

**MINUTES  
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS  
August 25, 2014 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, August 25, 2014 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, Daryle Hogsed and Page Lemel. Also present were County Manager Artie Wilson, County Attorney Tony Dalton, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Jeremiah Reed

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. He introduced the members of the Board of Commissioners and staff.

**PUBLIC COMMENT**

Susan Sunflower: Ms. Sunflower is with an organization called Transylvania Naturally. She asked Commissioners to support a proclamation in support of planting native plants. The purpose of the proclamation is to remind people that they have choices in what to plant and there are consequences to the choices they make. Transylvania Naturally intends to place the proclamation, if approved, at the Visitor's Center and at local real estate offices to show people who want to come here that the County cares about its natural resources. The proclamation will also be placed in other offices around the County to encourage citizens to plant natives. Ms. Sunflower informed Commissioners that this proclamation has community wide support. She will ask other local governments, boards and committees in Transylvania County to support the proclamation as well.

**AGENDA MODIFICATIONS**

There were no agenda modifications.

**Commissioner Lemel moved to approve the agenda, seconded by Commissioner Chapman and unanimously approved.**

**CONSENT AGENDA**

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

The following items were approved.

MINUTES

Commissioners approved the minutes from the May 27, 2014 regular meeting, budget workshop and sealed closed session and the May 29, 2014 budget workshop.

PROCLAMATION-CHILDHOOD CANCER AWARENESS MONTH

This request came from a citizen. Ms. Shelley Green's son was diagnosed with Hodgkin's Lymphoma earlier this year. Because of this experience, the Green family feels they have a responsibility to promote childhood cancer awareness. Therefore, she asked Commissioners to take action by declaring September as Childhood Cancer Awareness Month in Transylvania County. Commissioners approved Proclamation 29-2014 Childhood Cancer Awareness Month. Chairman Hawkins read aloud the proclamation for the benefit of the public.

(Proclamation 29-2014 Childhood Cancer Awareness Month is hereby incorporated by reference and made a part of these minutes.)

PROCLAMATION-PLANT NATIVES FIRST

This request came from a citizen. Ms. Susan Sunflower has requested that the County Commissioners approve a proclamation in support of planting native plants first. She has also made the request to several boards and committees, the City of Brevard and the Town of Rosman, and many other public and private organizations. Transylvania Naturally believes that native plants have an economic value, in that they cost less to maintain each year. They also provide a natural ambiance and protect the environment. Ms. Sunflower spoke at the beginning of the meeting during the public comment portion of the agenda and respectfully requested passage of this proclamation. Commissioners approved Proclamation 30-2014 Plant Natives First. Chairman Hawkins read aloud the proclamation for the benefit of the public.

(Proclamation 30-2014 Plant Natives First is hereby incorporated by reference and made a part of these minutes.

**PRESENTATIONS/RECOGNITIONS**AGRICULTURAL ADVISORY BOARD REPORT

The Board of Commissioners allocated \$30,000 (\$15,000 in both FY 2008 and FY 2009) plus an additional \$10,000 from Transylvania Farm Bureau to Carolina Mountain Land Conservancy (CMLC) to assist with transaction costs for Agriculture Conservation Easements. These funds were approved for payment by the Agricultural Advisory Board (AAB) on a case by case basis and were utilized for multiple farm easement projects. Funds were fully expended in January 2014.

The Farmland Protection Plan was approved by the Board of Commissioners in September 2010. The plan included a list of recommended actions and action steps. The presentations by various people tonight will highlight those.

Mr. Dale Brooks presented first. He is the chair of the AAB. He thanked Commissioners for the opportunity to give a report of the AAB and provide updates on the Farmland Protection Plan and the dollars allocated by the County and Transylvania Farm Bureau to help preserve farmland. Mr. Brooks reported that the 2012 USDA Census indicates there are 221 farms listed in Transylvania County, a 21% decrease since the last census in 2007. However, the amount of acreage being used for farmland has increased 12% since last recorded in 2007. Agricultural products sold since 2007 have increased 65% since 2007. The USDA Census does not show the whole picture though. As a farmer, Mr. Brooks provides food for a local summer camp. This value is not calculated by the USDA since there is no "middle man" in the transaction. Mr. Brooks informed Commissioners that this practice is common in Transylvania County.

He turned the presentation over to AAB member Brittany Whitmire. She is one of the authors of the Farmland Protection Plan that was drafted in 2009 and approved in 2010.

Ms. Whitmire gave a brief review of the Farmland Protection Plan. The information provided to Commissioners (in the agenda packets) included a state-of-the County report and compared agriculture in the County now to what it was like 100 years ago and what it is predicted to be like in the future. Ms. Whitmire said the Farmland Protection Plan is a living document and should be revisited every 10 years so it can provide some value to the County. This will also help the AAB revisit its activities so they can better know how to serve the Board of Commissioners and the public.

Ms. Whitmire next shared three success stories that serve as proof that the Farmland Protection Plan helps the AAB allocate resources based on priorities they feel are important to the County. The three successes are:

1. Tailgate Market: continues to experience growth; 85-90 vendors each Saturday; funding from public/private partnerships to assist with marketing and advertising; nearly 500 people visit the Tailgate Market each weekend and nearly 25,000 on special occasions; open 38 weeks out of the year.
2. Hire an agent to work specifically in community development and local foods: Bart Renner serves as an agent to the public and does a great job in interfacing and public outreach to the traditional farming community, as well as the non-traditional farming community and the public.
3. Voluntary Agricultural District program: helps to identify properties as farming properties (does nothing to impact tax value or tax exemption); 27 individual farm members; future goal to enroll all eligible farms in the program and establish an enhanced Voluntary Agricultural District program that includes a 10 year commitment by the farmer to maintain their status for 10 years.

Cooperative Extension Director Eric Caldwell reported on how the funds were used. The funds were used to handle the transaction costs for easements. He noted the bulk of the easements were donated. To set up easements requires the work of attorneys and surveyors, and a stewardship account must be established to cover the cost of periodic inspections that are required and to pay for any legal costs that may arise in the future. To summarize, Mr. Caldwell stated that the AAB's future goal is to establish an enhanced Voluntary Agricultural District program which would require a change in the ordinance by Commissioners. He noted that all of these properties would remain on the tax rolls. Mr. Caldwell wanted the Commissioners to understand that these organizations (Coop Ext., AAB, CMLC, etc.) are active, have an appreciation for farmland in this County, and are working hard to keep these programs working.

Mr. Robertson noted that it takes time for completion of the conservation easements, sometimes three to four years. It is a long process and people do not make these decisions lightly regarding their property and the rights to their property, so this process many times spans over a few budget years.

Commissioner Lemel stated she is impressed with the value of agriculture in this County because she has never seen it quantified in such a manner before. The County ranked well in several areas. She was surprised to learn that farmers have to travel so far to have their livestock processed. She said there are still opportunities in this County for entrepreneurs to improve farming operations across the County. She specifically pointed out there are two farms in the County classified as Century Farms meaning these family farms have been operating within the County for at least 100 years. This shows the tradition of farming in the community and how important it is from a historical standpoint and in looking ahead to the future.

Commissioner Chapman inquired if a larger space is needed for the Tailgate Market in the future. Ms. Whitmire reported that on some weekends the Tailgate Market maxes out the use of its space and they must expand into other parking lots. Ideally the Tailgate Market would operate at a location with restrooms and

hand-washing stations. There are some vendors and customers who would like the Tailgate Market to operate year round. A covered facility would help meet this need as well as avoid adverse weather conditions. Commissioner Chapman believes looking for such a facility should be a future goal, one that would help maintain the importance of agriculture in this community.

Mr. Caldwell recognized Tom Fozzo from the Carolina Mountain Land Conservancy. The CMLC does most of the work to establish the conservation easements. Mr. Fozzo thanked Commissioners for their support and said he hopes the CMLC can continue to count on the Board of Commissioners' support in the future.

Chairman Hawkins said there is inherent value to having a strong agricultural presence in the community. While important to economic development, it is also aesthetic, helps define who we are as a rural community, and provide ecological benefits as well. Chairman Hawkins thanked everyone for the work they do because Commissioners understand the importance of the agriculture sector of our community.

## **APPOINTMENTS**

### SOCIAL SERVICES BOARD

The terms of Jane Williams and Paul Edwards expired at the end of June. Ms. Williams does not wish to be reappointed. Mr. Edwards' position is appointed by the State. He also does not wish to be reappointed. Rick Pangle's name has been submitted to the State as his replacement.

Social Services Director Stoney Blevins requested the consideration of a County Commissioner for the purposes of keeping the Board of Commissioners aware of the issues the department encounters on a monthly basis. However, the appointment of a County Commissioner is not required. Given the many other things the Commissioners are involved with currently, the Manager recommends that the position be filled with a citizen. There are five applications on file.

**Commissioner Hogsed nominated and moved to appoint Ron Schieve. The motion died for lack of a second.**

**Commissioner Chapman nominated and moved to appoint David Neumann to fill the position vacated by Jane Williams. The motion was seconded by Commissioner Lemel. The motion passed by a vote of 4 to 1, with Commissioner Hogsed voting against.**

### JUVENILE CRIME PREVENTION COUNCIL

The Health Director or Designee position on the Juvenile Crime Prevention Council has been vacant since the resignation of former Health Director Steve Smith. Interim Director Terry Pierce requests the appointment of a Public Health staff member to serve as the Designee. April Owenby, a school nurse who works with at-risk kids, has submitted her application.

**Commissioner Lemel moved to appoint April Owenby to fill the Health Director Designee position on the Juvenile Crime Prevention Council. The motion was seconded by Commissioner Hogsed and unanimously approved.**

### TRANSYLVANIA COUNTY COUNCIL ON AGING

The following terms expire at the end of August:

1. Eric Caldwell (Member-at-Large)
2. Linda Dodds (Mental Health-TRH Gero-Psychiatric Program)
3. Linda Fluck (TRH Hospital Homecare)

4. Sheryl Fortune (Affordable Housing)
5. Keelin Schneider (Health Department)
6. Emily Stewart (Senior Citizen)
7. James Walters (Admin Kingsbridge House)
8. Artie Wilson (County Manager)

Linda Dodds, Sheryl Fortune and James Walters do not wish to be reappointed. The Council will be meeting in September and intends to make recommendations for their replacements.

The Council on Aging membership requests a waiver of the term limits and the reappointment of Linda Fluck and Emily Stewart because their expertise and contributions to the Council on Aging are much needed and appreciated. County Manager Artie Wilson will be retiring October 1. Keelin Schneider in the Health Department has resigned her position. Her replacement is Tara Rybka.

**Commissioner Lemel moved to:**

1. **Waive the term limits and reappoint Linda Fluck and Emily Stewart,**
2. **Reappoint Eric Caldwell and Geraldine Hambley,**
3. **Appoint Tara Rybka to replace Keelin Schneider as the Health Department representative, and**
4. **Appoint Gay Poor to replace Artie Wilson, at least until the new County Manager comes on board.**

**The motion was seconded by Commissioner Chapman and unanimously approved.**

#### NURSING AND ADULT CARE HOME ADVISORY COMMITTEE

There are two vacancies on the Nursing and Adult Care Home Advisory Committee. The Clerk has advertised for the vacancies. One of the members was able to recruit an applicant, Kristin Armstrong. This is the only application on file.

**Commissioner Hogsed moved to appoint Kristin Armstrong to fill one of the vacancies on the Nursing and Adult Care Home Advisory Committee, seconded by Commissioner Lemel and unanimously approved.**

#### JOINT PARKS AND RECREATION STRATEGIC PLANNING TASK FORCE

On August 4 Commissioners approved the establishment of a Joint Parks and Recreation Strategic Planning Task Force. It will consist of members from the County and City of Brevard and calls for the appointment of a County Commissioner to serve on the Task Force. The Task Force is expected to complete its work within a year and intends to prepare and present a strategic plan to both the County Commissioners and City Council prior to June 30, 2015.

**Commissioner Chappell moved to appoint Commissioner Lemel as the County Commissioner representative to serve on the Joint Parks and Recreation Strategic Planning Task Force. The motion was seconded by Chairman Hawkins and unanimously approved.**

### **NEW BUSINESS**

#### REQUEST TO INCREASE TIME FOR SOCIAL WORKER II

Interim Health Director Terry Pierce has requested to increase the time from 80% to 100% for a Social Worker II in the Health Department. The position is funded in the Community Care of North Carolina PCM/CC4C. The increase to 100% will assist the Social Worker II in her new role working with the care

management staff. There are pregnancy care management grant reserve funds available to help cover the cost. However, if in future years there are no reserve funds available, or no grant funds available, the position will be reduced in hours accordingly.

**Commissioner Lemel moved to approve the request to increase time for a Social Worker II position in the Health Department from 80% to 100%. The funds will come from reserves for pregnancy care management grant. The motion was seconded by Commissioner Chappell.** Commissioner Lemel commended staff for working within the constraints and confines of bureaucracy. Commissioner Chapman asked if staff anticipates a need for additional funds and staffing. Mr. Pierce said he does not anticipate any other needs at this point. He hopes grant funds will be made available if additional needs arise. **The motion was unanimously approved.**

#### NCACC LEGISLATIVE GOALS

Before each biennial session of the General Assembly, counties submit their legislative proposals to the NC Association of County Commissioners (NCACC). Commissioners from across the State review and approve a comprehensive goals package and then the NCACC sets off to work on legislation that may impact counties.

Included in the Board's packet is a handbook that explains the rules, procedures and guidelines for the legislative goals adoption process. The goals submission date to the NCACC is September 19. Commissioners' next meeting is on September 8. Also included in the Board's packet are goals that were submitted for the last two sessions.

The Manager recommended that the Board offer proposed goals for submission to the NCACC to staff by September 2, 2014. Staff will place this item on the September 8 agenda for discussion and approval.

Commissioner Chapman serves on the Board of Directors of the NCACC. He stressed the importance of this exercise because the NCACC has been very successful in their efforts over the years to lobby for counties in the NC Legislature.

#### MANAGER'S REPORT

The Manager updated the Board on the following:

1. Renovation of the old Library progresses. Commissioners should contact him if they are interested in taking a tour.
2. Received bids for the up-fit of the Register of Deeds and Tax Administration building. The County must request a variance from the City to install EFIS (insulated material similar to stucco) on the outside of the building. Staff intends to bring the results of the bids to the Board at the first meeting in September.
3. Received bids for the second phase of the Silvermont project. Staff is reviewing the bids now and hopes to award the bid soon.
4. Modification to the PARTF grant for the community park in Rosman has been approved. Staff is waiting for the documents to be signed before moving forward.
5. Revised and resubmitted application in the amount of \$2.585 million to the Appalachian Regional Commission for phase one of the Davidson River Village Connector Road. A recent visit to Raleigh to discuss the project was positive and the Manager anticipates funding will be available in 2015.
6. Met with the incoming County Manager and began discussions about the transition and introduced her to department heads; intends to schedule additional meetings with her to ensure a smooth transition.

7. Participated in two meetings with the NC Department of Transportation. From those meetings, learned that the Connector Road at Davidson River Village is expected to make the Transportation Improvement Program (TIP), a project on US 64 is on the bubble to making the list, and no progress was made on NC 215.

Chairman Hawkins noted that the transportation rankings have changed which presents a problem for NC 215 and other rural roads.

#### PUBLIC COMMENT

There were no public comments.

#### COMMISSIONERS' COMMENTS

There were no comments from Commissioners.

**Chairman Hawkins moved to enter into closed session per NCGS 143-318.11 (a) (3) to consult with an attorney, after a 5 minute recess. The motion was seconded by Commissioner Chappell and unanimously carried.**

#### CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (3) to consult with an attorney, closed session was entered into at 8:10 p.m. Present were Chairman Hawkins, Commissioners Chapman, Chappell, Hogsed and Lemel, County Manager Artie Wilson, Social Services Director Stoney Blevins, Chair of the Social Services Board Sheila Mooney, Vice-Chair of the Social Services Board Jim Felty, Attorney Sean Perrin, County Attorney Tony Dalton, and Clerk to the Board Trisha Hogan.

Commissioners discussed an important matter with Attorney Sean Perrin and County Attorney Tony Dalton as allowed per NCGS 143-318.11 (a) (3).

**Chairman Hawkins moved to leave closed session, seconded by Commissioner Lemel and unanimously approved.**

#### OPEN SESSION

**Chairman Hawkins moved to seal the minutes of the closed session until such time that opening the minutes does not frustrate the purpose of the closed session. The motion was seconded by Commissioner Chapman and unanimously carried.**

#### ADJOURNMENT

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

ATTEST:

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Mike Hawkins, Chair  
Transylvania County Board of Commissioners

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Trisha M. Hogan, Clerk to the Board