

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
November 22, 2010 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, November 22, 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 David Neumann, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Mark Todd
WSQL Radio – Wanda Lu Paxton

There were approximately 75 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding called the meeting to order at 7:05 p.m.

WELCOME

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

PUBLIC HEARING

REVISION TO COMMUNITY DEVELOPMENT BLOCK GRANT 09-E-2041 GAIA HERBS BUILDING REUSE PROJECT

Earlier this year, Transylvania County worked with Gaia Herbs to successfully apply for a Community Development Block Grant (CDBG) in the amount of \$100,000 through the North Carolina Department of Commerce in order to retrofit an existing vacant building located in Brevard. Upon completion of the original project, Gaia Herbs determined it needed to invest an additional \$32,000 in building improvements. They have exceeded their efforts in the up fitting of the building and exceeded their expectations for the number of new employees they expected to hire. Karen Kiehna with the Land of Sky Regional Council contacted the Department of Commerce and the Department has agreed to increase the loan amount by \$16,000 if Gaia Herbs will commit to hiring one additional employee and Transylvania County agrees to modify the loan agreement. Gaia Herbs must also agree to a \$16,000 match. The County Attorney reviewed the loan agreement and indicated that the agreement can be modified. A public hearing is required before any modifications can be made.

Chairman Chappell declared the Public Hearing open at 7:08 p.m. There were no comments from the public. **Chairman Chappell declared the Public Hearing closed at 7:09 p.m.**

HEADWATERS TRACT POTENTIALLY BECOMING STATE OWNED GAME LANDS

Approximately one year ago, the owner of an 8,000 acre Headwaters Tract in the East Fork area of the County began discussions with the State about the potential purchase of the property. Stakeholders recently met to discuss the primary use of the property and the consensus of those attending was that the primary use of the land would be for hunting and fishing and that there would be no promotion of the waterfalls on the property unless a solution could be developed to manage and maintain such features. The County has been asked to send a letter of support to the North Carolina Wildlife Resources

11/22/2010

Commission regarding the primary use of the property; however Commissioners agreed at the previous meeting that it was appropriate to first hold a public hearing and gather public input from surrounding property owners.

Kieran Roe with the Carolina Mountain Land Conservancy (CMLC) made a presentation about the features and intended use of the property and noted the following:

- The Headwaters Tract is part of a large corridor of existing conserved land.
- The tract is the largest remaining privately owned tract in Western North Carolina.
- The property contains significant natural communities, fresh water aquatic habitats, and many wetland communities.
- The East Fork is classified by the North Carolina Division of Water Quality as Class C Trout Waters.
- The protection of such tracts will provide permanent protection of the quality and quantity of water which impacts tens of thousands of the region's water users daily and is expected to grow in importance in the future.
- Uses for the property include hunting and other wildlife recreation which is significant to the economy of rural North Carolina communities.
- Conservation of the tract will have a regional impact, linking parks and trails in both North and South Carolina which are major regional attractions.
- Hiking and recreational enjoyment of the East Fork Headwaters Tract in addition to hunting and fishing opportunities that will become available will provide a boost to local businesses such as restaurants, hotels, outfitters, and other retail shops.
- Conserving unique and undeveloped property can help keep the property tax burden low and because few County services are required, conservation for hunting, fishing, and other recreational access should provide a net gain in County resources.
- Over half the money for the acquisition of the property will come from federal funding. Also, the North Carolina Wildlife Resources Commission is seeking State funding from various trust funds.

Damon Hearne, the Southeastern Land Protection Coordinator for Trout Unlimited, reported that the streams on the property support various species of trout, some of which are native to the region. He also reported that a recent study by the North Carolina Wildlife Resources Commission concluded that the direct impact of mountain trout angling in North Carolina is \$146 million per year and the total impact is approximately \$174 million annually.

Gordon Warburton, the Supervising Wildlife Biologist with the North Carolina Wildlife Resources Commission in the western part of the State, spoke about the Commission's interest in the Headwaters Tract. The Commission is attracted to the site because of the diversity of wildlife species. The Commission is also committed to managing wetlands to ensure the water table remains at a sustainable level. They would like to use this area as a model for multiuse forests with a balance of forestry practices, recreation, wildlife habitat management, as well as hunting and fishing.

Gordon Myers, the Executive Director of the North Carolina Wildlife Resources Commission, thanked the Board for holding the public hearing and offered his office's services as a resource to the County.

Chairman Chappell declared the Public Hearing open at 7:40 p.m.

Edwin Jones: Mr. Jones inquired as to whether the Brevard College Wilderness Leadership program had been consulted about helping with wildlife surveying. Mr. Roe responded that the program had not been contacted but he agreed it would be a great idea.

Tom Thomas: Mr. Thomas works with trail groups to maintain multiuse horse trails in the Great Smoky Mountains National Park, Dupont Forest, and the Pisgah National Forest. He is pleased that the Wildlife Resources Commission supports horse involvement in the wildlife areas. He believes the acquisition of this property will support the economy of Transylvania County and he urged the Board to support the land acquisition.

Elmer Ollikkala: Mr. Ollikkala is the chairman of the Pisgah group of the Sierra Club. He believes the acquisition of this property has widespread public support and he urged the Board to give it full support.

Chris Care: Mr. Care supports the acquisition of the tract and suggested that a user fee be imposed so that hikers, bikers and horseback riders all share in the cost. His hope would be that the money would stay in the County or the region.

David Whitmire: Mr. Whitmire lives in Lake Toxaway and is the owner of Headwaters Outfitters in Rosman. He believes the acquisition of the property would be beneficial to his business and other outfitters in the community. Mr. Whitmire also spoke on behalf of the North Carolina Bow Hunters Association and believes this would give them more land on which to hunt since bow season only lasts a few weeks.

Jay Hensey: Mr. Hensey spoke on behalf of Pisgah Hikers who maintains 23 trails within the Pisgah National Forest. They believe it is critical to maintain this tract of land for public use and to preserve the natural beauty of Transylvania County.

Mary Jo Padgett: Ms. Padgett is from Henderson County and serves on the Board of Carolina Mountain Land Conservancy. She is also the founder and former director of the Environmental and Conservation Organization. She spoke in support of the project from both points of view. Ms. Padgett feels the tract will be a very popular location. She asked the Board to support the acquisition because Transylvania County is known for outdoor recreation opportunities and this acquisition adds to its uniqueness.

Park Baker: Mr. Baker is a member of the two time national champion Brevard College Cycling Team. He believes the acquisition of the tract will draw more people to Transylvania County for recreational purposes.

Chairman Chappell declared the Public Hearing closed at 7:52 p.m.

PUBLIC COMMENTS

There were no comments from the public.

AGENDA MODIFICATIONS

The Manager reported on the Agenda modifications. He requested to add Item IX-D Christmas Luncheon for County Employees under New Business, moving the Manager's Report to Item IX-E. He also requested to Item XIII-A Closed Session per NCGS 143-318.11 (a) (5) To Instruct Staff or Negotiating Agents Concerning the Position To Be Taken on Behalf of the Public Body Reference Real Property-G & A Enterprises, moving the original Item A under Closed Session to Item B.

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

CONSENT AGENDA

Chairman Chappell requested to remove the Facilities Use Request for Silvermont by Aloha, Seven Seas Travel, LLC and Floressence from the Consent Agenda for discussion. There were no objections from the Board.

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

The following items were approved:

MINUTES

The minutes of the November 8, 2010 regular meeting and sealed closed session were approved.

FACILITIES USE REQUESTS

The use of Silvermont by the Department of Social Services for a Christmas Party for foster care children was approved for December 17, 2010 from 6:00 p.m. to 8:30 p.m. The fees were waived.

DISCOVERY AND RELEASE REPORT

The October 2010 Discovery and Release Report was approved.

FACILITIES USE REQUESTS-FOR DISCUSSION

The use of Silvermont by Aloha, Seven Seas Travel, LLC and Floressence for an informational bridal fair on February 26, 2011 from 8:00 a.m. to 6:00 p.m. was approved. The applicant requested a waiver of the fees. **Chairman Chappell moved to grant the request for the use of the facility but deny the request for the waiver of fees. The motion was seconded by Commissioner Phillips and unanimously approved.**

PRESENTATIONS/RECOGNITIONS

RESOLUTION 48-10 IN RECOGNITION OF BRIAN KREIGSMAN

Brian Kreigsmann plans to retire from Transylvania County effective December 1, 2010. He has been employed with the Transylvania County Sheriff's Office since 1981 and has served there in many capacities over his 30 year career. Sheriff David Mahoney and Commissioners thanked Detective Kreigsmann for his many years of service and dedication to the citizens of Transylvania County. Sheriff Mahoney asked Commissioners to award Detective Kreigsmann his service side arm for \$1 in recognition of his service. North Carolina General Statute 20-187.2 allows a Board of County Commissioners to award a retiring officer his service side arm at a price determined by the governing board.

Commissioner Bullock moved to approve Resolution 48-10 In Recognition of Brian Kreigsmann. The motion was seconded by Commissioner Hogsed and unanimously approved.

Detective Kreigsmann thanked the Sheriff and Commissioners for this recognition and reminded them that their employees are the County's best resource.

Commissioner Bullock moved to award Lieutenant Detective Brian Kreigsmann his service sidearm for \$1 in recognition of his 30 years of service to the Transylvania County Sheriff's Office. The motion was seconded by Commissioner Hawkins and unanimously approved.

(Resolution 48-10 In Recognition of Brian Kreigsmann is hereby incorporated by reference and made a part of these minutes.)

ANNUAL FINANCIAL AUDIT FOR FISCAL YEAR ENDING JUNE 30, 2010

The accounting firm Martin*Starnes prepared the FY 2010 financial audit for Transylvania County. Erica Brown presented the audit to Commissioners and highlighted the following:

- General Fund Revenues were down approximately 3% compared to FY 2009
- General Fund Expenditures were down approximately 4% compared to FY 2009
- The Fund Balance increased by approximately \$400,000 mainly due to reduction in costs
- Required Reservations are mandated by the State and federal governments
- Designated Funds are monies designated by the Board for specific purposes: amounts for future year expenditures, appropriated Fund Balance for FY 2011 expenditures, Self Insurance Fund, Retiree Medical, and compensated absences
- Unreserved Fund Balance (Fund Balance less Required Reservations and divided by total expenditures) is 39% of total expenditures; Local Government Commission minimum requirement is 8% which represents one month of expenditures
- Fund Balance less Required Reservations and Designated Funds brings the percentage to 25.9%; the decrease from the prior year represents the draw down for the Public Safety Facility
- Top three revenues in the General Fund are ad valorem taxes, local option sales taxes, and restricted intergovernmental revenues
- Property Tax revenues increased 5.8% from the prior year mainly due to the County's collection percentage of 99.69%
- Sales tax revenues decreased approximately 22%; half of which is due to the economy; a large portion is due to the Medicaid Swap which was a change in the Article 44 Tax that counties no longer get from the State; this decline is being seen across the State
- Restricted Intergovernmental Revenues decreased approximately 7% mainly due to some classification changes on the County's financial statements
- Top three expenditures are represented by Public Safety, Education, and Human Services; other expenditures include Transportation, Economic Development, Parks and Recreation, and General Government
- Public Safety expenditures increased 3% over the prior year, mostly due to higher costs for the new Public Safety Facility
- Human Services were down about \$1 million, or 11%, which was related to the Medicaid Swap and a decrease in Foster Care expenditures
- Education expenditures, which does include related debt service, decreased slightly by 1% which was due to the decrease in capital expenditures for the current year; however current spending increased
- A new GASB 54 became effective FY 2011; the purpose is to attempt to make the County's fund balance structure more understandable; mostly a terminology change; there are now five classifications: Non-spendable, Restricted, Permitted, Assigned, and Unassigned; the auditor will be working with the Finance Director to properly show fund balance designations on the financial statements
- Study Information/Survey from the North Carolina Association of County Commissioners on the current State and local conditions (95 counties responded): 16 counties increased their tax rate an average of 3.3% in 2010; 49 counties cut their budgets; 48 counties relied on their fund balance to help offset budget deficits; 20 counties used fund balance to replace the lottery funds; 61 counties reported using some or all of their lottery funds for school debt service
- \$1.3 billion of the State Budget included temporary taxes; \$1.6 billion was federal stimulus dollars; the State is facing a \$3.2 billion deficit, 50% of which is in Education
- For local governments this means that the schools will start looking to the counties more for funding because they expect to receive less and less money from the State; grant funding will be reduced from the State level; State funding will be returned to the counties more slowly

- Noted: In the audit report there was a slight change in the depreciation allocation by approximately \$130,000 which moved from Transportation to Human Services; once final approval is received by the Local Government Commission, the auditor will replace the pages in the audit report
- Noted that the audit will not be available for public inspection until it is approved by the Local Government Commission

Commissioner Hawkins inquired about post-employment benefits and asked if the Board should be concerned about this obligation being unfunded. Ms. Brown noted that the audit report indicates post-employment benefits are reported as unfunded because the monies are not in a trust account; however the County has already designated monies to cover post-employment benefits. The Manager noted that the annual required contribution is \$180,000. He also noted that other counties do not set up a permanent trust to meet this obligation. With the funds being designated, Commissioners have the ability to un-designate those funds for other purposes.

Chairman Chappell inquired about the at-risk component with Medicaid reimbursement. Ms. Brown reported the terminology in the audit indicates the County is high risk. The risk determination is determined by the auditor because the majority of the funding comes from Medicaid and Medicaid has been deemed high risk by the federal government.

Commissioner Phillips asked if the auditors found any major disparities or differences in the County's approved budget versus what was actually spent. Ms. Brown responded that the County was pretty well on track with the budget and did not spend more than what was budgeted.

Commissioner Hawkins moved to accept the Annual Financial Audit for fiscal year ending June 30, 2010, seconded by Commissioner Bullock and unanimously approved.

UPDATE ON THE SILVERMONT PROJECT

The Silvermont Mansion was willed to Transylvania County in July 1972 by Dorothy Bjerg, daughter of the late Joseph and Elizabeth Silversteen. Over the last several years, significant progress has been made to restore, preserve and utilize the facility for activities for the young and old. Beginning in 2009, Lee Stewart and Jan Osborne spearheaded the restoration efforts of the second floor. Ms. Stewart showed a slide show presentation to Commissioners outlining and highlighting the progress they made and the transformation of the facility. An Open House for the second floor is scheduled for January 1, 2011.

Commissioners congratulated and commended Ms. Stewart and all those involved for their work restoring the second floor of the Silvermont Mansion.

OLD BUSINESS

REVISION TO COMMUNITY DEVELOPMENT BLOCK GRANT 09-E-2041 GAIA HERBS BUILDING REUSE PROJECT

A Public Hearing was held at the beginning of the meeting at which no comments were made by the public.

Commissioner Bullock moved to approve the modification of the loan agreement with Gaia Herbs to add an additional \$16,000 to the loan amount, seconded by Commissioner Phillips and unanimously approved.

NEW BUSINESS

CODE OF ETHICS FOR THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY

The 2009 North Carolina General Assembly passed a law requiring all North Carolina cities, counties, and local boards of education to adopt a resolution or policy containing a code of ethics to guide the actions by the governing board members in the performance of their official duties as members of the governing board. The resolution or policy must be adopted by January 1, 2011. The North Carolina School of Government published *A Model Code of Ethics for North Carolina Local Elected Officials* as a reference for local governments. The Manager shared samples of policies from other counties for the Board's information. He recommended the Board adopt the model code put forth by the School of Government.

Commissioner Hawkins moved to approve the draft Code of Ethics for the Board of Commissioners of Transylvania County effective this date, seconded by Commissioner Phillips and unanimously approved.

(The Code of Ethics for the Board of County Commissioners of Transylvania County, North Carolina is hereby incorporated by reference and made a part of these minutes.)

AUTHORIZATION OF THE DSS DIRECTOR AND ADMINISTRATIVE OFFICER AS DEPUTY FINANCE OFFICERS

The recent audit by Martin*Starnes noted that employees in the Department of Social Services (DSS) were signing checks without being duly authorized. Currently DSS serves in the capacity as a trustee of funds on behalf of individuals who require assistance in the management of money received from other agencies. Although these funds are not included in the budget, the County is responsible for the administering and accounting of these funds. Funds come directly to the County and are deposited in a trust account set up specifically for this purpose. Disbursements are made each week by check upon presentation of documentation from the assigned social worker. Two signatures are required for the disbursements.

The Manager offered the following options in order to comply with the auditor's findings:

1. Assign to the County Finance Officer as part of her duties; or
2. Appoint the County DSS Director and DSS Administrative Officer as Deputy Finance Officers with limited authority to matters pertaining to the trust fund.

Commissioner Hogsed moved to authorize the DSS Director as a Deputy Finance Officer with authority limited to matters pertaining to the DSS Trust Fund, seconded by Commissioner Bullock and unanimously approved.

Commissioner Phillips moved to authorize the DSS Administrative Officer as a Deputy Finance Officer with authority limited to matters pertaining to the DSS Trust Fund, seconded by Commissioner Hawkins and unanimously approved.

BUDGET AMENDMENTS AND TRANSFERS

Finance Director Gay Poor presented the budget amendments and transfers to the Board. The Budget Ordinance authorizes the County Manager to make budget transfers between expenditure line items within a department and transfer amounts up to \$50,000 between departments within the same fund and modify the budget for pass-through monies without a report being required. There are four items that need Commissioners' approval. These are:

1. \$3,100 to be carried forward from FY 2010 for the FY 2009 Cost Allocation Plan not completed until October 2010.

2. \$10,000 from Western Highlands Network for transportation of clients to psychiatric appointments and for administrative costs.
3. \$10,485 from the TDA fund balance for additional advertising expenditures.
4. \$14,157 from Smart Start for Napp-Sac grant administered by Co-Operative Extension.

If these amendments are approved the total General Budget will increase to \$40,316,786, or \$306,695 over the original budget. It was noted that the County's Budget will only be impacted by \$13,585: the General Fund Balance by \$3,100 (Cost Allocation Plan) and the TDA Fund Balance by \$10,485 (advertising expenditures for the TDA).

Commissioner Hawkins moved to approve the four budget amendments, seconded by Commissioner Phillips and unanimously approved.

CHRISTMAS LUNCHEON FOR COUNTY EMPLOYEES

During last year's budget process department heads agreed as a cost cutting measure to remove the costs of the Employee Christmas Luncheon from the budget with the goal of finding other ways to recognize employees. A volunteer group of department heads has been planning Christmas activities and has made arrangements with the Sheriff's staff to cook the food thereby reducing the costs of the luncheon. Department heads agreed to cover the cost of the food. However, the Board of Commissioners recognizes the great efforts of the department heads and would like to authorize \$1,200 in funds to be used for the Christmas luncheon so that the department heads would not have to use their personal funds for the luncheon. Commissioners thanked the employees that worked on the planning committee for the luncheon.

Commissioner Bullock moved to authorize \$1,200 for the Christmas Luncheon with monies to come from the contingency line item, seconded by Commissioner Hogsed and unanimously approved.

MANAGER'S REPORT

The Manager had no further information to report.

SPECIAL RECOGNITION

RESOLUTION 47-10 HONORING COMMISSIONER ROBERT LYNN BULLOCK FOR HIS SERVICE TO THE CITIZENS OF TRANSYLVANIA COUNTY

Commissioner Lynn Bullock was elected to the Transylvania County Board of Commissioners in 2006. During Commissioner Bullock's four years of service to the citizens of Transylvania County he was actively engaged in addressing the needs of the County and its citizens. Just recently he worked with his fellow Commissioners to move forward with plans for a new Community Park to be located near Rosman, supported moving forward with plans for a new animal shelter, supported moving forward with the Connestee Falls project without the use of County tax dollars, and supported the requests of the citizens in the Pisgah Forest area regarding the potential expansion of Brevard's ETJ. Commissioner Bullock has been very active serving on five different committees and representing the Board as the Legislative Liaison to the North Carolina Association of County Commissioners. Commissioner Bullock's term will end on December 6, 2010. Commissioners and staff individually thanked Commissioner Bullock for his service and dedication to the County and wished him the best in his future endeavors. The Manager and Commissioners presented Commissioner Bullock with a resolution in his honor as well as a framed photo of the Board of Commissioners who served from 2008 through 2010.

Resolution 47-10
Honoring Commissioner Robert Lynn Bullock
For His Service to the Citizens of Transylvania County

WHEREAS, Lynn Bullock has served Transylvania County and its citizens for a total of 4 years as a County Commissioner; and

WHEREAS, the Transylvania County Board of Commissioners wishes to recognize Lynn's service as a public official during his term as a Commissioner; and

WHEREAS, some of Lynn's accomplishments include:

1. Finalized the construction of the new Public Safety Facility,
2. Planned the construction of a new Animal Shelter,
3. Supported expansion of the Health Department in the Social Services Building,
4. Supported the preservation of Connestee Falls for all to enjoy without the use of County tax dollars,
5. Supported the initial planning and construction of Phase 1 of a community park near Rosman,
6. Approved security measures at the Courthouse,
7. Addressed space needs issues within County departments and helped develop a plan to resolve those issues and determine the use of vacant County facilities,
8. Supported the establishment of a Community Appearance Initiative to keep our County beautiful,
9. Approved a prayer policy prior to the beginning of each Board of Commissioners' meeting,
10. Supported the implementation of a Pay Classification Study,
11. Sided with citizens on the protection of their personal property rights (Noise Ordinance, ETJ expansion, reclassification of stream designations),
12. Established 150th County Anniversary Steering Committee to plan for the County's celebration in 2011, and
13. Provided fiscal leadership to the County by reducing the County budget during a period of economic crisis,
14. Approved the Farmland Protection Plan, and
15. Improved efficiencies in departments with the approval of software implementation and upgrades in technology.

WHEREAS, as a Commissioner, Lynn represented the Board of Commissioners by serving on various boards and committees, including: Criminal Justice Partnership (CJPP), Juvenile Crime Prevention Council (JCPC), Land-of-Sky Regional Council Rural Planning Organization (RPO), Smart Start, and Flood Study Committee (joint Committee with the City of Brevard); Lynn also served as the Legislative Liaison to the North Carolina Association of County Commissioners;

THEREFORE, BE IT RESOLVED by the Transylvania County Board of Commissioners that Lynn Bullock be commended for his 4 years of service to Transylvania County, and that his loyalty and excellence of performance be recognized; and to extend to Lynn best wishes for many years of good health and happiness in his future endeavors;

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the Board of Commissioners' meeting and that a copy be presented to Lynn Bullock.

Approved this the 22nd day of November, 2010.

Commissioner Hogsed moved to approve Resolution 47-10 Honoring Commissioner Robert Lynn Bullock for His Service to the Citizens of Transylvania County, seconded by Commissioner Hawkins and unanimously approved.

11/22/2010

PUBLIC COMMENTS

Larry Chapman: Mr. Chapman, incoming County Commissioner, thanked Commissioner Bullock for his service to the County and wished him the best.

Edwin Jones: Mr. Jones commended Detective Brian Kriegsman for his help with getting to aid to victims of Hurricane Katrina.

COMMISSIONERS' COMMENTS

Commissioner Phillips encouraged Commissioner Bullock to remain involved with County government and welcomed his participation on a County board or committee.

Commissioner Hawkins congratulated the Rosman High School Lady Tigers Volleyball Team on their outstanding season and instructed staff to draft a resolution congratulating them as an agenda item for the next meeting.

Chairman Chappell moved to enter into closed session A. Per NCGS 143-318.11 (a) (5) to instruct staff or negotiating agents concerning the position to be taken on behalf of the public body reference real property-G & A Enterprises and B. Per NCGS 143-318.11 (a) (6) to consider the performance evaluation of the County Manager, after a 5 minute recess. The motion was seconded by Commissioner Phillips and unanimously carried.

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (5) to instruct staff or negotiating agents concerning the position to be taken on behalf of the public body reference real property-G & A Enterprises, closed session was entered into at 9:25 p.m. Present were Chairman Chappell, Commissioners Bullock, Hawkins, Hogsed and Phillips, County Manager Artie Wilson, County Attorney David Neumann, and Clerk to the Board Trisha Hogan.

Commissioners discussed the potential acquisition of real property and instructed staff on how to proceed.

Pursuant to NCGS 143-318.11 (a) (6) to consider the performance evaluation of the County Manager. Present were Chairman Chappell, Commissioners Bullock, Hawkins, Hogsed, and Phillips, and Clerk to the Board Trisha Hogan.

Commissioners met to discuss and evaluate the performance of the County Manager and instructed the Chairman on how to proceed.

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

OPEN SESSION

Chairman Chappell moved to seal the minutes of both closed sessions until such time that opening the minutes would not frustrate the purpose of the closed sessions, seconded by Commissioner Phillips and unanimously approved.

ADJOURNMENT

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

Mike Hawkins, Chairman
Board of County Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board