

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
AUGUST 25, 2025 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, August 25, 2025, at 6:00 p.m. in the Multipurpose Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Vice-Chairman Jake Dalton, Chairman Jason Chappell, Teresa McCall, and Chase McKelvey. Commissioner Larry Chapman was out of the country and unable to attend. Also present were County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. County Attorney Bill Bulfer participated remotely via Zoom.

Media: Laura Denon – *The Transylvania Times*

Approximately 50 people were in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 6:00 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting and introduced the Commissioners and staff in attendance.

PUBLIC COMMENT

Several residents addressed the Board on a variety of topics. The Clerk to the Board summarized their comments below:

Annette Raines, a retired County Tax Administrator, questioned the method used to value single-wide mobile homes. She stated that some sales being used as comparables are not “qualified sales” under Department of Revenue guidelines and urged the Board to review the process and consider adjustments.

Hazel Moody reported that the assessed value of her 1985 mobile home increased dramatically, from \$1,610 to \$26,754, creating financial hardship for residents on fixed incomes.

David Whisenant said the tax value of his 27-year-old mobile home jumped from \$4,590 to \$68,223 and claimed he is being taxed for a deck that was never previously assessed. He questioned whether similar standards are applied countywide and asked for a countywide reassessment of single-wide trailers.

Dean Lytle announced his candidacy for Brevard City Council, pledging to strengthen cooperation between the City and County to address shared challenges such as housing, jobs, youth opportunities, and public safety.

Doug Powell promoted awareness of Constitution Day (September 17) and the approaching 250th anniversary of the United States. He stressed the importance of civic education and quoted Benjamin Franklin and George Washington to highlight the role of faith, morality, and constitutional knowledge in sustaining democracy.

Alan Mercaldo supported a proposed ordinance to prohibit the operation of ultralight aircraft (power motors) on county property. He described noise, safety hazards, and privacy intrusions caused by these aircraft and thanked county staff for addressing the issue.

AGENDA MODIFICATIONS

The Manager requested to remove the approval of the May 12, 2025, sealed closed session minutes from the Consent Agenda and to add under Presentations, Item A. Mobile Homes Values: Presentation by the Tax Administrator, and move the other items down in succession. There were no other agenda modifications.

Commissioner Dalton moved to approve the revised agenda, seconded by Commissioner McKelvey, and unanimously approved.

CONSENT AGENDA

Commissioner McCall moved to approve the Consent Agenda as modified, seconded by Commissioner Dalton, and unanimously approved.

The Board approved the following:

APPROVAL OF MINUTES

The Board approved the minutes of the June 17, 2025, budget workshop, the June 23, 2025, regular meeting, and the July 14, 2025, regular meeting.

DISCOVERY, RELEASE, AND MONTHLY SETTLEMENT REPORT - JULY 2025

Per N.C.G.S. §§ 105-312 (b) and 105-381 (b), the Board approved the July 2025 Discovery, Release, and Monthly Settlement Report as submitted from the Tax Administrator. For the period, releases totaled \$1,856.47, and refunds issued amounted to \$1,881.65.

OUT OF STATE TRAVEL REQUEST - LIBRARY

The Board approved two Library staff members to attend the Association of Bookmobile and Outreach Services Conference in St. Louis, MO from October 15-17, 2025, utilizing funds allocated in the FY 2026 Budget for this purpose.

OUT OF STATE TRAVEL REQUEST - CARE COALITION

The Board approved one CARE Coalition staff member to attend the National Reentry Workforce Collaborative Annual Conference in Pittsburg, PA in the fall of 2025 utilizing federal COSSAP grant funds budgeted for this purpose.

REQUEST FOR CLOSURE OF SOCIAL SERVICES FOR DEPARTMENTAL RETREAT

The Board approved closing the Department of Social Services on Thursday, September 18, from 1:00 p.m. to 5:00 p.m. for staff development and team building. Staff will be on call to respond to emergencies. Staff will post and publish a public notice.

NOTICE OF INTENT TO CONVEY SURPLUS PERSONAL PROPERTY (K9 - MEDICALLY RETIRED)

Sheriff K-9 Rambo has been declared medically retired. N.C.G.S. § 17F-21 allows a county to convey a retired service animal to the public officer or employee who had normal custody of the animal during its public service. Prior to the conveyance, the County must post public notice of its intent to convey the retired service animal. The Board approved the notice of intent to convey the retired service animal and will consider a resolution approving the conveyance of K-9 Rambo to his handler during a regular meeting on September 8.

APPROVAL OF ANNUAL PURCHASING RESOLUTION

The Board approved an annual purchasing resolution establishing guidelines for the County's procurement of goods and services. For the FY 2026 resolution, staff added a section to meet the audit requirements for federal transportation funds; otherwise, it remains the same as the previously approved version.

RESOLUTION # 30 - 2025
ANNUAL PURCHASING RESOLUTION

WHEREAS, from time to time, the County of Transylvania purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D; and

WHEREAS, the County of Transylvania's procurement of such goods and services is subject to Transylvania Purchasing and Contracting Procedures; and

WHEREAS, the County of Transylvania is a non-federal entity under the definition set forth in 2 C.F.R. § 200.1; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-federal entity files, accordingly; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a "higher threshold consistent with State law"; and

WHEREAS, G.S. 143-129(a) and G.S. 143-131(a) require the County of Transylvania to conduct a competitive bidding process for the purchase of (1) "apparatus, supplies, materials, or equipment" where the cost of such purchase is equal to or greater than \$30,000, and (2) "construction or repair work" where the cost of such purchase is greater than or equal to \$30,000; and

WHEREAS, North Carolina law does not require a unit of local government to competitively bid for purchase of services other than services subject to the qualifications-based selection process set forth in Article 3D of Chapter 143 of the North Carolina General Statutes (the "Mini-Brooks Act"); and

WHEREAS, Transylvania County Transportation acts as a recipient of Federal Transit Administration (FTA) Awards, it is required to abide by Third Party Contracting Guidance, as approved and amended by FTA C 4220.1F and other applicable FTA policies; and

WHEREAS, it is the intent of the County of Transylvania to achieve the following principles as a matter of public policy;

A) to comply with the legal requirements of public purchasing and procurement

- B) to assure vendors and contractors that impartial and equal treatment to all those who wish to do business with the County
- C) To receive maximum value for each public dollar spent
- D) To ensure that County departments and offices have the required goods, equipment and services necessary to carry out their duties
- E) To promote good and effective vendor relations, cultivated by fair practices and strict ethical standards.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Transylvania County of the County of Transylvania:

1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the County of Transylvania hereby self-certifies the following micro- purchase thresholds, each of which is a “higher threshold consistent with State law” under 2 C.F.R. § 200.320(a)(1)(iv)(C).
 - a) \$15,000 for purchase of “construction or repair work” to County facilities
 - b) \$10,000 for the purchase of “apparatus, supplies, materials or equipment”
 - c) \$50,000 for the acquisition of services not subject to the qualifications-based selection process.
 - d) \$50,000 for the acquisition of services subject to the qualifications-based selection process in the Mini-Brooks Act; provided that such threshold shall apply to a contract only if the County has exercised an exemption to the Mini-Brooks Act, in writing, for a particular project pursuant to North Carolina General Statute 143-64.32. If an exemption pursuant to Mini-Brooks Act has not been issued, then the threshold shall be \$0.
2. In the event that the value of goods and services exceed these values outlined in section 1, then following thresholds shall apply, and be subject to the “informal” competitive process, as defined by the County of Transylvania’s policies and procedures:
 - a) \$15,001 to \$99,999 for purchase of “construction or repair work”
 - b) \$10,001 to \$49,999 for the purchase of “apparatus, supplies, materials or equipment”
 - c) \$50,001 to \$89,999 for the acquisition of services not subject to the qualifications-based selection process
3. In the event that the value of goods and services exceed these values outlined in section 2, then following thresholds shall apply, and be subject to the “formal” competitive process, as defined by the County of Transylvania’s procurement policies and procedures:
 - a) \$100,000 for the purchase of “construction or repair work”
 - b) \$50,000 for the purchase of “apparatus, supplies, materials or equipment”
 - c) \$90,000 for the acquisition of services not subject to the qualifications-based selection process
4. The procurement of goods, materials, services and construction or repair work shall be exempted from these requirements if the procurement has a qualified exception as defined by N.C. General Statutes 143-129(e) and that exception has been documented in the Transylvania County Finance Office.
5. In the event a federal or state agency requires, as a condition of funding receipt, a threshold for a competitive process more restrictive than those adopted above, then those more restrictive thresholds shall prevail and govern the procurement of goods and services.

6. Modifications to existing purchase agreements and contracts (“change orders”) shall be subject to the review and approval of the County Manager if they fall within the approved budget for the purchase or acquisition of the agreement or contract, if they exceed the approved budget then they shall only be valid if submitted to and approved by the Transylvania County Board of Commissioners.
7. **EFFECTIVE DATE.** This Resolution shall become effective upon adoption and shall expire on June 30, 2026.

Adopted this the 25th day of August 2025.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

RESOLUTION DECLARING SEPTEMBER AS PREPAREDNESS MONTH

The Board approved a resolution marking September as National Preparedness Month. The annual campaign serves as a reminder to everyone to prepare for emergencies and disasters, keeping themselves, their families, and their communities safe. Resources are available on Ready.gov to provide the tools needed to prepare for disasters and build resilience before disaster strikes.

The Board of Commissioners began approving an annual resolution in response to the NCACC Presidential Initiative "100 Counties Prepared," and soon thereafter was impacted by Tropical Storm Fred. Since then, Transylvania County and WNC were ravaged by Hurricane/Tropical Storm Helene in September 2024, followed by threatening wildfires in 2025.

RESOLUTION #31-2025 DECLARING SEPTEMBER AS “PREPAREDNESS MONTH” IN TRANSYLVANIA COUNTY

WHEREAS, National Preparedness Month is an observance each September to raise awareness about the importance of preparing for disasters and emergencies that could happen at any time; and

WHEREAS, Counties throughout North Carolina have been affected by a variety of emergencies, including mudslides, wildfires, flooding, earthquakes, and the COVID-19 pandemic; and

WHEREAS, the peak period of hurricane season is historically mid-August through October, and September 10 marks the statistical peak of hurricane season when conditions are most optimal for tropical storms and hurricanes over the largest area; and

WHEREAS, Brunswick County Commissioner Frank Williams introduced the presidential initiative called *100 Counties Prepared* during his term as President of the N.C. Association of County Commissioners in 2022; and

WHEREAS, The *100 Counties Prepared* initiative focused on training county commissioners on how to effectively lead during emergencies, compiling resources to assist commissioners during emergency situations, and helping commissioners establish relationships with key emergency management partners; and

WHEREAS, the Transylvania County Board of Commissioners desires that every household, property owner, and business in Transylvania County be prepared for potential emergencies;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Transylvania County hereby declares September 2025 as Preparedness Month in Transylvania County and encourages all citizens to prepare for potential emergencies by developing an emergency plan, building an emergency kit, and communicating their emergency plan to all members of their household and/or workplace.

Adopted this the 25th day of August 2025.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

PRESENTATIONS/RECOGNITIONS

MOBILE HOMES VALUES: PRESENTATION BY THE TAX ADMINISTRATOR

County Manager Jaime Laughter introduced Tax Administrator Jessica McCall, who explained recent changes in how single-wide mobile homes are valued and how those values are determined.

As part of the 2025 Countywide Reappraisal, the Tax Office analyzed sales data from January 1, 2021, through December 31, 2024. The analysis showed that many single-wide mobile homes have historically been undervalued compared to actual market sales.

Under N.C.G.S. § 105-283, all property must be appraised at its “true value,” meaning the market price a willing buyer and seller would agree to when neither is under pressure to buy or sell. N.C.G.S. § 105-316.7 defines a mobile home as a structure designed for use as a dwelling or business that can be transported on wheels attached to its frame (not including trailers or vehicles requiring annual registration).

In April 2022, the North Carolina Department of Revenue (NCDOR) presented a “Singlewide Mobile Home Project” to the Western North Carolina Tax Association. NCDOR acknowledged challenges in assessing these properties, such as difficulty locating units, missing or incorrect titles, unpermitted moves, repossessions, unreported sales, inaccurate park data, and lack of response to notices.

NCDOR recommended that counties:

- Clearly define the assessment process.
- Conduct site visits.
- Coordinate with real property staff.
- Align the project with the county’s reappraisal schedule.

Like real property, mobile homes are valued using a schedule of values, which requires researching sales, creating sales files, and applying a grading system.

NCDOR noted the project’s advantages—such as improved records and prevention of duplicate listings—as well as its challenges, including the time and labor required to complete the work.

The 2025 Reappraisal Schedule of Values was approved on December 9, 2024. The appraisal manual explains how single-wide manufactured homes are valued.

- Singlewides are assessed using the same basic methods as real property, with base rates taken from local market sales.
- Values are determined by age, size, and condition.
- Each home is given a grade (A, B, C, or D) depending on condition.
- An effective age is also assigned if improvements or additions have been made.

- Homes depreciate over 20 to 40 years, depending on quality.
- Extra features such as decks and porches are valued separately using figures in the manual.

Ms. McCall then shared recent examples of mobile home sales in Transylvania County:

- A 2013 singlewide on 1.01 acres sold for \$200,000 (Nov. 2023).
- A 1983 model on 0.73 acres sold for \$190,000 (Oct. 2023).
- A 1988 model on 0.81 acres sold for \$170,000 (July 2023).
- A 1986 singlewide on 1 acre sold for \$160,000 (Feb. 2025 – included for comparison).
- A 1995 model on 4.18 acres sold for \$200,000 (June 2025 – included for comparison).

In 2002, the NC Department of Revenue sent a memorandum to all county tax assessors about manufactured housing. At that time, it came from John C. Bailey, the Property Tax Division Director (now run by Tony Simpson). The memo emphasized that manufactured homes must be appraised at fair market value, as required by state law (N.C.G.S. §105-283). This applies whether they are listed as real property or personal property. The memo also recommended using the same valuation schedules for all manufactured homes and applying the same principles used in other property appraisals—such as location, quality, condition, supply and demand, and highest and best use.

Under N.C.G.S. § 105-317.1(c), taxpayers who own personal property may appeal the value, situs, or taxability of their property. Appeals must be filed within 30 days of the notice of value.

- In Transylvania County, the tax bill itself serves as the notice of value.
- For 2025, tax bills were mailed July 29, 2025, so the appeal deadline is Friday, August 29, 2025.

Other NC counties are also updating single-wide mobile home values using sales data for the 2025 tax year. Because this work is complex, time-consuming, and affected by staff shortages, not all counties have completed the process yet. However, Ms. McCall noted that counties such as Union, Stokes, Lincoln, Ashe, Brunswick, Robeson, Harnett, and Dare have already begun valuing single-wide mobile homes using sales data. Eventually, all counties in North Carolina will reflect similar values.

This concluded Ms. McCall's formal presentation. Chairman Chappell then opened the floor for Commissioners' questions.

Commissioner McCall asked if appeals requested before Friday would still be reviewed even if they extended into September. Ms. McCall confirmed yes.

Chairman Chappell inquired how property owners should appeal. Ms. McCall explained that appraisers do not inspect interiors, so owners should visit the Tax Office to report on any conditions or ask questions.

Commissioner McCall asked if there had been successful appeals on single-wide mobile homes. Ms. McCall confirmed several, but did not have numbers available, noting that records will be clarified moving forward.

Commissioner McKelvey noted that no nearby counties are valuing mobile homes this way and asked why Transylvania County did. Ms. McCall said it aligned with revaluation, staffing capacity, and Department of Revenue guidance. Other counties plan to adopt this method, but face staffing challenges.

Commissioner McCall pointed out that Henderson and Buncombe Counties did not have revaluations this year, which may explain the difference. Ms. McCall confirmed and added that Buncombe postponed reappraisal due to hurricane damage.

Chairman Chappell confirmed that the Department of Revenue recommends reassessing mobile homes during revaluations. Ms. McCall agreed.

Commissioner McCall asked whether the Department of Revenue data is based on local sales. Ms. McCall confirmed, noting values differ by location. Commissioner McCall stressed that property owners should appeal if they question values.

Chairman Chappell asked if the intent to sell impacts reassessment. Ms. McCall said no, values are based on actual sales.

Commissioner Dalton asked about the differences between commercial and private mobile home valuations. Ms. McCall said there could be differences, similar to real property, but did not have exact figures.

Commissioner McKelvey shared concerns from constituents, stating that it is difficult to apply sales-based values to mobile homes that depreciate. He compared the situation to classic car valuation and stressed the need for fairness and a voice for those in single-wide homes.

Commissioner Dalton noted insurers treat classic vehicles differently from mobile homes, adding to the fairness concern.

Chairman Chappell asked if the County is following state statutes. Ms. McCall confirmed yes. Chairman Chappell noted that even if Commissioners disagree with statutes, North Carolina law (Dillon's Rule) requires counties to comply. The County Attorney and Manager affirmed, noting that not following statutes would create liability, though advocacy at the state level is possible.

Commissioner Dalton cited statutes distinguishing personal vs. real property classification and suggested the County may have reclassified certain homes, inflating values. He proposed reverting to last year's values. The Manager clarified that the Board does not have the authority to reverse the reappraisal once the Schedule of Values has been adopted.

Commissioner McCall asked if misclassification could be addressed through appeal. Ms. McCall confirmed yes and encouraged owners to contact the Tax Office. Commissioner McCall emphasized that since the Board cannot change the law, owners should appeal, and the Board can continue legislative advocacy.

Chairman Chappell asked if the 30-day appeal window could be extended. Ms. McCall said she would need to check with the state. County Attorney Bill Bulfer explained that the process is governed by the NC Department of Revenue and not within County control.

Commissioner McCall asked staff to confirm with the state. Chairman Chappell directed the Attorney to send an inquiry. Chairman Chappell reiterated that the appeal deadline is Friday, August 29, at 5:00 p.m.

Commissioner Dalton asked if the Board of Equalization and Review had adjourned. Ms. McCall confirmed yes; some appeals have advanced to the Property Tax Commission.

Commissioner McKelvey apologized for his strong comments, explaining he was reflecting residents' concerns about fairness in classification.

The Manager asked Ms. McCall to clarify the classification. Ms. McCall explained:

- Mobile homes with wheels/axles and movable are personal property and continue to depreciate over 20–40 years.

- Real property revaluation and mobile home reassessment coincided this year but remain separate processes under statute.
- For real property, notices went out in February; for personal property, the tax bill itself serves as the initial notice.

The Manager added that this distinction explains why personal property has a 30-day appeal period versus the real property process.

Chairman Chappell asked when the schedule of values was advertised and presented. Ms. McCall said it was presented in November, adopted on December 9, and remains available on the Tax Office website.

Chairman Chappell thanked Ms. McCall for presenting on short notice.

EMERGENCY RESPONSE UPDATE TO HURRICANE/TROPICAL STORM HELENE

The Manager provided an update on recovery efforts following Hurricane/Tropical Storm Helene.

- FEMA Assistance in Transylvania County (as of August 21, 2025):
 - Over \$9.2 million in Individual Assistance has been awarded to residents.
 - Out of 4,837 valid registrations, 4,191 were referred to FEMA's Individual Assistance program.
 - So far, 3,061 residents have been approved for Housing Assistance and/or Other Needs Assistance.
 - More details are available at FEMA.gov.
- Additional Recovery Resources:
 - Homeowners needing help with rehabilitation, rebuilding, or replacement beyond FEMA aid can apply at renewnc.org.
 - Regional recovery resources, including funding opportunities, mental health support, repair assistance, and sector-specific resources (local government, nonprofits, etc.), are available at wncrecovery.nc.gov/resources.
- Debris Removal (Private Property Debris Removal – PPDR):
 - FEMA and the U.S. Army Corps of Engineers (USACE) are reviewing properties for eligibility.
 - As of August 8, 412 packets were submitted; 119 reviews are complete.
 - 53 properties have been found eligible or eligible with conditions.
 - An update was requested on August 21, and FEMA indicated teams were continuing reviews.
- Eligibility and Ineligibility:
 - Properties are ineligible if debris is on land that is:
 - Not maintained or improved,
 - Not a threat to public health or safety, or
 - Already cleared.
 - Eligible debris removal (Category A) includes clearance, removal, and disposal that:
 - Eliminates immediate threats to lives, health, or safety,
 - Prevents significant damage to improved public or private property.
 - Debris on vacant property, in wooded areas, or on lawns is generally not eligible.
- NC SMART:
 - NC Emergency Management's SMART team has set up a hotline for debris-related questions.
 - Residents can call 828-412-8947 daily from 7:00 a.m. to 7:00 p.m. for help.
 - Confirm that a packet was received.
 - Check the outcome once FEMA reviews it.
 - Submit new requests for waterway debris removal or PPDR applications.

- SMART has authorized debris removal teams to proceed but is waiting on FEMA's eligibility clearance. If FEMA later rules a site ineligible, the State cannot be reimbursed.

Commissioner McCall asked whether the County had received a final count of properties sold through the buyout program. The Manager explained that only the first batch of applications has been submitted and that figures are still being updated.

Commissioner McKelvey asked if any of the properties had been closed out by FEMA. The Manager replied no, noting that only the first batch is currently under review. She acknowledged the process has been very frustrating for property owners—and for the County—because of the lack of timely updates.

Commissioner McKelvey also asked whether property owners had withdrawn their applications due to delays. The Manager confirmed that some changes have occurred. She explained that some applicants originally entered the buyout program but later switched to mitigation or withdrew entirely, though FEMA does not always provide the County with details about those decisions.

MONTHLY CAPITAL UPDATE

The County Manager provided the Board with a monthly update on capital projects, which will be shared during the second regular meeting of each month and posted online for public transparency.

Key Highlights

- Over \$150 million in capital projects are currently underway or planned.
- The County has secured approximately \$30 million in grant funding to support these efforts (not including broadband funding awarded directly to local providers).

The Manager introduced Project Manager Beecher Allison to provide an update on Transylvania County's school capital projects per the interlocal agreement between the Board of Commissioners and Board of Education.

Fixing Transylvania County Schools – Step One: Investment in Capital Projects at All Nine Schools

Mr. Allison provided the monthly update on the Education Capital Projects. The report format was approved by the Education Capital Subcommittee in June, and updates are now shared monthly with both the Board of Commissioners and the Board of Education. Reports are also posted on the County website, as requested by the Board of Education. Project work continues in coordination with Transylvania County Schools (TCS) staff.

- Underground Storage Tanks
 - Brevard Area Schools: Project is complete.
 - Rosman High: An underground storage tank damaged in testing will not be replaced in October as originally scheduled due to insurance-related procurement delays. A temporary above-ground tank remains in place. SM&E, the contractor, agreed to cover additional expenses related to filling the temporary tank until the replacement is installed.
 - Timeline: Replacement will proceed once an updated schedule is provided. Other active Rosman tanks will remain in service until summer 2026, when work will be coordinated with Rosman Area projects.
- Brevard Area Scope #1 (Old Gym)
 - Wood decking and roofing underlayment/weather barrier are in place; TPO roofing installation begins this week.
 - Rain has slowed progress, but the general contractor trades are working efficiently.
 - Structural steel supports are complete; focus has shifted to lobby preparation for installation of mechanical units.

- Work in the lobby area is carefully coordinated with TCS activities as school resumes.
 - Next steps: Brick repointing, window installation, electrical rough-in, siding, and coordination with the flooring contractor.
 - Timeline: Substantial completion expected by the end of October; occupancy by late November.
- Larger Scope Projects (BHS Scope #2, Rosman Area Scopes, Brevard Area Scopes)
 - Architect/design team reviewing historical documents and evaluating additional needs.
 - 3D scanning is complete at all schools; modeling will be finished by mid-September.
 - Security vestibule design work has begun.
- Rosman High School Old Gym/Retaining Wall and Rosman Elementary School (Site Work)
 - Stormwater testing at RHS completed.
 - Ground-penetrating radar scanning completed (structural evaluation of old gym).
 - Camera scoping of stormwater piping finished last week; civil engineer recommendations expected in September.
 - Additional structural evaluations are underway.
- Rosman Elementary School (Geotechnical Evaluation)
 - Interior and exterior borings completed by August 21.
 - Ground-penetrating radar finished the week of August 11.
 - Final recommendations from the geotechnical team expected in early October, possibly by September.
- Emergency Repairs – BHS EC Wing Roof
 - Emergency project authorized under state statutes due to deteriorating roof conditions.
 - Preconstruction meeting and start date: August 11.
 - Roof demolition scheduled to begin September 2.
 - Estimated completion: End of October.
 - Alternate work: Pricing air handling units for the EC wing.
 - Fire alarms are being rerouted to ensure safety while work is underway.
- Conclusion and Next Steps
 - Focus remains on critical building envelope needs: roofs, exteriors, and mechanical systems.
 - The Education Capital Project Subcommittee will meet on August 27 to review Construction Manager at Risk (CMAR) qualifications and begin the selection process.
 - CMAR contracts are expected in September.

Mr. Allison concluded his formal presentation.

Commissioner Dalton asked whether the Brevard Old Gym would be ready in time for basketball season. Mr. Allison confirmed occupancy is expected by the end of November.

Regarding the Rosman retaining wall, Chairman Chappell understood that the geotechnical evaluation results will not be available until early October. Once that information is in hand, how much longer will it take to get an estimate on the potential of whether there will be a need to expand the scope.

Chairman Chappell asked about the timeline for results from the geotechnical evaluation of the Rosman retaining wall. Mr. Allison said he hoped to receive the assessment in September, with additional scope information to follow soon after. The Manager added that more data may be needed, which could delay results, but the goal is to provide timely recommendations to the subcommittee.

Commissioner Dalton asked if the old Rosman gym was part of the project scope, expressing concern about settling in the front corner caused by underground drainage. The Manager confirmed it was included, and Mr. Allison noted they now know where the pipe is located and will use the report findings to guide next steps.

Commissioner McCall asked if this work is tied to the retaining wall project. Mr. Allison said testing around the gym will help define what the retaining wall project entails. The Manager explained that both the gym settling and retaining wall issues appear related and are being addressed together. Commissioner McCall also asked if Axias had previously identified this. The Manager said yes, but Axias could not confirm a direct link between the retaining wall and gym settling.

Commissioner McKelvey asked how soon work could start after CMAR contracts are signed. Mr. Allison said this would be a team discussion. The Manager explained that the project is still in the predesign phase, but once CMAR is onboard, staff will be able to confirm a more accurate timeline and budget.

The Manager shared that the Board of Education asked whether project reports could be posted online. Staff are now adding these reports to the County website along with dated reports from the Board of Education.

Chairman Chappell commended Mr. Allison for his experience and knowledge, particularly in identifying the drainage issues at the Rosman gym. He emphasized that the Project Manager role has already proven valuable.

Protecting Transylvania Natural Resources: Clean Water, Sanitary Sewer, Solid Waste Disposal, and Streambank Restoration

- The emergency water connection between Rosman and Brevard is complete except for the power hookup. The project will be closed out soon.
- Work has started on the landfill cell expansion, with earthwork now underway.
- The County is preparing for long-term capital planning related to infrastructure, supported by grant funds. The Manager has requested planning documents from Brevard and Rosman. Brevard submitted a draft asset inventory assessment, but it lacked cost figures, so updated documents have been requested. Rosman submitted a draft with budget figures included. These documents will help define future system needs and support an upcoming infrastructure workshop. The County has also received several infrastructure funding requests from both municipalities.
- The Gallimore Road sewer project is back out to bid. The first round drew too few bidders, which required rebidding. Under the second round, the County can award the contract even without three bidders.
- The County is waiting on grant information for the Pisgah Labs sewer extension, a joint effort with Brevard and the Land of Sky Regional Council.
- Design work is underway for the Morris Road stormwater project.
- Design work is also underway for a landfill leachate pre-treatment system.
- A draft Watershed Study is in progress and will be submitted to the State to assess long-term watershed needs in Transylvania County.

Creating Jobs and a Safe Community: New Space for Growing Businesses and Upgrading Public Safety

- The Hart Road Emergency Access and Flood Mitigation Project is progressing. The project will raise Hart Road out of the floodway, improving access for emergency services. Completion is expected this fall, with grant closeout anticipated by year's end.
- The new Courthouse at the Public Safety Complex is in the design phase. The architectural team is revising the exterior design based on Board feedback. Updated site and elevation plans will be presented to the Board for approval.
- The Library Amphitheater Cover Project, funded by the Library Foundation, is under contract and moving forward. The main structure has been ordered, and staff will provide updates as the project continues.

The Manager stated that the Board will hold an infrastructure workshop soon, followed later by a general capital planning workshop. The infrastructure workshop is especially important because some grant funds must be spent within a set timeline. Over the last five years, the County has received more than \$30 million in capital funding from state, federal, and private sources. With this investment, staff are now managing more projects and grants at one time than ever before. While it is a heavy workload, the Manager said it represents exciting progress for the County.

The Manager noted that later in the meeting, the Finance Director will provide a quarterly financial update, including a report on the Education Capital Fund. That report is also being shared monthly with Transylvania County Schools. At present, school projects remain within budget, and the budgets will become more precise once the Construction Manager at Risk (CMAR) is hired. The Manager added that she is not concerned about County projects exceeding the budget.

Chairman Chappell added that when the water interconnection project is finished, the County, City of Brevard, and Town of Rosman will hold a joint ribbon-cutting ceremony.

PRESENTATION ON COUNTY DEVELOPMENT ENVIRONMENTAL ENFORCEMENT

Chairman Chappell introduced the presentation, noting that Commissioners have received several citizen questions about County development and environmental enforcement—specifically, which responsibilities fall under local, state, and federal governments, and the extent of County authority in enforcing regulations.

The Manager explained the following key points:

- Levels of Government Involvement
 - Local: Counties and municipalities review and permit certain aspects of development.
 - State: Agencies such as the NC Department of Environmental Quality (NCDEQ) may be involved.
 - Federal: Agencies such as the U.S. Army Corps of Engineers regulate wetlands and waterways.
- Dillon's Rule
 - North Carolina is one of 14 states that operate under Dillon's Rule.
 - Counties only have powers explicitly granted by the state.
- Vested Rights
 - Property owners may continue developing under previously granted permits even if new ordinances are later adopted.
 - This protects ongoing projects from retroactive regulatory changes.
- Ordinance Adoption and Enforcement
 - New ordinances require budgeted resources to review development plans, conduct inspections, and respond to complaints.
- Environmental Ordinances Authorized in State Statutes
(bold = currently enforced in Transylvania County)
 - Regulation of forestry (160D-921)
 - **Watershed protection, including stormwater impacts of development (160D-926)**
 - **Floodplain regulations (160D-923)**
 - **Environmental Health – septic and well permitting requirements**
 - Riparian buffers
 - Steep slope regulations
 - Erosion control (160D-922) – state rules and permitting apply in Transylvania County
 - Stormwater regulations (160D-925) – only applied in commercial development in the Pisgah Forest Zoning District.

- **Building codes (160D, Article 11) – the international building code also provides tools, such as engineer sign-off on footers**
- **Mountain ridge protection (160D-924)**
- Statutes also authorize the regulation of floating homes (boat homes) and provide density bonuses for energy conservation.

Commissioner McCall noted that any new ordinance adopted by the Board would only apply to future development projects; existing developments would not be affected. The Manager confirmed this and explained that when state or federal agencies, such as NCDEQ or the U.S. Army Corps of Engineers, have regulatory authority, they determine compliance. County regulations may impose additional requirements, but they do not necessarily prohibit development entirely.

Commissioner McCall further clarified that if the state already enforces certain protections, the County cannot impose additional restrictions beyond what state law allows. The Manager confirmed and illustrated with an example: the County could adopt a steep slope ordinance, but projects involving wetlands remain under the jurisdiction of NCDEQ or the Army Corps. The County can issue stop-work orders if a project is found to be noncompliant, but these orders only pause work until compliance is achieved—they do not eliminate the property owner's vested rights.

The Manager noted that citizens often ask whether the County can stop unwanted development by putting a moratorium in place. She explained that state law sets strict criteria for moratoriums. A county must demonstrate substantial development pressure and show that all other reasonable measures, such as adopting ordinances, have been exhausted. A single project alone does not justify a moratorium.

Commissioner Dalton asked what recourse the County has if state or federal agencies fail to enforce regulations. The Manager acknowledged this is a limitation: the County can advocate or escalate concerns, but it cannot compel action. She noted this limitation has been a challenge during Helene's recovery efforts.

Commissioner Dalton added that even without enforcement authority, the County may still face liability or litigation, which is frustrating. The Manager agreed and emphasized that when implementing ordinances, it is critical to staff and fund qualified personnel to review plans and enforce regulations. Proper staffing and program design mitigate the County's legal exposure.

At 7:38 p.m., Chairman Chappell called a 10-minute recess. The Board reconvened at 7:48 p.m.

APPOINTMENTS

LIBRARY BOARD OF TRUSTEES

Betsy Jordan's term on the Library Board of Trustees expired at the end of June. She has served two full terms and is not eligible for reappointment. The Board of Trustees recommended the appointment of Elizabeth Cozart to fill the vacancy.

Commissioner McCall moved to appoint Elizabeth Cozart to fill the position vacated by Ms. Jordan on the Library Board of Trustees, seconded by Commissioner McKelvey, and unanimously approved.

TRANSYLVANIA COUNTY COUNCIL ON AGING

The terms of Kathe Harris, Delores Stroup, and Al Vissers expire at the end of August. There are no other applications on file. Staff recommended that the Board waive the term limits and reappoint each of these members to the Transylvania County Council on Aging.

Commissioner McCall moved to waive the term limits and reappoint Kathe Harris, Delores Stroup, and Al Vissers to the Transylvania County Council on Aging, seconded by Commissioner Dalton, and unanimously approved.

APPOINTMENT TO NORTH TRANSYLVANIA FIRE RESCUE RELIEF FUND BOARD

For each county, town or city complying with and deriving benefits from the provisions of the Local Firefighters Relief Funds statute (N.C.G.S. § 58-84-30), there shall be appointed a local board of trustees, known as the trustees of the local Firefighters' Relief Fund, to be composed of five members, two of whom shall be appointed by and serve at the pleasure of the local governing body. The trustees shall hold office for their elected or appointed time, or until their successors are elected or appointed, and shall serve without pay for their services.

North Transylvania Assistant Fire Chief and Board Chair Allison Taylor informed Chairman Chappell that Art Rowe, the County's appointee, had retired from the Board. The North Transylvania Fire Rescue Board of Directors selected Jeff Katzenberger to replace Mr. Rowe and recommended that the Board appoint him to the Relief Fund Board.

Commissioner McCall moved to appoint Jeff Katzenberger to replace Art Rowe on the North Transylvania Fire Rescue Relief Fund Board, seconded by Commissioner McKelvey, and unanimously approved.

APPOINTMENT OF REVIEW OFFICERS FOR THE CITY OF BREVARD

N.C.G.S. § 47-30.2 requires the Board of Commissioners of each county to designate one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording. City Planner Katherine Buzby informed the Clerk to the Board that she was recently married and has changed her name to Katherine Poe. The list of Review Officers for the City of Brevard should be updated to reflect the name change. The Clerk to the Board will record the resolution with the Register of Deeds upon approval as required per statute.

Commissioner Dalton moved to approve Resolution #32-2025 Appointment of Review Officers for the City of Brevard and instructed the Clerk to the Board to record the resolution with the Register of Deeds Office as required per statute, seconded by Commissioner McCall, and unanimously approved.

RESOLUTION #32-2025

APPOINTMENT OF REVIEW OFFICERS FOR THE CITY OF BREVARD

WHEREAS, Chapter 47-30.2 of the North Carolina General Statutes requires the Board of Commissioners of each county to designate by name one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

WHEREAS, the review of statutory requirements is of a technical nature; and

WHEREAS, one of the services that the City of Brevard staff provides to the community is a similar technical process for subdivision plat review in order to verify compliance with the City's development regulations; and

WHEREAS, the City of Brevard has demonstrated a commitment to streamlining the review procedures for proposed developments; and

WHEREAS, it appears most efficient for the City of Brevard to avoid adding another layer of development review by providing for the certification of statutory compliance for all maps or plats to be presented to the Register of Deeds for recording within the context of subdivision review procedures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY that the following shall serve as a Review Officer for all lands within the municipal and extraterritorial jurisdiction of the City of Brevard in order to certify each map and plat presented to the Transylvania County Register of Deeds for recording satisfies the statutory requirements for recording.

<u>NAME</u>	<u>POSITION/TITLE</u>
Paul Ray	Planning Director
Aaron Bland	Assistant Planning Director
Katherine Poe	Planner/Assistant Zoning Administrator
Emily Brewer	Senior Planner
Stephanie Holland	Planner

Adopted and approved this the 25th day of August 2025.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

REMOVAL OF REVIEW OFFICER FOR TRANSYLVANIA COUNTY

N.C.G.S. § 47-30.2 requires the Board of Commissioners of each county to designate one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording. With recent changes in staffing in the Planning and Community Development department, the list of Review Officers for Transylvania County should be updated to reflect current staffing, specifically to remove County Planner Darby Terrell, since she is no longer employed with Transylvania County. The Clerk to the Board will record the resolution with the Register of Deeds upon approval as required per statute.

Commissioner McKelvey moved to approve Resolution #33-2025 Removal of Review Officer for Transylvania County and instructed the Clerk to the Board to record the resolution with the Register of Deeds Office as required per statute, seconded by Commissioner Dalton, and unanimously approved.

RESOLUTION #33-2025 REMOVAL OF REVIEW OFFICER FOR TRANSYLVANIA COUNTY

WHEREAS, Chapter 47-30.2 of the North Carolina General Statutes requires the Board of Commissioners of each county to designate by name one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

WHEREAS, Once a Review Officer leaves employment with Transylvania County, his or her name should be removed;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY:

The removal of the following person as a Review Officer for Transylvania County.

<u>NAME</u>	<u>POSITION/TITLE</u>
Darby Terrell	County Planner, Transylvania County Planning and Community Development

Adopted and approved this the 25th day of August 2025.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

NEW BUSINESS

LAKE TOXAWAY FIRE DEPARTMENT RESERVE FUND REQUEST

Fire Marshal Scott Justus reported that Lake Toxaway Fire Rescue requested the Board approve a drawdown of \$115,000 from its district reserve funds for two purposes:

1. Replacement First Responder Truck – \$95,000
 - The current vehicle is a 2017 Ford Interceptor with mechanical issues and prior damage.
 - The department plans to purchase an F250, including lights, siren, console, radios, striping, winch, bed slide, and other necessary equipment.
2. OSHA Physicals and Supplemental Testing – \$20,000
 - The request covers annual OSHA-mandated physicals and additional testing, including cancer screening.
 - The usual medical provider for fire departments is no longer available, prompting this request.

The department has sufficient reserve funds to cover both requests.

Commissioner McCall moved to approve the request from Lake Toxaway Fire Rescue to draw down \$115,000 from its reserve fund, seconded by Commissioner Dalton, and unanimously approved.

Commissioner Dalton asked about the possibility of a single contract for physicals for all fire departments. Mr. Justus indicated the County is still working on this and expects more information by early FY 2027 budget discussions.

Commissioner McCall asked about remaining reserves following the single tax district taking effect on July 1. The Manager noted the funds must remain within the collected district, but the Board may choose to allocate or retain them until requested. This topic will return to a future agenda.

FY 2025 4TH QUARTER BUDGET AMENDMENTS

Budget and Management Analyst Jennifer Wright presented the FY 2025 4th Quarter Budget Amendments for the Board's approval.

Based on policies approved by the Board of Commissioners through the annual budget ordinance and the Local Government Budget and Fiscal Control Act, it is necessary for the Board of Commissioners to approve certain amendments to the budget ordinance. Primarily, these are the types of budget amendments that by their nature require review/approval by a governing board: 1) recognition of new revenues and appropriations for related expenditures; 2) appropriations of fund balance (whether assigned, committed, or restricted; 3) transfers from one fund to another fund, if permitted by statute; 4) establishment of new special revenue funds, capital project funds, or fiduciary funds.

A summary of the amendments for approval is below (budget amendment #'s are for internal tracking purposes):

1. Budget Amendment 54: Recognized and allocated a \$1,000 private donation to the Joint Historic Preservation Commission (JHPC). Effective 4/1/25.
2. Budget Amendment 55: Reallocated \$1,637.95 within the Solid Waste budget at the request of the Solid Waste Director. Effective 4/1/25.
3. Budget Amendment 56: Moved \$107,452 for NCDHHS Agreement AA #118 from the Multi-Year Grant Fund to the General Fund at the request of the Public Health Director, based on the updated structure of these grant funds. Effective 4/1/25.
4. Budget Amendment 57: Reallocated \$1,090 within the Fire Marshal's budget at the request of the Fire Marshal. Effective 4/2/25.
5. Budget Amendment 58: Reallocated \$1,000 in WIC funds at the request of the Public Health Director. Effective 4/4/25.
6. Budget Amendment 59: Reallocated \$18,750 in Council of Government-directed grant funds to purchase clinic equipment, at the request of the Public Health Director. Effective 4/9/25.
7. Budget Amendment 60: Reallocated \$12,000 within the Central Services Budget, at the request of the Budget & Management Analyst. Effective 4/11/25.
8. Budget Amendment 61: Recognized and allocated \$40,000 in Disaster Energy Funding to the Department of Social Services. Effective 4/11/25.
9. Budget Amendment 62: Reallocated \$1,500 within the Human Resources budget, at the request of the HR Director. Effective 4/14/25.
10. Budget Amendment 63: Established the initial \$626,000 capital project budget, funded by the Library Foundation, to build a roof over the library amphitheater, as approved by the Board of Commissioners on 4/14/25.
11. Budget Amendment 64: Reallocated \$1,103 within the Investigations budget, at the request of the Sheriff's Office. Effective 4/21/25.
12. Budget Amendment 65: Allocated \$4,128 in contingency funds within the budget for the Brevard Rosman Water Interconnect to implement a change order from contractor Carolina Specialties. Effective 4/24/25.
13. Budget Amendment 66: Recognized and allocated a \$18,288.98 grant to the Veterans Services Department from the NCDMVA. Effective 5/1/25.
14. Budget Amendment 67: Reallocated \$30,000 from a Pisgah Health Foundation Grant to the Transportation Department to reflect a change in grant scope. Effective 5/1/25.
15. Budget Amendment 68: Recognized and allocated a \$6,175 BlueCross BlueShield grant to Public Health for restocking Narcan and advertising the RX drop boxes. Effective 5/6/25.
16. Budget Amendment 69: Reallocated \$8,000 within the Parks and Recreation budget, at the request of the Operations & Recreation Director. Effective 5/9/25.
17. Budget Amendment 70: Allocated \$9,000 in additional funding for the month-to-month lease and utilities of the Probation and Parole Office, as approved by the Board of Commissioners on 4/14/25.
18. Budget Amendment 71: Updated Education Capital Fund projects to include the following changes approved by the Board of Commissioners: \$652,780 increase to the RS Support Wall Project; \$61,000 increase to the BES Playground Project; shift in scope/cost from Bond Step 1 BHS SOI Scope 1 to Bond Step 1 BHS SOI Scope 2. Effective 5/13/25.
19. Budget Amendment 72: Updated the capital project budget for the new landfill cell to reflect a \$2,477,929 fund balance appropriation, as approved by the Board of Commissioners on 5/12/25.
20. Budget Amendment 73: Reallocated \$1,890 within the Investigations budget, at the request of the Sheriff's Office. Effective 5/14/25.
21. Budget Amendment 74: Allocated back to the Sheriff's Office \$9,679 in insurance funds received for a Sheriff's vehicle destroyed by flooding during Hurricane Helene. Effective 5/21/25.
22. Budget Amendment 75: Recognized and allocated \$4,408 in Public Health grant funds from RHA Health Services to provide prevention education programs. Effective 5/27/25.
23. Budget Amendment 76: Reallocated \$2,000 in CARE program funds, at the request of the Public Health Director. Effective 5/27/25.

24. Budget Amendment 77: Reallocated \$1,441 within the Investigations budget, at the request of the Sheriff's Office. Effective 5/29/25.
25. Budget Amendment 78: Set up the \$21,054 Sheriff's Office Interlocal Agreement with the City of Brevard to provide temporary law enforcement coverage, as approved by the Board of Commissioners on 5/27/25.
26. Budget Amendment 79: Added \$34,000 to the Library Amphitheater capital project, funded by the Library Foundation and approved by the Board of Commissioners on 6/9/25.
27. Budget Amendment 80: Completed an action taken by the Board of the Transylvania County Tourism Development Authority to recognize \$39,000 of earned revenue from tourism partner marketing and allocated it to the Transylvania Tomorrow Small Business Emergency Relief Fund's grant awards. Effective 6/18/25.
28. Budget Amendment 81: Recognized and allocated funds received by the Planning and Community Development Department to support programming for the United States 250th anniversary celebrations. Funds consist of a \$10,000 grant from the NC Department of Natural and Cultural Resources and a \$500 check from the Handcrafter's Guild. Effective 6/26/25.

Commissioner Dalton moved to approve the budget amendments as presented, seconded by Commissioner McCall, and unanimously approved.

FY 2025 4TH QUARTER FINANCIAL SUMMARY

Finance Director O'Neal presented the unaudited financial results for the fourth quarter of FY 2025 (ending June 30, 2025). While they focus on the General Fund and Enterprise Fund (Solid Waste), other funds can be included at the Board's request.

Overview of County Funds

- General Fund: Main operating fund for county services.
- Enterprise Fund: Covers Solid Waste operations.
- Other Funds: Include self-insurance, multi-year grants, water/sewer capital, fire districts (prior to FY 2026), County and Education capital, inmate, municipal, and Tourism Development funds. These separate transactions are for reporting purposes and help track specific project or program spending.

Note: Numbers are not final due to modified accrual accounting rules, which require revenue to be recognized when measurable and available and expenditures when liabilities are incurred. Year-end adjustments include accruals for wages, grants, landfill closure costs, and estimated employee sick leave. Final audited figures will be submitted to the Local Government Commission.

General Fund Highlights

- Total Revenue: \$75.35 million
 - Ad Valorem taxes: \$41.8 million (100.7% of budget)
 - Other property taxes include prior year taxes, late fees, interest, and motor vehicles
 - Sales tax revenue: ~\$10 million (94.4% of budget), recovering better than expected after Hurricane Helene
 - Medicaid Hold Harmless: \$1.15 million
 - Includes \$200,000 accrual from FY 2024
 - Scheduled to receive an additional \$198,000 that will be added to the FY 2025 year-end accrual
 - Additional revenues include investment earnings, permits, fines, and services
- Total Expenditures: \$67.2 million
 - Personnel: \$33.15 million (97.7% of budget)
 - Other major expenditures: education, contracted services, operating costs, utilities, insurance

- Some personnel costs will be shifted to a Helene Disaster Recovery fund to track FEMA and insurance reimbursements.

Enterprise Fund (Solid Waste)

- Revenue: \$3.7 million
 - Landfill scale: \$2.4 million
 - Convenience center stickers: \$650,000
 - Miscellaneous fees: \$115,000
 - Includes recycling, bulk items, and TV fees)
 - Investment earnings: \$494,000
- Expenditure:
 - Personnel: 110% of budget (overtime and staffing costs under review)
 - Contracted services: 65%
 - Operating expenses: 98%
 - Capital Outlay: \$900,000 (new dozer, tanker truck, roll-off truck)
- Net Result: Loss of \$112,981
 - Large year-end adjustment anticipated for landfill closure and post-closure liabilities (FY 2024 closure liability was \$478,000)

Education Capital Fund

- Multi-year fund tracking life-to-date project costs
- FY 2025 expenditures include:
 - Rosman Support Wall
 - Storage Tank Removal
 - Rosman field drainage and turf
 - BHS Gym Beams
 - BES/RES Playgrounds
 - Boilers and HVAC Projects
 - PFE Piping Project
 - Air Quality studies and ceiling tile replacements at all schools
 - BHS Old Gym Roof Replacement
- Projects span multiple fiscal years (some began in FY 2024, completing FY 2026 or later)

Grants

- The number and value of grants to the County have increased significantly since 2020
- Federal grants (FY 2024): \$6.87 million
- State grants (FY 2024): \$2.27 million
- Multi-year grant fund (since FY 2022): \$11.42 million in revenue
- Annual reporting ensures revenues match expenditure.

Audit Update

- Auditors are reviewing all data provided and issuing new requests as needed.
- Final draft expected to be submitted to the Local Government Commission soon

Ms. O'Neal invited the Board to provide input on what additional information or changes they would like to see in future reports.

Chairman Chappell thanked Ms. O'Neal and her staff for effectively managing millions in grant funds over the past few years. He noted that although the work is complex and reporting requirements are strict, these funds have a direct, positive impact on citizens.

Commissioner Dalton highlighted the complexity of pass-through funds, which can make budget figures appear higher than they are. Commissioner McCall agreed, emphasizing that many people misinterpret budget increases without understanding grant accounting, pass-throughs, and unexpected revenues like sales tax. These external funds reduce the tax burden on citizens while providing tangible benefits.

Commissioner McKelvey asked about sales tax collections. Ms. O'Neal stated that while one month of revenue was still pending, collections were already exceeding 11 months of the budget estimate. The Manager added that the County budgeted \$11.5 million in net sales tax, and \$10.6 million had already been received prior to the final month.

Commissioner McKelvey recalled that the landfill was expected to have a surplus, but the reported figures did not reflect that. Ms. O'Neal explained that the enterprise fund records depreciation on equipment and post-closure landfill costs. Year-end accruals for wages and administrative transfers also affect reported figures.

Chairman Chappell reminded the Board that results from an upcoming solid waste study will provide options for managing the County's waste operations.

Commissioner McCall moved to receive the report as presented by the Finance Director, seconded by Commissioner McKelvey, and unanimously approved.

POLICY FOR MOTORIZED VEHICLES OPERATING ON COUNTY-OWNED PROPERTIES

The Manager reported complaints from neighbors near the Gallimore Road park regarding motorized paragliders using the park for takeoffs and landings. Issues cited include low flying over private property, harassment of cattle, littering, and inappropriate gestures. While the County cannot regulate airspace, it can regulate activity on its own property. A draft ordinance addressing motorized vehicle use on County property was included in the Board's packet.

The Manager asked the Board for feedback on whether to pursue adoption of the ordinance. If the Board chooses to move forward, state law requires a public hearing before adoption. Because of notice requirements, the earliest public hearing could be scheduled for the second meeting in September.

Commissioner McCall supported scheduling a public hearing. She emphasized that, while she questions County ownership of the property, the County has the right to control its use and should consider permit fees.

Commissioner Dalton supported moving forward. He highlighted potential liability from injuries during non-approved activities and the financial risk of lawsuits. He also noted that the ordinance does not affect private property.

Commissioner McKelvey agreed, particularly given that a business located outside of Transylvania County and North Carolina is using County property for profit.

Chairman Chappell suggested a broader discussion on the best use of the property is warranted, though this was outside the immediate agenda item.

Commissioner McCall moved to schedule a public hearing at the next available meeting following proper notice requirements. Commissioner Dalton seconded, and the motion was unanimously approved.

REQUEST TO DRAW DOWN FUNDS FROM THE SHERIFF'S TUITION ASSISTANCE RESERVE

In 2016, the Board established a tuition assistance program for Sheriff's Office employees. Net proceeds from the inmate commissary program are allocated annually to a reserve fund after deducting operational expenses.

When the reserve balance exceeds anticipated tuition needs, the Board may authorize use for other Sheriff's Office expenses. Sheriff Chuck Owenby requested \$20,000 from the reserve for unexpected vehicle repairs. The FY 2024 ending balance of the fund was \$96,974, ensuring sufficient funds remain for tuition assistance.

Commissioner Dalton moved to approve the Sheriff's request for use of excess tuition assistance funds in reserve in the amount of \$20,000 for unexpected vehicle repairs, seconded by Commissioner McKelvey, and unanimously approved.

Commissioner Dalton asked about the insurance claim for a vehicle damaged by a runaway 18-wheeler. The Manager confirmed the claim was filed, but the settlement status was unknown. She noted that insurance proceeds for Sheriff's vehicles are reserved for future vehicle replacements.

MANAGER'S REPORT

The Manager reported the following:

- The Joint School Bond Project Committee will meet on August 27 at 4:00 p.m. in the Multipurpose Chambers to select the Construction Manager at Risk for the bond projects and receive project updates.
- The Manager wrote an editorial, "*Bullying and Harassment of Local Government Workers Is a Community Problem*," published by the International City-County Managers Association. The UNC School of Government plans to republish it in an upcoming newsletter. The Manager plans to discuss potential policy development on incivility in local government with the Board in the future.
- The NC Department of Transportation will begin curb ramp replacement and lane repaving from the end of North Country Club Road to Caldwell Street near Brevard College this week and continue through early October. Partial and full lane closures are expected.
- School Playground Updates:
 - Brevard Elementary: Playground improvements, including ADA upgrades and pour-in-place surfacing, were celebrated at a ribbon-cutting.
 - Rosman Elementary: Playground work was delayed due to floodplain permit submissions, but is expected to resume this week, with an estimated three-week delay to the end of September.
- Helene: One Year of Healing Event: A free community event on September 27 at the Brevard Music Center will include storytelling, live music, support resources, food, and a community mural project. Hosted by Spark Point, Pardee, and the Red Cross. More information at yoursparkpoint.org/community-connections.
- GetSet Family Dinner Series: Part of a community collaborative for children and families, *Trying New Foods* will be held on September 15 from 5:30 p.m. to 7:00 p.m. at Transylvania County Parks and Recreation. Free dinner and childcare provided; registration required.
- Library Retirement: Lisa Sheffield, Adult Services Librarian at the Transylvania County Library since 1996, will retire soon. A celebration will be held tomorrow from 3:00 p.m. to 4:30 p.m. in the Rogow Room.

PUBLIC COMMENT

Several residents addressed the Board on a variety of topics. The Clerk to the Board summarized their comments below:

Mike Privette expressed concern about the recently approved budget, supporting the fire tax increase but opposing the general fund property tax increase. He emphasized the financial burden on some citizens and strongly criticized the County's handling of single-wide mobile home valuations. He urged the Board to find a legal solution rather than requiring each property owner to appeal individually.

Annette Raines clarified that the Department of Revenue does not review single-wide mobile home sales when included with real property. She explained that while the law prevents the Board from retroactively changing 2025 valuations, there are ways to fairly assess these homes using market data and suggested looking at methodologies used by nearby counties. She stressed concern for elderly and fixed-income residents and confirmed a solution exists as long as valuations reflect true market rates.

Alan Mercaldo thanked the Board for the public hearing on motorized vehicles and encouraged exploring proactive ways to help residents affected by property tax issues, such as adjusting or lowering rates, even if certain statutory limitations cannot be changed.

Mack McNeely highlighted problems with how single-wide and double-wide mobile homes were valued, noting that personal property was improperly appraised based on combined land and home sales. He emphasized that the assessor's office applied real estate values to personal property depreciation schedules incorrectly, resulting in inflated valuations. He urged the Board to exercise leadership in finding solutions despite statutory limitations.

COMMISSIONERS' COMMENTS

Commissioner Dalton reported attending the NCACC Conference with the County Manager and noted that none of the County's state representatives were present to advocate on the County's behalf. He also invited the public to the Lake Toxaway Community Center Heritage Day event on Saturday.

Commissioner McCall thanked the Commissioners and others for their prayers and for checking in on her for the last few weeks as she recovered from back surgery.

Commissioner McCall thanked fellow Commissioners and community members for their support while she recovered from back surgery. She highlighted Constitution Week and expressed support for ensuring students receive a personal copy of the U.S. Constitution, as was done historically in the County's schools.

Regarding the recent budget, Commissioner McCall emphasized that the Board's tax increase was necessary to meet the County's needs, not to target any individual. She noted the Board had carefully reviewed the budget and aimed to raise taxes only as needed to address essential services such as vehicle replacements for the Sheriff's Office, ambulance purchases, and landfill management. She reaffirmed her commitment to making difficult decisions in the County's best interest.

Chairman Chappell moved to enter into a closed session per N.C.G.S. § 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, following a 10-minute recess, seconded by Commissioner Dalton and unanimously carried.

CLOSED SESSION

Per N.C.G.S. § 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, a closed session was entered into at 9:02 p.m. Present were Chairman Chappell, Commissioners Dalton, McCall and McKelvey, County Manager Jaime Laughter, Assistant County Manager David McNeill, Human Resources Director Sheila Cozart, County Attorney Bill Bulfer (via Zoom), IT Director Nathanael Carver (for technical support), and Clerk to the Board Trisha Hogan.

The Board discussed a confidential personnel matter.

Chairman Chappell moved to leave the closed session, seconded by Commissioner Dalton, and unanimously carried.

OPEN SESSION

Chairman Chappell moved to seal the minutes of the closed session, seconded by Commissioner McKelvey, and unanimously approved.

ADJOURNMENT

There being no further business to come before the Board, Chairman Chappell moved to adjourn the meeting at 9:19 p.m., seconded by Commissioner Dalton and unanimously approved.

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board