

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**AUGUST 5, 2019 – STRATEGIC PLANNING WORKSHOP**

The Board of Commissioners of Transylvania County met in special session on Monday, August 5, 2019 at 12:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC. The purpose of the meeting was to conduct a review of the current Transylvania County Strategic Plan and to make any necessary adjustments based on the common goals of the Board.

Commissioners present were Jason Chappell, David Guice, Chairman Mike Hawkins, and Vice-Chairwoman Page Lemel. Commissioner Will Cathey was absent. Also present were County Manager Jaime Laughter, Clerk to the Board Trisha Hogan, and Facilitator Steve Strauss with Developmental Associates, LLC.

Media: *The Transylvania Times* – Derek McKissock

There were approximately 15 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding, called the meeting to order at 12:05 P.M.

**WELCOME**

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their local government. Chairman Hawkins explained the meeting will be conducted in a workshop fashion and will be less formal than regular meetings. Chairman Hawkins called for self-introductions.

**INTRODUCTION**

Chairman Hawkins gave the audience a description of the goals for a Strategic Planning workshop and informed everyone that the Board has had similar meetings in the past and felt it was time to have another giving the addition of the two new Board members. He informed everyone that representation from the other elected boards and organizations in the County had been invited to take part in today's workshop and would be giving the Board presentations on their own strategic plans.

**PRESENTATIONS**

**Transylvania County Schools/Board of Education**

Transylvania County Schools Superintendent Dr. Jeff McDaris began his presentation by informing the Board that the Board of Education was in the process of reevaluating their own strategic plan, so the timing of this workshop was ideal. Their strategic plan follows the State Board of Education's strategic plan while allowing some deviation to make it unique to the district. The plan is available on their website and includes a vision statement indicating that the purpose of the system is to "prepare students to become caring and productive citizens in an ever-changing society through the shared responsibility of students, parents, educators and the community." Dr. McDaris continued to provide information about their strategic plan, including established values, review cycles, data analysis methods, evaluation tools and practices, and review authorities.

The Board of Education has identified three areas of importance when establishing their values. The first and most important is safety. It is the primary goal of the Board of Education to provide a safe environment for students. The second is to make sure students feel cared for. The last is education and providing students with the resources they need to be successful. These goals were made an emphasis in the development of their values and subsequently their strategic plan.

Following the conclusion of Dr. McDaris's presentation, Chairman Hawkins invited Commissioners to ask questions. Chairman Hawkins began by asking if he understood correctly that the values that were mentioned are those identified to staff and the Board of Education as being most important as the work and plan for the future of the schools. Dr. McDaris confirmed that was correct.

Commissioner Guice expressed his concern to Dr. McDaris that the impact of what happens daily across the country affects the County's students and the education they are receiving. He asked Dr. McDaris to speak to how Transylvania County Schools is aiding students being constantly bombarded with external issues via developing means of information technologies. Dr. McDaris responded that students are not always with staff, be it because of breaks or other absences from the schools, but that it is a goal to provide them with the knowledge to navigate social media and other internet platforms safely.

### **City of Brevard**

City Manager Jim Fatland was invited to provide a presentation to the Board on behalf of the City of Brevard.

Mr. Fatland began his presentation by discussing the City's water and sewer enterprise fund and the efforts being made to gradually increase rates to accommodate necessary expenses without placing an outrageous financial burden on users. He continued to provide information on the City's water and sewer system, including current capacity, expanded operational efficiency efforts, and other cost-saving procedure changes.

Mr. Fatland then moved his presentation to discuss the City's trails and parks. The trail system had not been extended since 2003 according to Mr. Fatland, but the City has now acquired all the easements necessary for some planned expansions inside the City to accommodate a downtown connection. He also updated the Board on upgrades that have been made in the last year to existing City parks and the acquisition of other possible park locations via land offered to the City by donation.

After updating the Board on the progress being made in the City's parks, Mr. Fatland offered the Board updates on the continued progress in the Railroad district. According to Mr. Fatland, that area is continuing to develop and cooperation between the City and the North Carolina Department of Transportation will allow some future updates to existing roads that will allow for new walking paths. He then began to review efforts to enhance the transportation system through downtown Brevard, including the effort to cooperate with the County to provide a parking deck in the downtown area.

Mr. Fatland updated Commissioners on the City's efforts to continue promoting development in and around the City. These updates included information on affordable housing projects, short-term rental conversions to long-term rentals, and efforts to reduce energy costs.

Mr. Fatland's presentation then moved to the topic of public safety. Updates on public safety included information on extended hours of operation for the fire department and expanded personnel. He then ended his presentation by asking for any questions the Board might have of him.

Commissioner Lemel expressed her interest in understanding the City's ability to facilitate the water and sewer needs of some of the smaller breweries that have opened in the downtown and railroad district

areas and how those facilities compare to the needs of the Oskar Blues facility. Mr. Fatland informed the Board that the City's facility can accommodate these new breweries and that procedural changes and facility enhancements allow the City's water treatment system to accommodate current needs and future needs as well.

Commissioner Lemel also asked for an update on the street scape project and why the City went forward with the trail expansion considering the recommendations that had not been met in the City's Downtown Master Plan. Mr. Fatland informed the Board that he believed that plan was established without a means of funding, but several smaller downtown enhancements are being made to work toward those recommendations until funding is made available. Concerning the extension of the trail, City Council made its expansion a priority, and with funding available via grant and easements being allowed at the time, the expansions were pursued.

Commissioner Guice asked Mr. Fatland for information on several projects and promoted a response later to allow the meeting to get back on schedule. Topics Commissioner Guice requested information on included: the joint recreation study that Brevard City Council voted not to participate in; City's role on old Ecusta property; water and sewer and whether the County needed to play a more strategic role; public safety and whether the Police Department is working with other law enforcement agencies to prepare for incidents locally that are occurring nationally (like the recent Walmart shooting in El Paso); and City's take on the gateway/entrance to Brevard.

Mr. Fatland opted to provide a response immediately. In terms of water and sewer, Mr. Fatland recalled having a third-party engineer review the City and County's water and sewer master plans to determine the more correct plan. An engineer identified the County's master plan as being more correct. Thus, the City amended theirs to bring it more in line with the County's master plan recommendations. Concerning the Ecusta Industrial project, Mr. Fatland indicated that if a project came along with interest in the property, they would assess it by case. Concerning public safety, Mr. Fatland indicated that he would love to see cooperation between their public safety committee and the Sheriff to discuss community safety. Finally, Mr. Fatland informed the Board that the City would be pursuing an RFP for a landscape architect to assess that project and use those recommendation to work with the NC Department of Transportation to make that entrance more visually appealing for visitors.

Chairman Hawkins affirmed for the audience that the County and City meet on a regular basis and work in cooperation on multiple projects. He indicated that discussion on the expansion of water and sewer in the County would be a topic of conversation later in the meeting and into the future, and that included in that conversation would be the role of the City if the County were to expand water and sewer services. Chairman Hawkins also made a point to mention that at a NCDOT meeting last week the gateway was not discussed, and he wondered if the City understands the importance of the gateway. There was also discussion about handling growing congestion and the need to address that issue. With that said, Chairman Hawkins pointed out the City is addressing issues with their structured plan.

Following the conclusion of Mr. Fatland's presentation, the Board elected to take a 5-minute break with the intention to reconvene at 1:07 p.m.

#### **Strategic Planning – Why it is Important - Steve Strauss of Developmental Associates**

Following the break, Mr. Strauss of Developmental Associates provided a short presentation to the Board on strategic planning and the importance of it concerning local government operation.

#### **Review Accomplishments Under Current Strategic Plan - Jaime Laughter, County Manager**

After Mr. Strauss finished his brief presentation, the Manager provided an update on the progress the County has made toward recommendations that were outlined in the County's last strategic plan meeting

four years prior. Upon the conclusion of her presentation, the Board elected to take a 15-minute break with the intent to reconvene at 2:35 p.m.

### **Transylvania County's Corporate Culture – Facilitated Discussion**

The Board reconvened the meeting and began with a discussion of the County's corporate culture. The conversation was led by Mr. Strauss. He provided a brief definition of corporate culture and its association with an organization's core values.

Chairman Hawkins began discussion by asking the rest of the Board, "as a board, what do we want Transylvania County citizens to think of us?"

Commissioner Lemel responded by saying, "responsible county government, with a true investment in the community."

Discussion concerning what the Board felt was important, how the Board should be perceived by the public and what the Board's value should be continued on for 15 minutes. Following discussion, Chairman Hawkins asked Mr. Strauss for his takeaway from their discussion. Mr. Strauss identified integrity, stewardship, service, and decision quality to be particularly important to this Board's core values.

Following Mr. Strauss' analysis, Chairman Hawkins indicated that perhaps a good belief statement for this Board would say, "This group of five is a group of people that operates with integrity, that is respectful of each other's differing opinions, as well as differing opinions of our fellow citizens, and is a group that always commits to doing the very best job they can in making decisions on behalf of the citizens of Transylvania County". Mr. Strauss recommended that the Board take some time, not necessarily at this meeting, to firm up the wording of that statement, and then identify strategies to make County operations, Board decisions, and overall County actions identify with the core values identified in the statement. Commissioners agreed this would be a good action to pursue.

Commissioner Guice pointed out that the Board has several issues to address with the public because of Board changeover and decisions made by previous Boards that are not easy decisions, especially for new members of the Board. He felt that in preparing this strategic plan, the Board must consider the funding sources for many of the very large projects, especially those surrounding public safety.

Mr. Strauss clarified that this statement is meant to be used in assessing all actions taken by the Board, not any particular topic. The discussion concerning the challenge of joining a Board as a new member continued for a few minutes.

To conclude the discussion on the County's corporate culture, Chairman Hawkins stated that if the Board has a clear statement, then new members might join with the goal of continuing the work of the previous Board, not to change operations. He felt that a statement of their core values would attract Board members that share those values and goals and ultimately would want to work to make the County a better place.

### **Strategic Plan Categories – Facilitated Discussion**

The Manager recommended this discussion also include input from the County's department leaders as they are the ones operating in accordance with the strategic plan and see the effect it has on County business day to day.

Jared Mull, Parks and Recreation Director, informed the Board that his department was particularly familiar with Goal 5 Strategy D which focuses on partnering with existing agencies. Mr. Mull indicated a

need to be creative with other organizations/agencies to meet community needs and continue to find people that share the same goals, especially since funding sources are challenging. Mr. Mull asked the Board to keep this goal and strategy as part of the strategic plan because it works for their department daily.

Ken Webb, Solid Waste Director, came to Transylvania County from the private sector. He felt that the County had integrity and wanted the Board to add “sustainability” because everything the County does should have the ability to be carried forward into the future.

Elaine Russell, Public Health Director, thanked the Board for their practices and dedication to values like integrity which is not always the case in other counties. Ms. Russell also indicated that considering the diverse fields the Public Health Department works in, she would be open to instruction on how she can better provide the Board with what they need to make decisions for the County.

The Manager indicated she was comfortable with the current structure of the strategic plan and that it has been effective over the last four years. She felt that now is the time to investigate how County leadership can entrench the strategic plan throughout the organization. She would like to see that every employee is able to recognize, based on the strategic plan, that none of the work in the organization is done in a silo or on a single day. If there is a problem in the community not seen by the Board, employees should be able to assist with making a better community by being creative in the confines of their responsibilities.

Commissioner Guice spoke to the need of developing a means of measuring the organization’s success as it relates to the strategic plan and the complexity of creating such a measurement tool. He also spoke to the desire of creating an exit interview structure to gather information from employees as they exit the organization for the purpose of improving operations.

Commissioner Chappell agreed with Commissioner Guice’s comments. He shared his desire to become more involved as a Board with observing staff operations to better understand the impacts of the strategic plan and to listen to input from those employees working every day.

Mr. Strauss provided the Board with guidance on how they move the strategic plan forward with goals and values in place.

The Manager then provided some clarification on how the strategic plan has already been incorporated into some of the areas Mr. Strauss had outlined but confirmed that it could be done more efficiently. She stated that finding a means of communicating these goals and values to the public would be very valuable.

Commissioner Guice changed the direction of the conversation by asking how the Board should work toward determining how some decisions made in cooperation with the strategic plan’s guidance are financed. This led to a discussion on the challenges of working with other organizations with different interests while trying to make decisions motivated by the strategic plan.

Chairman Hawkins asked for input from the Board regarding the goals as they are currently outlined.

Commissioner Guice identified Strategy 2B as being too vague, and he felt there was an opportunity to make it more specific.

Chairman Hawkins specifically addressed the Manager regarding her opinion about the need to include public engagement as a goal or strategy in the strategic plan. He felt a goal surrounding the purposeful effort to communicate with and engage the public would be welcomed.

This led to a discussion on how the strategic plan is currently monitored across the many internet-supported platforms the County uses to provide the public with information and how those platforms could continue to enhance the effort of the County to engage with the public.

Following the conversation about public engagement, Chairman Hawkins asked for any other questions or comments concerning the strategic plan's goals.

Commissioner Chappell suggested the possibility of combining Goals 4 and 5. While they each have their own specific aspects, combining them could make a more fluid document.

Commissioner Lemel commented that the similarities between the two goals are obvious.

Chairman Hawkins gave some context to the reason that those two goals were made separate. The purpose was to emphasize the importance of the environment and its protection.

Commissioner Guice expressed that he did not have a particularly strong preference on combining the two goals, but that he felt the ability to measure these goals was important to keep in mind. He specifically mentioned his concern with the ability to measure things like attendance in the parks and forests considering the nature of those recreational areas. Chairman Hawkins mentioned that he felt measuring Goal 4 was meant to be more than just the measure of attendance.

To Commissioner Chappell's point, Chairman Hawkins asked if adding language to Goal 5 to say, "the quality of life includes resources that promote: health, transportation, connectivity, a sense of place, cultural heritage, environmental sustainability, and public safety," to include strategies for each would be sufficient. There was a consensus of agreement to Chairman Hawkins' suggestion. Commissioner Chappell mentioned he brought up the suggestion of combining the goals as an effort to simplify the plan.

Commissioner Guice pointed out that Goal 1 is about supporting the local economy. He mentioned that he often hears from the public that those who work inside the local economy cannot afford a place to live in the community. He specifically mentioned the health care and elder care fields as having difficulty retaining quality employees. Commissioner Guice specifically mentioned his concern as it relates to this issue as the population of the community continues to age.

The Manager addressed this point by identifying affordable and workforce housing as being part of the quality of life aspect.

Chairman Hawkins brought the conversation back to the suggestion that the Board remove Goal 4 and incorporate it into Goal 5 with the language that he suggested earlier. There was consensus from the Board.

Chairman Hawkins called for a 10-minute break.

### **Develop Next Steps**

Chairman Hawkins described this portion of the agenda as a discussion of what should follow this strategic plan meeting. He asked Mr. Strauss for his thoughts on moving forward.

Mr. Strauss stated that he felt the organization was in a very good spot at this point. He suggested the continued effort to incorporate staff with the review and was supportive of the minor modification to the plan. He also felt that consideration of the strategic plan in the budget cycle annually was a good practice to continue.

The Manager stated it would be helpful if the Board reviewed the measurement points being used to assess the plan and give her feedback if those data points are useful for assessing the effectiveness of the plan. There was a consensus of agreement that it was a good suggestion for review.

Chairman Hawkins thanked all who were in attendance to discuss the strategic plan and moved the discussion to the next item.

## **NEW BUSINESS**

### **COUNTY ATTORNEY RFQ – DISCUSSION**

The Manager presented this item. Each Commissioner received a copy of a draft Request for Qualifications (RFQ) for County Attorney services for review. The Manager provided a brief description of the RFQ process. The Board previously approved a model for contracting with an outside agency for legal services. As such, the Finance Department prepared the RFQ which was reviewed by both the Manager and Human Resources Director.

Chairman Hawkins called for input from the Board on this process and draft RFQ.

Commissioner Chappell asked if the amount of relevant experience required was standard practice. The Manager stated the amount of experience required can range but noted that previous RFQs allowed for less than five years. For this RFQ, she believes that due to the evolving components of local government as it pertains to legal representation, the County should seek more experienced expertise.

Commissioner Guice asked if the RFQ as written eliminates those in the community who perform the legal work for the County from consideration based on the required experience. He expressed his concern that this would imply the County to only be considering a select number of firms. Commissioner Guice shared that local attorneys have previously held this role without the experience required in this RFQ and they had done a good job; thus, he did not want to limit the potential for other local firms to possibly provide this service.

The Manager informed the Board that they could decrease the number of years of experience required to be considered if they so desired. She cautioned the Board that without some requirement for experience in local government law, a selected candidate could need more time to prepare requested information for the Board and County government.

Commissioner Guice clarified his point that he did not want to select a candidate purely based on their experience, but he did not want to limit the possible candidates based on their experience.

The Manager asked the Board for guidance on how they would prefer the RFQ to be modified.

Chairman Hawkins asked if the language in the RFQ requiring applicants to have at least five years of relevant experience should be removed. Commissioner Chappell suggested the language could simply state that the preferred candidates would have relevant legal experience and requested not to place any number of years on that experience requirement.

Chairman Hawkins asked the Manager if changing the language in this manner would discourage any applicants. The Manager responded that she did not feel removing the specific number of years of experience would deter possible candidates, but that the Board would want an experienced candidate if possible.

The Board continued to discuss qualities of the ideal candidate including experience but also availability, and that it was important to understand that the RFQ should not be so selective or extensive that it would limit local candidates.

Commissioner Lemel stated that having worked with specialists in her career and personal affairs it is much more beneficial to have representation that spends the majority of their time on a category of law that directly impacts this organization.

Commissioner Guice stated he felt that a candidate that did not specifically practice local government law could still perform well, and for that reason those candidates that might not specifically practice local government law should also be given the opportunity to pursue the RFQ as well. He was most concerned with finding a candidate that would be available to the Board and Manager when needed and could also communicate well with the North Carolina Association of County Commissioners.

Chairman Hawkins agreed with Commissioner Guice and he too felt it was very important that whoever is selected needs to be available to the Board and the organization's staff when legal counsel is needed.

Commissioner Guice said it is important that whoever is selected be able to work well with the County Manager and be available to the County Manager as that is who the new County Attorney would most regularly be working with. To his point, Commissioner Lemel asked if he felt the County Manager should have a role in the selection of the new County Attorney. Commissioner Guice felt she played an integral role in the selection.

Discussion continued about the selection process, and tools that could be included to assist with the unbiased selection of a candidate. Commissioner Guice specifically mentioned that he felt the County could reach out to the North Carolina School of Government and seek their guidance on best practices for selecting legal counsel.

The Manager suggested the addition of language to the RFQ that would indicate to applicants that they could be asked to respond to an assessment and practicum questions would be an appropriate action for the Board to take. By consensus, the Board agreed this was an appropriate addition to the RFQ.

Commissioner Guice inquired about the interview process and asked if the interviews would be conducted in an open session and thus open to the public. Commissioner Chappell stated the interviews should be done in closed session. The Manager agreed that staff interviews and contract negotiations should be held in closed session, but she would clarify this is the appropriate practice for this specific circumstance.

Commissioner Guice asked how the Board and organization would determine compensation for the selected candidate. The Manager informed the Board that compensation would be determined in a contract negotiation.

Commissioner Guice asked if it was possible to ascertain how other counties compensate their attorneys. The Manager affirmed that staff could reach out to other organizations to obtain that information.

Chairman Hawkins asked for clarification on the negotiation process as it relates the extension of an RFQ, and the Manager provided a brief description.

Chairman Hawkins directed the conversation to determine how the Board would instruct DSS backup legal services to be addressed with this RFQ if the Board desired DSS backup services to be included with this RFQ. Commissioner Lemel felt it was important that the existing counsel in the DSS should be involved with the selection of their own backup.



Following discussion, the Board agreed that it was in the best interest of the operation of the DSS department to allow the DSS Board to perform the annual performance review of the DSS special counsel and to allow special counsel to select the DSS backup attorney.

There was no further discussion. The Manager indicated she would prepare the RFQ based on the guidance from the Board.

#### ADJOURNMENT

There being no further business to come before the Board, **Commissioner Guice moved to adjourn the meeting at 5:00 p.m., seconded by Commissioner Lemel and unanimously approved.**

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan, Clerk to the Board