

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**October 10, 2011 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, October 10, 2011 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

Commissioners present were Larry Chapman, Jason Chappell, Chairman 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: *The Transylvania Times* – Mark Todd

There were approximately 20 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding called the meeting to order at 7:05 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 COMMENT**

Gary Lightfoot: Mr. Lightfoot thanked the Board of Commissioners for becoming involved with the Land of Sky Rural Planning Organization to develop a regional bicycle plan. He currently serves as the Transylvania County representative to the Blue Ridge Bicycle Club. Mr. Lightfoot asked for the Board's consideration to serve as the County's representative to the regional bicycle plan stakeholder committee. He pointed out that he has corporate planning experience and many years of bicycle experience. Mr. Lightfoot noted that he has logged approximately 9,000 miles this year alone. He believes his experience will make him a good fit on the committee.

Gary Hunsicker: Mr. Hunsicker expressed concern about the County's well-being. He noted that the number of people needing public housing and free or supplemented school lunches have increased exponentially, particularly because the number of young families on welfare has increased. Mr. Hunsicker believes young adults have no incentive to do better for themselves.

Mr. Hunsicker also expressed concern that there are no job opportunities for local citizens, particularly contractors, and that with many of the jobs government regulations hinder them from being awarded contracts. He inquired about the laws that govern the bidding and contracting processes for local governments. He also noted that the signs that were made for the Sesquicentennial year were not made in Transylvania County and he expressed disappointment in that.

**AGENDA MODIFICATIONS**

The Manager requested to include an additional position for the Board's consideration under New Business Item VIII.C Request to Fill Vacant Positions. The Manager was made aware of the upcoming vacancy today in the Department of Social Services.

10/10/2011

**Commissioner Phillips moved to approve the agenda as modified, seconded by Commissioner Chappell and unanimously approved.**

### **CONSENT AGENDA**

**Commissioner Chappell moved to approve the Consent Agenda as submitted, seconded by Commissioner Phillips and unanimously approved.**

The following items were approved:

#### MINUTES

The minutes of the September 26, 2011 regular meeting and September 27, 2011 Secondary Roads Meeting with the NC Department of Transportation were approved.

#### FACILITIES USE REQUESTS

The use of the Courthouse lawn and gazebo by The Salvation Army - Transylvania Unit for its kickoff for the 2011 Red Kettle Campaign on November 22, 2011 from 11:00 a.m. to 1:00 p.m. was approved.

### **PRESENTATIONS/RECOGNITIONS**

#### TRANSYLVANIA REGIONAL HOSPITAL

Chief Executive of Transylvania Regional Hospital (TRH) Bob Bednarek provided an annual update to Commissioners.

Mr. Bednarek reported that the hospital's focus is on quality. TRH recently received a national award for being a top performer in quality. Out of 3,100 hospitals in the country, 404 hospitals were recognized nationally. Out of those, 14 were in North Carolina. TRH was the only hospital west of Charlotte. TRH received this recognition in two key areas: pneumonia care and surgical care infection prevention.

Patients are the center of the hospital's existence; but TRH also gives back to the community. TRH is primarily dependent on Medicare and Medicaid which comprises 70% of the patients served by TRH. However these government programs do not reimburse the hospital for the entire cost of the services it provides. Another 10% of patients have no means to pay. This means TRH has to charge higher rates to the remaining 20% of patients to make up the difference and to maintain the level of service.

Mr. Bednarek said TRH is the safety net for emergency services which continues to increase. TRH can not turn away anyone in need. Over last year, between charity care and uncollectible accounts, the amount increased \$1.5 million. TRH provided \$1.8 million of cost in charity care to 2,435 people last year and another \$2.5 million of cost to 2,406 people. In addition, TRH provided approximately \$1.3 million in additional reductions of government sponsored programs. Mr. Bednarek pointed out that TRH gives back to the community and as a not-for-profit, TRH provided \$450,000 in community benefit programs. TRH also provides free or low cost educational programs to the community each month.

TRH reinvests any profits in building a healthcare team. TRH added a new medical practice on its campus and recruited several other physicians with various specialties. The hospital is also using grant funds to transition into electronic based medical records which will allow better access to records and help to avoid duplication.

Mr. Bednarek also pointed out that TRH is an economic engine in Transylvania County. TRH is currently the largest employer in the County. Its \$21 million payroll impacts the community with about \$110 million of purchasing power annually.

The affiliation with Mission Hospital has been positive for the hospital. On January 1, 2011 TRH entered into a management agreement with Mission. Mission has provided support and expertise in several areas that has helped TRH become more efficient in the use of its resources. Mission has also invested in other areas, such as infrastructure and possibilities for future expansion. With added ability to convert and refinance its debt with the strength of Mission's AA bond rating, TRH has saved the community \$600,000 in interest expense that can be reinvested into services, etc. over a five-year period. Mission also brought with it with some wellness programs that have benefited the community. This affiliation has allowed TRH to maintain, enhance and increase access to services for people in this community.

Mr. Bednarek reported that all monies raised in this community stay in this community. The TRH Foundation raised over \$2 million last year.

TRH is facing a challenging environment. Healthcare reform and policies, the shortfall from government costs, and being the safety net for the community makes it increasingly hard for TRH to make up for the lost funds in order to maintain services. TRH is fortunate that it has benefited from the affiliation with Mission. It is important for TRH to stay healthy because it helps attract business and helps maintain a healthy economy.

Commissioner Chapman expressed concern about the ability to maintain competitiveness in terms of cost. Mr. Bednarek responded that he and the TRH Board of Directors are committed to keeping costs low and affordable and keeping the hospital viable with physicians so that citizens can receive services here. As far as competition is concerned, other regional hospitals are affiliated with much larger systems, some of which are out of state. Therefore Mission is competing with larger organizations from other states. Mr. Bednarek said in order for TRH to keep doctors in this community, the hospital must invest in them. TRH has to pay physicians what they could make in larger cities. The affiliation with Mission gives TRH a better negotiating power and the ability to attract physicians.

Commissioner Chappell thanked Mr. Bednarek for the hospital's role in assisting economic development efforts and for being a partner with the County. Commissioner Hogstedt thanked him for the services the hospital provides for the community.

Chairman Hawkins inquired about continuing services that the Free Clinic currently provides. Because there are ongoing planning processes Mr. Bednarek could not elaborate, but he said there will be opportunities with Blue Ridge Community Health Services. It will require the efforts of several to leverage funds to keep the Free Clinic operating so it can transition into a federally-qualified community health center. TRH has been able to facilitate community leadership, grant funds and donations to develop a plan that will resolve any transition issues.

Commissioners thanked Mr. Bednarek for his presentation.

#### COMMUNITY APPEARANCE INITIATIVE REPORT

Don Surette, chair of the Community Appearance Initiative Advisory Council, provided an annual update to Commissioners.

The goal of the Community Appearance Initiative is to clean up roadsides in the County. The mission is to assist citizens in a non-regulatory manner to clean up roadsides, dispose of abandoned cars, manufactured homes, motor vehicles, and all other kinds of junk. Fortunately the price of scrap metal has helped tremendously in the committee's efforts to accomplish its mission. Over the last year, the work has slowed because much of the clean up has been completed. The committee has only completed six projects this year. It has completed 40 total since its inception in 2007.

The following is a summary of the accomplishments of the Community Appearance Initiative since May 2010. Totals shown are from the program beginning in April 2007.

- Surveyed main roads in the County to identify potential projects: 4<sup>th</sup> survey
- Continued quarterly Advisory Council meetings
- Received 4 calls on potential projects; 20 since beginning
- Identified 14 (80 total) potential projects, prioritized and assigned teams
- Completed 6 projects (40 since beginning)
- Closed 2 projects without action (34 since beginning)
- 6 projects still pending
- Working with owners and residents facilitated the following: demolition or removal of 4 deteriorated mobile homes (20 total); removal of 36 tons of solid waste (249 total); removal of 14 junk tires (2,974 total); and removal of 8 vehicles (63 total)
- Separated and recycled: scrap metal – 4,000 lbs (34,000 lbs total); tires – 182 (2,982 total)
- County funds expended: \$2,946 (\$19,965 total)
- Owner funds expended: \$11,160 (\$23,360 total)

Commissioner Chappell commented about what a wonderful program this is and continues to be and pointed out that most importantly the program is completely voluntary which contributes to its success. Mr. Surrette believes this same principal can be used to address other problems that are ongoing in the County.

Chairman Hawkins inquired about a potential project near Brevard Middle School. The Manager responded that staff has sent letters to the property owners and has gotten no response. Staff plans to follow up with the local property owners.

Chairman Hawkins also believes it is a great concept to use this approach to address other issues, such as erosion control in an attempt to keep waterways clean, etc.

## **APPOINTMENTS**

### JOINT HISTORIC PRESERVATION COMMISSION

James Heffel and Nilsa Lobdell recently resigned from the JHPC for various reasons. Staff recruited applicants to fill the vacancies and made a recommendation to the Board to appoint Steve Arnaudin and Paul Heidmann.

**Commissioner Chapman nominated and moved to appoint Steve Arnaudin and Paul Heidmann to fill the two vacancies. The motion was seconded by Commissioner Chappell.**

**Commissioner Phillips nominated and moved to appoint Steve Arnaudin and Jennifer Cantrell to fill the two vacancies. The motion was seconded by Commissioner Hogsed.**

**The motions to appoint Steve Arnaudin were approved unanimously.**

**The motion to appoint Paul Heidman failed by a vote of 2 to 3, with Commissioners Chappell, Hogsed, and Phillips voting against.**

**The motion to appoint Jennifer Cantrell passed by a vote of 3 to 2, with Chairman Hawkins and Commissioner Chapman voting against.**

## NEW BUSINESS

### PROCLAMATION NATIONAL TEEN DRIVER SAFETY WEEK OCTOBER 16-23, 2011

Meredith Baldrige with State Farm Insurance in Brevard has requested that the Board approve a proclamation declaring the week of October 16-23, 2011 as National Teen Driver Safety Week for the purposes of increasing awareness of both teenage and adult drivers between the ages of 16-19. Based on the number of miles driven, this age group has four times the fatality rate than drivers between the ages of 25 and 69 years.

**Commissioner Chappell moved to approve Proclamation 42-11 Declaring the Week of October 16-23, 2011 as National Teen Driver Safety Week, seconded by Commissioner Phillips and unanimously approved.**

Commissioners instructed staff to forward this proclamation to Transylvania County Schools.

(Proclamation 42-11 Declaring the Week of October 16-23, 2011 as National Teen Driver Safety Week is hereby incorporated by reference and made a part of these minutes.)

### PROCLAMATION DECLARING OCTOBER 23-30, 2011 AS NATIONAL RED RIBBON WEEK

Meredith Baldrige with State Farm Insurance in Brevard has requested that the Board approve a proclamation declaring the week of October 23-30, 2011 as National Red Ribbon Week. The red ribbon commemorates the work of Kiki Camarena, a Drug Enforcement Administration Agent, who was murdered in the line of duty and has come to represent the belief that one person can make a difference. The Red Ribbon Campaign was established by Congress in 1988 to promote this belief and encourage a drug-free lifestyle and involvement in drug prevention efforts.

**Commissioner Hogsed moved to approve Proclamation 43-11 Declaring October 23-30, 2011 National Red Ribbon Week, seconded by Commissioner Chapman and unanimously approved.**

Commissioners instructed staff to forward this proclamation to Transylvania County Schools.

(Proclamation 43-11 Declaring October 23-30, 2011 National Red Ribbon Week is hereby incorporated by reference and made a part of these minutes.)

### REQUEST TO FILL VACANT POSITIONS

The Board of Commissioners requires its approval to fill vacant positions. The following positions are vacant and staff is requesting permission to fill each of them:

#### *Sheriff's Office: Court Security Officer*

This vacancy comes about due to a recent retirement. This position is essential and handles security in the court rooms and maintains the overall safety in the Courthouse. If approved, the Sheriff has requested permission to fill any vacated position that may become available if filled internally within his Office.

Commissioner Chapman said he is not in favor of allowing the Sheriff to automatically fill any position that may become vacant as a result of this hiring because it goes against the precedent the Board has set with regards to filling vacancies.

**Commissioner Chapman moved to recommend approval of the position of Court Security Officer as requested but not allowing permission to fill any subsequent position that may become vacant if filled internally. The motion was seconded by Commissioner Hogsed and unanimously approved.**

*Social Services: Child and Family Medicaid IMC II Worker*

This position is essential for the provision of Medicaid coverage for low wage families which is a State mandated program. The position will be posted internally initially to allow opportunity for other employees to move up in a position. In response to comments by Commissioner Chappell, Social Services Director Stoney Blevins reported that the caseload for this position is just above the State average. This program also administers the Work First Program.

**Commissioner Hogsed moved to approve the request to fill the Child and Family Medicaid IMC II Worker position, seconded by Commissioner Chappell and unanimously approved.**

*Social Services: Food and Nutrition Services IMC II Worker*

The resignation for this position was just received today. This position deals with the Food Stamp program. The average caseload across the State is approximately 500 cases per worker. The positions in Transylvania County are averaging currently over 600 cases and the program continues to grow.

**Commissioner Chappell moved to approve the request to fill the Food and Nutrition Services IMC II Worker, seconded by Commissioner Hogsed.** Commissioner Chappell inquired about a contingency plan for dealing with ever increasing caseloads. Mr. Blevins said he may have to shift employees within his department to help cover areas where needed. He asked if he was allowed to move employees into other positions that were essentially lateral transfers and would he need to request permission to fill the identical job classification. The answer would allow him to determine the amount of freedom he has for contingency purposes. Commissioners discussed this at length and determined that at this point any vacancies that occur fall under the hiring freeze policy. The Board expressed a desire to review this policy in the very near future and some Commissioners stated a concern about micromanaging departments. **The motion was unanimously approved.**

*Social Services: Education/Development Aide, New Adventure Learning Center*

This position is responsible for assisting in the care and instruction of children at the New Adventure Learning Center and is required in order to maintain a five-star rating. One staff person is required for a certain number of children. Currently the Center is at capacity.

New Adventure Learning Center Director Kyle Worley informed Commissioners that this position is in the developmental disabled classrooms which serve 18 children. The ratio of teachers to children is 1:6. Three teachers are needed to maintain this ratio. The "floater" position is currently being used in order not to disrupt the children.

**Commissioner Hogsed moved to approve filling the Education/Development Aide in the New Adventure Learning Center. The motion was seconded by Commissioner Phillips.**

Commissioner Chapman said he will reluctantly vote for the motion until the decision is made in the future about the County's role in providing childcare services. **The motion was unanimously approved.**

*Housekeeping: Housekeeper*

This position is essential in helping to maintain the cleanliness of County buildings. The position is currently being filled with part time assistance. The full time employee has been out due to illness and it was determined recently that the employee can not return to work. This particular position works in the Sheriff's Office and the Parks and Recreation Department. The County has many buildings and the Housekeeping staff is stretched very thin.

**Commissioner Phillips moved to approve the request to fill the Housekeeper position, seconded by Commissioner Hogsed and unanimously approved.**

*Health Department: Public Health Nurse II*

Commissioners recently approved filling the vacant Public Health Nurse III position. It was filled internally and therefore created a vacant Public Health Nurse II position. The Public Health Nurse II position is directly related to mandated services for adult health, immunizations, child health, and communicable diseases. If the County does not meet the criteria for these programs, the State can penalize the department in terms of funds available for draw down. Health Director Steve Smith noted that the position will be posted externally to allow all interested individuals an opportunity to apply.

**Commissioner Chappell moved to approve the request to fill the Public Health Nurse II position, seconded by Commissioner Phillips and unanimously approved.**

STORM WATER – PUBLIC SAFETY FACILITY

For some time, staff has been reviewing different methods of managing storm water at the Public Safety Facility that is running off of the storm water catch basins. Several months ago, staff presented a plan to Commissioners that would pipe the water from the catch basin at the back of the property and another basin to Lambs Creek, but Commissioners did not approve the plan. Now there are also sedimentation problems on the property as a result of the removal of stock piled dirt at the entrance to the facility. To deal with this problem, staff is requesting funds to pipe water from the third catch basin to the ditch which will eliminate the sedimentation and erosion problem. There are funds set aside in the amount of \$250,000 to deal with storm water control at the Public Safety Facility. The estimated cost of this project is \$12,000. Maintenance staff will install the piping.

After brief discussion, **Chairman Hawkins moved to approve the project with \$12,000 in funds coming from the Storm Water Reserve, seconded by Commissioner Chapman and unanimously approved.**

INSPECTION FEE FOR FESTIVALS

Recently the Building Inspections Director, the Fire Marshal and Health Department staff met with representatives from the Heart of Brevard and Chamber of Commerce to discuss the inspections process for local festivals. The Manager noted that during this meeting it was clear that certain inspections were not being conducted as required. To make the process as simple as possible, staff proposed charging one fee for the required inspections in the amount of \$175, not including any fees and inspections required by the Health Department, and a \$100 fee for stage-only productions. Building Inspectors and the Fire Marshal will inspect all tents and stages during the festivals and other events. Both agencies are in agreement of the fee schedule and inspections process. The new fee schedule would be effective January 1, 2012 which will make sure that all festivals are inspected properly and allow enough notice for vendors and others to comply with North Carolina codes.

Commissioner Phillips expressed concern about charging additional fees when employees are already receiving a salary to complete the inspections anyway. Chairman Hawkins said this issue arose during the 150<sup>th</sup> Birthday Celebration on September 3. It began specifically with the concern about the stage for the concert at Brevard College. He said it is important to have a structure for the inspections process for these types of events and for festival planners to understand what is expected and allow time for preparation. Chairman Hawkins noted that both the Heart of Brevard and Chamber of Commerce are comfortable with the fee.

**Commissioner Chappell moved to approve the festival fee of \$175 and the stage-only fee of \$100 effective January 1, 2012. The motion was seconded by Chairman Hawkins. Commissioner Chapman expressed support for the motion because these inspections are over and above what staff is currently doing. The motion passed by a vote of 3 to 2, with Commissioners Hogsd and Phillips voting against.**

### HOSTING THE RELEASE OF RURAL SUSTAINABLE DEVELOPMENT REPORT

The Land of Sky Regional Council is requesting that Transylvania County be the host county for the release of the Rural Sustainable Development Report from the USDA, EPA, HUD, and DOT. The Manager believes this will be positive for Transylvania County and the region and will provide an opportunity to showcase successes in the County like Gaia Herbs and PharmAgra. Furthermore, this opportunity will help to promote Brevard College and boost efforts by Renova Partners to develop Davidson River Village. A tentative date is scheduled for November 2.

If approved, Transylvania County will be responsible for securing a facility to host the event, identifying community leaders to invite to the event, and organizing a tour. There will be no cost to the County. The Land of Sky will cover the costs and assist with organizing the day.

**Commissioner Chappell moved to accept the invitation to host the release of the Rural Sustainable Development Report, seconded by Commissioner Chapman and unanimously approved.**

### MANAGER'S REPORT

The Manager reported the following:

1. Fundraising efforts for the animal shelter continues. Dr. Brooks will make a presentation to the Board on October 24.
2. Staff has received the bids for the renovation of the old Sheriff's building. Staff is currently reviewing the bids and plans to bring back a recommendation on October 24.
3. Joe McKinney with the Land of Sky Regional Council will make a presentation on October 24 about the Sustainable Communities grant award.
4. Staff is looking for new seating options in the large courtroom. There are monies set aside for the project. Staff also plans to finish re-carpeting the large courtroom. Commissioner Chapman suggested including historic preservation folks in the decision for finding new seating.
5. The NC Department of Transportation plans to hold additional public meetings on the bridge projects. Dates to be determined.
6. The NC Department of Transportation plans to install a new signal light at the intersection of US 64 and Davidson River Road.
7. The Transylvania County Transportation Committee will meet on October 18, 2011 at 7:00 p.m. to prioritize highway projects for the Rural Planning Organization. The prioritized list will be presented to the Board on October 24 for approval.
8. The Manager and Chairman Hawkins attended a Small Town Competitiveness seminar in Waynesville last week. They learned there are many opportunities available to the County in terms of economic development.

### **PUBLIC COMMENT**

Don Surette: Mr. Surette invited everyone to the Allison-Deaver House on Thursday to attend a ceremonial planting of three American Chestnut trees. He noted a letter written by a Transylvania County citizen was featured on the inside back cover of the most recent journal of the American Chestnut Foundation. The letter was written from a lady to her fiancé in 1918 in which she mentioned picking chestnuts on Kuykendall Creek. The letter can be viewed online and it is also on display at the Transylvania Heritage Museum.

Gerry Hunsicker: Mr. Hunsicker commented about the vacancies filled by the Board earlier in the meeting and discussed positions in the Sheriff's Department versus the Social Services Department. He believes inmates should be doing housekeeping services. He said the Sheriff's Office has grown over the years. Mr. Hunsicker agreed with filling the Social Services positions because those positions deal with people one on one. He believes the County should be looking at more ways to cut budgets.

Robin Crowe: Mr. Crowe posed a question to Social Services Director Stoney Blevins and asked if he believes the increased caseload numbers are related to the job losses in the County. Mr. Blevins said the growth in Social Services cases began with the plant closures and he believes the continued increase in cases is directly related to the lack of jobs in the County.

### COMMISSIONERS' COMMENTS

Commissioner Chapman inquired about the possibility of participating in a Board meeting via conference call or video conference when a Commissioner is absent. He recently learned that this practice does occur in Greensboro. Staff will investigate further and report back to Commissioners.

Commissioner Phillips responded to Mr. Hunsicker. He said department heads have been diligent over the last several years with the budget. He said the fact that the Board is filling the vacancies just confirms to him that the Board has reduced budgets to the point that budgets can not be reduced further without affecting services. He assured everyone that the Board does have the citizens and employees in mind when making these decisions.

Commissioner Hogsd thanked everyone for the congratulations on the birth of his son. He reported the family is doing well.

Chairman Hawkins also responded to Mr. Hunsicker. He said he gets upset when people compare the County to what happens on the State and federal levels because he believes County officials are very cognizant of trying to balance staffing versus benefit and what can be afforded versus what is needed. Previous Boards have done so as well, particularly after the plant closings.

Chairman Hawkins also responded to Mr. Hunsicker about comments at the beginning of the meeting with regards to the 150<sup>th</sup> signs being made out-of-County. The 150<sup>th</sup> Committee used local vendors as much as possible and was very conscientious of that throughout the year. Unfortunately there was no vendor in Transylvania County that could produce the type of signs that were needed.

Chairman Hawkins reported that since the last meeting there have been three wonderful 150<sup>th</sup> events. They were the Doris Kearns-Goodwin event at the Porter Center, Rosman Heritage Day, and the Balsam Grove Community Event.

### ADJOURNMENT

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

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan  
Clerk to the Board

10/10/2011