

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
September 26, 2011 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, September 26, 2011 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

Commissioners present were Jason Chappell, Chairman Mike Hawkins, and Vice-Chairman Kelvin Phillips. Commissioners Larry Chapman and Daryle Hogsed were absent. Also present were County Manager Artie Wilson, County Attorney David Neumann, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Mark Todd

There were approximately 30 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding called the meeting to order at 7:03 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their County government. Chairman Hawkins introduced the members of the Board of Commissioners and staff.

PUBLIC HEARING

APPLICATION FOR THE FY 2011-2012 RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT

Each year the NC Department of Transportation (NCDOT) accepts applications from counties and municipalities that operate transit systems. For this year, the Transylvania County Transportation Department is requesting to make application for \$130,242. The funds are broken down as follows:

Elderly & Disabled Transportation Assistance Program (EDTAP)	\$ 60,190
Employment Transportation Assistance Program (EMPL)	\$ 17,757
Rural General Public Program (RGP)	<u>\$ 52,295</u>
	\$130,242

County Transportation Director Keith McCoy reported that this program is 100% State-funded and the only local match required is a 10% match for the Rural General Public Program which is paid for by charging a fare to users.

The Elderly & Disabled Transportation Assistance Program provides transportation services for the elderly and disabled. The County Transportation Department uses these funds to provide transportation for dialysis patients, to offset some of the costs of providing transportation to senior citizens for the meal site program, and for contracting some medical transportation services with the local cab company.

The second program the County receives funding for is the Employment Transportation Assistance Program. This program is administered through the Department of Social Services. They work with individuals in danger of going on public assistance or individuals on public assistance who are trying to become more independent and assist them with automotive repair costs. These funds are not necessarily used for fuel reimbursement.

09/26/2011

Lastly, the Rural General Public Program is funded 100% by the State.

The Manager noted that these funds have been included in the FY 2011-2012 Budget for the County Transportation Department. No additional County funds will be required. A public hearing is required prior to the approval of the application by the Board of Commissioners.

Chairman Hawkins declared the public hearing open at 7:10 p.m. There were no comments from the public. **Chairman Hawkins declared the public hearing closed at 7:11 p.m.**

This item will be discussed and voted upon later in the meeting.

PUBLIC COMMENT

There were no comments from the public.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Chappell moved to approve the agenda, seconded by Commissioner Hawkins and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

CONSENT AGENDA

Commissioner Phillips moved to approve the Consent Agenda, seconded by Commissioner Chappell and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

The following items were approved:

MINUTES

The minutes of the September 12, 2011 regular meeting and sealed closed session were approved.

DISCOVERY & RELEASE REPORT

The Discovery and Release Report for August 2011 was approved. The releases for the month of August for all jurisdictions totaled \$6,347.23. The releases for the County totaled \$4,414.72.

PRESENTATIONS/RECOGNITIONS

NC ASSOCIATION OF COUNTY COMMISSIONERS YOUTH SUMMIT PRESENTATION

The second annual NC Association of County Commissioners (NCACC) Youth Summit was held in Concord in mid-August during the Association's annual conference. NC 4-H and NC Cooperative Extension Service partnered for the second year with the NCACC on a multi-year initiative to increase youth involvement in county government. This initiative aims to overcome the mindset that many youth are disengaged and lack trust in government. This initiative also aims to identify issues and solutions that are facing youth in NC.

The 4-H representative who attended from Transylvania County was Madison Holden. Commissioner Chapman participated with her during the breakfast meeting where young people presented their proposed solutions to the top 10 issues facing the State's youth. The 4-H Youth Development Department at NC State University is working with NCACC staff to create "project toolkits" to help counties take action on these issues. Over 85 youth and adults from over 70 counties attended this event.

Ms. Holden gave a brief presentation about the top 10 issues facing teens today and the possible solutions to those issues. She first thanked everyone who provided the experience for her. Ms. Holden especially thanked Commissioner Chapman for meeting her at the conference and attending the social media workshop with her.

The top 10 issues were:

1. Teen pregnancy
2. Substance abuse
3. Drop outs
4. Violence
5. Recreation
6. Socio-economic
7. Education issues, such as school funding
8. Lack of youth voice in the community
9. Health issues
10. Lack of things to do

The top three solutions to the top three problems were:

Teen pregnancy

1. Teach self-respect
2. Abstinence programs
3. More restrictions on sexual content teens are allowed to read

Substance Abuse

1. Conduct random searches of school lockers with drug dogs
2. Make drugs look like the worst thing in the world
3. Educate parents to lead by example

Drop Outs

1. More hands-on in-class activities
2. Budgeting classes to show students how hard it is to get a job without an education
3. Make students feel important in school

Ms. Holden also attended a social media workshop which sparked an interest in her and she now plans to work with another 4-H'er to begin a 4-H Facebook page. Overall this experience allowed her to become active in local government and meet new people. After attending the event, she realized she would be more interested in attending other events and maybe even run for office in the 4-H organization.

Chairman Hawkins read an email from Commissioner Chapman expressing his personal thanks to Ms. Holden for her excellent work in representing Transylvania County at the Youth Summit. He went on to say he hopes the Board of Commissioners can support 4-H in any way possible regarding their recommendations as they are well detailed and important issues. Lastly, Commissioner Chapman thanked Mary Arnaudin for her support and for her work with the youth in Transylvania County.

Commissioners thanked Ms. Holden for her presentation and for representing Transylvania County well at the conference.

PROCLAIMING NATIONAL 4-H WEEK IN TRANSYLVANIA COUNTY

4-H is the largest youth development organization in North Carolina. North Carolina claims nearly 219,000 youth members and over 21,000 volunteers, while Transylvania County's 4-H program numbers more than 200 members and over 900 students participate in 4-H nutrition programs in the schools. 4-H is part of the NC Cooperative Extension System of NC State University and NC A&T University and is a

program where youth learn through opportunities that provide them hands-on experience in 4-H's mission mandates of science, engineering and technology, healthy living, and citizenship.

Mary Arnaudin with the County Extension Service has requested the Board to proclaim the week of October 2-8, 2011 as National 4-H Week in Transylvania County.

Commissioner Chappell moved to approve Proclamation 39-11 National 4-H Week in Transylvania County, seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

(Proclamation 39-11 National 4-H Week in Transylvania County is hereby incorporated by reference and made a part of these minutes.)

IN RECOGNITION OF THOMAS H. AVIRETT

Tommy Avirett will retire from the Transylvania County Sheriff's Office on October 1, 2011 where he has served since January 1985. During this time Tommy served in the roles of Deputy and Sergeant for the Lake Toxaway POA Patrol and most recently as Court Sergeant for the Courthouse Security Division of the Sheriff's Office. Sheriff David Mahoney and Commissioners thanked Mr. Avirett for his years of service to Transylvania County and recognized him with a resolution.

Commissioner Chappell moved to approve Resolution 38-11 In Recognition of Thomas H. Avirett, seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

(Resolution 38-11 In Recognition of Thomas H. Avirett is hereby incorporated by reference and made a part of these minutes.)

ALLOW RETIRING OFFICER TO PURCHASE HIS SERVICE HANDGUN

NC General Statute 20-187.2 provides that a governing body of a local law enforcement agency may, in its discretion, award to a retiring member the service handgun of the retiring member. Tommy Avirett will retire from the Transylvania County Sheriff's Office on October 1, 2011. Sheriff David Mahoney is requesting the Board of Commissioners award Mr. Avirett his service handgun for \$1.

Commissioner Chappell moved to authorize Tommy Avirett to purchase his service handgun for \$1 pursuant to NC General Statute 20-187.2 through approval of Resolution 40-11. The motion was seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

(Resolution 40-11 Allowing Retiring Officer to Purchase His Service Handgun is hereby incorporated by reference and made a part of these minutes.)

CERTIFICATE AND AWARD OF FINANCIAL REPORTING ACHIEVEMENT

Counties and municipalities throughout the United States are asked to submit their annual financial reports for consideration of the coveted Certificate of Achievement for Excellence in Financial Reporting. The Comprehensive Annual Financial Report (CAFR) is judged by an impartial panel to meet the high standards of the program. The Manager announced that the Finance Department has been awarded the Certificate of Achievement for Excellence in Financial Reporting for 2011. Commissioners congratulated Finance Director Gay Poor and her staff for their hard work and for getting this award. Commissioners presented Ms. Poor with the plaque from the Government Finance Officers Association.

APPOINTMENTS

JUVENILE CRIME PREVENTION COUNCIL

There are two student vacancies on the Juvenile Crime Prevention Council. Now that school has started back, the Clerk has been in contact with the facilitator Ren Uriarte and Scott Elliott with Transylvania County Schools. They recommend the appointment of Adam McCoy from Rosman High School and Evan McDowell from Davidson River School.

Commissioner Chappell moved to appoint Adam McCoy and Evan McDowell to fill the student vacancies, seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

TOURISM DEVELOPMENT AUTHORITY

The term of Steven Dugard expires at the end of October. He is eligible to serve another term. It is the recommendation of the TDA to reappoint Mr. Dugard to serve another term.

Chairman Hawkins moved to reappoint Steven Dugard, seconded by Commissioner Chappell and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

TRANSYLVANIA NATURAL RESOURCES COUNCIL

The terms of Susan Brown, Dr. Kenneth Duke, Bruce MacDonald, Debi Whitmire, and Glynda Wilkins expire at the end of September. Susan Brown, Dr. Kenneth Duke and Bruce MacDonald are eligible to serve another term. Debi Whitmire and Glynda Wilkins have served two full terms and are not eligible to serve another term. County Extension Director Eric Caldwell and TNRC chair Susan Brown are recruiting members to fill those two terms. Also, it is the responsibility of the Board of Commissioners to appoint the chairman.

Commissioner Phillips moved to reappoint Susan Brown, Dr. Kenneth Duke and Bruce MacDonald to serve another term and reappoint Susan Brown as chair, seconded by Commissioner Chappell and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

OLD BUSINESS

APPROVAL OF TRANSYLVANIA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Transylvania County and its municipalities are required by the "Disaster Mitigation Act of 2000" and "44 CFR Parts 201 and 206" to review, update, and submit for approval their Hazard Mitigation Plan every five years in order to remain eligible for federal disaster assistance funding. This plan identifies hazards within the jurisdiction, provides a history of occurrences, and outlines mitigation goals, objectives, and actions for each hazard to be carried out if possible over the subsequent five year period.

Over the last year through a series of 10 meetings, Transylvania County Emergency Management staff has coordinated the federally required five year update of the Transylvania County Multi-Jurisdictional Hazard Mitigation Plan. This plan includes the jurisdictions of Transylvania County, City of Brevard, and the Town of Rosman.

Agencies participating in this process included Emergency Management, Planning and Economic Development, Building Permitting and Enforcement, Soil and Water Conservation District, City of Brevard Planning Department, City of Brevard Public Services, Brevard Police Department, Brevard Fire Department, Town of Rosman, NC Division of Forest Resources, Gorges State Park, and USDA Natural Resources Conservation Service.

There was a public meeting held on June 21, 2011 at 7:00 p.m. at the Public Safety Facility with no public participation. On June 23, 2011 the proposed plan update was submitted to North Carolina Emergency Management for their review and approval. Approval was received the same day at which time the plan was forwarded to FEMA for their review and approval. A letter of approval from FEMA subject to formal local adoption was received on July 19, 2011 with no required revisions other than inclusion of adoption resolutions from the respective jurisdictions.

A public hearing was held at a regular meeting of the Board of Commissioners on September 12, 2011. There were no comments from the public.

Commissioners thanked staff and all others that worked on this plan.

Commissioner Chappell moved to approve the Transylvania County Multi-Jurisdictional Hazard Mitigation Plan via the adoption of Resolution 37-11 and instructed staff to make the plan available to the public by placing a copy in the Office of the Clerk to the Board, the Office of Emergency Management, the City of Brevard and the Town of Rosman, and on the Transylvania County website. The motion was seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

(Resolution 37-11 Adopting the Transylvania County Multi-Jurisdictional Hazard Mitigation Plan is hereby incorporated by reference and made a part of these minutes.)

NEW BUSINESS

APPLICATION FOR THE FY 2011-2012 RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT

A public hearing was held at the beginning of the meeting at which there were no public comments. The County Transportation Department is requesting to make application for \$130,242. The funds are broken down as follows:

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Employment Transportation Assistance Program (EMPL)	\$ 17,757
Rural General Public Program (RGP)	<u>\$ 52,295</u>
	\$130,242

Commissioner Phillips moved to approve the application for the FY 2011-2012 Rural Operating Assistance Program. The motion was seconded by Commissioner Chappell. Commissioners thanked everyone that is involved in providing services to citizens because they benefit the community. The motion was unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

WESTERN HIGHLANDS 4TH QUARTER FISCAL MONITORING REPORT

NC General Statute 122C-117 (c) requires the quarterly fiscal monitoring report to be reported to each board of commissioners participating in the Local Management Entity (LME). The 4th quarter report is the year-end report. Western Highlands reported revenues totaling \$47,575,784 and expenditures totaling \$46,375,114. Their cash-on-hand balance equals \$1,200,670.

Commissioner Chappell commented that most citizens do not know the impact the County's local representation has on the LME Board. Without this group advocating for mental health services, taxpayers would have been hit with a significantly higher tax burden. The Manager responded. He said in the early 2000's the State reformed local mental health through the formation of an LME. Since that time, changes in mental health services have been constant. The Manager believes Western Highlands LME has been successful because of the local representation from each of the counties served by the

LME. Also, Transylvania County has been able to provide additional services in the community by attracting and securing providers. The Manager said people still fall through the system but work continues to deal with those issues. He thanked the Board of Commissioners for making a commitment to the Maintenance of Effort funds to help provide services to citizens in the community.

Commissioner Chappell moved to accept the fiscal monitoring report for the 4th Quarter ending June 30, 2011, seconded by Commissioner Phillips and unanimously approved. (3-0, Commissioners Chapman and Hogsed absent)

MANAGER'S REPORT

The Manager reported the following:

1. Staff continues to work on a proposal for the False Alarm Ordinance. Some of the changes made include limiting the number of times someone can be fined per day to once. The Manager has forwarded a draft copy to the Board for review. Staff also forwarded copies to the City of Brevard and the Town of Rosman to consider for adoption. The new proposal has been forwarded to impacted agencies and staff awaits their feedback. The Manager will bring a final proposal to the Board for consideration at a meeting in the near future.
2. Reminded Commissioners of the Secondary Roads Meeting with the NC Department of Transportation tomorrow at 5:30 p.m. in the Community Services Building Conference Room.
3. The Manager recently attended the Rural Planning Organization (RPO) meeting with the Land-of-Sky Regional Council. The RPO is beginning an effort to extend bike routes in the five county area, interconnect counties through these routes, determine proper signage, etc. The RPO has requested that counties appoint members to a planning committee for a two-year commitment and that the appointment be made by the end of October. The Manager suggested advertising for the appointment and bringing back a recommendation to the Board at the second meeting in October.
4. Transylvania County has begun its United Way Campaign. Social Services Director Stoney Blevins is leading the campaign this year. The County's goal is to raise \$18,500. The theme is "Hold the Line and Build the Team".
5. The NC Department of Transportation plans to hold a public meeting on the East Fork Bridge replacement in October on a date and time to be determined in the near future.
6. Staff is working on its five-year capital plan for financial planning purposes.
7. The audit is underway and a tentative presentation date is scheduled for the November 14 meeting.
8. Reminded everyone there are 150th anniversary events still scheduled through the end of the year. Rosman Heritage Day is on Saturday, October 1. Balsam Grove's community event is scheduled for October 8. This past Saturday the Rosenwald community held its community event. The presentation and the food were both very good. The Brevard Philharmonic also held its concert event this past Sunday at the Porter Center. There was a huge turnout and the concert was excellent.

PUBLIC COMMENT

David Morrow: Mr. Morrow serves on the Board of Elections. He announced there is a municipal candidates' forum scheduled for Tuesday at 6:00 p.m. in the Rogow Room at the Library.

COMMISSIONERS' COMMENTS

Commissioner Phillips commented on the copy of the WNC Livestock Center Executive Summary he received. He asked if there will be an independent audit of the facility and inquired about where to find information on the sales data in North Carolina and South Carolina. The Manager will follow up on this item. He noted that Transylvania County supported the facility with a one-time allocation of \$5,000.

Chairman Hawkins said the Porter Center was full for yesterday's Brevard Philharmonic concert which honored Transylvania County's history. He noted that next year is the anniversary of the beginning of integration in Transylvania County Schools and he suggested helping the schools facilitate a program next year to commemorate this historical achievement.

Chairman Hawkins announced that he recently spoke at an opening ceremony for the Pisgah Mountain Bike Stage race. The race lasts for three days and occurs in the Pisgah National Forest. The race happens to be an Olympic qualifying event for off-road biking. Chairman Hawkins said this race is a big deal and also favorably impacts the local economy.

Chairman Hawkins encouraged everyone to attend the remaining 150th anniversary events around the County. He reminded everyone that Rosman Heritage Day is coming up on Saturday. Also Doris Kearns-Goodwin, a Pulitzer Prize winning author, will be at the Porter Center at Brevard College on Thursday. She will be discussing her book about President Lincoln. The event is nearly sold out.

ADJOURNMENT

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

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board