

**MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
October 25, 2010 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, October 25, 2010 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

Commissioners present were Lynn Bullock, Chairman Jason Chappell, Mike Hawkins, Daryle Hogsed and Vice-Chairman Kelvin Phillips. Also present were County Manager Artie Wilson, County Attorney Curtis Potter, and Clerk to the Board Trisha Hogan.

Media: *Hendersonville Times News* – Leigh Kelley
Transylvania Times – Mark Todd
WSQL Radio – Wandu Lu Paxton

There were approximately 35 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding called the meeting to order at 7:04 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting and thanked the members of the audience for participating in their County government.

PUBLIC COMMENT

Nilsa Lobdell: Ms. Lobdell urged the Board to move forward with building a new animal shelter.

Gary Hunsicker: Mr. Hunsicker asked the Board for support in fighting against the reclassification of Boylston Creek. He plans to attend the Public Meeting on this matter in the Courthouse on Tuesday evening.

AGENDA MODIFICATIONS

There were no Agenda modifications.

Commissioner Hogsed moved to approve the Agenda as submitted, seconded by Commissioner Bullock and unanimously approved.

CONSENT AGENDA

Commissioner Phillips moved to approve the Consent Agenda, seconded by Commissioner Hawkins and unanimously approved.

The following items were approved:

MINUTES

The Minutes of the October 11, 2010 regular meeting were approved.

FACILITIES USE REQUESTS

The use of the Courthouse gazebo by the Veterans Day Committee for the Veterans Day Ceremony on November 11, 2010 from 10:00 a.m. to 12 noon was approved.

The use of the front steps of the Courthouse by the Salvation Army for the Red Kettle Kickoff on November 19, 2010 from 12 noon to 1:00 p.m. was approved.

DISCOVERY AND RELEASE REPORT

The Discovery and Release Report for September 2010 was approved.

PRESENTATIONS/RECOGNITIONSPROCLAMATION 41-10 VETERANS DAY 2010

In 2009, the Board of Commissioners established a Veterans Day Committee that is responsible for developing a program to honor the community's veterans on Veterans Day. For several years, Commissioners have approved a proclamation honoring Veterans Day. The proclamation will be read during the ceremony on November 11.

Commissioner Bullock moved to approve Proclamation 41-10 Veterans Day 2010, seconded by Commissioner Phillips and unanimously approved.

(Proclamation 41-10 Veterans Day 2010 is hereby incorporated by reference and made a part of these minutes.)

PROCLAMATION 42-10 THE SALVATION ARMY RED KETTLE DAY IN TRANSYLVANIA COUNTY

The Transylvania County Salvation Army will hold its Red Kettle Kickoff on November 19 on the Courthouse steps from 12 noon to 1:00 p.m. Ellen Whitesel has requested the Board proclaim this day Red Kettle Day as the Salvation Army begins its mission to collect donations to aid needy families, seniors, and the homeless in Transylvania County.

Commissioner Hogsed moved to approve Proclamation 42-10 The Salvation Army Red Kettle Day in Transylvania County, seconded by Commissioner Hawkins and unanimously approved.

(Proclamation 42-10 The Salvation Army Red Kettle Day in Transylvania County is hereby incorporated by reference and made a part of these minutes.)

RECOGNITION OF REGISTER OF DEEDS AND DEPUTY REGISTERS OF DEEDS

Commissioners recognized Register of Deeds Cindy Ownbey for recently being elected as the District 1 Chairperson by her colleagues at the 2010 Annual Fall Conference of the NC Association of Registers of Deeds (NCARD). Commissioners also recognized Deputy Registers of Deeds Teresa Morton and Karin Smith for recently receiving certification through NCARD as Certified Deputy Registers of Deeds. Commissioners thanked them for their recent achievements and for their hard work and dedication to the County.

PRESENTATION BY COOPERATIVE EXTENSION

The NC Cooperative Extension Center operates under a memorandum of understanding with Transylvania County and has been providing educational and technical assistance to citizens in Transylvania County since 1917. The department has faced challenges over the past couple of years, most notably with vacant positions, which has reduced their capacity to provide services. In spite of those challenges, in 2009 the Transylvania County Cooperative Extension program provided significant positive contributions to County citizens, to County and City government, and to the local economy.

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Positive Extension impacts can be seen in many of their signature programs, such as 4-H Youth Development, Master Gardener volunteers, agriculture programs, local food programs, the Farmland Preservation Program, and natural resources management programs, etc. Other impacts come from the value the Extension provides to other local governments and regional programs.

Eric Caldwell, County Extension Director, highlighted some of the department's accomplishments over the last year as follows:

- Recorded over 5,000 face-to-face contacts with local citizens and 4,000 non-face-to-face contacts; approximately 148,000 hits to the website
- Every \$1 invested by Transylvania County into the Cooperative Extension Center generated a return of over \$2
- 187 volunteers donated approximately 2,500 hours of service, which calculates to approximately \$50,000 in value
- 4-H Youth Development program focused on equipping Transylvania County youth with positive life skills and workforce preparedness through participation in various programs and activities; six youth participated and won awards at State 4-H Congress in Raleigh
- Introduced best management practices to agriculture producers; assisted three producers in writing grants
- Submitted Farmland Protection Plan to the Board of Commissioners; approved by the Board of Commissioners
- Trained Master Gardeners volunteers who provided workshops, wrote news articles, and held demonstration projects
- Trained approximately 100 local contractors in sediment and erosion control practices; provided continuing education training for County Inspections staff
- The Expanded Foods and Nutrition Education Program (EFNEP) finished its second year with its partnership with the County Health Department (program teaches at-risk children how to lead healthy lifestyles); received Smart Start grant to administer program with daycare providers
- 125 citizens received additional consultations from four certified SHIIP (Medicare) volunteer counselors

APPOINTMENTS

EX-OFFICIO REPRESENTATIVE TO THE BREVARD/TRANSYLVANIA CHAMBER OF COMMERCE BOARD OF DIRECTORS

Commissioner Phillips moved to reappoint Mark Burrows to serve as the Commissioners' designee to the Brevard/Transylvania Chamber of Commerce, seconded by Commissioner Hogsed and unanimously approved.

OLD BUSINESS

ANIMAL SHELTER BID ALTERNATIVES

At the October 11, 2010 meeting, the Board of Commissioners selected the Calvert site as the location for the new animal shelter. At that time, staff was instructed to review the plans for potential cost reductions with the goal of staying within the amount reserved for the project. Staff worked with Daggett & Grigg Architects and others involved with animal care and rescue seeking their inputs on the design of the facility. Project Manager Larry Reece reviewed the suggested alternatives for reducing the cost of the facility. If approved, it is the recommendation of staff to instruct the architect to revise the plans and then go out for bids on the project.

Suggested Alternatives for the New Transylvania County Animal Shelter:

1. Change individual drains in the runs to trench drains located outside of the runs
2. Base roofing bid as shingles
3. Change insulated concrete form walls to studded walls with insulation
4. Change all interior walls to be wet-to-CMU with epoxy paint; install water resistant acoustic panels as necessary
5. All administrative areas to be studded, insulated walls with sheetrock
6. All administrative areas to be floored with VCT; other areas epoxy sealed
7. In kennels, delete insulated fiberglass lighting panel system
8. Delete walk-in freezer
9. Delete dumpster pad/enclosure and gate
10. Delete curved metal panel ceiling in lobby; either sheetrock or suspended ceiling
11. Delete automatic watering system
12. Change all lighting fixtures to standard energy efficient fixtures
13. Change any specialty items to standard items
14. Delete paving in animal drop off area
15. Delete acoustic insulation material on outside ceiling runs
16. Alternatives (Items a-g may be added back to the project if deemed affordable.)
 - a. Pave animal drop off area
 - b. In garage, substitute chain link fence & gates for sides to garage; concrete floor and foundation to remain as shown
 - c. Delete garage area all together
 - d. Delete clerestory and associated lighting
 - e. Automatic water flush system
 - f. Standard metal roof as alternative
 - g. Individual drains in lieu of trench drains

After some discussion and clarification, **Commissioner Hogsed moved to approve the suggested changes and authorize staff to proceed with getting plans and specifications completed and go out for bids on the project, seconded by Commissioner Hawkins and unanimously approved.**

NEW BUSINESS

REVISED DRUG AND ALCOHOL TESTING POLICY

Transylvania County receives federal funding for the operation of its transportation systems. In order to continue receiving funding, the current policies should be compliant with the Federal Transit Administration. Staff has revised the County's Drug and Alcohol Testing Policy to make it compliant with the federal policy. There are no additional costs to the County.

Commissioner Bullock moved to approve the revised Drug and Alcohol Testing Policy for Transylvania County Transportation, seconded by Commissioner Phillips and unanimously approved.

CRIMINAL HISTORY BACKGROUND INVESTIGATIONS AS PART OF EMPLOYMENT PROCESS

The County currently requires pre-employment drug testing for all applicants; however criminal background investigations are completed only for selected positions as required by law. The Personnel Board recommended criminal background investigations should be completed on all applicants for regular

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full time positions, part time positions, and volunteers. Staff submitted an ordinance for the Board's consideration which is required by the State Bureau of Investigation in order to use its Criminal Information Network. If adopted, the County's Personnel Policy, Article IV, Section 7 should be amended to include the criminal background investigation. The Sheriff's Office would complete the investigations at no cost to the County. The only potential cost foreseen is if fingerprints are required.

Commissioner Phillips moved to approve the Transylvania County Criminal History Background Check Ordinance and revision to Transylvania County Personnel Policy Article IV, Section 7. The motion was seconded by Commissioner Hawkins and unanimously approved.

REQUEST FOR FINANCIAL SUPPORT FOR WNC REGIONAL LIVESTOCK CENTER

In 2006, local livestock sales markets closed forcing producers to transport livestock to markets in South Carolina and Tennessee. The Haywood County Economic Development Commission secured a grant from the North Carolina Tobacco Trust Fund to conduct a feasibility study that confirmed the need and viability of a new sales market in Western North Carolina. The study showed that producers could make \$45 to \$90 more per head if they could sell their livestock in a local market rather than out of state. There are over 3,000 livestock producers in Western North Carolina producing 80,000 head per year. It is estimated there are 104 small cattle farms in Transylvania County with approximately 2,600 head of cattle.

To date the following counties have financially supported the project: Buncombe County-\$25,000; Haywood County-\$25,000; Henderson County-\$10,000; and Jackson County-\$15,000. In order to solicit additional support, Buncombe County has pledged fifty cents for every dollar appropriated by other governments in the region. A \$5,000 donation by Transylvania County would result in another \$2,500 donation from Buncombe County. The Manager noted that the Cattlemen's Association supports this effort.

According to the Cooperative Extension Agent Eric Caldwell, this market is expected to be self sustaining. The financial commitment from other counties is going to make up the difference not received in grant funding to start this project.

Commissioner Hawkins moved to authorize an appropriation of \$5,000 to the Western North Carolina Livestock Center project with funds to come from Contingency. The motion was seconded by Commissioner Hogsed and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- Reminded everyone of the Public Meetings on Boylston Creek on Tuesday, October 26 from 1:00 p.m. to 4:00 p.m. in Mills River and from 7:00 p.m. to 10:00 p.m. at the Transylvania County Courthouse.

PUBLIC COMMENT

Edwin Jones: Mr. Jones commended the Board for its work on the animal shelter project. He expressed concern about human transfer of disease and contamination and said he hopes this discussion will be had with the architect and local veterinarians.

Larry Chapman: Mr. Chapman recommended that members of Brevard City Council, the Board of Commissioners, and Rosman Board of Aldermen attend each others' meetings. He believes this will increase communication and awareness of issues among the entities. Mr. Chapman also expressed concern about the staffing levels and operating costs of the new animal shelter.

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Jack Hudson: Mr. Hudson inquired about whether the new animal shelter is going to be a “green” facility. The Manager said the building will not be LEED certified; however there will be “green” components built into the facility. He noted the LEED process is very costly.

Nilsa Lobdell: Ms. Lobdell believes the County will save money in the long term by using “green” materials such as solar panels for the new animal shelter. She also expressed concern with outside trenches and wondered what happens if those trenches freeze in the winter months.

COMMISSIONERS’ COMMENTS

Chairman Chappell responded to Mr. Chapman reference staffing levels at the new animal shelter. He said at this time there is no plan to hire additional paid staff. The Board is looking at the possibility of using volunteers and inmate labor.

Chairman Chappell asked Board of Elections Director Judy Mathews to report on One Stop Voting. Ms. Mathews announced that as of this afternoon 3,458 people voted in One Stop Voting. One Stop Voting ends on Saturday at 1:00 p.m. She said the process is going well and she encouraged everyone to vote.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Bullock moved to adjourn the meeting, seconded by Commissioner Phillips and unanimously approved.**

Jason R. Chappell, Chairman
Board of County Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board