

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**March 12, 2019 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Tuesday, March 12, 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 Will Cathey, Jason Chappell, Chairman Mike Hawkins, Vice-Chairman David Guice and Page Lemel. 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 9:00 a.m.

**WELCOME**

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

**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.*

Glenn and Jackie Hartson: The Hartsons recently moved to Transylvania County from Michigan. They praised the staff and director of the Building and Permitting Enforcement office. The Hartsons shared that they experienced several problems with the builder of their new home in Connetsee which resulted in several building code violations. Director Mike Owen took time to listen and help them with their situation. The Hartsons said they love this area and the people they have met so far. They feel the operations of this department will become more critical as the County continues to grow. Chairman Hawkins welcomed the Hartsons to Transylvania County.

Jim Lorenz. Mr. Lorenz lives in Rosman and owns two businesses in Sapphire. Over the last several years the area has grown and he believes it represents a large percentage of the taxes collected countywide. He reported that the response time for emergency services in this area is about 12 minutes, which he thought was phenomenal. He would like to see the fire tax renamed to a public safety tax to cover all emergency services. With those funds, he would like to see an increase in law enforcement presence in the community to focus on the growing crime and drug problems. Mr. Lorenz also reported several thousand square feet of building space in the area is deemed unusable because of no access to water and sewer. Many times he has sought the services of County Planning and Community Development to establish a sewer district in the upper end of the County to enable their search for grants to create satellite sewage treatment facilities to service these problems, but to-date there has been no movement on the County's part. Mr. Lorenz reported that 20-30 property owners met recently to discuss issues of concern in their community and these were the two issues they discussed.

## AGENDA MODIFICATIONS

There were no agenda modifications from Commissioners or staff.

**Commissioner Lemel moved to accept the agenda, seconded by Commissioner Chappell and unanimously approved.**

## CONSENT AGENDA

**Commissioner Chappell moved to approve the Consent Agenda, seconded by Commissioner Guice.** Commissioner Cathey expressed that he did not support the Raise the Age legislation. Commissioner Guice commented that this decision has already been made at the State level and is not a decision before the Board of Commissioners. **The motion carried by a vote of 4 to 1, with Commissioner Cathey voting against.**

The following items were approved:

### MINUTES

Commissioners met in regular session on October 9, 2018. The minutes were approved as submitted.

### RESOLUTION SUPPORTING JUVENILE CRIME PREVENTION COUNCIL ALLOCATION EXPANSION

Effective December 1, 2019, 16 and 17-year-old individuals who commit crimes in North Carolina will no longer be automatically charged in the adult criminal justice system. In 2017, legislation raised the age of juvenile jurisdiction for nonviolent crimes to age 18.

Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at risk of delinquency. Juvenile Crime Prevention Council (JCPC) funding has seen no increase in funding in more than nine years.

The local JCPC requests the Board of Commissioners approve a resolution supporting an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Justice Reinvestment Act "Raise the Age" legislation set to take effect December 1, 2019.

Commissioners approved Resolution #03-2019 Supporting Juvenile Crime Prevention Council Allocation Expansion and instructed the Clerk to forward the resolution to our legislators in Raleigh.

### **Resolution #03-2019**

#### **Resolution Supporting Juvenile Crime Prevention Council Allocation Expansion**

**WHEREAS**, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,

**WHEREAS**, each JCPC, under the authority of NCGS § 143B-851, and within the scope of its powers and duties, "shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs and shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs," and,

**WHEREAS**, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age, effective December 1, 2019; and,

**WHEREAS**, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

**WHEREAS**, JCPC funding has seen no increase in more than nine years; and,

**WHEREAS**, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future; and,

**WHEREAS**, effective intervention and programming reduce detention and youth development commitments at a cost savings to the state and county;

**NOW, THEREFORE BE IT RESOLVED**, that Transylvania County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act "Raise the Age" Legislation, set for December 1, 2019.

**Adopted this 12<sup>th</sup> day of March, 2019.**

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

**RESOLUTION ALLOWING RETIRING OFFICER TO PURCHASE SERVICE HANDGUN-SAM SINGLETON**

School Resource Officer Sam Singleton will retire from the Sheriff's Office effective April 1, 2019 with 23 years of service, including an additional three years in the County's Maintenance Department, for a total of 26 years of service to Transylvania County. NC General Statute § 20-187.2 allows the governing board to award to a retiring member the service gun of the retiring member. Sheriff Mahoney requested Commissioners approve a resolution allowing Officer Sam Singleton to purchase his service handgun for the price of \$1.00 upon his retirement. Commissioners approved Resolution #04-2019 Allowing a Retiring Officer to Purchase His Service Handgun.

**RESOLUTION # 04-2019  
ALLOWING RETIRING OFFICER TO PURCHASE HIS SERVICE HANDGUN**

**WHEREAS**, NC General Statute § 20-187.2 provides that the governing body of a local law enforcement agency may, in its discretion, award to a retiring member the service handgun of the retiring member; and

**WHEREAS**, Samuel Edward "Sam" Singleton is a member of the Transylvania County Sheriff's Office where he serves as a School Resource Officer; and

**WHEREAS**, Sam Singleton will retire from the Transylvania County Sheriff's Office effective April 1, 2019 with 23 years of service, including an additional three years with the County Maintenance Department, for a total of 26 years of service to Transylvania County;

**NOW, THEREFORE, BE IT RESOLVED** by the Transylvania County Board of Commissioners to allow Sam Singleton to purchase his service handgun in accordance with the provisions of NC General Statute § 20-187.2 for the purchase price of \$1.00.

This the 12<sup>th</sup> day of March, 2019.

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

**RESOLUTION ALLOWING RETIRING OFFICER TO PURCHASE SERVICE HANDGUN-KATHY MCKENZIE ROGERS**

Court Deputy Kathy McKenzie Rogers will retire from the Sheriff's Office effective May 1, 2019 with 22 years of service (12 years with Transylvania County and 10 years with other counties). NC General Statute § 20-187.2 allows the governing board to award to a retiring member the service gun of the retiring member. Sheriff Mahoney requested Commissioners approve a resolution allowing Officer Kathy McKenzie Rogers to purchase her service handgun for the price of \$1.00 upon her retirement. Commissioners approved Resolution #05-2019 Allowing a Retiring Officer to Purchase Her Service Handgun.

**RESOLUTION # 05-2019  
ALLOWING RETIRING OFFICER TO PURCHASE HER SERVICE HANDGUN**

**WHEREAS**, NC General Statute § 20-187.2 provides that the governing body of a local law enforcement agency may, in its discretion, award to a retiring member the service handgun of the retiring member; and

**WHEREAS**, Kathy McKenzie Rogers is a member of the Transylvania County Sheriff's Office where she serves as Court Deputy; and

**WHEREAS**, Kathy McKenzie Rogers will retire from the Transylvania County Sheriff's Office effective May 1, 2019 with 12 years of service to Transylvania County, including an additional 10 years of service with other counties;

**NOW, THEREFORE, BE IT RESOLVED** by the Transylvania County Board of Commissioners to allow Kathy McKenzie Rogers to purchase her service handgun in accordance with the provisions of NC General Statute § 20-187.2 for the purchase price of \$1.00.

This the 12<sup>th</sup> day of March, 2019.

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

**PRESENTATIONS/RECOGNITIONS**

**SEMI-ANNUAL UPDATE: SHERIFF'S OFFICE**

On behalf of Sheriff David Mahoney (in Raleigh and therefore unable to attend), Chief Deputy Eddie Gunter updated Commissioners on the department's accomplishments over the first six months of the fiscal year. He also reported on trends that may be reflected in upcoming budget years, as well as their goals. This is a summary of his presentation:

**Accomplishments**

- Citizens Academy – started the Sheriff's Citizen Academy as part of their citizen education initiative; program designed to give citizens an in-depth look at the day-to-day operation of the Sheriff's Office; graduated about 30 citizens in last academy; successful program that Sheriff Mahoney intends to carry on for many years to come

- Policy and Procedure Manual – North Carolina Sheriff’s Association negotiated with consultant to help create comprehensive, defensible policies specific to North Carolina standards that are written by legal and public safety professionals
- Reduced response time – call-for-service average response time remains around 9 minutes 30 seconds; slightly better than previous year
- Negotiated additional housing of out-of-county inmates for revenue opportunities – continues to be a major source of generated revenue
- Implemented the Tuition Assistance Program – Two employees are currently working toward post-secondary degrees, one will start in the fall, and one has graduated with a Bachelor’s degree; several officers are interested in pursuing an Associate’s degree through the Blue Ridge Community College Criminal Justice program
- Crime rate continues to be one of the lowest in Western North Carolina
- Community partnerships – proud to be a community partner in the opening of the Family Resource Center; addition of the grant-funded Domestic Violence Investigator position has been better able to serve victims of domestic violence and sexual assault
- Decision-making training – thankful for the support of Commissioners in providing scenario-based decision-making training through the use of a firearms training simulator; many positive lessons are being learned and reinforced each time the training is offered

### **Trends**

- Recruitment/Retention – continues to be a challenge; one of the lowest paid agencies in the area; lost several members again this year to other agencies citing better pay; struggle to attract recent graduates from Basic Law Enforcement Training due to a lack of competitive pay and the high cost of owning a home in Transylvania County; recognize that the Board of Commissioners understands the issue and has taken steps to remedy issue with compensation and classification study currently underway
- Officer safety – number one concern identified by command staff; attacks on law enforcement officers across the nation have continued to rise over the past several years; providing the very best safety equipment and training to our men and women is very important
- “Raise the Age” legislation – unsure of the impact recent legislation will have regarding raising the age of juveniles to 18; housing juveniles has always been challenging; statutes do not allow juveniles to be housed with adult inmates
- Aging equipment – Firearms, body cameras, bullet resistant vests, emergency medical supplies, and interview room recording equipment are some of the items that either will expire or have exceeded their useful life; during a recent trial, the trial judge disallowed the Sheriff’s Office audio/video interview recording as evidence because of poor quality, which could have made a difference in the outcome of the trial
- Detention Center Average Daily Population (ADP) – for 2018 averaged 81
- Inmate Work Crew requests – continue to see an increase in the number of requests from County agencies for inmate work crew labor; also receive several calls from the public about trash pickup on the roadways; unfortunately, the department has been without a vehicle to transport crews to job sites for some time

### **Goals**

- Work with the Board of Commissioners to address recruitment/retention issues; thankful for the Board’s commitment to hire Evergreen Solutions to study this issue
- Replace interview room equipment to satisfy the needs of the courts
- Continue funding the Domestic Violence Investigator position
- Continue to develop replacement schedules for vital equipment

This concluded the presentation. Chairman Hawkins called for questions and comments from Commissioners.

Commissioner Lemel inquired about the availability of data on the impact of having the Domestic Violence Investigator. Chief Deputy Gunter did not have the data with him, but he reported the Sheriff's Office has responded to 110 domestic violence calls from July 2018 to the current date. He noted that many calls do not always come into 911 Communications as domestic violence calls, so he estimated the number of actual domestic violence calls to be higher. Commissioner Lemel pointed out that the County's ability to obtain grant funds for the Domestic Violence Investigator hinged on having data to show the number of domestic violence calls responded to, remanded for court consideration and prosecuted, so it is important to continue providing data to show the impact of this position. Chief Deputy Gunter pointed out the grant requires documentation of such data and he will provide the information to the Board.

Commissioner Lemel asked what percentage of arrests comes from the juvenile population. Chief Deputy Gunter estimated that approximately 10-12% of arrests are juveniles.

Commissioner Cathey inquired about where juvenile inmates are currently housed. Chief Deputy Gunter stated there are facilities in Buncombe County and Old Fort. The County must pay for the housing costs of juvenile inmates. He pointed out that the department usually goes over budget. With the new "Raise the Age" legislation, he expects the budget to increase.

Commissioner Guice, formerly being responsible for Juvenile Justice at the State level and serving in the Legislature when the new "Raise the Age" legislation was enacted, stated the decision was given much thought and consideration and was based on national data. North Carolina is one of two states that have not raised the juvenile age.

Commissioner Guice thought it was important to have a replacement plan in place for the equipment with a shelf life because it is very critical and essential to public safety. He asked Chief Deputy Gunter for the Sheriff's Office's help in educating the Board on the types of equipment they have so the Board can develop an appropriate replacement program. Chief Deputy Gunter noted that the Sheriff's Office applied for a grant through the NC Governor's Crime Commission last year, but those grants have been placed on hold due to the sanctuary city issue. The Sheriff's Office was counting on those dollars to fund certain equipment and thus they did not include the dollars in their budget. They were approved for the grant funds, but it is unknown when the dollars will be released. The funds are slated to replace Tasers, cameras, handheld radio equipment, etc. that they normally would have included in their budget request.

Commissioner Guice was also interested in receiving a breakdown of funds received for housing inmates through the Misdemeanant Confinement Program and due to legislation that requires all DWI convictions with an active sentence to serve their time in the county jail. He wanted to understand the challenges of managing that population, especially those with substance abuse issues, and ensuring they are being offered the programming they need. He understands offering and funding the appropriate programming is difficult at the local level. He hopes a better understanding of this information will help the Board of Commissioners assist the Sheriff's Office in addressing those needs. Chief Deputy Gunter felt that the Sheriff's Office has a jumpstart in terms of programming for substance abuse and mental health programs. They current offer AA, jail ministry, educational programs for juvenile inmates, etc. He agreed there are challenges, but he felt the department is facing them head on. He was happy to work with County Administration to supply them with information on what the Sheriff's Office is currently doing and discuss ways to improve to ensure they are providing the best services.

The Manager pointed out Commissioners should see some additional data during the budget requests. There will also be more information on scheduled replacements. She recalled during the planning workshop that the Detention Facility is equipped with many systems that are scheduled for replacement, for either officer safety or ensuring the maintenance of the facility itself. She felt it was important for the Board of Commissioners and Sheriff's Office to partner on this effort.

Commissioners thanked Chief Deputy Gunter for the report.

#### SEMI-ANNUAL UPDATE: BLUE RIDGE COMMUNITY COLLEGE

Blue Ridge Community College President Dr. Laura Leatherwood gave an update of the College's accomplishments over the first six months of the fiscal year. She also reported on trends that may be reflected in future budgets, as well as the College's goals. She started with a history of the Transylvania County Campus. This is a summary of her presentation:

#### **Transylvania County Campus**

- 1970 - First course in Transylvania County (upholstery in Silversteen Community)
- 1986 - Transylvania Center was established in former Pisgah Forest Elementary School (currently Davidson River School)
- 1998 - Moved to current location former Straus Elementary School
- 2008 - Opened Applied Technology Building
- 2010 - Designated Campus by North Carolina Community College System

#### **Campus Funding 2018-2019**

- Receive State funding through FTE (Full Time Equivalents) for campus
- State pays for instruction and equipment
- County pays for physical plant
- Multi-Campus funding \$548,292; campus must maintain a 300 FTE threshold

#### **Programs of Study**

- Adult Education and Literacy
- Associate Degree Nursing
- Associate in Arts
- Associate in Science
- Automotive Systems Technology
- Machining Certificate
- Nurse Aide
- Transylvania County High Schools Brevard & Rosman (Welding Certificate)
- Partnership with Schenck Job Corps
  - Automotive Mechanics
  - Building Maintenance
  - Culinary Arts
  - Welding
  - Adult Education and Literacy
  - Workforce Readiness Programs

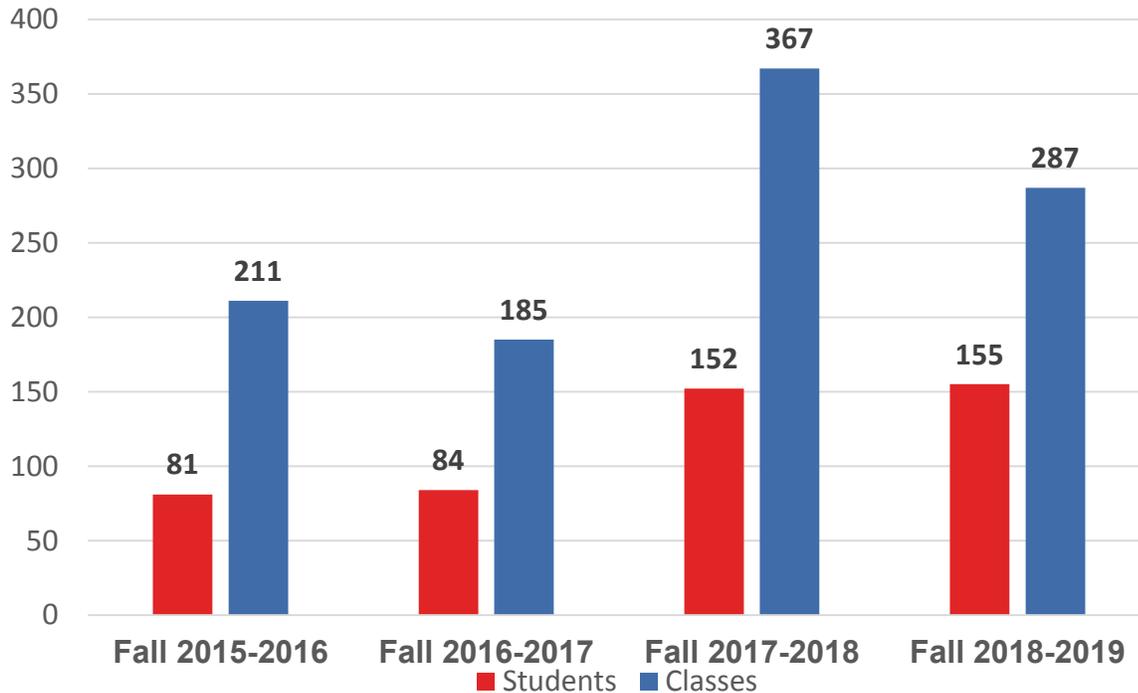
#### **Enrollment-Blue Ridge Curriculum Fall Semester 2018**

- College total - 2,187
- Transylvania County Campus - 459
- 21% of the total curriculum enrollment is enrolled at the Transylvania County Campus

- Since 2007, curriculum enrollment at the Transylvania County Campus has increased 38%

### Career & College Promise

High school students take college transfer courses or technical programs tuition free to get a jump-start on college preparation or job training.



### Career Coach

Assists high school students with determining their career goals and to ensure students know all of their opportunities at Blue Ridge Community College. Grant supported position by the State at 50%. Local communities provide match.

### Points of Pride

- Celebrating 50 Years of higher education
- 70% of credentials awarded are in technical education and 30% in college transfer
- SACSCOC reaffirmation (reaccredited with no findings or recommendations); if lose accreditation, no longer receive federal funding
- College rebranding
- IMPACT scholarships; raising \$2 million for this program to support students
- Transylvania Campus classroom addition (complete by August 2019) using bond funds

### Trends in Higher Education-MyFutureNC

- Partnership with K-12, Community Colleges, Public Universities and Independent Colleges and Universities
- As economy grows, the vast majority of new jobs will require education beyond a high school diploma
- Fewer than half of North Carolinians ages 25-44 have a high-quality postsecondary degree or credential

- Goal: By 2030, 2 million NC residents between the ages of 25-44 will have a high-quality postsecondary degree or credential
- Today we only have 1.3 million
- BRCC will be a key partner in this effort
- Streamlining admission and financial aid processes across the State
- The investment in BRCC facilities and operation is essential to our long term success

#### **County Budget Request FY 2019-2020**

- \$550,279 operating budget
- \$199,00 capital budget
- \$749,279 total request

Lastly, Dr. Leatherwood reported that the College's Board of Trustees is developing a long term capital plan for both campuses that will focus on where they expect to be 10 years from now and what is needed to get there, including help from their community partners. She emphasized that having quality facilities is important for recruiting students, is a reflection of the type of education opportunities offered, and demonstrates that a community supports and invests in workforce development and higher education. She stated that Blue Ridge Community College plays a vital role in the economic viability of Transylvania County.

This concluded Dr. Leatherwood's presentation. Chairman Hawkins called for questions and comments from Commissioners.

Chairman Hawkins asked if high school enrollment through the College and Career Promise program counts toward the FTE requirement for maintaining campus status. Dr. Leatherwood explained that the requirement for campus status is for 300 FTE to be maintained onsite. Therefore, any singular classes taught on the high school campuses do not count toward the FTE requirement. This presents a challenge to the College and can only be changed at the State level. In response to Commissioner Guice, Dr. Leatherwood stated the same is true for classes taught at Schenck Job Corps. For these students to be added to the FTE enrollment, each agency would have to transport the students to the College for classes which they do not have the resources to do.

Commissioner Guice stressed, for the public's understanding, that if the College does not maintain 300 FTE it could lose more than \$500,000 in federal funding which would be significant loss to the community. Dr. Leatherwood explained that rule currently making its way through the rulemaking process outlines the penalty for not maintaining the FTE requirement. If the FTE drops below 300, the College would be penalized with a 50% reduction in funding the first year. If the FTE is not restored, the College would then lose 100% of its federal funding. The implication would be a loss of seven positions along with the ability to offer certain degree programs in Transylvania County. Therefore, recruiting students and having state-of-the-art facilities and quality programs in Transylvania County are absolutely critical.

Chairman Hawkins commented that a loss in staffing would drive enrollment down even more. Dr. Leatherwood affirmed.

Commissioner Guice felt it was significant that the College is reaching out to students earlier to acquaint them with what the College has to offer. Dr. Leatherwood stated that the College has been very much involved with the high schools. Now they are focusing on middle school students. By the time these students reach high school, it is almost too late to introduce information to parents and students, so it is important to share information with them now.

Chairman Hawkins inquired further about the Board of Trustees' long term capital plan, particularly for the Transylvania County Campus. Dr. Leatherwood informed Commissioners that the College intends to consult with the Transylvania Economic Alliance and local workforce development board to review data about what and where jobs are expected to be in 10 years and the economic development strategy for the community. The College will align their programs to meet those future needs for the long term benefit of the County.

Commissioner Guice stated the County is responsible for providing the sites and buildings for the local community college, noting the present site has challenges in terms of expansion. He was very much interested in long term planning and stressed that Transylvania County cannot afford to lose a great asset like Blue Ridge Community College.

Commissioner Chappell stated that one of the best positions hired at the College has been the career coach. The career coach is in frequent contact with students preparing them for their future educational opportunities and eventual next workforce. Commissioner Chappell publicly thanked Senator Edwards for this support and advocacy for funding at the State level.

Commissioner Chappell shared that he recently visited a classroom at Davidson River High School during a job fair where one of the students had just received notification that they were awarded an IMPACT scholarship. The student was so excited because they will be one of the first people in their family to have an opportunity to further their education. The IMPACT scholarships have a direct impact on students and the future of this community. Dr. Leatherwood pointed out it is important that scholarships also serve high-functioning students.

Commissioners thanked Dr. Leatherwood for her presentation.

## **APPOINTMENTS**

### PARKS AND RECREATION COMMISSION

There is a vacancy on the Parks and Recreation Commission due to a resignation in the fall. The Clerk advertised and received two applications, in addition to the one application on file. The Parks and Recreation Director reviewed the applications and his recommendation was included in the Board's agenda packet for their consideration.

**Commissioner Guice nominated and moved to appoint Greg Cochran, seconded by Commissioner and Cathey.** Chairman Hawkins commented that any of the three applicants would be good members of the Parks and Recreation Commissioners and that they should be considered for openings in the future. **The motion was approved unanimously.**

## **NEW BUSINESS**

### REQUEST FOR PROPOSALS FOR AFFORDABLE WORKFORCE HOUSING

Prior to County Planner Joy Fields' presentation of this item to the Board, the Manager pointed out there are two types of housing that are talked about frequently in the community: affordable housing and workforce housing. The federal definition of affordable housing is based on income levels and targets lower income individuals. Workforce housing is for households that make the median income. She stated it is important to share that information for the benefit of the public because technically affordable housing and workforce housing are not the same; however, they do address the same issues in the community: the cost of housing and how it impacts the cost of living.

Building on the information the Manager shared, Ms. Fields gave the federal definition for housing to be considered affordable. Affordable is defined as not being greater than 30% of someone's income, including utilities, no matter their income bracket.

To build and develop housing that is not cost prohibitive for the workforce, it often requires incentives, either from the federal government or the local government. Transylvania County owns property near Rosman which has been identified as a potential location to develop affordable workforce housing and one in which could be used as a potential incentive to encourage this development. The property has access to public utilities and contains parcels that are relatively flat. Utilities are essential for a multi-family housing complex. The availability of the utilities makes the land especially attractive for developing this type of housing. The intent would be to offer this property to encourage the development of decent residential housing that is affordable to Transylvania County workers because private enterprise is not able to meet the current demand. There is no financial impact at this time. However, in previous budget years County Commissioners have set aside \$25,000 to study the workforce housing issue or offset utility tap in fees.

The Planning and Community Development department developed a letter of interest in FY 2017-2018 and received interest from two firms for possible development of workforce housing at this site. Some time has passed since the two firms responded, but Ms. Fields stated the interest and need remains. She asked the Board to authorize staff to send requests for proposals directly to those two firms. Additionally, she asked if the Board wanted staff to open up the request for proposals process up to other firms as well.

Ms. Fields explained that the RFP process would likely take two to three months. Submitting a proposal is nonbinding, so if any proposals are received it does not mean the Board of Commissioners would be required to move forward.

Ms. Fields reported that the 2010 Census estimated Transylvania County's population at 33,090. She pointed out it is difficult to estimate the County's population between censuses because of migration and seasonal residents. Over the past 50 years, Transylvania County's growth rate has averaged 1.39% per year.

Having workforce housing is essential for economic development for the growth of this County. In 2017, the Transylvania County Community Land Trust presented a housing report to the Board of Commissioners that identified the gap in housing availability and affordability for those in the workforce. For example, with a workforce that has a median income of \$43,918, such as a Sheriff's Deputy or Teacher, an affordable house would be \$878. Ms. Fields pointed out it is very difficult to find a safe and decent home with utilities included for \$878/month. The RFP intends to serve the gap between 80%-120% of the County's median income where they are making too much for subsidized rentals and too little to afford the current housing stock.

The goals are:

- To encourage the development of attractive and affordable workforce housing
- To meet statutory requirements for providing non-competitive lease for county-owned land, 20% of the units must be affordable to low and moderate income individuals making less than 80% of the area median income
- To support developers' access to other funding streams, development could have mix of housing including workforce, market rate, and/or federally subsidized affordable housing ; some units may be reserved for special needs households-including seniors, disabled adults, homeless or at-risk

- To provide a minimum of 60 rental units, along with parking, playground, greenspace, community garden, sidewalks/multi-use path

Other tools for the Board to consider with regard to affordable workforce housing:

- Work with the Transylvania County Community Land Trust; advisory board's main focus is on housing
- Proposal to use \$25,000 from previous budget years to cover the cost of a detailed workforce housing plan, establish housing trust fund to acquire property in the future, support extension of utilities, or provide matching funds for other affordable housing programs
- Transylvania County is a member of the Asheville Regional Housing Consortium and receives funding from HUD to build or offset the cost of rent for those making less than 80% of the median income

The Manager pointed out again that affordable housing and workforce housing are two very different programs that target two different populations. The grants or tax incentives that are available at the federal level are targeted toward affordable housing; however, statutes dictate that if a County is going to partner with a developer and provide property for a project, the County must include a component of affordable housing at a minimum of 20% in order to leverage the workforce.

Commissioner Guice expressed support for this initiative. He inquired if the units would be rental or for sale. He pointed out that many people would prefer to make a monthly payment toward a purchase investment. Ms. Fields explained that the units would be rental units. Staff has spoken with developers of this type of housing, and they have found it is often easier to get the infrastructure in place for multi-family housing and then follow up in the future with ownership potential if that is a route a community wants to take.

Commissioner Guice inquired further about the property and if it would accommodate the number of units proposed, including the necessary infrastructure.

The Manager stated that one of the reasons for putting out the RFP is to refine the project and ensure it is doable. Based on the letters of intent received previously, staff felt that the site can accommodate the number of proposed units. To make the project doable, 60 units are needed (six units per acre). That would mean possible use of the three yellow parcels indicated in the map below. The remaining parcels would be evaluated for additional use.



Furthermore, the Manager noted that the property is located in the unincorporated area of the County and it is not zoned. While there are differing opinions about zoning and property regulations, one of the benefits of this property not being zoned is there is no maximum density requirement. The other beneficial component is the access to utilities serviced by the Town of Rosman.

The Manager stated most people think land and construction costs present the biggest challenges to the County's housing market; however, while these are issues, other complicating factors are development codes, maximum density implications, and other requirements for providing housing. Just adding a parking structure to a workforce housing project increases the cost per unit by \$40,000. Often times a public utility may not want to extend water and sewer without having development codes imposed. Transylvania County is in a unique position as the owner of this property, especially considering the Town of Rosman's willingness to partner on utilities and the potential for how units will fit on the property with utilities and amenities based on no density requirements.

Commissioner Guice noted that this piece of property fell under the County's ownership many years ago for a particular reason. He asked if there were any of the same issues lingering that might create some issues for the County. The Manager reported there are no unknown issues at this time which is one reason infrastructure would be so important to this piece of property. The site is located next to a former landfill that experienced some seepage into groundwater supplies on that specific property which would be resolved with water and sewer infrastructure. If the County proceeds with the development of this project, any environmental concerns will have to be addressed as part of the process to provide assurance, but again she stated concerns will be alleviated by having public access to infrastructure. Staff recently spoke with developers who shared that there are residential housing complexes all across the State constructed on properties that previously had environmental concerns and many times the infrastructure component is the key to helping utilize the property.

Commissioner Chappell recalled that when the County constructed the animal shelter the pipes installed for connecting to utilities were larger than needed at the time for the purpose of anticipating future connection to utilities. He noted there is some infrastructure already in place which is another reason this site makes sense for this project.

Commissioner Guice thought it was a good idea to reissue the RFP because some time has passed since the two firms expressed interest and there might be new opportunities. Ms. Fields agreed and suggested the issuance of a general RFP to open up opportunities for local companies to participate.

**Commissioner Lemel moved to authorize County staff to issue an open RFP for the development of this acreage near the Transylvania County Animal Shelter owned by the County, seconded by Commissioner Guice.** In response to Chairman Hawkins, staff anticipates a two-three month process. Chairman Hawkins emphasized that affordable housing is a problem in Transylvania County. He pointed out that the City of Brevard and Town of Rosman have the utilities infrastructure to handle the kind of density that is needed to make a dent in the problem. However, the City of Brevard's regulatory requirements for density have been barriers for the County. He was very supportive of the County taking the initiative to do something tangible to address the problem. **The motion passed unanimously.**

#### INMATE WORK CREW TRANSPORTATION NEEDS

The Manager reported that the Sheriff's Office requested a new inmate work truck for use in transporting inmates to work sites around the County. The former truck used for this purpose was taken out of service in the fall due to issues identified by the City garage. A vehicle is needed to continue the inmate work crew program.

Following a review of the County fleet to determine the best use of County vehicles, staff identified a truck in the Fire Marshal's office that is due for replacement in FY 21 that would be fit for use locally as an inmate work truck. Sheriff Mahoney is in agreement with this proposal.

The cost estimate for the replacement vehicle includes a contract purchase price for a 2019 F250 Crew Cab 4x4 of \$30,093.41 and an additional \$10,000 in equipment and upfit for emergency management use. The new truck will serve the day-to-day activities for the Fire Marshal's office with the capability of deployment for emergency management activities.

The Manager recommended Commissioners allocate \$41,000 from fund balance or from additional revenues from inmate housing received this year to purchase a vehicle for the Fire Marshal's office. The current vehicle in the Fire Marshal's office would be reassigned for inmate work crew purposes.

Commissioner Cathey noted that the Sheriff's Office has transport vans to move inmates to and from the Detention Center and the Courthouse, but they are only used twice a week during criminal court. He also recalled there being in last year's budget a request to purchase two vans. The Manager asked Chief Deputy Gunter to elaborate on the use of the inmate transport vans. Chief Deputy Gunter explained the Sheriff's Office has one transport van that is approximately 12 years old. The Manager responded the two vans purchased were for use in the County Transportation department and not for inmate use. The vehicles in the Sheriff's Office provide separate functions – the inmate work crew vehicle must accommodate transporting equipment such as mowers. The inmates and equipment are transported in one vehicle to reduce staff having to coordinate all of those resources separately.

Commissioner Guice wanted the public to understand this is not just about the need for a vehicle to pick up trash on roadsides. He asked the Manager to speak further on this. The Manager reported the School System uses the inmate work crew to help with mowing which is a direct cost savings to taxpayers. The same is true for the County's parks system. The City has used them for maintenance activities, such as painting fire hydrants. Many of these activities would require additional staff or contract services. The Manager added this work is also in service to the inmates. She believes that work provides purpose. This program is an important component and meets several different needs, both savings to the taxpayers and providing work experience to inmates for life after incarceration.

Commissioner Chappell confirmed that staff is asking to move up a request for a vehicle replacement that will require replacement two years earlier than anticipated under the current vehicle schedule. He thought transferring the vehicle to the inmate work crew program was a good way to get additional mileage out of it and to meet a current need. Chief Deputy Gunter noted the former inmate work crew vehicle was added to the program in the same manner. He also pointed out a few years ago the department calculated the savings this program generates. At the time they figured an inmate making minimum wage conducting maintenance-type work at local government facilities saved taxpayers over \$200,000.

Commissioner Guice pointed out the vehicle that will be transferred to the program has high mileage and will be driven locally. Chief Deputy Gunter felt the vehicle would suit the needs of the crew perfectly.

Commissioner Guice stated it is important to have programming that will engage inmates, create a positive experience for them and help them understand the importance of giving back to the community.

Commissioner Lemel inquired about the recommendation for funding allocation. Commissioners have been given the choice of using fund balance or using additional revenues from inmate housing. The Manager stated the request from the Sheriff's Office was to use revenues from inmates housing to purchase a vehicle. The County has received additional revenues this year as the Sheriff's Office has done a great job contracting with other counties in need of jail space. Typically, at the end of the year

those funds go back into fund balance. Because that was in the original request, she felt it needed to be an option for the Board to consider.

Commissioner Guice was supportive of using monies from the inmate housing program to pay for this. He said he looks forward to future conversations about the appropriate use of those funds. The Manager noted there are some designated allocations for those funding streams that she will provide to the Board.

**Commissioner Lemel moved to allocate \$41,000 from the additional revenues from inmate housing to purchase a vehicle for the Fire Marshal's Office and reassign the truck coming offline to the inmate work crew, seconded by Commissioner Cathey.** Commissioner Chappell preferred the funding come from fund balance since the replacement vehicle is for the Fire Marshal; otherwise, he was supportive. Commissioner Cathey expressed appreciation to the Sheriff's Office for their efforts in efficiency. Chairman Hawkins thanked staff for their creativity in thinking through this issue. **The motion passed unanimously.**

#### MANAGER'S REPORT

The Manager reported the following:

- Early Childhood Workshop scheduled for March 21 with Sesame Street returning along with NCDHHS Secretary, Dr. Mandy Cohen
- Get Set's fourth annual Kindergarten Readiness Rally is also scheduled for March 21 at Parks and Recreation from 4:00-6:00 p.m.; Sesame Street's Grover will be in attendance to help kids become excited about kindergarten next year.

#### **PUBLIC COMMENT**

There were no comments from the public.

#### **COMMISSIONERS' COMMENTS**

Commissioner Chappell expressed his condolences to the family who lost their young son this past week. The family has set up the Jameson Courtine Memorial Service Fund for the purpose of ensuring his legacy lives on in our community. The funds will go toward constructing a ninja warrior course because it was something Jameson loved. Commissioner Chappell encouraged the public to donate and remember the life of this young man.

Commissioner Chappell noted there has been a significant amount of land that has gone into land conservancy. He asked the Manager to provide the Board with the impact to the tax base, especially since the Board is headed into the budget cycle. While he understands conserving property is positive, he was unsure if the public understood how this practice impacts the County's tax base and tax revenues.

Commissioner Cathey requested the Manager to explore the possibility of Transylvania County becoming a 2<sup>nd</sup> amendment sanctuary county. Chairman Hawkins stated he had no interest in doing this, but the Manager should provide the information Commissioner Cathey requested. Commissioner Guice said he looked forward to the discussion about this issue, but he did not feel this was the County's role.

**Chairman Hawkins moved to enter into closed session per NC General Statute § 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a**

**contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, after a 5 minute recess, seconded by Commissioner Lemel and unanimously carried.**

#### **CLOSED SESSION**

Per NC General Statute § 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, closed session was entered into at 10:50 a.m. Present were Chairman Hawkins, Commissioners Cathey, Chappell, Guice, and Lemel, County Manager Jaime Laughter, County Attorney Misti Bass, Transylvania Economic Alliance Executive Director Josh Hallingse, and Clerk to the Board Trisha Hogan. .

Commissioners received an update on the negotiation efforts for the potential purchase of property and directed staff on how to proceed.

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

#### **OPEN SESSION**

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

#### **ADJOURNMENT**

There being no further business to come before the Board, **Chairman Hawkins moved to adjourn the meeting at 11:40 a.m., seconded by Commissioner Lemel and unanimously carried.**

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan, Clerk to the Board