

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
June 11, 2019 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Tuesday, June 11, 2019 at 9:00 a.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Vice-Chairman David Guice, Chairman Mike Hawkins and Page Lemel. Commissioner Will Cathey was absent. Commissioner Jason Chappell was on family vacation and unable to attend. 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.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 9:04 a.m.

WELCOME

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

PUBLIC HEARING

FY 2020 PROPOSED BUDGET FOR TRANSYLVANIA COUNTY

The Manager presented information on the proposed FY 2020 Budget for Transylvania County for the purpose of the public hearing:

FY 20 Budget Process

- Internal departments submitted budget requests with justification, including proposed work plans and a report on departmental trends
- Submission of budget requests from various funding partners
 - Nonprofits
 - Board of Education
 - Outside Agencies
- Prioritization process internally to ensure recommended budget delivers expectations
- Manager's recommended budget presented to Board of Commissioners May 22
- Budget workshops conducted May 28 and June 6; Commissioners recommended changes to the budget
- Public Hearings scheduled for today and June 24
- Adoption of budget required by June 30 to comply with NC statute

County Services

Counties are mandated to provide many services and most them are not funded by the State or federal government. Below is a list of County services that are mandated by State law and must be funded by the Board of Commissioners:

Medicaid Administration	Public Building Housekeeping	Sheriff and 2 Deputies
Crisis Intervention	Fiscal Management	Elderly Heating Assistance
Rabies Testing	DSS Services to the Blind	Custody for abandoned elderly
Tax Assessments	DSS Foster Care	Child Adoptions
Tax Collection	Employment Training	Emergency Medical Services
DSS Child Protective Services	Accounting	Marriage Lisences
DSS Adult Protective Services	Contract Management	Death Certificates
DSS Economic Assistance	Accounts Payable	Autopsies required by medical examiner
Child Support Enforcement	Payroll	Unclaimed Corpses
Health Education	Record Keeping	Birth Certificates
Restaurant Inspections	Elections	Deed Recording
Septic and Sewer Permits	Budgeting	Land Plat Recording
Immunizations	Legal Research	Insurance Management (property, liability, workers compensation)
Communicable Disease Detection and Response	Auditing	Court Facilities
Building Code Enforcement- Safe Structures	Agendas/Minutes/Meeting Schedules	Probation and Parole Facilities
Building Code Enforcement- Electrical	Education Capital Funding	Mental Health (Vaya)
Building Code Enforcement- Mechanical	Emergency Management- Floods, Snow Storms, Hazardous Spills	Substance Abuse Assistance (Vaya)
Building Code Enforcement- Plumbing	Jail Operations	Community College- Cap/ Ops
Jail Prisoner Transport	Civil Service	
Census Support	Court Security	
Floodplain Management	Inmate Health Services	
Public Building Maintenance		

Below (in orange) is a list of services the County is not required to fund, but there are good reasons to do so. For example, Information Technology is essential to the County accomplishing its work. The remaining items on the list (in red) are not required under law, but counties are authorized to provide these services if they so desire.

Landfill	Animal Shelter and Adoptions	Economic Development Recruitment
Solid Waste Recycling (25% of waste stream)	Animal Control	Economic Development Expansion
School Nurses	Solid Waste Convenience Centers	Adult Recreation Programs
Joint Historic Preservation Council	Library Books and Resource Check out	Summer Camp for Kids
Public Transportation	Library Programs for Children (story time, legos)	Children's Recreation Programs
Watershed Protection	Library Programs for Adults	Special Olympics
Transportation Planning	Library Speaker Series	Senior Games
Mapping (Used by visitors, realtors, etc)	Library Concerts	Senior Center Programs
Information Technology	Library Public Computers and Internet Access	Silvermont Museum
Human Resources	Genealogy and History Documentation	Senior Center Operations
Education Operational (Partial) Funding	Community Center Wifi Access	Parks Maintenance- Mowing
911 Emergency Dispatch- EMS, Fire, Law Enforcement, Rescue	New Adventure Early Child Development Center	Parks Maintenance- Playground Inspections
Property Addressing (allows for better dispatch)	Child Health	Parks Maintenance- Field Striping
Community College- Personnel	Reproductive Health/Family Planning	Parks Maintenance- Landscaping
Home and Community Care Block Grants	Land Planning	Parks Maintenance- Trash Collection
	Sign Ordinance Enforcement	Parks Scheduling
	Scenic Highway Ordinance Enforcement	Law Enforcement Patrol
	Small Area Planning/Comp Planning	DARE
	Cooperative Extension- 4H	School Resource Officers
	Cooperative Extension- Local Foods	Investigations- Property Theft
	Cooperative Extension- Agriculture Support	Investigations- Murder
	Cooperative Extension- Master Gardeners	Investigations- Rape/Sex crimes
	Veteran's Services	Investigations- Domestic Violence
	Noise Ordinance Enforcement	Investigations- Drug Trafficking
	Subdivision Regulation	Fire Marshall- Plan Review
		Fire Marshall- Commercial Building and School Safety

Fire Marshall Fire Investigations
 Inmate Work Crews
 Senior Services Task Force
 Get Set Early Childhood Initiative
 Pet Adoptions
 Rescue Squad- Vehicle Extrications
 Rescue- Searches, swift water, etc
 State Forest Fire Protection
 Technology Assistance (library)
 Community Meeting Spaces (maintenance, scheduling, clean up)
 Outside Agencies (Pisgah Legal, Sharing House, Farmer's Market, etc)
 Community Center Facility Grants
 Soil and Water Environmental Education
 Soil and Water Agriculture and Farm Support
 River Clean Up- French Broad River
 Workforce Housing

Many times, it is those services, like parks, the library, Cooperative Extension and some law enforcement functions, that citizens experience most.

All these services fall under the following key functions:

- Education
- Public Safety
- Health and Human Services
- Physical and Economic Development
- Culture and Recreation
- General Government
- Transfers
- Debt Service

How does the County budget?

- Review trends to predict services that will be needed, thinking innovatively about the services that can enhance our community
- Gather information from various sources to help predict price changes related to fuel usage, utility rates, etc.
- Make assumptions about the budget from multiple layers of staff review to get to a comfortable level in which the predictions are reasonable for both revenues and expenditures
- Budget is a policy document – to understand the Board of Commissioners' priorities and needs of the community and funding partners
- Develop budget document that helps establish policy and reflects priorities, while meeting key mandates

The Manager highlighted some trends from each category to give the Board an understanding of the County's spending patterns.

Education

- Blue Ridge Community College
 - Slight uptick in enrollment numbers
 - Without stable enrollment numbers, there would be a decline in State funding

- Transylvania County Schools
 - Steady decline in public school enrollment

Public Safety

- Increase in number of calls received and calls for service
 - Fire, EMS, Rescue, Emergency Management, Law Enforcement

Health and Human Services

- No significant increase in children's population, but continued rise in Child Protective Services cases

Physical and Economic Development

- Increases in the number of permit requests, primarily commercial

Culture and Recreation

- Library experiencing a higher per capital circulation for all materials, including e-circulation

General Government

- Includes various metrics across Human Resources, Finance, and Tax Administration
- Transylvania County continues to have the highest or one of the highest tax collection rates in the State
- Federal and State law changes have driven workload in Finance and Human Resources

FY 20 Budget Highlights

- Tax increase of 10.5 cents *based on voter approval* of the \$68 million school construction bond to renovate and expand Rosman High, Rosman Middle and Brevard High Schools for a new tax rate of \$0.616/\$100 valuation
- Total budget of \$63,936,857 with a tax rate for general fund \$0.636/\$100 valuation based on changes made during budget workshop
- Includes setting all fire district rates to 5.5 cents and supplementing remaining approved budgets from general fund as recommended from the budget workshop; \$1,279,600 transfer from fund balance to cover remaining expenses
- Includes tax increase of 2 cents to cover major capital needs identified
- Includes fund balance reserve for education requests to be funded after state salary and benefits and generalized capital improvements are known

	BOC
	Approved
Fire District	Budget
Sylvan Valley 2	\$488,730.00
Rosman	\$664,925.00
Little River	\$497,110.00
Connestee Falls	\$796,350.00
Cedar Mountain	\$193,100.00
Lake Toxaway	\$892,609.00
Balsam Grove	\$100,207.00
North Transylvania	\$271,151.00
Totals	\$3,904,182.00

	FY 20 Rate	FD Rate Change	School	Major	Net
	Fully Funded	vs FY 19	Bond	Capital	July 1 Tax
<u>Fire District</u>	<u>Rec</u>	<u>Approved</u>	<u>Tax Increase</u>	<u>GF Tax</u>	<u>Increase</u>
Sylvan Valley 2	\$0.0550	\$0.0000	\$0.1050	\$0.0200	\$0.1250
Rosman	\$0.0550	(\$0.0659)	\$0.1050	\$0.0200	\$0.0591
Little River	\$0.0550	(\$0.0356)	\$0.1050	\$0.0200	\$0.0894
Connestee Falls	\$0.0550	(\$0.0283)	\$0.1050	\$0.0200	\$0.0967
Cedar Mountain	\$0.0550	(\$0.0826)	\$0.1050	\$0.0200	\$0.0424
Lake Toxaway	\$0.0550	\$0.0006	\$0.1050	\$0.0200	\$0.1256
Balsam Grove	\$0.0550	(\$0.0568)	\$0.1050	\$0.0200	\$0.0682
North Transylvania	\$0.0550	(\$0.0850)	\$0.1050	\$0.0200	\$0.0400
City of Brevard	\$0.0000	\$0.0000	\$0.1050	\$0.0200	\$0.1250

FY 20 Budget Implementation

- Support the United States Census 2020 work in Transylvania County to assure an accurate count which will help to bring federal tax dollars back to the County for service support
- Explore operational efficiency and best practices throughout County services
- Facilitate a plan to address workforce housing and economic development needs in the community, including exploration of the role of infrastructure in providing these services
- Continue facilitating the work of Get Set Transylvania in partnership with Sesame Street in Communities, including providing topic-based resource toolkits to children along with services provided by county departments
- Continue facilitating the work of the Senior Services Task Force including continued operations and programming of the Senior Center at Silvermont
- Manage the construction of a sewer line that will provide expansion support to Gaia Herbs and extend service by the Town of Rosman along the US 64 corridor
- Facilitate the education construction bond issuance as needed by the Transylvania County Board of Education
- Continue funding \$50,000 per year to provide free wi-fi at nine qualifying community centers and issue a grant cycle in FY 20 for capital improvements for community centers

Fiscal Policy Goals

- Development of a long-term capital improvement plan
 - Estimated \$121,600,000 in major capital needs
 - Board of Education originally identified \$93 million in needs, so total capital needs could be higher
 - Courthouse
 - Water needs, community-wide
 - EMS Main Station
 - Parks and Recreation Master Plan
 - Economic development and product/site development
- Identify revenue to fund capital needs
 - Being creative through investment of funds into Ecusta Road Building Project
 - Lease payments to be invested in future economic development projects
 - Education facilities bond
 - PARTF Grant, not yet factored into budget until notification of receipt

- Word toward multi-year budget planning in general fund
 - Long range capital plan

Revenue Projections

- Projected growth in tax base of 1.6%, reflects 21.3% growth in total property tax collection included in budget
 - Includes the 10.5 cents tax increase for the school bond and 2 cents for major capital
- Sales tax is expected to grow by 10.3%
- 107% increase in reserved and unreserved fund balance compared to FY 19

Expenditures by Function

- If all requests funded, would require additional 4.6 cents tax increase

The Manager directed the Board to hold a public hearing on the FY 2020 Budget as required by law. A second public hearing will be held during the regular meeting on June 24 at 7:00 p.m.

Chairman Hawkins declared the public hearing open at 9:18 a.m.

There were no comments from the public.

Chairman Hawkins declared the public hearing closed at 9:19 a.m.

PUBLIC COMMENT

The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.

Sandra McNeill: Ms. McNeill is the Health and Wellness Manager at Schenck Job Corps. She reported that on Friday, May 24 the employees at Schenck Job Corps were notified that the federal government had recommended the closure of nine facilities and privatization of the other 16 because the centers were underperforming and not cost effective. She reported that the Department of Labor's ranking system proves this to be inaccurate, stating that in 2016 Schenck finished second in the nation out of 127 job corps centers nationwide and rose to first the following the year. For the current program year, she expected Schenck to finish second or third in the nation. Ms. McNeill stated the ranking proves the center performs for its students. Most centers maintain their own board strength meaning they decrease the cost per student to taxpayers. She stated that nationwide private contract centers are struggling to keep their own board strength. She believes the closure and privatization of Forest Service centers will have a detrimental impact on the communities they serve. Schenck employs nearly 50 full-time federal employees and 20 contract employees. Privatization would cause a decrease in the wages and benefits and, more than likely, a decrease in the number of overall employees. Schenck provides thousands of hours every year to the community and the forest through responding to natural disasters, clearing and maintaining trails, breaking up fire rings, clearing storm debris, constructing walking bridges, painting fences at schools, setting up festivals and events, etc. Ms. McNeill feared that a for-profit company would not be concerned about teaching students the importance of giving back to their communities and serving the less fortunate but would instead be more concerned with making a profit. She urged Commissioners to support Schenck Job Corps and to contact legislators in Washington, DC and encourage them to stop this privatization process.

Chairman Hawkins responded that Commissioners and staff found out about this movement the same time Schenck did. He asked the Manager to report on the County's action since finding out the news.

The Manager reported there is a meeting on June 17 at which time she hopes there will be more information shared about the local impact and what makes our center so special and high performing. There are many concerns that the proposed changes would deteriorate those outcomes. She has been in contact with Congressman Meadows' office to share the County's concerns.

Chairman Hawkins thanked Ms. McNeill for all she and Schenck do for Transylvania County.

AGENDA MODIFICATIONS

There were no agenda modifications from Commissioners or staff.

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

CONSENT AGENDA

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

The following items were approved:

MINUTES

The Board of Commissioners met in regular meeting on Tuesday, January 8, 2019. Commissioners approved the minutes as submitted.

RESOLUTION APPROVING THE SUBMISSION OF APPLICATION FOR GRANT FUNDS FOR COMMUNITY SERVICES BLOCK GRANT TO NC OFFICE OF ECONOMIC OPPORTUNITY

In December, County staff was informed that Western North Carolina Community Action will no longer continue administering the Community Services Block Grant that serves Henderson, Polk and Transylvania Counties. The NC Department of Health and Human Services, Office of Economic Opportunity held informational meetings in all three counties to discuss the grant program and how a local provider can apply to administer the CDBG funds. Applications would be accepted from organizations that could demonstrate the capacity to provide comprehensive services consistent with the CDBG Act for one or more of the identified counties.

In February 2019, Community Action Opportunities sent a letter to Chairman Hawkins announcing their intent to apply to become the organization designated as the Community Action Agency assigned to serve Transylvania County starting July 1, 2019. On April 30, 2019, Community Action Opportunities received their eligibility letter from Governor Cooper.

10A NCAC 97C .0302 *Requirements for Certification of Eligibility* states that a community action agency must submit a resolution from the Board of Commissioners of each new county to be served stating that the Board of Commissioners wishes to become affiliated with the agency. The community action agency must also meet public input/participation requirements. Community Action Opportunities has scheduled public hearings in all three counties. The public hearing notice is included in the Board's agenda packet for informational purposes.

The Office of Economic Opportunity provided a sample resolution for the Board of Commissioners to use. Staff requested the Board approve the resolution as required by NC Administrative Code.

Representatives from Community Action Opportunities will make a brief presentation during this meeting to inform the Board about their organization and their service delivery plan for Transylvania County.

Commissioners approved Resolution #20-2019 Approving the Submission of Application for Grant Funds for Community Services Block Grant to NC Office of Economic Opportunity, as presented.

Resolution #20-2019
APPROVING THE SUBMISSION OF APPLICATION FOR GRANT FUNDS FOR
COMMUNITY SERVICES BLOCK GRANT TO NC OFFICE OF ECONOMIC OPPORTUNITY

WHEREAS, the Federal Government has provided Community Services Block Grant funding to the State of North Carolina; and

WHEREAS, the NC Office of Economic Opportunity has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, Transylvania County is eligible to receive an allotment of funds to support the low-income citizens of this county; and

WHEREAS, Community Action Opportunities will enter into an agreement with the NC Office of Economic Opportunity to carry out the program

NOW, THEREFORE, BE IT RESOLVED that the Transylvania County Board of Commissioners

1. Certifies that the County Commissioners will support Community Action Opportunities through representation on the agency's Board of Directors, and
2. Approves the filing of a funding application by Community Action Opportunities.

Approved and adopted the 11th day of June 2019.

I, the undersigned, hereby certify that the foregoing Resolution #20-2019 was duly adopted by the Transylvania County Board of Commissioners.

Following Roll Call Vote:	Ayes:	Chairman Hawkins, Commissioners Guice and Lemel
	Nos:	n/a
	Absent:	Commissioners Cathey and Chappell

S: //Trisha M. Hogan, Clerk to the Board

APPOINTMENT OF REVIEW OFFICERS FOR TRANSYLVANIA COUNTY

NC General Statute § 47-30.2 requires the Board of Commissioners of each county to designate one or more persons experienced in mapping or lands records management to be appointed as a Review Officer to certify maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording. With turnover in the Planning and Community Development department over the last few months, the list of Review Officers for Transylvania County needs to be updated to reflect current staffing. The Manager also recommended adding staff experienced in mapping or lands record management in order to ensure adequate coverage and backup should staff be out of the office for training or other reasons.

The Planning and Community Development department has a new Program Support Assistant with the recent hiring of Beth Webb. Both the County Manager, who currently serves as Interim Director of the department, and Budget & Management Analyst Allen McNeill have experience and knowledge in this area and can serve as back up, if needed. All three should be added to the resolution appointing them as Review Officers. In addition, staff who are no longer employed with Transylvania County will be removed as Review Officers.

Commissioners approved Resolution #21-2019 Appointment of Review Officers for Transylvania County and instructed the Clerk to the Board to record the resolution with the Register of Deeds.

**RESOLUTION #21-2019
APPOINTMENT OF REVIEW OFFICERS FOR TRANSYLVANIA COUNTY**

WHEREAS, Chapter 47-30.2 of the North Carolina General Statutes requires the Board of Commissioners of each county to designate by name one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

WHEREAS, the review of statutory requirements is of a technical nature; and

WHEREAS, one of the services that Transylvania County staff provides to the community is a similar technical process for subdivision plat review in order to verify compliance with the County's development regulations; and

WHEREAS, Transylvania County is committed to streamlining the review procedures for proposed developments and subdivisions of land; and

WHEREAS, it appears most efficient for Transylvania County to avoid adding another layer of development review by providing for the certification of statutory compliance for all maps or plats to be presented to the Register of Deeds for recording within the context of subdivision review procedures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY:

Section 1. The addition of the following persons are recommended to be appointed by the Transylvania County Board of Commissioners to serve as Review Officers for all lands within Transylvania County's planning jurisdiction in order to certify each map and plat presented to the Transylvania County Register of Deeds for recording satisfies the statutory requirements for recording.

<u>NAME</u>	<u>POSITION/TITLE</u>
Jaime Laughter	Transylvania County Manager, Transylvania County Administration
Allen McNeill	Budget & Management Analyst, Transylvania County Administration
Beth Webb	Program Support Assistant, Transylvania County Planning & Community Development

Section 2. The removal of the following persons as Review Officers for Transylvania County is recommended.

<u>NAME</u>	<u>POSITION/TITLE</u>
Mark Burrows	Director, Transylvania County Planning & Community Development

Kalen Lawson Program Support Assistant, Transylvania County Planning & Community Development

Adopted and approved this the 11th day of June, 2019.

S: //Mike Hawkins, Chair
Transylvania County Board of Commissioners

PRESENTATIONS/RECOGNITIONS

COMMUNITY ACTION OPPORTUNITIES

In December, County staff was informed that Western Carolina Community Action will no longer continue administering the Community Services Block Grant that serves Henderson, Polk and Transylvania Counties. In February 2019, Community Action Opportunities sent a letter to Chairman Hawkins announcing their intent to apply to become the organization designated as the Community Action Agency assigned to serve Transylvania County starting July 1, 2019. On April 30, 2019, Community Action Opportunities received their eligibility letter from Governor Cooper.

As required by NC Administrative Code, under the Consent Agenda during this meeting Commissioners approved a resolution agreeing to become affiliated with the agency and to support the agency through representation on the agency's Board of Directors.

Kate Singogo, the Self-Sufficiency Program Manager at Community Action Opportunities, presented on behalf of Director Trudy Logan. She informed the Board and public about their organization and their service delivery plan for Transylvania County.

Community Action Opportunities is an anti-poverty agency that is part of a national network. Their main office is in Asheville and they serve Buncombe, Madison and McDowell Counties. Beginning July 1, they will begin serving Henderson, Polk and Transylvania Counties. Through their Life Works Program, their goal is to help people move out of poverty by helping those who are unemployed or underemployed obtain full-time living wage jobs, while also helping them with the education, training, financial capabilities, housing, child-care services, transportation, etc. through a long-term holistic case management model.

Community Action Opportunities' goal for the whole program is to decrease by 40 the number of individuals/families at or below 125% of the US DHHS Federal Poverty Guidelines as measured by goal completion and progress on ROMA scales by June 30, 2020. For Transylvania County, they intend to serve at least 17 families, with the goal of moving at least five families out of poverty in the first year. The national average for moving families out of poverty is approximately 30% of the families served. Community Action Opportunities has averaged 35% in the communities they have served.

The budget for the upcoming fiscal year for Transylvania County is \$68,185 which is more than the amount CSBG allocated. The organization, however, can reallocate funds as they see fit to ensure they can serve families appropriately. One full-time staff person will be housed in Transylvania County with the location to be determined.

Ms. Singogo concluded her presentation and stated that Community Action Opportunities looks forward to having a presence in Transylvania County and serving families in need. She invited the public to visit the organization's website at www.communityactionopportunities.org.

Commissioners thanked Ms. Singogo for her presentation and expressed appreciation to Community Action Opportunities for being in our community to serve families.

APPOINTMENTS

BLUE RIDGE COMMUNITY COLLEGE BOARD OF TRUSTEES

Dr. Jeremy Gibbs' term on the Blue Ridge Community College Board of Trustees expires at the end of June. He is eligible to serve another term. He currently serves as Vice-Chair of the Board. Transylvania County appoints two members to this board. Historically, one of those positions has been represented by Transylvania County Schools. Earlier this year, Dr. Gibbs left employment with Transylvania County Schools and accepted a local position with the NC Department of Public Instruction. To maintain the tradition of having a local school system staff person as a trustee, Dr. Gibbs intends to resign at the end of his term on June 30, 2019.

There are several applications on file for the Board's consideration. However, in order to maintain the tradition of the appointment, Superintendent Dr. Jeff McDaris requests the appointment of Dr. Brian Weaver with Transylvania County Schools.

Commissioner Lemel nominated and moved to appoint Dr. Brian Weaver to the Blue Ridge Community College Board of Trustees effective July 1, seconded by Commissioner Guice.

Chairman Hawkins stated that Superintendent Dr. Jeff McDaris feels strongly there should be representation from Transylvania County Schools on the Blue Ridge Community College Board of Trustees. Thus, Dr. Gibbs withdrew his request to be reappointed. Chairman Hawkins thought it was important to note that Dr. Gibbs is the Vice-Chair of the Board of Trustees and, to his knowledge, no one from Transylvania County has ever served in that position. Losing Dr. Gibbs on this Board would not be in the best interest of Transylvania County. Chairman Hawkins disagreed that there should be a designated slot for Transylvania County Schools on the Board of Trustees; however, he very much supported the appointment of Dr. Weaver. He felt it was shortsighted to lose Dr. Gibbs as a Vice-Chair just for this purpose. With that said, Chairman Hawkins believes it is a possibility Dr. Gibbs might be appointed as the Governor's Appointee. **The motion was unanimously approved.**

JURY COMMISSION

Artie Wilson's term on the Jury Commission expires at the end of June. His first term was to fill an unexpired term. He is eligible and willing to serve a full term. There are no other applications on file.

Commissioner Guice moved to reappoint Artie Wilson to the Jury Commission, seconded by Commissioner Lemel and unanimously approved.

JUVENILE CRIME PREVENTION COUNCIL

Below is a list of members whose terms expire at the end of June and a recommendation for each:

Member	Position	Recommendation
Angela Buchanan	Mental Health Director or Designee	Leaving Vaya Health. Vaya Health will notify staff of her replacement and complete the membership application.
Toni Casciato	Commissioner Appointee	Resign at end of term. Appoint one of the applicants to replace Mrs. Casciato.
James Felty	Member of Faith Community	Reappoint

Kristen Gentry	Substance Abuse Professional	Reappoint
Jonathan Griffin	County Manager or Designee	Reappoint
David Guice	County Commissioner	Reappoint
Susan Huter	Mental Health Director or Designee	Reappoint
Alan Justice	Local School Superintendent or Designee	Reappoint
Ricky Lambert	Commissioner Appointee	Reappoint
Louis Negron	Nonprofit/United Way	Reappoint
Jeffrey Patterson	Commissioner Appointee	Reappoint
Darrell Renfroe	DSS Director	Reappoint
Greg Stroup	Sheriff or Designee	Reappoint
Theresa Weber	Commissioner Appointee	Resign at end of term. Appoint one of the applicants to replace Ms. Weber.
Rodney Wesson	Chief Court Counselor or Designee	Reappoint

Commissioner Lemel moved to reappoint the following members to the Juvenile Crime Prevention Council:

1. **James Felty**
2. **Kristen Gentry**
3. **Jonathan Griffin**
4. **David Guice**
5. **Susan Huter**
6. **Alan Justice**
7. **Ricky Lambert**
8. **Louis Negron**
9. **Jeffrey Patterson**
10. **Darrell Renfroe**
11. **Greg Stroup**
12. **Rodney Wesson**

The motion was seconded by Commissioner Guice and unanimously approved

Commissioner Lemel moved to appoint Dawn McCall to replace Toni Casciato as a Commissioner Appointee at the end of her term and to appoint Andrea Muirhead to replace Theresa Weber as a Commissioner Appointee at the end of her term, seconded by Commissioner Guice and unanimously approved.

SOCIAL SERVICES BOARD

Commissioner Lemel was appointed to fill a partial term as the Commissioner Appointee on the Social Services Board on July 10, 2018. Her term expires June 30, 2019.

Until her appointment last year, a County Commissioner had never served on the Social Services Board. It was a general assumption at the State level that each Board had a County Commissioner as a member.

The recommendations for future operations of county DSS departments made by the Social Services Working Group in its first report to the Legislature are that a County Commissioner must be actively engaged with their respective DSS Boards in order to facilitate the relationships and obligations of the county to DSS operations as outlined in the recently adopted MOU between the Board of Commissioners and NC Department of Health and Human Services. The DSS Board is an independently operating board that hires the DSS Director and oversees the operations of the DSS Department, but any legal liability issues fall directly on the shoulders of the County Commissioners. Having a County Commissioner on the DSS Board facilitates the relationship between the two Boards and solidifies the County's ability to function effectively as the responsible overarching entity.

James Felty's term expires at the end of June. He is the State Appointee. The Clerk submitted the applications on file to the DSS Director as possible submissions for his replacement at the end of this term.

Staff recommended Commissioners reappoint Commissioner Lemel as the County Commissioner Appointee to the DSS Board and for the Clerk to update the roster once the State Appointee is made.

Commissioner Lemel moved to reappoint Commissioner Page Lemel as the County Commissioner Appointee to the DSS Board, seconded by Chairman Hawkins and unanimously approved.

Chairman Hawkins moved that staff communicate with the State regarding the expiration of Mr. Felty's term and urge them to make an appointment. Commissioner Lemel informed the Board that this process is underway. The DSS Board made a recommendation to the State from the applicants on file. The State Board met and now the local DSS Board is waiting to hear the release of the appointment. **Chairman Hawkins withdrew his motion.**

NEW BUSINESS

LAKE TOXAWAY FIRE RESCUE REQUEST FOR RESERVE FUNDS

Assistant County Manager David McNeill presented this item for the Board's consideration. Lake Toxaway Fire Rescue requested \$30,000 during the FY 2018-2019 budget process for the purpose of using the funds to remodel the department's kitchen. The Board of Commissioners denied their request during that time. The department has submitted a second request asking the Board of Commissioners to release \$30,000 from their reserves to complete this remodel project. The department submitted their request apart from their FY 20 budget submittal. As of May 31, 2019, their reserve account balance was \$30,937.80. Staff asked Commissioners to consider their request and to direct staff on how to proceed.

Chairman Hawkins noted this request was declined as part of the department's budget request last year. He did not see a change in the situation that would require it being brought up again as a separate agenda item outside the budget process. He felt strongly about maintaining structure with the Board's processes. Therefore, he was opposed to the request because he felt it undermined the process to consider this item outside the budget. He also understood that other Commissioners might feel differently, noting that a full Board was not in attendance today to weigh in.

Commissioner Guice noted there has been previous discussion about Lake Toxaway Fire Rescue's request and although there is support, it is not unanimous. Aside from the structure of the budget process, he believes the department has resubmitted the request because they feel they have the support of a majority of the Board. Commissioner Guice stated from the detail the department provided it is obvious to him that their facility, including the kitchen, is of great value to their community as a whole. Transylvania County relies heavily on fire departments to provide a wide range of services to the

community. He felt that the department brought forth a worthy project that warrants consideration by the Board of Commissioners.

Chairman Hawkins agreed with Commissioner Guice's statements and stated he would be in support of their request if it had been submitted as part of their budget request. To him, the process is more important than the request. Chairman Hawkins thought it would be more useful to consider this item when a full Board was present.

Chairman Hawkins moved to table this item to the next meeting so that the entirety of the Board can make a decision. The motion died for lack of a second.

Commissioner Guice moved to recommend the Board honor the request of the Lake Toxaway Fire Department and approve the \$30,000 drawdown from their reserves to remodel the department's kitchen, seconded by Commissioner Lemel. The motion passed by a vote of 2 to 1, with Chairman Hawkins voting against.

Commissioner Lemel moved to direct staff to develop a spending policy for fire department reserve funds for the Board of Commissioners' consideration. Commissioner Lemel noted that reserve funds are an accumulation of taxpayer dollars and are not a result of fundraisers. She felt it was important to have a consistent spending policy in place for departments so there is an understanding of how the funds can be used. **The motion was seconded by Commissioner Guice.** Commissioner Lemel suggested a timeframe of no later than December 31, 2019. Commissioner Guice expected staff would get input from the departments during the policy drafting. **The motion was approved unanimously.**

EDUCATION CAPITAL RESERVE FUND DRAFT ORDINANCE

Finance Director Jonathan Griffin presented this item as a draft for the Board to discuss and consider for future years. Pursuant to NC General Statute § 159-18, the governing board of a local government unit may establish a capital reserve fund to accumulate revenues and expend money on projects on any public purpose for which it may issue debt.

Pursuant to NC General Statute § 153A-149(b) and NC General Statute § 115C-429 (b), a Board of County Commissioners may appropriate revenues to a local education agency (LEA) to fund expenditures on school capital outlay, therefore a Board of County Commissioners may establish a reserve fund for these purposes.

The Board of Commissioners will need to establish a separate fund to account for the proceeds from the bonds when they are issued and the related expenditures. They cannot occur within the general fund. NC General Statute § 159-13 requires a separate financial mechanism from the general fund account for debt-financed projects. Therefore, in order to carry out the will of the voters, the Board of Commissioners must adopt a separate capital project ordinance.

The Board may consider expanding the usage of this fund to account for other legally allowable possibilities:

1. To house restricted local option sales tax revenues held in reserve for projects mutually agreeable to the Board of Education and the Board of County Commissioners
2. Other education projects for which the Board of County Commissioners is interested in issuing debt
3. Any such other education-related capital project, such as annual projects, requested by the Board of Education or annual or multi-year projects requested by Blue Ridge Community College

The Finance Director asked the Board of Commissioners to:

1. Provide feedback to staff about whether the language of the reserve ordinance is acceptable as written
2. Provide feedback to staff concerning whether the Board would like to use the capital reserve ordinance to account for other education capital projects in the future
3. Provide feedback concerning whether the Board would like amendments to the capital reserve fund to be approved by the Board or at the staff level (Board approval would still be required by statute if money moves out of the capital reserves fund.)

Commissioner Guice stated the importance of accountability and saw the need for the capital project reserve fund ordinance as a positive step.

Commissioner Lemel inquired about the timeframe for the school bond projects. If the projects do not begin until 2021, she asked if the timeframes would need to be adjusted in the ordinance. Mr. Griffin responded that the project ordinance allows flexibility.

Commissioner Guice commented the project ordinance is where the accounting would be for the funds as they continue to build. He asked if the Board would be able to reallocate dollars for unexpected needs. Mr. Griffin explained the Board would be able to reallocate funds, but for this particular project ordinance the funds would have to be spent toward education projects. The Board could establish another project ordinance for County projects.

Commissioner Lemel inquired if interest would be earned prior to the funds being spent. Mr. Griffin responded that interest allocations are distributed pursuant to the Board's adopted cash management policy. It is based on the equity as the end of the month in that fund. Secondly, once staff update this capital reserve fund to account for the actual bond proceeds, there would no interest earned because it is illegal to make money on borrowed funds.

Chairman Hawkins noted that the Board retains flexibility, but this is an extra step to show accountability.

Commissioner Lemel moved to adopt education capital reserve fund ordinance as presented, seconded by Commissioner Guice and unanimously approved.

FINAL ECUSTA ROAD PROJECT ORDINANCE

Finance Director Jonathan Griffin presented this item. Staff recommended closing the Ecusta Road Project Ordinance in FY 2020, but prior to doing so, the Board of Commissioners needed to approve the final budget ordinance for this project.

In all, expenses totaled \$5,339,708 which was \$621,408, or 13.17%, above the initially budgeted amount for the Sylvan Valley Industrial Facility. Cost overruns were driven almost entirely by soil remediation issues caused by errors made by the architectural design team who were under contract with the Transylvania Economic Alliance, Inc.

After the facility was finished, there was a total of \$949,594 in approved/paid change orders, only \$98,214 above the change orders approved at the time of the July 10, 2018 meeting of the Board of Commissioners when an additional emergency appropriation was approved. Of these change orders, \$405,744 were related to off-site drainage improvements along Morris Road to mitigate storm water and soil issues and \$487,600 were related to on-site soil remediation and backfill necessary to continue the project. These totaled 94% of the aggregate cost of approved change orders during the project.

The County took on responsibility for completing the paving at the site after the project was finished to realize additional savings. Initially priced at \$50,000, County Finance staff was able to achieve the additional paving necessary independent of the Economic Alliance and the contract with Harper Construction at a cost of \$27,408.

Upon adoption, the ordinance will transfer \$474,320 back to the general fund in FY 2020, which exceeds the transfer of \$450,000 made in July 2018. This transfer is recommended to occur in FY 2020 in order to avoid a cash flow issue within the Golden Leaf fund.

The final payment of approximately \$200,000 from the Golden Leaf Foundation will not be received until after the final reports on the project are filed in September 2019, as making the full transfer in the current year would leave the fund in a net negative position which is not allowable under statute.

Mr. Griffin recommended approval of the final project ordinance.

The Manager mentioned that part of the ability to transfer back more than the additional appropriation of \$450,000 is due to a team of staff who worked this project to ensure the County received the best bids. When they were not able to achieve quality pricing, they devised another strategy to the same outcome and come in under budget. That team was comprised of Finance Director Jonathan Griffin, Purchasing Agent Jennifer Galloway, Project Manager Larry Reece, Assistant County Manager David McNeill and the County Manager. Collectively, the team was able to address this project head-on to avoid the use of the additional appropriation of funds and keep the project under budget. She felt they deserved exemplary praise for their work.

Commissioner Guice expressed concern about the County's contractual relationship with an outside organization when the County must engage during a project to achieve better results. He asked the Manager to talk further about those lessons learned because he is concerned how future projects will be taken on. The Manager stated the County has over 50 years of collective experience in public construction projects. These are very different types of projects that have more nuances and requirements. She said the lesson learned is that the County makes sure it taps into that level of staff experience throughout the design process. To give Commissioners a sense of how another project is moving forward – the Gaia Herbs sewer project – there will be some preliminary information completed prior to engagement with the team, but before contracting on design, the same team will be reengaged to manage the project through to completion. Staff has offered that expertise to other partners as they explore public projects. She noted one of the biggest concerns that continues to arise is around soils issues and the importance of addressing those issues early on; otherwise, the cost is there to pay for the public. In this case, the County was able to mitigate damage, but this project would have been better suited with the issues being addressed in the bid.

Commissioner Lemel moved to approve the final budget ordinance and accept the written report, seconded by Commissioner Guice. Commissioner Lemel thanked staff for their work, noting the importance of having them engaged. Chairman Hawkins assumed there were still ongoing conversations regarding the soil situation and the professional arrangements. The Manager responded that the key errors in the project were during the design phase. The County was not party to that contract, but the County has encouraged those who are party to the contract to pursue any mitigation possible that would offset the costs as a result. Commissioner Guice stated that although the County was not party to the contract due to the initial arrangement, the County was still a responsible party to the project. The County's engagement created the path toward successful completion of the project. He felt this should be a lesson learned about how the County should approach future projects. The Manager noted that the Board is responsible for \$68 million in school bond contracts in which they are not going to be party to

the contract. She encouraged continued communication and engagement. **The motion was unanimously approved.**

MANAGER'S REPORT

The Manager reported the following:

- 2nd public hearing on the FY 2020 Budget will be held during the Board of Commissioners' meeting on Monday, June 24 at 7:00 p.m.; written comments may be submitted to the Clerk to the Board; written comments will be compiled and forwarded to Commissioners
- Rishara Finsel will join us in July as Transylvania County's new Library Director. She comes to us from Polk County. We are excited to have her on board!
- The Transylvania Family Resource Center has been invited to participate in some research being conducted by UNC Chapel Hill about the effectiveness of a cross-sectional approach to preventing and addressing domestic violence and sexual assault as a community
- UNC School of Government has requested to make Transylvania County a site visit for the first cohort of Lead for NC. The request included that they wanted the cohorts to visit communities that are using innovative thinking and a willingness to think outside of the box to find community solutions. Students will learn about Get Set Transylvania, the Solid Waste Mushroom Project, Waterfall Safety Collaborative Project, Opiate Response Team/CARE Coalition and Connect Transylvania while they are here.
- Mushroom Project has started at the landfill. This is an innovative approach to helping manage erosion at the site and is a collaborative project between Cooperative Extension and Landfill staff. Kudos to Kenn Webb and Bart Renner for teaming up to make this project happen!

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Commissioner Guice stated that the budget process is difficult, and it would be made easier by having open discussions with fellow Commissioners, so he was disappointed with regard to one Commissioner having a history of missing meetings or leaving meetings early. Commissioner Guice stated he is giving a lot of his time and energy toward helping this community move forward, and he stressed the importance of all Commissioners being at the table and being prepared for meetings. He stated this issue needs to be addressed.

Commissioner Lemel thanked Commissioner Guice for going on record with his comments. She noted her role as a full-time business owner, as well as a mom and County Commissioner. Being a County Commissioner takes a heavy commitment of time, energy and effort to do it well. She felt it was appropriate to hold the entire Board to the same high standard.

Chairman Hawkins said that while Commissioner Guice is retired, he has a full-time job caring for two elderly parents. He was in awe of Commissioner Lemel for all the work she gives the County. He agreed with the sentiment that serving as a County Commissioner is an extreme commitment and it gets harder and more complicated every year. He said there has to be a willingness to commit time and energy. He agreed that the issue needs to be resolved in a positive way.

The Manager reported she received a message from Transylvania Economic Alliance Josh Hallingse that he had a family emergency and would be unable to attend the closed session. It will be postponed to the next meeting.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Lemel moved to adjourn the meeting at 10:30 a.m., seconded by Commissioner Guice and unanimously carried.**

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board