

UNSEALED MINUTES

TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS CLOSED SESSION – JULY 25, 2005

Pursuant to NCGS 143-318.11(a)(5), to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price of a proposed contract for the acquisition of real property, closed session was entered at 8:00 p.m. The five commissioners, the manager, Attorney David Neumann, and the clerk to board were present. Chairman Ray Miller presided over the meeting.

Manager Wilson updated commissioners on efforts to secure land for the new jail/law enforcement center project. He reported that Mr. Eubanks has agreed to sell the additional 5+ acres adjacent to the 19+ acres on Morris Road for \$475,000, conditional upon the first parcel being approved for a public safety facility, and on soil conditions and an environmental assessment.

During the previous week, Commissioner Guice, County Planner Mike Thomas and the manager had a conference call with the architect regarding a public safety facility. Preliminary information with a rough sketch of how the property will be utilized was sent to City Planner Josh Freeman. They have reviewed the things that are necessary to happen for city council to decide whether or not they will allow a public safety facility to be located on this property.

The steps that will be taken prior to the decision include:

1. Moseley Architects preparing information (application) to go to city council, with the information to be furnished to the Planning Department on Monday, August 1, 2005. This is very preliminary information that will mostly state that the county will meet the city's requirements.
2. The Jail Planning Committee will meet on August 1st and, at that time, the site will be made public; this is the same day the city planning department will receive the information.
3. The city council will send out a notice at least ten days prior to a public hearing that is required for the public safety facility. This notice will be sent to all property owners within 200 feet of the subject property.
4. The public hearing is scheduled for Monday, August 15th, at the city council's regular meeting, and a vote on the matter is planned for that night.
5. On August 18th, if all conditions are met, the county will close on the 19.58 acres.
6. On August 24th, if all conditions are met, the county will close on the 5.141 acres.

City Planner Josh Freeman has requested that, as a part of the application package to the city, the county secure letters from the property owners around the Morris Road site stipulating that they have no problem with a public safety facility on that site. There was some discussion about the necessity and timing of those letters. The manager will discuss this with Mr. Freeman.

A study by the Department of Transportation (DOT) regarding the need for a light at Morris Road is being conducted. There is a possibility that the state will install and maintain this light for safety purposes. The county has received a letter from the DOT, which will be included in the application package to the city, that they are addressing the issue.

There was some discussion about payment in lieu of installing a sidewalk along Highway 64. The manager suggested that, since there would not be enough time to do the proper due diligence at this time,

we go with the easier solution of payment in lieu of now and negotiate this at a later date. We will comply with what the city suggests. In addition, Commissioner Guice recommended that the natural barrier of trees, especially along Highway 64, be left as intact as possible.

The manager is working on the public safety facility application narrative, which should be complete by Friday, July 29, 2005. The application will be submitted on August 1, 2005. It is anticipated that approval will be made at either the August 1st or August 15th city council meeting. Closing on the property is contingent upon getting all these things completed and approved.

The manager was authorized to proceed with this project, to finalize the application by Friday, and to talk with Stella Trapp on Friday so she can have an item in Monday's paper. Commissioner Duvall suggested that we provide to Mrs. Trapp at some point a history of why we are building a new jail/law enforcement center so that the public will have a better understanding of the project and to garner public support.

Following the discussions, **Commissioner Duvall moved to leave closed session and reconvene open session, seconded by Commissioner Guice and unanimously carried.**

Raymond D. Miller, Chairman

ATTEST:

Kimberly T. Conover, Clerk to the Board

Minutes approved and unsealed 10/24/2005