

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
OCTOBER 28, 2024 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, October 28, 2024, at 6:00 p.m. in the Multipurpose Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Larry Chapman, Chairman Jason Chappell, Vice-Chairman Jake Dalton, Teresa McCall, and Chase McKelvey. County Manager Jaime Laughter, County Attorney Julie Hooten, and Clerk to the Board Trisha Hogan were also present.

Media: Dan DeWitt – *Brevard Newsbeat*
 Jon Rich – *The Transylvania Times*

There were approximately 50 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 6:01 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting and introduced the Commissioners and staff in attendance.

PUBLIC COMMENT

The comments represent the speakers' opinions or points of view.

FEMA Representatives Tom Hardy and Mark Bartlett: Mr. Hardy and Mr. Bartlett shared information about FEMA programs, including individual assistance for disaster survivors. They highlighted the Recovery Center at the Community Services Building on East Morgan Street, where residents can register for assistance. The center also has an SBA representative onsite who provides disaster loan guidance for businesses, homeowners, and renters, with low-interest loans and deferred repayment. They encouraged Commissioners to visit the center, connect with the FEMA manager onsite, and offered to collaborate further with the County Manager or Commissioners individually.

Diana Livingston: Ms. Livingston, an Episcopal Deacon and local resident of 13 years, highlighted the work of the Brevard Transylvania Housing Coalition, a collaborative group addressing the community's affordable housing crisis. They have learned about housing challenges, including unsafe rental conditions, limited options for the unhoused and formerly incarcerated, and barriers for workers relocating due to high housing costs. Ms. Livingston emphasized that addressing affordable housing requires collaboration among county, city, state, and federal officials, businesses, nonprofits, and developers. She called for collective action to ensure housing for all, highlighting the coalition's commitment to advocacy and progress.

Jan Melman: Ms. Melman, a full-time Transylvania County resident since 2017 and member of Saint Phillips Episcopal Church spoke about her involvement with the Brevard Transylvania Housing Coalition and the critical need for affordable housing. She emphasized the importance of housing for teachers, law enforcement, and service workers, highlighting her church's partnership with Brevard Davidson River Community

Presbyterian Church in sponsoring the county's first faith-built Habitat for Humanity home. This project, supported by parishioners' funding and labor, demonstrated the transformative impact of stable housing on job retention, education, and community health. Ms. Melman praised the increasing collaboration among organizations like the Housing Coalition, Sharing House, Habitat for Humanity, The Bread of Life, and The Hunger Coalition to address local needs. She stressed the power of unity, as seen in recent disaster recovery efforts, and urged Commissioners to focus on removing barriers to affordable housing to foster a healthier, more stable community.

Abbey Glass: Ms. Glass, a Brevard resident of three years and Children, Youth, and Family Minister at Saint Philips Episcopal Church and Lutheran Church of the Good Shepherd, shared her struggle with finding affordable housing despite having a stable full-time job. Her challenges included moving four times and experiencing the uncertainty many in the community face. Through a faith leaders' meeting initiated by Diane Livingston, Ms. Glass connected with others committed to addressing the housing crisis. These collaborations with faith communities and nonprofits gave her hope for sustainable solutions. While grateful for her current stable housing and the efforts of local organizations, she emphasized the ongoing need for affordable housing and its critical role in enabling residents to thrive. She called on the Commissioners to continue collaborating with the community to expand housing opportunities and ensure Brevard is a place where everyone has a safe, affordable home.

Jeff Brewer: Mr. Brewer expressed gratitude to the Board, County Manager, and staff for their efforts during Hurricane Helene. He then raised safety concerns regarding the Boyd voting precinct at North Transylvania Fire Rescue, the largest in the county with 2,800 registered voters. Based on high turnout projections, he estimated that 600-750 voters might cast ballots there on Election Day, following record early voting numbers. Mr. Brewer highlighted issues with parking and safety, noting that during the primaries, 400 voters caused significant congestion and unsafe conditions with parking spilling onto Highway 280. He urged the County to proactively address these concerns to ensure safety and efficiency at the precinct on November 5, anticipating heavy turnout and traffic.

Sam Stites: Mr. Stites, a Cedar Mountain resident and representative of Just Economics and the Living Wage Coalition of Transylvania County, advocated for stronger rental assistance measures to support working families in the region. He criticized the state's recent \$600 million hurricane relief package, which allocated only \$1 million for rental assistance—a minimal response given the significant needs of renters facing economic hardship and potential eviction. Mr. Stites emphasized the moral and economic consequences of inaction, including the risks to elders, children, and employers reliant on a stable workforce. He shared local support for rent and eviction moratoriums from workers, landlords, and business owners alike. Mr. Stites called on the Board to intensify its advocacy with state representatives and also offered his collaboration to address the urgent need for rental relief in the community.

Lisa Rodke: Ms. Rodke addressed the Board on the role of marketing in the affordable housing crisis, challenging the notion that supply and demand alone dictate housing prices. She argued that targeted advertising inflates demand and drives up prices, particularly in areas like Transylvania County, which has 353 real estate agents incentivized to maximize home prices due to commission structures. Ms. Rodke also noted the County's reliance on property taxes for 80% of its budget, which creates a limited incentive to reduce housing costs. She suggested diversifying the County's income sources and changing marketing strategies to attract demographics beyond affluent retirees, emphasizing the need to support local families. Ms. Rodke urged the Board to take a proactive approach to addressing housing affordability through innovative marketing and economic strategies.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Dalton moved to approve the agenda as submitted, seconded by Commissioner Chapman, and unanimously approved.

CONSENT AGENDA

Commissioner McKelvey moved to approve the Consent Agenda as submitted, seconded by Commissioner Dalton, and unanimously approved.

The Board approved the following:

APPROVAL OF MINUTES

Following the regular meeting on August 26, 2024, the Board of Commissioners met in closed session (5) in which the minutes were sealed. (The Board approved the regular meeting minutes on October 14, 2024.) The Board of Commissioners met in a regular meeting on September 9, 2024. The Board approved the minutes as submitted.

SEPTEMBER 2024 DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORT

Per N.C.G.S. § 105-312 (b), the Tax Administrator must see that all property not properly listed during the regular listing period be listed, assessed, and taxed. The Tax Administrator shall file such reports of discoveries with the Board of Commissioners. Per N.C.G.S. § 105-381 (b), the Tax Administrator must provide a monthly report to the Board of Commissioners of the actions taken by the Tax Administrator on requests for release or refund, which shall be recorded in the minutes. For September 2024, tax dollars released totaled \$983.22, and refunds amounted to \$1,366.85. The Board approved the September 2024 Discovery, Release, and Monthly Settlement Report as presented.

PROCLAMATION - VETERANS DAY 2024

The Board of Commissioners has traditionally approved a proclamation honoring Veterans Day. The Veterans History Museum of the Carolinas will host a Veterans Day ceremony on Monday, November 11 at 10:00 a.m. at the Courthouse Gazebo. The Board approved Proclamation #29-2024 Veterans Day 2024.

PROCLAMATION # 29-2024

VETERANS DAY 2024

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original 13 States, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, we owe a great debt to those who have served in defense of this nation; and

WHEREAS, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

WHEREAS, for many, that sacrifice had ended in permanent injury or death, yet their spirit remains in continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; and

WHEREAS, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy;

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commissioners of Transylvania County does hereby call upon the citizenry of Transylvania County to participate in services and to observe the eleventh hour of the eleventh day of the eleventh month with expressions of gratitude to all veterans and to further extend this gratitude to the families of the deceased veterans and to solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us re-consecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

This the 28th day of October 2024.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

RESOLUTION IN SUPPORT OF OPERATION GREEN LIGHT FOR VETERANS

The North Carolina Association of County Commissioners (NCACC), in collaboration with the National Association of Counties (NACo) and the National Association of County Veteran Service Officers, encourages participation in Operation Green Light to honor and support military veterans. North Carolina counties are invited to light public buildings and infrastructure green from November 4-11, including Veterans Day, to symbolize support and recognition for veterans. Locally, Operations and Maintenance staff will light the following areas in green: Broad Street side of the Courthouse, Main Street side of the Courthouse, Gazebo, and Veterans History Museum. Green floodlights will be staked in the ground, ensuring a vibrant display of green lighting throughout the week. The Board unanimously approved Resolution #30-2024, formally supporting Operation Green Light for Veterans.

**RESOLUTION #30-2024
SUPPORTING OPERATION GREEN LIGHT FOR VETERANS**

WHEREAS, the residents of Transylvania County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Transylvania County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, Transylvania County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted;

THEREFORE, BE IT RESOLVED, with designation as a Green Light for Veterans County, Transylvania County hereby declares Veterans Day, November 11th, 2024, as a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service;

THEREFORE, BE IT FURTHER RESOLVED, that in observance of Operation Green Light, Transylvania County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 4th through the 11th, 2024.
This the 28th day of October 2024.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

**APPROVAL TO ACCEPT NONRECURRING STATE FISCAL RECOVERY FUNDS FOR
TRANSYLVANIA COUNTY LIBRARY**

As part of COVID recovery, the Library is eligible to receive \$54,251 in non-recurring State Fiscal Recovery Fund Aid to Public Libraries. This includes an initial grant amount of \$50,309 and an additional disbursement of \$3,942.

This is a unique opportunity to purchase library furniture using state funds. Furniture purchases are ineligible using State Aid to Public Libraries that the library receives annually; they are also ineligible for most state-administered grants. This funding opportunity is an exception.

Public lounge seating throughout the library is in extremely poor condition and its replacement is a high priority. The existing seating was purchased for the building's opening in 2006 and has been used heavily by the public for two decades. Staff have temporarily patched upholstery holes in some chairs resulting from excessive wear and most of the rest are threadbare; many have permanent stains and damaged finishes. Five lounge chairs have already had to be removed because they were no longer suitable for public use, which is currently causing a seating shortage.

These funds will be used to purchase 18 replacement lounge chairs that will be located throughout the library. The selected chairs are commercial grade and built to withstand heavy public use. Commercial furniture that is made to withstand the heavy daily use of a setting like a library is more expensive than comparable residential furniture. The selected chairs are available through state contracts and range in price from \$2,851 to \$3,222 each. The Board authorized the acceptance of non-recurring State Fiscal Recovery Funds for the Transylvania County Library.

PRESENTATIONS/RECOGNITIONS

UPDATE FROM REPRESENTATIVE MIKE CLAMPITT ON STATE RESPONSE TO TROPICAL STORM HELENE

Representative Mike Clampitt requested time on this agenda to provide an update to the Board and public on the State's response to Tropical Storm Helene, including the disaster bill that the Legislature passed on October 24. Before he presented, Chairman Chappell thanked Representative Clampitt for his service during the emergency response. Representative Clampitt was embedded in the County's Emergency Operations Center for a couple of days.

Representative Clampitt brought to the Board's attention the second package of the relief bill. He wanted everyone to understand that this was not the end of any kind of relief bill being pursued by the General Assembly. This is the second one that the General Assembly approved which ties into the first one which was House Bill 149. The second one was Senate Bill 743. Representative Clampitt noted that in the Board's agenda packet was a listing of the money report associated with the relief bill. It includes a listing of the monies from the first relief package into the second relief package and shows what monies are remaining from that. The General Assembly adopted the State budget format and outline format for that.

Representative Clampitt highlighted certain portions of the bill. He stressed that this is not the end of relief packages. The General Assembly goes into session on November 19, and he welcomed suggestions for the next relief package. At that time, they will take up any other items they may have omitted. Additionally, the General Assembly has been very cautious about packages because they should be a 90/10 federal split. If the General Assembly approves too much money too quickly, there would be a chance of forfeiting any federal dollars that would have come in. They do not want to jeopardize any of the funds coming from the federal government.

Representative Clampitt responded to public comments about only \$1 million being allocated toward rental assistance noting that more funds are coming, but emphasized again the General Assembly cannot jeopardize losing the federal split. He stressed that this event was unprecedented for Western North Carolina and this region will likely be suffering and making repairs and rebuilds for the next decade. The damage to some areas was severe, especially where there was damage to major water and sewer systems.

Representative Mike Clampitt provided an overview of the second disaster relief package passed by the General Assembly, which totals \$604 million and includes \$75 million in matching funds from federal disaster assistance. He explained that the full cost of rebuilding remains uncertain as not all departments have submitted their estimates. Major components of the bill include:

Local Government and Infrastructure Support

- \$50 million for state agencies and local governments to address unmet needs not covered by insurance, FEMA, or federal aid.
- \$5.5 million to organizations, including the NC League of Municipalities and NC Association of County Commissioners, for technical assistance to local governments.
- \$12 million to restore critical functions of local health departments.
- \$100 million for emergency loans to local governments for water and wastewater infrastructure repair, plus \$7 million for infrastructure assessment technical assistance.
- \$100 million to the Local Government Commission for a cash flow program aiding local governments.

Education and Public Services

- \$55 million to public schools for unmet capital needs and technology, plus funding for grants and scholarships for community college and university students.

- \$10 million to Smart Start local partnerships to assist childcare centers with reopening and maintaining operations.
- \$5 million to the NC Board of Elections for additional disaster-related costs in affected counties.

Housing and Individual Assistance

- \$1 million for rental assistance to households at imminent risk of eviction.
- \$8 million for household energy assistance.
- \$10 million for weatherization projects aimed at improving home efficiency.

Business and Tourism Support

- \$50 million to the Golden Leaf Foundation for small business loans, offered at 1% interest until June 2030.
- \$6 million for tourism recovery, including \$5 million specifically for western counties impacted during the fall leaf season.

Other Provisions

- A measure encouraging state agencies to procure goods and services from historically underutilized businesses.
- Broadening the range of service providers available for individuals suffering from PTSD.

Representative Clampitt thanked the Board of Commissioners and the County Manager for their efforts during the storm response. He shared his experience of being embedded in the County's Emergency Operations Center and witnessing the exceptional work done to support the community. Representative Clampitt mentioned assisting with finding drinking water, some of which was flown in by five Chinook helicopters. He also highlighted the ongoing work to address a bridge issue and noted that concerns regarding private roads and business bridges would be addressed in the next relief bill. However, he emphasized that caution must be taken to avoid jeopardizing federal funds by overcompensating with state funds too early.

Representative Clampitt stressed that recovery and rebuilding efforts would be long-term, likely extending for a decade. He emphasized that the impact was not limited to the counties in Western North Carolina but would also indirectly affect visitors to the region. He concluded his remarks by inviting any questions from the Board of Commissioners.

Commissioner Chapman asked Representative Clampitt if he anticipated increases in the current State budget due to the storm. Representative Clampitt explained that the General Assembly's current focus is on storm-related issues, and any changes to the budget would start in the Senate next year. He also encouraged counties to send budget requests via email by February 1, 2025.

Chairman Chappell thanked Representative Clampitt for the update and his help in the early days following the storm. Representative Clampitt then reminded the Board that in the last long budget session, the General Assembly allocated \$40 million to address water and solid waste issues in Transylvania County. He assured the Board that he would continue to advocate for and represent Transylvania County. Chairman Chappell thanked Representative Clampitt for being receptive to the County's needs, noting that the Board of Commissioners continues to reach out to both state and federal partners with a list of needs.

Commissioner McCall asked for clarification from the Manager about the usage of the funds discussed by Representative Clampitt. She clarified that the funds allocated to the counties affected by Hurricane Helene must be tracked and used specifically for disaster-related activities, similar to the ARPA funding restrictions. The Manager confirmed this, explaining that additional restrictions would be applied as the administrative agencies finalize the funding parameters. Commissioner McCall emphasized the importance of understanding

that while the County may receive millions of dollars, those funds must be used according to specific disaster-related purposes.

There were no further comments or questions.

EMERGENCY RESPONSE TO TROPICAL STORM HELENE

The Manager presented an update on the emergency response to Tropical Storm Helene and will continue providing updates in future meetings, as necessary.

Animal Services Response to Emergency

- Transylvania County Animal Services worked alongside Emergency Management and the North Carolina State Department of Agriculture to evacuate adoptable animals from the shelter before and after the storm.
- A task force made up of animal services and law enforcement from Forsyth, Guilford, and Randolph counties, as well as other organizations, assisted in evacuating animals from the shelter.
- Between October 2 and October 17, 83 animals (48 cats and 35 dogs) were transported to other shelters, including Forsyth County Humane Services and a regional shelter established for Western North Carolina.
- Transylvania County Animal Shelter is currently housing 10 owned animals (4 dogs, 5 cats, 1 bird) that belong to evacuees.
- In addition to evacuations, Animal Services has distributed significant resources:
 - 30,000 lbs. of dry and wet food for dogs and cats
 - 30 kennels of various sizes
 - Over 1,000 blankets for bedding
 - 8,000 lbs. of livestock feed
- Animal Services is committed to minimizing euthanasia rates, emphasizing efforts to find alternative solutions by working with external partners to ensure animals are safely relocated. The County's prior investments in animal care facilities allowed the shelter to accommodate both the displaced pets and evacuees' animals.
- The shelter's ability to care for animals during evacuations is critical, as it helps people evacuate who might otherwise refuse to leave due to their inability to bring pets along.

Cooperative Extension Emergency Response

- No livestock were reported lost due to Tropical Storm Helene.
- Worked closely with farmers before and after the storm to assess and address their needs.
- \$80,000 worth of supplies and hay were delivered directly to farmers to assist in the recovery, with additional loads expected.
- Grant funds are available for producers to apply for support to rebuild fences that were damaged or destroyed by the storm.
- Coordinated with Solid Waste to ensure that spent hay from flooded barns could be safely taken to the landfill for disposal.

Disaster Housing and Assistance Efforts

- Resources for disaster recovery can be found at www.transylvaniacounty.org/disaster-resources.
- A total of 247 addresses in Transylvania County were damaged by flood, landslides, or fallen trees, with an estimated \$28 million in direct damages to structures, including homes and businesses.
- The County is actively working with FEMA and North Carolina Emergency Management to address housing challenges, particularly around hotel vouchers and rental assistance.
- One hotel in Transylvania County is currently accepting FEMA vouchers for temporary housing.

- A challenge has arisen with the Fair Market Rent rate, which is determined by the U.S. Department of Housing and Urban Development (HUD) based on metropolitan surveys, often underestimating rural rates. Transylvania County has requested that FEMA consider allowing rental assistance to be twice the current Fair Market Rent rate for the area. For example, the rent for a two-bedroom unit in the County is \$1,152, and increasing the rate would help FEMA secure rental units for survivors. This request is under consideration in Washington, D.C.
- North Carolina Emergency Management has approved case management, helping households with personalized recovery plans, including housing and wraparound services, such as replacing damaged medical equipment. FEMA registration is required to access these services, and the County encourages residents to apply at the Disaster Recovery Center in the Community Services Building or appeal if an application is denied.
- The Housing Assistance Corporation is coordinating the registration of housing needs and available properties. Individuals with RV sites, mobile homes, or rental units can register online to help match survivors with available housing resources.
- The County is meeting regularly with private, nonprofit, and governmental agencies to find housing solutions. However, the FEMA process is slow, and there are challenges in securing temporary housing due to the lack of hotels, rental units, and properties available for FEMA housing units.
- Two sites have been submitted to FEMA for congregate housing (temporary housing communities created by FEMA), one of which is a federally owned asset and the other privately owned. Anyone with available land or property for FEMA housing can submit their address to the County Manager for consideration by FEMA.

Debris Removal Update

- The County has requested assistance from North Carolina Emergency Management for the Army Corps of Engineers to conduct debris removal operations in both public and private rights of way. This effort is aimed at addressing the large volume of storm debris generated by Tropical Storm Helene.
- The current landfill cell is at risk of filling up more quickly than anticipated due to the massive amount of debris from the storm. Coordinating with the Army Corps of Engineers to remove debris will help the community by managing waste more efficiently and preventing the landfill from becoming overloaded.

The Manager concluded her update and opened the floor to comments and questions from the Board.

Commissioner McCall inquired about inspections of dams following the storm. The Manager confirmed that three dams in Transylvania County failed during the storm. All publicly owned dams are required to have annual inspections and submit a condition report to assist in evacuation planning in case of breaches. Privately contracted engineers inspect private dams. When a dam fails, it can pose significant safety risks due to the high volume and velocity of water.

Commissioner Chapman emphasized monitoring landfill capacity, noting its impact on long-term planning. The Manager assured the Commissioners that staff are closely watching the issue. Over the next 6 to 12 months, the Board will need to make decisions about the landfill's future. While the landfill remains open to accept debris from the storm, the County has become stricter about accepting only debris and waste from Transylvania County residents.

Commissioner Dalton recalled that a transfer station was a more expensive option based on earlier discussions and urged careful study of the issue. The Manager acknowledged that regulatory changes and unpredictable factors make the decision complex. The solid waste permit process could take up to five years, so the Board must act soon.

Chairman Chappell commended the partnership between Cooperative Extension and Brevard High School for ensuring that farmers received the resources they needed for their livestock during the storm.

Commissioner McCall praised the County's efforts to care for pets during the storm, noting positive public feedback.

MONTHLY CAPITAL UPDATE

The Manager provided an update on capital projects, with a focus on storm resources for those impacted by Hurricane Helene. There were several days that progress on capital projects was hindered by the storm.

Fix Transylvania County Schools – Step One: Investment in Capital Projects at All Nine Schools

- The bond sale occurred in October at an interest rate of 3.4%. Funding is expected to be available by November.
- The County received an AA bond rating from both Moody's and Standard & Poor's, reflecting a strong financial outlook.

Create Jobs and a Safe Community

- Sylvan Valley Industrial Building Phase 2: Construction is ongoing. An extension of the Golden Leaf Grant is being requested to account for potential delays due to supply chain issues caused by the storm.
- Hart Road Flood Mitigation: Environmental review is in progress. NCDOT has indicated the need for additional review due to a population of mussels in the river and is continuing with right-of-way acquisition and construction timeline updates.
- New Courthouse: A topographical survey is in progress. Design options will be presented to the Board of Commissioners for approval.
- Library Amphitheater: An architect has been secured and the project is moving forward.

Protect Transylvania Natural Resources – Clean Water, Sanitary Sewer, Solid Waste Disposal, and Restore Streambanks

- Water and Sewer System Interconnection: The Board of Commissioners will award the contract on October 28, 2024 (item for consideration on this agenda). The hurricane underscored the need for resilient infrastructure in the community.
- Landfill Expansion: The bid process was delayed by the storm, with only one bid received. The County is rebidding the project, which will result in a slight delay in the construction timeline.
- Emergency Water Protection Streambank Restoration: Projects from Tropical Storm Fred were nearing completion when Hurricane Helene struck. Most projects held up well, but some areas will require attention. New projects may be identified for EWP funding.
- River Debris Removal: The County is requesting assistance from the Army Corps of Engineers to remove debris from the river, particularly trees that were introduced by the storm.
- Infrastructure Planning Documents: The County is requesting documents from Brevard and Rosman related to water and sewer systems to plan for the \$10 million allocated for infrastructure improvement.

Hurricane Helene Impacts

- Storm Damage: The hurricane caused \$1 million worth of damage to County facilities, but did not significantly impact capital projects.
- Supply Chain Issues: The County is monitoring potential challenges caused by supply chain disruptions.

- **Delays in Education Bond Projects:** The RFQs for the four major education contracts were delayed due to a focus on housing response. Coordination with the Superintendent and Manager will resume to get the process moving again.

State Funding for Infrastructure

- **ARPA Grants:** The Town and City received ARPA grants for Asset Inventory Assessments of their water and sewer systems. The County is requesting these documents and Capital Improvement Plans to guide investment in infrastructure.
- **Resilience Planning:** The storm highlighted the importance of infrastructure resilience, as many counties are still struggling to provide water and sewer services. The Army Corps of Engineers is helping in some situations.

The Manager concluded her presentation and opened the floor for comments and questions from the Commissioners.

Commissioner Chapman asked about log jams in the river. The Manager reported that debris has been identified, but no complete log jams are present. If approval for river debris removal is granted by the Army Corps of Engineers, the Soil and Water Department will already have identified key areas for immediate action.

Commissioner Dalton inquired if relief funds could be directed to Solid Waste due to the storm's impacts. The Manager was uncertain, as the allocation criteria for administrative agency funds remain unclear. Discussions with the Superintendent indicated concerns about the potential use of tier status for fund allocation, which will disadvantage Transylvania County. Staff are monitoring opportunities with the Army Corps and other avenues to support solid waste infrastructure.

Commissioner Dalton asked about effluent management given the heavy rainfall. The Manager confirmed that staff responded quickly to manage leachate, ensuring no issues arose. However, storm-related rain poses ongoing challenges in completing leachate treatment.

Commissioner Dalton noted the Town of Rosman's system lost power during the storm. The Manager highlighted the need for improved resiliency in leachate treatment at the landfill, stating that if the treatment system fails, contingency plans must be in place. Although the County maintains a storage tank, it offers only limited temporary relief.

RECOGNITION OF TRANSYLVANIA COUNTY VETERAN EMPLOYEES

Human Resources Director Sheila Cozart presented a list of veteran employees to honor their service and contributions to both the nation and the County.

Department	Employee	Branch	Rank
Board of Elections	Michael "Jeff" Storey	US Air Force	Staff Sergeant
Commissioner	Larry Chapman	US Marine Corps	Colonel
EMS	Wesley "Dean" Galloway	US Marine Corps	Sergeant
EMS	Shannon Ropp	US Air Force	Airman 1st Class
EMS	Clark Anderson	US Army	
Facilities Engineering	Larry Reece	US Army	E-4
Information Technology	Jason Cox	US Army	Specialist - MP

Sheriff	Christopher Clark	US Marine Corps	Corporal
Sheriff	Ralph Davenport	US Air Force	Sgt 1st Class
Sheriff	Hampton "Rick" Lasater	US Army	Captain
Sheriff	Jonathan "Kris" McCall	US Army	Corporal
Sheriff	Henry "Hank" Moffitt	US Army	Spec 4
Sheriff	William "Anthony" Worley	US Marine Corps	Corporal
Social Services	Tracy Justice	US Army	
Social Services	Sherri Stearns	US Navy	E-5
Solid Waste	John Waller	US Navy	Chief Warrant Officer III
Solid Waste	Jim Cox	US Navy	E6 Missile Technician
Tax Administration	James "Aaron" Siniard	US Navy	E-5
Transportation	Marion "Jack" Duncan	US Air Force	
Veterans Services	Frank Pearsall	US Marine Corps	Master Sergeant

APPOINTMENTS

APPOINTMENT OF JULIE HOOTEN AS DEPUTY COUNTY ATTORNEY

In November 2019, the Board of Commissioners entered into an agreement with Teague, Campbell, Dennis, & Gorham, LLP for legal services, with Attorney William Bulfer serving as the lead attorney. To ensure continuity of legal counsel during emergencies or in Mr. Bulfer's absence, the Board considered his recommendation to appoint Attorney Julie Hooten as Deputy County Attorney. This appointment would allow Ms. Hooten to act as backup legal counsel when required.

Commissioner McCall moved to appoint Attorney Julie Hooten as Deputy County Attorney to provide the backup for Attorney William Bulfer, seconded by Commissioner Chapman and unanimously approved.

JOINT HISTORIC PRESERVATION COMMISSION

Following the expiration of terms in May, a member-at-large vacancy has remained on the Joint Historic Preservation Commission. Since then, the Clerk to the Board has actively advertised for applicants to fill the position. The Clerk received two applications for consideration, and the staff recommended the Board review and appoint one of the applicants to fill the vacancy.

Commissioner Chapman moved to appoint Samuel Hayes to fill the member-at-large vacancy on the Joint Historic Preservation Commission, seconded by Commissioner Dalton. Commissioner Chapman noted Mr. Hayes' experience in historic preservation, according to his application. The motion was unanimously approved.

TRANSYLVANIA ECONOMIC ALLIANCE BOARD OF DIRECTORS

The Board of Commissioners appoints two members to the Transylvania Economic Alliance Board of Directors: a County Commissioner, currently filled by Commissioner Dalton; and a public member, which was previously filled by John Schoemaker, who recently resigned.

To fill the public member vacancy, Transylvania Economic Alliance Executive Director Burton Hodges recruited potential candidates, resulting in an application from Steve Warner. Mr. Hodges strongly recommended Mr. Warner's appointment, highlighting his extensive qualifications in economic development.

Chairman Chappell expressed gratitude to John Schoemaker for his dedicated service, commending him as a valuable asset to the community. Mr. Hodges echoed these sentiments, emphasizing Mr. Schoemaker's significant contributions to the organization.

At the request of Commissioner Chapman, Mr. Hodges detailed Mr. Warner's background:

- Served as Director of Marketing for the Charleston Regional Economic Development Partnership, covering economic recruitment, business retention, and expansion in a multi-county region.
- Held a faculty position at Clemson University and conducted contract work for the State of South Carolina.
- Possesses a deep knowledge of economic development and regional competitors.
- Fully retired and now residing in Transylvania County, eager to leverage his expertise for community benefit.

Mr. Hodges emphasized that Mr. Warner's experience and insights would be a tremendous asset to the Alliance and conveyed his endorsement along with the support of the Alliance's ad hoc nominating committee.

Commissioner Chapman moved to appoint Steve Warner to fill the County's appointee to the Transylvania Economic Alliance Board of Directors, seconded by Commissioners Dalton and McKelvey unanimously and unanimously approved.

NEW BUSINESS

APPROVAL OF CONTRACT FOR ROSMAN HIGH SCHOOL FOOTBALL FIELD TURF

The Transylvania County Board of Education has reviewed bids for the Rosman Football Field Turf and recommends awarding the contract to GeoSurfaces Southeast, Inc. The total cost of the project came in \$208,200 over the initial construction estimate. However, the overall budget for the project remains within the amount appropriated.

The revised project budget is as follows:

- Professional Services and Permitting: \$208,506
- Construction: \$1,815,500
- Contingency: \$169,500
- Total: \$2,193,506

The Manager reported that the FY 2024 appropriations allocated for football field repairs have some leftover funds, and additional appropriations were specifically made for the turf project. The Board of Commissioners had already approved sufficient funds within the education capital fund to support the project's cost.

The Manager recommended that the Board approve the contract for the Rosman Football Field Turf, noting that the Board of Education has already approved the contract.

Commissioner McKelvey asked for clarification on whether the project would utilize any bond funds. The Manager confirmed that the project is cash-funded and does not involve any bond funds.

Commissioner McCall sought clarification on whether the contingency amount was adequate for this project. The Manager explained that the \$1.8 million represents the bid submitted by the contractor. The contingency amount of \$169,500 was recommended by the engineer, McGill, hired by the Board of Education. The engineer's recommendation for this contingency is based on their assessment of the project, and this figure was included in the project budget.

Commissioner McCall also inquired if the County would be involved in reviewing invoices related to the project. The Manager confirmed that the School System will manage the contract, including reviewing invoices. Once the School System confirms that the work has been completed and approves the invoices, the County will pay them directly.

Commissioner McCall expressed concerns about the contingency amount, referencing past issues with the existing field. She clarified if the contingency amount is exceeded, it would result in a change order that would need to be brought back to the Board for approval. The Manager confirmed that any excess costs would indeed lead to a change order, which would require Board approval.

Commissioner McKelvey asked about the expected start and completion timeframe for the project. The Manager reported that the project would start after the football season and is expected to be completed before the next season—six to nine months, to have it done by July before summer practices begin.

Commissioner Dalton anticipated the contractor would start early since the last game of the season is this Friday due to the hurricane. He mentioned that many other teams' fields are currently unplayable because of the storm damage.

Commissioner McCall highlighted that turf generally has a 10-year lifespan and recommended that the School System start planning for replacement costs now.

Commissioner Chapman agreed and noted that the costs for turf replacement have doubled since the initial installation at Brevard High School, and he expected the costs to continue rising.

Commissioner McCall pointed out that there were savings from maintaining the field as a grass field, which could potentially be used for future turf replacement.

Chairman Chappell confirmed that this idea had already been mentioned in the initial presentation.

Chairman Chappell reflected on the poor condition of the field, noting that it was long overdue for replacement and that no safety issues had occurred despite sinkholes. He commended the School System's efforts to repair the field as best as possible over the years.

Chairman Chappell reiterated that the budget had been approved and that the Board of Commissioners now only needed to approve the contract to move forward with the project.

Commissioner McCall moved to approve the contract for the Rosman Football Field Turf, seconded by Commissioner McKelvey and unanimously approved.

FY 2025 1ST QUARTER FINANCIAL SUMMARY

Finance Director Meagan O'Neal presented the financial summary, highlighting key figures for the General Fund, Enterprise Fund, and the impact of Hurricane Helene. Fiscal controls require that the Finance Director report unaudited financial statements for each quarter to the Board of Commissioners.

General Fund Revenue

- Property Tax Revenue (Current Year Collections): \$10,185,692 (24.5% of the budget), with \$540,000 in remaining collections from prior year payments, interest, and motor vehicle tax.
- Sales Tax Revenue: \$1,197,821 (9% of the budget), noting a two-month lag.
- Medicaid Hold Harmless: \$242,000 (24% of the budget).
- Investment Earnings: \$592,312 (42% of the budget).
- Permits, Fines, Sales & Services: \$1,091,539.

- Total Revenue: \$15.9 million.

General Fund Expenditures

- Personnel Expenses: \$8,672,727 (25.7% of the budget).
- Operating Expenses: \$432,164 (18.3%), with an additional 24.2% already encumbered.
- Contracted Services: \$675,920 (25.7% of the budget).
- Helene-Related Expenses: These will be tracked separately starting in Q2, including separate accounts for storm-related payroll and AP expenses.

Enterprise Fund (Solid Waste)

- Total Revenues: \$819,152
 - Woodruff Fees (Scale Sales): \$511,145
 - Sticker Sales: \$162,879 (25% of the budget)
 - Miscellaneous Fees: \$19,912
 - Investment Earnings: \$125,214 (almost 25% of budget)
- Total Expenditures: \$785,065
 - Personnel Expenses: \$418,732 (29% of the budget), slightly over due to overtime.
 - Contracted Services: \$107,708 (25.4% of budget).
 - Operating Expenses: \$144,903 (20.5% of budget).
- Net Income: \$34,087 for Q1.

Hurricane Helene Impact

- Tracking Expenses: Over \$34,000 in paid general expenses (food, safety equipment, parts), \$243,000 in payroll-related expenses, with \$123,000 reimbursable by FEMA (overtime).
- Lost Revenue: Unknown amount from landfill fees, waived building inspection fees, and reduced property tax values due to storm damage.
- FEMA Reporting: Staff are preparing for FEMA Public Assistance reporting and reimbursement for storm-related expenses.

FY 2024 Audit and School GO Bond

- Audit: Still in progress, with final fieldwork scheduled for early December.
- School GO Bond: Sale to close on November 6. The County received 14 bids, with Bank of America Securities offering the lowest interest rate of 3.396%.
 - The bonds are structured with a 20-year term, with peak debt service of \$4.4 million in FY 2026.
 - The bonds are subject to a 10-year no-call provision, allowing refinancing or full repayment after April 1, 2034.

Ms. O'Neal concluded her presentation and called for comments and questions from the Commissioners.

Commissioner McCall inquired about overtime costs in the Solid Waste Department, asking if these were related to the storm. Ms. O'Neal clarified that the overtime was due to vacant positions within the department, requiring staff to work additional hours to ensure regular operations continued.

Commissioner Chapman raised concerns about the bailers lost in the storm at the Pisgah Forest convenience center, questioning whether these costs would be recouped or borne by the County. The Manager explained that the County would first file an insurance claim. The reimbursement would depend on the insurance adjuster's assessment, but there may be additional relief funds available through the State's relief bill, subject to state agency criteria.

Commissioner Chapman assumed that recycling collection had been suspended due to the storm. The Manager confirmed that recycling collection resumed on Monday, after a brief delay caused by the disruption of recycling centers and the need to focus on storm debris removal. Recycling drivers have now transitioned back to their usual duties.

Chairman Chappell thanked staff for their hard work, particularly in managing the bond sale process. He recognized the substantial behind-the-scenes effort involved in meeting the deadlines and ensuring that the process was successfully completed.

Commissioner Dalton moved to receive the report as presented, seconded by Commissioner McKelvey, and unanimously approved.

FY 2025 1ST QUARTER BUDGET AMENDMENTS

Budget and Management Analyst Jennifer Wright presented the 1st Quarter Budget Amendments for approval, along with a report of the budget changes through September 30, 2024. (The budget amendments are listed below in a combined report. Some have already been approved.)

Based on policies approved by the Board of Commissioners of Transylvania County through the annual budget ordinance and the Local Government Budget and Fiscal Control Act, the Board of Commissioners must approve certain amendments to the budget ordinance. Primarily, these are the types of budget amendments that by their nature require review/approval by a governing board: recognition of new revenues and appropriations for related expenditures; appropriations of fund balance (whether assigned, committed, or restricted); transfers from one fund to another fund, if permitted by statute; or establishment of new special revenue funds, capital project funds or fiduciary funds. A summary of the amendments for approval is below:

Budget Amendment 1: Recognize and allocate a \$100,000 grant from the Department of Health & Human Services, Health Resources and Services Administration (HRSA) for the Rural Health Outreach and Rural Network Development Program grant for Workforce Development. Effective 7/1/24.

Budget Amendment 2: Recognize and allocate \$67,669 in NC E-Rate Category 2 funds for a project to update the Transylvania County Library's broadband infrastructure. Effective 7/9/24.

Budget Amendment 4: Recognize and allocate \$150,000 in a directed grant from NC Senator Corbin for the Region 1 Public Health Workforce Development Project. Effective 7/15/24.

Budget Amendment 5: Reallocate \$2,000 from Investigations contract services to non-capital equipment, at the request of the Sheriff's Office. Effective 7/25/24.

Budget Amendment 6: Reallocate \$50,000 in contingency funds to Facility Maintenance contract services for maintenance contract needs. Effective 7/25/24.

Budget Amendment 7: Recognize and allocate \$121,040 in an Emergency Management Capacity Building Competitive Grant for the purchase of a mobile animal shelter trailer and a shelter logistics trailer. Effective 8/9/2024.

Budget Amendment 8: Setup of the annual cumulative Emergency Management Grant Supplement (balance of \$120,412) in the Multi-Year Grant Fund (57). Effective 9/11/24.

Budget Amendment 9: Reallocate funds from the Sheriff's vehicles line to the software acquisition line to purchase software needed for Investigations. Effective 8/23/24.

Budget Amendment 10: Adjust the FY25 budget to include expenditures authorized in FY24 that were not incurred or completed until after 7/1/2024. This amendment, which is completed each fiscal year, carried forward \$1,448,052 in the General Fund (10), \$26,940 in the Charitable Fund (11), \$260,030 in the Solid Waste Fund (35), \$535,541 in the PSAP 9-1-1 Fund (50), and \$3,622 in the TDA Fund (90). Effective 9/10/2024.

Budget Amendment 11: Recognize and allocate a \$28,489 Transylvania Always grant to Transylvania County Emergency Services for the purchase of a utility terrain vehicle (UTV) and two trail wheelchairs to be used during responses to search and rescues on public lands. Effective 9/3/24.

Budget Amendment 12: Recognize and allocate \$56,032 from an easement purchased by Duke Energy on the property of the Animal Shelter, to be used to partially fund the purchase of a generator for the Animal Shelter. Effective 9/4/2024.

Budget Amendment 14: Recognize and allocate \$125,000 in additional ARPA Regional WFD AA-621 funding for Public Health. Effective 9/17/2024.

Budget Amendment 15: Recognize and allocate \$2,150 in WIC special funding received by Public Health to be used for WIC program advertising. Effective 9/17/2024.

**The numbering system is for internal use only; budget amendments numbered 3 and 13 are still pending.*

Chairman Chappell expressed his appreciation to Ms. Wright for the clear and organized format of her presentation, noting that it contributed to the Board's understanding of the information.

Commissioner Dalton moved to receive the budget changes report through September 30, 2024, and to approve the budget amendments as presented, seconded by Commissioner McCall, and unanimously approved.

RESOLUTION IN SUPPORT OF PROJECT FUEGO'S BUILDING REUSE PROGRAM GRANT APPLICATION

Burton Hodges, Executive Director of the Transylvania Economic Alliance, presented a resolution for the Board's consideration to support Project Fuego, a company assessing locations in Western North Carolina and Upstate South Carolina for a regional headquarters and service center. The company specializes in servicing first responder vehicles and equipment and plans to create a regional hub in Transylvania County.

Key details about the project include:

- Proposed Location: A vacant 10,000 sq. ft. building in unincorporated Transylvania County.
- Investment: A minimum of \$550,000 in property and improvements.
- Employment Impact: Creation of 10 new jobs by 2026 with an average salary of \$57,595 plus 100% employer-paid benefits.
- Scope: Serves WNC, Upstate SC, Eastern TN, and portions of SW VA.

The Economic Development Partnership of North Carolina is collaborating with the Transylvania Economic Alliance and the NC Department of Commerce to secure a Building Reuse Grant to support this project. If approved, the resolution would accompany the application to be submitted this week, as the company plans to announce its location decision in early December.

Commissioner Chapman moved to approve Resolution #31-2024 In Support of Project Fuego's Building Reuse Program Grant Application, seconded by Commissioner McKelvey. Commissioner McCall thanked Mr. Hodges, noting the significant economic development progress under his leadership.

Commissioner McKelvey inquired about the timeline for the grant decision. Mr. Hodges anticipated a decision within two weeks after submission. **The motion passed unanimously.**

Commissioner Dalton inquired about the status of the Transylvania Tomorrow Loan Program. Mr. Hodges reported that a concert held over the weekend contributed to the program's funding, but the final amount raised was not yet confirmed. Preliminary estimates suggest around \$200,000 was added to the fund. The program has engaged professional grant writers to amplify fundraising efforts, with an initial target of \$500,000. However, Mr. Hodges expressed optimism, suggesting that with additional effort and community engagement, the program could potentially reach \$1 million.

**RESOLUTION #31-2024
RESOLUTION IN SUPPORT OF PROJECT FUEGO'S
BUILDING REUSE PROGRAM GRANT APPLICATION**

WHEREAS, the Transylvania County Board of Commissioners desires to assist in economic development efforts within the County; and

WHEREAS, Transylvania County supports Project Fuego's application to pursue the Building Reuse Program through the NC Department of Commerce-Rural Economic Development Division; and

WHEREAS, Project Fuego is expected to create 10 new industrial jobs with competitive wages and make \$550,000 in total investments (\$200,000 in real property improvements, \$350,000 in personal property); and

WHEREAS, Transylvania County is required to contribute matching funds totaling 5% of the grant award; and

WHEREAS, Transylvania County intends to hold a public hearing and authorize an incentive grant package for Project Fuego based on the adopted Transylvania County Incentive Policy and Scorecard;

NOW, THEREFORE, the Transylvania County Board of Commissioners resolves that the local funding proposed is deemed sufficient to satisfy the Building Reuse Program grant match requirement of 5% upon award. A copy of this resolution will be forwarded to the NC Department of Commerce-Rural Economic Development Division to be included in the Project Fuego application.

This the 28th day of October 2024.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

AWARD CONTRACT FOR BREVARD/ROSMAN WATER SYSTEM INTERCONNECT AND APPROVE PROJECT BUDGET

The Board considered awarding the contract for the Brevard-Rosman Water System Interconnect project and approving a revised project budget. The project is funded through State ARPA funds allocated to the County and aims to create a resilient interconnection between Brevard and Rosman's water systems, enabling the sharing of water resources during emergencies. This infrastructure is particularly critical given the impacts of events like Hurricane Helene, which highlighted the need for such contingencies. Savings from the US 64 water and sewer extension project, which have partially supported other infrastructure initiatives (e.g., Gallimore Road sewer), were reserved to cover the interconnect project should bids exceed the original budget.

The updated project budget reflects the need for additional funds:

- Construction: \$696,723
- Contingency: \$70,000
- Water System and Field Data Collection: \$25,000
- Engineering and Design: \$45,000
- Permitting: \$22,500
- Construction Administration: \$44,400
- Record Drawings and Project Closeout: \$2,300
- Total: \$905,923

The Manager recommended awarding the construction contract to Carolina Specialties and approving the revised project budget as presented. She noted that staff will file the necessary paperwork with NCDEQ to adjust the funding allocations, once approved by the Board.

Commissioner Chapman asked about the project timeline. The Manager emphasized that completion would proceed as quickly as possible and confirmed the project is within the ARPA fund spending timeframe. While the exact timeline was not immediately available, the Manager committed to providing an update.

Commissioner Dalton inquired about the interconnect's location. The Manager confirmed it would be near Harmony Korner, specifically in the area near Gaia where the Rosman line extension ends. The interconnect will cross under the road at that location.

Commissioner Dalton asked if the interconnect design would be impacted by the potential future expansion of the four-lane highway from that area to Rosman. The Manager assured the Commissioners that the interconnect's design considers this possibility and would not be affected. Additionally, the design includes a manual transfer switch for now, but the infrastructure allows for future upgrades to a digital switch if a regular water-sharing arrangement is desired between Brevard and Rosman.

Commissioner McCall asked about responsibility for maintenance and repairs once the project is completed. The Manager explained that construction plans specify which entity—Brevard or Rosman—will handle maintenance for each section of the interconnect. Existing Memoranda of Understanding (MOUs) between the municipalities outline these responsibilities clearly to avoid confusion.

Commissioner McCall moved to award the Brevard-Rosman water system interconnect contract to Carolina Specialties and adjust the project budget as presented, seconded by Commissioner McKelvey. The motion was approved unanimously.

PROPOSAL FOR A ONE-TIME MODIFICATION TO EMERGENCY CLOSURE POLICY FOR RESPONSE TO TROPICAL STORM HELENE

The County Manager presented a proposal to temporarily modify the Emergency Closure Policy in response to the unique circumstances surrounding Tropical Storm Helene. The policy, originally established in 2001, requires employees unable to report during emergency closures to use comp time, vacation leave, or leave without pay for hours not worked. However, the complexities of equitable application during events like Helene's have led to this recommendation for a one-time adjustment.

Emergency closures often require certain employees, such as emergency services personnel, to remain active during the conditions causing the closure. These employees frequently conduct rescues, manage shelters, and address damage to county infrastructure. Non-exempt employees receive overtime pay for hours worked during closures. Exempt employees, however, are not compensated beyond their annual salary for their contributions during emergencies, leading to concerns about fairness.

In previous extended closures, such as a three-day winter weather shutdown, the Board approved a one-time partial leave excusal applied retroactively. The Manager has also encouraged department heads to provide flexibility for make-up time when possible, allowing employees to fulfill hours later in the pay period. For the closure period related to Tropical Storm Helene, the Manager recommended a one-time policy modification to excuse a portion of the leave hours required for employees unable to report to work due to the closure. This would align with prior practices during extended closures and help address equity concerns for employees unable to work through no fault of their own.

The County Manager provided additional context for the proposal to temporarily modify the Emergency Closure Policy due to extraordinary circumstances arising from Tropical Storm Helene and a preceding weather system. On September 26, 2024, severe weather and flooding from a precursor weather system led to the closure of county offices for one day. On September 27, 2024, Hurricane Helene arrived, worsening conditions with widespread power outages, flooding, landslides, and road impacts. Non-emergency county offices remained closed for three additional days through October 2, 2024, due to ongoing infrastructure challenges and safety concerns. Employees were offered opportunities to make up time on October 5-6, 2024: 19 employees signed up for October 5; October 6 make-up day was canceled due to low participation (only two sign-ups).

The proposal addresses the equitable compensation for county employees involved in the response to Hurricane Helene, particularly exempt employees who did not receive overtime compensation, and non-emergency employees who were required to use leave or unpaid time. The proposal also includes a new administrative leave policy for all employees. Below is a breakdown of the groups and the proposed changes.

- Emergency Response Employees (Exempt)
 - Exempt employees did not receive overtime for extra hours worked during the emergency response period.
 - Proposal: Approve one-time bonuses for exempt employees based on the number of hours worked during the pay period from September 24 to October 6, 2024, covering the storm closures and emergency response efforts.
 - Bonus Structure (based on hours worked):
 - 81-100 hours: \$800
 - 100-150 hours: \$2,800
 - 150-200 hours: \$4,800
 - 200+ hours: \$5,600
 - Cost Impact: Approximately \$70,000 + FICA and mandatory contributions.
- Emergency Response Employees (Non-exempt)
 - Non-exempt employees received overtime for the emergency response work.
 - Proposal: The overtime compensation will remain in place and the proposed bonus for exempt employees does not apply to this group.
- Non-Emergency Response Employees
 - Employees unable to work during the emergency closure were required to use comp time, vacation leave, or leave without pay.
 - Proposal:
 - Provide administrative leave for these employees.
 - Based on their typical work schedule during the closure period (September 27 – October 2, 2024).
 - Leave will be prorated for those earning partial leave.
 - The administrative leave is separate from regular annual leave and will be tracked as such.
- Hurricane Helene Administrative Leave Policy (for all employees)
 - Eligibility: All permanent county employees.

- Leave Period: To be calculated based on typical work schedules for the five closure days (or prorated for partial leave).
- Leave Usage:
 - Must be used within 24 months.
 - Must be used before annual leave.
 - Cannot be cashed out upon separation.
 - Does not count towards the calculation for annual leave rollover to sick time.
 - Does not count towards retirement calculations.
 - Approval Process: Same as annual leave, subject to tracking and documentation.
- Cost Impact: Varies depending on when leave is used, but will require some backfill of positions at times, generating direct costs.

The Manager recommended that the Board approve the following:

1. Emergency Response Exempt Bonus Proposal
2. Five Days of Hurricane Helene Disaster Administrative Leave
3. Allocation of \$200,000 from Fund Balance to cover the administration costs for the bonuses and leave.

The administrative leave would provide five days of leave for employees who were impacted by the hurricane closures but did not report additional hours. This leave would be categorized separately with special provisions. Employees who reported for work would also receive the equivalent of five days of leave as part of this proposal. Overtime for non-exempt employees has already been paid, and the exempt employees will be acknowledged for going above and beyond during the emergency response.

The Manager opened the floor for comments and questions from the Commissioners.

Commissioner McCall asked for clarification regarding the five days of administrative leave and whether it would be awarded regardless of whether the employee reported to work. The Manager confirmed that all employees will receive this leave, irrespective of their attendance.

Commissioner McCall asked if the administrative leave could be applied retroactively or if it would only apply going forward. The Manager confirmed that the leave will be applied going forward and cannot be used retroactively. Employees who had to use regular leave during the closure would have that time replaced on their books for future use. Those who did not use the full five days of leave would receive additional leave to offset the time they worked.

Commissioner McCall inquired about using administrative leave in the future. Specifically, if an employee had five days of administrative leave and used it the following week, whether they would continue to earn annual leave or sick leave. The Manager confirmed that the employee would continue to earn their regular annual or sick leave while using administrative leave. However, the administrative leave would not count towards the vacation rollover at the end of the year, nor would it factor into retirement calculations. Administrative leave would be tracked separately on timesheets with a specific code and must be scheduled and approved by a supervisor.

Commissioner Chapman asked whether there was a mechanism to recover any of the costs from FEMA. The Manager responded that overtime costs would be recouped through FEMA, but since there was no policy in place for compensating exempt employees during emergencies, those costs would not be recoverable. She plans to review the personnel policy to provide the Board with options for future situations, but this proposal specifically addresses the current emergency. It is a rare occurrence for the County to close for more than one

day, let alone five consecutive days, so this situation was not anticipated when the policy was originally adopted.

Commissioner Chapman asked whether this proposal would create any future obligations or lead to labor issues. The Manager confirmed that this is a one-time adjustment specifically for Hurricane Helene, and it will not create any future obligations. The proposal was crafted with input from the County's attorney to ensure there are no unintended consequences or labor issues down the line.

Commissioner McKelvey inquired about the average number of hours worked by exempt employees during the storm response, acknowledging the proposal was meant to reward their extraordinary efforts. The Manager reported that exempt employees averaged 86 hours throughout the two weeks. Typically, a work week is 40 hours, so they worked well beyond the standard 80-hour timeframe. Some employees logged up to 222 additional hours, with the highest at 302 hours. These employees had to stay at the Emergency Operations Center (EOC), often unable to attend to their own families or properties. The Manager shared an example of one exempt employee who, while at the EOC, received a call from his wife right before the storm hit, advising her to take shelter. Communication was lost, and the employee continued to serve for an additional 72 hours before learning about his family's safety or the condition of his property. The Manager emphasized that while hourly employees are compensated for their time, it was important to recognize the exceptional dedication of the exempt employees who also worked tirelessly during this crisis.

Chairman Chappell suggested that the Personnel Board consider revising the personnel policy to include a provision where the Manager could approve emergency situations like this one without having to wait for the next Board meeting, especially when it affects the timely processing of employee pay and benefits. The Manager acknowledged that this situation posed a challenge because the emergency occurred right at the end of a pay period, and there was no way to convene the Board in time to approve changes before the timesheets had to be processed. The Manager acknowledged the need for a more proactive solution and agreed to work on crafting a policy change. The goal would be to allow for emergency actions to be taken more promptly, and the Manager committed to gathering examples of similar policies and providing guidance for a recommendation on potential updates. The Board would need to decide on the revisions.

Commissioner McKelvey expressed concern about the fairness of providing five days of leave to non-exempt employees regardless of how many days they took off, especially considering that some exempt employees worked up to 200 hours during the emergency. The Manager explained that the reason for awarding the five days of administrative leave to all employees, regardless of how many days they took off, was to ensure fairness across the board. The goal was to hold employees who did not work during the emergency (due to office closures) harmless for the closure days and provide an equivalent benefit to those who did not have to take leave or took less than the full five days. Some employees had worked extra hours before the end of the pay period to avoid using the full five days. The Manager emphasized that all emergency employees worked more than their normal schedule, and none were likely to have worked less than their typical hours during the storm response. Commissioner McKelvey agreed that employees who came in during the closures should be rewarded for their dedication.

Chairman Chappell noted that if the proposal were not applied uniformly across the board, employees who came in to work additional hours to make up time could be negatively impacted. The Manager agreed, explaining that the uniform application of the policy ensures fairness and avoids penalizing those who worked to make up hours.

The Manager reiterated that the proposal for five days of leave corresponds directly to the number of closure days. However, she acknowledged that the Commissioners could opt for fewer days if they felt it was more appropriate. The Manager also emphasized the challenge of creating a proposal that satisfies everyone. She

expressed confidence that the current approach was the most fair and balanced, addressing the needs of the majority, though she recognized that some employees or citizens might still feel dissatisfied.

Commissioner McCall acknowledged the unexpected nature of the situation and commended the proposal as the best available solution under the circumstances. She emphasized the need to review and potentially revise the personnel policy to address future mandatory closures. She pointed out that most agencies have a continuation of operations plan that identifies essential versus nonessential employees, which could serve as a model. Commissioner McCall also praised the dedication of employees, particularly those working tirelessly during the emergency, and described the proposal as the fairest way to assist all employees while addressing future policy improvements.

Commissioner Chapman characterized the proposal as very generous and expressed relief that the County's fund balance allows for its implementation. He noted that without the fund balance, addressing the financial impact—estimated at \$200,000—would have been far more challenging. While supportive of the proposal, Commissioner Chapman emphasized the importance of crafting a detailed policy to better prepare for similar situations in the future.

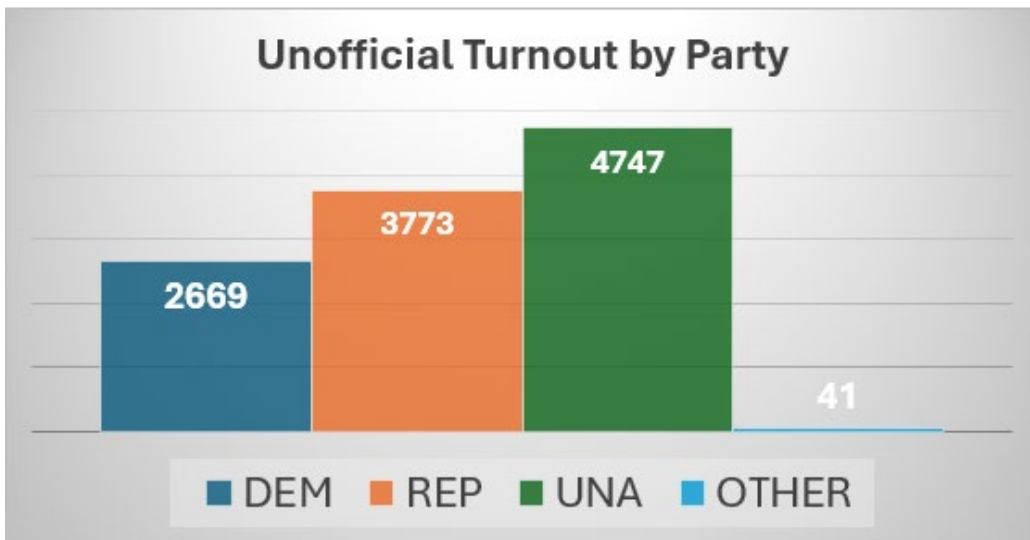
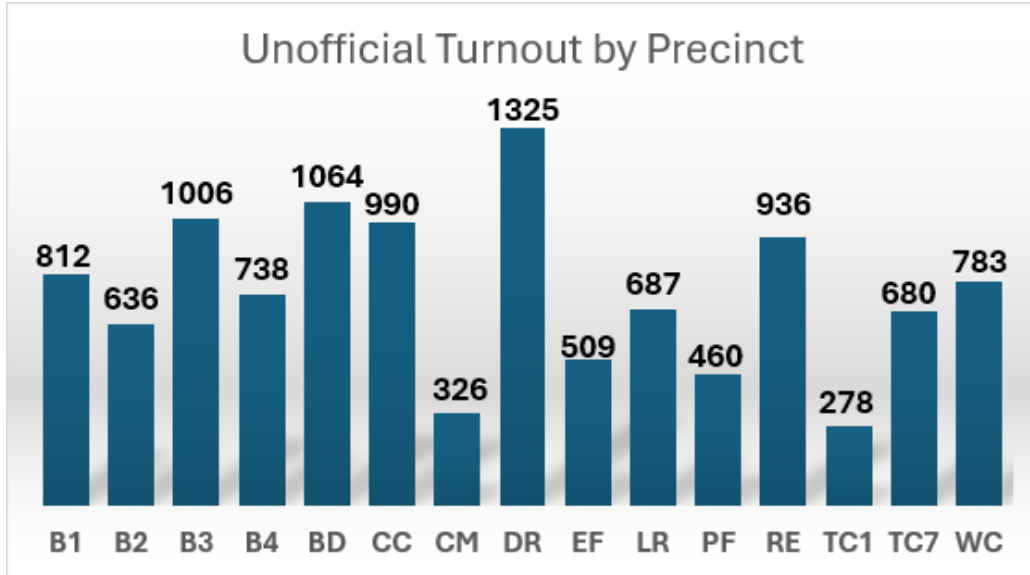
Commissioner McKelvey moved to approve the proposal as submitted, seconded by Commissioner Dalton, and unanimously approved.

Commissioner McCall expressed her gratitude to the County Manager for the effort and time invested in crafting the proposal, especially given the numerous responsibilities she is currently managing. She praised the proposal as a fair and balanced recommendation for supporting the county's employees during this challenging period.

MANAGER'S REPORT

The Manager provided the following updates:

- In July, the Board voted to hold a referendum on a proposed quarter-cent sales tax increase. If approved by voters and subsequently enacted by the Board, the sales tax rate would increase from 6.75% to 7%. Educational materials about the referendum have been made available to the public in the foyer. The proposed tax would not apply to gas or food but would extend to certain services added during a previous expansion. The revenue from this increase could help offset property tax by broadening the tax base to include non-property owners. Voters will decide on the measure on November 5, and the Board will then decide whether to enact it if approved.
- The County expressed condolences to the family of Mr. Frank Patton, a Brevard High School alumnus (Class of 1943) who passed away at age 98. Mr. Patton was a generous supporter of youth initiatives, contributing to various projects, including funding Brevard High School's first turf field and donating over \$6 million to local schools through the Patton Foundation. His philanthropic legacy will have a lasting impact on the community.
- Early voting is ongoing daily this week from 8:00 a.m. to 7:30 p.m. at the old Kmart in Brevard and Rosman Town Hall. On Saturday, voting hours are 8:00 a.m. to 3:00 p.m., and voters can also cast their ballots at their precincts on Tuesday, November 5. Statistics on early voting participation are available in the charts below:



Commissioner Chapman responded to public comments regarding potential traffic concerns at the Boyd precinct on Election Day. He emphasized the need to coordinate with the Sheriff’s Office and potentially the State Highway Patrol to ensure smooth traffic control, avoid voter inconvenience, and address safety issues. The Manager noted that the Elections Office is already collaborating with partners to address these concerns but assured the Board she would follow up with the Sheriff to confirm arrangements.

PUBLIC COMMENT

Mark Burrows: Mr. Burrows, a candidate for North Carolina House District 119, highlighted the community spirit in Transylvania County, as demonstrated through the collaborative efforts of staff, volunteers, churches, and citizens in storm recovery. However, he expressed concerns about the State’s inadequate response to storm recovery needs, citing disparities between the Governor’s budget proposals and what the legislature approved. The governor proposed \$3.9 billion to address an estimated \$60 billion in storm damages, meant to supplement private insurance and FEMA assistance. Mr. Burrows cited specific shortfalls, including: \$650 million proposed for economic recovery grants, but only \$56 million (9%) was approved; \$578 million

requested for natural resources/utilities, with only \$139 million allocated; \$594 million suggested for government recovery operations, yet just \$106 million was funded; and, on education, \$282 million was proposed, but only \$100 million was approved. Mr. Burrows emphasized that western North Carolina, including Transylvania County, deserves better state support, especially given its past contributions during hurricane relief efforts on the East Coast.

Sam Edney: Mr. Edney provided context to remarks made earlier by Representative Clampitt. He criticized the General Assembly's inadequate storm recovery response, stating that while \$602 million in assistance for western North Carolina was passed, much of it came in the form of loans, not grants. Mr. Edney highlighted that only 7–8% of those affected by the storm had flood insurance, leaving many with no choice but to borrow money to recover. He also critiqued broader legislative priorities, such as diverting \$500 million from public schools to the Opportunity Scholarship Program, benefiting private schools primarily in urban areas and costing District 11's public schools \$26 million, and passing corporate and personal income tax cuts totaling \$1.5 billion, with 70% of benefits going to the top 20% of income earners. Mr. Edney commended the exceptional efforts of individuals, nonprofits, businesses, and County staff but argued the General Assembly fell short of meeting western North Carolina's extraordinary recovery needs. He urged for more context and accountability in addressing these disparities.

COMMISSIONERS' COMMENTS

Commissioner Chapman highlighted the upcoming celebration for the Marine Corps' 249th birthday on November 10 at Ecusta Brewery. The gathering begins at 5:00 p.m., with a ceremony at 6:00 p.m. It is open to all Marines, their families, veterans, and friends of the Corps. Free cake will be provided.

Commissioner McKelvey Encouraged participation in early voting, which continues through Saturday. He stressed the importance of voting to ensure voices are heard.

Commissioner Dalton requested thoughts and prayers for the Lyday family following a tragic ATV accident involving a young boy who is facing severe injuries, with a long recovery ahead if he survives. He noted the tragedy's impact on the team and class that recently lost two other young men.

Chairman Chappell recapped key actions taken during the meeting and acknowledged the significant impact of these decisions. He expressed gratitude to the staff for all their hard work. Chairman Chappell also responded to recent criticisms about emergency communications during the storm. He reaffirmed that the County delivered daily updates to radio stations, even during a total communication blackout. He clarified that once communications were restored, outreach was extended to other stations. He also addressed concerns about press releases, emphasizing that County information was shared consistently and effectively. Chairman Chappell concluded by thanking the Manager for her dedication to keeping the community informed during the emergency.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner McCall moved to adjourn the meeting at 8:24 p.m., seconded by Commissioner Dalton and unanimously carried.**

ATTEST:

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

Trisha M. Hogan
Clerk to the Board