MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 22, 2025 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, September 22, 2025, at 6:00 p.m. in the Multipurpose Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, North Carolina.

Commissioners present were Larry Chapman, Chairman Jason Chappell, Vice-Chairman Jake Dalton, Teresa McCall, and Chase McKelvey. Also present were County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. County Attorney Julie Hooten participated remotely via Zoom.

Media: Laura Denon – *The Transylvania Times*

Approximately 75 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 HEARING

<u>POLICY FOR MOTORIZED VEHICLES OPERATING ON COUNTY-OWNED PROPERTIES</u>
County Manager Jaime Laughter presented information for the public hearing. She explained that neighbors near the Gallimore Road park contacted County Administration and Parks and Recreation regarding a company using the property for motorized paraglider takeoffs and landings. Residents reported low flying over private property, harassment of livestock, littering, and rude behavior. While the County cannot regulate airspace, it can regulate use of County property for takeoffs and landings. The proposed ordinance addresses these and similar concerns related to motorized vehicles on County property.

The draft ordinance was first presented to the Board on August 25, and staff were directed to schedule a public hearing for September 22, in accordance with statutory notice requirements.

Key elements of the proposed ordinance include:

- Entitled *Ordinance For Vehicles, Bicycles, Aircraft, or Watercraft Operating on County-Owned Properties*
- Operation of such vehicles is permitted only in designated areas.
- References statutory authority under:
    - *Motor Vehicles* – Chapter 20
    - *Aeronautics* – Chapter 63
    - *Boating and Water Safety* – Chapter 75A
- Allows special permission by the Board under unique circumstances, requiring a use fee and proof of insurance

- Provides for civil penalties for violations

The Manager noted that the ordinance includes an exemption for public purpose use, such as drone launches by emergency responders. She also provided a list of County-owned properties for reference.

Before opening the hearing, Chairman Chappell invited Commissioners to ask questions.

Commissioner Chapman said he had received numerous complaints from citizens regarding noise and nuisance issues caused by the paragliders and supported moving forward with the ordinance.

Chairman Chappell declared the public hearing open at 6:04 p.m.

Alan Mercaldo: Mr. Mercaldo, who had previously addressed the Board about this issue, thanked Commissioners for bringing it forward in ordinance form. He supported the proposal and offered several suggestions:

- Remove language that could cause confusion about overlapping state and local rules.
- Clarify that special permits are not automatically granted.
- Consider making violations criminal rather than civil, allowing enforcement by the Sheriff rather than private citizens.

He expressed appreciation to the Board for addressing the matter and for their public service.

Nicholas Holshouser: Mr. Holshouser, familiar with the park's history as an airfield, supported the ordinance. He noted that motorized aircraft now present safety and nuisance issues at a valued recreation space and urged adoption to preserve safe public use.

There being no further comments, **Chairman Chappell declared the public hearing closed at 6:08 p.m.**

The Board will consider approval of the ordinance under New Business.

PUBLIC COMMENT

Several residents addressed the Board on a variety of topics. The following summaries represent the opinions and points of view of the speakers.

Owen Carson: Mr. Carson, outgoing Chair of the Transylvania Natural Resources Council (TNRC), spoke regarding the Board's recent reorganization of the TNRC. He expressed disappointment that the TNRC's request to be on the agenda was not accommodated and that public comment time was limited. Mr. Carson emphasized the TNRC's value as a forum for interagency coordination in a county that is more than 50% public land and as a source of free expert public education. He said the TNRC fulfilled its purpose under the previous bylaws and that the County would not benefit from the recent changes. He asked what prompted the Board's action and what concerns motivated altering a 20-year relationship. Mr. Carson likened the situation to a "toxic relationship" in which one party has stopped valuing the other and said the TNRC may now have the opportunity to operate independently, outside the County's rules, where its work would be more appreciated.

Annette Raines: Ms. Raines addressed the Board about single-wide mobile home valuations and distributed a handout with photos and assessed values. She stated that while many believed the property appeal deadline was August 29, those who appealed by that date have an additional 30 days for review. She urged the Board to use that time to take action to address mobile home valuation concerns.

<u>David Whitmire</u>: Mr. Whitmire spoke about the TNRC bylaw revisions and supported Mr. Carson's comments. He said he was unable to attend the earlier meeting when the revisions were discussed but wanted to clarify several points. He stated that meeting minutes have always been taken by County staff and approved by the TNRC, though he was unsure whether they were forwarded to the Board. He noted that the TNRC's presentations have always aligned with its stated purpose, which is outlined by three guiding bullet points rather than a mission statement. Mr. Whitmire expressed concern about remarks suggesting a lack of understanding of natural resource issues. He emphasized that while the Board may not control environmental policy on state or federal lands, it represents all County residents and has an influential voice with resource managers. He encouraged the Board to use that influence to support responsible forest management and to ensure accountability to existing forest plans.

<u>Clare Hannon</u>: Ms. Hannon addressed the Board regarding debris cleanup following Hurricane Helene. She described the challenges she and others have faced with property damage and debris removal, noting that she promptly reported damage to FEMA and submitted an online application for debris removal assistance. After multiple follow-ups with Emergency Management, she said she was informed that the initial program was discontinued and that a new application process had begun. Despite reapplying and being told debris removal would begin after 100 applications were received, her property remains uncleared. She expressed concern that the delay poses safety risks, especially following a nearby wildfire earlier in the year. Ms. Hannon said she also contacted Representative Chuck Edwards' office but has yet to receive a resolution.

<u>Alice Wellborn</u>: Ms. Wellborn spoke about the importance of civil discourse. She referenced the County Manager's recent column on the mistreatment of local government employees and agreed that public employees should not face threats, harassment, or abuse. However, she said the Board's own conduct toward one another and the public often fails to meet the same standard. Drawing from her experience as a former School Board member, she noted instances where public officials were treated with disrespect during meetings. She encouraged Commissioners to model civility and accountability, listen attentively to differing viewpoints, and set the tone for constructive dialogue in the community.

<u>Margie Huggins</u>: Ms. Huggins spoke regarding vandalism to the Cascade Lake Dam and the importance of protecting Transylvania County's natural resources. She reported that someone had broken the lock and released water from the dam, causing environmental damage and affecting aquatic habitats still recovering from Hurricane Helene. She described ongoing efforts to restore and protect the area, including the rescue of rare and endangered species. Ms. Huggins emphasized the need for collaboration, education, and community engagement in protecting local natural resources. She urged the Board to reconsider maintaining the Transylvania Natural Resources Council (TNRC) to continue that important work.

Note: Due to the 15-minute time limit for public comment, not all individuals who signed up were able to speak. Chairman Chappell reminded attendees that another public comment period would be held at the end of the meeting.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Dalton moved to approve the agenda as submitted, seconded by Commissioner Chapman, and the motion passed unanimously.

CONSENT AGENDA

Commissioner McCall moved to approve the Consent Agenda as submitted, seconded by Commissioner Dalton, and the motion passed unanimously.

The Board approved the following items:

APPROVAL OF MINUTES
The Board met in closed session on May 12, 2025, and the minutes were sealed. The Board approved the minutes as submitted.

DISCOVERY, RELEASE, & MONTHLY SETTLEMENT REPORT - AUGUST 2025
Pursuant to N.C.G.S. § 105-312 (b), the Tax Administrator must ensure that all property not properly listed during the regular listing period is listed, assessed, and taxed, and must file reports of discoveries with the Board of Commissioners. In accordance with N.C.G.S. § 105-381 (b), the Tax Administrator must also provide a monthly report of releases and refunds. For August 2025, tax releases totaled $33,752.41 and refunds amounted to $1,291.87. The Board approved the August 2025 Discovery, Release, and Monthly Settlement Report.

RESOLUTION AUTHORIZING DONATION OF SURPLUS PICNIC TABLES TO CONNESTEE FIRE RESCUE INC
Under N.C.G.S. § 160A-280, a county may donate personal property deemed surplus, obsolete, or unused to a nonprofit organization following at least five days' public notice. On September 8, the Board approved the notice of intent to donate surplus picnic tables from the Library that had been declared surplus by the County Manager. Following the required posting period, the Board adopted a resolution authorizing the donation of the picnic tables to Connestee Fire Rescue Inc.

RESOLUTION #39 - 2025
AUTHORIZING DONATION OF SURPLUS PICNIC TABLES
TO CONNESTEE FIRE RESCUE INC

WHEREAS, The Transylvania County Manager has declared picnic tables at the Library as surplus and removed them from usage; and

WHEREAS, Connestee Fire Rescue has expressed interest in acquiring the surplus picnic tables; and

WHEREAS, N.C.G.S. § 160A-280 allows a county to donate surplus personal property to a nonprofit incorporated in the United States, upon posting public notice at least five days prior to the adoption of a resolution approving the donation; and

WHEREAS, Transylvania County has met the posting the requirements of outlined in N.C.G.S. § 160A-280; and

WHEREAS, County staff recommend the conveyance of the surplus picnic tables to Connestee Fire Rescue Inc at no cost;

NOW, THEREFORE, the Transylvania County Board of Commissioners does hereby authorize the donation of surplus picnic tables from the Library to Connestee Fire Rescue Inc at no cost.

This the 22nd day of September 2025.

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

RESOLUTION IN SUPPORT OF FUNDING FOR REPAIRS AND STRATEGIC IMPLEMENTATION OF BLUE RIDGE RISING ALONG THE BLUE RIDGE PARKWAY

Carolyn Ashworth, President and CEO of Find Outdoors and Transylvania County's Ambassador for the Blue Ridge Rising program, requested the Board's support for a resolution backing the Blue Ridge Parkway Foundation's regional initiative. The program aims to strengthen partnerships among gateway communities, foster economic development, and establish a unified regional voice along the Parkway corridor.

In her request, Ms. Ashworth shared that the Appalachian Regional Commission recently awarded a $5.13 million ARISE grant, and Dogwood Health Trust awarded an additional $750,000, to activate early priorities of the Blue Ridge Rising Strategic Plan. She noted that partnership and funding opportunities for local communities are enhanced when counties adopt the resolution of support.

Commissioner McCall emphasized the Parkway's vital role in supporting tourism and local economies across more than 25 counties in Virginia and North Carolina. She highlighted the importance of repair funding following extensive damage caused by Hurricane Helene and expressed appreciation for the Board's support, noting her 37-year career with the Blue Ridge Parkway.

The Board approved the Resolution in Support of Funding for Repairs and Strategic Implementation of Blue Ridge Rising Along the Blue Ridge Parkway.

RESOLUTION #40-2025
IN SUPPORT OF FUNDING FOR REPAIRS AND STRATEGIC IMPLEMENTATION OF BLUE RIDGE RISING ALONG THE BLUE RIDGE PARKWAY

WHEREAS, The Blue Ridge Parkway traverses 469 miles from Afton Mountain in Virginia to the Qualla Boundary in North Carolina and unites these two states' unique mountain cultures and identities with a world-renowned national park that celebrates places, communities, and people along the Parkway; and

WHEREAS, The Blue Parkway is the most visited unit of the national park system, attracting nearly seventeen million visitors each year and contributing significantly to the local and regional economies in North Carolina and Virginia; and

WHEREAS, The Parkway generates approximately $1.4 billion in visitor spending and $1.8 billion in total economic output for the 1,799,000 residents of the surrounding corridor of twenty-nine counties, seven independent Virginia cities, and numerous municipalities in North Carolina and Virginia, including the Towns of Buchanan, Fincastle, and Troutville in Botetourt County; and

WHEREAS, The Blue Ridge Parkway Foundation serves as the sole official philanthropic partner to the Blue Ridge Parkway, advocating for necessary funding and resources for the Parkway's maintenance, preservation, and community engagement; and

WHEREAS, The Blue Ridge Rising strategic plan provides a roadmap for the sustainable management and enhancement of the Parkway, ensuring that it continues to serve as a vital resource for environmental education, recreation, tourism, and community connection; and

WHEREAS, Tropical Storm Helene has caused catastrophic damage and loss of life for several communities in western North Carolina and southwest Virginia, including communities adjacent to the Parkway; and

WHEREAS, Repairs are critical to preserving the safety and accessibility of the Parkway and its adjacent communities, which is essential for the economic well-being; and

WHEREAS, Collaboration among local, state, and federal governments is critical in this response and imperative to secure the necessary funding and policies that will sustain and benefit the communities surrounding the Blue Ridge Parkway; and

WHEREAS, The establishment of a coalition composed of elected officials and community representatives will enhance advocacy efforts and foster a unified regional voice for the Blue Ridge Parkway corridor.

NOW, THEREFORE, BE IT RESOLVED THAT the Transylvania County Board of Commissioners endorses and supports the following:

1. Funding for Repairs: Urging state and federal governments to prioritize and allocate funding for repairs along the Blue Ridge Parkway to ensure its continued safety and accessibility;

2. Implementation of the Blue Ridge Rising Strategic Plan: Advocating for the full funding and implementation of the Blue Ridge Strategic Plan to enhance visitor experience, preserve natural resources, and promote sustainable tourism along the Parkway;

3. Collaboration and Support: Calling upon local, state, and federal officials to collaborate with the Blue Ridge Parkway Foundation and other stakeholders to secure resources and policies that benefit the Parkway and its surrounding communities; and

4. Coalition Creation: Supporting the formation of a coalition of elected officials and community representatives dedicated to advocating for the Blue Ridge Parkway, ensuring that the needs and voices of the communities along the corridor are effectively represented.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to relevant local, state, and federal entities, as well as the Blue Ridge Parkway Foundation, to demonstrate our unified support for the Parkway and its vital role in our communities.

This the 22nd day of September 2025.

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

RESOLUTION AUTHORIZING EXECUTION OF PURDUE PHARMA/SACKLER FAMILY, SECONDARY OPIOID MANUFACTURER SETTLEMENTS, AND THE THIRD SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS

Purdue Pharma and its owners, the Sackler family, have agreed to a $7.4 billion settlement, while eight additional drug manufacturers—Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan (Viatris), Sun, and Zydus—have agreed to $720 million in settlements related to the nationwide opioid crisis.

North Carolina state and local governments could receive over $168 million between 2026 and 2041, contingent on full participation by all counties and major municipalities. Transylvania County's maximum allocation includes $615,236.96 from the Purdue settlement and $98,322 from the secondary manufacturer settlements.

To receive funds, local governments must adopt a resolution authorizing participation in the Purdue Pharma/Sackler Family and Secondary Opioid Manufacturer Settlements and sign onto the Third Supplemental Agreement for Additional Funds (SAAF-3), which governs the allocation and reporting of settlement proceeds.

The Board approved the Resolution Authorizing Execution of Purdue Pharma/Sackler Family, Secondary Opioid Manufacturer Settlements, and the Third Supplemental Agreement for Additional Funds, designating the County Manager to complete the required electronic sign-on process.

RESOLUTION BY THE TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS WITH SECONDARY OPIOID MANUFACTURERS, PURDUE PHARMA LP, AND THE SACKLER FAMILY, AND APPROVING THE THIRD SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION

WHEREAS, more than 41,500 North Carolinians lost their lives to a drug overdose from 2000-2023; and

WHEREAS, the Centers for Disease Control and Prevention has estimated the total economic burden of prescription opioid misuse alone in the United States to be $78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid companies, manufacturers, pharmaceutical distributors, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, settlements (collectively "the Secondary Opioid Manufacturer Settlements") have been reached in litigation against Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc. f/k/a West-Ward Pharmaceuticals Corp., Indivior Inc., Sun Pharmaceutical Industries, Inc., Viatris Inc., and Zydus Pharmaceuticals (USA) Inc., as well as their subsidiaries, affiliates, officers, and directors (collectively "the Secondary Opioid Manufacturer Defendants") named in the Secondary Opioid Manufacturer Settlements; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Third Supplemental Agreement for Additional Funds ("SAAF-3") to provide for the equitable distribution of the proceeds of the Secondary Opioid Manufacturer Settlements; and

WHEREAS, settlements have been reached, under Purdue Pharma L.P.'s bankruptcy plan, whereby Purdue Pharma L.P. ("Purdue") and members of the Sackler family will pay approximately $7.4 billion to settle opioid claims across the nation, which settlements would be subject in North Carolina to the equitable distribution of the proceeds as set forth in the Memorandum of Agreement ("MOA") which has already been approved by this Board; and

WHEREAS, by joining the Secondary Opioid Manufacturer Settlements, approving the SAAF-3, and approving the bankruptcy plan and settlements relating to Purdue and the Sackler family, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Transylvania County and its residents, to sign onto the Secondary Opioid Manufacturer Settlements, SAAF-3, and approving the bankruptcy plan and settlements relating to Purdue and the Sackler family, in order to demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the State and Transylvania County to help abate the harm; and

WHEREAS, both the MOA and SAAF-3 direct substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE, BE IT RESOLVED that the Transylvania County Board of Commissioners hereby authorizes the County Manager or County Attorney to execute, on behalf of Transylvania County, the necessary documents to enter into opioid settlement agreements, as set forth herein, with the Secondary Opioid Manufacturer Defendants, to execute the SAAF-3, and to approve the bankruptcy plan and settlement agreements relating to Purdue and the Sackler family, and to provide such documents to Rubris, the Implementation Administrator, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this 22nd day of September 2025.

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

OUT OF STATE TRAVEL REQUEST - COUNTY MANAGER
The Board of Commissioners reviewed a request for the County Manager to attend the International City/County Management Association (ICMA) Annual Conference in Tampa, Florida, October 25–29. ICMA serves as the professional certification body for local government managers, requiring ongoing executive training to maintain credentialed status. The County Manager has held the ICMA credential for more than eight years. Conference registration and travel costs of $1,600 were included in the FY 2026 training budget. The Board approved the out-of-state travel request.

FY 2024 - AMENDMENT TO AUDIT CONTRACT WITH MARTIN STARNES & ASSOCIATES
Pursuant to N.C.G.S. § 159-13, governing boards must approve local government audit contracts. The Finance Office requested an amendment to extend the submission date for the FY 2024 audit due to delays following Hurricane Helene, which shifted staff focus to FEMA Public Assistance and recovery efforts. Fieldwork resumed in May 2025, and the audit is currently under final review. The amendment modifies only the submission deadline to the Local Government Commission (LGC), extending it to October 31, 2025, to allow for any unforeseen delays. The LGC has also extended the statewide deadline to December 31, 2025. The Board approved the audit contract extension with an end date of October 31, 2025.

AUTHORIZATION TO SIGN CONTRACTS ON UPCOMING PROJECTS: GALLIMORE ROAD/BOYS AND GIRLS CLUB SEWER PROJECT
The County received three bids for the Gallimore Road/Boys and Girls Club Sewer Line Project after rebidding the work. Staff recommended awarding the contract to T.P. Howard's Plumbing Co., Inc. for $297,000, which is within the approved construction estimate and budgeted in the County's water/sewer capital fund. The Board authorized execution of the contract and approved the award resolution for the Gallimore Road/Boys and Girls Club Sewer Line Project.

Transylvania County
Resolution # 41-2025

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the **Transylvania County**, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the **Boys and Girls Club Sewer**, and

WHEREAS, the **High Country Engineering, PC** Consulting Engineers have reviewed the bids; and

WHEREAS, T.P. Howard's Plumbing Co. Inc. was the lowest bidder for the **Boys and Girls Club Sewer**, in the total bid amount of **$297,000.00**, and

WHEREAS, the consulting Engineers recommend **TENTATIVE AWARD** to the lowest bidder(s).

NOW, THERE FORE, BE IT RESOLVED that TENTATIVE AWARD is made to the lowest bidder(s) in the Total Bid Amount of **$297,000.00**.

Name of Contractor	Amount
1. T.P. Howard's Plumbing Co. Inc	$297,000.00
2. Ledford & Parker Inc.	$312,992.00
3. Bradley & Connor Grading Contractors Inc.	$1,166,680.45

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the North Carolina Department of Environmental Quality.

Upon motion of Teresa McCall, seconded by Jake Dalton, the above **RESOLUTION** was unanimously adopted.

This is 22nd day of September, 2025.

Jason R Chappell Chairman Board of Commissioners
(Name and Title of Authorized Representative)

(Seal)

Attest:

Trisha M. Hogan
(Name, Clerk)

PRESENTATIONS/RECOGNITIONS

IN REMEMBRANCE OF THE ONE-YEAR ANNIVERSARY OF HURRICANE HELENE
The Manager introduced Budget and Management Analyst Jennifer Wright to present a remembrance recognizing the one-year anniversary of Hurricane Helene, which struck Western North Carolina on September 27, 2024. The Manager commended Ms. Wright for her creativity and use of in-house resources in developing a commemorative project marking the occasion.

Ms. Wright reflected on the devastation caused by the storm and the strength and generosity shown by Transylvania County residents and employees in the aftermath. She emphasized that, while property loss was extensive, there was no loss of life in Transylvania County, a testament to the community's resilience. She introduced a video launching the County's Hurricane Helene Retrospective Project, a series of short interviews with County staff highlighting their experiences during and after the disaster. The videos will be released over two weeks on the County’s website and social media.

Following the presentation, **Commissioner Chapman moved to approve the Resolution in Remembrance of the One-Year Anniversary of Hurricane Helene, seconded by Commissioner McKelvey.** Chairman Chappell read aloud the resolution. Commissioners and the Manager then offered heartfelt reflections on the County’s response to the disaster:

- Commissioner Chapman noted the magnitude of Helene’s impact across Western North Carolina, with over 130 lives lost and an estimated $62 billion in damages statewide. He commended the dedication of County staff, emergency responders, and community organizations, expressing gratitude for their leadership and service.
- Commissioner McCall praised the professionalism and endurance of the County’s Incident Command Team, noting their tireless service and unwavering commitment despite uncertainty about their own family and property.
- Commissioner Dalton highlighted the County’s resourcefulness during the communication outage and recognized Senator Corbin’s assistance in securing emergency mobile towers to restore connectivity.
- Commissioner McKelvey reflected on the unity and compassion shown by staff and residents alike, noting that the experience demonstrated the County’s strength and character.
- The Manager expressed gratitude to County employees for their selfless service and to the Board for its investment in preparedness and training, which she credited for saving lives.
- Chairman Chappell emphasized the teamwork among County departments, emergency services, local churches, and partner agencies, recognizing their rapid coordination in relief efforts. He also acknowledged the critical support of Senator Corbin, Representative Clampitt, and Congressman Edwards in reopening essential roads and delivering emergency supplies.

Chairman Chappell encouraged citizens to remember the spirit of community shown during Helene, and to share the retrospective videos as they are released.

The motion to adopt the Resolution in Remembrance of the One-Year Anniversary of Hurricane Helene was approved unanimously.

RESOLUTION #37-2025
IN REMEMBRANCE OF THE ONE-YEAR ANNIVERSARY OF HURRICANE HELENE

WHEREAS, on September 27, 2024, Hurricane/Tropical Storm Helene struck Western North Carolina, bringing unprecedented flooding and devastation across the region, including within Transylvania County; and

WHEREAS, Transylvania County endured widespread destruction of homes, businesses, roads, bridges, and public infrastructure, with flooding measured from 100-year to nearly 1000-year levels, leaving behind debris and damage that will take years to fully recover and rebuild; and

WHEREAS, although our county was spared the loss of life, the storm brought several days of fear and uncertainty for hundreds of residents, many of whom worked tirelessly to protect and serve the community even while unsure of the safety of their own families; and

WHEREAS, the people of Transylvania County demonstrated extraordinary resilience, generosity, and selflessness in the face of this disaster, with countless stories of sacrifice and compassion as neighbors helped neighbors and strangers alike; and

WHEREAS, response and recovery required the united efforts of many—county government agencies including Administration, Animal Services, Board of Commissioners, Building Permitting, Communications/911, Cooperative Extension, EMS, Emergency Management, Finance, Fire Marshal, Information Technology, Operations, Public Health, Sheriff's Office, Soil and Water Conservation, and Solid Waste; municipal partners; local fire departments; nonprofit organizations; churches; and volunteers, all working alongside state and federal agencies and private landowners to address urgent needs and begin the long path to recovery; and

WHEREAS, the spirit of Transylvania County—our resilience, courage, and determination to overcome hardship—was made evident as our community came together to care for one another, showing the very best of who we are;

NOW, THEREFORE, BE IT RESOLVED, that the Transylvania County Board of Commissioners does hereby recognize September 27, 2025, as the one-year anniversary of Hurricane Helene; and

BE IT FURTHER RESOLVED, that the Board honors the memory of this tragic event, expresses its deepest gratitude to all who responded with selflessness and sacrifice, and reaffirms its commitment to the ongoing recovery and rebuilding of our county; and

BE IT FINALLY RESOLVED, that we remember Hurricane Helene not only for the devastation it caused, but also for the strength, generosity, and resilience it revealed in the people of Transylvania County.

Adopted this the 22nd day of September 2025.

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

EMERGENCY RESPONSE UPDATE TO HURRICANE/TROPICAL STORM HELENE
The Manager provided an update on the ongoing emergency response and recovery efforts related to Hurricane/Tropical Storm Helene.

FEMA Assistance
As of September 18, 2025, FEMA has awarded more than $9.3 million in Individual Assistance to Transylvania County residents. Of the 4,837 valid registrations, 4,191 were referred to Individual Assistance, and 3,062 have been found eligible for Housing Assistance and/or Other Needs Assistance.

- Additional FEMA information is available at 4827|FEMA.gov.
- Residents needing help with rehabilitation, rebuilding, or replacement of housing may apply for additional resources through RenewNC.org.
- Economic recovery resources for Western North Carolina communities, including information on funding, mental health support, and sector-specific programs, are available at wncrecovery@nc.gov/resources.

Debris Removal
The Manager reported that the State Managed Assistance and Recovery Teams (SMART) Program contractors have begun debris removal work.

- All property owners – both eligible and those with conditional determinations – have been contacted. Eligible owners receive calls within 72 hours of work beginning on their property.

- Waterway debris clearance is pending final verification for 22 sites reviewed by FEMA and the US Army Corps of Engineers (USACE). Additional site suggestions continue to be accepted, provided debris resulted from Hurricane Helene. (Debris from the Cascade Lake Dam incident is not eligible.)
- Landslide (9 applications) and Demolition (6 applications) programs are under review and will proceed once approved.
- Updates are available at ncdebriscleanup.com.

The Manager noted that Transylvania County was among the first to request USACE and FEMA support for debris removal. The County assisted with local outreach during the application period, which was managed by the subcontractor in the spring. These applications have now been transferred to the SMART Program. She explained that properties with debris must meet FEMA's strict eligibility criteria, and not all debris qualifies for public assistance.

Mitigation Grants and Other Funding Support
There are currently 28 active mitigation projects across the County, including:

- 15 acquisition projects
- 8 elevation projects (2 of which are ineligible due to location within the floodway and may instead qualify for acquisition)
- 2 mitigation reconstruction projects
- 3 land stabilization projects.

The NC Emergency Management (NCEM) Mitigation Division is awaiting responses from property owners on whether to proceed with acquisitions. No projects have yet been finalized.

Additionally, there are 57 private road and bridge applications under review across the County. The engineering firm managing permits has consulted with the County Floodplain Manager to confirm current permitting requirements for projects in mapped flood areas. This is a new state-funded program, as private roads and bridges were not previously eligible for disaster assistance.

The County has completed three emergency temporary bridge repairs for emergency access and is completing a fourth. These repairs are limited in scope under FEMA public assistance rules.

Fiscal and Documentation Considerations
The Manager reported that FEMA funding reimbursements are underway. She noted that many counties face potential ineligibility issues due to direct contracting methods. Transylvania County elected to work through the U.S. Army Corps of Engineers rather than contracting directly, significantly reducing its direct expenditures to under $1 million and minimizing reimbursement risk.

She credited the Finance Department as a critical part of the Emergency Operations Center, noting that their early guidance and documentation helped ensure fiscal responsibility and future eligibility for reimbursement.

The Manager concluded the presentation by inviting questions and comments from the Board.

Board Discussion
Commissioner Dalton responded to the Manager's comments about leveraging funds, noting that Avery County, with a $60 million budget, had used its entire budget as collateral for cleanup efforts. He expressed gratitude that Transylvania County did not have to take that approach.

Chairman Chappell remarked that the overall process for obtaining assistance has been confusing and frustrating. He recalled a meeting with representatives from Senator Budd's and Congressman Edwards' offices, the U.S. Army Corps of Engineers, and the County Manager, during which counties were told they would be responsible for handling applications and communicating with residents, despite not receiving detailed information on eligibility or application status. He said it was clear that even federal partners recognized the flaws in that process, and County officials argued strongly against it, but the structure was dictated at the State and federal levels.

Commissioner Dalton added that County representatives were vocal during those discussions and that their criticism was not well-received.

For the public's understanding, Chairman Chappell reiterated that the process has been challenging both for residents and for County staff, who have worked diligently to advocate on the public's behalf and to communicate all available information through the County website and social media. He commended staff for their conservative approach in managing disaster funds. Early guidance from federal and State agencies had suggested counties should proceed with projects and expect reimbursement later, but Transylvania County took a more cautious approach to ensure full compliance with documentation and eligibility requirements. As a result, the County is in a stronger fiscal position than many neighboring counties that may not be reimbursed for significant expenses.

Commissioner Dalton also noted that the County's experience closing out FEMA reimbursements from Tropical Storm Fred just a month before Hurricane Helene hit helped staff navigate the new disaster efficiently. He further commented on the inefficiency of the debris removal process, which required multiple contractors to move debris from private property to the right-of-way and then to final disposal.

Commissioner Chapman added that Congressman Edwards had been highly engaged from the start of the disaster, personally greeting FEMA representatives upon their arrival and maintaining active involvement across affected counties. He praised Congressman Edwards and his staff for their accessibility and commitment, noting that the Congressman's mobile office regularly visits each county in his district to meet with citizens and respond to concerns.

<u>MONTHLY CAPITAL UPDATE</u>

Key Highlights

- Over $150 million in capital projects are underway or planned.
- The County has secured approximately $30 million in grant funding to support these efforts (excluding broadband funding awarded directly to providers).
- Updates are provided monthly at the Board's second meeting.

The Manager introduced Project Manager Beecher Allison to present the monthly update on Transylvania County Schools' capital projects per the interlocal agreement with the Board of Education.

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

Mr. Allison reported that the new update format, approved by the Joint School Bond Project Committee in June, is now presented monthly to both Boards and posted on the County website. Work continues in close coordination with Transylvania County Schools staff.

- Underground Storage Tanks
    - Brevard Area Schools: Project is complete. NCDEQ requires installation of a monitoring well between the building and tanks; this is under review by a geotechnical firm.
    - Rosman High School: One tank damaged during testing will be replaced next summer due to insurance-related procurement delays. A temporary above-ground tank remains in use, with

the contractor covering related costs. Remaining tanks will be replaced in the summer of 2026 in coordination with Rosman area projects.

- Brevard Area Scope #1 (Old Gym)
  - Wood decking, roofing underlayment, and lobby TPO roof are complete.
  - Air handling unit installation and flooring preparation are in progress.
  - Next steps include brick repointing, window installation, electrical rough-in, siding, and painting.
  - Timeline: Substantial completion expected by late October; occupancy by late November.
- Larger Scope Projects (BHS Scope #2, Rosman Area Scopes, Brevard Area Scopes)
  - Design team reviewing schematic designs; 3D modeling of existing conditions is complete.
  - Security vestibule design underway
  - The Joint School Bond Project Committee selected Blum Construction as Construction Manager at Risk (CMAR) on August 27, 2025. The Committee will review potential scope adjustments within budget per the interlocal agreement.
- Emergency Repairs – BHS EC Wing Roof
  - Emergency project authorized under State statutes due to deteriorating roof conditions.
  - Roof demolition complete; contractor coordinating with structural engineer, delaying completion to mid-November.
  - Pricing for air handling units is ongoing pending electrical load analysis.
  - On-site safety coordination continues.
- Rosman High School Old Gym/Retaining Wall and Rosman Elementary School Site Work
  - Assessment reports from the civil engineer were received early.
  - Storm line data from the 2018 survey proved inaccurate; 2009 renovations did not correct piping issues identified in camera scoping.
  - Additional evaluation of utilities and storm water systems is underway to inform recommendations for the broader Rosman area projects.
- Rosman Elementary School (Geotechnical Evaluation)
  - Testing on September 12 revealed no voids - only soft soil three to five feet deep.
  - Seismic activity was too weak to cause structural movement.
  - A structural engineer assessed cracking due to differential foundation settlement in non-load-bearing CMU walls; no safety concerns were found, but monitoring is recommended.
  - The Joint School Bond Project Committee will determine next steps at its next meeting.
- Conclusion and Next Steps
  - Priority remains on addressing critical building envelope needs - roofs, exteriors, and mechanical systems - while remaining conscientious of the budget.
  - Once the CMAR is fully engaged, staff will refine project scopes and budgets in collaboration with the Committee.

Mr. Allison concluded his report and invited comments and questions from the Board.

Commissioner McCall asked when information would be available regarding whether the Rosman retaining wall scope needs to be revised and when the project would move forward. Mr. Allison explained that the architect and civil engineer are coordinating closely and that additional design elements in the surrounding area must also be considered. Once evaluations and budget analyses are complete, the information will be presented to the Committee.

Commissioner Dalton inquired about the storm lines, noting that incorrect data from 2018 may be contributing to structural issues near the Rosman High School old gym, where a corner appears to be sinking. Mr. Allison agreed that the drainage system in that area is a likely factor, noting that waterproofing may have failed and that past construction work in 2009 did not fully address the problem. He added that three of the four downspouts on the north side of the gym were clogged, as documented in the engineer's report.

Commissioner Dalton also commented on the seismic activity noted in the geotechnical report, stating that multiple small seismic events have occurred in that part of the County this year, which could impact infrastructure over time. Mr. Allison credited the design team for their thorough investigation and for assisting with on-site assessments this summer.

Commissioner Chapman asked whether there had been significant classroom disruptions during construction. Mr. Allison reported minimal disruption, noting that two EC classrooms at Brevard High School were relocated to another suitable wing during the emergency roof project. Coordination between County and School staff has been effective in minimizing impacts.

Next, the Manager moved forward with covering the remaining countywide capital projects.

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

- Hart Road Emergency Access and Flood Mitigation Project: Construction is underway, with completion expected this fall. Recent weather has caused some delays, but the project remains on schedule. Grant closeout is anticipated by the end of the year.
- New Courthouse at the Public Safety Complex: The project is in the design development phase. The architectural team submitted the latest design package this week, and final construction documents are scheduled for completion in the spring of 2026.
- Library Amphitheater Cover Project: The main canopy has been ordered and is expected to arrive in January. Installation will occur upon delivery.

Project Focus: Courthouse

The courthouse remains in the design phase, including site development. Design work continues on schedule. The architect and engineers are reviewing:

- The building's exact location to determine if adjustments could yield Phase 1 cost savings. Once the site layout is finalized, geotechnical analysis will proceed.
- Revisions to exterior elevations based on Board feedback, with updated renderings to be presented to the Commissioners.
- Bid alternate strategies to provide clear cost comparisons for optional design elements before contract award.

The design team worked with the cost estimators team to identify expenses related to architectural elements required by the City of Brevard, including:

- Tower from roofline up - $150,000
- Cast stone window heads and sills (in lieu of brick) - $125,000
- Rooftop equipment screen for rear air handling unit - $45,000
- Mansard roof - $175,000
- Front porch element - $270,000

Commissioner Chapman asked when the groundbreaking is anticipated. The Manager explained that bidding must align with the financing schedule. Because the project will use a limited obligation bond, bids must be in hand prior to the bond sale. Groundbreaking is expected in the fall of 2026, once both design and financing are finalized.

Commissioner McCall asked whether projected interest rate cuts would impact project financing. The Manager confirmed that the final borrowing cost will depend on market conditions when bids are received and financing proposals are solicited. While lumber costs have recently decreased, she noted that the courthouse is primarily a commercial structure using steel and masonry, so material cost fluctuations are being monitored but have limited overall impact.

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

- Water and sewer access along the US 64 corridor to Rosman: Project complete.
- Upper Transylvania Engineering Study for the Rosman-Burlingame system: Study is complete.
- Emergency Water Protection Streambank Restoration: Construction is complete.
- Water system interconnection between the Town of Rosman and City of Brevard: Completed and available for emergency use.

The Manager noted that future updates on infrastructure projects will be presented through a separate, detailed spreadsheet to better track active and upcoming work. She emphasized that as additional projects move forward, both financial and workload impacts will increase for staff managing the County's growing capital portfolio.

Year	Project	Funding Sources	Project Cost	BOC allocated?	Beneficiary System	Notes
2023-2025	Watershed Study and Permitting for approx 7 mil gal/day ability	2022 DEQ Infrastructure Grant	$385,000	Yes	Brevard and Rosman	Once approved by state and watershed adopted, will protect water quality for future intake with watershed restrictions primarily on public land.
2024-2026	Morris Road Stormwater Improvements	2022 DEQ Infrastructure Grant	$546,500	Yes	Brevard	Morris Road is owned by the City of Brevard. The stormwater improvements will improve stormwater drainage and add curb and gutters. Construction in 2026 and must be closed out by Dec 2026
2024-2026	Landfill Leachate Pre-treatment	2022 DEQ Infrastructure Grant	$1,292,000	Yes	Rosman	Pretreatment of leachate at the landfill before disposal in the Rosman system will lessen the BOD load from leachate on the system. This will also prepare the landfill for pending compliance on substances that cannot be put into wastewater and/or discharged. Can be added to later to address PFAS as those regulations increase.
2025	Extension of Water/Sewer to Pisgah Labs	City EDA grant $2.4 million; revised BOC approval up to $800k	$3,700,000	Yes	Brevard	Initial application for RDA grant was $3 million (2023) with commissioners approving $600k match. County revised commitment to $800k in Nov 2024 because city requested county commit match plus any additional cost with old estimate. Revised estimate prepared by county at $3.7 million so additional $500k from county likely needed and county commitment was for extension to serve expansion of Pisgah Labs. Update from City Manager indicates ongoing discussions with Pisgah Labs. Pisgah Labs would have to pretreat onsite and they are evaluating if pretreatment and sewer expense versus haul offiste for disposal.
2025-2026	Gallimore Road sewer improvements/Boys and Girls Club	2022 DEQ Infrastructure Grant	$370,000	Yes	Brevard	Improves section that serves approximately 1/3 of City sewer customers and relocates line to county property easement that will allow for Boys and Girls Club planned expansion and connect to City Gallimore Rd pump station project.

Chairman Chappell added that several Commissioners recently met with members of the General Assembly, including Senator Corbin, to advocate for financial support for major projects. He emphasized the significant costs associated with the new courthouse and the County's continued need for State assistance.

OLD BUSINESS

REVIEW AND DISCUSSION OF INFRASTRUCTURE FUNDING REQUESTS
Before beginning her presentation, the County Manager noted that the Board received two updated reports detailing infrastructure projects that have been requested and funded, as well as those that remain unfunded for both the City of Brevard and the Town of Rosman. She also reported receiving new information from Rosman earlier in the day regarding how the Town is expending its funds. While this information was not reflected in the presentation slides, she stated it would be discussed at the appropriate time.

Infrastructure in Transylvania County
The Manager reviewed the overall structure of infrastructure in Transylvania County, explaining that the County does not own or operate any water or sewer systems. The City of Brevard and the Town of Rosman solely provide these services. However, Commissioners have directed staff over the years to pursue grant funding to help expand these systems in support of economic development and housing opportunities.

Since 2022, the County has successfully secured more than $45 million in infrastructure-related grant funding. Of that amount, approximately $26 million has gone directly to the municipalities, while $19 million is being managed by the County until completion of individual projects. Funding sources include:

- Dogwood Health Housing Infrastructure Grant: $2 million for housing study, infrastructure engineering plans, and capital construction (with required housing outcomes).
- NC Dept of Commerce: $880,000 for projects tied to job creation.
- Appalachian Regional Commission: $300,000, also tied to job creation.
- NCDEQ ARPA Infrastructure Funding: $7 million, required to be expended by December 2026.
- 2023 State Budget NCDEQ Grants: $10 million to Transylvania County, plus additional allocations successfully advocated for the City of Brevard ($13 million) and the Town of Rosman ($10 million).
- City of Brevard EDA Grant: County pledged up to $800,000 in matching support for a $3 million project to extend infrastructure to Pisgah Labs. Based on engineering estimates, an additional $500,000 will likely be needed, which the Manager plans to address later in the presentation.

The Manager also reported that administrative in-kind contributions from County staff total more than $500,000 to date for grant management and related work. If calculated at a 5–10% rate of overall project value, the County's total contribution could exceed $1 million as projects continue. The updated reports also indicate where projects have been withdrawn, shown as "grayed out."

Summary from Last Meeting
Following the prior meeting, the Manager sent follow-up correspondence to both municipalities requesting additional details. She reported receiving additional information from Brevard and new expenditure information from Rosman earlier today. Key updates from Brevard included:

- Revised Azelea/Rhododendron project cost: $6,882,466, with $662,500 allocated to design and permitting.
- Revised Habitat project cost: $636,000, including $450,000 combined for water and sewer service to housing assistance projects
- A draft Asset Inventory and Assessment (AIA) reflecting a total of $34 million in major capital and deferred maintenance projects, including the Azalea project.

The Manager confirmed that NCDEQ is working with Rosman to correct its industrial ordinance to establish minimum treatment standards, although testing requirements for industrial effluent remain uncertain.

Projects and Funding Summary

- Town of Rosman
  - Requested, not funded: $24 million (including $14 million in general requests plus $10 million for a water treatment plant)
  - Funded: $5,998,067 currently
  - AIA Draft Estimate: $12.7 million in capital needs
- City of Brevard
  - Requested, not funded: $7,968,466
  - Funded: $2,216,500 (including an additional $500,000 anticipated for Pisgah Labs extension)
  - AIA Estimate: $34 million (includes Azalea project)
- Joint Benefit Projects
  - Funded: $1,290,923, including the interconnect project and the watershed application project benefiting both Brevard and Rosman

The Manager noted that these figures do not include County in-kind services such as grant application development, administration, procurement, construction management, State permitting, or reporting. She emphasized that the County continues to bear significant internal costs in administering these grants and projects.

The Manager provided an update on the County's $2 million Dogwood ARPA Advantage Housing Infrastructure Grant, which has not yet been fully allocated. The grant originally included three deliverables funded alongside other time-sensitive grants that are now complete or nearing completion.

Dogwood Health Trust has been flexible in allowing the County to use their funding after other grant deadlines were met. This approach enabled completion of one major deliverable, the US 64 water and sewer project extending from Gaia Herbs to the Town of Rosman, which is now complete. A second deliverable, the Housing Study, is expected to be presented to the Board next month. A third, the Burlingame water system improvement study has already been completed. The original grant plan also included funding for an AIA for the Town of Rosman, but that portion has since been covered by a separate State grant.

With the original deliverables nearly finished, the County is now positioned to request a reallocation of remaining Dogwood funds. Dogwood's desired outcomes continue to focus on both a tangible infrastructure investment and measurable housing unit outcomes. Preliminary discussions with Dogwood indicate they are open to reallocating the funds specifically for new infrastructure projects that support housing development.

The Manager noted that although housing development along the US 64 corridor has not yet occurred, it remains a potential outcome of that completed infrastructure investment. She also emphasized that, through careful coordination and timing of various grants, the County has leveraged an additional $5 million in funding beyond the initial Dogwood grant. Dogwood Health Trust has expressed satisfaction with how the County has managed and maximized use of their funds, which have also helped leverage the NC Industrial Development Grant, the Appalachian Regional Commission Grant, and NCDEQ ARPA funds.

Expenses		actual	inkind	
Sewer Expansion	$ 1,754,988.00			
Water Expansion	$ 1,765,835.00			
Construction Contingency 12.5%	$ 440,103.00	4639559		
Housing Plan	$ 150,000.00	94000		
Asset Improvement Assessment	$ 200,000.00		*Funded by NCDEQ	
Upper Transylvania Wastewater Expansion/Assessment	$ 50,000.00	49897.1		
CIP for Rosman Water/Sewer	$ 35,000.00		*Funded by NCDEQ	
Water system Management Plan Update Rosman	$ 2,500.00		*Funded by NCDEQ	
			Contract Administration 10%	$ 439,800.00
Total	$ 4,398,426.00	$ 4,783,456.10		
Revenue				
NC Industrial Development Grant	$ 880,750.00	880750		
ARC	$ 300,000.00	300000		
Dogwood	$ 2,037,500.00	143897.1		
County Funding	$ 1,180,176.00	3458809		
			County Administrative Suppor	$ 439,800.00
Total	$ 4,398,426.00	$ 4,783,456.10		

Housing-Related Infrastructure Requests Submitted
To date, the County has received only three formal project requests from Brevard for infrastructure supporting active or planned housing developments:

- Habitat for Humanity: $636,000 to support 49 housing units serving households between 40-80% AMI.
- Housing Assistance Corporation: $440,000 for 20 single-family units with potential for additional duplexes, serving households at 80% AMI and below.
- Azelea/Rhododendron project: $6,883,466 total (including $662,500 for engineering and permitting). While this project promotes housing preservation through the City's DFI Initiative, the County cannot commit Dogwood funding toward it due to the funding gap between available resources and the project's full cost.

The Manager explained that Dogwood's outcome reporting would be based primarily on the Habitat and Housing Assistance Corporation projects, which produce measurable housing unit outcomes. The Azalea/Rhododendron project supports housing preservation goals but would not include an outcome commitment under the Dogwood grant.

Accordingly, the Manager recommended requesting Dogwood's approval to reallocate and manage the remaining funds as follows:

- Fully fund the Habitat for Humanity Project ($636,000) with a 49-unit, two-year outcome commitment.
- Fund the Housing Assistance Corporation Project ($440,000) with a 20 single-family-unit, two-year outcome commitment.
- Apply any remaining balance up to $662,500 toward engineering and permitting for the Azalea/Rhododendron project. This portion would not carry a housing outcome requirement due to insufficient funds to complete construction.

She further recommended moving forward to bid the first two projects and, once budgets are confirmed, allocate any remaining funds toward the third project's preliminary work. Although the Dogwood grant cannot cover all three projects in full, it could meaningfully advance each.

State Budget Infrastructure Funding
The 2023 State Budget allocated $10 million in infrastructure funds directly to the County. The Commissioners initially approved $650,000 to support the City of Brevard's EDA grant application for the Pisgah Labs infrastructure extension. After the City reported increased project costs, the Board later increased its allocation to up to $800,000, designating the expenditure from the County fund balance.

Because this project qualifies as infrastructure, the Manager recommended allocating the additional amount from the $10 million State allocation to ensure project completion and to avoid risking any potential loss of unspent State funds, especially given concerns about possible federal-level budget reductions impacting State programs.

Remaining State Funding and Future Considerations
Approximately $8.7 million of the State's $10 million allocation to the County remains available. These funds may be used to support all or portions of infrastructure projects proposed by Rosman or Brevard. Some projects may require partnership or cost-sharing arrangements between the County and the municipalities, depending on the Board's preference.

The Manager reminded the Board that annual capital needs discussions with State legislators will begin within the next few months. Historically, the Board has included infrastructure projects among the County's legislative capital requests to help secure future funding on behalf of the City of Brevard and the Town of Rosman.

To Date Partnerships on Water and Sewer
The Manager reviewed the County's history and options regarding partnerships for water and sewer infrastructure.

Background
- Since 2014, the County has held periodic discussions with the City of Brevard and the Town of Rosman regarding long-term formal partnerships, but no agreements have been finalized.
- An older agreement once allowed County-funded extensions within the City's service area without requiring annexation; however, that agreement is no longer active.
- Previous Boards have expressed interest in pursuing broader system partnerships. With the remaining State and grant funds, Commissioners may now consider how to structure a more formal partnership approach.
- The UNC School of Government has identified multiple models for regional systems, each with distinct statutory requirements, advantages, and disadvantages.

To date, the County has served primarily as a funder and steward of grant funds, transferring completed assets to the City or Town with no ongoing operational obligation. Completed and obligated County-funded projects total approximately $9.1 million.

Types of Regional Water and Sewer System Models
- Municipal-operated regional system
- County-operated system
- Joint management agency
- Metropolitan district
- Sanitary district
- Private Nonprofit/Cooperative
- Investor Owned

Key Considerations for Partnership Discussion
If the Board wishes to explore a City-Town-County partnership or variation thereof, considerations include:

- Governance: The City Council and Town Board of Aldermen currently retain full authority over their respective systems.
- Asset Condition and Capacity: Many systems statewide are aging. Capital transfers can involve significant deferred maintenance costs. Some counties have assumed systems in poor condition, resulting in long-term financial impacts.
- Financial Analysis: Evaluation would need to include deferred maintenance costs, rate recovery, capacity for capital needs, operational savings potential, and any outstanding debt.
- Dispute Resolution: Any structure would require defined decision-making processes regarding operations, maintenance, investment, and expansion.

The Board could also consider limited agreements linking County funding to specific benefits, similar to the prior City-County agreement or a past revenue-sharing proposal with the Town of Rosman. Another model could mirror the Sylvan Valley Industrial Building agreement with the Transylvania Economic Alliance. That project, built with County and grant funds, is leased at market rates to businesses, with 95% of lease proceeds returning to the County to repay and reinvest in economic development. A similar reinvestment approach could support future infrastructure improvements.

Questions for Board Consideration
The Manager asked Commissioners to consider:

1. Is the Board interested in funding specific projects from the current requests?
2. Does the Board wish to continue the traditional approach (funding and turning over assets) or pursue a partnership model with shared governance or revenue?
3. Would the Board like to invite the City of Brevard and Town of Rosman to submit proposals outlining their highest priorities and desired partnership terms, such as shared investment, governance, or reinvestment options?

Action Requested
The Manager requested Board direction and approval on the following:

- Dogwood Reallocation Request
    - Fund the Habitat Project in full, committing to a 49-unit outcome within two years.
    - Fund the Housing Assistance Corporation Project for $440,000 with a 20-unit outcome within two years.
    - Allocate remaining Dogwood funds (up to $662,500) toward engineering and permitting for the Azalea/Rhododendron Project.
- Allocate $1.3 million from the County's $10 million State allocation to the Pisgah Labs Extension Project, authorizing staff to complete required filings. (Funds were previously allocated from the County's fund balance.)
- Provide direction on remaining funds, either by:
    - Selecting specific projects for funding, or
    - Requesting proposals from Brevard and Rosman, identifying priority projects and partnership terms.

Board Discussion
Chairman Chappell asked about the process for reallocating Dogwood grant funds, noting Dogwood's willingness to expand the grant's scope. He asked whether the request should be made informally or through

formal Board action. The Manager explained that while Dogwood does not require Board action, the County's internal process does. She will submit an official request based on Board direction, and Dogwood will respond with an amendment if approved.

Commissioner Chapman referenced the upcoming housing study and asked whether the proposed projects would meaningfully impact local housing needs. The Manager said the projects will make a significant difference but will not eliminate the need entirely. The study projects unit demand based on population growth but does not fully address affordability. The Habitat and Housing Assistance Corporation (HAC) projects will add roughly 70 new units collectively, with potential for more as additional approvals are secured.

Commissioner Chapman also asked whether these projects would serve law enforcement officers and teachers. The Manager responded that starting salaries for those professions are typically near 80% of Area Median Income (AMI), which qualifies under the standard for affordable housing. Habitat and HAC intend to target households earning 80% AMI and below, which could include entry-level law enforcement and teachers. While workforce housing (80–120% AMI) is not directly addressed, increasing affordable units may relieve pressure on the broader housing market.

Commissioner Chapman asked about the City of Brevard's capacity to manage these projects, given ongoing efforts to improve efficiency. The Manager said the engineering for Brevard's wastewater plant capacity increase and upgrade is underway and is currently focused on projected growth within City limits, the Davidson River Village project, and the Pisgah Labs extension. The County has provided additional data from the 2014 water study to estimate future countywide wastewater needs.

Commissioner Chapman emphasized that funding priorities should focus on projects that also leverage economic development, such as purchasing capacity from Brevard or extending utility lines. He noted that annexation requirements have created challenges for some developers but felt there are opportunities to use these funds to strengthen both housing and economic growth. The Manager agreed and said the Board could consider investing directly in capacity. She explained that the City of Brevard's funding request is focused on wastewater capacity, while the Town of Rosman's requests involve wastewater retrofits and a water treatment plant.

The Manager provided a summary of how each municipality plans to use its State allocation:

- City of Brevard ($13 million):
    - Approximately $3 million for a pump station project that exceeded cost estimates.
    - $352,000 for the preliminary engineering report on the wastewater treatment plant.
    - Remaining $8.5 million for Phase 1 of the water treatment plant, focused on existing City infrastructure, Davidson River Village, and the Pisgah Labs extension.
- Town of Rosman ($10 million):
    - Water treatment plant capacity improvements, including a new public water supply well, 500,000-gallon storage tank (with land acquisition), and related distribution connections.
    - A 2-million-gallon/day water intake facility and a half-million-gallon/day water treatment plant (both including land acquisition).
    - Sewer pump station and a 2,200-linear-foot force main to the wastewater treatment plant (with land acquisition).

The Manager noted she will request Rosman's preliminary engineering report to provide the Board with additional detail.

Commissioner Dalton referred to a September 9 letter from the City of Brevard indicating a cost of $1.8 million for the engineering and construction of the main Azalea/Rhododendron utility extension and pump station. He asked if this funding would support new development or address failing septic systems. The Manager said the project is divided into phases. Engineering and permitting total $662,500, and construction accounts for the remaining costs. The funding would both protect the existing units and support new development projects identified through the Development Finance Initiative (DFI).

City Manager Wilson Hooper clarified that $1.8 million would create a main utility extension from the City terminus to City-owned property on Azalea Avenue, enabling up to 50 units of new affordable housing and providing access to about 30 existing unincorporated homes. A full $5.5 million investment would extend utilities throughout the entire Azalea/Rhododendron neighborhood, preserving up to 125 parcels and 80–85 existing homes, many of which serve low- to moderate-income residents and include approximately 17 homes with failing septic systems.

The Manager noted that detailed information about this request, including the number of affected homes and related data, is included in the Board’s agenda packet. The updated Housing CIP provides full details on all housing-related projects discussed.

Commissioner Chapman asked whether homeowners in the Azalea/Rhododendron neighborhood would be required to connect to the new utility system or could choose to opt in. Mr. Hooper said property owners would not be required to connect. The City Council has agreed to waive annexation requirements for properties that remain low- to moderate-income, although the specific conditions have not yet been finalized. Properties wishing to remain market rate would be required to annex prior to connection.

Commissioner McCall read from the City’s statement, noting that the Council had agreed to exempt certain properties from the annexation requirement if they posed a public health hazard or agreed to maintain affordability through deed restrictions or similar measures. She asked if the City Attorney had reviewed those provisions; Mr. Hooper confirmed that he had. Commissioner McCall expressed concern about the concept of imposing deed restrictions that could limit a homeowner’s ability to sell their property at market value. She said she appreciated the City’s participation in the discussion but noted that representatives from the Town of Rosman were not in attendance despite their funding request, and she encouraged their participation in future deliberations.

Commissioner Dalton asked about the Pisgah Labs extension, noting that the County had allocated $800,000 but expects an additional $500,000 will be required. He confirmed that the proposal is to shift this project’s funding from the County fund balance to the County’s $10 million state allocation to preserve fund balance. The Manager confirmed and explained that until those funds are committed by contract, they are recorded as assigned fund balance. This change would help support other County capital needs.

Referring to the City’s proposed deed restrictions, Commissioner McKelvey asked for clarification on when the City Council would determine the specific language and requirements. Mr. Hooper said the issue is scheduled for discussion by the City’s Housing Committee within the next month or two and would then proceed to the Council for approval. The Council had previously discussed the topic but tabled it when the project stalled. With the project now moving forward, policy development has resumed.

Commissioner McKelvey confirmed that the $5.5 million cost would provide utility access to all parcels in the Azalea/Rhododendron area with failing septic systems. Mr. Hooper said the project would allow 125 parcels access to City utilities.

Commissioner McKelvey expressed concern about the proposed deed restrictions, asking what would happen if a property owner exceeded the guidelines or chose not to comply. Mr. Hooper explained that if a homeowner wishes to be released from the restrictions, they could voluntarily annex into the City and then connect to utilities without conditions. However, if a homeowner violated the agreement after accepting the restrictions, the City would have the authority to terminate utility service.

Commissioner McCall said that was concerning, particularly as it relates to property rights.

Commissioner McCall asked about the City's wastewater treatment plant upgrades, noting that there are three phases planned. She asked whether the remaining $8.5 million would complete Phase 1. Mr. Hooper said that the amount would cover approximately two-thirds of the cost. The City plans to apply at the end of October for State Revolving Fund dollars to cover the remainder.

Commissioner McCall asked whether the wastewater plant is currently operating at capacity. Mr. Hooper clarified that the plant is nearing 80% of its permitted capacity. The Azalea Avenue project and Pisgah Labs extension have already been factored into those calculations. The plant is permitted at 2.5 million gallons per day, but due to its age and inefficiencies, it is effectively operating at 1.6 to 1.7 million gallons per day. Phase 1 of the upgrade would improve performance, restoring effective capacity by approximately 900,000 gallons per day.

Commissioner Dalton asked whether the City had pursued grant opportunities related to Hurricane Helene recovery funding. Mr. Hooper said the State Revolving Fund the City is applying for includes allocations for Helene-affected counties. The Manager added that there are also CDBG-DR infrastructure funds available, though those make up only a small portion of the total recovery funds.

Commissioner Dalton reviewed that approximately $1.8 million remains from the Dogwood grant, which could fund or begin several projects identified by the Manager. The Manager confirmed this amount, as well as that $8.7 million remains from the County's $10 million State allocation after accounting for previously committed funds. The $800,000 recently assigned from fund balance will return to unassigned fund balance.

Commissioner McCall agreed with focusing the remaining Dogwood funds on eligible infrastructure projects. She favored allowing the City of Brevard and Town of Rosman to submit their highest-priority proposals for future Board consideration. She emphasized that while the needs are critical, the County has limited capacity to fund all projects without raising taxes and encouraged the municipalities to consider using their own taxing authority and seek legislative partnerships. She also expressed appreciation for the City and Town's recent efforts to address longstanding infrastructure challenges.

Commissioner Chapman asked about decision timelines. The Manager noted that the Dogwood funding extension expires in December and reallocation requests must be submitted soon. Other projects under the $10 million allocation are less time-sensitive, though she cautioned that future reductions in federal or State funding could affect available grant dollars or lead to potential clawbacks of unspent allocations.

Commissioner Dalton supported moving forward with the three projects recommended for the Dogwood grant and also exploring upgrades to Rosman's wastewater treatment facility to support economic development, specifically for Gaia Herbs. He noted the potential to seek Hurricane Helene recovery funds to purchase generators for the Town's wells. Commissioner Dalton expressed disappointment that no representatives from the Town of Rosman were in attendance to present their projects or respond to the Board's questions.

Commissioner McCall asked whether staff had been able to confirm if an agreement was in place for the pretreatment of leachate associated with the project involving Gaia Herbs. The Manager explained that staff raised this question when the Commissioners were considering funding for the sewer line and specifically asked whether the wastewater treatment plant would be able to accept effluent after pretreatment. The engineer confirmed that it would. However, not all components were installed as originally planned, which is part of the reason for the proposed upgrades to the wastewater treatment facility. In addition, NCDEQ conducted testing, and while the County has not received those results, the Manager understood that the findings were not alarming. The testing did, however, identify that Rosman's industrial ordinance does not currently establish required discharge limits, meaning there would be no enforceable action against a user under the existing ordinance.

The Manager also reported that the County's solid waste pretreatment project, budgeted at $1.3 million, is under design. Although not yet operational, the system will prepare the County for future regulatory changes, including those concerning PFAS discharge requirements.

Commissioner McKelvey understood that the City Council still planned to meet to finalize the wording of the deed restrictions. For this reason, he supported a separate motion to address the $3.8 million allocation, followed by action on the remaining $4.9–$5 million contingent upon the deed language. He said this would allow the Board to review the full documentation before final approval.

Commissioner McCall emphasized that any funding approval should be contingent upon having an agreement in place. The Manager confirmed that it would provide needed direction, noting that on previous Dogwood-funded projects, the County had engineered, built, and turned assets over to the municipalities, but clarification was needed on whether the Board wanted to follow that same model for the State-funded projects.

Commissioner McCall supported allocating $3.8 million to the Rosman wastewater project, with an agreement in place, and was willing to consider $1.8 million for the Azalea Avenue project, contingent upon the final deed restrictions. She stressed the importance of protecting property owners' interests. She suggested taking action on the Dogwood grant now, while tabling the remainder of the $10 million allocation until the Board had more information.

Commissioner McCall moved to reallocate Dogwood Foundation grant funds to fund the Habitat for Humanity Project (49-unit outcome), the Housing Assistance Corporation at $440,000, and the engineering and permitting for Azalea Avenue up to $662,500. Commissioner McKelvey seconded the motion, and it was unanimously approved.

The Manager said she would confirm the details with Dogwood and update the Board once a response was received and coordination with the City was complete.

Commissioner Dalton moved to allocate $3.8 million to the Town of Rosman from the County's $10 million State allocation, contingent upon execution of a Memorandum of Understanding (MOU) to support future maintenance and expansion. Commissioner McCall seconded the motion. The Manager noted that the Rosman project would not generate new revenue and asked for Board guidance on MOU terms, including whether Rosman should commit to setting aside a portion of existing revenue for maintenance. She offered to provide draft options for the Board's review. Chairman Chappell suggested establishing a timeframe for a response. The Manager added that an existing MOU template could be modified based on the Board's direction. **The motion passed unanimously.**

Commissioner Dalton moved to allocate $1.3 million for the Pisgah Labs sewer extension project, to be funded from the County's $10 million State allocation and thereby returning the previously designated $800,000 to the unassigned fund balance. Commissioner McKelvey seconded, and the motion passed unanimously.

Commissioner McCall requested to table the remaining project requests, preferring that any additional allocations be contingent upon finalized deed restriction language and that the City of Brevard and Town of Rosman each submit their highest-priority proposals for Board review. Chairman Chappell directed the Manager to send formal requests to both entities. Mr. Hooper indicated the City expects to review deed language within two months, possibly before Thanksgiving.

The Manager said she will draft agreements for the Rosman and Pisgah Labs projects for Board consideration at the next meeting and notify both municipalities of the remaining balance from the $10 million allocation.

Commissioner McCall reiterated the importance of having Town of Rosman representatives present for discussion. The Manager agreed to request their attendance and suggested the possibility of a joint meeting with both the City and Town.

Commissioner Dalton reflected that while managing these allocations is challenging, it is a positive problem to have, noting the County's success in securing funding for local projects, including solid waste improvements.

Commissioner McKelvey asked for clarification on the Azalea Avenue project costs, confirming with Mr. Hooper that if the County contributed $1.8 million, the remaining cost would be roughly $4 million. Mr. Hooper noted that completing the project in phases would be less efficient than all at once but still feasible. He added that the City plans to pursue additional grant funding and that County participation would strengthen those efforts.

Following the discussion, Chairman Chappell called for a brief recess at 8:45 p.m. The meeting reconvened at 9:00 p.m.

POLICY FOR MOTORIZED VEHICLES OPERATING ON COUNTY-OWNED PROPERTIES

The Board held a public hearing earlier in the meeting regarding the proposed *Ordinance for Vehicles, Bicycles, Aircraft, or Watercraft Operating on County-Owned Properties.*

The Manager reported that the ordinance was first presented on August 25, 2025, and is intended to address complaints about motorized vehicles on County-owned property off Gallimore Road and other County property. The ordinance limits motorized vehicle use to designated areas, allows exceptions for public purposes, and references statutory authority in N.C.G.S. Chapters 20, 63, and 75A. It also permits the Board to grant special permissions, subject to fees and proof of insurance, and establishes civil penalties for violations. The Manager explained that the ordinance could be adopted at this meeting if approved unanimously; otherwise, it must be introduced at the next meeting pursuant to N.C.G.S. §153A-45.

Chairman Chappell summarized comments from the public hearing. One individual suggested changing the civil penalty to a criminal penalty, but both the Chairman and Manager noted that recent State law changes limit local authority to impose criminal penalties. Staff could review the matter further if the Board desired. Other public questions concerned whether special permissions were automatic (they are not; they require Board approval) and whether references to State and federal statutes could be removed (they cannot, as they provide legal authority).

Chairman Chappell noted that the Commissioners had received additional comments in support of the proposed ordinance or in support of taking some form of action. He reported that most of the concern stemmed from the noise and nuisance created by a motorized paragliding company, based outside of Transylvania County, which has been using the park property for takeoffs and landings.

Commissioner Chapman said he did not view changing the penalty type as a significant deterrent.

Commissioner McCall asked whether the $50 civil fine was appropriate and whether it could be increased. The Manager replied that the amount is typical but could be revisited after confirming statutory limits.

Commissioner McCall moved to adopt the *Policy for Motorized Vehicles, Bicycles, Aircraft, or Watercraft Operating on County-Owned Properties*, with direction to research the potential for higher fines. Commissioner Dalton seconded. Commissioner McKelvey suggested considering tiered fines for repeat offenses. The Manager stated that she has the authority to issue temporary trespass orders for disruptive or repeat offenders, that signs would be posted beginning with Gallimore Road park property, and that the NCACC Coordinator currently interning with the County is researching broader park rules for future review. **The motion passed unanimously.**

NEW BUSINESS

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND GRANT APPLICATION
The Manager introduced Superintendent Dr. Lisa Fletcher to answer questions from the Board on this agenda item. She also acknowledged Dr. Fletcher's critical role during the Helene emergency response, bringing much-needed resources to the table and working seamlessly alongside staff and others.

The Manager explained that a portion of State lottery funds is reserved for the Needs-Based Public-School Capital Fund. The application requires endorsement from both the School Board and County Commissioners, but the County is responsible for managing the funds under contract if awarded. Applications are ranked by the Department of Public Instruction (DPI) based on eight criteria. Transylvania County has applied several times without selection, though ranking factors have not changed.

On August 18, the Board of Education authorized Superintendent Fletcher to draft the grant application. The Board of Education unanimously endorsed the application on September 15. The submission deadline is October 3.

The application requests funding for two projects:

- Consolidation of Davidson River Alternative School to Brevard High School's campus: This move transitions 56 students to the main campus, allowing them to maintain their separate school identity while accessing comprehensive programming previously unavailable.
- New CTE Facility at Brevard High School: A modern 70,000 sq. ft. facility will replace outdated 1959 classrooms and the 1974 CTE wing.

These projects were not included in the bond funding due to limited resources and other facility repair needs. This application refines the scope from prior submissions.

The Manager presented a schematic design for a two-story facility, showing a phased construction that allows existing CTE operations to continue during demolition and rebuild. The CTE wing would be demolished at a later time.

The County is required to provide a minimum grant match. Funds for renovation items in the current CTE areas may be considered for a match, supplemented by proceeds from the second tranche bond sale, planned for the fall of 2027. The required match is $9.3 million, and the application requests the maximum grant amount for a high school at $62 million.

To streamline submission, the Board of Education agreed that any non-substantive changes to the application text, resulting from this meeting, do not require additional School Board approval.

The Manager recommended that the Board consider the Needs-Based Public School Capital Fund Grant Application for Transylvania County Schools.

Commissioner Chapman asked whether the $9.3 million local match would come from fund balance. The Manager explained several options:

1. Renovation funds for the areas impacted by the project could be used, though some areas (e.g., the EC wing) require immediate repairs and cannot be delayed.
2. Proceeds from the second tranche bond sale ($18 million remaining) in 2027 could be aligned with the project's design and construction timeline.
3. Fund balance in the education capital fund could also be considered.

The Manager recommended using these sources in the order listed.

Chairman Chappell asked whether the local match must be spent specifically on the areas mentioned in the grant (e.g., auditorium, CTE). The Manager confirmed that the grant language requires the match to be allocated to the total project scope, including the specific areas identified. Previous expenditures, such as those documented in the Axias report, can count toward the match if billed to the project.

Commissioner Chapman inquired whether the Davidson River Alternative School building would be closed or repurposed. Dr. Fletcher noted several preliminary ideas, including teacher apartments or a professional development center, but no decisions have been finalized.

Commissioner McCall asked if the building is historic or on the historic register. Dr. Fletcher was unsure but confirmed it was built in 1945. The Manager noted it could be eligible for historic designation but was unsure if it is registered. Commissioner McCall added that historic designation could restrict remodeling options, creating a potential challenge. She also highlighted the value of preservation.

Dr. Fletcher agreed, noting that while the 70,000 sq. ft. CTE facility would be an addition to Brevard High, the Davidson River building would remain and could be used for limited purposes, such as housing or training, rather than daily school operations.

Commissioner Chapman asked if the new CTE facility at Brevard High would create opportunities for Rosman students. Dr. Fletcher confirmed that students already take most of the same courses, and for programs not offered in Rosman, such as ROTC, now a CTE program, transportation is provided.

Commissioner McCall noted that if the grant is approved, the scope of some current projects may need adjustment. The Manager explained that receiving the grant could free up existing bond funds, allowing them to be applied toward the grant match and other school projects. Additional funding could be used at other school sites through the second bond tranche or the education capital fund balance.

The Manager added that the application timeframe limited the ability to fully refine what projects could proceed immediately. Any urgent work would still need to move forward even if the grant is approved, with architects evaluating priorities once the grant results are known.

Commissioner Chapman expressed strong support for the application, noting that the consolidation element could improve the County's competitiveness for grant points.

Commissioner McKelvey thanked Dr. Fletcher for her efforts in pursuing the grant, but voiced concerns about potential long-term effects on Rosman High School. He emphasized that building a 70,000 sq. ft. CTE facility at Brevard High could shift consolidation pressures onto Rosman, potentially impacting the school's culture, identity, and community. He suggested including verbiage in the application to protect Rosman's identity and ensure the community retains a voice in any future consolidation decisions. Commissioner McKelvey stressed that any future consolidation should be balanced and centrally located, with input from both affected communities, and he supported submitting the application with such protection in mind.

The Manager explained that the application could include language clarifying that support is limited to the consolidation of Davidson River Alternative School, while any future consolidation decisions remain under the authority of the Board of Education. She noted that investments have also been made in Rosman, including approximately $15 million for projects and the new turf field.

She further explained that grant scoring prioritizes the percentage of students served at a single site and the County's tier status. Transylvania County is currently tier two but may revert to tier three in future calculations, which would make it ineligible for the program. Chairman Chappell noted that if the County were tier three, it would miss future grant opportunities.

Chairman Chappell and Commissioner Dalton had previously consulted with Senator Corbin, who confirmed that grant awards are considered based on a point-in-time application and do not affect future eligibility.

To address concerns regarding Rosman, Chairman Chappell proposed adding the following statement to the motion: *Support by the Transylvania County Board of Commissioners is only for this specific grant application and items included within this said grant. No other support for additional consolidation within Transylvania County Schools is implied or given as part of approval of this grant application.*

Commissioner Dalton emphasized that Rosman High's CTE facilities, upgraded in 2011, remain capable of supporting programs like welding and agriculture.

Commissioner McCall moved to approve the Needs-Based Public-School Capital Fund Grant Application with the inclusion of Chairman Chappell's statement. Commissioner Dalton seconded, and the motion was unanimously approved.

Chairman Chappell thanked Dr. Fletcher for her leadership and effort on the application. Dr. Fletcher noted that historically, some counties have received the grant multiple times, indicating future opportunities remain. She also shared supporting data on student interest in the proposed programs.

Commissioner Dalton asked about the expected timeline for the grant decision. Dr. Fletcher responded that while no official timeline is provided, last year's turnaround was about one month, and she anticipates a decision by the end of October.

The Manager noted that the program was funded in the continuing budget resolution, even without a full State budget, suggesting a relatively quick response. Chairman Chappell added that the grant is now administered by the Treasurer's Office rather than NCDPI, which could affect timeframes.

Commissioner McCall highlighted the age of the school facilities and the ongoing need for repairs. She emphasized that, for the benefit of students and to ensure they have access to the opportunities they deserve, developing a long-term strategic plan for school facilities is essential. She acknowledged that this responsibility lies with the Board of Education, and she encouraged them to be proactive in their efforts.

Dr. Fletcher shared that a 10-year population and enrollment study is underway and will be presented in February. This data will support the Board of Education's strategic planning for facilities and help guide long-term decisions.

ENVIRONMENTAL HEALTH RETIREMENT - SUPERVISOR OVERLAP REQUEST
Public Health Director Elaine Russell presented a request regarding the upcoming retirement of Jim Boyer, Environmental Health Supervisor, effective January 31, 2026. Mr. Boyer provided ample notice to ensure a smooth leadership transition. The position was advertised internally, and Neill Cagle was selected and accepted the offer on August 29, 2025.

To facilitate a smooth transition, the overlap of supervisory duties from October through January (four months) is proposed. This overlap is expected to cost approximately $2,960, which can be covered by salary savings generated from the transition. The overlap will support orientation to supervisory responsibilities, policy management, training plans, and overall workflow for the Environmental Health section, which includes seven full-time staff handling services such as:

- On-site wastewater (septic) systems
- Private drinking wells
- Food, lodging, and institution inspections and plan reviews
- Public access swimming pools
- Childhood lead exposure investigations
- Summer camp inspections
- Bacteriological water lab analysis
- Complaint triage and investigation

Chairman Chappell emphasized the importance of overlap to prevent disruptions across critical services.

Commissioner McCall moved to approve the Environmental Health Supervisor overlap using budgeted funds, seconded by Commissioner McKelvey, and the motion was unanimously approved.

REVISED BYLAWS - TRANSYLVANIA NATURAL RESOURCES COUNCIL
The Manager reported that on September 8, 2025, the Board of Commissioners directed a reorganization of the Transylvania Natural Resources Council (TNRC). The TNRC will continue as a citizen advisory council but will meet only as needed, primarily to provide input on ordinances or policies under consideration by the Planning Board or Board of Commissioners.

The TNRC bylaws have been updated to reflect this revised purpose, meeting schedule, and reporting process. Key changes include:

- Advisory Role Narrowed: The TNRC now serves specifically as an advisory body to the Planning Board on environmental regulatory ordinances under State statutes, providing recommendations to the Board of Commissioners upon request.
- Meeting Schedule: Quarterly meetings are eliminated. The TNRC will convene only as needed, with one annual organizational meeting to elect officers.
- Reporting: Annual reporting requirements have been removed.

Staff incorporated guidance from the September 8 meeting, noting that the Board could still assign special projects to the TNRC. The organizational meeting ensures the TNRC is properly seated should such assignments arise. A red-lined version of the revised bylaws showing these changes was included in the agenda packet. The Manager clarified that TNRC membership is not changing. Some red-lined edits were included to flag the membership for consideration, but no change is intended unless the Board chooses to adjust it.

The Manager recommended that the Board review the revised TNRC bylaws, make any necessary edits, and approve the final version for implementation.

Chairman Chappell opened discussion on the revised TNRC bylaws, noting the Board's prior action to reorganize and emphasizing that citizen advisory councils are intended to be a resource to the Board of Commissioners. He expressed appreciation for the partner agencies that serve on the TNRC and highlighted the value of the TNRC's expertise in supporting Planning Board initiatives.

Commissioner Chapman emphasized the need for all boards to be productive and aligned with the County's priorities. He noted that TNRC members often generate their own projects but stressed the importance of providing direction and ensuring that their work is integrated with Planning Board decisions. He also acknowledged David Whitmire's interim service as chair.

Commissioner Dalton suggested appointing a Commissioner to the TNRC to improve communication between the members and the Board. He also acknowledged Mr. Whitmire's service, citing his updates and recommendations to the Board on forest management and other environmental issues. Commissioner Dalton also acknowledged that he supported the current structure of the TNRC.

The Manager outlined options for Commissioner involvement:

- Add a Commissioner as an additional voting member.
- Appoint a Commissioner as an ex officio member with participation in discussions but no voting rights.
- Replace an existing appointment with a Commissioner.

Commissioner Dalton supported the ex officio option. Commissioner Chapman agreed, noting that it allows communication without affecting voting.

Commissioner McCall confirmed that the total membership would remain at 15 and supported adding a Commissioner ex officio. She emphasized that the reorganization is part of ongoing efforts to improve efficiency across committees. She also clarified that the TNRC bylaws revision process was fully transparent. The item was included on the agenda for the previous meeting, which was publicly noticed, and was also on the agenda for the current meeting. All discussions and the final vote were conducted in open session, with no actions taken behind closed doors.

Commissioner Dalton volunteered to serve as the ex officio member if needed. Chairman Chappell noted that the appointment could be revisited during the County Commissioner appointments review and could rotate among Commissioners.

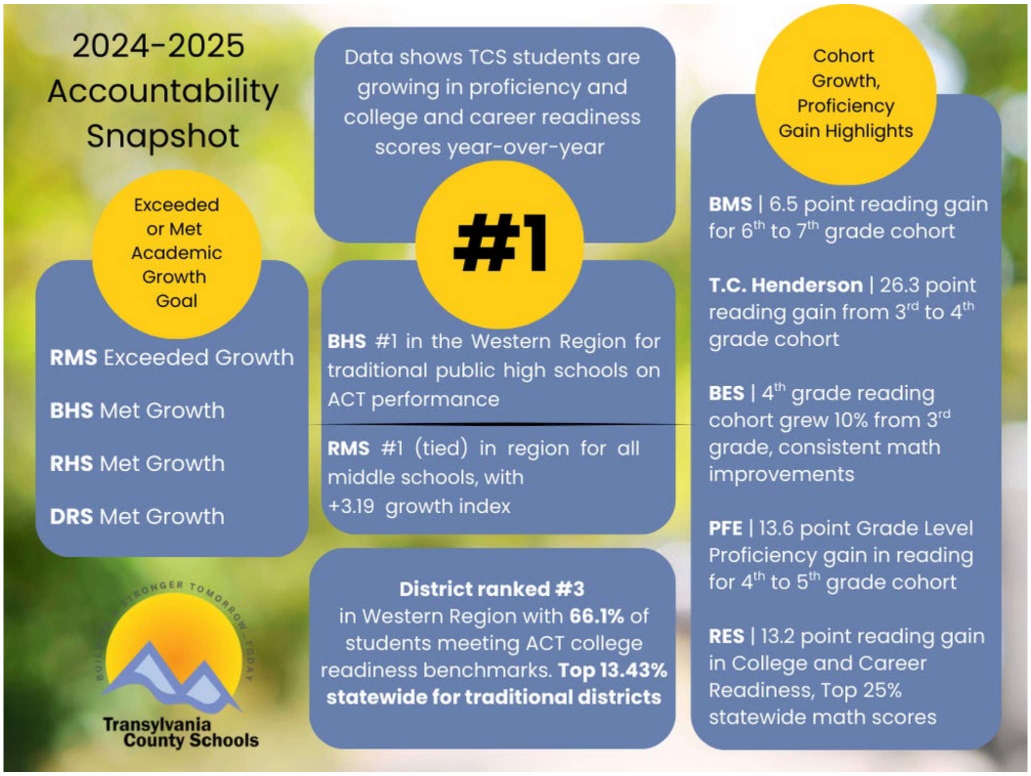
Commissioner McCall moved to approve the TNRC bylaws changes as submitted, with the addition of an ex officio County Commissioner appointment. Commissioner Chapman seconded. The motion passed 4 to 1, with Commissioner Dalton voting against.

Staff will insert the ex officio language into Article III.B of the TNRC bylaws.

<u>MANAGER'S REPORT</u>
The Manager reported the following:

- Senator Kevin Corbin, along with Representative Julia Howard, received the 2025 Friend of the Counties Award from the NC Association of County Commissioners for their advocacy on behalf of counties in Western NC.
- Lorraine Mitchell in Tax Administration received high praise from retired Tax Administrator David Reid and local citizen Dan Jamrog for her professionalism and positive impact on taxpayers.

- There is an extra week between this meeting and the first October meeting; the next regular Board meeting is Monday, October 13, at 4:00 p.m.
- Students and teachers demonstrated academic growth despite challenges from Hurricane Helene and forest fires impacting the school year.



- Community Event – Helene: One Year of Healing: Scheduled for Saturday, September 27, at the Brevard Music Center. This free all-day event will feature storytelling, live music, support resources, free food, and a community mural project. Partners include Spark Point, Pardee, and the Red Cross. More info: yoursparkpoint.org/community-connections.

PUBLIC COMMENT

Several residents addressed the Board on a variety of topics. The following summaries represent the opinions and points of view of the speakers.

Owen Carson: Mr. Carson expressed frustration with what he described as repeated mischaracterizations by members of the Board regarding the TNRC. He distinguished between procedural technicalities and intentional lack of communication with the members. Mr. Carson emphasized that TNRC has addressed important community issues such as flooding, debris management, and wildfire preparedness, and said volunteers have dedicated significant time and expertise to the County's benefit. He criticized the Board's recent actions as dismissive of the TNRC's work and called for greater transparency and collaboration moving forward.

Lee McMinn: Mr. McMinn, who previously served six years as chair of the TNRC, said he felt the Board's recent action effectively demoted the TNRC to an ad hoc committee. He questioned how partner agencies and institutions would respond to the reduced structure. Mr. McMinn recalled the TNRC's extensive work during his tenure, including studies on fox hunting and recommendations related to floodplain management. He expressed disappointment that previous recommendations, such as increasing the base flood elevation standard, were not acted upon.

Heath Cartee: Mr. Cartee introduced himself as a lifelong resident, small business owner, outdoorsman, and father. He shared a personal reflection on the historical and cultural connection between local people and the land, describing the land and water as sacred resources that deserve care and respect. He urged the Board to act as caretakers rather than managers of the County's natural and community assets, and to make decisions that preserve the well-being of all residents. Mr. Cartee encouraged Commissioners to reflect deeply on their actions and consider the long-term impact of decisions such as those related to the TNRC.

Jenny Cartee: Ms. Cartee expressed concern over actions by the Board regarding the TNRC, describing them as inconsiderate and disrespectful to a volunteer group that has served the community for over 20 years. She highlighted the TNRC's role as a communication link between the County, State and national forest managers, and the public. Ms. Cartee emphasized the importance of community involvement in preserving local lands and waterways for future generations and expressed disappointment that the Board appears to discourage an informed and engaged public.

Peter Offen: Mr. Offen noted that the TNRC has been essential not only for natural resource preservation but also for community safety, particularly in light of recent extreme weather events such as Hurricane Helene. He criticized the Board for lacking ecological expertise and strategic planning, suggesting that the TNRC's input has been silenced. Mr. Offen also questioned discussions regarding tax increases versus State grant funding for infrastructure and reminded the Board that City residents are also County taxpayers who deserve representation.

Margie Huggins: Ms. Huggins offered a practical perspective, acknowledging the passion of community members and encouraging the Board to develop a plan that allows the TNRC to continue meeting and contributing. She suggested creating a project-based approach to generate tangible outcomes for Transylvania County's natural resources, including educational initiatives and hands-on projects, and requested consideration for monthly meetings or structured proposals to maintain momentum.

Clare Hannon: Ms. Hannon acknowledged the efforts of volunteers who assisted neighbors after Hurricane Helene, noting many contributed for weeks without pay while also managing family concerns. She also highlighted the importance of inclusivity in the community, noting that the meeting coincided with the beginning of Rosh Hashanah.

Hannah Bowers: Ms. Bowers emphasized that while County employees' efforts during Hurricane Helene were commendable, many are not currently paid a living wage. She noted that positions in essential services such as childcare and transportation start at $12.54/hour, underscoring the need for fair compensation beyond public recognition.

Aaron Baker: Mr. Baker, a Brevard City Councilman and County resident, addressed infrastructure challenges in the Azalea/Rhododendron neighborhood, describing it as a low-lying area with over 120 parcels, many with failing septic systems. He stressed that without access to water and sewer services, some properties could become uninhabitable, threatening generational wealth. Mr. Baker highlighted the importance of viewing land as a shared community resource and encouraged cooperation between the City and County to provide necessary infrastructure, emphasizing that collaboration can benefit residents without requiring agreement on broader political or personal differences.

COMMISSIONERS' COMMENTS

Commissioner Chapman shared information from the recently released *North Carolina Association of County Commissioners Map Book*, which includes comparative statistics for all 100 North Carolina counties. He noted that Transylvania County ranks 92nd in median age, with a median age of 52 years, making it the fourth highest in the State. Only 15.5% of the County's population is under the age of 18, which impacts local school enrollment and planning. He also pointed out that Transylvania County has the 14th lowest property tax rate in the State, and he commended the County for providing strong services with limited revenue. He reminded the public that property valuations are governed by State regulations, leaving counties with little control or flexibility in that process.

Commissioner Chapman also encouraged residents who have expressed opinions about the TNRC to attend their meetings or review their minutes. He emphasized that the TNRC remains a viable committee and that citizens are welcome to bring forward project ideas through the Board of Commissioners or the Planning Board. He said greater community participation can help guide the TNRC's focus on meaningful projects for the County.

Commissioner Dalton congratulated the Town of Rosman on receiving a more than $300,000 PARTF grant for improvements at Champion Park, including a water play area, trail, and other amenities along the French Broad River. He also mentioned the recent kickoff of Constitution Week at the courthouse gazebo, which included the public reading of the Preamble to the U.S. Constitution.

Commissioner Chapman added that he recently participated in a naturalization ceremony at the federal courthouse in Asheville. He described it as an inspiring experience, noting the visible pride and emotion of the new citizens as they celebrated becoming Americans. He said he hopes to discuss with Dr. Fletcher ways to incorporate similar citizenship education into local schools, so that students can gain a deeper understanding of the U.S. Constitution and the responsibilities of citizenship.

Commissioner McCall reflected on recent national and State tragedies, stating that our country has witnessed evil in its lowest and darkest form multiple times in the past few weeks. She offered prayers for the victims and their families and asked everyone to keep them in their thoughts during this difficult time.

Commissioner Chapman concluded by noting that the young woman murdered on the train in Charlotte was a personal friend of his granddaughter's.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner McCall moved to adjourn the meeting at 10:30 p.m., seconded by Commissioner Dalton and unanimously approved.**

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Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

ATTEST:

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Trisha M. Hogan, Clerk to the Board