

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**June 24, 2019 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, June 24, 2019 at 7:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Will Cathey, Jason Chappell, Vice-Chairman David Guice, Chairman Mike Hawkins and Page Lemel. Also present were Assistant County Manager David McNeill, County Attorney Misti Bass and Clerk to the Board Trisha Hogan. County Manager Jaime Laughter had a family emergency and arrived later in the meeting to assume facilitation of the meeting.

Media: *The Transylvania Times* – Derek McKissock

There were approximately 50 people in the audience.

**CALL TO ORDER**

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 7:00 p.m.

**WELCOME**

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the public for participating in their local government. He introduced Commissioners and staff in attendance. He asked everyone to keep the County Manager and her family in their thoughts and prayers this evening.

**PUBLIC HEARING**

**FY 2020 PROPOSED BUDGET FOR TRANSYLVANIA COUNTY**

Finance Director Jonathan Griffin presented information for the purpose of the public hearing.

*FY 20 Budget Process*

- Internal departments submitted budget requests along with justification, including proposed work plans
  - Departments presented six-month reports on their work plans as an evaluation of their goals
- Issued call for applications from nonprofit partners in March
  - Per policy, subcommittee reviewed and scored on a rubric in April
  - Subcommittee comprised of Commissioners and County staff
- School funding
  - March – Commissioners received presentation from Dr. Laura Leatherwood, President of Blue Ridge Community College
  - May – Commissioners received presentation from Superintendent of Transylvania County Schools, Dr. Jeff McDaris, on behalf of the Board of Education
- Outside agency budget requests submitted in April
  - Fire Departments
  - Rescue Squad
- Staff examined priorities and had preliminary discussion with elected officials

- Manager's recommended budget presented in May totaling approximately \$60.5 million
- Commissioners held two budget workshops on May 28 and June 6
- Public hearings held during regular meetings on June 11 and June 24
- Adoption of budget ordinance required by June 30 per NC general statute

### *County Services*

County governments in North Carolina provide various services, many of which are mandated. For example, counties are legally required to provide a sheriff and at least two deputies. The addition of more deputies is discretionary. There are also optional services. In addition, there are required services that come with somewhat more discretion. The key functions of county government are:

- Education
- Public Safety
- Health and Human Services
- Physical and Economic Development
- Culture and Recreation
- General Government
- Transfers
- Debt Service

### *How Local Government Budgets*

- Look at trends for revenue and look at resources that suggest what to expect with those trends
  - Use limited information from State on revenues they control because they are on the same fiscal cycle
- Gather information from various sources on price changes including gas, utility rates, economic predictions, etc.
- Make and document assumptions and layer review so that staff feels comfortable those projections are reasonable and as accurate as possible
- Seek to understand Board of Commissioners' priorities, community and funding partner needs
- Estimate service demands by examining existing demands
- Maintain an understanding of mandated services and non-mandated services
- Review fee schedule
- Consider local economy
- Factor in long term fiscal health and long term planning

### *Trends by Function – examples of statistics staff reviewed to develop recommended budget*

- Education
  - Growth at Blue Ridge Community College in student population
  - Slight decline in student population at Transylvania County Schools
- Public Safety
  - Increase in calls for service
- Health and Human Services
  - Increase in Child Protective Services cases
- Physical and Economic Development
  - Increase in number of overall permits issued
- Culture and Recreation
  - Library has one of the highest circulation rates in the State among peer libraries and statewide
  - Lot of demand for library services, but library is a discretionary service

- General Government
  - Growth in workload overall
  - Tax collection rate remains high
  - Finance Office records day-to-day financial activity of the County
  - Increase in new hires in Human Resources

*Highlights for FY 20*

- Tax increase of 10.5 cents **based on voter approval** of the \$68 million general obligation school bond project to renovate and expand Rosman High, Rosman Middle and Brevard High Schools for a new tax rate of \$0.616/\$100 valuation
- Total budget stands at approximately \$64 million with a general fund \$0.636/\$100 valuation
- Includes setting all fire district rates to 5.5 cents and supplementing remaining approved budgets from general fund as recommended by the Board during budget workshops; including \$1,279,600 transfer from fund balance to cover remaining expenses to meet the fire service district contracts
- Includes tax increase of 2 cents to cover major capital needs identified during Commissioners' second budget workshop
- Includes fund balance set aside for education requests to be funded after State has determined salary and benefit increases and when more information on generalized capital improvements is provided

	FY 20 Rate	FD Rate Change	School	Major	Net
	Fully Funded	vs FY 19	Bond	Capital	July 1 Tax
<u>Fire District</u>	<u>Rec</u>	<u>Approved</u>	<u>Tax Increase</u>	<u>GF Tax</u>	<u>Increase</u>
Sylvan Valley 2	\$0.0550	\$0.0000	\$0.1050	\$0.0200	\$0.1250
Rosman	\$0.0550	(\$0.0659)	\$0.1050	\$0.0200	\$0.0591
Little River	\$0.0550	(\$0.0356)	\$0.1050	\$0.0200	\$0.0894
Connestee Falls	\$0.0550	(\$0.0283)	\$0.1050	\$0.0200	\$0.0967
Cedar Mountain	\$0.0550	(\$0.0826)	\$0.1050	\$0.0200	\$0.0424
Lake Toxaway	\$0.0550	\$0.0006	\$0.1050	\$0.0200	\$0.1256
Balsam Grove	\$0.0550	(\$0.0568)	\$0.1050	\$0.0200	\$0.0682
North Transylvania	\$0.0550	(\$0.0850)	\$0.1050	\$0.0200	\$0.0400
City of Brevard	\$0.0000	\$0.0000	\$0.1050	\$0.0200	\$0.1250

- Support the United States Census 2020 work to assure an accurate count which will help to bring federal tax dollars back to the County for service support
- Explore operational efficiencies and best practices throughout County services
- Facilitate preparation of the first small area plan for the County within the Cedar Mountain community
- Facilitate a plan to address workforce housing and economic development needs in the community, including exploration of the role of infrastructure in providing these services

- \$50,000 set aside in reserves to begin action plan as of June 30, 2019
- Continue facilitating the work of Get Set Transylvania in partnership with Sesame Street in Communities, including providing topic-based resource toolkits to children and their families, along with services provided by County departments
- Continue facilitating the work of the Senior Services Task Force, including continued operations and programming of the Senior Center at Silvermont
- Manage the construction of a sewer line that will provide expansion support to Gaia Herbs and extend service by the Town of Rosman along the US 64 corridor
  - County will manage the contracts for design and construction in addition to the grant funding responsibilities and turn over the line for ongoing maintenance and operation to the Town of Rosman
- Explore options that have been studied and any additional viable options to meet the facility needs of the courthouse and develop a path forward to meet those needs
- Facilitate the education construction bond issuance as needed by the Transylvania County Board of Education
- Merge the Transportation Department and the Planning and Community Development Departments to allow for more robust cross-training and support and to align those services in the future
- Continue funding \$50,000 per year to provide free Wi-Fi at nine qualifying community centers and issue a grant cycle in FY 20 for capital improvements for community centers
- Implement compensation study and establish a compensation philosophy for implementation going forward
- Maintain service levels throughout County services
- Continue to identify and implement reasonable replacement schedules for equipment and capital purchases; County has made progress in replacement of aging HVAC units but will need to accelerate progress on those replacements due to the number that are reliant on R-22, which will be federally restricted as of 2020 for manufacture
- Establish capital improvement schedules that take into account reasonable life of capital improvements, such as roof replacements, in addition to new capital items, such as a replacement EMS base location
- Work with Tax Administration on identifying operational efficiencies to offset the loss of revenue from the City of Brevard taking on its own tax collection

#### *Fiscal Policy Goals*

- Develop a long-term capital improvement plan for estimated \$121,600,000 in identified major capital needs
  - \$75.3 million in identified capital needs by Board of Education
  - Courthouse estimated cost range \$26 million-\$31 million for permanent solution
  - Communitywide Water Needs Study on file totaling \$40 million in water and sewer infrastructure needs
  - EMS Main Station estimated at \$1.6 million
  - Parks and Recreation Master Plan identifies \$32.2 million in needs
  - Economic Development/Product and Site Development
    - Gaia Herb/Town of Rosman Sewer project planned
- Identify revenue to fund capital needs
  - Receive lease payments from Ecusta Road partnership with Transylvania Economic Alliance
  - Education facilities bond with possible issuance in FY 20
  - Exploring PARTF Grant for acquisition of additional parkland
- Work towards multi-year budget planning in General Fund

- Vehicle prioritization, computer replacement schedule, long range maintenance evaluation
- Implement performance-based budgeting with outcome measures

#### *Revenue Projections*

- Ad valorem taxes are 59% of budget
- 21% growth in total revenues mostly driven by 10.5 cents tax increase for school bond and 2 cents increase for general capital
- Projected sales tax growth of 10.3% which is in line with most counties
- Positive growth indicators in interest on investments
- Permitting and property transfer fees reflect economic growth
- Revenue growth is steady, but Administration continues to be concerned that funding increases are outpacing revenue growth in some areas
- Budget reflects use of reserved and unreserved fund balance
  - 107% increase

#### *Expenditures*

- If funded all budget requests, would have required another 4.6 cents tax increase, ranging from 1/5 of a cent for Economic and Physical Development to 1.6 cents for Education

This concluded the formal presentation. Mr. Griffin asked the Board to open the public hearing for input.

#### **Chairman Hawkins declared the public hearing open at 7:17 p.m.**

*The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.*

Tawny McCoy: Mrs. McCoy is the Chairwoman of the Transylvania County Board of Education. She assured the Board of Commissioners that the budget request for Transylvania County Schools has been thoroughly vetted and is one that the Board of Education believes is needed to continue providing a quality education. Based on the Board of Education's understanding of the consensus reached during Commissioners' budget workshop, she is concerned that there were some items removed from the capital request, particularly generators at TC Henderson and Brevard Elementary. She believed that continued communication between the two Boards is the best path forward to understanding budget requests.

There were no further comments; therefore, **Chairman Hawkins declared the public hearing closed at 7:19 p.m.**

#### **PUBLIC COMMENT**

*The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.*

Larry Chapman: Mr. Chapman, a former County Commissioner, thanked the Board of Commissioners for their service to the County. He spoke in reference to two items on the agenda involving the Veterans History Museum. First, he hoped the Board would come to a resolution on their lease so the Museum will have a better picture of their path to find a permanent location. He noted the Museum is working diligently at fundraising to help pay for their permanent home. The other item involves the HVAC in the current building which is an important issue to the Museum. They are housing important artifacts that need to be maintained in a healthy way. He thanked the Board for their consideration because the

Museum is very important to the community and veterans and he encouraged the Board to approve both requests.

### **AGENDA MODIFICATIONS**

Staff requested to add NACo Voting Delegate – 2019 Annual Conference under Appointments. Commissioner Lemel requested to remove Item VII-A Child Fatality Prevention Team and Community Child Protection Team under Appointments and delay those appointments for a period of two months. She stated there needs to be additional study of the positions due to transitions in jobs requiring an evaluation of how those positions operate on these teams.

**Commissioner Lemel moved to approve the agenda as amended, seconded by Commissioner Guice and unanimously approved.**

### **CONSENT AGENDA**

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

The following items were approved:

#### DISCOVERY, RELEASE & MONTHLY SETTLEMENT REPORT

Per NC General Statute § 105-312 (b), it is the duty of the Tax Administrator to see that all property not properly listed during the regular listing period be listed, assessed and taxed. The Tax Administrator shall file such reports of discoveries with the Board of Commissioners. Per NC General Statute § 105-381 (b), it is the duty of the Tax Administrator to provide a monthly report to the Board of Commissioners of the actions taken by the Tax Administrator on requests for release or refund, which shall be recorded in the minutes.

For May 2019, total tax dollars released was \$125 and refunds totaled \$945.26. For the period June 1-24, 2019, total tax dollars released was \$268.26 and refunds totaled \$667.91. Commissioners approved the Discovery, Release and Monthly Settlement Reports for May 2019 and June 1-24, 2019 as presented.

#### PROCLAMATION – PARK AND RECREATION MONTH

In July 2019, the National Recreation and Parks Association is sponsoring another year of its annual Parks and Recreation month. This year's theme is "Game On", which is consistent with the idea that a community's parks and recreation programs should be in full force during the summer. For Transylvania County, summer camps, adult basketball, and the Silvermont Senior Center are all components of a busy month of July. Commissioners approved Proclamation #22-2019 Designation of July as Park and Recreation Month.

#### **Proclamation #22-2019 Designation of July as Park and Recreation Month**

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Transylvania County; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, Transylvania County recognizes the benefits derived from parks and recreation resources;

NOW, THEREFORE, BE IT PROCLAIMED BY the Transylvania County Board of Commissioners that July is recognized as Park and Recreation Month in the Transylvania County, North Carolina.

This the 24<sup>th</sup> day of June, 2019.

S: //Mike Hawkins, Chair  
Transylvania County Board of Commissioners

RESOLUTION – NATIONAL COLLABORATIVE FOR INFANTS AND TODDLERS: TO PROMOTE INVESTMENTS IN YOUNG CHILDREN AND FAMILIES FROM PRENATAL TO FIVE

Transylvania County is a member of the National Association of Counties (NACo). NACo has partnered nationally with the National Collaborative for Infants and Toddlers to encourage leadership in communities nationwide to support efforts that build family resiliency and support quality early childhood experiences. This nationwide effort aligns with the work of Get Set Transylvania that has led to recognition from Sesame Street in Communities and from NACo as an effort leading the way in how counties can support this important work through collaboration and advocacy. NACo will recognize Get Set at their national conference in July as Best in Show in the Category of Children and Youth in Clark County, Nevada. This award is the first time Transylvania has been recognized with a NACo achievement award and will make the County one of 18 counties recognized as Best in Show among the range of categories nationwide.

This resolution is an opportunity to demonstrate our County's leadership and commitment to strengthening services, programs, policies and systems vital to the success of all infants and toddlers. Transylvania County would join the National Collaborative for Infants and Toddlers (NCIT) and National Association of Counties (NACo) in this national effort to ensure families have the support they need to give their infants and toddlers the foundation for a strong start in life by passing this resolution. Commissioner Lemel and Manager Laughter will deliver the resolution to NACo officials at the upcoming conference.

Commissioners adopted Resolution #23-2019 as presented and requested Commissioner Lemel and Manager Laughter deliver it to NACo at the national conference.

**Resolution # 23-2019**  
**The National Collaborative for Infants and Toddlers:**  
**To Promote Investments in Young Children and Families from Prenatal to Five**

**WHEREAS**, Counties routinely provide an array of programs and services to an estimated 16 million children ages birth to five in the United States; and in 2017 about 29 percent of counties had more than a quarter of all children living in poverty; and

**WHEREAS**, The most rapid period of brain development occurs within the first years of life with the brain developing faster from birth to age three than at any later period in life, building the foundation for all future learning, behavior and health; and when toddlers receive what their growing brains need, they become healthy children who are confident, empathetic and ready for school and life; and programs and policies that support healthy development from birth to age five result in better social, economic and health outcomes and build a more productive workforce that strengthens our economy now and in the future; and

**WHEREAS**, Parents are a child's most important caregivers and play the lead role in their child's healthy development; at the same time, communities and governments can be effectively provide families with an array of comprehensive support at an especially critical time; and

**WHEREAS**, Programs and policies should start early to ensure healthy beginnings at birth, support families with infants and toddlers and make high-quality child care and learning environments more accessible and affordable to all; and

**WHEREAS**, High-quality child care is often unavailable or unaffordable for parents who need it, and many families are not connected to networks or early childhood supports that can offer guidance and confidence to navigate the earliest months and years of their children's lives; and

**WHEREAS**, Transylvania County and all counties take pride in our responsibility to protect and enhance the health, welfare and safety of residents in cost-effective ways—especially for the 1,431 children ages 0-4 (2017) in our area; and

**WHEREAS**, Research shows that when we invest in the first five years of a child's life the returns for the community are the highest, and we can reduce the need for more expensive interventions later; and

**WHEREAS**, Research also shows that high-quality early childhood development programs can deliver an annual return of up to 13 percent per child on upfront costs through better outcomes in education, health, employment and social behavior in the decades that follow; and economists attribute local economic growth and prosperity to high-quality early child care programs; and

**WHEREAS**, Transylvania County has been a founding and active member of Get Set Transylvania, a community collective impact organization since 2015 of over 22 different community organizations serving Transylvania County families; and

**WHEREAS**, Get Set Transylvania issued the State of the Young Child Report identifying needs in the community for early childhood, including poverty-related stressors, dental health, kindergarten readiness, affordable and quality child care availability, early education opportunities, recreation opportunities,

family support, and health and mental health that have resulted in community-based solution building;  
and

**WHEREAS**, Get Set Transylvania has partnered with Sesame Street in Communities to grow the impact of the work established by Get Set and to reach more of our families and children with resource-based, relevant materials; and

**WHEREAS**, the National Association of Counties (NACo) and other national organizations joined the National Collaborative for Infants and Toddlers (NCIT), a project of the Pritzker Children's Initiative (PCI), in a groundbreaking partnership to work with communities and states across the country to focus on early childhood development for young children from birth to three, and;

**NOW, THEREFORE, LET IT BE RESOLVED, THAT WE**, the Transylvania County Board of Commissioners hereby sign on to the Call to Action to prioritize and invest in prenatal-to-five efforts that promote a healthy start at birth, support for families with infants, toddlers and preschoolers and high-quality care and learning environments and utilize the resources available through NACo and the NCIT to:

- Be a champion for change by prioritizing and investing in high-quality infant-toddler care so children, families and communities can thrive;
- Designate an early childhood leader with authority to coordinate and maximize county services to optimize child and family outcomes and leverage additional resources;
- Convene or draw on a diverse team of leaders, decision-makers and community stakeholders committed to early childhood investments;
- Take an inventory of local programs and services for children and families;
- Create a plan with measurable outcomes to implement, shift and enhance evidence-based approaches that promote a comprehensive and equitable continuum of care that begins before birth and spans into adulthood, with specific recommendations for children under five and their families;
- Leverage local, state and federal investments and explore innovative funding strategies and revenue streams to support early childhood programming; and
- Promote prenatal-to-five policies, best practices and cross coordination to improve child and family outcomes as well as service delivery and efficacy in government through streamlined processes.

PASSED AND APPROVED in this 24<sup>th</sup> day of June, 2019.

S: // Mike Hawkins  
Chair, Transylvania County Board of Commissioners

## APPOINTMENTS

### PARKS AND RECREATION COMMISSION

Wayne Rundell's term on the Parks and Recreation Commission expires at the end of June. He is eligible and willing to serve another term. He currently serves as vice-chair. On June 15, Parks and Recreation Director Jared Mull received an email from Gregory Copeland giving his resignation. He and his family are relocating.

There are two applications on file. Howard Granat was appointed to the Transportation Advisory Committee on May 28. After contacting the other applicant, she expressed she is no longer interested in serving.

**Commissioner Lemel moved to reappoint Wayne Rundell to a second term on the Parks and Recreation Commission, seconded by Commissioner Chappell and unanimously approved.**

The Clerk will advertise for the vacancy on the Parks and Recreation Commission.

NACo VOTING DELEGATE – 2019 ANNUAL CONFERENCE

The National Association of Counties (NACo) is preparing for the 84<sup>th</sup> Annual Conference to be held July 12-16 in Clark County, NV. Commissioner Lemel and Manager Laughter plan to attend to represent Transylvania County to receive recognition for Best in Show in the Children and Youth category. While there, Commissioner Lemel will also be participating in the election of officers and policy adoption. The Board of Commissioners must appoint her as the voting delegate for Transylvania County so that she may be properly credentialed for the conference.

**Commissioner Guice moved to appoint Commissioner Lemel as Transylvania County’s voting delegate to the NACo Annual Conference and instructed staff to submit the appropriate credentialing form, seconded by Commissioner Cathey.** Chairman Hawkins thanked Commissioner Lemel and the Manager for representing Transylvania County at the NACo Annual Conference and congratulated them on their work that resulted in Transylvania County being recognized. **The motion was unanimously approved.**

**OLD BUSINESS**

CONTRACT WITH WNC MILITARY HISTORY MUSEUM

The contract between the County and WNC Military History Museum expires at the end of June. Transylvania County has an interest in the education of its citizenry and the preservation of history. The WNC Military History Museum serves this interest and the public purpose through their agreement to maintain, support and operate the museum in the former administration building and under the conditions outlined in the current contract. The Museum pays \$625/month to the County for utilities and incidental costs. Staff asked Commissioners to consider renewal of the contract between Transylvania County and the WNC Military History Museum for a period of one year.

**Commissioner Cathey moved to renew the contract between Transylvania County and the WNC Military History Museum for a period of one year, seconded by Commissioner Chappell.**

Commissioner Guice asked Commissioners to consider a two-year contract renewal with a clause to terminate the contract should the County need the building for another purpose. Chairman Hawkins stated it is possible to extend the contract for a period of two years, but he was unsure if it could be approved during this meeting. Lease agreements for more than one year require a period of advertising to inform the public of the Board’s intent. The issue before the Board now is that the current lease expires June 30. He suggested approval of a one-year extension and consideration of a lengthier extension later once the public notice requirements have been met. County Attorney Misti Bass stated that for the Board to extend the agreement for a period longer than one year during this meeting would require a modification to the language. The language would need to clarify that the agreement is not a lease, but a partnership to provide a museum. If the agreement is determined to be a lease, then the Board must adhere to the public notice requirement. Commissioner Guice noted that staff has advertised public notice at least twice. He felt it was the right thing to do for the community to extend the lease another year. He had no objection to modifying the language in the agreement if necessary, but he was ready to move forward nonetheless. Chairman Hawkins asked Ms. Bass if she had a draft agreement that incorporated the changes she suggested. Ms. Bass did not have a draft agreement ready for consideration at this meeting. Commissioner Chappell stated that he seconded the motion because he was not aware there were other options based on the advertisement. He asked about the possibility of approving the lease pending acceptable language changes from the County Attorney. Chairman Hawkins noted the current

agreement includes a 30-day opt-out clause. Commissioner Guice commented this clause is very important, noting that Museum officials understand the Board's need to address Courthouse expansion. Thus, the Museum is working diligently to find a permanent location. However, with the uncertainty of that decision and the old administration building remaining available, he felt the Board should make a decision and not keep the Museum in limbo about having a place to reside. With no objection from the Board, **Commissioner Cathey withdrew his motion.**

**Commissioner Cathey moved to authorize staff to prepare an agreement that addresses the legal questions of multi-year agreements and for it to be presented to the Board for consideration at the next meeting, seconded by Commissioner Chappell.** Ms. Bass reminded Commissioners that the contract expires June 30. Commissioner Lemel inquired about the motion including a clause to extend the current contract. To be clear on the Board's action, **Commissioner Cathey withdrew his motion.**

**Commissioner Cathey moved to extend the current lease not to exceed one month and for staff to bring forth a new proposed agreement at the next meeting, seconded by Commissioner Lemel.** Commissioner Chappell clarified that the Board's intent is to extend the agreement, but it has to follow statutory requirements for lease agreements and public notice. Ms. Bass asked for clarification that the new agreement would be a two-year agreement. Commissioners confirmed. **The motion was approved unanimously.**

#### OFFER TO PURCHASE PORTION OF COUNTY PROPERTY ON SEE OFF MOUNTAIN ROAD

Doug Chick's property is adjacent to the County's Solid Waste Convenience Center on See Off Mountain Road. He has requested to purchase a portion of the County's property in order to square off his lot. The particular section he wishes to purchase is sloped and is not used by the County for solid waste or any other purpose. It consists of 0.2 acres and is approximately 20 ft. from his property line. Mr. Chick has agreed to pay the cost of surveying the property. He offered \$500 for the 0.2 acres.

County-owned property must be disposed of according to NC General Statutes. On May 28, 2019, the Board authorized staff to advertise intent to sell County property through the upset bid process. The process was outlined in Resolution #17-2019. The advertisement was published in the June 3, 2019 edition of *The Transylvania Times*. Following the 10-day period, the Clerk had received no upset bid offers. The offer remains at \$500. The Board of Commissioners has 90 days after the final upset period has passed to determine whether to accept the offer/bid.

Mr. Chick has offered to purchase the property for \$500. If accepted, he will cover the cost of surveying. The purchaser should be responsible for closing and attorney costs. The tax value of the entire 1.513 acres is \$45,000.

Staff asked the Board to consider the offer from Mr. Chick and direct staff on how to proceed. Commissioner Cathey asked if the purchase increases the value of Mr. Chick's property. Mr. McNeill reported that the portion Mr. Chick wants to purchase is very sloped, but having ownership of it would square up his property line.

If accepted, Mr. Chick will need to get the appraisal conducted. The County's legal department and Mr. Chick's attorney should work together with the appropriate departments to subdivide the property, draft the necessary deed and transfer the ownership to Mr. Chick upon receipt of payment in full. Mr. Chick should be responsible for all costs incurred by the County to complete the transaction.

**Commissioner Cathey moved to approve the purchase as described to Mr. Doug Chick, seconded by Commissioner Lemel.** Commissioner Guice wanted to ensure Mr. Chick would be responsible for an appraisal and the cost of any improvements to the property, especially as the Board is willing to sell the

portion for only \$500. Mr. McNeill confirmed Mr. Chick would be responsible for any cost associated with the transfer of the property. Chairman Hawkins noted there is some internal work that will be handled by the County Attorney; otherwise, Mr. Chick is responsible for all other costs. **The motion was approved unanimously.**

HANDICAP ACCESSIBLE SHOWERS AT RECREATION CENTER/PRIMARY SHELTER LOCATION

The Recreation Center currently serves as the primary emergency shelter during disaster situations. The building is not equipped with shower facilities that are needed during shelter operations. Additionally, the Recreation Center hosts multiple sporting events and activities where shower facilities for athletes and participants would be advantageous.

Staff requested that the Board of Commissioners approve the design and bid of an addition to house shower facilities to meet the needs of emergency sheltering and recreation. Based on the preliminary cost estimate, staff was optimistic that funding for the project could come from savings on other projects. However, the bids received exceeded the preliminary estimate. The current construction market resulted in bids being substantially higher than the estimate. Staff asked the Board of Commissioners to appropriate funding from the Parks and Recreation Capital Reserve Fund to supplement the additional cost.

Low Bid (after negotiating with low bidder)	\$110,000
Cost of Gas Service Upgrade and Gas Water Heater	\$10,800
Project Contingency 5%	\$6,040
Total Project Cost	\$126,840

Funds available from savings on other projects	\$66,281
Funds needed from Parks and Recreation Capital Reserve Fund	\$60,559

**Commissioner Lemel moved to approve awarding the bid using funds from savings on projects and funds from the Parks and Recreation Capital Reserve Fund to construct showers at the Parks and Recreation Facility, seconded by Commissioner Guice.** Commissioner Cathey inquired about the balance of the Parks and Recreation Capital Reserve Fund. Finance Jonathan Griffin reported the current is approximately \$880,000. At the end of the fiscal year, another \$400,000 will be added to reserve for a total balance of \$1.2 million. Commissioner Lemel stated this is an important project because of the use of the Recreation Center as the primary emergency shelter. She visited the shelter during the December snowstorm, so she was aware of the desperate need for showers for citizens being housed there and for the showering facilities to be handicap accessible. Commissioner Guice agreed, noting that the County must ensure those citizens being housed in the County's shelter are properly cared for. He felt that it was a need and should be funded. Commissioner Lemel commented that the showers would be a benefit to both recreation programs and shelter operations. Commissioner Chappell was supportive of moving forward. Chairman Hawkins asked if the Parks and Recreation Commission was consulted. Mr. McNeill reported that the Parks and Recreation Commission is unanimous in their support of adding the showers. **The motion was approved unanimously.**

*The County Manager arrived at 7:45 p.m. and took over facilitation of the meeting.*

**NEW BUSINESS**

APPROVAL OF FY 2020 BUDGET FOR TRANSYLVANIA COUNTY

Commissioners held budget workshops on May 28 and June 6. Each workshop included discussion on the recommended budget and opportunity for Commissioners to consider the funding level for each fire

district, as well as to review individual fire department requests. Commissioners directed staff to make adjustments to the recommended budget:

1. Funding levels for fire department' contracts:

	BOC
	Approved
Fire District	Budget
Sylvan Valley 2	\$488,730.00
Rosman	\$664,925.00
Little River	\$497,110.00
Connestee Falls	\$796,350.00
Cedar Mountain	\$193,100.00
Lake Toxaway	\$892,609.00
Balsam Grove	\$100,207.00
North Transylvania	\$271,151.00
<b>Totals</b>	<b>\$3,904,182.00</b>

2. To fund the fire departments by setting all fire district rates at \$.055/\$100 valuation and to fund any remaining approved budget from fund balance
3. To earmark in assigned reserve funds to allocate during FY 20 if State-driven decisions result in documentable personnel cost increases to education operations in the local current expense fund (\$582,196) and capital emergency repairs (\$290,000).
4. To raise taxes by \$.02/\$100 valuation to go into a major capital expense reserve fund
5. Net tax increase for FY 20 1 is 12.5 cents per \$100 valuation

The total proposed budget with these changes is \$63,919,039. The general fund tax rate, if approved, would be set at \$0.636/\$100 valuation. The total appropriation of fund balance would be \$4,033,491. The tax impact will vary by each district due to changes in the fire taxes.

Pursuant to NC General Statute § 159-13, the Board of Commissioners shall adopt a budget ordinance making appropriations and levying taxes for the FY 2020 budget year, and the adoption shall occur no later than July 1. The Manager recommended approval of the budget.

**Commissioner Lemel moved to approve FY 2020 County Budget as presented, seconded by Commissioner Guice.**

Commissioner Lemel thanked staff for their work preparing the recommended budget. She felt the budget is one in which everyone can be very proud of.

Commissioner Guice referred to comments made by Board of Education Chairwoman Tawny McCoy during the public hearing. He stated the Manager referenced in a memo to Commissioners on June 8 the same topic and also provided some clarification from the UNC School of Government. His concern is the same as Chairwoman McCoy's with regard to capital dollars that were removed from their budget request for generators. He wanted clarification from staff that those monies were allotted in last year's budget and are therefore a carry-forward item because the Board of Education is claiming a reduction in their budget. He was concerned about having to make a decision based on conflicting information.

Commissioner Guice stated if indeed the funds are a carry-forward, the Board of Education would not be requesting the same funds for FY 20. The Manager informed Commissioners that staff reviewed the project ordinance adopted last year for capital funding. Last year, the Board of Commissioners appropriated capital funding by project meaning those funds can only be spent on those projects unless

revisions are brought before the Board of Commissioners for approval. The Board of Education did not come back before the Board requesting a revision to their capital projects list. To County staff's knowledge, those projects submitted last year should have been completed. The Manager stated when the request was included in the FY 20 budget, County staff confirmed the request with the TC Schools Finance Director. Staff also forwarded the information to Kara Millonzi with the School of Government to ensure there was no discrepancy in how school systems consider moving funds that are appropriated in one year to the next year. She noted every year there are County projects that cross fiscal years, and staff ensures those funds are considered carry-forwards which allows the County to spend those funds legally by moving them into the next budget year. The Manager stated she cannot speak to why there is a discrepancy in the information, but she assured Commissioners that County staff has taken several steps to affirm that both are speaking the same language. Chairman Hawkins pointed out the TC Schools Finance Director has confirmed the funds are carry-forwards, so he was comfortable knowing the funds were allocated in FY 19. Commissioner Guice was disturbed that the Board of Education remains concerned. He said this issue is not only confusing to the Board, but to the general public. He did not think the County has been as clear as it should be. Chairman Hawkins disagreed, because staff has communicated with the TC Schools Finance Director and reconfirmed the information with the School of Government. He stated there remains disconnect, but he felt that we need to work on finding where disconnect is. Commissioner Guice emphasized that staff on both sides must communicate better. He stated that elected officials should not be put in this position. Chairman Hawkins stated these dollars are in fact considered a carry-forward and the County is applying the financial rules correctly. He agreed there is disconnect. Commissioner Chappell stated the lesson learned here should be that both entities need to do a better job of communicating with each other. He has been both a member of the Board of Education and Board of Commissioners and therefore understands both sides. Neither entity can change the statutes that govern the relationship and evidently present severe challenges to the two Boards. However, both Boards and staff can work better at communicating and understanding one another. Commissioner Lemel shared that she and Board of Education member Alice Wellborn have applied to participate in a four part series, *Leading the Way to Board Excellence*, which starts August 1. She is very excited to attend with her.

Commissioner Chappell shared his concerns about the budget. He understood that each Commissioner will vote on what they feel is best for Transylvania County. The budget for him this year boils down to a philosophical difference of opinion with his fellow Commissioners. He supported the budget with the 10.5 cents increase for the purpose of funding the school construction bond because it was voter approved. However, he was very concerned with the additional two cents tax increase, as well how the fire departments are being funded. While he respected the opinion of the Board, he philosophically felt differently and thus would not be supportive of approving the recommended budget. Commissioner Cathey agreed, stating he will vote according to what he feels is right. Chairman Hawkins stated that his perspective on budgets is that each year is different. Sometimes items are included in the budget that he wished were not included and vice-versa; however, if the process in developing the budget is sound and everyone who wanted to have input was heard, then he felt comfortable being in favor of the final product because it represents the collective wisdom of many different people. Chairman Hawkins stressed that budgets are policy statements. He thought this budget demonstrated five key areas of policy: 1) fairness in compensation for staff (Board expects staff to be excellent in everything they do); 2) financial capability to deal with capital needs; 3) fiduciary responsibility with education funding; 4) consistency in mechanism to fund fire departments and fire rescue services funding; and 5) maintenance of services and innovation in exploring new ways of providing those services. Chairman Hawkins said he did not agree with everything in the budget, but he thought the process was fair and it makes statements that he supports; therefore, he intended to vote yes on the budget. Commissioner Guice stated this is important time for our community. Commissioners and staff have worked diligently through this budget process. He noted that the people of this community spoke loudly for their support of the School System's capital needs by passing the bond referendum. It has been publicly stated that a tax increase

would be needed to fund the bond. Commissioner Guice said the budget addresses compensation for employees which is important to recruit and retain quality employees. The budget also supports education funding at a level that makes Transylvania County the 4<sup>th</sup> highest funder of education in the State. It also makes provisions to provide additional funding depending on decisions made in the State budget. Commissioner Guice supported funds reserved for economic development purposes. He also supported the expansion needs related to the Courthouse, EMS base station, etc. While he supports these efforts, he believes that it is equally important to create a funding mechanism to address those needs. He noted that the judges are ceasing utilization of the small courtroom because of its inefficiency and there are other issues with the Courthouse related to safety. Commissioner Guice stated it is clear that the responsibility of funding fire departments falls upon the Board of Commissioners. He stated that fire and rescue services have changed dramatically over the years and it is critical that the County ensures the level of funding and consistency of service throughout all districts. Therefore, he supported the funding mechanism proposed for this year. Overall, he was supportive of the budget because he felt it was right for the community. Commissioner Chappell noted he does not take lightly voting against a budget. He stressed that the time it takes to develop a budget is exponential and that planning for future budgets is ongoing. He agreed that the budget is a policy statement and sometimes that statement is no. Chairman Hawkins understood the sentiment and noted that the budget is exponentially more complicated every year.

**The motion passed 3 to 2, with Commissioners Cathey and Chappell voting against.**

#### BUDGET AMENDMENTS – APRIL THROUGH JUNE 2019

Finance Director Jonathan Griffin presented budget amendments for approval and for the Board's information.

#### **RECOGNITION AND APPROPRIATION OF REVENUE**

**#94:** The Department of Social Services lost a vehicle due to a total loss after an automobile accident in 2018. The County received the proceeds from the insurance claims in the amount of \$15,307 and was able to purchase a replacement vehicle for this department at a cost not exceeding the insurance claim thanks to the efforts of our Purchasing Agent Jennifer Galloway.

**#96:** This amendment reflects the receipt and expenditure of \$17,899 from the North Carolina Department of Emergency Management disbursed as a supplemental grant for equipment purchases in our Emergency Management Department.

**#109:** This amendment recognizes additional Family Planning Funds received from the State of North Carolina in the amount of \$7,804 and authorizes their expenditure.

**#112:** This amendment replenishes some funds used by the Maintenance department to repair buildings that were the subject of insurance claims. In order to align the Maintenance budget with those unpredicted expenditures, staff proposed recognizing these revenues and authorizing additional expenses. This relates to the repair costs on the Administration Building and Community Services Building after they were struck by vehicles.

**#122:** This amendment recognizes a new grant from the Appalachian Regional Commission received by the Health Department passed through Macon County. It totals \$48,996 for salaries, wages, and some other expenditure.

**#131:** The excise tax and attest fees received by the Register of Deeds are projected currently to exceed their currently authorized budget, which in turn means that the remittances required to be paid to the State

will also come in over budget. The Finance Director and Register of Deeds concluded that a \$75,000 adjustment would be sufficient to avoid any expenditure in excess of authorized appropriations.

**#132:** County Administration received a grant from the Community Foundation of Western North Carolina to install a hearing loop in the Commissioners' Chamber to improve accessibility for individuals with a hearing disability. This records the receipt and expenditure of that grant.

**#145:** This amendment recognizes some revenues received for the ongoing Survey of African American Heritage Resources undertaken by the Planning and Community Development Department and Joint Historic Preservation Commission and appropriates some of the restricted fund balance to cover the first and second invoiced expenses from the North Carolina State Historic Preservation Office. After staff has received revenues for the rest of the project, staff will need to post an amendment to the FY 2020 budget to settle the remaining obligation.

**OTHER:**

**#95:** This budget amendment is a correction that requires Board approval. During budget development, there was a clerical error that led to a Health Department grant becoming out of balance in that \$3,372 more in revenues was recognized than in expenses. As the grant is reimbursement format, it is necessary to authorize the expenses in order to receive the revenues. This is also one of the amendments requiring Board approval of #130.

**#130:** This year, the Finance Office has had to manage several unusual budget adjustments that have ended up being one-sided. The Fiscal Control Act requires that the Board have a balanced budget throughout the year; however, between **#95** and **#75**, which reflected additional revenues and expenditures, it is out of balance. Staff requested a reduction in contingency to offset this difference and rebalance the budget.

**#134:** Certain capital projects at the Solid Waste Department authorized in the current budget have been delayed to FY2020. As a result, the transfer from the general fund currently planned in the current year budget is no longer necessary to provide the appropriate balance in the Solid Waste Fund. Staff proposes the Solid Waste Fund and General Fund budgets be reduced by \$281,828 to reflect this change.

**#139:** This amendment authorizes a transfer to the HOME Fund from the General Fund. Originally authorized several years ago, the HOME Fund was not set up in full compliance with the Fiscal Control Act. HOME revenues, received from the Asheville Regional Housing Consortium, are reimbursement, and the County must pay the expenditures before it can be reimbursed. As the HOME project appears poised to begin work on one of the houses that has made it through the RFP process, Finance has identified funds within the current budget to provide the resources necessary to commence the project. Reimbursements, after they are received, will be transferred back into the General Fund.

**#141:** Earlier this year, the Board approved an amendment to adjust the Silvermont fund to pay for the hearing loop at Silvermont Mansion. However, the final invoice was received outside of the time period in which it could be accrued to FY2018, and so the full bill had to be paid in FY2019. A \$10,000 donation was received previously to finance the installation. This amendment appropriates some of that fund balance and recognizes some interest received so far on the certificate of deposit this year.

**#142:** This budget amendment adjusts the transfer initially planned to the Law Enforcement Special Separation Fund to account for the lower than anticipated costs of administering the pension plan and the plan's currently extremely strong position of funding relative to its liability. This reduces the LEO fund by \$90,000 and the General Fund as well.

**#143:** This budget amendment appropriates assigned fund balance for vacation leave to cover the annual spend down of vacation leave by County employees who elected to sell their accrued vacation time back to the County. This year's withdrawal amounts to \$63,209. This is significantly lower than FY 2018's total of \$165,175 and FY 2017's total of \$218,733.

**#144:** This budget amendment appropriates restricted fund balance for the hemlock restoration project to cover the spend-down of expenses utilized by the Cooperative Extension Department during FY2019. This fully depletes the remaining fund balance for this project.

**CARRY FORWARDS:**

**#135:** Various capital or ongoing projects authorized in this budget will continue into the next fiscal year. This does not match, unfortunately, the carryforward authorized in the FY 2020 Budget Ordinance because the software upgrade project was already built into the FY 2020 budget request. (Finance was able to estimate next year's costs because it was directly overseeing the projects, unlike others.) All other projects are ongoing and Finance received a request to carry them forward by the administrative deadline of June 4<sup>th</sup>.

**#140:** This amendment rolls several unexpended lines together to be carried forward into the next fiscal year. Staff requests that these unexpended appropriations be carried forward into the next year to carry forward certain appropriations made in FY 2019 for operational purchases that have not been completed as of June 30, 2018. Staff intends to roll these expenses up into a single line item in the FY 2019 budget, and then post this amendment in reverse to distribute those appropriations in the FY2020 budget.

**Commissioner Lemel moved to approve the requested budget amendments as presented, seconded by Commissioner Cathey and unanimously approved.**

CEDAR MOUNTAIN FIRE RESCUE REQUEST FOR RESERVE FUNDS

Assistant County Manager David McNeill reported that Cedar Mountain Fire Rescue has requested a draw down of \$22,600 from their fire district reserve. They intend to use \$7,500 to match a grant they received from the Office of the State Fire Marshal to purchase personal protective equipment. The remaining funds will be used to upgrade two-way radios and pagers.

**Commissioner Lemel moved to approve the request for reserve funds for a grant match of \$7,500 and the balance of \$15,100 for replacing radios for Cedar Mountain Fire Rescue, seconded by Commissioner Guice and unanimously approved.**

COUNTY/DSS ATTORNEY STRUCTURE

The Manager informed the Board that statutes require counties to appoint a county attorney. Statutes allow the boards of commissioners may make separate appointment for legal purposes, specifically for the Department of Social Services (DSS). Across the State, counties utilize different models to provide legal services. Those legal services include the review of contracts, advisement on legal matters, and responsibilities to keep legal procedures and timelines compliant.

The Manager informed the Board that when legal action is taken against the County, the County's insurance through the NC Association of County Commissioners provides the necessary legal coverage.

DSS requires coordination for legal procedures which are ongoing throughout the year. Both county attorneys and DSS attorneys may be employed by a county or may work under an approved contract. Those under contract must be chosen utilizing a process that meets State laws for procuring professional services through a request for qualifications (RFQ). Hiring on-staff attorneys follows the personnel process.

In 2017, the Board of Commissioners moved away from the contract attorney model and created a staff position to handle both legal services for the County and DSS, to include a part-time paralegal for assistance. Since then, there have been concerns raised about the workload and demands of each specialty on a single position, with the DSS legal demands appearing to warrant the equivalent of a full-time position.

Based on that assumption, the Manager presented options to the Board for their consideration:

Option	Pros	Cons
<u>Option 1</u> Contract both: Issue RFQ for contracts for DSS Attorney and County Attorney	Easier to change if service not satisfactory	Attorneys have other contracts and clients that take priority over Transylvania County business or limit times and hours of availability  Less direct accountability within the organization  Both parties may terminate the contract at any time impacting stability  More expensive and paying for local government specific training that may not be used if contract turns over
<u>Option 2</u> DSS Staff Attorney & Contract County Attorney	Having an attorney on staff at DSS gives full attention to DSS matters  Career track is local government with specific professional development in DSS legal services  Dissatisfactory county work can be addressed through contract termination	Will still need a backup contract at times  If work is dissatisfactory, goes through personnel process for staff attorney  Contract attorney may have competing business priorities
<u>Option 3</u> DSS Staff Attorney & PT County Attorney	Having an attorney on staff at DSS gives full attention to DSS matters Career track is local government with specific professional development in DSS legal services	Will still need a backup contract at times  If work is dissatisfactory, goes through personnel process for staff attorney  May have trouble finding someone to fulfill a part time staff role

The Manager stated that the Board should also provide funding as of July 1 for the attorney provisions if they intend to move forward with a change in the current model. To implement a model that includes an RFQ, the Board should expect a 60-to 90-day timeframe. Staff prepared an estimate of the cost of keeping the current two full-time staff attorneys on board through December 31. Staff estimated the cost to be \$60,000 and requested the amount be added to the FY 20 legal services budget. The Manager asked

Commissioners to consider the options and direct staff and allocate additional funds to allow time to implement the desired model.

The Manager reminded Commissioners if they want to discuss existing staff, they would need to go into closed session per State personnel laws. She encouraged Commissioners to focus their discussion on the model and structure.

Commissioner Lemel felt that option 2 – a full-time DSS staff attorney and a contract County attorney – is the most logical route. It is apparent to her that the needs of DSS are such that the County is far better served by having a full-time DSS staff attorney. She pointed out the consensus among court officials is that we are doing a good job by having someone devoted specifically to DSS operations.

Commissioner Cathey also preferred option 2 based on his experience in the courtroom.

Chairman Hawkins agreed that option 2 appears to be the most logical alternative given the DSS workload.

Commissioner Chappell is familiar with DSS operations and felt it was critical to have dedicated staff to ensure the protection of its most vulnerable citizens; otherwise, the County's liability would be severely compromised. He strongly advocated for a full-time DSS staff attorney.

Commissioner Guice agreed that option 2 is the best option. It was his observation as well that the liability in this area can be extremely costly if we are not attentive and responsive to the needs of citizens and being able to fully understand the expectations of the court. He advised staff to determine if the department has additional needs in terms of paralegal or administrative support. He also felt a contractual arrangement with an attorney to meet the needs of the Board of Commissioners is appropriate at this time.

**Commissioner Lemel moved to direct staff to implement option 2 (developing a full-time staff position for a DSS attorney and a contractual arrangement for County services), seconded by Commissioner Cathey.** Chairman Hawkins thanked Ms. Bass for her flexibility to extend her service to the County as the Board moves toward a new model. Commissioner Chappell asked about the timeline for developing the RFQ. The Manager expected a minimum of 60 to 90 days. She stated that the RFQ should very clearly articulate the Board's expectations so the review team will be able to determine how the responders have demonstrated they will be able to meet those needs. Staff has sample RFQ's they intend to use, but they need immediate feedback from the Board to expedite the process. **The motion was approved unanimously.**

**Commissioner Lemel moved to budget an amount not to exceed \$60,000 from the General Fund reserve to FY 20 legal services budget to accommodate the attorney transition from a full-time County Attorney to two full-time staff attorneys, seconded by Commissioner Chappell and unanimously approved.**

#### HVAC UNIT FOR WNC MILITARY HISTORY MUSEUM

Assistant County Manager David McNeill presented this item. He reported that one of the HVAC units in the WNC Military History Museum (former County Administration building) has failed. It is an old R-22 unit. Maintenance staff has made several attempts to repair the unit, but it is no longer reliable. Further investment in repairs would not be a prudent use of dollars. Staff recommended replacing the unit with a 5-ton HVAC unit that is self-contained and includes line sets. The current duct work can be used. A larger unit is not recommended due to the size of the existing duct work. If Commissioners decide upon another use for the facility in the future, another 5-ton unit can be added to meet the needs of the facility. The estimated cost of replacing the unit is \$8,725. Staff recommended Commissioners approve the replacement of the unit.

**Commissioner Cathey moved to approve the replacement of the R-22 HVAC unit with a new 5-ton unit at a cost of \$8,725, seconded by Commissioner Lemel.** Commissioner Chappell asked if there were concerns about adding another 5-ton unit later should Commissioners decide upon another use of the building in the future. Mr. McNeill said this was the recommendation of the architect. The Manager pointed out staff cannot guarantee the unit can be reused if the space were remodeled. The architect was 80% confident the unit could be reused but staff wanted Commissioners to understand there is a possibility that the unit will not be compatible with a remodel. In response to an inquiry from Commissioner Guice, Mr. McNeill reported there are multiple HVAC units that serve the building, but only one unit – a 5-ton unit – is not working. If in the future Commissioners decide to use the building for a purpose other than a museum, such as court space, staff had the architect to size the requirements for the upgrade. Conceptual drawings for additional court space include an expansion of the building and thus more people being able to use the facility causing the tonnage required to be much more. Commissioner Guice asked how many R-22 units service that building. Mr. McNeill stated there are three units serving that building and they are all R-22. Commissioner Guice said in his experience and research the line sets must be replaced as well; otherwise, the warranty becomes invalid on the new equipment. Mr. McNeill said the new unit is compact and includes the new line set. There are no line sets running from the outside compressor to the internal unit. Commissioner Guice noted that due to the federal phase out of R-22 units the County is working on a replacement schedule in several facilities. He asked if any of them remained in working order and could be moved to former Administration building due to the unknown future of the building. Mr. McNeill said the units that are being replaced at other facilities are old and he would not reuse an old unit. He pointed out that if Commissioners decide to demolish the building, the new unit could be relocated to another facility. Commissioner Chappell noted that the Museum offered to pay a portion of the cost to replace the unit, but he felt it was appropriate the County pay for the replacement, especially being that the building is being considered to meet future needs. Commissioner Guice concurred. He felt the cost to replace the unit is the County's responsibility. Commissioner Chappell asked if it would be cost efficient to replace all the units at the same time. Mr. McNeill responded that without knowing the potential use of the building in the future, he did not recommend replacing all the units at once. Units also have different duct work structures. **The motion passed unanimously.**

#### RESCHEDULE JULY 8 BOARD OF COMMISSIONERS' MEETING

The Manager reported that at least two Commissioners have conflicts for the July 8 County Commission meeting which presents a concern about meeting quorum. In addition, there are important and critical items staff intends to present in July, so it is imperative that a full Board is present to receive the information and take action. The Board's new meeting schedule takes effect in July - 2<sup>nd</sup> Monday of each at 4pm and 4<sup>th</sup> Monday of each month at 6pm. Chairman Hawkins polled Commissioners individually about changing the meeting date from Monday, July 8 at 4pm to Tuesday, July 9 at 4pm.

**Commissioner Lemel moved to reschedule Monday, July 8 Board of Commissioners' meeting to Tuesday, July 9 and instructed staff to publish appropriate notice, seconded by Commissioner Cathey.** Commissioner Chappell informed Commissioners he may have a conflict with the July 9<sup>th</sup> date due to a family medical issue. **The motion was approved unanimously.**

#### MANAGER'S REPORT

The Manager reported the following:

- Schenck Job Corps changes have been put on hold at the federal level. Local leadership met to capture the economic impact of the site. Will be providing information to Congressman Meadows' office as the federal government considers the future of job corps centers.

- Bike Plan update- NCDOT will be working on revision for maintenance of the plan. Staff anticipating input from the Board on the remainder of the plan so that it can be considered for adoption at an upcoming meeting.
- New meeting schedule takes effect in July: 2<sup>nd</sup> Monday of each at 4pm and 4<sup>th</sup> Monday of each month at 6pm – with exception of rescheduled July 8 meeting to July 9
- Saturday, July 6 at 1pm – Lake Toxaway Community Center Heritage Day to recognize and honor all veterans and their families
- Jason Stewart has been selected to be the new Director of Planning and Community Development and will begin his duties on July 15
- The window replacement project has wrapped up on the Community Services Building. This capital project will help with safety and utility usage and gives the building a more professional appearance. Kudos to Project Manager Larry Reece, Purchasing Agent Jennifer Galloway and members of the operations team for another project well executed!
- Thank you to the Charlie and Tennie Allison Gibbs charitable fund through the WNC Charitable Community Foundation for providing funding for the hearing loop that has been installed in Commissioners’ Chambers. Staff will be applying for funds for hearing loops for additional public facilities. This allows citizens with hearing impairment to participate in public meetings.
- Pisgah Forest Convenience Center will have limited access June 26-27 for repairs
- Congratulations to Senior Games basketball team for winning gold at the national level

### **PUBLIC COMMENT**

Larry Chapman: Mr. Chapman thanked Commissioners for their work on the budget. It sends a positive message on the work they have done because the room is not filled with angry citizens. His assessment was the public either does not care or they agree with what the Board is doing. Mr. Chapman asked the Board to look at vacation accrual and potentially changing the policy for new hires. He felt that vacation should be used and not saved.

### **COMMISSIONERS’ COMMENTS**

In response to Mr. Chapman, both the Manager and Finance Director reported that the cash out option for vacation in FY 19 went down, but the accrual amount continued to rise. The Manager reported we are in line with practices of other counties.

Commissioner Chappell said he has rarely missed a County Commission meeting. He missed the last meeting because he went on vacation with his family. He was very appreciative the ability to watch the meeting on Facebook Live. He thanked Commissioners for recognizing his time with his family.

Commissioner Cathey asked Commissioners to considering exploring the possibility of Commissioners being able to Skype into meetings. The Manager stated that the County already has that capability, but according to the Board’s Rules of Procedure, Commissioners participating remotely cannot vote. This is a gray area in terms of the legal precedent.

Commissioner Guice addressed Mr. Chapman’s comments about the vacation accrual. He agreed Transylvania County is in line with other counties as well as the State on this matter. As a former State employee, he appreciated having that benefit. He felt that local governments needed to use the tools available to keep quality employees.

Commissioner Guice thanked staff and Commissioners for their work on the budget. He challenged everyone to continue looking at ways to enhance what we do for the community. He also thanked Chairman Hawkins for his leadership.

**Chairman Hawkins moved to enter into closed session per NC General Statute § 143-318.11 (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, after a 5 minute recess, seconded by Commissioner Lemel and unanimously carried.**

#### CLOSED SESSION

Pursuant to NC General Statute § 143-318.11 (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, closed session was entered into at 9:20 p.m. Present were Chairman Hawkins, Commissioners Cathey, Chappell, Guice and Lemel, County Manager Jaime Laughter, County Attorney Misti Bass, Transylvania Economic Alliance Executive Director Josh Hallingse, and Clerk to the Board Trisha Hogan.

Transylvania Economic Alliance Executive Director Josh Hallingse informed the Board of two potential economic development projects that are seeking possible incentive grants. In accordance with statutes, any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in open session. Mr. Hallingse brought this information forth to Commissioners to seek guidance and consensus to continue negotiations. Commissioners gave instructions as to how to proceed with negotiations.

**Chairman Hawkins moved to leave closed session at 9:46 p.m., seconded by Commissioner Cathey and unanimously carried.**

#### OPEN SESSION

**Chairman Hawkins moved to seal the minutes of the closed sessions until such time that opening the minutes does not frustrate the purpose of the closed sessions, seconded by Commissioner Cathey and unanimously approved.**

#### ADJOURNMENT

There being no further business to come before the Board, **Chairman Hawkins moved to adjourn the meeting at 9:48 p.m., seconded by Commissioner Lemel and unanimously carried.**

---

Mike Hawkins, Chair  
Transylvania County Board of Commissioners

ATTEST:

---

Trisha M. Hogan, Clerk to the Board