

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
November 9, 2020 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, November 9, 2020 at 4:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Jason Chappell, Jake Dalton, David Guice, Chairman Mike Hawkins, and Vice-Chairwoman Page Lemel. Also present were County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. County Attorneys Bill Bulfer and John Kubis participated remotely via Zoom meeting software.

Media: *The Transylvania Times* – Derek McKissock participated remotely.

There were 20 people in the audience, including staff.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 4:05 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting participating both in person and remotely. He introduced Commissioners and staff in attendance.

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE GRANT RESOLUTION FOR APPLICATION

The Manager presented this information for the purpose of the public hearing. The purpose of this public hearing is to receive citizen input on the County's Community Development Block Grant (CDBG) applications for the coming year. The County held an initial public hearing during a regular meeting on September 14 at which no public input was received.

CDBG funds may be used for a variety of different activities, including neighborhood revitalization, economic development, infrastructure, and demolition projects. North Carolina received additional CDBG funds for Coronavirus response as part of the federal CARES Act. The purpose of the CDBG-CV funds is to prepare, prevent and respond to the health and economic impacts of COVID-19.

Both the North Carolina Department of Commerce and the North Carolina Department of Environmental Quality are accepting applications. Programs are designed to provide grants to local units of government for housing, housing-related activities, and public facilities that support housing activities for low-to-moderate-income persons, job creation, elimination of slum and blighted conditions or efforts to support families, small businesses, and economic recovery because of COVID-19.

Awards are limited to \$900,000 or less and the funds must serve low- to moderate-income families. The total funding available is \$26,521,025 and will be awarded on a first-come, first-serve basis for applications that meet the requirements and comply with the identified priorities. This public hearing is the first step in the application process.

Land of Sky Regional Council is working with the County to develop an application and to coordinate for other funding currently being allocated through the CARES Act to maximize service to the community. Dogwood Health has engaged Innovative Funding Partners to assist the County in preparing the grant application as well.

The project will include two components to provide public services to help mitigate the impacts that COVID-19 is having on Transylvania County citizens. Those two services include:

1. Department of Social Services (DSS) partnership with Transylvania Christian Ministries, Inc. Transylvania County will provide emergency financial assistance to cover housing-related costs for households in Transylvania County that earn no more than 80% of the area median income and have an urgent need for housing assistance related to the pandemic, and do not have adequate savings or resources to cover the cost of their housing needs. Assistance will be available for six months with support services from Pisgah Legal and Transylvania NCWorks Career Center with the goal of financial stability by the end of the assistance.
2. Health Department will implement a Mobile Response Unit – Community-Accessible Testing & Education for COVID-19 among low-income residents at significant risk.

The total grant request is for \$894,149 with in-kind contributions from Transylvania County and collaborative partners.

The Manager asked the Board to hold the public hearing, which has been properly advertised, to receive public input.

Chairman Hawkins declared the public hearing open at 4:09 p.m.

Shelly Webb: Ms. Webb is the Director of Transylvania Christian Ministries, Inc. (Sharing House), a collaborative interfaith operation that works to serve those who struggle to make ends meet by ensuring they have basic life necessities, such as shelter, running water, electricity, clothing, and food. They will have served people in this community for 40 years beginning next year. Ms. Webb was excited to partner with the County on the CDBG-CV grant opportunity to provide rent and utility assistance to those in need. Ms. Webb felt that the Sharing House is in a strong position to help due to the generous support from the community. With the funds, they hope to make long-lasting transformative differences in the lives of others. Again, she stated that the Sharing House is happy to partner with the County on this grant application and she urged the Board to support it.

There were no other comments.

Chairman Hawkins declared the public hearing closed at 4:13 p.m.

The Manager informed the Board that the final step in this process is to complete the application. Staff will be participating in a conference call tomorrow with representatives to ensure all necessary steps have been completed. She noted that the application is very in-depth, but the County has had support from Innovative Funding Partners. She thanked Ms. Webb and the Sharing House for their tremendous support. The County is also working with Pisgah Legal Services and the NCWorks Career Center on facilitation of the grant funds. The Manager stated the County should learn of the application status by the end of the calendar year.

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.

Jo Ann Lames: Ms. Lames is a resident of the Middlemount community. She addressed the Board to voice her concerns about the excessive noise that residents of Glen Cannon and surrounding communities had to suffer through during the weekend-long concerts held at Le Parc. She said at no time could she escape the noise while in her home. She urged the Board to consider how these concerts are impacting residents of this community.

AGENDA MODIFICATIONS

There were no agenda modifications from Commissioners or staff.

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

CONSENT AGENDA

Commissioner Lemel moved for the approval of the Consent Agenda as presented, seconded by Commissioner Chappell, and unanimously approved.

The following items were approved:

MINUTES

The Board of Commissioners met in regular session on Monday, August 24, 2020. The minutes were approved as submitted.

VAYA HEALTH FISCAL MONITORING REPORT – FIRST QUARTER 2021

Per North Carolina General Statute §. 122C-117 (c), the quarterly Fiscal Monitoring Reports (FMR) for the LME's must be presented to the Board of County Commissioners.

Through September 30, 2020, Vaya Health reports their current actual revenues as \$115,181,500 (105.47% of budget) and their current actual expenditures as \$104,397,359 (95.59% of budget). This equates to a current net income of \$10,784,140.

Vaya reports the following fund balances:

- \$50,997,509 restricted for risk reserve
- \$16,743,074 restricted for statute, prepaids and investments in fixed assets
- \$23,641,568 unrestricted

They also reported total operating cash of \$66,751,310 net of risk reserves. The total spendable cash estimate is \$7,142,627 on September 30.

Commissioners accepted the report as submitted.

PRESENTATIONS/RECOGNITIONS

RECOGNITION OF TRANSYLVANIA COUNTY VETERAN EMPLOYEES

Human Resources Director Sheila Cozart presented this item. Veterans Day is Wednesday, November 11. Staff felt it was fitting and appropriate to recognize those County employees who served in the US Military. Each one of these individuals will receive a note from the County Manager thanking them for their service. Staff intends to recognize staff annually. The County's new financial and human resources software will track the military service of County employees which has previously been done manually.

| <h1 style="text-align: center;">VETERANS DAY</h1> <p style="text-align: center;"><i>Honoring all who served</i></p> | | | |
|---|-------------------------------|--------------------------|------------------------------|
| Transylvania County Employee Veterans | | | |
| Department | Employee | Branch | Rank |
| EMS | Wesley "Dean" Galloway | US Marine Corps | Sergeant |
| EMS | Joseph F. Hall | US Air Force | Senior Airman |
| EMS | Larry G. Miller | US Navy | E-6 Petty Officers 1st Class |
| EMS | Edward S Orrell | US Army | Sergeant |
| Veteran Services | Frank A. Pearsall | US Marine Corps | Master Sergeant |
| Board of Elections | Michael "Jeff" Storey | US Air Force | Staff Sergeant |
| Facilities Engineering | Larry W. Reece | US Army | E-4 |
| Social Services | Tracy H. Justice | US Army | |
| Social Services | Sherri L. Stearns | US Navy | E-5 |
| Animal Services | Sara C. Laboe | US Army & National Guard | E-5/Sergeant |
| Solid Waste | Jim A. Cox | US Navy | E-6 |
| Solid Waste | Adam B. Poe | US Navy | E-2 |
| Sheriff | Christopher L. Clark | US Marine Corps | |
| Sheriff | Ralph E. Davenport | Air Force | Sgt. 1st. Class |
| Sheriff | Cameron B. Gasperson | US Marine Corps | |
| Sheriff | Martigus V. Henley | US Navy | |
| Sheriff | Michael "Kevin" Holden | US Marine Corps | Sgt. |
| Sheriff | Hampton "Rick" Stuart Lasater | US Army | Captain |
| Sheriff | Jonathan "Kris" McCall | US Army | |
| Sheriff | Henry "Hank" D. Moffitt | US ARMY | |
| Sheriff | Donald W. Ramey | US Marine Corps | |
| Sheriff | William "Anthony" Worley | US Marine Corps | Corporal |
| Sheriff | James M. Roubion | US Marine Corps | |
| Transportation | Marty Pressley | US Army | E-4 |

JOINT HISTORIC PRESERVATION COMMISSION 2019 & 2020 ANNUAL REPORTS

Each year the Joint Historic Preservation Commission (JHPC) presents their annual report to the Board of Commissioners. JHPC Chair Melanie Spreen presented the reports. This is a summary of their reports from 2019 and 2020.

About the Joint Historic Preservation Commission

- Joint Historic Preservation Commission created in 1994
- Represents Transylvania County, City of Brevard, and the Town of Rosman
- Nine members appointed by the Board of Commissioners
 - Three vacancies; staff advertised and is recruiting members
- Continues to meet monthly with virtual meetings for the safety of the committee members

Responsibilities

- NC General Statute § 160A-400 and Transylvania County Ordinances Section 16-69 (CLG)
 - Inventory properties of historical, architectural, or cultural significance
 - Conduct educational and outreach programs to promote history and preservation
 - Recommend to governing bodies historic structures for designation by ordinance as local historic landmark
 - Rule on proposals for alteration or demolition of historic landmarks

- Cooperate with state, federal, and local governments in pursuit of these items
- Inventory of historic properties helps to prioritize preservation efforts and strategies
 - 500 properties / 735 structures surveyed
 - 200 properties detailed in 1998 Architectural History Book
 - 52 properties- National Register study list which would require additional research to determine eligibility for listing
 - 19 properties on National Register
 - 21 properties listed as a Local Historic Landmark designation

FY 2019 Accomplishments

- Christmas at Silvermont in coordination with Transylvania Heritage Museum and the Transylvania County Historical Society during Heart of Brevard's Twilight Tour
- Hosted Local Landmark property owners meeting featuring a presentation from the State Historic Preservation Office to provide technical expertise and guidance to property owners of historic properties
- Facilitated joint meeting of 14 history-related groups to provide an overview of current efforts and discuss possible collaborations and partnerships with other history-related groups with shared common goals
- Certified Local Government (CLG) historic preservation grant funds from State Historic Preservation Office to conduct survey of historically significant African-American resources; included more of the County's African-American architecture dating from 1920, 1972, and 1975 and resulted in 15 property updates and the addition of 86 properties to the County's survey list; grant from National Trust for Historic Preservation provided documentation of 14 oral histories from those in the community to supplement the survey and to determine which structures should be studied further
- Ensured compliance with local ordinances by reviewing certificates of appropriateness for modifications to one of the 21 locally historic landmark properties in Transylvania County (The Lodge)

FY 2020 Accomplishments

- Attended Preservation of NC Fall Symposium which provided accredited training units for Transylvania County to help maintain its status as a Certified Local Government
- Supported Christmas at Silvermont during Brevard's Twilight Tour
- Participated in the Daughters of the American Revolution's celebration of Elizabeth Silversteen for Women's History Month in March
- Completion of African-American resources study in the fall; will continue to work with the community to promote and share the resources that came out of that study; presentation of study to community postponed due to pandemic
- Difficult to plan outreach and community events currently; JHPC planning to focus their efforts over the next few months on reaching out to eligible property owners to determine their interest in designating local landmarks, updating list of local resources with goal of seeking future grant funds to conduct an updated survey

Local Designation Implications

- JHPC approval of exterior changes
 - Additions
 - Alterations
 - Demolition
 - Relocations
- Eligibility for 50% deferral of annual property taxes

- Benefits to community
 - Preservation of local character
 - Improves quality of life through honoring the past
 - Encourages preservation and investment, while discouraging demolition and deterioration
 - Increases property values

This concluded the presentation.

Chairman Hawkins asked Ms. Spreen to share her thoughts on the County's strengths and weaknesses. Ms. Spreen felt the County was strong in that it has historic resources, a national register historic district downtown, and multiple buildings that are listed on the national register. The County also has authority to ensure local landmarks are being maintained to the standards required for those properties. Ms. Spreen stated the County does not have the ability to impact or influence those who own property on the national register on any changes or modifications to those properties unless the property owner is seeking federal or state grant funds. Many times, as people make changes to buildings, the historic integrity of those buildings is degraded.

Commissioners thanked Ms. Spreen for the presentation and the members of the JHPC for their service to the community.

CEDAR MOUNTAIN SMALL AREA PLAN UPDATE

Commissioners received an update on the Cedar Mountain Small Area Plan (CMSAP).

First, Cedar Mountain Small Area Planning Committee Chair Curly Huggins addressed the Board. He thanked the Board for their consideration of the plan and then recognized the other members on the committee – Lucia Gerdes, Candy Gray, Mark Tooley, and Tom Oosting. Mr. Huggins stated that the Cedar Mountain Small Area Planning Committee has been charged with developing a small area plan that reflects the desires, values, and vision of Cedar Mountain community members. The small area plan gives an accurate depiction of what Cedar Mountain community members feel is important and crucial to the future of their community – balancing economic growth and employment opportunity with quality-of-life issues, including the protection of area natural resources, ensuring the continued health of rivers, streams, floodplains, and ecosystems, preserving agricultural lands, open spaces, local scenic and aesthetic beauty, as well as maintaining historical and cultural resources. The committee realizes this effort is a delicate balance of various and differing citizen concerns, all of which have considerable impact to the Cedar Mountain community and public policy in general. The CMSAP also understands the sensitive political, social, and economic impacts that must be considered by the Board of Commissioners in review of the plan.

Mr. Huggins shared that members of this committee have deliberated with diligence and prudence to reflect the vision of Cedar Mountain community members and did so with a keen awareness of and respect for the property rights and ownership privileges of landowners in Cedar Mountain.

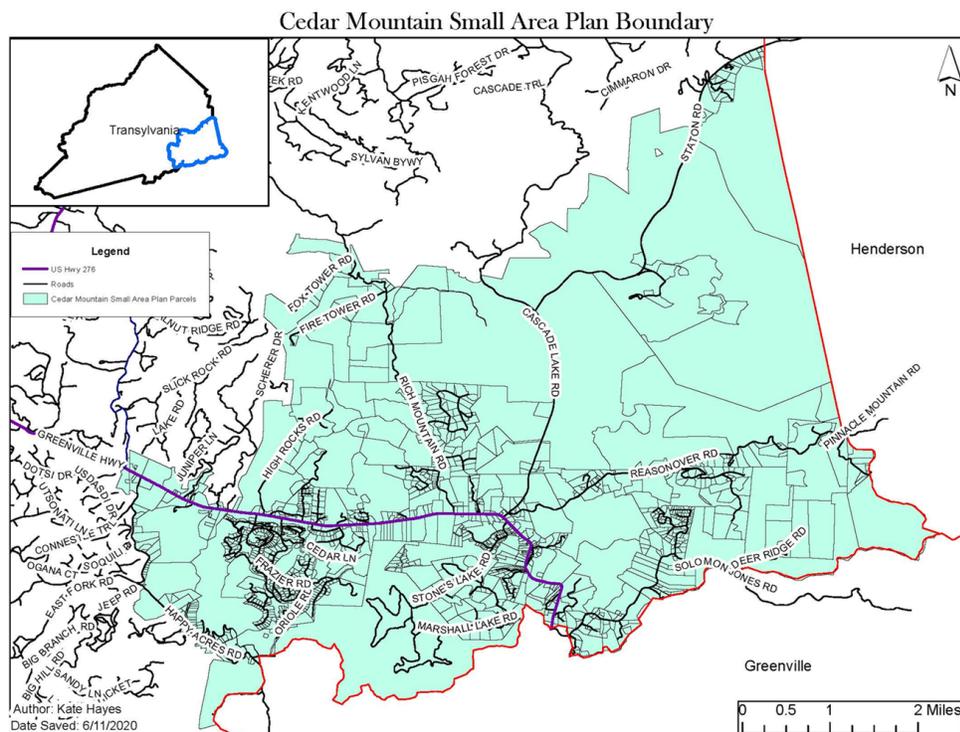
The committee established goals for the plan, and they are now in the process of assessing planning tools and regulations that might be utilized toward achieving those goals. They hope to soon present final recommendations to members of the Cedar Mountain community in a series of virtual workshops and at least one in-person workshop to be held in the community. Public workshops are purposed to present the committee's final goals and recommendations and to receive community input and feedback. The information received from the workshops will then be taken into consideration by the committee to make further refinements to the plan.

Mr. Huggins stated the committee looks forward to presenting the final CMSAP to the Board soon for their review, input, and subsequent approval. He thanked the Board for their consideration and assistance in this endeavor.

Interim Planning and Community Development Director Allen McNeill presented information to the Board that was more technical in nature. He reported this committee began meeting in September of last year. There was a short hiatus of meetings due to the pandemic. At their January 28, 2020 meeting, the Cedar Mountain Small Area Plan Committee adopted an official vision statement. A public input survey asked participants to rate how strongly they agreed or disagreed with the proposed vision statement. About 72% of respondents indicated they either agreed or strongly agreed with the proposed vision statement. The draft vision statement was shared with the Planning Board at their meeting on June 18, 2020. The Planning Board provided feedback to the Committee which was accepted.

“The Cedar Mountain Small Area Planning Committee will develop a land-use management plan that strives to balance the area’s natural beauty, historic, and cultural resources with responsible commercial and private development. The Committee respects the evolution of this community and its values and will develop its management perspective by being responsive to the many voices of the Cedar Mountain citizens”

At their meeting on June 23, 2020, the committee formally approved an official planning boundary. The Planning Board approved the proposed planning boundary and agreed it was an accurate depiction of the Cedar Mountain area. According to the public input survey, 82% of respondents felt the boundary was a fair representation of Cedar Mountain.



The boundary map includes about 1,500 parcels totaling 17,368 acres, of which almost 9,000 acres comprise Dupont State Forest.

Mr. McNeill reported that the small area planning process refers to a public input survey which was conducted over June and July. The survey was available online and physical copies were made available as well. Planning and Community Development staff informed the public about the survey via advertisement in the local newspaper and they placed informational flyers in establishments along US 276 and in public buildings throughout the County. Staff also mailed postcard notifications to every parcel owner inside the proposed planning boundary.

The department was very pleased with the survey responses. The survey generated 559 responses which is an estimated representation of about 34% of the Cedar Mountain community. Of those, 381 respondents indicated they were a property owner or resident of the planning boundary. The survey did not use any individual identifiers.

Mr. McNeill shared a few of the responses. The survey questions were separated into sections dealing with land use planning or infrastructure and asked questions related to the respondents. These are the examples he shared:

Land Use Planning

- Question Three: County policies and regulations should encourage more single-family residential development in the Cedar Mountain Area?
 - 45% of respondents either disagree or strongly disagree.
- Question Five: County policies and regulations should work to preserve the Cedar Mountain area's rural character?
 - Nearly 95% of respondents indicated that they either agree or strongly agree.
- Question Six: County policies and regulations should work to preserve/protect mountain views/ridgetops?
 - 93% of respondents indicated that they either agree or strongly agree.
- Question Seven: County policies and regulations should encourage more affordable workforce housing options?
 - 41% of respondents indicated that they either agree or strongly agree.
- Question Nine: County policies and regulations should encourage/support the creation of more employment opportunities in the Cedar Mountain Area?
 - 37% of respondents indicated that they neither agree nor disagree.
- Question Thirteen: County policies and regulations should regulate the size, design, and usage of new commercial developments?
 - Almost 95% of respondents indicated that they either agree or strongly agree.
- Question Fourteen: County policies and regulations should regulate the size, design, and usage of new industrial developments?
 - Almost 95% of respondents indicated that they either agree or strongly agree.
- Question Fifteen: County policies and regulations should require more regulations in order to develop properties inside the existing floodplain in the Cedar Mountain Area?
 - More than 94% of respondents indicated that they either agree or strongly agree.

Investing Your Tax Dollars

- Question Twenty-Two: The county should provide funds to develop and maintain a public recreational park in the Cedar Mountain area?
 - More than 43% of respondents indicated that they either agree or strongly agree.

Growth, Preservation and Transportation

- Question Twenty-Three: How much do you believe the Cedar Mountain area should grow in the future?

- 54% of respondents answered, “Not Much” when prompted with this question.
- Question Twenty-Eight: What roads or intersections, if any, contain hazards (limited visibility, sharp curves, high speeds, etc.)?
 - Among 316 responses, 55 pertained to speed, speed limit, or high vehicular speeds up and down NC 276.

About Respondents

- Question Thirty-Two: How long have you lived or owned property in the Cedar Mountain area as it is defined by the planning boundary?
 - 25% of respondents indicated that they had never lived or owned property in the area, while 24% of respondents indicated that they have lived in the Cedar Mountain area for 20 or more years.

As Mr. Huggins stated, the committee approved their plan goals. The committee received feedback from the Planning Board. The Planning Board was largely in favor of the goals and felt they were well-drafted. Mr. McNeill noted the goals could change prior to approval of the final draft. He reviewed the plan goals which are listed below:

| Cedar Mountain Small Area Plan Approved Plan Goals | |
|---|--|
| Protect the remaining agricultural and timber lands | Preserve and protect the area's rural character: maintain the historic and cultural aspects of the community |
| Promote responsible land use and development | Preserve the unique natural communities found in Cedar Mountain |
| Support community economic and social opportunity via enhanced cellular telephone and broadband connectivity | Encourage economic and employment opportunity while balancing growth and quality of life |
| Promote measured growth of businesses in the commercial node as defined in the Cedar Mountain Small Area Plan | Protect natural resources and preserve the scenic and aesthetic beauty of the area including views/ridgetops and open spaces |
| Ensure the environmental health of rivers, streams, ecosystems, and lands | Preserve and protect the historical structures and cultural heritage of Cedar Mountain |
| Ensure safety of the community and visitors via adequate traffic planning, regulation, and enforcement | Promote the development of bike and pedestrian friendly transportation alternatives in the Cedar Mountain Area |

There were no recommendations to the Board currently other than to receive the update. This concluded the presentation.

Chairman Hawkins called for comments and questions from the Board.

Commissioner Lemel asked if staff could separate the responses from the 381 respondents who identified themselves as being a resident of the Cedar Mountain community or a property owner there. She felt it

was more appropriate to focus on those residents' responses. Mr. McNeill responded yes; they could separate the responses.

Commissioner Guice referred to the question about recreation. Respondents indicated they supported recreation in their community. Commissioner Guice wanted to better understand the question noting that Dupont State Recreational Forest is in the community and was included in the planning boundary. He pointed out Dupont is one of the most visited recreation areas in the community and region. Mr. McNeill stated the question refers to traditional parks that might be associated with a parks and recreation department. There is not currently such a park in the Cedar Mountain community. When the department holds its public input sessions, staff will seek clarity from the citizens as to what type of recreation they would like to see.

Chairman Hawkins pointed out that the relationship between the Cedar Mountain Small Area Committee and the Planning Board is important to emphasize. The CMSAP committee has been working to define the desires of the community, while the Planning Board has more of an overall view of the County and will therefore vet the information presented to them by the CMSAP committee.

Chairman Hawkins inquired about the timing for presentation of the final plan. Mr. McNeill responded the earliest time for a presentation was planned for January. However, to ensure it has a well-crafted plan in place, the committee has pushed back its work somewhat. So, the final plan will be presented to the Board later.

Chairman Hawkins was excited to see the final product. He was appreciative of the work citizens and staff have put into this process.

APPOINTMENTS

TRANSYLVANIA NATURAL RESOURCES COUNCIL

There is one vacancy on the Transylvania Natural Resources Council due to a recent resignation. The Clerk received one application to fill the vacancy.

Commissioner Lemel moved to appoint William Owen Carson to fill the vacancy on the Transylvania Natural Resources Council, seconded by Commissioner Guice and unanimously approved.

BOARD OF HEALTH

There remains one vacancy on the Board of Health for a General Public position. The Clerk to the Board advertised for the vacancy and received one application.

Commissioner Lemel moved to appoint Sandra McNeill to fill the General Public position on the Board of Health, seconded by Commissioner Guice and unanimously approved.

OLD BUSINESS

REVIEW OF MASS GATHERING ORDINANCE

The Transylvania Mass Gathering Ordinance was first adopted in 2007 to provide a permitting process for events greater than 300 people that included a review from Public Safety, Public Health, and Solid Waste. The ordinance currently allows for some organizations to be exempt.

The County Attorney reviewed the ordinance and presented some suggested updates from a legal perspective. The Board of Commissioners provided individual feedback prior to this meeting. The

County Attorney used that feedback to articulate specific elements the Board may want to consider, but he needed the Board to give clearer direction on their goals and to clarify what they want to accomplish with the proposed changes.

Prior to discussion, Chairman Hawkins stated that if a consensus is reached on elements of a proposed ordinance at this meeting, presumably a public hearing would be held at the next meeting. This Board only exists through the month of November which means it is likely the new Board would be asked to vote on changes to the ordinance at a future meeting without having had input. If that is the case, then the remaining Commissioners would essentially have to do this work twice. For that reason, although he was more than willing to continue forward, he sought direction from the Board on how to continue. It was the consensus of the Board to allow the new Board to review the suggestions of the County Attorney and offer input to craft an ordinance that is suitable for Transylvania County.

Commissioner Chappell moved to table this item until a future meeting, seconded by Commissioner Guice and unanimously approved.

NEW BUSINESS

ADOPTION OF 2021 REAPPRAISAL SCHEDULE OF VALUES

Tax Administrator Jessica McCall presented this item. Per NC General Statute § 105-317(c), the board of county commissioners shall review, approve, and adopt the reappraisal schedule of values. The schedule of values outlines the standards and rules that will be used to appraise all real property in Transylvania County.

The proposed 2021 Schedule of Values was presented to the Board of Commissioners on October 12. A public hearing was held during a regular Board of Commissioners' meeting on October 26 at which there was no input from the public. The final step is the adoption of the 2021 Schedule of Values by the Board.

Mrs. McCall reported that the proposed 2021 Schedule of Values has been available for public inspection at the Tax Administration Office, Library and County Administration and on the County website.

Commissioner Lemel moved to approve the 2021 Schedule of Values, seconded by Commissioner Chappell. The Tax Administration Office will be mailing out notices of value for each individual piece of property near the end of February. **The motion was unanimously approved.**

TEMPORARY SCHOOL NURSE FTE POSITION

Public Health Director Elaine Russell presented this item to the Board. She reported that the Transylvania County School System has requested to hire a new school nurse position with a \$75,000 allocation of their federal CARES COVID-19 funding. The position would be a full-time temporary position ending December 31, 2021. The position would assist the current three-person school nurse team in providing COVID-19 education, monitoring quarantine and isolation orders for school children, and providing technical assistance to school personnel in relation to virus prevention and control measures.

The salary and benefits package of the Public Health Nurse I would be covered by the \$75,000 allocation. Continuation of the position beyond December 31, 2021 would be dependent on further federal CARES COVID-19 funding, other school system funding streams, or newly identified funding mechanisms.

| | Annual Sal | FICA | NC Ret | 457 | Ins | Tot Sal/Fr |
|------------------|------------|-------|--------|-------|--------|------------|
| PHN I Sal Min | 45,538 | 3,484 | 4,075 | 1,095 | 10,750 | 64,943 |

Commissioner Lemel asked if the State intended to provide the County with a school nurse position that it was shorted from SNFI to give the County four nurses. Ms. Russell stated that expansion and further support of the School Nurse Funding Initiative at the State level is one of the advocacy points for the State Health Directors Association and their legislative agenda. The ratio of school nurses to students should be 750, but Transylvania County's ratio is 1,000.

Commissioner Guice was thankful the School System requested this position because there is a tremendous need. He emphasized for the benefit of the public that Transylvania County is down one nurse due to the State's failure to provide funding.

Ms. Russell pointed out the funding for a school nurse position was a mistake on the State's part that goes back to 2008. When SNFI is properly funding, Transylvania County is first in line to get a position.

Commissioner Chappell emphasized that the position goes away if there is no funding to continue it. He wanted the terms of the position to be clearly defined.

Commissioner Guice moved to support the creation of a temporary Public Health Nurse I FTE position to assist with COVID response in the school system, seconded by Commissioners Chappell and Lemel simultaneously. Chairman Hawkins pointed out that the school nurse position does not have to be a temporary position if the Board of Education would prioritize it in their budget request, but they have not done so. **The motion was approved unanimously.**

LAKE TOXAWAY FIRE RESCUE REQUEST FOR RESERVE FUNDS

Assistant County Manager David McNeill presented this item. He reported that Lake Toxaway Fire Rescue has requested to draw down \$50,000 from their reserves to reimburse the department for costs incurred to repair their parking lot apron. The department provided a written explanation of the parking lot conditions that necessitated the repairs and detailed the work required to repair the area. A stormwater pipe had collapsed in front of the bay areas which caused damage to the parking lot. Mr. McNeill shared that the department has already completed the work, much of it done by volunteers, and is seeking reimbursement. As of June 30, 2020, their reserve account totaled \$58,571. Mr. McNeill fully expects their reserve funds to increase by the end of the current fiscal year.

Commissioner Lemel moved to allow an allocation of \$50,000 from the Lake Toxaway Fire Department reserve funds for the purpose of paying for the work repairing their parking apron, seconded by Commissioner Guice. Chairman Hawkins asked if the department had submitted any invoices for the work that was done. Mr. McNeill responded that he did not received any invoices, but he received a breakdown of the costs that was prepared by the department. **The motion was approved by vote of 4 to 1, with Chairman Hawkins voting against.**

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE GRANT RESOLUTION FOR APPLICATION

The Manager asked the Board to consider the adoption of a resolution as part of the CDBG-CV grant application from Transylvania County. Detailed information was presented during the public hearing.

The Manager emphasized this is a collaborative process and project. Several entities – Sharing House, NCWorks Career Center, Pisgah Legal Services, Department of Social Services, Health Department – are all working together to provide much needed services to families and individuals in our community. In addition, the County had the support from Dogwood Health on the grant-writing component. Land of Sky Regional Council will serve as the grant administrator to ensure the documentation requirements are being met. This effort would not have been possible without this collaboration.

If approved, the grant funds will provide a sustainable approach to helping families and households recover financially from the impacts of COVID-19. The grant funds are intended to provide funding for rental and utility assistance over a six-month period. During that time, it will be critical to leverage the expertise of Pisgah Legal Services and support from the NCWorks Career Center to ensure support for those receiving monetary assistance becomes more stable. The Health Department component addresses the need for COVID testing and adds a public education component in the community by deploying a mobile unit. Both programs are collaborative and innovative. She asked the Board to approve the resolution so staff can proceed with the grant application submission.

Commissioner Chappell pointed out the NCWorks Career Center will not be receiving any funds as part of this grant application. If funding is approved, their role will be to work with the individuals receiving rental and utility assistance on seeking job opportunities, career counseling, and resumé assistance and expose them to potential scholarship dollars.

Commissioner Lemel moved to approve the resolution to apply for the funding for the CDBG program Coronavirus Response Grant, seconded by Commissioner Guice. Commissioner Lemel felt this was a tremendous opportunity to help folks in the community and was especially pleased with the collaborative approach to helping those in need. Commissioner Guice agreed, and said he hopes there will be additional opportunities to leverage assistance because our citizens and community have a lot of needs. **The motion was unanimously approved.**

RESOLUTION FOR TRANSYLVANIA COUNTY APPLICATION FOR COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDING FOR THE RENTAL AND UTILITY ASSISTANCE /
MOBILE RESPONSE UNIT – COMMUNITY-ACCESSIBLE TESTING & EDUCATION FOR COVID
PROJECT

WHEREAS, Transylvania’s County’s Board of Commissioners has previously indicated its desire to assist in community development efforts within the County; and,

WHEREAS, the Commissioners have held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit public services and public facilities (housing /utilities assistance and Mobile Response Unit – Community-Accessible Testing & Education for COVID); and,

WHEREAS, the Commissioners wish the County to pursue a formal application for Community Development Block Grant funding to benefit low to moderate income households in Transylvania County; and will invest monies in the amount of 1.1% into the project as committed to in the application; and

WHEREAS, the Commissioners certify it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program;

NOW, THEREFORE BE IT RESOLVED, by the County’s Board of Commissioners that Transylvania County is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant to benefit low to moderate income households in Transylvania County.

Adopted this the 9th day of November, 2020 in Transylvania County, North Carolina.

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

MANAGER'S REPORT

The Manager reported the following:

- Veterans Day Ceremony on Wednesday, November 11 at 11am at the Courthouse Gazebo. Please wear a mask and practice social distancing! This year's speaker will be Janis Allen, author of *"We Shall Come Home Victorious.": Stories of WWII Veterans*. Her speech is titled "Honor, Educate, and Preserve".
- Two public hearings scheduled for the November 23 Board of Commissioners' Meeting
 - County Transportation's Application for FY 22 Public Transportation Program Funding
 - New Proposed Fixed Route
- Kudos to Larry Reece for his assistance in examining a drainage issue during an economic development recruitment and for supporting the Alliance's efforts in industry recruitment.
- Kudos to the Transylvania Economic Alliance for their ARC Award for the Transylvania Industrial Access Road Project as part of North Carolina's Appalachian Investment Program in the amount of \$895,610
- Kudos to Neill Cagle in Environmental Health for being awarded the "William F. Strickhouser" Award at the North Carolina Mosquito and Vector Control Association annual meeting on November 6 2020.
 - *"Transylvania County, located in the western part of the state, has historically had the highest incidence rate of La Crosse encephalitis. This disease predominately impacts children, and members of the local community have suffered the effects of this disease for decades. Neill Cagle is a Registered Environmental Health Specialist in the Transylvania County Health Department and is truly a "one-man army" in the fight against this virus. For more than a decade, Neill has had an interest in vector control and, even before his health department employment, had a microscope for mosquito identification. Neill has attended mosquito ID courses taught by Dr. Bruce Harrison and Parker Whitt."*

Commissioner Lemel added that Mr. Cagle has been very active with the summer camp environment and made several trips to Camp Keystone where he used his visit to educate the campers on "what, how, and why" of his work.

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.

Robert "Bob" Wohlford: Mr. Wohlford is a resident of Glen Cannon. He shared that the community weathered through four concerts at Le Parc over a two-week period. While most of the citizens' concerns turned out to be moderate, the noise issues were their major concern during the concerts. He shared that citizens placed sound meters around the perimeter of the concert and in a few residents' homes, and the noise emanating from the concerts ranged between 80db and 92db which are well beyond what they considered to be reasonable. Mr. Wohlford asked Commissioners to consider ways to manage noise in the current Mass Gathering Ordinance, to require all mass gatherings to fall under the permitting process, and to ensure that nonprofits are not being used as a shield to skirt the permitting process.

COMMISSIONERS' COMMENTS

Commissioner Lemel shared that she participated in a meeting today to talk about the impacts of COVID-19 on disaffected youth and challenges for our families. A group is considering using the GetSet

collaborative model that worked for small children and expanding it to reach school-age children. She hopes to have more information to share soon.

Chairman Hawkins moved to enter into closed session per North Carolina General Statute § 143-318.11 (a) 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, North Carolina 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, and North Carolina General Statute § 143-318.11 (a) (5) To establish, or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, following a five-minute recess, seconded by Commissioner Lemel and unanimously carried.

CLOSED SESSION

Pursuant to North Carolina General Statute § 143-318.11 (a) 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, and pursuant to North Carolina General Statute 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, closed session was entered into at 5:55 p.m. Present were Chairman Hawkins, Commissioners Chappell, Dalton, Guice and Lemel, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorneys Bill Bulfer and John Kubis, Attorney Susan Cooper with Womble Bond Dickson, Transylvania Economic Alliance Executive Director Josh Hallingse, Commissioners-elect Larry Chapman and Teresa McCall, and Clerk to the Board Trisha Hogan. The Attorneys participated via Zoom meeting software.

Commissioners met to consult with attorneys on a privileged matter and instructed the Manager on how to proceed as the Board's negotiating agent.

Pursuant to North Carolina 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, the second closed session was entered. Present were Chairman Hawkins, Commissioners Chappell, Dalton, Guice and Lemel, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorneys Bill Bulfer and John Kubis, Attorney Susan Cooper with Womble Bond Dickson, Transylvania Economic Alliance Executive Director Josh Hallingse, Commissioners-elect Larry Chapman and Teresa McCall, and Clerk to the Board Trisha Hogan. The Attorneys participated via Zoom meeting software.

Commissioners received information on a potential economic development project and instructed staff on how to proceed.

Pursuant to North Carolina 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, the third closed session was entered. Present were Chairman Hawkins, Commissioners Chappell, Dalton, Guice and Lemel, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorneys Bill Bulfer and John Kubis, Transylvania Economic Alliance Executive Director Josh Hallingse, Commissioners-elect Larry Chapman and Teresa McCall, and Clerk to the Board Trisha Hogan. The Attorneys participated via Zoom meeting software.

Commissioners received information on a potential economic development project and instructed staff on how to proceed.

Pursuant to North Carolina General Statute § 143-318.11 (a) (5) To establish, or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, the fourth closed session was entered. Present were Chairman Hawkins, Commissioners Chappell, Dalton, Guice and Lemel, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorneys Bill Bulfer and John Kubis, Commissioners-elect Larry Chapman and Teresa McCall, and Clerk to the Board Trisha Hogan. The Attorneys participated via Zoom meeting software.

Commissioners received information on the potential purchase of property and discussed negotiating efforts. Commissioners instructed staff on how to proceed.

Pursuant to North Carolina General Statute § 143-318.11 (a) 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, the fifth closed session was entered. Present were Chairman Hawkins, Commissioners Chappell, Dalton, Guice and Lemel, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorneys Bill Bulfer and John Kubis, Commissioners-elect Larry Chapman and Teresa McCall, and Clerk to the Board Trisha Hogan. The Attorneys participated via Zoom meeting software.

Commissioners consulted with the attorneys on a privileged matter.

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

OPEN SESSION

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

ADJOURNMENT

There being no further business to come before the Board, **Chairman Hawkins moved to adjourn the meeting at 8:30 p.m., seconded by Commissioner Lemel and unanimously carried.**

Jason Chappell , Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board