

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
DECEMBER 9, 2024 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, December 9, 2024, at 4:00 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 and Clerk to the Board Trisha Hogan were also present. County Attorney Megan Silver participated remotely via Zoom meeting software.

Media: Dan DeWitt – *Brevard Newsbeat*

There were approximately 30 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 4:05 p.m.

WELCOME

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

PUBLIC HEARING

PROPOSED INCENTIVE GRANTS TO PROJECT FUEGO

The Manager announced that Project Fuego is a company contemplating investments in real estate and equipment in Transylvania County. The public benefits to be derived from the proposed capital project include a total taxable investment by Project Fuego in increments through 2028 of at least \$550,000 in real and business property. The proposed project would also result in the creation of 10 new full-time jobs, at an average wage of over \$57,000 which exceeds the Transylvania County average wage of \$45,752 for full-time employment, plus other benefits. The contemplated incentives would last for a period not to exceed eight years. Based on the new investment, the number of new employees, and the Board's incentive guidelines, the maximum amount of incentives to be considered in this grant over the total period is expected to be valued at \$7,149.11.

N.C.G.S. § 158-7.1 requires the local governing body to hold a public hearing prior to approval of any appropriation or expenditure for economic development purposes. The County has met the statutory requirements for publishing the public hearing notice.

Chairman Chappell declared the public hearing open at 4:07 p.m.

Burton Hodges, Executive Director of the Transylvania Economic Alliance gave further details about the project and the proposed incentive grant. He reported that Project Fuego represents a site location search by CW Williams, a 65-year-old company headquartered and founded in Rocky Mount, NC that has been assessing locations across Western North Carolina and Upstate South Carolina for a regional headquarters and service facility. The company specializes in sales and services within the first responder market, focusing primarily on fire, EMS, and law enforcement vehicles. The company currently employs 41 people at two locations elsewhere in North Carolina. The project has selected an existing 10,000 sq. ft. building in unincorporated Transylvania County to upfit and expand to serve as its regional operations

center where the company will assemble, fabricate, and distribute parts and provide a variety of maintenance and services to emergency management vehicles both at the new facility and on location with its team of traveling technicians.

As part of its location in Transylvania County, the company will create 10 jobs through 2026 with an average annual salary of \$57,595 in addition to 100% employer-paid benefits. In addition to its real estate acquisition costs exceeding \$1 million, the company will invest \$550,000 in improvements to the real property and investments in new machinery and equipment. The company has been engaged with the Economic Development Partnership of North Carolina and the North Carolina Department of Commerce has awarded the company a Vacant Building Rehabilitation Grant that will be offered in conjunction with the County's support.

On behalf of the Transylvania Economic Alliance, Mr. Hodges thanked the Board for its continued support and partnership in attracting new investment to the community. He introduced Tripp Evans, President of CW Williams, and his associates Alan Langley and Wayne Smith. Mr. Evans offered a few words about the company and its plans for operations in Transylvania County.

Mr. Evans thanked the Board for its consideration of an incentive grant. The company is looking forward to investing in Transylvania County. Mr. Evans shared that their mission is to serve the first responders who serve the citizens 24/7. He again expressed appreciation for the Board's consideration and for helping them make this investment in the community.

Commissioner Chapman asked whether the new jobs would be created from local sources or transferred from the company's other locations. Mr. Hodges indicated the company intends to create 10 net new jobs. The Alliance will collaborate with Blue Ridge Community College for technical expertise and development to recruit and train new employees.

Commissioner McCall commented that these types of vehicles are required to have a certain upfitting in place upon purchase. As a local government entity, Transylvania County must provide emergency services, so the County benefits by having this company here.

There were no further comments.

Chairman Chappell declared the public hearing closed at 4:12 p.m.

PUBLIC COMMENT

There were no comments from the public.

AGENDA MODIFICATIONS

There were no agenda modifications.

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

CONSENT AGENDA

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

The Board approved the following:

ADOPTION OF CODE OF ETHICS

N.C.G.S. § 160A-86 requires the local governing board of a county to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties. The Board of Commissioners approved its most recent Code of Ethics on December 11, 2023, which established guidelines for ethical standards of conduct, including:

- The need to obey all applicable laws regarding official actions taken as a board member.
- The need to uphold the integrity and independence of the board member's office.
- The need to avoid impropriety in the exercise of the board members' official duties.
- The need to faithfully perform the duties of the office.
- The need to conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws governing open meetings and public records.

The Board approved the Code of Ethics as required by law with no changes from the previous year. The Board intends to make the adoption of its Code of Ethics an annual practice.

APPROVAL OF MINUTES

The Board of Commissioners met in a regular meeting on October 28, 2024, and November 12, 2024. On December 2, 2024, newly elected County officials were sworn into office. Following the oath of office ceremony, the Board of Commissioners held its organizational meeting and a special public hearing to receive input on the 2025 Reappraisal Schedule of Values. The Board approved the October 28, 2024, November 12, 2024, and December 2, 2024, minutes as submitted.

OCTOBER 2024 DISCOVERY, RELEASE, & MONTHLY SETTLEMENT REPORT AND NOVEMBER 2024 REFUND 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 October 2024, releases amounted to \$1,075.74 and refunds totaled \$3,925.29. For November 2024, refunds issued totaled \$1,816.09. The Board approved the October 2024 Discovery, Release, and Monthly Settlement Report and the November 2024 Refund Report as presented.

2025 REAPPRAISAL SCHEDULE OF VALUES

Per N.C.G.S. § 105-317, the Board of Commissioners shall review, approve, and adopt the Reappraisal Schedule of Values. The Schedule of Values outlines the standards and rules that will be used to appraise all real property in Transylvania County. On November 12, 2024, the Tax Administrator formally presented the 2025 Schedule of Values to the Board of Commissioners. The Board of Commissioners held a public hearing on December 2, 2024, at which no member of the public spoke. A copy of the Schedule of Values is on file at the Tax Administration, the Library, and the County Administration for public inspection, as well as posted to the County website. Approval of the Schedule of Values must occur before December 31, 2024, according to statute. The Board approved the 2025 Reappraisal Schedule of Values as presented.

REQUEST TO CLOSE COUNTY OFFICES FOR ANNUAL EMPLOYEE LUNCHEON

The Annual Employee Luncheon is scheduled for December 16, 2024, at Brevard College. County offices have historically been closed after this event allowing employees to have an afternoon off. Staff requested permission to close County offices for the remainder of the day following the luncheon. The Board approved the request to close the Solid Waste landfill and convenience center sites from 11:30 a.m.-5:30 p.m. and the remaining County offices from 12:00 p.m.-5:00 p.m. on December 16 so that County employees may attend the Annual Employee Luncheon. The Board also instructed the Clerk to the Board to publish a notice in the local newspaper and directed staff to post a notice at their respective facilities for the benefit of the public.

CANCELLATION OF DECEMBER 23, 2024, BOARD OF COMMISSIONERS MEETING

Staff recommended the Board of Commissioners cancel its regular meeting on December 23, 2024. Transylvania County offices are closed for the Christmas holiday on Tuesday, December 24, Wednesday, December 25, and Thursday, December 26. There is no pressing business, and staff would like to utilize vacation time during the holiday season before the next meeting, which is scheduled for January 13, 2025, at 4:00 p.m. The Board canceled the December 23, 2024, regular meeting and instructed the Clerk to the Board to post and publish proper notice to the public.

VAYA HEALTH FISCAL MONITORING REPORT – FY 2025 Q1

Per N.C.G.S. § 122C-117 (c), the quarterly Fiscal Monitoring Reports for the local management entities and managed care organizations must be presented to the Board of County Commissioners. This report represents Vaya Health’s financial statistics through the first quarter of FY 2025 (September 30, 2024).

Current Actual Revenues	\$368,620,972 (99.14% of annualized budget)
Current Actual Expenditures	\$366,686,376 (98.62% of annualized budget)
Current Net Gain from Operations	\$1,934,596
Fund Balances	<ul style="list-style-type: none"> • \$0 restricted for risk reserve • \$67,797,805 restricted for state statute, prepaids, and investments in fixed assets • \$98,126,990 unrestricted
Operating Cash	\$282,777,505 net of risk reserves
Total Spendable Cash Estimate	\$194,711,152

(Note from staff: Vaya Health’s submission of its first quarter report was delayed due to processing issues. The agency notified the Finance Director of the delay on October 30, 2024. The County received the final report on November 13, 2024.) The Board received the report and instructed the Clerk to the Board to enter the report into the minutes as required by statute.

TRANSYLVANIA PUBLIC HEALTH REQUEST FOR SUBMISSION OF DELTA DENTAL FOUNDATION GRANT

Healthy Smiles Dental Project is a dental program for early childhood and elementary-aged children in Transylvania County. This program, offered through Transylvania Public Health, provides dental education, dental screenings, and access to dental care for uninsured and Medicaid-eligible children from birth to 12 years of age. Healthy Smiles is a success-driven, collaborative project between Transylvania Public Health, the NC Oral Health Section, local dental practices, childcare centers, preschools, and elementary schools. The agency has received a grant from the Delta Dental Foundation since 2014 to support the important preventive work of the program. Transylvania Public Health will use the grant funds to purchase dental screening supplies, program educational supplies, and dental hygiene items for all children in the daycare, preschool, and elementary (kindergarten and third grade) setting. There is no fiscal impact to the County, as Delta Dental Foundation requires no grant match. The Board approved the submission of the Delta Dental Foundation grant application as requested.

ANNUAL APPLICATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT FUNDS THROUGH NC EMERGENCY MANAGEMENT

Transylvania County Emergency Management must apply annually for Emergency Management Performance Grant (EMPG) funds from North Carolina Emergency Management (NCEM). These funds are used to offset the costs of local emergency management program operations and enhance preparedness activities. FEMA initiates the funding and routes them through NCEM for management and disbursement to the local emergency management programs based on proximity to interstate systems and population values. Transylvania County’s grant award ranges between a minimum of \$21,000 and a

maximum of \$39,000. The Board approved the department's proceeding with the application process for funding.

ACCEPTANCE OF NATURAL DISASTER PREPAREDNESS LOCAL GRANT FROM DUKE ENERGY FOUNDATION

Transylvania County applied for a Natural Disaster Preparedness Local Grant through the Duke Energy Foundation. On November 25, Duke Energy's Local Government and Community Relations Manager Craig DeBrew notified the County Manager that Duke Energy had awarded the County \$25,000 that will fund Disaster Command Communications Kit equipment to provide command post and backhaul capability for responders during an event. The Board accepted the \$25,000 in grant funds from the Duke Energy Foundation for natural disaster preparedness. No local match is required.

Mr. DeBrew also informed the County Manager that Duke Energy is contributing \$10,000 toward the Transylvania Tomorrow Emergency Support Grant Program being administered by the Community Focus Foundation which aims to provide critical relief to the Transylvania County business community impacted by Hurricane Helene.

REQUEST PERMISSION TO APPLY FOR AMERICA 250 NC COUNTY COMMITTEE GRANT

Governor Cooper initiated America 250 NC to organize and oversee the commemoration of the United States' 250th anniversary, emphasizing North Carolina's significant contributions to this historic event. Earlier this year, the Board of Commissioners delegated responsibility for coordinating the County's celebration to the Joint Historic Preservation Commission. Grant funds are available for local governments, contingent upon the establishment of an official committee. On June 10, 2024, the Board approved a resolution formally establishing Transylvania County's America 250 NC Committee, enabling the County to qualify for these grants and ensuring effective participation in this nationwide commemoration. The America 250 NC team recently announced funding opportunities in the form of \$10,000 grants for county committees. The application deadline is December 16, 2024. Transylvania County's America 250 Committee requested permission to apply for funding for a Colonial Garden at Silvermont, costumes, and a recording of an Edenton Tea Party reenactment. The Board granted permission to the Transylvania County Official America 250 NC Committee to apply for a County Committee Grant.

PRESENTATIONS/RECOGNITIONS

LAND OF SKY REGIONAL COUNCIL'S PRESENTATION OF EXTRAORDINARY PUBLIC SERVICE AWARD

The Land of Sky Regional Council annually recognizes local leaders for their commitment and service to the region. This year, Assistant County Manager David McNeill received the Extraordinary Public Service Award.

Nathan Ramsey, Executive Director of the Council, presented the award, praising Mr. McNeill for his exceptional leadership, particularly in response to Hurricane Helene. Mr. Ramsey commended Mr. McNeill's dedication, saying:

"You are very deserving of this honor as you have helped lead our region in your role as Assistant County Manager for Transylvania County. The last 7 weeks have been more challenging than ever in Western North Carolina, and you have risen to the occasion. We are grateful for your leadership and hard work on behalf of Transylvania County. You represent the best of public service and North Carolina local government management professionals."

Additionally, the Land of Sky Regional Council recognized the vital role of local radio stations during the storm. WSQL White Squirrel Radio and WGCR Anchor Baptist Ministries were honored for serving as essential communication channels when other methods were unavailable.

Mr. McNeill humbly accepted the award, crediting the community, his staff, the County Manager, and his family. He emphasized the extraordinary work of first responders and the shared goal of doing what is best for the citizens of Transylvania County.

The Board of Commissioners expressed their deep appreciation for Mr. McNeill's unwavering dedication and his significant contributions, especially during Hurricane Helene.

The County Manager highlighted Mr. McNeill's pivotal role during the storm response, spending countless hours in the Emergency Operations Center and ensuring that the county's efforts resulted in no loss of life. She remarked:

"David McNeill more than deserves this award. He has been a tremendous asset to Transylvania County for many years, and I couldn't do my job to the Board's expectations without him."

RECOGNITION OF CITIZEN ADVISORY COUNCIL MEMBERS

On a semi-annual basis, the Board of Commissioners recognizes citizens who volunteer their time and expertise on the County's citizen advisory councils. The Board recognized the following citizens whose terms ended during the period July 1, 2024-December 31, 2024.

- John Shoemaker – Transylvania Economic Alliance Board of Directors
- Isaac Allen – Transylvania County Tourism Development Authority

Neither were in attendance. The Clerk to the Board will extend an invitation for them to attend a Board meeting in January to receive a certificate of appreciation and a small gift.

TRANSYLVANIA COUNTY TOURISM DEVELOPMENT AUTHORITY ANNUAL REPORT

Executive Director Clark Lovelace of the Transylvania County Tourism Development Authority (TCTDA) presented highlights from the FY 2023-2024 Annual Report, sharing insights about TCTDA's operations and the state of the local tourism industry. Mr. Lovelace acknowledged and thanked TCTDA Chair Dee Dee Perkins and Commissioner Chapman, who serves as the County Commissioner representative on the Board of Directors.

What is a TDA?

Mr. Lovelace addressed a frequently asked question about the role of the TDA, clarifying its relationship with state and county governments:

- The State of North Carolina establishes basic parameters for all tourism boards, including setting a maximum occupancy tax rate and requiring that 100% of collected funds be spent on tourism. At least two-thirds of these funds must directly support marketing and promotion efforts.
- Counties must apply for enabling legislation to establish a tourism board, set their occupancy tax rate, and manage tax collection.
- The TCTDA Board is responsible for:
 - Establishing a mission and vision for the organization.
 - Making decisions on how tourism revenues are spent.
 - Overseeing the Executive Director.
 - Ensuring compliance with State and County guidelines.

What does a TDA do?

- Marketing and promotion, using all aspects of media
- Enhancing brand
- Destination management
 - Promote good behavior
 - Promote good stewardship of natural resources
 - Enhance infrastructure

Occupancy and Visitor Highlights

- FY 2024 Annual Occupancy Tax Proceeds - \$1,987,161
 - July is the busiest month.
 - August through October is the next busiest period.
- Occupancy Tax Proceeds: 10-Year View
 - Consistent growth until the pandemic
 - Significant increase in FY 2021 and growing slightly in FY 2022
 - Slight tapering off and evening out in FY 2023 and FY 2024
- Short-Term Rental Data
 - Submarket Breakdown
 - Brevard 43% of units
 - Western/Upper Transylvania County 38% of units
 - Highest rates
 - Eastern (Penrose/Cedar Mountain) 19% of units
 - Transylvania County vs. Competitive Markets
 - Transylvania County: 1,483 available units
 - Henderson County: 1,399 available units (Henderson County is approximately 2 ½ times the size of Transylvania County)
- Occupancy and Visitor Insights
 - Usage of short-term rentals continues to grow.
 - The local market continues to see a high number of day-trippers.
 - Most of our visitors live in the southeast US.
 - Outdoor recreation continues to be the most common driver of travel to our destination.
 - Waterfalls, opportunities for rejuvenation and healthfulness, and being seen as an authentic and friendly small mountain community are key differentiators between our destination and similar competitors.
 - Our efforts to preserve our public lands and improve visitor behavior align with our core visitors.

Marketing and Promotion Highlights

- Digital
- Print
- TV
- E-Blasts & Blogs
- Sponsored Content E-Newsletters
- Billboards on three major interstates and a welcoming billboard on Highway 280
- Public Relations
- Social Media
- Adventure Guide
- Points of Interest Map

Destination Management Highlights

- Leave It Better and Be Waterfall Wise Campaigns
- Annual Meeting with Public Land Managers
- Outdoor Economy Conference Sponsor
- Updated Dupont Forest Kiosk; currently updating others with important messaging
 - Be Waterfall Wise safety campaign posted in nine different languages; recommended during the annual meeting with public land managers.
- Project Funding
 - Transylvania Always
 - Projects range from river clean-up to expanding and improving river access to Bracken Preserve trail enhancement.

- Projects that make resources safer, enhancing them, or dealing directly with the user impact
- Destination Infrastructure
 - Projects that make a substantial impact on the tourism infrastructure of the destination
 - Ornaments for the Christmas tree on the Courthouse lawn
 - Mobs Mabley mural in downtown Brevard
- Tourism Marketing
 - Designed to generate overnight visitation and add significant value to the visitor experience
 - Assault on the Carolinas, Aluminum Christmas Tree Display at Heritage Museum
- Partner Support
 - Co-Op advertising opportunities
 - Social media promotion
 - Sweepstakes

Financial Summary

- \$2.1 million in total revenue
- \$2.4 million in total expenditures
 - Expenditures totaled more than revenues due to planned expenses
 - Used overgrowth in fund balance received during pandemic
 - Funds directed toward the Ecusta Trail
- \$1.6 million fund balance

FY 2025 Update/State of Tourism Market Post-Helene

- The first quarter of FY 2025 normal
- Everything changed dramatically on September 27
- Events and actions during and immediately following Helene
 - Added emergency alert on website directing to a webpage with key information
 - Messaging began as “Don’t come now”
 - Communicated regularly via social media and e-blasts
 - Stopped all advertising and promotion
 - Messaging transitioned to “Know this information if you’re coming,” then “We’re open,” and finally “We’re open, please come”
- Events and actions following the initial Helene impact
 - Top priority to support tourism partners
 - Redirected \$22,000 saved during pause to holiday/winter campaigns
 - \$39,000 from the fund balance to Transylvania Tomorrow Fund
 - Plan for a second marketing push in the spring.
 - Shifted focus on the four-hour drive market with an emphasis on Charlotte and Atlanta
 - Created new programming to bring people here because it matters more than ever right now
- Transylvania Tomorrow Small Business Emergency Relief Fund
 - Relaunched this pandemic-era initiative
 - Raised and distributed \$145,000 to 58 local businesses
 - Pledges for another \$200,000 for additional rounds
- The current state of tourism in Transylvania County
 - October is typically a top month for tourism businesses; all down, many dramatically.
 - Short-term rental cancellations not recouped.
 - Occupancy tax proceeds were down 30% in September and 60% (estimated) in October.
 - Transylvania County is a strong destination; the outlook on tourism is great, but it is going to be a challenging few months.

- TCTDA working to ensure the survival of its tourism partners and our strong tourism industry

Mr. Lovelace concluded his presentation and then welcomed comments and questions from the Board.

Commissioner Chapman emphasized the importance of understanding the financial impact of Hurricane Helene on the County's tourism industry. He noted that the storm's effects will compel the Board of Commissioners to make challenging decisions in the coming months. Commissioner Chapman also took the opportunity to commend Mr. Lovelace and the TCTDA team for their ongoing efforts to promote Transylvania County through their partnership with Market Connections.

EMERGENCY RESPONSE TO HURRICANE/TROPICAL STORM HELENE

The Manager provided an update on the emergency response and recovery efforts related to Hurricane/Tropical Storm Helene. She detailed recent actions and anticipated activities to address ongoing challenges.

Housing Recovery Efforts

- Damaged Properties:
 - 309 addresses affected by flooding, landslides, or fallen trees, with over \$28 million in estimated damages to homes and businesses (subject to revision as additional assessments are completed).
 - Ongoing collaboration with FEMA, NC Emergency Management (NCEM), local nonprofits, and municipal partners to address housing needs.
- Case Management:
 - Weekly calls were initiated with NCEM and FEMA to streamline housing recovery processes.
 - NCEM plans to deploy a case manager to the Disaster Recovery Center by December 16, with the DRC agreement extended through January 31, 2025.
 - Currently, 33 households remain in hotels, with six located in Transylvania County and others in nearby regions or out of state.
- FEMA Assistance:
 - 4,623 household registrations processed, with \$1.5 million approved for home repairs/replacements and \$31,904 in rental assistance.
 - One FEMA trailer deployed, awaiting electricity setup; additional mobile home park sites are under evaluation for further placements.

Debris Management

- Debris Pickup:
 - Approved by the US Army Corps of Engineers (USACE) for public right-of-way.
 - Delays are caused by NCDEQ's denial of a temporary staging site permit, but staff are actively identifying alternative locations.
 - The USACE will provide debris collection services at no cost, including multiple passes on public and private rights-of-way. Private property collection requires a Right-of-Entry form, available on the County website.

Other Recovery Initiatives

- Long-Term Recovery Group:
 - Formation of a collaborative entity to coordinate between nonprofits, faith-based groups, and government agencies for immediate and future disaster responses.
- Private Roads and Bridges:
 - Ongoing work with FEMA and NCEM to clarify support for replacements on seven known damaged private roads and bridges in the county.

The Manager concluded the presentation and invited questions or comments regarding the County's ongoing recovery efforts.

Commissioner Chapman asked about the status of debris removal from the river. The Manager explained that the USACE is allowed to remove debris from areas accessible via public rights-of-way. However, for sections of the river that can only be accessed through private property, a right-of-entry form must be obtained. Emergency Management staff are collaborating with Soil and Water to identify current blockages and are working with property owners to secure the necessary forms.

Commissioner Chapman inquired how the USACE's debris removal guidelines are being communicated to the public. The Manager reported that the information has been shared through social media, the County website, and public meetings like this one. The USACE-provided graphics have been made available regionally and will continue to be distributed via public channels.

The Manager highlighted the long-term nature of recovery efforts, pledging to provide regular updates on progress. While expressing frustration over the slow pace, she emphasized the County's continued advocacy to advance recovery efforts. She acknowledged progress but noted that it has required an extraordinary level of effort.

Commissioner McCall asked about the composition of the Long-term Recovery Group. The Manager explained that it consists entirely of local participants and does not include representatives from FEMA or NCEM. Instead, FEMA and NCEM provide guidance and support. The group enhances coordination among nonprofits, ensuring comprehensive services and preventing duplication. FEMA audits households to avoid duplication of assistance, and the group's structure helps mitigate this risk.

Chairman Chappell expressed gratitude for the extra efforts made in debris removal to protect the lifespan of the current landfill cell.

Commissioner McCall noted that storm debris at the landfill is being separated from regular waste. The Manager clarified that vegetative debris is set aside for grinding into mulch for bank stabilization at the landfill. While household debris is being disposed of in the same cell, it is tracked separately. The County has not charged for storm-related debris disposal and intends to seek FEMA reimbursement for associated costs, supported by proper documentation.

APPOINTMENTS

BOARD OF HEALTH

The terms of Dawn Kauffman (Nurse) and Dr. Sim Cozart (Dentist) expire on December 31, 2024. Both are eligible to serve another term, and they have expressed interest in doing so. Commissioner Teresa McCall's term also expires on December 31, 2024, but the Board intends to consider its appointments in January. There remains one vacancy for a Physician. There are no eligible applications on file to fill this position. Public Health Director Elaine Russell recommended the reappointment of Dawn Kauffman and Dr. Sim Cozart to another term on the Board of Health.

Commissioner McCall moved to reappoint Dawn Kauffman (Nurse) and Dr. Sim Cozart (Dentist) to the Board of Health, seconded by Commissioner Chapman and unanimously approved.

REGIONAL COUNCIL ON AGING

The Board of Commissioners appointed Robert Stein as the Community Member/Senior Tar Heel Alternate Delegate to the Regional Council on Aging on May 13, 2024. The position was vacant at the time, and the remaining portion of the term expires on December 31, 2024. The Land of Sky Regional Council Area Aging Director recommended his reappointment to a full term.

Commissioner Chapman moved to reappoint Robert Stein to the Community Member/Senior Tar Heel Alternate Delegate position on the Regional Council on Aging, seconded by Commissioner McKelvey and unanimously approved.

TRANSYLVANIA COUNTY COUNCIL ON AGING

There is a vacancy on the Transylvania County Council on Aging (TCCOA) due to one of the members no longer being able to attend regularly. The Clerk to the Board advertised the vacancy and received one application. At their request, the TCCOA members reviewed the application and then invited the applicant to a meeting. The TCCOA requested the Board appoint Shannon Roberts to fill the vacancy.

Commissioner Chapman moved to appoint Shannon Roberts to fill the vacancy on the Transylvania County Council on Aging, seconded by Commissioner Dalton and unanimously approved.

REVIEW OF COUNTY COMMISSIONER APPOINTMENTS

Commissioners serve in a variety of capacities on many different boards and committees, locally, regionally, and statewide. The Board reviews their appointments on an annual basis to determine if they want to continue in their current capacities. Staff will place this item on an agenda in January for Board action.

Board/Committee	County Commissioner Appointment
Board of Health	Teresa McCall
Juvenile Crime Prevention Council	Jake Dalton
Personnel Board	Jake Dalton
Social Services Board	Teresa McCall
Transylvania County Tourism Development Authority	Larry Chapman
Work First Planning Committee	Jason Chappell
Land of Sky Regional Council – Primary and Secondary Member	Jason Chappell – Primary (Executive Committee member) Larry Chapman – Secondary
Land of Sky Rural Planning Organization	Larry Chapman
French Broad Metropolitan Planning Organization	Larry Chapman
Vaya Health County Commissioner Advisory Council	Teresa McCall
Community Relations Board	n/a
Joint Committee to oversee and facilitate the management of the School Bond projects	To be established and positions filled in January 2025
Brevard/Transylvania Chamber of Commerce	Jaime Laughter – Designee
Brevard/Transylvania County Ecusta Trail Advisory Board	Larry Chapman
Transylvania Economic Alliance Board of Directors	Jake Dalton
Foreign Trade Zone Advisory Team (currently paused)	Jason Chappell
NC Association of County Commissioners – District 16 Director	Larry Chapman
NCACC Steering Committees	Larry Chapman – Justice and Public Safety Jake Dalton – Tax and Finance Teresa McCall – Tax and Finance

NEW BUSINESS

PROPOSED INCENTIVE GRANTS TO PROJECT FUEGO

CW Williams, known as Project Fuego, is a company contemplating investments in the County in real estate and equipment. The public benefits to be derived from the proposed capital project include a total taxable investment by Project Fuego in increments through 2028 of at least \$550,000 in real and business property. The proposed project would also result in the creation of 10 new full-time jobs, at an average wage that exceeds the Transylvania County average wage for full-time employment, plus other benefits. The contemplated incentives would last for a period not to exceed eight years. Based on the new investment, the number of new employees, and the Board's incentive guidelines, the maximum amount of incentives to be considered in this grant over the total period is expected to be valued at \$7,149.11. The Board of Commissioners conducted a public hearing at the beginning of the meeting in compliance with N.C.G.S. § 158-7.1.

Commissioner Dalton moved to approve the proposed performance-based incentive grant to Project Fuego valued at \$7,149.11 with funds to come from the general fund, if Project Fuego meets the investment and job creation thresholds, and upon their payment of property taxes, seconded by Commissioner McKelvey. The Commissioners expressed their appreciation for the company's planned investment and commitment to the community, noting that the County's incentive grant will help meet State requirements for accepting the Building Reuse Grant. They also extended gratitude to Transylvania Economic Alliance Executive Director Burton Hodges for his efforts on the project. **The motion was unanimously approved.**

RESOLUTIONS ESTABLISHING FIRE SERVICE DISTRICTS

Assistant County Manager David McNeill presented the Board with a proposal to update the fire service district resolutions.

Transylvania County currently has eight fire service districts established under N.C.G.S. Chapter 153A, Article 16. These districts, created at various times since the 1980s, currently share the same tax rate. Mr. McNeill explained that the original resolutions specify "fire" services but omit "EMS" and "rescue" services. This lack of specificity could create legal challenges for the County and its contracted fire departments. Staff, in consultation with the County Attorney, recommended updating the resolutions to include EMS and rescue services to address this issue.

Under N.C.G.S. § 153A-309, the Board may adopt resolutions to authorize emergency medical, rescue, and ambulance services within fire districts and levy property taxes for these purposes. However, due to the vague language in the current resolutions, adopting entirely new resolutions may be necessary to clarify the districts' purposes and tax usage. To proceed, the County must collaborate with legal counsel to ensure that the purpose and use of the taxes levied are consistent with the resolution establishing the service district, in compliance with N.C.G.S. § 153A-301 (2) and (7).

The Board of Commissioners could also consider setting the tax rates in the existing districts to zero or following the statutory requirements set forth in N.C.G.S. § 153A-306 to abolish the existing districts upon adoption of the resolutions establishing districts under N.C.G.S. § 153A-301 (2) and (7). The Board could also consider the establishment of a countywide single service district under N.C.G.S. § 153A-301 (2) and (7) and setting all existing service district rates to zero or abolishing the current service districts per N.C.G.S. § 153A-306.

Mr. McNeill emphasized that the proposal would not alter current fire and rescue response areas. Instead, it seeks to align the tax levy with the actual services provided.

Chairman Chappell urged the Board to authorize updates to the resolutions to include EMS and rescue services promptly, given the upcoming budget planning process for early 2025.

Commissioner Chapman asked how the proposed changes would affect the Rescue Squad. Mr. McNeill clarified that the Rescue Squad does not operate within a service district and is funded entirely through the general fund.

Mr. McNeill emphasized that the Board's direction will determine the timeline for implementing changes. If the Board opts to establish eight new service districts, staff must prepare individual reports for each district, file the reports with the Clerk's Office within the time required by statute, advertise the changes, including mailing notices to impacted residents, hold public hearings, and approve the new districts before June 30, 2025.

In response to Commissioner Dalton's inquiry about tax rates, McNeill explained that the current resolutions were established under N.C.G.S. 153A, Article 16, rather than N.C.G.S. § 153A-301 (2) and (7). This oversight has led to the current legal and administrative challenges. Without a resolution specifying a maximum rate, the fire tax defaults to the county's overall maximum property tax rate of 150 cents per \$100 valuation. Currently, the fire tax rate is set at 5.5 cents, with an additional 2 cents supplemented by the general fund.

The Manager highlighted that all districts currently share the same tax rate, but the Tax Office must manually allocate funds from each tax bill. Transitioning to a single countywide service district would simplify administration, eliminate manual tax allocations, and still allow the Board to fund fire departments through contracts.

Mr. McNeill noted that if the County adopts a single service district, the Board must decide whether to include the municipality. Excluding the municipality could result in higher rates for other areas. The Manager added that the Rescue Squad could also be incorporated into the fire department funding structure.

Commissioner McCall inquired if creating a countywide service district would impact response districts. Mr. McNeill clarified that service districts are tax districts and do not affect response maps. While response districts have historically mirrored service districts, this is no longer consistent. For example, the Sylvan Valley II District includes three fire departments providing services. If the Board establishes a single countywide tax district, it will fund services countywide without altering current response districts unless the Board opts to revise them.

Commissioner McCall further clarified that the immediate action required is to include EMS and Rescue Squad in the resolution wording. McNeill confirmed this, explaining that current service district resolutions only authorize tax collection for fire protection, even though fire departments now provide additional services such as EMS, first response, and rescue. The proposed updates would ensure resolutions align with current service delivery and allow taxes to be collected appropriately.

Chairman Chappell noted that even if the Board only updated the resolutions to include EMS and rescue services, the changes would not take effect until July 1, 2025. The Manager confirmed that the upcoming budget cycle would allow the Board to set tax rates for each district under the new resolutions. She also highlighted the need to notify property owners of public hearings, coinciding with the Tax Office's mailing of assessment letters early next year. She suggested that piggybacking on that mailing could save costs. Staff would need to coordinate with the Tax Office to align the timing.

Mr. McNeill explained that if the Board chooses to retain the current eight service districts while adding EMS and rescue services, eight separate notes on tax bills and eight distinct resolutions would be required.

Commissioner McKelvey asked about other counties' approaches to service districts. Mr. McNeill noted that many counties historically aligned their service districts with response districts and collected taxes accordingly. However, the trend is shifting toward countywide districts. The Manager added that some

counties fund fire departments entirely through their general fund, while few, like Transylvania County, use a hybrid model of general fund supplementation and service district taxes. This hybrid approach slightly skews Transylvania County's tax rate comparison with other counties.

Chairman Chappell expressed interest in cost-saving opportunities like the assessment mailing but concluded that the Board could not provide direction at this meeting.

Commissioner McCall suggested the Board evaluate whether maintaining the current structure with eight service districts or transitioning to a single service district would better serve citizens. She highlighted the potential benefits of a single district, which could create a tax pool for equitable funding, versus the current method of dividing taxes by parcels.

Mr. McNeill explained that under the current structure, the Tax Office must allocate fire tax revenue to each service district based on where it was collected. The County then supplements each district's funding with general fund contributions to meet budgeted needs for fire protection, EMS, and rescue services. In contrast, a single countywide service district would eliminate the need to separate tax revenue by district. Instead, funds would be distributed to fire departments based on their approved budgets.

Commissioner McCall noted that some fire departments face greater financial challenges due to their location. She asked if a single service district would help address these disparities. Mr. McNeill confirmed that a single service district would simplify tax collection for the Tax Office and create a more consistent funding structure. It would also make it easier to allocate funds during the budget process. Currently, seven of the eight districts require general fund contributions, while only one district collects enough at the 5.5-cent rate to fully fund its budget.

Commissioner McCall emphasized that a single district would not prevent fire departments from receiving donations from their communities. She expressed concern about reserve funds remaining tied to specific districts. Mr. McNeill reassured her that any reserve funds in existing districts would have to be used within those districts for fire protection services. If the Board adopts a single service district, reserve funds would remain separate and allocated according to the original district's intended purpose, as required by statute.

Commissioner McKelvey noted that transitioning to a single service district would streamline tax administration but asked whether the Board would still need to supplement budgets from the general fund. Mr. McNeill explained that it would depend on the rate set by the Board.

The Manager added that this change would also improve efficiency in the Finance Office, as it would simplify the processing of payments. Currently, the County supplements all districts except one from the general fund, with reserve funds only reflecting the difference between estimated and actual tax collections. While a single service district would still maintain a reserve, the funds would be minimal due to the current hybrid structure. Each district would no longer have its own reserve fund, but the money would remain designated for its original purpose.

Commissioner McCall asked if a public hearing is required for a single service district. Mr. McNeill confirmed that it is. Establishing a countywide service district would follow the process outlined in N.C.G.S. § 153A-301, which includes preparing a report, filing it with the Clerk's office for two weeks, sending notifications to property owners four weeks before the hearing, and holding a public hearing.

Commissioner Dalton referenced a recent budget review in which he calculated that a district's tax rate should have been 28 cents, but it was set at 5.5 cents. He noted that the practice of subsidizing fire departments across different districts has been ongoing and felt that maintaining reserves for each district was important. Mr. McNeill clarified that only the reserves at the end of this fiscal year would remain intact for each district. These funds would have to be used for their original purpose. Moving forward, a single countywide service district would create one large reserve, allowing departments to request

additional funding from the Board if needed. The Manager suggested the Board could develop a policy for the countywide reserve to prioritize fund allocations, similar to the current policy for capital expenditures.

The Manager suggested preparing additional information, including maps, for both updating the existing districts and transitioning to a single district. Staff will also check with the Tax Office to determine if piggybacking on the assessment mailing is feasible and will provide a list of the pros and cons for each approach. The Manager recommended gathering input from fire chiefs and other community members to better understand their perspectives.

Mr. McNeill emphasized that the immediate need is to update the language of the existing resolutions to include EMS and rescue services, as advised by the UNC School of Government and the County's attorneys, to avoid potential liability.

The Manager added that staff would present options to the Board, whether to update existing districts or explore alternatives.

Chairman Chappell agreed that a list of pros and cons, along with map options, would be helpful.

Commissioner McKelvey asked if fire chiefs had provided any feedback on the proposal. Mr. McNeill noted that while discussions in the past were controversial, he believed there may be less resistance now, especially with the flat tax structure, though he would need to ask for their input.

Commissioner McKelvey expressed support for the efficiency of a single district from an administrative perspective but emphasized the need to consider all options.

The Manager confirmed that more information would be gathered and provided to the Board after the first of the year. Staff will also discuss the matter with fire chiefs to ensure they understand the process and the minimum requirements while exploring other options.

Mr. McNeill will create a timeline for a decision to ensure staff has enough time to comply with statutory deadlines.

The Manager encouraged the Board to send any additional questions or concerns as they arise.

REQUEST ADDITION OF PROJECT MANAGER POSITION FOR SCHOOL CAPITAL PROJECTS AND PERMISSION TO BEGIN RECRUITMENT PROCESS

The Transylvania County Board of Commissioners and Transylvania County Board of Education have agreed to hire a full-time project manager to manage specific school capital projects, primarily the major renovation projects identified. This position will focus solely on school projects, while the current 3/4-time project engineer will continue managing other County projects.

The project manager will report to both the School System and the County, ensuring collaboration on the bond projects. The subcommittee will not supervise the position. The project manager is expected to provide quality control and ensure that projects remain within the budget.

Human Resources Director Sheila Cozart reported that the existing salary range of \$69,243 - \$107,307 appears to be in line with other local governments. The position would be funded by the County's general fund, not bond funds.

Staff requested the Board approve an annualized cost of \$123,104.02 for a candidate with 20 years of experience, with the following budget breakdown:

- Salary: \$88,709
- FICA: \$6,786

- Retirement: \$12,108
- Benefits: \$15,500

Staff also requested to begin the recruitment process, with the subcommittee assisting in interviews. The goal would be to select a candidate by the first quarter of 2025.

Commissioner McKelvey asked about the flexibility in the salary range for candidates, to which the Manager responded that salaries are set by a formula, ensuring internal equity and alignment with other jurisdictions.

Commissioner McKelvey moved to approve the recruitment of a full-time project engineer/project manager as described, seconded by Commissioner McCall. Commissioner McCall expressed a concern, which was clarified that the position description will remain as is and will not be open for revision. **The motion passed unanimously.**

MANAGER'S REPORT

The Manager provided the following updates:

- Work continues on roof replacement and other repairs to County Administration caused by Hurricane Helene. Access to the Chambers through the courtyard may be restricted, and the public will be notified.
- FEMA Disaster Recovery Center remains open Monday–Friday, 8:00 a.m.–6:00 p.m. and Saturday, 8:00 a.m.–5:00 p.m., through January.
- John Harrington praised the County Transportation Department for its excellent service, including well-chosen pick-up locations, service quality, and the professionalism and kindness of staff.
- Kudos to Operations and Parks and Recreation for a successful tree lighting ceremony and related activities during "Light Up the Night."
- The Land of Sky Regional Council recognized WSQL/White Squirrel Radio and WGCR/Anchor Broadcasting Network with the Extraordinary Public Service Award for their exceptional efforts in providing updates when other communication channels were down.
- David Watkins, who has served on the Library Board of Trustees since 1993, will receive the Library Advocate of the Year award from the NC Public Library Directors Association for his 30+ years of leadership.
- T. Davis, Warren County Commissioner, was sworn in as the NCACC's 108th President. His initiative, "Heroic Hands: Celebrating Public Service," aims to highlight public service work and address staffing challenges in the public sector.

Commissioner Chapman attended the City's presentation on aging. A key issue raised was transportation, with many attendees unaware of the County's available services. The Manager acknowledged that while the County does market its services, people often do not realize what is offered until they need it. If they do not require the services, they tend to assume they are unavailable.

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Commissioner Chapman announced that Transylvania County has maintained its Tier 2 designation for another year, which is important. This is great news for the County, especially when it comes to securing grants and other opportunities.

Commissioner McCall wished everyone Merry Christmas and Happy New Year.

Commissioner Dalton wished the Brevard Blue Devils good luck in their upcoming football tournament on Friday night.

Chairman Chappell mentioned that the County is extremely proud of our wrestlers from this past weekend. All of them represented Transylvania County exceptionally well. Additionally, this Thursday the Mountain Area Workforce Development Board will hold their annual participant recognition, and Transylvania County will recognize Oskar Blues as its Employer of the Year. Chairman Chappell made this nomination due to the company's outstanding efforts during our disaster response. They provided water to our citizens when other resources were delayed. Chairman Chappell thanked everyone for attending the meeting and wished them Merry Christmas. Lastly, he highlighted how fortunate the County is to have such amazing staff who work diligently for our citizens. He was saddened to hear about mismanagement or errors in other counties but assured the citizens that they do not have to worry about that in Transylvania County.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner McCall moved to adjourn the meeting at 6:12 p.m., seconded by Commissioner Dalton and unanimously approved.**

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board