

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
June 22, 2015 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, June 22, 2015 at 7:00 p.m. in Commissioners Chambers at the County Administration Building.

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

Media: *The Transylvania Times* – Jeremiah Reed

There were approximately 45 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 COMMENT

Elaine Russell: Ms. Russell is the Public Health Director for Transylvania County. She reported that Board of Health Chairman Chris Biecker, along with his wife, who both own Moody Connolly Funeral Home, created a rearview mirror hanger that reminds people not to leave children and pets in vehicles. Many children and pets die every year across this nation from being left in hot vehicles. Ms. Russell left a stack of the rearview mirror hangers in the foyer for the public.

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 Phillips and unanimously approved.

The following items were approved:

MINUTES

Commissioners met in regular session on April 13, 2015. Commissioners approved the minutes as submitted.

DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORTS

Each month the Tax Administrator has a listing of proposed releases for that month. The Board of Commissioners has the responsibility of approving the releases. For May 2015, total tax dollars released was \$314.85 and refunds totaled \$666.75. For the period June 1-22, 2015, total tax dollars released was \$295.54 and refunds totaled \$857.53. Commissioners approved the Discovery, Release & Monthly Settlement Reports for May 2015 and June 1-22, 2015.

PROCLAMATION-ARTS AND CULTURE WEEK

For the past few years, the Transylvania Arts Council has requested that both the City of Brevard and Transylvania County proclaim the last several days of June leading up to July 4 as Arts and Culture Week. The Transylvania Arts Council will host a series of events and activities during this time. Executive Director Tammy Hopkins provided handouts for the Board of Commissioners and public which listed all the events taking place during Arts and Culture Week. Commissioners approved Proclamation 20-2015 Arts and Culture Week: June 20-July 4, 2015.

(Proclamation 20-2015 Arts and Culture Week: June 20-July 4, 2015 is hereby incorporated by reference and made a part of these minutes.)

PROCLAMATION-PARKS AND RECREATION MONTH

This July the National Parks and Recreation Association is celebrating 30 years of Parks and Recreation Month and the enduring importance of parks and recreation for the world. From the start, parks were created to serve the people - to give them a place to appreciate nature, exercise, socialize and have fun. This mission lives on and will continue to intensify into the future. Commissioners approved Proclamation 21-2015 Designation of July 2015 as Parks and Recreation Month.

(Proclamation 21-2015 Designation of July 2015 as Parks and Recreation Month is hereby incorporated by reference and made a part of these minutes.)

RESOLUTION-IN HONOR AND RECOGNITION OF THE 150TH ANNIVERSARY OF FIRST BETHEL BAPTIST CHURCH

First Bethel Baptist Church will celebrate its 150th Anniversary on June 28, 2015. Pastor Marshall Erwin has asked Commissioners to consider a resolution in honor and recognition of their anniversary and invited the Board of Commissioners to attend and participate in the celebration on June 28 at First Bethel Baptist Church. He asked Commissioners to read and present the resolution during the celebration service. Commissioners approved Resolution 23-2015 In Honor and Recognition of the 150th Anniversary of First Bethel Baptist Church. At the request of Commissioner Chapman, Chairman Hawkins read aloud the proclamation for the benefit of the public.

(Resolution 23-2015 In Honor and Recognition of the 150th Anniversary of First Bethel Baptist Church is hereby incorporated by reference and made a part of these minutes.)

PRESENTATIONS/RECOGNITIONS

US FOREST SERVICE PLAN UPDATE

Commissioners invited Pisgah District Ranger Derek Ibarguen to provide an update on the US Forest Service Plan and how the plan impacts Transylvania County. Headwaters Outfitters owner David Whitmire will also share his perspective on the Plan. He is the Chairman of the Fish and Wildlife Conservation Council (FWCC) which is one of three recognized collaboration groups involved with the Plan.

In his position as District Ranger in this County Mr. Ibarguen is engaged with the Tourism Development Authority and the Transylvania Natural Resources Council. With his presentation he intends to provide a brief review of the Pisgah Ranger District and an overview and status of the US Forest Service Plan revision, as well as examine local issues in reference to forest management.

Mr. Ibarguen offered an update via PowerPoint presentation. The entire Pisgah Ranger District makes up approximately 160,000 acres. The portion of the District located in Transylvania County has rich culture, history and heritage, and is home to iconic features such as Looking Glass Rock, many waterfalls and pristine nature. Over half of the Pisgah Ranger District (88,000 acres) resides in Transylvania County which contributes to the County's economy, offers recreational opportunities and adds to the quality of life. The beauty of the area attracts numerous people. It is estimated that between three and four million people visit the Pisgah Ranger District annually. Of these, over 90,000 stop by the Ranger Station Visitor Center and another 50,000 visit the Cradle of Forestry. Over 4,500 people visited Sliding Rock over the most recent Memorial Day weekend. It requires a great deal of work from the Pisgah Ranger District staff to keep visitors safe. The Pisgah Ranger District offers protection to watersheds and provides clean and abundant water. Many forest management activities take place here, such as commercial timber harvesting and prescribed burning to promote forest health and enhance wildlife habitats. In addition, the Pisgah Ranger District supports outfitters and guides, race events, summers camps and more by issuing special permits to use the Pisgah National Forest.

The scope of the US Forest Service Plan revision includes both the Nantahala and Pisgah National Forests which encompasses 18 counties and nearly five million acres. Approximately 22% of the 18-county region is National Forestland. New policy created in 2012 set the direction for the revision process. Management plans are required for all National Forests. Forest Plans describe broad integrated management direction for the National Forest. They are programmatic in nature and do not make site specific decisions. Forest Plans have a 10-15 year life span. The most recent Forest Plan in place dates back to 1995. All management activities and uses must comply with the Forest Plan Direction document.

The 2012 Planning Rule provides the framework and requirements for revising land management plans. It emphasizes collaboration, improves transparency and strengthens the role of public involvement throughout the planning process. It also requires the use of the best available scientific information to inform decisions. In 2013, there were 16 public meetings held across the region, including one in Transylvania County. This period of time was used as an assessment period in order to identify areas where change was needed. There were an additional eight public meetings held in 2014 and thousands of comments were received. Using information and comments gathered during this time, they were able to draft a list of potential changes to the Forest Plan. The Need-for-Change document was published in February, initiating the scoping period. They received about 200 comments during this period which led to an update to the Need-for-Change document. This document, as well as input from local elected boards, led them to develop a proposed management area framework and desired conditions.

The significant issues identified were:

- Wildlife Habitats – Desire for more young forest, old forest, and varying degrees of interior and core forest
- Special Designations – Range of opinions regarding the number, kinds, and extent of special designations, including wilderness and other special areas
- Access – The extent of the road and trail systems to provide access to the forest
- Recreation – Diversity of recreation interests with varying levels of development

One of the goals identified for the revision is to ensure that all interests are represented in the Forest Plan and in all alternatives. Another goal is to create a broadly supported and inclusive plan that they will be

able to implement on the ground. Once it is time to implement the plan, it is their hope any controversy would have been resolved.

A National Forest must meet the needs of multiple interests and resources. Management Areas were developed to respond to significant issues. Each Management Area has its own set of desired conditions. They provide the context and strategy for managing different lands across the National Forest and allows for consistent direction across geographically and ecologically similar areas. Each Management Area has its own set of plan components specific to its intended purpose. Plan components include desired conditions (the vision), management objectives (the strategy), and standards and guidelines (the design criteria).

The following are examples of Management Areas:

Management Area 1: Forest Habitat Diversity

- Diversity of forest age classes and conditions
- High quality wildlife habitat, including both young and mature forest
- Forest management, including timber production and prescribed fire, plays an important role in the maintenance of the forest
- More road access compared to other Management Areas

Management Area 2: Restoration and Connectivity

- Opportunities for restoring a diversity of forest age classes and conditions
- Less emphasis on young forest and more emphasis on connectivity of wildlife habitats
- New road construction is limited to low

Management Area 3: Backcountry

- Remote and primarily non-road areas
- Areas are primarily shaped by natural processes
- Older forest conditions are most apparent
- Large tracts of backcountry recreation opportunities

Management Area 7: Congressionally Designated Wilderness

- Shining Rock, Middle Prong
- Managed to perpetuate the naturalness of the area while providing recreational, scenic, scientific, educational, and historical use compatible with wilderness resources and attributes
- Roads, mechanized and motorized equipment prohibited

Management Area 11: Cradle of Forestry

- 6,800 acres of specially designated area as the birthplace of forestry and forestry education in America
- Dedicated to promote, demonstrate and stimulate interest in and knowledge of the management of forest lands under principles of multiple use and sustained yield

The revision process is ongoing. Continued collaboration will help to develop a proposed Forest Plan and a range of alternatives. An analysis of the proposed Plan and alternatives will be conducted which will compromise a document called the Draft Environmental Impact Statement (DEIS). In December 2015 or January 2016, the DEIS will be available for a 90-day public comment period. The goal is for the revised Forest Plan to be complete in 2017.

There are several topics that need specific collaboration to identify agreements. Some of the collaboration topics that will be deliberated further are forest management activities that restore resiliency and improve forest health, special designations (including recommended wilderness areas) and sustainable recreation programs.

A wilderness inventory and evaluation is required during the planning process. However, inclusion in the inventory does not equate to recommendation in the final Plan. The inventory process remains ongoing, but some of the areas in Transylvania County involve Daniel Ridge, Cedar Rock and Turkey Pen areas, and areas just across the County line, such as Sam's Knob and Graveyard Fields. Each inventoried area will be evaluated and additional collaboration and public involvement will need to occur for recommendations.

Lastly, Mr. Iburguen informed Commissioners that a National Recreation Area (NRA) has been proposed and needs to be put forth for public and collaborative discussions. The purpose of the designation is to protect, preserve, enhance or conserve some attribute or set of attributes in the area. A recommended NRA designation in the Pisgah Ranger District is likely to be included in the alternatives of the draft Plan. Diverse recreation activities can occur in NRA's, including hunting, fishing, rock climbing, mountain biking, hiking, camping, horseback riding and more. Discussions need to ensure acknowledgement of all uses of the area and desired management activities that meet the needs of the users, mountain bikers, hikers and hunters alike. Components of the Plan would include appropriate management based on specific purposes for the recommended area, including identifying management of timber, wildlife habitat, trails and more. This completed Mr. Iburguen's presentation and he invited questions from Commissioners.

Commissioner Chapman asked who will grant the final approval of the Forest Plan. Mr. Iburguen stated that the Supervisor in the Asheville office will grant final approval.

Commissioner Lemel commented about the proposed National Recreation Area. She noted that Dupont State Recreational Forest already provides recreational opportunities and as such is designated as a recreational forest. She asked if there had been any collaboration with them or other public lands regarding recreational opportunities. Mr. Iburguen said those involved in the planning process have conveyed their interests in this area, but at this point he is unaware of comparisons to other parks and forests and the recreational opportunities available there.

Next, Mr. Whitmire spoke briefly about his role in the planning process. As mentioned earlier, he is Chairman of the Fish and Wildlife Conservation Council and the organization has been recognized as a collaboration group. Mr. Whitmire said sportsmen across the region have noticed a large decline in the wildlife population, including game and nongame species. The decline has been recognized by the Wildlife Resources Commission. This is significant because it means there could be issues that need to be identified. He also communicated the significance of wildlife needing diversity in a forest. Just as relevant is that forests benefit from timbering and prescribed burning. Not only are there people in this County that can do this work, but the monies made from timbering come back to the County for the School System which helps to ensure taxpayers are not overburdened with paying additional tax dollars.

Mr. Whitmire expressed how very important it is to him to educate people about the Pisgah National Forest and its management plan. He believes Transylvania County can serve as an example for other counties across the nation. He urged everyone to support those involved in this process because they are experts in their field.

Lastly, Mr. Whitmire stated how very much impressed he is with Mr. Ibarguen as the Pisgah District Ranger and he encouraged the Board of Commissioners to be involved with the process, noting that the US Forest Service does not want to implement anything that does not have the support of the County.

Commissioners thanked both gentlemen for their presentations and asked them to keep the County informed of the status of the development process.

NC 280 PROPOSED SAFETY IMPROVEMENTS

On April 30, 2015 the Transylvania County Transportation Advisory Committee met and received information from the NC Department of Transportation (NCDOT) regarding ways to help improve the safety of NC 280. During the meeting NCDOT officials described the concerns with NC 280, offered different alternatives with pros and cons and detailed a preferred solution. This effort is a result of a letter Chairman Hawkins sent to NCDOT on February 10, 2015 following a fatal accident in early January 2015.

The Transportation Advisory Committee agreed that the alternative offered by NCDOT was a sound option to reduce the risk of future serious and even potentially fatal accidents. The Advisory Committee unanimously approved a motion requesting that the NCDOT's recommendations be presented to the Board of Commissioners for their consideration and approval.

Division 14 Engineer Ed Green introduced NCDOT staff in attendance, including State Board Member Jack Debnam. Mr. Debnam encouraged the Board of Commissioners to be actively involved with the Rural Planning Organization (RPO) and Metropolitan Planning Organization (MPO) through the Land-of-Sky Regional Council because they are the driving force for transportation projects.

Division Traffic Engineer Scott Cook began the presentation. His job is to investigate fatal crashes and areas that have identifiable crash patterns. NC 280 in Pisgah Forest is an area that has had both. The section of NC 280 that would be impacted by the proposal starts at the Deaver Road intersection and extends 1.2 miles to the Hudlin Gap Road intersection.

A 10-year crash history (4/1/2005-3/31/2015) of this stretch of road has recorded 68 total crashes (39 rear end, 4 head on {2 fatal, 1 severe injury}, 7 angle, 6 ran off road, 6 animal, 3 left turn same road, and 3 sideswipe same direction). Most of the rear end crashes occurred while vehicles were stopped next to double yellow lines yielding to traffic to turn left into a driveway or side road. All of the head on crashes involved local residents and two of them were fatal. These patterns were taken into account when considering potential solutions. Mr. Cook stated the proposal being made is in the interest of safety, noting that nearly half of the crashes involved a range of injuries.

NCDOT considered several alternatives to address the safety concerns. Western Regional Field Operations Engineer Bucky Galloway presented the alternatives. One option was to widen the roadway to a 5-lane section which would be very costly and would cause substantial negative impact to existing homes and businesses. Another alternative was to remark the existing roadway as a 5-lane, but it was determined that the cross-sectional width would require 9' lanes which is less desirable considering the +45 mph speeds and the significant truck traffic. Rumble strips on the existing centerline would address the head on crashes but not the rear end crash pattern and there is a concern about ambient noise impacts on residents and businesses located right adjacent to NC 280. Remarketing the section as a 3-lane or 4-lane with center turn lane caused concern about possible increased congestion at the Walmart/Deaver Road intersection and at the US 64/US 276 intersection.

The preferred solution is to remark NC 280 to a 4-lane unbalanced couplet system, thereby creating a buffer between opposing thru traffic and creating a continuous turn lane for left turning vehicles on NC

280 that will lead to anticipated reduction of severe injury and fatal crashes, as well as reduce the potential for head on, rear end and left turn crashes. In addition, the proposed unbalanced couplet traffic pattern will help reduce speeding in the southbound direction while slightly improving the level of service for northbound traffic. Adding rumble strips will alert drivers drifting into opposing traffic. One of the disadvantages to this proposal is it may affect movement into town; however, the average traffic flow should not cause a functional breakdown of the roadway and the level of service is expected to be acceptable through the year 2024.

The NCDOT favored northbound traffic over southbound traffic because northbound motorists are heading into a less developed rural area more conducive to higher speeds and multiple lanes. Southbound motorists are heading into a more developed area with a lower speed limit so lower speeds on this approach are advantageous. Due to the intersection locations, it is easier to transition southbound traffic into one lane at Hudlin Gap Road versus having to transition northbound traffic into one lane just east of Deavor Road. There was also the concern about the possible increase in congestion at the Deavor Road and US 64/US 276 intersections if the northbound through movement was reduced to one lane. Northbound traffic has to traverse up Little Mountain making it more desirable to have two through lanes approaching the incline. The NCDOT believes the proposal is the best alternative and they sought support from the Board of Commissioners.

This concluded the NCDOT's presentation. The following is a summary of the questions and comments made by the Board of Commissioners and responses from NCDOT officials:

1. The flat area of this stretch of road is mostly residential. Many residents are concerned about the danger of checking their mail because their mailboxes are so close to the road. Would it be possible to reduce the speed limit from 45 mph to 35 mph beginning at the top of Little Mountain and adding a sign directing motorists to reduce speed in the residential area? A slower speed limit may also aid motorists with getting onto NC 280 from their driveways or side roads.

Unfortunately speed limits are not as effective as they should be. Motorists tend to travel at speeds in which they feel most comfortable. The modifications to the southbound traffic pattern may cause motorists to reduce speed automatically. The NCDOT believes the 45 mph speed limit is appropriate because it is a major corridor. The speed limit reduces to 40 mph approaching Walmart. In addition, NCDOT is unaware of any State road signs that would indicate drivers are entering residential areas.

2. There are concerns with this proposal, particularly with two lanes being reduced to one. This can cause long lines of traffic. That is evident on US 64 in downtown Brevard driving up "Jailhouse Hill".

With limited funding available, this is the best solution; otherwise people would lose their homes. NCDOT officials understand the concerns about coming into town, but they believe this solution will assist motorists that are leaving town.

3. If these modifications are made, how will the NCDOT determine if they are successful? Will there be a "retraining" period for those who have driven this stretch of road for so many years?

The NCDOT will establish an evaluation period and set markers to determine success. It will take six months to a year to understand the impact. NCDOT will reevaluate in three years. Because this project does not involve major construction, if it does not produce the expected outcomes NCDOT can review the traffic pattern and make adjustments when the road is scheduled for resurfacing.

They intend to post ample signage. The NCDOT assured Commissioners they have explored every alternative and they believe this is the best solution with the limitations they have in terms of funding and road width. They would like the support of the Board of Commissioners before moving forward.

4. Has the NCDOT estimated how much additional travel time this may add to drivers' commutes?

There will be some inconvenience to drivers, especially when there are slower drivers on the road, but the additional commute time should be nominal.

5. What is the County's role? If the County does not support this will the NCDOT move forward anyway? Is safety the driving factor for these modifications and, if so, why isn't the NCDOT emphasizing to the Board of Commissioners the imperativeness of this project?

The NCDOT wants the support of the Board of Commissioners and they do not intend to move forward unless they have it. Yes, safety concerns are the driving force, but the NCDOT does not want to force any unwanted changes upon the County and its residents. The NCDOT would not have spent time developing and reviewing alternatives if they did not believe safety was a real concern. They believe the proposal will improve the safety of this road.

6. Is this a short term fix and should the County be looking at ways to make the road appropriate for travel in the future?

The NCDOT encouraged the Board of Commissioners to work with the RPO and MPO to design a road that everyone will be agreeable to in the future. Unfortunately, when this road was constructed it was squeezed into a small area and not much right of way was allowed. It was not the best choice then so modifications are limited.

7. Is there funding available for this project?

The NCDOT has applied for funding and they expect approval in the next couple of months.

8. It was mentioned earlier that if the proposal does not address the safety concerns, the traffic pattern can be changed when the road is scheduled for resurfacing. Has it ever been the case that a project was changed back to its original traffic pattern?

The NCDOT is unaware of any cases.

9. Who should citizens contact if they have questions or concerns about this project?

Contact information for Division 14 officials is located on the NCDOT website. Mr. Green and Mr. Cook are willing to assist citizens in any way. They can also contact District Engineer Steve Cannon whose office is in Mills River.

Chairman Hawkins asked staff to place this item on the next agenda for Board consideration. He agreed this stretch of road presents safety concerns and he takes his own personal precautions by never driving in the left lane. He asked the NCDOT to consider reducing the speed limit despite their comments about speed limits not being effective.

The Board of Commissioners thanked Mr. Green and NCDOT officials for the great job they do for Transylvania County and for bringing forth solutions that are intended to deal with issues.

APPOINTMENTS

PARKS AND RECREATION COMMISSION

The terms of Todd Branham, Nicola Karesh and Danielle Major expire at the end of June. All are eligible and willing to serve a full term. There is one other application on file and this individual currently serves on the Transylvania Natural Resources Council. The Clerk learned today that Gordon Murray resigned. She will advertise to recruit for this vacancy.

Commissioner Lemel moved to reappoint Todd Branham, Nicola Karesh and Danielle Major to serve a full term on the Parks and Recreation Commission. The motion was seconded by Commissioner Chappell and unanimously approved.

BLUE RIDGE COMMUNITY COLLEGE BOARD OF TRUSTEES

Jeremy Gibbs' term on the Blue Ridge Community College Board of Trustees expires at the end of June. He is eligible and willing to serve another term. It is recommended by Chairman John McCormick that he is reappointed to another term. In addition, David Clavier resigned his position on this Board. There are four additional applications on file for Commissioners to consider.

Commissioner Lemel moved to reappoint Jeremy Gibbs to another term. The motion was seconded by Commissioner Chappell and unanimously approved.

Commissioner Phillips moved to appoint Sue Fox to fill the position vacated by David Clavier. The motion was seconded by Commissioner Chappell. Commissioner Chappell said he reached out to Mrs. Fox to apply because of her background in education at both the local and community college level, as well as in business and manufacturing. With that said, he was pleased with the applicant pool and believes any of the applicants would do well serving on this board. **The motion failed by a vote of 2 to 3, with Chairman Hawkins and Commissioners Chapman and Lemel voting against.**

Commissioner Lemel moved to appoint Josh Hallingse to fill the position vacated by David Clavier. The motion was seconded by Chairman Hawkins. Commissioner Lemel believes Mr. Hallingse is a good choice to serve on this board and it will enhance his position as the Executive Director of the Transylvania Partnership for Economic Development. Chairman Hawkins and Commissioner Chapman echoed her comments. **The motion passed unanimously.**

Chairman Hawkins echoed Commissioner Chappell's earlier comments about the quality applicant pool. He intends to personally communicate to the other applicants that they were not selected.

WORKFORCE DEVELOPMENT BOARD

The terms of Jeff McDaris and Mark Emory expired at the end of May. Both are willing to serve another term. It is the recommendation of Workforce Development Board Director Phil Monk to waive the term limits and reappoint Jeff McDaris. With the new law changes to the makeup of this board, the local chamber of commerce should recommend the private sector appointments to the Board of Commissioners. The Brevard/Transylvania Chamber of Commerce recommends the reappointment of Mark Emory and the appointment of Noah Tuttle to replace Bill Ragland. Mr. Ragland is no longer eligible to serve since he is retired. There are no other applications on file.

Commissioner Lemel moved to waive the terms limits and reappoint Jeff McDaris to another term, to reappoint Mark Emory and to appoint Noah Tuttle to replace Bill Ragland. The motion was seconded by Commissioner Chapman. Commissioner Chappell expressed his sincere appreciation for the work Mr. Ragland has performed in this area for decades. Because of his employment with Blue Ridge Community College, Commissioner Chappell has had the opportunity to work with Mr. Ragland

during his tenure on this board and considered him a mentor and personal friend. Commissioner Lemel concurred and noted that it was her father, former County Commissioner Bill Ives who is now deceased, who first appointed Mr. Ragland to the position. She believes Mr. Tuttle will make a great addition to this board. **The motion was approved unanimously.**

Commissioner Chappell suggested this Board recognize Mr. Ragland at a future meeting. Chairman Hawkins thought it would be worth exploring the possibility of creating an award for Transylvania County similar to that of the Order of the Long Leaf Pine awarded by the State of North Carolina.

BREVARD PLANNING AND ZONING BOARD

Gary Daniel resigned from the Brevard Planning and Zoning Board because he moved out of the City's Extra-territorial Jurisdiction (ETJ). County appointments must reside in the ETJ. The Clerk recently received one application and it is the only one on file. The applicant resides within the ETJ.

Commissioner Lemel moved to appoint Christopher Strassner to fill the vacancy on the Brevard Planning and Zoning Board, seconded by Commissioner Phillips. Commissioner Lemel appreciated Mr. Strassner's willingness to apply and she believes he will represent the County well. **The motion was unanimously approved.**

CHILD FATALITY PREVENTION TEAM/COMMUNITY CHILD PROTECTION TEAM

The terms of Mae Clayton, Kevin Creasman and Teesie Townsend expire at the end of June. These individuals serve in specific roles as the elective membership to both the Child Fatality Prevention Team and Community Child Protection Team. Gale Mackey's term on the Community Child Protection Team expires at the end of June. He represents law enforcement in his role on this team. All members are eligible and willing to serve another term.

Commissioner Phillips moved to reappoint Mae Clayton, Kevin Creasman, Teesie Townsend and Gale Mackey. The motion was seconded by Commissioner Lemel and unanimously approved.

NEW BUSINESS

TRANSYLVANIA COUNTY BUDGET ORDINANCE FY 2015-2016

The Board of Commissioners met on May 26 to hear the Manager's recommended budget and at a workshop on June 1 to discuss modifications to that budget proposal for Transylvania County. At the conclusion of those meetings, it was the consensus of the Board to propose a General Fund Budget of \$47,899,927. The proposed budget includes no tax increase and maintains the ad valorem tax rate of \$0.4499 per \$100 valuation. Included in the proposed budget is a drawdown of Fund Balance by \$1,293,496. The Board of Commissioners held a public hearing during a regular meeting on June 8. Commissioners made no recommended changes after the public hearing was held.

Commissioner Lemel moved to approve the FY 2015-2016 Budget Ordinance and Fee Schedules for Transylvania County. The motion was seconded by Commissioner Chapman. Commissioner Lemel thanked the Manager and staff for their work on implementing a new budget process. She believes it was a much more pleasant experience than years past. Commissioner Chappell commented that while no budget is perfect, overall he is supportive of the budget. He agreed the process was much better than past years, but believes there are some areas that still need work. This will be revisited when the budget process begins for the next fiscal year. **The motion was approved unanimously.**

OLD DETENTION CENTER RENOVATIONS BID RESULTS

Commissioners have pursued design and specifications for renovation of the old detention center for use by the Board of Elections and Employee Wellness Clinic. Bids were accepted with a due date of May 21.

The low bid on the project came from Goforth Builders in the amount of \$1,229,400. Additional funds are needed to complete the project including security, technology, furniture, computers, generator and professional services totaling \$372,510. The Manager recommended 10% contingency to account for renovation related unknowns. Typically the County budgets 5% contingency for such projects. The City Planning Department has approved the plans with the commitment that the parking area will be addressed by removing an entrance/exit point and reconfiguring the space to meet City code. This may be done as a separate alternate provided the project is complete within the next five years. This alternate to achieve compliance and repave the area at the same time will cost \$106,052, bringing the total budget cost to \$1,883,807.

There are several factors to consider related to this project:

1. The Wellness Clinic will need to be temporarily relocated with a budget of \$3,000 to make the old administration building meet those needs during construction.
2. The current house for Board of Elections will be vacant at completion of the project. While there is no clear direction on the future of that space, the Soil and Water Conservation District has requested to locate there in order to use the storage space on site in addition to the office space. Another alternative could be to pursue selling the property to offset the expense of the project.
3. There are several capital projects to be considered in the coming years. One to be discussed soon includes the Courthouse relocation or renovation. Either option is expected to cost between \$15-\$20 million dollars. Other capital projects may include infrastructure development, economic development related expenditures, projects as a result of the Parks and Recreation Strategic Plan and school capital needs. While there is room in fund balance to allocate for the project, it may make sense to finance while interest rates are low and allocate fund balance for payment as staff, along with Commissioners, develop a comprehensive capital project strategy and to allow revenue to grow to cover those annual payments.

The Manager reviewed two financing options and the estimated debt service should Commissioners decide to borrow the full amount.

Amount Borrowed	\$1,800,000	\$1,800,000
Term in Years	10	15
Interest Rate	2.40%	2.60%
Annual Payment	\$204,604	\$146,451
Payment over Term of Loan	\$2,046,045	\$2,196,768
Total Payment as % of Loan	113.7%	122.0%

The Manager asked Commissioners to consider the information presented and discuss a timeline to either approve the project or direct staff for further study.

Commissioner Chappell preferred to take a holistic approach because there are several projects up for consideration.

Commissioner Chapman concurred, but was concerned about the ongoing cost of maintaining the building if the Board does not move forward with the renovation at this time. Architect Rich Worley informed the Board that the ongoing cost of this building is in the \$1.3 million range. He pointed out that the bids were below the estimated project cost and they are good through only August 4. The bids were very competitive and were between 2-3% of each other. He encouraged the Board to move forward and not lose out on such a good bid.

Mr. Worley also informed the Board that the City Planning Department has agreed to extend compliance of the UDO requirements because of the existing conditions on the site. He developed a preliminary plan

which has been approved by the City as well. The cost to meet the UDO requirements is estimated to be approximately \$28,000. In response to concerns expressed by Commissioner Phillips, Mr. Worley said the City has promised a letter of intent.

Commissioner Chapman believes it is important to complete this project because it helps to complete the County's campus. If the Board does nothing, the building will continue to deteriorate. It has already been determined that it will meet the needs of the Elections Department while still housing the Employee Wellness Clinic. Commissioner Chapman would prefer to further study financing options and not use Fund Balance alone to pay for this project. Afterwards, he believes Commissioners should begin a process to prioritize future projects and how to fund them.

Commissioner Lemel agreed and said this is a relatively small project compared to other projects being considered in the future. At this point, she was in favor of the 10-year financing option. She urged the Board to move forward and not lose out on the great competitive bid.

Chairman Hawkins asked a Commissioner to work with the Manager and Finance Director to develop a plan to include financing options for the Board to consider at the second meeting in July.

BROWNFIELDS STUDY-REQUEST FOR QUALIFICATIONS

Staff sought permission from the Board of Commissioners to distribute a request for qualifications (RFQ) for professional consulting services regarding applying for and managing US EPA Brownfield Assessment grants. The maximum grant award is up to \$400,000 and the proceeds would be used to assess potential properties throughout the County that are underutilized. Work would include writing a grant application, meeting with existing community groups and property owners to identify potential properties, and inventorying and prioritizing potential sites.

Earlier this year, Mid-Atlantic Engineering, Inc. approached the County and City of Brevard Planning Departments and suggested that the City and County are eligible to apply for grant funding to help identify and study potential properties that are abandoned, idled or underutilized due to possible real or perceived environmental concerns. Staff is aware of different properties that might be eligible throughout the County and thinks that this might be an ideal way to help find resources to clean up and rehabilitate those properties. These funds can be used for both public and/or private properties meeting the eligibility criteria. In 2015, the EPA awarded \$53 million in Brownfield Grants. Only municipalities and non-profit organizations are eligible for EPA Brownfield Grant funding.

There is no final obligation to the County. If approved, the RFQ will be advertised for a period of three weeks. The deadline to apply for grants would be some time in August. EPS grants are awarded in December.

Commissioner Lemel moved to allow staff to seek qualifications from firms that assist communities in identifying Brownfields and obtaining US EPS grant assistance, seconded by Commissioner Chappell and unanimously approved.

HAZARD MITIGATION PLAN

Communications Director Kevin Shook reported that Transylvania County, the City of Brevard and the Town of Rosman started the process of updating the current Hazard Mitigation Plan in October 2013. This Plan must be updated every five years and replaces the previous Plan. In past years, counties completed their own individual plans and submitted them to the State and FEMA for approval. However, with funding sources to cover the cost of the planning process drying up, it was recommended that counties develop regional plans to make better use of the grant funding that was available. Transylvania County therefore entered into the South Mountains Regional Hazard Mitigation Plan which consists of

Transylvania, Henderson, Polk and Rutherford Counties and the municipalities that make up said counties.

These counties and municipalities worked together and gathered the necessary and appropriate input to complete the Plan and it has been approved by FEMA. The final process is now for the local governing boards to adopt the Plan through passage of a resolution. The Hazard Mitigation Plan must be adopted and in place to remain eligible for federal reimbursement should the County experience any disasters and to maintain eligibility for federal grants. Due to past experience of loss across this nation, FEMA requires local governments to show local interest in their efforts to mitigate some hazards before a disaster occurs.

If not adopted, the County will not be reimbursed by FEMA should a disaster occur and the County will not be eligible to receive federal grants.

Commissioners thanked staff for all the work that went into updating the Hazard Mitigation Plan.

Commissioner Lemel moved to adopt the South Mountains Regional Hazard Mitigation Plan via the passage of Resolution 22-2015. The motion was seconded by Commissioner Phillips. Commissioners instructed staff to make a copy available to the Library for reference. The motion was unanimously approved.

(Resolution 22-2015 To Adopt the South Mountains Regional Hazard Mitigation Plan is hereby incorporated by reference and made a part of these minutes.)

BUDGET AMENDMENTS & 4TH QUARTER SUMMARY

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.

#138: \$53,570 from General Fund balance assigned for Accrued Vacation for vacation paid out in lieu of time taken (\$25,236) and vacation paid out upon resignation or retirement (\$28,334)

#139: \$2,664 from proceeds from property insurance claims for Sheriff's Office vehicle damaged by a falling tree

#147: \$11,659 from a reduction in a Health Department United Way grant due to a change in delivery of transportation services and \$770 from General Fund balance restricted for the Health Department that was originally donated for the Community Awareness Recovery Effort program (net reduction of \$10,889)

#151: \$64,994 for the Sheriff's Office from jail fees from other counties in excess of the original amount budgeted to be used for inmate medical expenses, insurance, and food; key management system; janitorial and operating supplies; and other costs associated with the Detention Center and Sheriff's Office

If approved, these amendments will increase the General Fund budget by \$110,339, bringing it to a total of \$48,305,940.

There is one additional budget amendment, #146, that is noteworthy. It does not require approval but is significant because it recognizes the addition of \$161,293 in revenues not originally budgeted for in FY

15 and not offset by additional expenditures in FY 15. Of this total, \$70,060 will go into restricted fund balance at the end of FY 15. The revenues, sources, and fund balance designations are shown below:

\$ 8,500	Allen Trust	restricted for EMS and Animal Services
\$50,456	Federal Equitable Sharing Program	restricted for Sheriff's Office
\$ 1,104	Local Emergency Planning Committee	restricted for Emergency Management
\$ 4,000	Donations to EMS	restricted for EMS
\$ 6,000	PNC Grant	restricted for Child Development
\$47,908	Alcoholic Beverage Tax Distribution	unassigned
\$43,325	NC Pre-K funds for NALC	unassigned (offset County support)

This amendment will not have any budgetary impact in FY 15.

Commissioner Phillips moved to approve the requested budget amendments. The motion was seconded by Commissioner Chapman. Commissioner Chapman expressed dismay about the accrued vacation and the County's liability. He asked the Manager to review the policy and said employees should be encouraged to take their vacation or else lose it. **The motion was unanimously approved.**

At the end of each quarter, the Finance Director provides a recap of the budget amendments that have been approved and entered year-to-date and their impact on the fiscal year General Fund budget.

During the past quarter, amendments were made that increased the budget by \$478,975, with \$353,364 attributable to additional revenues. Of this amount, jail fees for housing inmates from other counties accounted for \$221,994, while fees generated by the Register of Deeds, Public and Environmental Health, Parks and Recreation, and Soil and Water Conservation contributed another \$80,555. Fund Balance appropriations totaled \$108,241 and included \$53,570 from assigned fund balance for paid out accrued vacation in lieu of time taken or upon termination and \$49,450 for structural repairs for the Courthouse. The County received donations of almost \$18,000, but actually lost a small amount overall in grants and State and federal funding.

As of June 22, 2015, amendments to the FY 15 General Fund budget have totaled \$1,517,098. Through carry forwards from FY 14 and appropriations made in FY 15, \$800,614 has been withdrawn from total fund balance - \$71,790 from restricted fund balance; \$276,671 from assigned fund balance; and \$452,153 from unassigned fund balance. Revenues from jail fees, other fees, insurance proceeds, and miscellaneous items caused \$404,254 of the growth in the budget, and new or increased grants and State and federal funding are responsible for another \$279,373. The remainder of \$32,857 was the result of donations to the County. With these amendments, the FY 15 General Fund budget as of June 22, 2015, is \$48,305,940.

No action was required by the Board of Commissioners and none was taken.

MANAGER'S REPORT

The Manager reported the following:

- Courthouse work is expected to begin this week and disruption to those working in the building should be minimal.
- HB 836 passed and allows counties to continue using their existing electronic voting machines until September 2019. The bill was sponsored by Representative Whitmire.
- HB 154 also passed and allows counties to petition to join the State Health Plan.

- HB 168 passed and exempts the value of certain improvements to residential real property held for sale by a builder for three years.
- Grand opening for Silvermont Playground and Trail is scheduled for Thursday, July 9. The event hours are from 3:00 p.m. to 6:00 p.m. and the official ceremony will begin at 4:00 p.m.

Commissioners were appreciative of the passing of HB 836 because it has the potential to save the County a substantial amount of money and hopefully it will allow other companies to become State certified vendors. Competition will help drive down the cost of the voting machines.

PUBLIC COMMENT

Peter Mockridge: Mr. Mockridge commented that Transylvania County is a tight knit community and we suffer when others do. He asked everyone to pray for those who suffered the tragedy in Charleston this past weekend.

Don Surette: Mr. Surette reminded Commissioners of the Front Porch Speaker Series being sponsored by the Historical Society at the Allison-Deaver House on Sundays. This coming Sunday the speaker will feature the Gillespie flint lock rifles. The event begins at 2:00 p.m.

COMMISSIONERS' COMMENTS

Commissioner Chapman asked the Manager to look into getting the water stains on the outside of the Social Services Building cleaned. He also commented that the buildings at the convenience centers are eyesores and asked if anything can be done to approve their appearance. The Manager informed Commissioners there are funds included in the budget to improve the centers.

Commissioner Chapman will travel to Raleigh tomorrow to attend the NC Association of County Commissioners Board of Directors meeting. They will be discussing and finalizing the strategic plan. Once finalized, it will be published. He promised to keep the Board informed of the progress.

Commissioner Lemel reported that summer camp season is underway. She invited members of the community to come visit Camp Keystone for breakfast or lunch. She recently hosted the Manager and Executive Director of the Transylvania Partnership for Economic Development and they discussed the economic impact of summer camps on the community. Commissioner Lemel also met with WCCA Director David White to ensure Transylvania County citizens in need are being fully served by this organization.

Commissioner Chappell encouraged everyone to tell their families and friends how much they mean to each other. This community and other communities across the nation have been affected by tragic deaths recently.

Chairman Hawkins moved to enter into closed session per NCGS 143-318.11 (a) (5) to establish or instruct staff or agent concerning the negotiation of the price and/or terms of a contract concerning the acquisition of real property, following a 5 minute recess. The motion was seconded by Commissioner Phillips and unanimously carried.

CLOSED SESSION

Pursuant to NCGS 143-318.11 (a) (5) to establish or instruct staff or agent concerning the negotiation of the price and/or terms of a contract concerning the acquisition of real property, closed session was entered into at 9:50 p.m. Present were Chairman Hawkins, Commissioners Chapman, Chappell, Lemel and

Phillips, County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. Commissioners held the closed session meeting in the Arthur C. Wilson, Jr. Conference Room.

Commissioners discussed the negotiation terms for the potential purchase of property and instructed staff on how to proceed.

Chairman Hawkins moved to leave closed session, seconded by Commissioner Phillips and unanimously carried.

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, seconded by Commissioner Chappell and unanimously approved.

ADJOURNMENT

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

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board