

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
March 9, 2015 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, March 9, 2015 at 7:00 p.m. in Commissioners Chambers at the County Administration Building.

Commissioners present were Vice-Chairman Larry Chapman, Jason Chappell, Chairman Mike Hawkins, Page Lemel and Kelvin Phillips. Also present were County Manager Jaime Laughter, County Attorney Tony Dalton and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Jeremiah Reed

There were approximately 20 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 Commissioners and staff in attendance.

PUBLIC HEARING

CLOSEOUT FOR THE 2011 SCATTERED SITE HOUSING PROJECT

As a requirement for receiving Community Development Block Grant funds the County must hold a public hearing at the end of the project to make the public aware that this project is closing and to receive any comments concerning this project. Planning and Community Development Director Mark Burrows reported that the State will no longer continue this program so once this project is closed out the County will no longer receive these grant funds to assist families.

Benchmark CMR, Inc. was procured to administer this grant project on behalf of the County. Alicia Broadway was in attendance representing Benchmark CMR, Inc. and she presented the information for the closeout public hearing.

The County received a 2011 Scattered Site Housing Grant in the amount of \$400,000 in June of 2012 from the North Carolina Department of Commerce, Division of Community Assistance and the timeframe for completing this grant was over the course of three years. The goal of the project was to provide full, comprehensive rehabilitation to seven units within the County and to assist seven units with grants of up to \$5,000 each on behalf of low and moderate income residents. Transylvania County accomplished the goal of assisting seven families with full, comprehensive rehabilitation with deferred and forgiven loans. In addition, Transylvania County assisted six families with emergency repair grants of up to \$5,000 each.

The County is slated to expend approximately \$387,730.92 on behalf of this project, which does not include an additional \$6,002.83 of program income that was received and spent during this grant cycle. The additional income resulted from one of the homeowners who received funds through the previous grant cycle deciding to sell the unit. Of the \$360,000 that was budgeted for the full rehabilitation activity, the County will expend approximately \$353,686.92. The County also will expend a total of \$34,044 of the budgeted \$40,000 for the emergency repair activity. After requisitioning the remaining project

invoices, the County will be returning approximately \$12,269.08 to the North Carolina Department of Commerce.

Ms. Broadway next showed several pictures depicting how these funds benefited families. The full rehabilitation assistance provided interior and exterior repairs, including siding, repaired foundations, installed new vents, upgraded insulation, repaired plumbing systems, electrical upgrades, new windows and doors, new central heating and air units, repaired floors, replaced bath amenities, repaired and covered damaged flooring, added new exhaust fans (kitchen and bath), new cabinets, new roofs and new ceiling vents. The emergency repairs involved much of the same assistance.

Lastly, Ms. Broadway extended a special thanks to the staff she has worked with over the years through three grant cycles, including the Planning and Community Development staff and County Administration.

For the benefit of the public, Commissioner Chapman asked Ms. Broadway to explain how these units were selected for rehabilitation or repairs. Ms. Broadway said the first point of contact for this program is an advertisement in the local newspaper which provides instructions on how to apply. The list of individuals who applied would then be ranked based on certain criteria. During each cycle there are usually nearly 20 units that would not be eligible.

In response to Commissioner Lemel, Ms. Broadway noted that since this program is no longer going to exist, families can seek assistance through Western Carolina Community Action (WCCA). WCCA can perform some of the same type work this grant provided.

Commissioner Chappell asked how many homes and families have been assisted since the County started receiving these grant funds. Mr. Burrows estimated the number of units or families to be around 23. The County expended approximately \$1.1 million since 2005. Benchmark CMR, Inc. encouraged local contractors to bid on the work. These grant funds helped people to stay in their homes and have been of great benefit to them.

Chairman Hawkins noted that although these funds are administered locally, the funds are provided by the State. The homeowners must remain in the home for a period of time and must pay back a portion of the funds if they do not. Ms. Broadway noted that the payback funds would come to the County, not the State, and the County could in turn use the funds to administer its own program.

The Board of Commissioners was asked to conduct a public hearing to accept any comments concerning this project, which is a requirement to properly close this project. The public hearing was properly noticed in the local newspaper and on the County's website.

Chairman Hawkins declared the public hearing open at 7:21 p.m.

Norm Bossert: Mr. Bossert asked why the State is no longer going to administer this program. Mr. Burrows said it was a legislative decision. Legislators thought there would be better use of the funds in other areas. Ms. Broadway added that State Legislators thought the funds would be better spent and help more citizens within the State if these funds were used for infrastructure and economic development because it would create jobs.

There were no further comments. **Chairman Hawkins declared the public hearing closed at 7:23 p.m.**

PUBLIC COMMENT

Don Surette: Mr. Surette informed Commissioners this year is the 200th Birthday of the Allison-Deaver House. The Transylvania County Historical Society is planning a celebration for Saturday, July 25. He invited Commissioners and the public to attend.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Lemel moved to approve the agenda, seconded by Commissioner Chappell 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

The minutes of the September 8, 2014 and October 13, 2014 regular meetings were approved.

APPOINTMENTS

TRANSYLVANIA NATURAL RESOURCES COUNCIL

The appointment month for the Transylvania Natural Resources Council (TNRC) is September, but because of the Water Conference and report back to Commissioners, staff has held off making a recommendation to Commissioners until those events and activities had occurred.

The terms of Susan Brown and Justin Pettit-Mee have expired. Jo Ann McCall no longer wishes to serve. It is the recommendation of the TNRC to:

1. Reappoint Justin Pettit-Mee
2. Appoint David Whitmire to replace Susan Brown
3. Appoint Dan Hodges to fill the position vacated by Jo Ann McCall
4. Convert the County Extension Agent position into a member-at-large position. The County Extension Director should serve as a staff facilitator. Appoint Lee McMinn to fill the at-large position.

Commissioner Lemel moved to reappoint Justin Pettit-Mee, appoint David Whitmire and Dan Hodges to the Transylvania Natural Resources Council, and convert the County Extension Director position to a member-at-large and appoint Lee McMinn to fill the position. The motion was seconded by Commissioner Chapman. Commissioner Lemel appreciated the quality of the applicants and is excited for what they will bring to the TNRC. Commissioner Chapman asked for further explanation for converting the County Extension position to a member-at-large. Commissioner Lemel explained that the TNRC does not have a staff facilitator and this will allow staff support and open up additional volunteer opportunities. **The motion was unanimously approved.**

OLD BUSINESS

CHAMPION POOL 2015 COSTS TO OPEN

At the January 26, 2015 Board of Commissioners meeting Parks and Recreation Director Carleen Dixon presented the facility audit findings on Champion Pool and the Board requested that she get costs on the minimum work needed to open the pool for the 2015 season. She presented the following figures to the Board for their consideration:

1. Pool decking and tile repairs = \$9,390
2. Life guard chair = \$5,450 plus shipping costs
3. Fence repairs = \$160

This equates to a total of \$15,000 to make needed repairs in order to open Champion Pool for the 2015 season.

Ms. Dixon asked Commissioners to please remember that these are not long term repairs and will only get the pool up and running for the 2015 season. The pool, after these minor repairs, will still need major work and the pump room could still experience problems as the system is extremely dated and in need of replacement. However, this type of work cannot be performed without bringing the entire facility up to current NC Building Code. She asked the Board of Commissioners to begin considering future options for aquatics in Transylvania County and noted that planning and implementation of any type of aquatics facility will take a fair amount of time. Also, as soon the community feedback in this area is compiled from the strategic plan it will be shared with the Commissioners.

Commissioner Chapman inquired about the cost for a lifeguard chair. The cost seemed overpriced to him. Ms. Dixon explained there are limitations with the decking. The current chairs and less expensive chairs mount into the concrete. The concrete is rotten and there is no way to drill in a new chair. This is a stand-alone chair. The positive about purchasing this chair is that it is portable and can be used at another facility and it will last for a number of years. The chairs at the facility now are in poor condition and unsafe and can therefore no longer be used. This is the cheapest option available with the limitations.

Commissioner Lemel moved to allocate \$15,000 to make the needed repairs at Champion Pool in order to open for the 2015 season. The motion was seconded by Chairman Hawkins. Commissioner Chappell asked if that leaves one usable chair. Ms. Dixon confirmed and noted that only one chair is used now. Chairman Hawkins emphasized this is a short term fix and does not deal with the long term issues that need to be addressed. **The motion was approved unanimously.**

NEW BUSINESS

BID DOCUMENTS FOR RENOVATION OF OLD DETENTION CENTER

The Board of Commissioners has asked Architect Rich Worley to prepare plans and specifications in order to accept bids for the renovation of the old detention center for use by Board of Elections and the Employee Wellness Clinic.

The Manager invited Mr. Worley to discuss the renovation plans. The new facility provides for a front entry drop off and has access to unloading and loading in the back and improved accessibility parking. This is the limit of what is being done to the building and it leaves the existing parking for the time being. The floor plan includes space for the Board of Elections. It has an entry reception area off the main entrance, office space, meeting spaces, election material storage, and machinery and equipment storage all under one roof. There is also a room for testing the equipment. In addition there will be a multi-purpose meeting space with the ability to partition the room for more than one use at the same time. This

room can be used as an election polling place and will provide use for the community as well. On the other side will be the wellness clinic, which includes a reception area, lab and exam rooms, an office and a small multi-purpose space.

The elevations being projected for the front (north) of the building are very similar to what it is now; however, some of the glass openings will be closed for energy efficiency and other windows will be replaced with more energy efficient windows. The plan also included adding insulation on the exterior walls and roof. The building will be brought up to current NC Building Code and will be more energy efficient overall. It is not energy efficient as it sits today. The roof is in dire need of replacement. Mr. Worley said there will be quite a bit of demolition on the building which is costly, especially with the jail cell bars and the badly leaking and old roof. The west elevation will include the addition of approximately 1,200 sq. ft. and raising the roof to add more volume to the space because of how large it is which allows for natural light to come into the space. Costs have been included to patch brickwork on the outside of the building and clean up the outside of the building nicely. The landscape plan will improve the landscape around the whole perimeter.

In terms of parking, Mr. Worley has been in contact with the City of Brevard Planning Department. Technically the parking lot does not comply at all with the Unified Development Ordinance (UDO) requirements. The City has verbally agreed to work with the County to develop a plan to improve parking. The County would like to add parking spaces. The City wants to be able to address water runoff and improve the entrances and exits. There is potential to reach a positive outcome by working together to address these issues. Mr. Worley said the City is willing to allow the County to proceed with the project without addressing parking at this time. This will need to come in the form of a memorandum of understanding.

The estimated cost of the architectural renovation work is \$1.3 million. If no renovations are made, it would take \$400,000 just to maintain the existing building for some use. Furniture, furnishings and equipment (FFE) are not included in the bid and would be accounted for in any appropriation made for the project along with a small expense to relocate the wellness clinic during construction. There will be future costs for addressing parking and storm water management, but as Mr. Worley mentioned it is the intent of staff to work with the City to develop a mutually agreeable solution.

Providing that the Commissioners authorize bids to be accepted at this meeting, the schedule is expected to proceed on the following timeline:

- March 9 - Authorize bid advertising
- March 23 - Drawings available for bidders
- April 21 - Bid opening
- May 11 - Commissioners' meeting to review bids
- May 25 - Earliest feasible construction start with a 9-10 month construction window

The Finance Director provided Commissioners with some options for financing the project. One of the options would be to withdraw the funds from General Fund Balance. The County began the fiscal year with approximately \$12.5 million in unassigned fund balance and has withdrawn nearly \$400,000 this year for specific purposes and carry-forwards. Assuming there is no increase or decrease to the unassigned fund balance due to a surplus or deficit, the ending balance would be approximately \$12 million. Using fund balance for the renovation of this building would drop the balance to \$10.6 million, which equates to around 21% to 23% of expenditures. The Finance Director shared several financing scenarios with interest rates ranging from 2.75% to 3% with terms of 5 or 10 years, and with options of quarterly or semi-annual payments.

The Manager recommended Commissioners authorize staff to advertise for bids for the renovation of the old detention center.

Commissioner Chappell asked Elections Director Karen Brinson if this was a solution to address the needs of the Elections department long term. Ms. Brinson said the intent is for this to be a long term solution. Everyone involved with the project has tried to take what is there and make the best use possible out of the building and space. She encouraged Commissioners to fund the option for the partition walls in the multi-purpose room because it provides many more options for use of the room and greater utilization overall. This not only benefits the Elections department, but other groups that want to use the space.

Commissioner Phillips asked if there will be sufficient parking for staff and others using the new renovated building. Mr. Worley said shifting will have to occur with employee parking during elections. It is not feasible to plan for that level of capacity for an entire year, but staff can work around this during the busy times. He said he provided the Manager with a sketch indicating how to include a few more parking spaces; however, the UDO has certain regulations and requirements that limit the number of parking spaces.

Ms. Brinson pointed out that in this very building (County Administration Building-before it was remodeled, it was vacant and used for One Stop Voting) the Elections department had the largest turnout ever during One Stop Voting and did so with the existing parking lots. It is manageable, but it will require, as Mr. Worley pointed out, some sacrifice of employee parking during these times. The Manager stated that parking is a comprehensive problem and is not just tied to the one building.

Commissioner Chapman asked that staff is very specific in the memorandum of understanding with the City before beginning this renovation project. He hopes the renovation will help to improve the outside look of the building. It is important that County buildings are attractive, especially now that Commissioners have created a County campus.

Commissioner Chappell pointed out that the County has available parking; it just may not be close or as convenient as some might want. Ms. Brinson agreed and noted that hours have been extended for One Stop Voting and there are now two voting locations during this time to provide convenience for our citizens.

For clarification purposes, Chairman Hawkins stated there is a difference in saying that as a practical matter there is enough parking versus as a regulatory matter there is enough parking. As a practical matter, the Elections staff is saying they can utilize the existing parking; however, as a regulatory matter the parking issues have not been resolved. Mr. Worley said there are regulatory issues that deal more with aesthetics and safety issues and also there are regulatory issues concerning the number of parking spaces. The UDO has particular requirements, but in the County's case, because the parking lot serves several buildings, the County can have as many parking spaces as desired as long as we are meeting the other regulatory requirements in the UDO. The other requirements in the UDO reduce the number of parking spaces. The County certainly wants more parking spaces, but they should be aesthetically pleasing and functional.

Chairman Hawkins inquired about the time frame for addressing parking with the City. He wants this issue in writing and addressed before breaking ground on the renovation project. Mr. Worley said the dialogue with the City has been positive and they provided some good options. He said he is supposed to receive a written letter from the City within the next week. If the letter is different than what was discussed, he will report to the Manager so she can bring it back to the Board of Commissioners to consider other options.

Commissioner Chappell hopes Commissioners will be provided with a total project cost to include addressing parking and storm water management prior to breaking ground.

Commissioner Lemel moved to authorize staff to advertise and accept bids for the renovation of the old detention center according to the architectural plans. The motion was seconded by Commissioner Phillips. Commissioner Lemel agreed with Commissioner Chapman's earlier comments about the outside appearance of the building. She hopes the outside renovations will be consistent with the surrounding buildings that make up the County campus. **The motion was unanimously approved.**

HEALTH DEPARTMENT FEE SCHEDULE REVISION

The Health Department policy states that an annual review of fees is required. Health Director Elaine Russell proposed a new fee schedule based on peer-county cost comparison and minimum Medicaid reimbursement cost. The current fee schedule does not allow the department to recover the cost of the products they are using. The Board of Health approved the revised fee schedule at its February 10, 2015 meeting.

Commissioner Lemel moved to approve the revised fee schedule as approved by the Transylvania County Board of Health at the February 10, 2015 meeting, seconded by Commissioner Chappell and unanimously approved.

Transylvania County Department of Public Health Annual Fee Review 2015 Proposed Fee Changes

Billing Code	Description	Current Fee	Proposed Fee	Fee Increase Justification
82948	Blood Sugar Finger Stick	3	4	Minimum Medicaid Reimbursement
90670	Pprevnar 13 Pneumonia	126	153	Recover Vaccine Cost
90707	Measles Mumps Rubella	55	60	Recover Vaccine Cost
90714	Tetanus Diphtheria	21	24	Recover Vaccine Cost
90715	Tetanus Diphtheria Pertussis	37	40	Minimum Medicaid Reimbursement
90716	Chicken Pox	92	101	Recover Vaccine Cost
90732	Pprevnar 23 Pneumonia	35	71	Recover Vaccine Cost
90736	Zostavax Shingles	160	174	Recover Vaccine Cost

TRANSYLVANIA SCHOOLS REQUEST FOR LOTTERY FUNDS

In order to draw down lottery funds allotted for Transylvania County, the Board of Commissioners and the Board of Education must make the request jointly via application. The Board of Education is requesting \$191,619.64 for the replacement of the roof at Pisgah Forest Elementary School. This item was included in their capital requests for the fiscal year. A withdrawal of \$191,619.64 will leave a balance of \$12,459.58 in lottery funds with the State. The application was presented by Finance Director Gay Poor on behalf of the Transylvania County School System.

Commissioner Lemel moved to approve the request by the Board of Education to draw down \$191,619.64 in lottery funds. The motion was seconded by Commissioner Phillips and unanimously

approved.

BUDGET AMENDMENTS

Based on Section 32 of the FY 15 Budget Ordinance, certain budget amendments must be submitted to the Board of Commissioners for approval. Below is a summary of amendments that have been requested that require Board approval either because they increase the total General Fund budget and are derived from funding sources that have not been previously approved by the Board and are not simply pass-through funds or because they decrease the total General Fund budget and reflect reductions in projected funding sources.

#74: \$1,705 carried forward from unassigned Fund Balance for a recycle container ordered for Parks and Recreation in FY 14 (May) but not received until FY 15 (August)

#76: \$15,152 appropriated from unassigned Fund Balance for the Health Department for increases in Healthy Community program expenditures, \$11,757 from funds not included in the original FY 15 budget and previously used to reduce fund balance appropriations and \$3,395 included in the original budget as an offset for unspecified Health Department expenditures

If approved, these amendments will increase the General Fund budget by \$16,857, bringing it to a total of \$47,810,871.

Chairman Hawkins asked Ms. Poor to explain why certain budget amendments must be approved by Commissioners. Ms. Poor explained if there is a request that actually increases the budget amount and is related to a funding source that has not previously been approved by the Board of Commissioners, it must be brought forward to Commissioners for approval. She said Commissioners can include in the budget ordinance a threshold amount in the future.

Commissioner Phillips inquired about the recycle bins and asked if these were new or replacement bins. Ms. Poor stated that the County purchased a total of six bins. Five were paid for from the Silvermont Fund. Only one is being paid for from the General Fund.

Commissioner Lemel moved to approve the requested budget amendments, seconded by Commissioner Chapman and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- The Social Services Director Assessment Center is this week and the selection of a new Director should occur within the next couple of weeks
- Strategic Plan input sessions are occurring this week. Developmental Associates is conducting both the Strategic Plan session and the Social Services Director Assessment Center. The Manager has invited many community partners to provide input on the Strategic Plan.
- The announcement from TPED on their executive director hire should be available online Tuesday.
- The Courthouse study project is almost complete.
- Study for the EMS Substation on Highway 276 should be on an agenda soon

PUBLIC COMMENT

Jackie Hovey – Ms. Hovey said she is pleased the old detention center is being renovated for elections purposes which serves so many people in the County. She commended Elections staff for helping to design the facility to accommodate their ever-changing needs and for use by the public.

COMMISSIONERS' COMMENTS

Commissioner Lemel recognized Susan Brown and the work she has done for the Transylvania Natural Resources Council. She has provided outstanding leadership during her terms of services.

Commissioner Lemel said her interest is peaking in the issues of child poverty, child hunger and early childhood education. She has been talking with many different stakeholders who are involved and engaged with the age 0-5 population. There is such a high percentage of our children entering kindergarten not school ready. She expects to come forward with some thoughts on this in the future.

ADJOURNMENT

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

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board