

**MINUTES  
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS  
July 9, 2012 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, July 9, 2012 at 7:00 p.m. in the large courtroom of the Transylvania County Courthouse.

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

Media: *Hendersonville Times News* – Nathaniel Axtell  
*The Transylvania Times* – Eric Crews

There were approximately 80 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding called the meeting to order at 7:04 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**

Matthew West: Mr. West is a 4-H Club member and he is going to be a youth delegate at the upcoming NC Association of County Commissioners' Annual Conference. He is in attendance this evening for the purposes of observing the County Commission. Commissioner Chapman thanked him for volunteering to represent Transylvania County at the conference. He plans to attend the conference as well.

Scott Wood: Mr. Wood withdrew his request to speak.

John Dillon: Mr. Dillon requested to defer his comments until the end of the meeting after he hears the presentation about the mountain bogs proposal.

**AGENDA MODIFICATIONS**

There were no agenda modifications.

**Commissioner Chapman moved to approve the agenda as submitted, seconded by Commissioner Chappell and unanimously approved. (4-0, Commissioner Phillips absent)**

**CONSENT AGENDA**

**Commissioner Hogsed moved to approve the Consent Agenda, seconded by Commissioner Chapman and unanimously approved. (4-0, Commissioner Phillips absent)**

The following items were approved.

MINUTES

The minutes of the June 25, 2012 regular meeting were approved.

FACILITIES USE REQUESTS

The use of the Silvermont Mansion by the Transylvania County Republican Party on September 22, 2012 from 3:00 p.m. to 8:00 p.m. to hold a meet-the-candidates event was approved. Normal usage fees apply.

**PRESENTATIONS/RECOGNITIONS**RESOLUTION IN RECOGNITION OF DR. JAMES "JAY" BUEHLER, MD

Dr. James "Jay" Buehler has 34 years of experience as a medical doctor specializing in family practice and geriatric medicine. He worked at the Toxaway Health Center in Lake Toxaway for nine years and over those nine years made many friends in both Transylvania and Jackson Counties. Commissioners recognized Dr. Buehler for his dedicated service to the citizens of Transylvania County and presented him with a resolution. Dr. Buehler thanked Commissioners for this honor which he received with much applause from the audience.

**Commissioner Chappell moved to approve Resolution 35-12 In Recognition of Dr. James "Jay" Buehler, MD, seconded by Commissioner Hogsd and unanimously approved. (4-0, Commissioner Phillips absent)**

(Resolution 35-12 In Recognition of Dr. James "Jay" Buehler, MD is hereby incorporated by reference and made a part of these minutes.)

MOUNTAIN BOGS

The US Fish and Wildlife Service desires to protect Southern Appalachian Mountain bogs through the creation of the Mountain Bogs National Wildlife Refuge. Gary Peeples with the US Fish and Wildlife Service showed a power point presentation explaining the proposal in greater detail.

Southern Appalachian Mountain Bogs are wetlands that tend to be fed by groundwater and often have poor soils. These bogs are home to five endangered animal and plant species. State agencies, non-profits, and private landowners have been working to preserve mountain bogs for 30 years. As a result, many bogs are now protected in part, but few in whole. Overall there is no guiding vision for how all these bogs can be managed and how to protect the endangered species. A solution to this is to create a National Wildlife Refuge which is land set aside for the conservation and enjoyment of plants, fish, and wildlife. There are 11 National Wildlife Refuges in North Carolina. Only one of those is west of Interstate 95 and none of those is west of Charlotte.

Mr. Peeples reported that Wildlife Refuges are evaluated for recreation opportunities, although some sites would be too small and fragile for public recreation. On sites with recreation, wildlife-based recreation takes priority, such as hunting, fishing, wildlife observation and photography, and education and interpretation.

The US Fish and Wildlife Service is in its early stages of planning. The agency is looking at 30 sites in Western North Carolina and Eastern Tennessee totaling 45,000 acres. The agency refers to these as conservation partnership areas which are made up of the bogs and upland areas. Among those 45,000 acres, the agency is seeking to acquire up to 23,000 acres. If some properties are not acquired, the agency still hopes to work with the private landowners to help them develop private stewardship of their land.

For Transylvania County, there are three conservation partnership areas. All of these are in the southeast portion of the County totaling 12,592 acres. They are: 1) East Fork-7,372 acres; 2) Burnt, bordering Dupont-3,851 acres; and 3) Blue Ridge, far southeast corner-1,368 acres. Creation of the Mountain Bogs National Wildlife Refuge would be a voluntary partnership between the US Fish and Wildlife Service and the landowners in these conservation partnership areas. There are a range of options available to the landowners in terms of level of commitment. One would be to sell their property to the US Fish and Wildlife Service to become part of the Refuge. Another would be to sell a conservation easement to the agency. In rare cases, the agency would look at leasing the land from the landowner. The landowner could maintain ownership but work with US Fish and Wildlife to compete for financial assistance to take care of the land and receive technical assistance for stewardship. The landowners also have the option of doing absolutely nothing at all.

The land that would become part of the Refuge depends on two factors. The first is the presence of willing and interested sellers. If no one wants to sell their land, then no Refuge can be created. The other factor is that the US Fish and Wildlife Service would have to come up with the money to purchase the land. The monies to purchase the land come from the Land and Water Conservation Fund. This is a special pot of money consisting of fees collected from leases that are paid by oil companies to do offshore drilling. The funds are doled out on a competitive basis. Mr. Peebles stated that it is likely to take decades to acquire the 23,000 acres, if ever.

The agency is spending the summer sharing information with the public about this project and getting their input. The agency will develop and share draft planning documents and finalize the plans in early 2013. In the summer of 2013 the plans will be submitted for final approval. Upon final approval, the agency will begin competing for funds and having serious conversations with landowners who are interested in selling their property.

Mr. Peebles discussed how the proposal would affect the County's property tax base. The Refuge Revenue Sharing Act allows the US Fish and Wildlife Service to offset the tax losses by paying the County an annual sum of money. The Act requires the revenue sharing payments to the counties to be based on the greatest of:

- \$0.75 per acre (minimum)
- $\frac{3}{4}$  of 1% of the fair market value
- 25% of receipts generated by the Refuge (timber sales, permit fees from commercial guiding, etc.)

The totaled assessed value of the property in Transylvania County, using 2010 figures, is \$31,496,120. Mr. Peebles estimated these properties generate approximately \$124,000 in tax revenue for Transylvania County. Based on the  $\frac{3}{4}$  of 1% market value, the maximum the US Fish and Wildlife Service would pay is \$236,000, a gain of over \$100,000. However, Mr. Peebles noted that these projects seldom get fully funded. For 2010, the projects were funded at a level of 22%, which would equate to approximately \$52,000. Mr. Peebles stated that Commissioners should consider that the property tax revenue is likely overstated, that it is extremely unlikely that all the landowners, of which there are 84, would sell their property to the US Fish and Wildlife Service, and neither the budget nor willing sellers would make it likely that the land would be acquired all at once.

Mr. Peebles noted that former US Congressman Charles Taylor has made known his intentions for his East Fork property. The US Fish and Wildlife Service is not the only agency interested in acquiring the East Fork tract. The NC Forest Service is also interested and they are much further along in their process for acquisition than the federal government. Mr. Peebles commented that State agencies do not pay any monies to the County in lieu of local property taxes.

Mr. Peeples closed his presentation by saying that should the Mountain Bogs National Wildlife Refuge come to pass and include parts of Transylvania County, the US Fish and Wildlife Service very much wants to be good neighbors and to be responsive to the County's questions, concerns and ideas. He invited Commissioners to contact him at any time with questions or concerns.

#### Discussion:

Commissioner Chapman asked if the sites were isolated within a tract of land would access be guaranteed to the public through rights of way. Mr. Peeples responded that it is too early to answer this question but he would provide an answer as soon as he can.

Commissioner Chapman stated that over 50% of Transylvania County consists of State and federal lands that are not part of the County's tax base. Each time more land is removed from the tax rolls, it impacts the County's ability to provide services to the community at a reasonable cost.

Commissioner Chappell asked staff to post Mr. Peeples' contact information on the County's website so citizens can contact him with any questions or concerns. He asked how the US Fish and Wildlife Service would respond if the East Fork tract were acquired by the State. Mr. Peeples said the agency would more than likely not go after the property but would try to work with the State to determine how to manage the bogs located on the property.

In response to a question from Commissioner Hogsted, Mr. Peeples said that the three sites in Transylvania County are owned by 84 landowners. One of those is the East Fork tract owned by former Congressman Taylor, so the other two tracts are owned by 83 landowners. Commissioner Hogsted asked who would make the decision about how the County is compensated in the event the proposal occurs as planned. Mr. Peeples said the County would receive monies using the revenue sharing formula that provides the County with the most funding. This is based annually.

Commissioner Chappell asked if the agency requires the opinion of the County Commissioners. Mr. Peeples said the US Fish and Wildlife Service does not require the opinion of the County Commissioners, but their opinions and comments are certainly welcome.

Chairman Hawkins asked if the purchase option is the default option for the US Fish and Wildlife Service. Mr. Peeples responded that it would depend on what the landowner wants. The agency is looking at purchasing up to 23,000 acres and has already been contacted by several landowners who are interested in selling their property. The agency is willing to work with each landowner to the degree that they want the agency involved. Chairman Hawkins said it seems that for those smaller isolated parcels that would not be appropriate for hunting or other activity, the default option would be working with the landowner for stewardship instead of purchasing the land. Mr. Peeples said these are the very issues the agency is beginning to address in their planning process. Chairman Hawkins also inquired about the method used to prioritize parcels. Mr. Peeples said there is a prioritization schedule. The agency is studying items like the presence of endangered species, the presence of wild brook trout waters, etc. There is a team of people trying to determine how to combine all the factors and use them to prioritize the list of parcels.

There was no other discussion and Commissioners thanked Mr. Peeples for his presentation.

## APPOINTMENTS

### AREA COUNCIL ON AGING

The term of Delores Stroup expired at the end of June. She is the Senior Tar Heel Delegate to the Area Council on Aging. There are no other applications on file.

**Commissioner Chappell moved to waive the term limits and reappoint Delores Stroup to the Area Council on Aging, seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Phillips absent)**

### CHILD FATALITY PREVENTION TEAM/COMMUNITY CHILD PROTECTION TEAM

Several members of this combined team expired at the end of June. Health Director Steve Smith recommended the following:

1. Reappoint the CCPT/CFPT elective membership: Mae Clayton, Kevin Creasman, and Teesie Townsend
2. Move Kathie Williams from the CCPT/CFPT elective membership to serve as the local guardian ad litem by statute, replacing Jim Gensch who moved out of state, thereby reducing the elective membership from eight to seven (no required number of elected members)
3. Reappoint Gale Mackey to serve in the role of local law enforcement officer to the CCPT

**Commissioner Hogsed moved to approve the recommendation, seconded by Commissioner Chapman and unanimously approved. (4-0, Commissioner Phillips absent)**

## OLD BUSINESS

### BIDS FOR ANIMAL SHELTER

The Manager reported that on May 21, 2012, the County released an Invitation for Bids for the new animal shelter project with a deadline of June 21, 2012 for submitting bids. Nine bids were received. County Finance Director Gay Poor, Operations Manager David McNeill, Project Manager Larry Reece, and Purchasing Agent Michelle McCall reviewed the submitted bids to determine the lowest responsive, responsible bidder according to NC General Statute 143-129. The apparent low bidder, Kearey Builders, Inc., had two minor irregularities on their bid form. In Section 1.05 OFFER of the bid form, the sum of the itemized portion was \$10.00 less than the amount submitted for their total base bid. In the Section 1.09 ADDENDA, Addendum #4 was acknowledged but the date submitted was off by one day. County staff consulted with Frayda Bluestein, Professor of Public Law and Government at the UNC School of Government, and County Attorney Curtis Potter on these irregularities. Both agreed that these irregularities are minor and give the bidder no advantage over the other bidders. All members of the evaluation group agreed and recommended awarding the contract to Kearey Builders, Inc. for the Total Base Bid amount of \$1,011,900.

Purchasing Agent Michelle McCall reported that Kearey Builders, Inc. is located in Statesville, NC. They are a licensed builder in this State with many years of construction experience. Kearey Builders, Inc. has worked on a project in Transylvania County. They worked on the Career & Technical Education Building at Rosman High School. Ms. McCall checked their references and they received glowing recommendations. Kearey Builders, Inc. used local/regional subcontractors on the recent project for the School System. One of their local superintendents lives in Transylvania County and, if awarded, will be working on the animal shelter project.

The total project cost with 3% contingency, architect fees, furniture and fixtures, and utility hook up costs equals \$1,144,757. The finances available for the project are as follows:

Transylvania County	\$ 741,000	
City of Brevard	\$ 100,000	(\$20,000/year for five years)
Friends of the Animal Shelter	\$ 242,000	(In Hand)
Friends of the Animal Shelter	\$ 61,757	(To be raised prior to 1/1/13)
Total	\$1,144,757	

The Manager reported that the Friends of the Animal Shelter (FOTAS) has raised an average of \$22,000 a month. FOTAS is committed to raising the additional funds by January 1, 2013 and believes it can raise \$80,000 which is more than needed to fund the entire project. Dr. Clyde Brooks who led the fundraising efforts confirmed the Manager's statements. The Manager recommended Commissioners award the animal shelter project at a total project cost of \$1,144,757 to the lowest responsible bidder being Kearey Builders, Inc. and move ahead with the project. He said staff is committed to bringing in the project on or under budget.

Commissioner Chappell expressed concern about the low contingency amount of 3%. The Manager reported that staff feels comfortable with this level of contingency. There will be staff on site during the project.

Commissioner Chappell inquired about the auction that FOTAS is planning. Dr. Brooks said the auction will be held on November 3. At this time, FOTAS has not calculated how much money could be raised through this effort. The Manager noted that during the Library project, as soon as ground was broken, many more donors stepped forth to contribute to the project. He said FOTAS is experiencing the same with the animal shelter project. Dr. Brooks confirmed there is a donor willing to give a large amount but with the stipulation that the project breaks ground this year. Commissioners thanked Dr. Brooks and FOTAS for their fundraising efforts and for helping to make this project become reality.

**Commissioner Hogsd moved to (1) award the contract to Kearey Builders, Inc. the Total Base Bid amount of \$1,011,900. Public funding will consist of \$741,000 from Transylvania County and \$100,000 from the City of Brevard, with Friends of the Animal Shelter committed to providing the remainder; (2) to approve the project budget for the new animal shelter totaling \$1,144,757; and (3) to give the County Manager the authority to approve change orders as long as the project stays within the approved budget. The County Manager will report monthly to the Board of Commissioners all change orders approved. The motion was seconded by Commissioner Chappell.** Commissioner Chappell asked staff to keep Commissioners updated on the fundraising efforts by FOTAS. Commissioner Chapman said he fully supports a new animal shelter for Transylvania County but does not support the amount of money being spent on the project. From visiting other counties' animal shelters, he knows shelters can be constructed for far less. Therefore he cannot support funding this project especially when there are so many other needs in the County. Chairman Hawkins believes the new shelter will be more functional and efficient than other counties' shelters, specifically Macon County, and will last for many decades without modifications. Furthermore, he believes the new shelter will be a center for animal welfare. Chairman Hawkins agreed with Commissioner Chapman's concern about cost, but said the monies are being spent towards a long term facility, and the County's contribution leveraged with public funding is a project worth moving forward. Commissioner Chapman reminded Commissioners that additional staff may be needed to operate the new shelter and that utility costs will be higher as well. Commissioner Chappell said the current facility has been deemed by the State to be insufficient and does not meet State law requirements. The State is allowing the County to continue to operate the current shelter while Commissioners work on plans for a new shelter. He commented that Macon County's animal shelter is similar to the current Transylvania County shelter in that it is a center block building that is just a bit larger. He said if FOTAS had not raised the funds that they have he may not be supportive of moving forward at this time. However, previous Boards set aside monies years ago for this purpose and promised the citizens of the County that they would build an animal shelter. Commissioner Hogsd

shared similar concerns with the layout of the shelter in Macon County because it is a larger version of Transylvania County's current shelter and does not have some of the amenities the new shelter will have, such as measures to prevent disease. He believes that first and foremost, taxpayer dollars should be spent wisely. He said the County could spend less now and build an inferior facility that may last 25 years, or the County can move forward with this project as designed that will last much, much longer.

Commissioner Hogsed believes this project is a very good use of taxpayers' dollars. **The motion passed 3 to 1. (3-1, Commissioner Chapman against, Commissioner Phillips absent)**

## NEW BUSINESS

### PROPOSED CHANGES TO THE TRANSYLVANIA COUNTY SUBDIVISION ORDINANCE

The Planning Board has been reviewing the County's Subdivision Ordinance over the last couple of months. Planning Board Chairman Scott McCall asked Commissioners to schedule a public hearing on proposed amendments recommended by the Planning Board. The Planning Board feels these amendments will afford taxpayers some protection. The current Subdivision Ordinance allows for developers to record a new subdivision if they have a bond or secure a letter of credit for construction of a road(s) in the subdivision that meet the ordinance's minimum standards or if they deposit or place in escrow a certified check or cash in an amount equal to 125% of the cost to complete the work as determined by a professional engineer. As lots are sold, the developer would take the proceeds and complete the remaining road work. However, given the current economic situation, many developers relying on either bonding or a letter of credit failed to complete the necessary subdivision improvements. In many cases local governments were left trying to enforce the bond or a letter of credit, or in the worst case scenario, actually paying to ensure the improvements were installed. Therefore the Planning Board recommended the bond and letter of credit option be removed from the Subdivision Ordinance.

**Commissioner Chappell moved to schedule a public hearing on the proposed changes to the Subdivision Ordinance for August 13, 2012. The motion was seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Phillips absent)**

### TRANSYLVANIA COUNTY SMOKING ORDINANCE AND PUBLIC HEALTH INITIATIVE FOR TOBACCO FREE STATUS ON COUNTY CAMPUSES

In 1993 the Board of Commissioners approved a Smoking Ordinance which has a stated purpose "to protect the health, safety and general welfare of all County employees and the general public entering any of the various buildings owned, occupied or leased by the County, and all other public places within the County". The Transylvania County Board of Health would like to work in partnership with the Board of Commissioners to establish an expanded ordinance to prohibit tobacco use within all County buildings, County vehicles and on all County grounds.

Public Health Director Steve Smith reported that tobacco use is significant to public health because it is the leading cause of preventable death. The Board of Health would like to move toward having tobacco free campuses, which would include County grounds, buildings and campuses, and County vehicles. Mr. Smith stated that smoking is of primary concern with the exposure of second hand smoke to people who do not use tobacco products. The Board of Health recommended a sequential approach regarding the County's tobacco policy which includes:

- Move forward with a revision to the current smoking ordinance to establish tobacco free campus status for the Transylvania County Library and New Adventure Learning Center
- Consider future expansions of policy
- Allow public health staff the opportunity to draft a sample ordinance or rule with guidance from the Transylvania County Board of Health

- Review the draft ordinance or rule to ensure that it meets expectations
- Set a timetable for approval and implementation in conjunction with the Board of Health (this would require a public hearing as part of the process)
- Establish an information campaign for the public along with the decisions about tobacco cessation support for County employees that would be impacted

Commissioner Chapman wondered where government intrusion upon people's lives ends. He said this policy does nothing but expand government control which he is opposed to. Commissioner Chapman commented that the current policy appears to be working.

Commissioner Hogsed said he has no issue with reviewing the current ordinance to determine if it needs revision; however he does not support smoke free campuses because the current ordinance already restricts smoking in County buildings and near entrances to facilities. He said it is not the role of government to protect people from themselves and he believes the establishment of smoke free campuses assaults personal freedom of liberty and choice.

Commissioner Chappell expressed concern about expanding the policy because of the difficulties with enforcing the ordinance. He said he works on a smoke free campus and officials find it hard to police. He said he may look at this differently if there were problems or complaints.

Chairman Hawkins asked Mr. Smith to explain the recommendation to move forward now with banning smoking at the Library and the New Adventure Learning Center. Mr. Smith said these two campuses are unique because they both provide exposure to children and families. Currently there are no employees who use tobacco working in either of the two facilities. Also included in the recommendation is a broader and longer term consideration because over time it may be problematic to have different standards for various County buildings or campuses. Chairman Hawkins said he would prefer the first step to be education, to include talking with staff and others and educating people about tobacco issues. He agreed with previous comments made by Commissioners, but said while individuals are responsible for what they put into their bodies, there are public health costs that everyone else bears because some people do not make good choices.

**Commissioner Chapman made a motion to keep the current policy in place and for the staff to bring this back before Commissioners for review if significant problems arise.** Mr. Smith commented that he has received several complaints from patrons of County buildings. He agreed with the enforcement issue that Commissioner Chappell expressed concern about, but said there is no enforcement mechanism in place for the current ordinance either which is part of the problem. He will review the current ordinance and if there are practical changes that can be made, he will bring those back for the Board's consideration. **The motion was seconded by Commissioner Hogsed and unanimously approved.**

#### BUDGET AMENDMENT

Lake Toxaway Fire Rescue, Inc. has requested that \$10,000 be released from their reserves to replace an HVAC unit that is approximately 20 years old and is beginning to fail. At the end of May their fund balance was \$18,721.38. The FY 2013 budget did not include any funds from reserves. The financial impact of this request is that the reserves held for Lake Toxaway Fire Rescue, Inc. will decrease by \$10,000 and their FY 2013 budget will increase to \$564,657.

**Commissioner Chapman moved to approve the Budget Amendment, seconded by Commissioner Hogsed and unanimously approved. (4-0, Commissioner Phillips absent)**

VOTING DELEGATE TO THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS ANNUAL CONFERENCE

The NC Association of County Commissioners Annual Conference will be held August 16-19 in Wake County. Each county is asked to designate a voting delegate to the Annual Conference. Commissioner Chapman has indicated his desire to attend the Annual Conference.

**Commissioner Hogsed moved to appoint Commissioner Larry Chapman as Transylvania County's delegate to the NC Association of County Commissioners Annual Conference, seconded by Chairman Hawkins and unanimously approved. (4-0, Commissioner Phillips absent)**

CANCEL SECOND COMMISSIONERS' MEETING IN JULY

Due to the number of budget meetings held in June, the start of the new fiscal year and the lack of business needed to go before the Board of Commissioners, staff requested that Commissioners cancel the second meeting in July. If an urgent issue arises, Commissioners can call a special meeting.

**Commissioner Chappell moved to cancel the July 23, 2012 Commissioners' meeting. The motion was seconded by Commissioner Hogsed.** Chairman Hawkins noted that recently Commissioners discussed their participation in the GroWNC initiative. At that time, Commissioners agreed to further address their participation during a meeting in July. By cancelling this meeting, the discussion will be moved to the first regular meeting in August. **The motion was unanimously approved. (4-0, Commissioner Phillips absent)**

MANAGER'S REPORT

The Manager reported the following:

- Plans for the renovation of the Courthouse are almost complete. Staff plans to seek approval from Commissioners at a meeting in August.
- Approved the advertisement for a Tele-communicator position that became vacant due to a resignation.
- The unofficial tax collection rate for FY 2012 is 99.63% which the Manager believes is another State best. He congratulated the Tax Office staff for their great work.
- Construction has begun on the new Davidson River Bridge on Old Hendersonville Highway.

**PUBLIC COMMENT**

John Dillon: Mr. Dillon said the national debt is \$15 trillion and rising, yet the federal government would like to spend money to purchase property with money it does not have. He said the fees collected through off shore oil drilling leases should be used to pay off the nation's debt.

Gerry Hunsicker: Mr. Hunsicker questioned the rules and regulations under which Mr. Peeples with US Fish and Wildlife does his work. He commented that he has been researching the NC Department of Environment and Natural Resources' rules and regulations with regards to brook trout and said the State does not have a program in place to pay in lieu of lands, but only to take property from owners and fine them for not obeying regulations. Mr. Peeples responded that his agency has no ability to take property. Mr. Hunsicker asked how his agency would be involved with native brook trout. Mr. Peeples said when the agency is looking at prioritizing which sites would become a Refuge, the presence of native Southern Appalachian Brook Trout would help boost those sites up the priority list.

Edwin Jones: Mr. Jones reported that he is associated with Boy Scout Troop 703 in Brevard. In June, Troop 703 culminated a year's process called InvenTeam sponsored by the Lemelson Foundation at MIT. The Troop worked with first responders in the County to invent an ergonomic bariatric rescue system

that allows rescuers to extricate larger, heavier patients from small, cramped spaces while minimizing the risk of injuries to both the rescue crew and patient. They submitted their project and were selected as one of 60 teams in the world to travel to MIT and present their invention. Mr. Jones asked the Board to allow him time at a future meeting to present a slideshow to Commissioners about their project. Commissioner Chappell asked him to provide the names of the young men involved in the project for recognition at a future meeting.

George Frank: Mr. Frank thanked Commissioner Chapman for his comments about spending such a large amount of money on an animal shelter. He also reminded Commissioners to hire companies located in Transylvania County to perform these projects here because it benefits the County overall.

Wayne Hennie: Mr. Hennie informed Commissioners that the 12,000+ acres the federal government is interested in represents nearly 5% of the County's land mass. He believes the acquisition of more land by State and federal agencies leads back to the United Nations' Agenda 21 initiative. He wondered what the National Forest Service would think if the County sent them notice that the County has identified many acres that are developable and will implement a plan to purchase the land from them. He does not think the federal government would go along with that. He urged officials and residents to work to protect the County from another federal land grab.

Carl Travis: Mr. Travis of Carl's Grading, a local business, thanked Commissioners for awarding the contract for the animal shelter to Kearey Builders, Inc. He worked with Kearey Builders, Inc. on the school project at Rosman High School. He said they use many local contractors and are a very good company to work for.

#### COMMISSIONERS' COMMENTS

There were no comments from Commissioners.

#### ADJOURNMENT

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

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan, Clerk to the Board