

**MINUTES  
JOINT MEETING  
OF THE  
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS  
&  
TRANSYLVANIA COUNTY PLANNING BOARD  
September 24, 2012**

The Transylvania County Board of Commissioners met jointly with the Transylvania County Planning Board in lieu of a regular meeting on Monday, September 24, 2012 at 7:00 p.m. in the downstairs conference room of the Community Services Building. The purpose of the meeting was to discuss and provide direction to the Planning Board on projects to work on over the next year.

Commissioners present were Vice-Chairman Larry Chapman, Jason Chappell, Chairman Mike Hawkins, Daryle Hogsed and Kelvin Phillips. Also present were County Manager Artie Wilson, County Attorney Curtis Potter, Planning and Economic Development Director Mark Burrows and Clerk to the Board Trisha Hogan.

Planning Board members present were Larry Hoxit, Jay Kaiser, Chairman Scott McCall, Vice-Chairman Mark Tooley and Mike West. Unable to attend the meeting were members Mark Parker and Larry Wilson.

Media: *The Transylvania Times* – Eric Crews

There were approximately 40 people in the audience.

### **CALL TO ORDER**

The joint meeting was called to order at 7:06 p.m. Chairman Mike Hawkins presided over the Board of Commissioners. Chairman Scott McCall presided over the Planning Board.

### **WELCOME & INTRODUCTIONS**

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

### **MEETING EXPECTATIONS**

Chairman Hawkins announced that the Planning Board initiated this meeting because they want direction from Commissioners on what they should be working on over the next year. It is the Commissioners' expectation that this meeting is productive and that clear direction is given to the Planning Board with the goal of moving the County forward.

### **PLANNING BOARD ORDINANCE OVERVIEW**

Chairman McCall gave an overview of the duties and powers of the Planning Board. The Planning Board functions under the powers given by NC General Statutes and is made up of seven members who serve staggered terms. Their duties include:

1. Amending and revising the County's comprehensive plan
2. Recommending principles and policies to guide development

3. Preparing and recommending ordinances to County Commissioners in coordination with the comprehensive plan
4. Determining if proposed developments adhere to the established principles and requirements of the comprehensive plan
5. Keeping Commissioners and the public advised as to these matters, as well as ensuring Commissioners are advised of changes to NC General Statutes pertaining to planning and recommending changes as needed to ensure compliance with State law
6. Performing many other duties which may be lawfully assigned by the County Commissioners

The comprehensive plan includes map, plats, charts and descriptive matter identifying the Planning Board's recommendations to the Board of Commissioners for the future development and growth of the County. These recommendations shall include goals and objectives for the conservation of the County's distinctive rural character and mountain heritage, and conservation of the County's air, water and land resources, plans for having the best possible roads for the County, along with promotion of alternative transportation, provision for and/or coordination of reliable and safe drinking water, wastewater treatment and solid waste collection and disposal, support of affordable, safe and adequate housing for all residents, planning and provisions of appropriate public facilities that provide services for residents and businesses, and promotion of the best use of land while protecting citizens' property rights. The comprehensive plan is to be reviewed annually by the Planning Board with recommendations or changes made to Commissioners by the Planning Board.

### **POTENTIAL PLANNING BOARD PROJECTS FOR THE NEXT YEAR**

The Planning Board identified four particular areas for consideration by the Board of Commissioners.

#### COMPREHENSIVE PLAN

Planning and Economic Development Director Mark Burrows reported that the County's most recent comprehensive plan was adopted by the Board of Commissioners on February 14, 2005. The comprehensive plan generally addresses population and economic development concerns and identifies specific goals for each. It looks at the environmental characteristics of the County, as well as roads and infrastructure. Infrastructure may include healthcare, emergency services, and telecommunications. It also looks at land use recommendations, although the current plan adopted by the Board of Commissioners does not include a land use plan. It does however include a map that identifies general areas for future development with goals associated with those areas.

The Planning Board reviews the comprehensive plan each year, usually in December. Members identify what has been done and other areas that need to be worked on. Comprehensive plans are typically relevant for approximately 10 years. The Planning Board would need to begin work on a new comprehensive plan by early 2014 for it to be completed by 2015. Mr. Burrows suggested Commissioners allow the Planning Board to work on better understanding the current characterization of the County.

Mr. Burrows discussed the difference between a comprehensive plan and a land use plan. He said a land use plan identifies current uses. Based on the current uses, knowledge of the area, using information gathered for the comprehensive plan, and taking into consideration demographic, social and economic changes, a determination can be made about what may occur in a particular area in the County. A comprehensive plan provides a much broader picture and identifies things like plans for protecting the environment while protecting private property rights, goals for transportation needs, current and future infrastructure, and overall general characteristics of the County. In developing a comprehensive plan, the Planning Board would work with the appropriate agencies to develop joint goals and strategies.

Mr. Burrows reported that the City of Brevard is in the process of updating its comprehensive plan. He said it could be beneficial for the County to work on its plan jointly with the City to ensure each entity is aware of each other's needs and future plans. He noted that the Town of Rosman does not have a comprehensive plan.

Commissioner Chapman inquired about whether or not the time frame for developing a new comprehensive plan should be moved up. Planning Board member Mark Tooley noted that the current comprehensive plan took three years to develop and he felt that the sooner the Planning Board could get to work on a new plan the better. Mr. Burrows said a new comprehensive plan could be developed reasonably within 18 to 24 months, which would involve review of the plan by the municipalities and other agencies and public input. A new comprehensive plan would involve a characterization of current land uses, not land use planning.

Chairman Hawkins inquired about what is involved with identifying current uses and the resources that are required. Mr. Burrows said the current plan was developed using a windshield method and using maps. Those same methods would be used to develop a new plan. Existing maps would be helpful in identifying specific areas such as subdivisions which have land use restrictions, properties without any type of restrictions, and property owned by the federal and State government or land in conservation easements. This information would provide a great deal of detail about the County, including population density and potential growth projections, and water resources and water sheds. The Manager noted that segments of a new comprehensive plan may come as a result of the economic development visioning process that the County and others are currently working on. Chairman McCall added that a coordination of efforts will be needed on everyone's part because the most important issue facing the County is economic development.

The chapters that exist in the current comprehensive plan address population and economic development, environment, transportation, water supply, wastewater and solid waste, housing, community services, and land use patterns which all tie together to provide a good understanding of the County. Goals adopted by the Board of Commissioners for the next 10 years should indicate where the County would like to see growth take place. Projected growth will be based on State data and US Census data, as well as trend lines and private data.

Some discussion ensued about the County's aging population and how it will affect the needs of the community in terms of healthcare and transportation needs. There was also discussion about the impact of a decreasing student population and aging school buildings and infrastructure. Chairman McCall said these areas could also be studied as it falls under performing any other duties which may be lawfully assigned by the Board of Commissioners. He stated that this County will need to coordinate efforts on many issues more than ever because of the challenges being faced from a national level all the way down to the local level.

#### EXISTING LAND USE UPDATE

This item was discussed in conjunction with the comprehensive plan. Mr. Burrows recommended against developing a land use plan at this time; but rather focusing on a characterization of the County as a whole.

#### WATER AND SEWER

The County has little to no experience with water and sewer services and has no water or sewer authority. The County's main involvement has been assisting the Town of Rosman with applying for grants to increase capacity for their existing utilities. In the past, the County has also had discussions with both the City of Brevard and the Town of Rosman about connecting their utilities.

The Manager reported that representatives from the County, the City of Brevard and the Town of Rosman recently met and discussed the community's water resources. The City is already beginning to evaluate its future needs. It is the Manager's hope that the City and County can work together on this issue. A new

comprehensive plan and the economic development strategy would help determine the need for water and sewer services in the County. There are areas of the County where well water quality is poor and septic systems are failing. Access to water and sewer is also an economic development issue. Businesses seeking to relocate here are asking about the availability of these services. In order to be able to provide such utilities the County must go through a permitting process with the State. The permitting process includes making a claim on the amount of water the County intends to withhold from the water source, in this case being a river. The justification of the claim must be based on growth of residential areas and industry and how they use water. The County cannot enter the permitting process without first having a plan in place. The Manager noted that it is possible for other entities to stake claim on water resources in this County.

The City of Brevard will hold a workshop in Council Chambers on Monday, October 15, 2012 at 5:30 p.m. to discuss their future needs in terms of water and sewer capacity. The Manager believes it will be helpful for the County to understand their needs, as well as the needs of the Town of Rosman, for the development of an economic development plan. Sometime after the public meeting, representatives from each entity will meet again to begin discussions on developing strategies. Working with the municipalities will help the County gain knowledge about this process.

Mr. Burrows stated that having a land use characterization map prepared would help expedite the process of determining the County's needs. The cost of future development can be determined with the help of professional services. He noted that the City of Brevard currently gets its water from Cathey's Creek and most of that area is located within the Pisgah National Forest. Therefore a limited number of people are affected by the County's Watershed Ordinance. If the County decides to move forward with providing water services, it would have to determine where the water intake would be located and then put into place watershed regulations upstream that are mandated by the State in order to protect the water quality for the people using the water. Mr. Burrows believes it would be in the County's best interest to engage the Planning Board's assistance to determine what the process will be and how best to become educated on this issue in order to make the best decisions for the County.

The Manager suggested that the Board of Commissioners instruct the Planning Board to identify the issues and processes involved with extending utilities and identify areas where utilities might be extended in order for the County to determine the magnitude of the cost. He noted that the County currently has a policy with both municipalities that says that if the County should have an economic development project occur that is outside either municipality's jurisdiction the County would pay for the extension of utilities. The municipalities need to be able to handle the increased capacity.

#### TRANSPORTATION ISSUES

The Manager explained how transportation issues are addressed in the County. The local Transportation Advisory Committee (TAC) consists of nine members and includes representation from both municipalities. The TAC meets quarterly to evaluate and discuss the transportation needs in the community and relays that information to the Board of Commissioners. Information also flows from Commissioners to the TAC. From the County level, transportation needs are forwarded to the regional level. The Land of Sky Rural Planning Organization (RPO) is divided into two committees: the Technical Coordinating Committee and the Transportation Advisory Committee. The RPO is made up of Buncombe, Haywood, Madison and Transylvania Counties. The RPO Transportation Advisory Committee makes the final decision on transportation issues and projects and then forwards them to the NC Department of Transportation.

Transylvania County has the advantage of being the only county that is 100% in the RPO. The RPO works to prioritize projects from each county. The projects involve rural roads. Being fully in the RPO has allowed projects in Transylvania County to rank higher than the other counties. Otherwise Transylvania County would be competing with larger counties for road projects.

The RPO reviews the County's Comprehensive Transportation Plan annually. It lists the improvements that need to be made to roads within the County. The RPO works to make these projects come to fruition.

Mr. Tooley commented that the Planning Board has discussed a possible joint meeting with the TAC in an effort to work more closely together on planning for transportation needs. He inquired about how citizens have input with regards to transportation issues. The Manager pointed out that all TAC meetings are advertised and open to the public. The RPO meetings are open to the public as well and citizens can attend and comment. Citizens can also attend County Commission meetings and report any concerns to Commissioners or the Manager at any time. He announced that Commissioners will be meeting jointly with representatives from Division 14 of the NC Department of Transportation on Wednesday of this week to discuss the Secondary Road Improvement Program for FY 2013 and it is also open to the public.

Chairman McCall commented that this County seems to fall behind in meeting the road needs in the community. One of the key pieces going forward is to coordinate with the local TAC to help get some much needed projects under way. He said there are some real common sense projects out there that should have been done years ago. Some of those are elevating Hannah Ford and Wilson Roads to get them out of the flood plain, building a bridge in the lower end of Rosman to connect Hwy 178 so people can have a way out when flooding occurs, and completing four lanes of traffic between Rosman and Brevard.

Commissioner Chapman inquired about local transportation programs that move people. Mr. Burrows said this area falls under the community services section of the comprehensive plan. The Manager reported that the County Transportation Department, which transports people for medical appointments, work services, etc., has a comprehensive plan in place. However, he feels this element should be included in the discussions for developing the comprehensive plan. With the County's population continuing to age, the needs of the people for services like these will continue to increase as well.

Chairman Hawkins requested to revise the agenda and allow public comment prior to discussion and direction. There was no objection.

### **PUBLIC COMMENT**

Don Surrette: Mr. Surrette said Commissioners should raise the level of urgency on water use planning because he believes the potential is real for others to come into this County and dictate how the water can be used. He also urged Commissioners to follow the lead of the City of Brevard by not taking people's private property to access the water resources.

Tim Petit: Mr. Petit inquired about how many jobs have been created as a result of the current comprehensive plan. Mr. Burrows responded that the purpose of the comprehensive plan is not necessarily job creation, but rather to identify resources and how to use them.

Gerry Hunsicker: Mr. Hunsicker said it is important to know why companies that showed an interest in locating here did not. Furthermore, he said there is no evidence of growth in manufacturing as a result of the 2005 comprehensive plan. He believes the County should have been investing in product that would have enticed manufacturing and instead of directly or indirectly turning away livable wage jobs for those who need employment. Mr. Hunsicker commented that excessive rules and regulations are burdensome. He believes it is time for staff to start asking Commissioners to make investments in areas that are going to secure jobs for this County and stop using monies to remodel County facilities. He urged Commissioners to come up with a plan to protect the people of this community and stop worrying about what is going in surrounding counties.

Wayne Hennie: Mr. Hennie believes it is time to develop a new comprehensive plan in order to promote economic development and meet the needs of the citizens in this community. In terms of transportation, he said while the Rails to Trails program sounds great, it is more important to keep the rail lines intact to attract industry. Mr. Hennie said the County should be accessing its water resources and selling it which might solve some economic issues as well.

Sam Frady: Mr. Frady said the County seems to have lots of plans in place but he sees very little action. He asked Commissioners if they were happy with where the County currently is in terms of employment, resources, etc. and if the current comprehensive plan has met their expectations. Chairman Hawkins responded that the purpose of this meeting was to discuss the County's shortcomings and examine its strengths and determine how to move forward. He said Commissioners want Transylvania County to be better than it is today and that will happen by everyone working together.

Daryl Macinnes: Mr. Macinnes said it is important to keep in mind what draws industry to the Brevard area and to this County. What drew Oskar Blues here was not an antiquated railroad, which he believes would be better if converted into a trail, but rather the County's natural resources and the fact that the owner enjoys visiting Brevard.

### **DISCUSSION AND DIRECTION**

Commissioner Chapman commented that he is struggling personally with the term land use planning because it means restricting the use of property. Commissioners constantly hear from citizens about conserving and maintaining private property rights; however if the County intends to provide water and sewer services it will require the acquisition of land that may or may not be available. Also, the County currently does not have funds to pay for the extension of utilities unless citizens are willing to pay more taxes. He also expressed concern about not having buildings for businesses wanting to relocate here and wondered how much the County is willing to invest. In response to a citizen comment, Commissioner Chapman said that to his knowledge Transylvania County has never turned away industry.

Commissioner Chappell also expressed concern about land use planning. He believes it would be important to direct the Planning Board to identify some particular sites that are for sale or could be potentially for sale where small, medium and large manufacturing businesses could locate. These sites do not necessarily need water or sewer. When businesses contact the County for information about locating here, staff will be able to point out which areas can potentially meet their needs. Commissioner Chappell also responded to a citizen comment. He said he is not happy about where the County is and it is his hope that this meeting will have positive outcomes.

Chairman Hawkins stated that the County will soon receive a report about a potential economic visioning project that may deal with a lot of these concerns.

Commissioner Chappell said Commissioners need information about the process the County would go through to provide water and sewer services.

Chairman Hawkins believes a good first step to address transportation needs would be for the Planning Board to have a joint meeting with the local Transportation Advisory Committee. Chairman Hawkins also wondered if the County could explore synergies with the City of Brevard in terms of developing a comprehensive plan.

Mr. Tooley asked Commissioners to revisit the vacant Planner position. He said Mr. Burrows' office is understaffed, especially with all the work that is going on. Commissioner Chappell noted that the FY 2013

approved budget includes dollars under contract services for help in this area. Mr. Tooley further commented that counties that are moving forward and doing well have very good plans in place.

Commissioner Chapman also responded to a citizen comment that the County should not continue spending money on its facilities. He said quality of place is just as important as quality of life. If a person or business is looking to relocate here, the County needs to present itself in a professional manner with regards to the appearances of its facilities.

Commissioners began formulating their direction for the Planning Board. There were in consensus about the following:

#### Transportation

- Instruct the Planning Board to meet jointly with the local Transportation Advisory Committee
- Start thinking about the transportation network in the County and thinking strategically about improvements that might be made

#### Water and Sewer

- Instruct the Planning Board to take a look at the entirety of the issue of water and sewer in Transylvania County
- What is a base line?
- What is the capacity of the City of Brevard and the Town of Rosman?
- What are the municipalities' plans for the future?
- What should the County explore outside the capacity of the municipalities?

#### Comprehensive Plan

Discussion: Chairman Hawkins asked if the comprehensive plan should be modified and wondered if any synergies exist with the City of Brevard. Commissioner Chappell said he does not want the development of a comprehensive plan to be the Planning Board's priority. He preferred that the Planning Board work on some very specific items with regards to water and sewer and transportation. He said knowing this information will help Commissioners be able to move forward and make some decisions for overall economic development. Commissioner Chapman believes that land use planning will be the driving force behind providing water and sewer services and upgrading transportation. For instance, if it is determined that a particular area is going to grow, that will have an impact on the need for utilities and better roads. If there is an area where no growth is expected then these factors do not come into play.

Mr. Burrows suggested Commissioners task the Planning Board with creating an existing land inventory outside the uses of State and federal lands. He preferred to stay away from land use planning at this point because there are too many implications there. With the land inventory and by working with the City of Brevard, many areas of which will have the same demographic economic development information, the Planning Board can begin focusing on where water and sewer could go to affect potential manufacturing and job growth. Mr. Burrows believes the Planning Board can bring back information to the Board within six to nine months.

**Chairman Hawkins made a motion to direct the Planning Board to examine transportation issues, including working with the Transportation Advisory Committee to think strategically, to do the water and sewer analysis that was described earlier in the meeting, and to complete a land inventory and report back to the Board of Commissioners their results no later than June 2013. The motion was seconded by Commissioner Chapman and unanimously approved.**

Commissioners thanked the members of the Planning Board for this meeting.

**ADJOURN**

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

There being no further business to come before the Planning Board, **Chairman McCall moved to adjourn the Planning Board meeting, seconded by Jay Kaiser 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