UPDATE

Shelly Foreman, the Western Region Community Relations Coordinator with VAYA Health, requested to give an update to Commissioners. She gave an overview of VAYA Health's strategic efforts in Medicaid transformation and of the Total Care program that is rolling out to all the counties within their catchment area.

Before beginning the presentation, Ms. Foreman publicly thanked Commissioner Lemel for the work she does on the Vaya Health County Commissioner Advisory Committee and expressed appreciation for her efforts trying to improve services for people with mental health, substance abuse and developmental disabilities and for working with other counties to advocate at the State level for needs in this area. Ms. Foreman said that Transylvania County is one of her favorite counties to work in and she has a great relationship with the Health Department and Social Services Department leadership. They are doing great work in the community, along with multiple agencies.

This is a summary of her presentation:

Medicaid Reform & Total Care Program

- State of NC gearing up to change how Medicaid services are managed
- Vaya has been acting as a public managed care organization for Medicaid services for some time and must do a lot to prepare for their role in the change that will be happening over the next few years
- State of NC will be looking to a variety of both private health insurance companies as well as public health systems to manage a full scope of health and behavioral health services
- Consumers will have many choices of health plans to manage their Medicaid services
- Where does Medicaid reform leave consumers with mental health and substance abuse issues?

- Tailored plans will be available to serve people with the highest need (intellectual and developmental disabilities, mental health and substance abuse)
- Standard plans will be available to serve people with mild to moderate mental health and substance abuse issues
- Vaya preparing to be competitive in the RFP process and to be able to continue to work in the various communities to provide services to their provider network, as well as to work with the health companies that will be getting the business to do medical services
- Vaya Health focusing on whole person care to ensure not only that consumers have their mental health and substance abuse treatment needs met, but also access to primary healthcare services, housing needs, etc.; looking at whole person and how they are being treated across the entire spectrum of services; plan called Vaya Total Care
- In order to be competitive in this process, must have great provider network; created coalition with Trillium (serves eastern NC) and Alliance (serves central NC) to ensure there is a statewide network of providers to meet the needs for people in the tailored health plan
- Vaya looking at business processes to be more efficient and effective and hence more competitive in this process and then determine how they will fit into Medicaid reform
- Noted it will be several years before impact to communities
- Concerned that NC General Assembly did not expand Medicaid and continues to reduce amount of funding provided to managed care organizations for people who do not have insurance; Vaya struggles to provide level of service based on need because many people in our region do not qualify for Medicaid; unsure how State will figure out how services for indigent folks will continue to be managed

This concluded the formal presentation. The following are comments and questions from Commissioners and Ms. Foreman's responses:

Commissioner Hawkins asked how Vaya has responded to the reduction in funding for indigent people and if people were going without services. Ms. Foreman said there is never enough money to provide all of the services that people need. Vaya has a system of care called the Comprehensive Care Provider System. Any State funding Vaya receives for indigent clients with mental health and substance abuse issues goes to Meridian Behavioral Health and Vaya Health dictates that Meridian has to serve all comers. This is one safety net. Vaya has also tried to be more aggressive with grant funds from the State. Vaya also created alternative service definitions that could hopefully convert some of those on indigent care to a Medicaid billable service. Ms. Foreman said Vaya cannot keep covering indigent services at this level. They have continued to use their fund balance for a number of years and they experienced a large reduction in force in July. They continue to find ways to meet the needs where they can by having great partnerships in communities.

Commissioner Hawkins asked if the number of indigent clients has decreased or increased. Ms. Foreman said the number of people needing addiction services has gone up across all categories, especially with the opioid epidemic. Many people with addiction issues do not have Medicaid and addiction recovery requires a long term commitment. Otherwise, the numbers have been stable across time.

Chairman Chapman asked if Vaya tracks clients who successfully overcome addiction or does Vaya find they are consistently treating the same people. Ms. Foreman responded that Vaya works with their comprehensive providers because they are providing the majority of addiction services. A category of people considered seriously and persistently mentally ill, while being supported in their recovery, will always have a mental illness and they are treated as having a chronic health issue. Vaya's job is to manage their care so they stay as safe and stable in the community as possible. Vaya is able to track these individuals. When it comes to addiction, Vaya does not track these individuals for the long term. There

is always a subset of people that will struggle with long term addiction issues. Ms. Foreman noted that many more people are becoming more successful with medication-assisted treatment programs due to the recovery movement and peer support.

Chairman Chapman inquired about a dedicated review process to determine the effectiveness of these programs. Ms. Foreman reported that one of Vaya's major roles is quality assurance and monitoring providers for both their efficacy and their use of evidence-based practices. Medicaid reform will more than likely come with performance incentives for doing a better job of care.

Commissioner Chappell asked if the coalition of managed care organizations will cause the board structure to change. Ms. Foreman responded that their board structure is mandated by general statute, so she does not expect a change at this point. The coalition was built for the purpose of preparing for future reform and ensuring geographic coverage across the entire State.

Commissioner Hawkins asked if clients should expect to be seeing the same providers or if there would be changes in how they access their treatment in the future. Ms. Foreman first pointed out it will be several years before the system changes. Vaya's goal is to work with the health systems and contract with them to provide various levels of service, but for now it is too soon to answer.

Commissioner Phillips asked if the coalition will ensure coverage in all 100 counties. Ms. Foreman said there are several managed care organizations that are not part of this coalition. It is the goal that the three managed care organizations that have formed this coalition would be able to cover the tailored plan services for all 100 counties. Over time, there could be other managed care organizations that choose to participate in the coalition.

Chairman Chapman thanked Ms. Foreman for her presentation and for the work that Vaya Health does in our community.

APPOINTMENTS

COUNTY COMMISSIONER APPOINTMENTS

County Commissioners serve on various boards and committees in the County, region and State. Staff requested Commissioners discuss whether or not they want to continue serving in their same capacity.

Here is a breakdown of the boards and committees on which Commissioners currently serve:

Larry Chapman	Jason Chappell	Mike Hawkins	Page Lemel	Kelvin Phillips
Juvenile Crime Prevention Council	Land of Sky Regional Council-alternate	Land of Sky Regional Council-primary	Dupont State Recreational Forest Advisory Committee	Board of Health
NC Association of County Commissioners Board of Directors	Work First	Gorges State Park Advisory Committee	Joint Parks & Recreation Strategic Plan Task Force	
	Personnel Board	Transylvania County Tourism	VAYA Health County	

		Development Authority	Commissioner Advisory Council	
	Rural Planning Organization	Economic Development Partnership of NC	Early Childhood Initiative Task Force	
	French Broad River Metropolitan Planning Organization	NC Travel & Tourism	Domestic Violence/Sexual Assault Task Force	
			Blue Ribbon Commission on Local Financing Options for Early Childhood Development	
			Social Services Working Group	
			Senior Services Task Force	
			Extension Advisory Council	

Commissioners did not request any changes at this time to their appointments.

NEW BUSINESS

CITY OF BREVARD RESCUE TRUCK REQUEST

Assistant County Manager David McNeill presented this item. During the budget process, the City of Brevard requested the replacement of Service/Rescue 21, a 1996 International with 21,358 miles. This truck is used for rescue and fire responses. During that time, County staff requested delaying the purchase pending additional information. County staff recently met with City officials once more to discuss the additional information and their recommendation remains the same to delay the purchase, and instead to perform a thorough review of the contract regarding the types of rescue services being requested from Brevard Fire Department, in light of the fact that Brevard Rescue Squad is located within the same district. Once the contract is revised, future funding would be based on the services outlined in the contract. Mr. McNeill pointed out that Brevard Fire Department provides some rescue services now, but some departments provide all rescue services within their respective districts. So when staff evaluated the purchase, they did so based on services outlined in the contract.

Mr. McNeill recommended Commissioners delay the purchase of the new truck and allow staff to work with the City to develop an appropriate contract that is consistent and not duplicated when not necessary. He pointed out the cost of the replacement truck is \$606,220, which includes an additional request for rescue equipment totaling \$214,658.43. County staff conducted a site visit at both Brevard Fire Department and Brevard Rescue Squad and inspected both departments' equipment. Much of equipment being requested already exists at both departments and appears to be in good working order. This allows for time to reevaluate the contracts and ensure the correct decisions are being made moving forward.

Commissioner Hawkins asked if there was a time pressure for making a decision on the truck purchase. Mr. McNeill said from his perspective there is no time pressure. The truck is in good working order and is able to provide for current needs. The truck is a 1996 model with 21,000+ miles and there are some issues with it, but in its current condition it provides staff time to evaluate the situation further and ensure future purchases are consistent with the needs within the Sylvan Valley II and Brevard districts and to assist with mutual aid countywide. He said this really comes down to what services the County is requesting Brevard Fire to provide. Mr. McNeill said it is important to understand that Brevard Fire is different from other fire departments in that they have a rescue squad located within their district and the rescue squad provides services that other fire departments are providing in the Sylvan Valley II district and in the City of Brevard. He pointed out there has been some conflict in the past between Brevard Fire and Brevard Rescue about the services being provided. A review and revision of the contracts will clarify which services should be provided by each department.

Chairman Chapman inquired about the expected timelines for reviewing the contract. Mr. McNeill did not expect the process to be lengthy. He reported that he has already met with the City Manager and discussed his recommendations. He said he expects to have a revised contract relatively quickly that meets the needs of citizens in Sylvan Valley II and the City of Brevard. The Manager reported this will be part of the FY 19 budget request so that the County can assure both departments are properly funded.

City Manager Jim Fatland was in attendance. He stated he agreed with Mr. McNeill's recommendation to delay the purchase. He noted that the truck came due for replacement last year, but it would have required a tax rate increase to fund the purchase. The City just paid off the loan on a ladder truck, so the truck purchase was delayed to the current year to ensure no tax increase. Mr. Fatland reported there are issues with duplication of service that should be addressed. He also reported that the City has taken a number of measures to ensure they are accountable to the citizens of Sylvan Valley II. They established a special revenue fund with dollars from the sale of equipment, formed a public safety committee to discuss issues and make recommendations to City Council, added night staffing, and ensured the same equipment is available on all trucks, all in order to provide good services to citizens. He said he looks forward to continued work with County staff.

Commissioner Chappell moved to elect not to commit the Sylvan Valley II District to the City of Brevard loan for a Rescue Vehicle and to authorize staff to revise the contract for fire protection services with the City of Brevard and rescue services with Transylvania County Rescue Squad, Brevard Unit 1 for review by Board of Commissioners. Staff will make a recommendation on rescue equipment needs per the revised contracts included in the 2019 budget. The motion was seconded by Commissioner Hawkins and approved unanimously.

APPROVAL OF PURCHASE OF RESCUE PUMPER FOR LAKE TOXAWAY FIRE RESCUE

Assistant County Manager David McNeill presented this item. Lake Toxaway Fire Rescue is in the process of purchasing an E-One Typhoon Rescue Pumper. The truck will be a first-out apparatus for fire related responses and is equipped with a set of extrication tools for first-out to motor vehicle accidents. The truck has a 2,000-gallon/minute pump for providing water to the ladder truck. It has a 1,000-gallon storage tank. The custom cab can safely transport six personnel with gear while the standard cab is limited to transporting two personnel. There are also added safety features in the custom cab to prevent injury to personnel if the vehicle is involved in an accident. This purchase will enable the department to have a rescue engine at the primary station and sub-station for first-out response. Lake Toxaway Fire Rescue provides all rescue services within their district, including medical first response.

Based on the projected order and delivery, the department will see no impact to the budget related to this purchase in the FY 2019 budget. The debt service will increase in the FY 2020 budget by \$2,700 per month, but a potential impact to the fire tax rate is not determined. This amount is not significant for this

department. It is difficult to project with certainty what the property valuation of the district will be in two years, but if there is an impact to their tax rate, it is expected to be minimal. The approval of this request does not obligate Transylvania County to pay the debt service, but acknowledges that Lake Toxaway Fire Rescue is contracted to provide fire and rescue services in a specified district.

Mr. McNeill recommended approval of the purchase of the rescue pumper and completion of the tax exempt loan paperwork. He said this is a good purchase because it is a piece of equipment that serves both fire and rescue purposes.

Commissioner Hawkins moved to approve the request, seconded by Commissioner Chappell and unanimously approved.

MODIFICATION TO NONPROFIT FUNDING FOR TRANSYLVANIA COUNTY HISTORICAL SOCIETY

Management Analyst Jonathan Griffin presented this item. He reported that in December 2017, the Transylvania County Historical Society Board of Directors inquired if it would be possible for them to use the \$3,000 appropriated in the County's FY 2018 budget on a project different from their original application for grant funding.

The Historical Society reported that their efforts to preserve the Allison-Deaver House have been challenged by cost overruns in the repairs made this summer to combat water intrusion from heavy rainfall. The Historical Society does not have an endowment or reserves substantial enough to meet this need. Included in the Commissioners' agenda packet were documents detailing the cost overruns and photos of the work in progress. The Historical Society also reported they have a \$15,000 outstanding obligation to their contractor regarding improvements undertaken in the summer of 2017. While the projects outlined in the initial project remain on their list of priorities, they requested that Commissioners allow them to use their FY 2018 appropriation to meet this critical need for their organization.

Commissioner Hawkins moved to allow the Transylvania County Historical Society to use their FY 2018 appropriation to pay costs previously incurred repairing the Allison-Deaver House. The motion was seconded by Commissioner Phillips. City Council and Mayor Pro Tem Mac Morrow, who is also the current president of the Historical Society, reported that these efforts have stopped the water intrusion on the north side of the house; however, weather and time have caused many challenges with the rest of the house, so it is a continuous challenge to make sure this treasure is around for many years to come. Mr. Morrow noted the Historical Society is fortunate to have found a local contractor that has the talent and techniques to complete the repair work, but it is a costly capital campaign. The good news is the Historical Society has qualified for three endowments and they are working to increase membership. Mr. Morrow stressed how important this home is to the history of Transylvania County. He thanked the Board for their support and consideration. **The motion was approved unanimously.**

The Manager reminded Commissioners the upcoming budget process will include a nonprofit budget cycle. Last year there was some discussion about handling requests related to the protection of history and cultural resources differently. She pointed out statutes govern what counties can fund locally.

POSITION GRADE RECLASSIFICATION/COMBINATION-TRANSPORTATION ADMINISTRATIVE OFFICE ASSISTANT

Transportation Coordinator April Alm presented this item. In FY 2017, a full-time Program Support Assistant position was not filled after a long time employee retired in February 2017. A part-time Administrative Assistant was hired in March 2017 working 13.5 hours/week. This Administrative Assistant indicated in November 2017 she would like to retire, but would work until she was replaced.

On December 11, 2017, the other part-time Administrative Assistant whose main focus is dispatching turned in her resignation with her last day being January 19, 2017. This employee works 10 hours/week.

The Transportation Department has experienced a recent increase in ridership that is anticipated to continue and staff is handling more calls for service requiring additional assistance in the office to answer. One of the positions currently is not part of the office staff and works remotely. Staff requested to combine the two part-time positions into one Administrative Office Assistant, to reclassify to a salary grade 10, and a work schedule to cover the office of 8:30 am to 1:30 pm Monday-Friday for a total of 27.5 hours a week, and making this positional eligible for retirement benefits. This position will help cover the demand on Mondays and Fridays where the current Transportation Coordinator is performing administrative duties, 8:30 am to 12:00 pm.

There are no additional funds being requested in the current budget. The full time wages, fringes and retirement budget for this department will increase by a total of \$5,700 with the offset coming from lapsed salaries. In FY 2019, the financial impact will be \$997. However, correcting fare collection and cash handling processes is anticipated to result in additional revenue from fares of around \$4,000 per year. Revenue trends to date support that additional revenue will be realized this year over the budgeted amount and in future years as well to offset the additional costs.

Commissioner Phillips moved to approve the reclassification/combination of two part-time Administrative Assistant positions into one position, Administrative Office Assistant, salary grade 10 and increase from 23.5 to 27.5 hours per week to assist with office coverage and cover existing job responsibilities. The motion was seconded by Commissioner Chappell. The Manager reemphasized that the Transportation Department is expecting an increase in fare collections of \$4,000 per year which will more than offset the increased cost of combining the positions and upping the hours. Therefore she felt this was a wise move for the department. Commissioner Phillips asked what has caused the increase in ridership. Ms. Alm said the reason is mostly word of mouth. She stated when Mr. Griffin served as the interim director he found ways to make the office run more efficient and to communicate with partner agencies and others about the services available. **The motion was approved unanimously.**

SOLID WASTE BUDGET AMENDMENTS

The Manager and Assistant County David McNeill presented this item jointly. Mr. McNeill reported that about a year ago he was tasked to study the operations of the Solid Waste department and make appropriate recommendations. Staff has been working diligently to improve operations and ensure compliance with statutory and regulatory requirements for operating a landfill. The County has received notice of violations and documented failures that require corrective actions to prevent fines and potential loss of permit to operate. The following action items have been required that are generating a budget amendment request:

- Repair and maintenance of cell slopes to ensure compliance with erosion and sedimentation requirements
- Managing an unwise electronics stockpile through packaging and shipment for recycling
- General site cleanup to reduce stockpiles of materials, old surplus equipment and vehicles
- Large truck maintenance cost to ensure safe and lawful operation
- Large equipment maintenance (older bulldozers and equipment repair and maintenance)
- Engineering requirements to meet storm water management issue at the Woodruff site and landfill gas movement offsite at the Calvert site (repair and remediation costs have yet to be determined)

- Proper management of leachate levels within the regulatory and permit requirements to prevent violation and/or costly leachate leaks/blowouts
- Technical consulting from Joyce Engineering to develop strategic and efficient operations that meet all regulatory requirements

The Manager spoke next about the two overlaying issues important to operating a landfill. She noted that the State filled a vacant inspector position that had been vacant for two years. Staff began discussions with the new inspector about concerns they had identified and how to start fixing those problems. During that time staff reorganized the Solid Waste department functions into County operations. The Manager shared two key components to help Commissioners understand why staff will be making certain recommendations to them. The two key components at the landfill that underlie operations issues were identified as:

- Lack of preventative maintenance
 - Expensive equipment costs more in replacement and parts when regular maintenance and servicing are neglected
 - Replace worn components before they fail prevents the larger expenditure of replacing the whole system
 - Clean and restore components before performance degrades
 - Avoid consequences of component system failure
 - Improve reliability and predictability
 - Train experts on proper procedure and techniques
- Compaction
 - Landfills consists of layers: clay barrier, plastic liner, pipes for leachate collection, refuse cell, and daily cover
 - Refuse is placed in layers and everyday an equipment operator covers with compacted soil using a compactor to press down; daily activity is very critical
 - Compaction saves taxpayer dollars because it allows for more material to go into each cell; preparation and permitting of each cell is very costly
 - Important because impacts leachate; the rate water penetrates after a cell is filled is slower and has more opportunity to evaporate if compaction is maximized; as water penetrates it collects waste and becomes leachate and must be treated; the more water that makes it to the leachate collection system, the more costly it becomes in another key operation of a landfill which is leachate disposal; leachate disposal is daily responsibility and must be treated upon closure of cell too
 - Equipment operator is critical
 - Compaction that is not consistently handled correctly allows more water to penetrate at a faster rate generating more leachate and driving up costs for transporting and treating the higher volume as a cell is closed and has to be maintained; can translate into higher costs to maintain post-closure that can even escalate as more cells are used plus each cell does not get used to its maximum capacity meaning less use for the funds spent

Next Mr. McNeill reviewed each of the budget components and discussed how the requested budget amendment impacts each of those components. This is a summary of the presentation:

- Engineering Services
 - Consulting to keep license during changing staff, advising in changing daily operations to correct problems, strategic recommendations, overlap with new director and general consulting as annually contracted
 - Renew permit to operate; this is mandatory; currently in last year of permit

- Training and Travel
 - Increases to cover new staff due to turnover at the landfill
- Office Furniture
 - Need adequate spaces to keep files, manage financial transactions and lock personnel files
- Heavy Equipment Repair
 - Budget very lean for fleet of equipment and trucks (a set of tires costs \$6,000; total budget was \$26,000)
 - \$1,147,317 total worth of equipment and vehicles – net of accumulated depreciation
 - Still evaluating deferred maintenance, but ongoing down equipment has already incurred costs; when feasible work is conducted in-house
 - Staff recommending a reserve fund as newly hired mechanic continues to evaluate needs to be authorized by the County Manager
- Landfill Site Container
 - Pisgah Forest Convenience Center: old oil collection tank began leaking and had to be replaced; new tank allows detection of when the tank is full
 - Safety and efficiency issues noted at sites including inadequate steps and railings
 - Retention walls at collection sites being evaluated for next year's budget
- Special Projects
 - Electronics Management: State rules require that TVs, computers, etc. cannot be put in the landfill; budget must include funds to pay to dispose of these separately which costs more than fees charged; had to catch by removing seven loads in order to reach compliance, each weighing 7-8 tons/load and costing \$4,500 average per load; will track this in the future so budget can include appropriate funds
 - This budget item will also need to cover hazardous household waste
- Uniforms/Safety Equipment
 - Staff should look professional and be visible
 - Inclement weather and safety concerns require proper gear that was not being utilized
 - Protective gear required due to potential for hazardous waste contact
 - Important to be able to identify staff working the sites and around equipment
 - Recommending contract for uniforms after evaluation of alternatives
- Heavy Equipment Repair/Transportation
 - \$30,975 for repairs to two of the three on road box trucks have been required this budget year; this amount has increased as of today's date
 - All of the trucks has been inoperable in the last nine months requiring major repairs
- Part Time Wages
 - Temporary driver with CDLs required to keep up with trash and leachate during staff turnover
- Over Time- Landfill Operations
 - Staff time has been required to catch up on road repair (including weather washout of the landfill road), dirt mining and moving, catch up onsite after hours
- Leachate
 - Leachate was out of compliance with the highest measurement 10 times over the limit permissible; immediate action to remove leachate was required including contracting for additional assistance
 - Staffs have run 909 loads of leachate through the end of November; staff reduced dumping time for leachate from 30 minutes to 10 minutes by modifying the disposal valve circumference on the tank for one of the trucks
 - Cleaned leachate overflow tank

- Old compaction issues will continue to generate high leachate levels and expense; increasing compaction in cell 5 will greatly impact the County's budget
- Equipment Rental
 - Dozer used seven to eight hours daily went down requiring rental to stay operational
 - Second major equipment failure was the Articulating Earth Moving Truck that is utilized for moving dirt for fill, cleaning sediment ponds and general maintenance on the landfill
 - Equipment and trucks needed to clear sediment ponds that haven't been cleared in at least five years; should be done annually
- Heavy Equipment Repair
 - Repairs to Articulating Earth Moving Truck exceeded budget
 - Still need to cover general maintenance of heavy equipment (CAT Packer, Older D8 Cat Dozer, Articulating Truck, Older Motor Grader, Trackhoe and, Backhoe)
 - New mechanic is CAT certified and should be an asset to implementing maintenance program to extend life of equipment
- Landfill Site /Container Maintenance
 - Cited for slope failures and cover requirements
 - Staff matted portions of the older slopes in cells 1-5 and began establishing cover as required by regulatory requirements throughout cells 1-4 to prevent erosion; vegetation slows down flow of water during rain event to prevent washouts
 - This includes \$10,000 for two additional gas wells at the Woodruff site; those in the wrong location will be abandoned
 - The storm water retention ponds need to be cleaned regularly; will also require some erosion control measures; hauled approximately 650 loads of sediment in a 25 ton and 30 ton truck, but the benefit is the sediment can be used as fill/cover dirt
- Calvert Site
 - The closed landfill gas monitoring has resulted in a State requirement to conduct monthly monitoring of a neighboring property
 - Two probes are malfunctioning and must be replaced in order to determine remediation that may be required under State regulations
- Salary and Wages
 - Requesting two additional positions
 - Maintenance and Parks and Recreation staff and volunteers have been utilized to catch up when possible
 - Minimum daily needs at the landfill to operate efficiently, safely and within regulations require additional staff
 - Need two equipment operators in the cell daily with one operating the dozer and one serving as the packer at the trash site (at times now it is only one person which is not safe)
 - This is best way to assure compaction which impacts life span of the cell and ongoing costs post closure by having the right staffing and new compactor wheels to increase compaction (currently 1,112 lbs/cy)
 - Also need two operators mining dirt for compaction and running leachate (currently one)
 - There are lots of activities going on at the landfill on a daily basis that are required to maintain an effective landfill facility
- Packer Wheel Replacement
 - \$40,000, increase to \$49,000
 - Compaction rate should be near 1,400 lbs/cy
 - Staff worked with Joyce Engineering to calculate the impact of improved compaction by both improving staffing operations and new packer wheels; improving the compaction

rate from current 1,112 lbs/cy to 1,360 lbs/cy would increase the life expectancy of the landfill by 1.5 years; equates to 1.5 years of additional tonnage in the current landfill at a rate of \$55/ton; using the tonnage estimate in the latest landfill capacity study, the potential for an increase of substantial revenue produced from the current permitted site is \$2,062,500 which does not include the savings that will be achieved by secondary impacts in the future such as less leachate to be regularly removed from the site

- Total Additional Expense Recommended: \$447,220
 - Potential funds to offset \$272,765 and \$212,765 of deferments, but deferments not recommended
 - Other Equipment: \$40,000 - Staff budgeted \$40,000 for replacement boxes for the trucks; will request replacement boxes in the FY 2019 budget; this would be a deferred cost
 - Land Improvements: \$106,576 - \$118,826 for repairs was budgeted to the Woodruff landfill road from the Hwy 64 entrance to the beginning of gravel; \$106,576 reflects the amount minus a quote to repair one section that is increasingly concerning for potential failure; very difficult to recommend the use of these funds due to road condition; however, it is an option for consideration by the Board of Commissioners, but will require funding to repair in 2019 if used this fiscal year to offset other landfill needs
 - Salaries and Wages: \$60,000 - lapsed salaries related to departmental turnover and funds saved in the EMS budget minus the increase provided to the training officer for temporary assignment as EMS Director
 - Maintenance Budget - Building Improvements: \$66,189 - budget for replacement of upper roof section on the DSS building is inadequate this fiscal year based on bids received; item is a deferment and would be requested in FY 19; not recommended, but an option for consideration
- Staff Recommendation:
 - Approve Budget Amendment request including two additional full time operator positions with either option below:
 - Adjust the budget in Solid Waste by \$447,220 with \$387,220 coming from the Fund Balance in the General Fund and \$60,000 coming from lapsed salaries in Solid Waste and EMS; recommended option by staff
 - Adjust the budget in Solid Waste by \$447,220 with \$174,455 coming from the Fund Balance in the General Fund; \$60,000 coming from lapsed salaries in Solid Waste and EMS; and \$212,765 coming from deferred projects; not recommended by staff
 - Approve a reserve fund of \$100,000 in Fund Balance to fund vehicle and equipment repairs in Solid Waste as approved by the Manager in order to rectify issues due to lack of regular maintenance; also makes it easier to estimate maintenance costs for future budgeting purposes

This concluded the presentation. Chairman Chapman called for comments, questions and action by Commissioners.

Commissioner Chappell questioned the recommendation to designate \$100,000 in Fund Balance and give the Manager the authority to approve spending without Board approval. The Manager stated the thought process is if there is a major repair needed on equipment or vehicles, noting more is anticipated, the department would have to rent equipment in the interim in order to continue to operate while awaiting Board approval of funds for repair work. This would be used as an emergency fund to pay for the necessary repairs to get the equipment operating. The Manager would account for any spending at each

regular meeting of the Board of Commissioners. This is an option for the Board to consider ensuring the repairs are made more expeditiously.

Chairman Chapman inquired about the total impact to the budget if the emergency fund is approved. The Manager reported the total impact would be \$557,200. The transfer from the Fund Balance would be \$387,220 if option 1 is approved, plus \$100,000 for the emergency fund.

Commissioner Phillips asked if the proposal is to maintain \$100,000 in an emergency fund on an annual basis. The Manager replied yes, noting there are other reserve funds the Board handles similarly. For instance, each year at least \$20,000 is budgeted in a fund so staff can authorize for the removal of trees in the French Broad River. Those are handled administratively and the funds are replenished each year if any were used. She pointed out there may be no need for the emergency fund in the future, but staff continues to find significant problems with equipment and vehicles.

Commissioner Hawkins thanked staff for presenting a very comprehensive report. He commented that much of what was reported was very disturbing. He requested a one-page document outlining the structures put in place to ensure these issues are addressed and who will be making those decisions. In terms of the request for the emergency fund, Commissioner Hawkins felt that \$100,000 is a very large amount to give the Manager authority over. He noted that Commissioners meet twice a month which he felt was often enough to make decisions. He asked the Manager to further explain staffs' concerns. The Manager stated the concern is that if a piece of equipment becomes inoperable today for instance, staff would have to wait until the next Board meeting to get approval for funding to make the necessary repairs. She is authorized at this point to move \$5,000 between departments. The Manager noted that the repairs to the articulating vehicle completely eliminated the heavy equipment repair budget, so these repairs tend to be very costly. Mr. McNeill added the rental costs for equipment are a significant expense. If equipment goes down, staff cannot move dirt which is unacceptable for a landfill.

Commissioner Hawkins asked if it was possible to have \$100,000 in repair costs over a two week period in between County Commission meetings. Mr. McNeill reported that at this point it is unknown, but reported that the repair cost for the articulating truck was over \$43,000 and another truck cost \$19,000. He did not expect other repair costs to exceed this amount, but felt the department would be in better shape if it were prepared to handle repair costs. The Manager pointed out the \$100,000 recommendation is less than 10% of the total estimated value of the equipment and trucks in total. She offered an option to lower the amount requested based on the repair cost of the articulating truck to \$50,000 and staff could ask to repopulate the reserve fund after expenditures occur. Mr. McNeill stated that costs can add up fairly quickly and in the current situation it is not unusual for there to be more than one piece of equipment down. It is the goal to get to a point through their maintenance program to realize a reduction of future costs.

Commissioner Chappell reminded Commissioners they have the ability to call special meetings to handle emergency situations when they arise. Chairman Chapman agreed with the concept, but preferred a reduced amount; however, he was willing to do what the majority of the Board preferred to do. He asked if Commissioners had issues with the dollar amount or the reserve fund itself. Commissioner Hawkins was concerned about the amount being requested. Commissioner Chappell had issues with both and was concerned about setting a precedent of a large amount of spending being decided by the County Manager rather than the Board of Commissioners. The Manager offered another alternative. She stated that from a financial standpoint it is important to set aside monies in reserve as a general practice that the Board has authority over for this issue because she felt that expenditures are going to exceed even the \$100,000 being requested as staff continues to uncover equipment issues. The Manager suggested Commissioners set a fund balance reserve amount for Solid Waste repairs and authorize the Manager a cap to spend in an emergency situation. She said the Board could elect to instead call emergency meetings, but she did not

want to them to lose sight of reserving funds because she thought it was an important strategy for overall fiscal management. They could authorize use of the reserve funds in a number of different ways.

Commissioners requested to table the reserve fund request to the next meeting and asked the Manager to put together proposals for the Board to consider.

Commissioner Hawkins moved to adjust the budget in Solid Waste by \$447,220, with \$387,220 coming from Fund Balance and \$60,000 coming from the lapsed salaries. The motion was seconded by Commissioner Chappell. Commissioner Phillips requested, with the upcoming budget process, a chart outlining the personnel positions and an inventory of equipment, along with an explanation of the usage and maintenance schedule for each. The Manager responded that staff can provide this information, and noted that the new Solid Waste Director will be starting in mid-January and part of his annual work plan will be developing and implementing a formal maintenance schedule. Chairman Chapman inquired about the timeline for completion of these items and getting to a point where the department is being operated efficiently. Mr. McNeill reported that this proposal includes leaving Interim Director Bobby Cooper in place through April to continue addressing issues he has identified and working to correct which enables the new Director to have an understanding of operations before taking over the reins. It also includes an engineering consulting component through April to allow the new Director to become fully engaged and understand the current issues and the corrective actions that have been taken and need to be taken moving forward. Mr. McNeill pointed out the department has already made significant strides and much of what was presented today has already been funded through moving monies around in the budget. He predicted that by the end of 2018 the department will be operating efficiently and everyone will have an understanding of their responsibilities and be held accountable for them. There was no further discussion and **the motion was approved unanimously.**

Mr. McNeill publicly thanked all the volunteers, including inmates, that have helped with labor at the landfill and staffs that have stepped up to take on more responsibility during this transition.

ELECTRONIC ADVERTISING

Finance Director Gay Poor presented this item. Per NCGS 143-129(b), a local unit of government may advertise bids for contracts in the formal range in a newspaper having general circulation in the unit's area or by electronic means, or both. However, advertising bid opportunities electronically instead of in the newspaper requires approval by the governing board. Examples of electronic advertisement include posting opportunities on the local government's website, the State's website, or other websites that post this sort of information. The key purposes of advertisements are to provide information to potential bidders about the opportunity to submit bids, to notify citizens the local government is undertaking a purchase or construction contract, and to make that information widely available and easily accessible to all interested parties. Electronic advertisements are an increasingly common, cost effective way of meeting these criteria. The County has been using electronic advertisements for several years in conjunction with newspaper advertisements to reach a broader pool of bidders.

Staff asked Commissioners to consider a resolution approving electronic advertisements. If approved, electronic advertisements will be used when deemed appropriate based on the type of purchase or project. It is not intended that electronic advertisements will replace all print advertisements. Because the request only includes advertising for bids in the formal range, the number of bids would be fairly limited. Ms. Poor added that the reason this request came forth is the County went out for bids for the VHF non-proprietary simulcast repeater system in December which is a highly technical and specialized system and there was question about how effective an advertisement would be in the local newspaper for this type of project because it would not reach the appropriate market. In most cases, both newspaper and electronic advertising are necessary. Approval of the resolution expands options for staff when advertising bids in the formal range.

Commissioner Chappell inquired about who would be making the decision to only advertise electronically. The Manager stated that the Finance Director would make that decision in consultation with the Manager.

Commissioner Hawkins stated he was opposed to the recommendation. He asked if there was any value to waiting on information from Mr. Trapp with *The Transylvania Times*. He had promised to send the Board additional information during his public comments today. Chairman Chapman suggested delaying the action until the next meeting, but said the decision needs to be made soon because the County is preparing to move forward with several major projects. He was not opposed to the recommendation because he felt it expanded options for staff. Commissioner Chappell expressed his opposition as well. Commissioner Hawkins stated the point of the recommendation was to save money, but pointed out there was no data included with the recommendation in terms of how often electronic-only advertising would be used. The Manager responded that staff would pull data from the last year and report back. Ms. Poor added she felt this would be done very seldom. Based on Ms. Poor's comments, Commissioner Hawkins questioned the need to take action. The Manager restated the purpose of the recommendation was to open up options.

Commissioner Hawkins moved to table this item to next meeting and receive the information from Mr. Trapp and any other information that we might get. The motion was seconded by Commissioner Chappell and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- January 19 - Ecusta Road Industrial Building groundbreaking ceremony
- Library Financial Literacy Classes for Adults upcoming; Family Fort Night and Read in January 12 from 6pm-7:15pm
- Parks and Recreation activities including youth after school dodgeball and adult league dodgeball starting soon; January 16-Play the Day Away cancelled because make up snow day for TC Schools

Kudos Report!

- Emergency Management for continuing to monitor public issues related to the cold weather
 - Evacuation of Cedar Mountain Home
- Transportation Department for getting initial approval on a grant to double the cab program; if final approval received, this will enhance ability to provide out-of-county trips
- Maintenance Department for responding on Christmas Eve to a water heater failure that left the basement of Register of Deeds and Tax Administration flooded; in process of remedying that situation
- Lake Toxaway Fire Rescue Chief Carmon West, other volunteers and staff (David McNeill, Bobby Cooper, Maintenance, Parks and Recreation) for assisting Solid Waste department

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Chairman Chapman thanked everyone for coming and attending a lengthy meeting.

EMPLOYEE RECOGNITION CEREMONY

PRESENTATION OF SERVICE AWARDS & ANNOUNCEMENT OF EMPLOYEE OF THE YEAR AND DEPARTMENT HEAD OF THE YEAR

At the annual employee luncheon employees with 5,10,15,20, 25 and 30 years of services are recognized and presented with a certificate of appreciation and a service recognition gift and the Employee of the Year and Department of the Year are announced. The annual employee luncheon was held on Friday, December 8, but the snow storm came early and the luncheon was cut short. Therefore, no awards were presented. Staff requested to publicly recognize employees with their service awards and present the Employee of the Year and Department Head of the Year awards during this meeting. The following employees were recognized with years of service:

25 Years	20 Years	15 Years	10 Years	5 Years
Kevin Creasman	Jessica McCall	Ginger Owens	Desiree Abram	Dell Barber
Gerald Grose	Mike Owen	Amy Parker	Wade Abram	Bill Carroll
Eddie Gunter	Gilda Ruddy	Richard Pearson	Justin Bell	Christopher Clark
David Mahoney	Kimberly Rogers	Gay Poor	Mark Ellenberger	Kris Foster
Mark Norton		Gene Potts	Bonita Freeman	Sabrina Griffin
Greg Tinsley		D'Ree Powell	David Galloway	Brandon Holden
Kevin Shook		Pete Stamey	Trisha Hogan	Teresa Mayes
			Christy Lyday	Tosha McKinney
			Darrell McCall	Thela Murdock
			Ernie Miller	Lynn Morgan
			Laura Rinehart	Karen Owen
			AJ Sizemore	Samuel Owen, Jr.
			Tom Wehrle	Tanna Norton
				Andrew Shook
				Jeff Story

Commissioners publicly thanked these employees for their years of service to Transylvania County.

Library Director Anna Yount was presented with the Department Head of the Year Award. Payroll Technician Anita Barnard was presented with the Employee of the Year Award.

Following the presentations, group photos were taken.

Chairman Chapman moved to enter into closed session per NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, following a light reception to recognize employees who received service awards, seconded by Commissioner Phillips and unanimously approved.

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, closed session was entered into at 11:40 a.m. Present were Chairman Chapman, Commissioners Chappell and Hawkins (Commissioner Phillips had to leave for a previously scheduled appointment prior to the closed session), County Manager Jaime Laughter, County Attorney Misti Bass, Transylvania Economic Alliance Executive Director Josh Hallingse and Clerk to the Board Trisha Hogan. The meeting was held in the Arthur C. Wilson, Jr. Conference Room.

Commissioners met in closed session to receive information about potential economic development projects and directed staff on how to proceed.

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

ADJOURNMENT

There being no further business to come before the Board, **Chairman Chapman moved to adjourn the meeting at 12:30 p.m., seconded by Commissioner Chappell and unanimously carried.**

Larry L. Chapman, Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board