

**MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
JANUARY 13, 2025 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, January 13, 2025, 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 Julie Hooten participated remotely via Zoom meeting software.

Media: Laura Denon – *The Transylvania Times*

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 4:02 p.m.

WELCOME

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

PUBLIC COMMENT

There were no comments from the public.

AGENDA MODIFICATIONS

Chairman Chappell requested that County Commissioner Appointments be tabled until the January 27, 2025, Board of Commissioners meeting. There were no objections, and there were no other agenda modifications.

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

CONSENT AGENDA

Chairman Chappell provided a brief overview of the Consent Agenda items.

Before the motion for approval, Commissioner McCall sought confirmation that the Board of Commissioners would not be obligated to fund positions or programs associated with the grants once the grant periods end. The Manager assured the Board that there would be no ongoing financial commitment after the grant cycles concluded.

Commissioner Chapman suggested that staff provide reports on how training sessions they attend contribute to their professional development.

Commissioner McCall moved to approve the Consent Agenda, seconded by Commissioner Dalton and unanimously approved.

The Board approved the following items:

APPROVAL OF MINUTES

The Board of Commissioners met in a regular meeting on December 9, 2024. The Board approved the minutes as submitted.

REFUND OF PAYMENT OF OCCUPANCY TAXES IN THE WRONG COUNTY

Tax Administration staff verified a claim by a taxpayer that they mistakenly paid occupancy taxes to Transylvania County in FY 2022, 2023, and 2024 for a property that is physically located just across the county line in Jackson County. As this information covers the income and receipts of a taxpayer, N.C.G.S § 153A-148.1 restricts the release of this information to any individuals except those engaged during county business. To discuss the nature of this request, the Board must enter a closed session. Staff recommended the Board of Commissioners authorize a refund of \$1,402.11 of occupancy taxes paid to Transylvania County in error. The Board approved the refund as requested.

REQUEST TO APPLY FOR STRATEGIC PREVENTION FRAMEWORK-PARTNERSHIPS FOR SUCCESS GRANT

The CARE Coalition requested approval to apply for the Strategic Prevention Framework-Partnerships for Success (SPF-PFS) grant, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). This grant program aligns with Transylvania County's strategic opioid response plan and the CARE Coalition's commitment to leveraging external funding to implement necessary substance misuse services along the continuum of care. The grant would allow CARE and its partners to develop and deliver more robust evidence-based prevention and early intervention services. The grant program funds up to \$375,000 per year for up to five years. There is no budgetary impact on the County, as the grant does not require any matching funds. Staff for this program are already in place and have the necessary training and skills to implement the program. The application is due February 21, 2025. If awarded, the program would start September 30, 2025. The Board approved the CARE Coalition's request to apply for SAMHSA's SPF-PFS grant to leverage outside federal grant money to fulfill community needs and to support a robust response to the substance misuse crisis by providing evidence-based prevention services.

REQUEST TO APPLY FOR STRATEGIC INITIATIVES GRANT THROUGH NC PUBLIC HEALTH ALLIANCE

Region 1 Public Health Directors have worked closely with Western Carolina University Environmental Health Programs to develop opportunities for paid summer internships as part of its workforce development endeavors. The 400-hour internships are part of the curriculum requirements for a Bachelor of Science degree in Environmental Health Sciences. The degree aligns with the requirements of eligibility to pursue the Registered Environmental Health Specialist credential. The grant would fund six new Environmental Health internship placements in local health departments in Region 1 for the summer 2025 semester (approximately 10 weeks). Two students will be based in Transylvania and Haywood Counties. The total grant request is \$45,000 (\$6,500 per intern plus \$6,000 for workforce development project coordination time). There is no fiscal impact on County funding, as no matching funds are required. The Board approved the submission of the Strategic Initiatives Grant to the NC Public Health Alliance for paid Environmental Health internships through Western Carolina University.

REQUEST TO APPLY FOR HRSA RURAL HEALTH CARE SERVICES OUTREACH PROGRAM

In 2021, Transylvania County Public Health (TCPH) became the fiscal agent for the \$1 million American Rescue Plan Act (ARPA) COVID-19 PH Regional Workforce Agreement Addendum from the NC

Department of Public Health which provided funding to the Region 1 Health Departments to establish, expand, train, and sustain the public health workforce. To sustain and expand this critical work, TCPH was awarded a \$100,000 HRSA Rural Health Network Planning grant to undergo a regional strategic planning process to identify opportunities to build upon the public health workforce development infrastructure currently in place. The funding for this planning grant will end June 30, 2025. As a result of the strategic planning process, the Region 1 Health Departments are working to identify regional implementation strategies while improving population health throughout the region. This grant would support four years of implementation efforts necessary to strengthen rural community health interventions, enhance care coordination, improve population health, and address underlying factors driving growing rural health disparities. The HRSA grants up to \$250,000 for four years for a total award of \$1 million for the duration. There is no impact on County finances, as no grant match is required. The Board approved the request to apply to HRSA's Rural Health Care Services Outreach Program.

OUT-OF-STATE TRAVEL REQUEST TO ATTEND HRSA GRANTEE CONFERENCE

The Region 1 Public Health Workforce Development Director requested approval to attend the HRSA Grantee Conference "Thriving Together: Networking for Better Health" on February 5-6, 2025, in Atlanta, GA. The HRSA Grant requires each grantee to send at least one person from each network. All travel expenses have been approved in the grant program's action plan and budget. There is no impact on County funds. The Board approved the out-of-state travel request.

OUT-OF-STATE TRAVEL REQUEST TO ATTEND ANIMAL SERVICES CONFERENCE

CarolinasUnite Conference is a collaboration between the NC Animal Federation and the SC Animal Care & Control Association aiming to bring together animal welfare professionals from both states for education and networking. Staff requested permission for the Board to allow two staff members from Animal Services to attend the joint conference of Animal Services professionals from North Carolina and South Carolina in Myrtle Beach, SC from February 25-27, 2025. Staff budgeted funds within its travel and training line item to cover the expenses. The Board approved the out-of-state request.

APPOINTMENT OF REVIEW OFFICERS FOR THE CITY OF BREVARD

N.C.G.S. § 47-30.2 requires that the Board of County Commissioners designate, by name, one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify that maps or plats presented to the Register of Deeds comply with all statutory requirements needed for recording. The City of Brevard Planning Department has recently hired a new Planner and had one employee retire. The updated resolution accurately reflects the active Review Officers for the City of Brevard. The Board approved Resolution #01-2025 Appointment of Review Officers for the City of Brevard and instructed the Clerk to the Board to record the resolution with the Register of Deeds Office as required per statute.

RESOLUTION #01-2025 APPOINTMENT OF REVIEW OFFICERS FOR THE CITY OF BREVARD

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

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

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

regulations; and

WHEREAS, the City of Brevard has demonstrated a commitment to streamlining the review procedures for proposed developments; and

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

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

Section 1. The addition of the following persons is recommended to be appointed by the Transylvania County Board of Commissioners to serve as a Review Officer for all lands within the municipal and extraterritorial jurisdiction of the City of Brevard in order to certify each map and plat presented to the Transylvania County Register of Deeds for recording satisfies the statutory requirements for recording.

<u>NAME</u>	<u>POSITION/TITLE</u>
Paul Ray	Planning Director
Aaron Bland	Assistant Planning Director
Katherine Buzby	Planner/Assistant Zoning Administrator
Emily Brewer	Senior Planner
Stephanie Holland	Planner

Section 2. The removal of the following person as Review Officer for the City of Brevard is recommended.

<u>NAME</u>	<u>POSITION/TITLE</u>
Janice Pinson	Administrative Services Manager

Adopted and approved this the 13th day of January 2025.

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

REVISED PROJECT MANAGER QUALIFICATION EXPERIENCE

In 2019, Transylvania County conducted a compensation and classification study, which was updated in 2023 to revise salary grades and minimum qualifications to address recruitment challenges and maintain market competitiveness. On December 9, 2024, the Manager proposed adding a project manager position and provided the job description for the Board's review. However, Human Resources later identified that the job description did not reflect the updated minimum qualifications established in the 2023 study. The revised qualifications should have required an associate's degree and five years of experience, rather than 10 years of experience. While the correction could be made administratively, Administration and Human Resources deemed it important to formally inform the Board since the December 9 agenda item contained inaccurate information. The Board acknowledged the revision to the project manager's job description.

PRESENTATIONS/RECOGNITIONS

RECOGNITION OF CITIZEN ADVISORY COUNCIL MEMBERS

The Board of Commissioners recognized and expressed gratitude to citizens who have dedicated their time and expertise to serve on Transylvania County's citizen advisory councils. The following individuals were acknowledged for their service during the period of July 1, 2024, to December 31, 2024:

- John Shoemaker – Transylvania Economic Alliance Board of Directors (to be recognized at the January 27 meeting).
- Isaac Allen – Transylvania County Tourism Development Authority. Chairman Chappell personally presented Mr. Allen with a certificate of appreciation and an insulated mug featuring the County logo.

Chairman Chappell encouraged more residents to participate in County government by volunteering for citizen advisory councils.

EMERGENCY RESPONSE TO HURRICANE/TROPICAL STORM HELENE

The Manager provided an update on the County's emergency response to Hurricane/Tropical Storm Helene, noting that additional updates will be provided, as necessary. Key points included:

- FEMA has extended the deadline for Helene survivors to apply for assistance to February 6, 2025.
- NC Emergency Management (NCEM) received a 24-month FEMA grant to fund a case manager for post-storm housing and recovery needs. A case manager is stationed at the Transylvania Disaster Recovery Center (DRC) until the center's closure at the end of January. Discussions are ongoing about the position's future.
- The TSA hotel voucher program, which offered emergency housing without strict eligibility screening, has ended. Of 32 households in TSA, only one qualified for ongoing FEMA housing assistance. FEMA is offering referrals to other services for the remaining households.
- Five households in Transylvania County are progressing through FEMA's housing assistance process. Efforts include finding rental units, exploring placement options, and evaluating commercial site viability.
- FEMA has processed 4,690 valid registrations in Transylvania County and is reviewing applications to match services with needs.
- Three County sites were proposed for congregate housing. Davidson River Campground was disqualified due to its floodplain location, and the remaining sites lack infrastructure. FEMA continues to explore local mobile home parks and RV campgrounds for placement options.
- FEMA is reviewing a list of mobile home parks provided by the Tax Administration. One FEMA unit has been placed, and another is in progress. FEMA excludes floodplain sites and seeks rental spaces in mobile home parks, RV parks, or existing units.
- The US Army Corps of Engineers (USACE) approved debris removal on public rights-of-way and the river. Private right-of-way removal requires a right-of-entry form. Staff are addressing complications with NCDOT and providing public updates.
- On January 2, 2025, Governor Josh Stein issued five executive orders to aid Western North Carolina recovery efforts:
 - Temporarily waive procurement regulations to increase the supply of temporary housing and accelerate private road and bridge repairs.
 - Establish GROW NC, a dedicated recovery office within the Governor's office, and create a Division of Community Revitalization within the Department of Commerce.
 - Form the Governor's Advisory Committee on WNC Recovery to support community needs.

- Provide State employees with an additional 16 hours of community service leave for storm-related volunteer efforts.

The Manager concluded her presentation and invited comments and questions from the Board.

Commissioner McCall noted that the data does not indicate how many temporary shelters have been established in Transylvania County.

The Manager clarified that FEMA offers several temporary shelter programs, with about 49 households in the County approved for housing assistance. Many have declined FEMA's aid, choosing to remain in their homes or use other resources. FEMA's housing programs include rental assistance with direct payments to property management companies or reimbursements to survivors who secure rentals. FEMA may also place units on private property, provided the site passes inspections, including floodplain review. Units can also be located at commercial sites, such as mobile homes parks, or RV sites, following rigorous approval processes. Currently, five households in the County remain in the assistance process. Two are awaiting unit placement. One site has passed inspection and is pending final steps, while another is awaiting site inspection. FEMA is coordinating with property management companies to secure rental housing for two families. One household is set to receive a unit placed at a commercial site. The Manager highlighted delays in FEMA's unit placement process. For example, the first approved unit took five to six weeks to complete due to requirements such as fire suppression systems, which exceed standard residential requirements.

Commissioner McCall commended the County Manager for her persistent efforts to push FEMA and NC Emergency Management to act swiftly. She emphasized that the County's progress is largely due to the Manager's leadership, along with the support of churches, volunteers, and nonprofits. Commissioner McCall criticized FEMA's slow response and for waiting for others to address the needs of citizens in Western North Carolina.

NEW BUSINESS

HURRICANE HELENE RECOVERY FINANCIAL PLANNING

The Manager presented an update on the financial impacts of Hurricane Helene, focusing on damage to County property, community recovery needs, and uncertain revenue trends. October 2024 sales tax receipts were down \$200,000 year-over-year, while preliminary projections for November show a \$20,000 decrease. Staff are monitoring long-term revenue patterns to determine if this trend will continue. Property tax payment trends are under evaluation following the recent deadline, with staff monitoring for potential increases in delinquency. The Transylvania County Tourism Development Authority (TCTDA) reported a decline in occupancy tax revenues. Conversely, revenue from real estate transfers via the Register of Deeds has remained steady.

The Manager recommended retaining \$5 million in the general fund (Fund 10) rather than transferring it to capital funds. This approach ensures the Board has the flexibility to address emerging needs without locking the funds into restricted accounts. Transfers for restricted purposes, such as the Solid Waste Fund, Self-Insurance Fund, and Charitable Fund will proceed as planned.

The Manager confirmed that all capital accounts, including the Education Capital Fund and courthouse fund, have sufficient balances to meet current obligations. She emphasized that retaining the funds in the general fund provides the Board greater flexibility amid ongoing uncertainties, such as FEMA reimbursement timelines and future revenue projections.

Chairman Chappell asked for questions or comments about the FY 2024 year-end closeout proposal and the Manager's recommendations.

Commissioner Chapman inquired about potential reimbursements for storm-related damage, such as the bailers at Solid Waste. The Manager responded that all possible claims have been filed with insurance. However, many Parks and Recreation facilities are located in floodplains, where deductibles are higher. Much of the floodplain damage failed to meet the deductible threshold. The County's next step involves filing for FEMA public assistance to cover costs that insurance did not reimburse. The Manager added that FEMA may reimburse some revenue losses, such as waived permit fees, though guidance remains inconsistent. Staff continue to advocate for all eligible reimbursements to offset recovery costs.

Commissioner McCall sought confirmation that retaining the \$5 million in the general fund balance would not jeopardize ongoing or planned projects. The Manager confirmed that all projects, including the courthouse architect's contract and school projects, remain fully funded. She emphasized that the County's strong financial planning since FY 2016 has built resilience to address unexpected challenges like COVID-19 and Hurricane Helene. The retained funds ensure flexibility to adjust as more information becomes available, particularly regarding timing for major initiatives like the courthouse.

Chairman Chappell expressed gratitude to the Manager for the recommendation, noting it preserves the Board's ability to allocate funds strategically while maintaining commitments. He fully supported the approach, highlighting its balance between financial resilience and the County's ongoing priorities.

Commissioner McCall clarified that the proposal simply delays transferring funds into specific capital fund balances until more information becomes available about the County's financial situation, including potential FEMA reimbursements. The Manager confirmed this, explaining that the County's capital planning over the past eight years was designed to adapt as priorities evolved. The Manager emphasized that the goal has been to maintain a stable tax rate while strategically directing capital funding to achieve the larger long-term plan. She noted some public misunderstanding regarding the tax rate, pointing out that it is set annually to address the County's needs for that year, with no dedicated taxes except those for fire districts.

Commissioner McKelvey noted that a significant portion of the \$5 million—approximately \$3.3 million—was originally allocated for education capital and inquired why the funds were not spent. He asked if the money had been approved but not used by the Board of Education. The Manager clarified that the unspent funds were unrelated to the Board of Education's actions. She explained that when the County initiated the bond process, the intention was to begin bond payments in FY 2021. To prepare, the tax rate was adjusted in FY 2020, allowing the County to allocate funds to the education capital fund in anticipation of those payments. Since payments were not yet required, the allocated funds were set aside in the education capital fund as a placeholder. Over the past four years, the County has continued budgeting for payments, resulting in a substantial fund balance beyond the five-year education capital plan. The Manager emphasized that this is a favorable position, as it provides a buffer for unforeseen issues in education capital or other capital areas. With a concrete plan now in place, the focus has shifted to ensuring flexibility in other capital categories rather than overfunding one specific area. This approach allows the County to address broader capital needs more effectively.

Commissioner McKelvey referenced the \$200,000 decrease in sales tax revenue and asked what percentage that represented. He also inquired about the typical quarterly sales tax revenue for comparison. The Manager explained that the decline was approximately 20%, which is significant for a single month. She offered to provide more precise figures to confirm whether the 20% estimate was accurate.

The Manager elaborated on the challenges of budgeting under such circumstances, noting that when staff begin the budget process this month, they will be projecting revenue for the next 18 months. The difficulty lies in accounting for unpredictable events—like the economic impact of COVID-19, when the County experienced a sharp revenue decline in one month, only to see recovery driven by increased home deliveries and online sales. Similarly, external economic forces, such as the recent storm, can result in significant

revenue losses for a short period. The Manager also expressed concern about the broader regional economy. While Transylvania County has progressed quickly in its recovery, the region as a whole is still struggling. Economic interconnections across county lines mean that lingering challenges elsewhere could continue to impact the County's revenue.

Commissioner Chapman observed that the sales tax decline seemed to align closely with the drop in occupancy tax. The Manager noted that while there is often a correlation between these figures—since a portion of sales tax comes from visitors—this situation is an anomaly, with the occupancy tax showing a steeper decline. She explained that the next six months will be critical in identifying trends across all revenue streams. The Manager noted that activity at the landfill is an additional economic indicator. Typically, people delay disposal when they are uncertain about the economy. However, the storm caused a temporary spike in landfill usage. The impacts on the landfill from ongoing residential and commercial development remain unknown as well. Looking ahead to next year's budget, it remains unclear whether the County will see growth in sales or property taxes, and more data is needed to inform the 18-month projection. The Manager also emphasized the importance of maintaining healthy fund balances, which serve as a financial safeguard for unforeseen issues. Fund 10's balance plays a key role in demonstrating fiscal health during debt issuance and remains a priority in financial planning.

Chairman Chappell acknowledged the challenges of making accurate revenue projections, even in a typical year. He emphasized that recent months have been anything but normal, and the impacts from the storm will persist for years. He supported the Manager's recommendations, stating they are critical for maintaining flexibility and avoiding budgetary surprises, enabling effective long-term planning. He clarified that the proposed approach does not alter any of the Board's established priorities. Consolidating funds into a single fund balance ensures that resources remain accessible and adaptable to address potential fluctuations in sales tax, property tax, landfill activity, and other revenue streams. He concluded that this decision reflects a prudent and proactive approach to navigating the County's financial uncertainties.

Commissioner Dalton inquired about the status of the new landfill cell's opening and whether it remains on track. The Manager confirmed progress but noted that the window of overlap between the existing cell and the new one has narrowed due to an influx of storm-related debris. This increase in debris has impacted the landfill's capacity, underscoring the importance of the U.S. Army Corps of Engineers managing storm debris removal. By removing the debris from the area, the Corps' involvement would mitigate additional strain on the landfill. The Manager explained that the County went out to bid for the new cell construction during the storm but received only one bid, which was 40% over budget. Staff are analyzing the reasons behind this cost overrun and plan to rebid the project in the spring, aiming to align with the budget. This adjustment has affected the project timeline, though the County still anticipates several months of overlap between the existing and new cells. Planning for the future of solid waste beyond 2030 remains a priority. The new cell, once operational, is expected to provide capacity through that year. However, the County will need to determine long-term strategies for solid waste management, which will require significant investment. This topic will be part of ongoing capital planning and budget discussions. Commissioner Dalton recalled that the projected overlap between the cells is less than six months, which the Manager confirmed as accurate.

Commissioner Chapman emphasized the importance of addressing issues with solid waste as part of the upcoming budget discussions. He highlighted the challenges at the County's collection centers, which have been overwhelmed by high traffic, particularly after the storm. Lines of cars waiting to access the facilities have become a significant problem, and storm damage has exacerbated the situation. Commissioner Chapman stressed the need to think creatively and explore innovative solutions to improve solid waste management, noting that it remains a financial strain for the County. The Manager acknowledged these concerns and highlighted that damage from the storm has impacted operational efficiency. Another challenge observed post-storm was increased usage of County facilities by individuals from outside Transylvania County. Although the County's ordinance stipulates that waste accepted at the facilities must originate within the

County, enforcement has historically been lax. Following the storm, the County stepped up enforcement efforts to address the spike in out-of-county usage. The Manager also highlighted the financial implications of non-resident use. Solid waste operations are partially subsidized by property taxes in addition to user fees. Residents who pay both fees and property taxes are effectively covering the full cost of the service. In contrast, out-of-county users only contribute through fees, creating an imbalance in cost-sharing.

Commissioner Dalton referenced Henderson County's experience with their transfer station, noting that the cost of operating the station was nearly equal to what their contractor was charging, putting them at risk of financial losses. He inquired about how this situation developed. The Manager explained that Henderson County opted to contract directly with a debris removal contractor following the storm. This decision likely reduced the strain on their transfer station but came with significant financial commitments. Other counties, including Buncombe, also considered contracting for debris removal but chose to partner with the Army Corps of Engineers, as Transylvania County did. Transylvania County waived storm-related debris fees, which falls into a gray area regarding FEMA reimbursement eligibility. While the County will file for reimbursement and argue for coverage, there is no guarantee of approval. Debris removal contracts that meet FEMA's documentation requirements are more likely to be reimbursed. Henderson County weighed the immediate impact on their transfer station against the potential for FEMA reimbursement.

Commissioner McCall acknowledged that while storm-related fees were waived, the County still bore the associated costs. The Manager confirmed this, emphasizing that waiving fees shifts the financial burden to other parts of the budget since the County must continue providing services despite the lost revenue. Even though the State mandated the waiver of building permit fees after the storm, local governments may not receive reimbursement from FEMA for those waivers. Fees are typically set to recover service costs, so any waiver represents a budgetary impact.

Commissioner McCall highlighted the need to reevaluate the County's solid waste operations during the upcoming capital workshop. She emphasized that maintaining the status quo would lead to the same outcomes and urged consideration of all potential options for improvement. The Manager noted that the County is in the process of selecting a contractor to analyze these options and provide projections to aid in long-term planning.

Commissioner Dalton moved to approve the financial planning recommendation for Hurricane Helene recovery, seconded by Commissioner McCall and unanimously approved.

PROPOSAL TO NAME A WATERFALL 'SHADY FALLS'

The County received a request from the US Board on Geographic Names (BGN) for input regarding a proposal to name a waterfall on private property in Transylvania County "Shady Falls." The waterfall is located alongside Shady Lane and is described as 25 feet wide and 10 feet tall. The proposed name reflects the feature's scenic location and its proximity to the road.

The BGN follows a thorough process for evaluating naming proposals, which includes consulting local, state, federal, and tribal stakeholders. While the County is not obligated to respond, the Board was invited to provide input as part of the process.

Commissioner McCall raised several concerns. If the waterfall is officially named, it could appear on geological lists and maps, potentially attracting visitors to the private property. She questioned the consequences if people attempted to access the waterfall without the owner's permission. The Manager clarified that trespassing laws would still apply.

Commissioner McCall expressed hesitation about naming features on private property, worrying that it could set a precedent for similar requests, such as naming creeks or trees.

Commissioner Chapman questioned how many waterfalls in the County are officially named and whether a standard exists to determine what qualifies as a waterfall.

Chairman Chappell stated that while the Board had not encountered a similar request before, he did not believe the Board should weigh in on naming features located on private property.

Commissioner McKelvey cited liability concerns and agreed that the Board should refrain from offering input on this matter.

The Board of Commissioners reached a consensus not to provide input or comments regarding the proposed name. It was agreed that the decision should rest entirely with the US Board on Geographic Names.

MANAGER'S REPORT

The Manager provided updates on several key initiatives and projects:

- Repairs to County Administration facilities caused by Hurricane Helene are ongoing. Access to the Chambers via the courtyard may be restricted at times. A leak discovered as the snow melted has delayed the completion of the indoor restoration work.
- The Disaster Recovery Center, located in the Community Services Building, remains operational Monday through Friday from 8:00 AM to 6:00 PM and Saturdays from 8:00 AM to 5:00 PM. The center will remain open through the end of January.
- The Land of Sky Regional Council's application to the NC IMPACT "Our State, Our Homes" Program was selected as one of 13 programs statewide for this initiative, which focuses on housing strategies and community collaboration. Transylvania County will be an active participant, sharing updates and strategies with the Housing Coalition.
- Transylvania County Schools' new finance director, Michelle Mullinax, and Superintendent Fletcher reviewed the education capital fund history alongside the County Manager, Finance Director, and Budget and Management Analyst. The review aimed to address allegations of underfunding by former school staff. The meeting marked a positive step toward improved collaboration between the two entities.

Chairman Chappell emphasized the importance of regional and statewide approaches to addressing housing challenges. He noted that the County is sometimes criticized for perceived inaction on housing but stressed that meaningful progress requires collaboration and advocacy beyond the local level.

PUBLIC COMMENT

There were no public comments.

COMMISSIONERS' COMMENTS

Commissioner Chapman shared that he plans to travel to Waynesville on Thursday with Solid Waste Director Kenn Webb to attend a biochar presentation focused on biomass. He will provide an update to the Board following the presentation.

Chairman Chappell expressed his condolences on the passing of Mark Baker, a long-time County employee. He described Mr. Baker as one of the kindest individuals he had ever met, noting his servant's heart and consistent character. Chairman Chappell offered his thoughts and prayers to Mr. Baker's family, urging everyone to keep them in their hearts during this difficult time.

Chairman Chappell moved to enter into a closed session per N.C.G.S. 143-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, following a 5-minute recess, seconded by Commissioner Dalton and unanimously carried.

CLOSED SESSION

Per N.C.G.S. 143-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, a closed session was entered into at 5:14 p.m. Present were Chairman Chappell, Commissioners Chapman, Dalton, McCall, and McKelvey, County Manager Jaime Laughter, Assistant County Manager David McNeill, Information Technology Director Nathanael Carver for IT support, and Clerk to the Board Trisha Hogan. County Attorney Julie Hooten participated remotely via Zoom meeting software.

The Board instructed staff on the negotiating terms of the potential acquisition of real property.

Chairman Chappell moved to leave the closed session, seconded by Commissioner McKelvey and unanimously approved.

OPEN SESSION

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

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Chapman moved to adjourn the meeting at 6:05 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