

**MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
September 22, 2014 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in regular session on Monday, September 22, 2014 at 7:00 p.m. in large courtroom of the Transylvania County Courthouse.

Commissioners present were Vice-Chairman Larry Chapman, Jason Chappell, Chairman Mike Hawkins, Daryle Hogsed and Page Lemel. Also present were County Manager Artie Wilson, County Attorney Tony Dalton, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Jeremiah Reed

There were approximately 60 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding called the meeting to order at 7:05 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their County government. He introduced the members of the Board of Commissioners and staff.

PUBLIC HEARING

AMENDMENT TO SMALL BUSINESS AND ENTREPRENEURIAL ASSISTANCE (SBEA) GRANT #1849

Transylvania County has worked closely with Land-of-Sky Regional Council and the NC Department of Commerce to close out a Small Business and Entrepreneurial Assistance Grant that was awarded in February 2009. The NC Department of Commerce approved the County's proposal to amend the original grant to allow four new jobs created through the entrepreneurial efforts of the Transylvania Partnership and Senior Resource Network to offset the jobs that were to be created by America Carolina Lighting and Surface Arts. A public hearing is required in order to amend the grant. The public hearing notice was properly advertised by the Land-of-Sky Regional Council. Commissioners intend to take action on this item later in the meeting.

Planning and Economic Development Director Mark Burrows explained in further detail why the amendment is necessary through a PowerPoint presentation. This is a summary of his presentation.

SBEA Background

- 2008: Transylvania County learns about a \$250,000 SBEA demonstration grant to support businesses
- 2008: Economic Development Advisory Board (EDAB) recommends to County Commissioners
 - American Carolina Lighting - \$100,000
 - Surface Arts - \$125,000
 - Both companies agree to hire five new employees
- Transylvania County is awarded the grant February 2, 2009 (recession hit in late 2008)
- Release of funds letter dated August 10, 2009
 - American Carolina Lighting moves forward.

- Surface Arts starts, but decides to wait.
- As part of the grant, Transylvania County working with the Transylvania Partnership identifies specific ways to support entrepreneurs in the County.
 - AdvantageWest Certified Entrepreneurial Community,
 - \$10,000 Business Plan Competition, and
 - Senior Resource Network (SRN) provides direct assistance.
- Neither America Carolina Lighting nor Surface Arts created new eligible jobs lasting more than a year because of the downturn in the economy.
- Total funds expended equaled \$112,768.61.
- Transylvania County worked closely with Land-of-Sky Regional Council and the NC Department of Commerce to close out the grant with no liability to either of the businesses or the County.
- County staff proposed to use jobs created through the other entrepreneurial efforts by Transylvania County and the Transylvania Partnership, Inc.
- Businesses supported through this effort included: 4-Rent, SylvanSport, Florressence Florist, Jump Scan, Do-More-Bar, Atlas Mobile Vet Service, Brevard Spa, Mayberry's Just Sauces, Racks and Rivers Taxidermy, Aloha Seven Seas Travel. Many others were also assisted with this component of the grant.
- NC Commerce verified job creation by these businesses and, in particular, SylvanSport.

Amendment Request

- Transylvania County requests to amend the SBEA #08-C-1849 grant to show four new eligible manufacturing jobs created by SylvanSport to offset the jobs that were to be created by American Carolina Lighting and Surface Arts.

Chairman Hawkins declared the public hearing open at 7:15 p.m. There were no comments from the public. **Chairman Hawkins declared the public hearing closed at 7:16 p.m.**

CLOSE OUT OF SMALL BUSINESS AND ENTREPRENEURIAL ASSISTANCE (SBEA) GRANT #1849

This is the second required public hearing which is necessary for the close out of the grant. Commissioners intend to take action on this item later in the meeting.

Karen Kiehna, Regional Planner with Land-of-Sky Regional Council, shared with Commissioners the process for closing out the grant. She will provide necessary documentation indicating the job creation. The project will be closed out once the minutes from this meeting are approved and certified. This in no way affects the County's ability to apply for future grants.

Chairman Hawkins declared the public hearing open at 7:18 p.m. There were no comments from the public. **Chairman Hawkins declared the public hearing closed at 7:19 p.m.**

PUBLIC COMMENT

Coty Ferguson: Mr. Ferguson informed Commissioners he intends to resign as the County's representative to the City of Brevard's Planning Board. He is returning to active military duty and will be deployed to the Middle East. He thanked Commissioners for the opportunity and expressed a willingness to serve again upon his return. Commissioners thanked him for his service to the County and wished him well.

AGENDA MODIFICATIONS

The Manager reported on the agenda modifications. He requested to remove Item V.A Minutes from the Consent Agenda. He also requested to add Item VII.B Planning Board under Appointments and move the Appointment of the Tax Administrator to Item C.

Commissioner Chapman moved to approve the agenda as modified, seconded by Commissioner Lemel and unanimously approved.

CONSENT AGENDA

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

The following items were approved:

APPROVAL OF DISCOVERY, RELEASE & MONTHLY SETTLEMENT REPORT

The Discovery, Release and Monthly Settlement Report for August 2013 was approved. Total tax dollars released was \$1,874.19. Refunds totaled \$1,276.31.

SMOKY MOUNTAIN CENTER MONITORING REPORT

Per NC General Statute 122C-117 (c), the quarterly Fiscal Monitoring Reports for the Local Management Entities must be presented to the Board of Commissioners in person and read into the minutes of the meeting at which it is presented at least twice a year. Included in the Commissioners' agenda packet is the Fiscal Monitoring Report for the period ending June 30, 2014. Smoky Mountain Center ended the year with revenues favorable over expenditures. It was noted that Smoky Mountain Center has yet to close out FY 2014 and the figures in this report do not reflect audited figures and are, therefore, subject to change.

FLU VACCINE FOR UNINSURED

Throughout the flu season, especially during special flu clinics, the Health Department staff observes individuals who are in close contact with other persons who are particularly impacted by the effects of contracting influenza, but are unable to purchase flu vaccine. These unimmunized individuals often pose a risk to fragile family members and other contacts. For many years, the Health Department has provided a limited number of doses to individuals who lack the financial means to purchase the vaccine. When these individuals are identified by the Health Department staff, they are given a dose of vaccine at no cost to the patient. Last year, 150 doses were allocated for this purpose, but less than 100 doses were actually given. Due to the decrease in demand, only 100 doses are requested for this purpose this season. The cost is expected to be between \$1,100 and \$1,500, depending on the actual cost of the flu vaccine and associated immunization supplies, and will not be collected. Commissioners authorized 100 doses of the flu vaccine for the uninsured.

BAD DEBT WRITE OFF FOR FY 2013-14

Health Department patient accounts that are inactive are periodically submitted to be written off. Collection efforts on these accounts cease, except for individual accounts that are greater than \$50 are forwarded to the NC Tax Debt Setoff Program. The amount requested to be written off is \$1,598. This actual amount may be reduced through collections by the NC Tax Debt Setoff Program and future collections of reactivated accounts. Commissioners approved the write-off of bad debt in the Health Department.

PRESENTATIONS/RECOGNITIONS

RESOLUTION IN RECOGNITION OF MARK BAKER

Mark Baker will retire from Transylvania County effective October 1, 2014. He has worked in the Maintenance Department since November 19, 1990 and has served in the role of Lead Maintenance Technician. Commissioners, the Manager and Operations Manager David McNeill thanked Mr. Baker for his service and dedication to the County and presented him with a resolution in his honor which was received with a standing ovation.

Commissioner Lemel moved to approve Resolution 32-2014 In Recognition of Mark Anthony Baker. The motion was seconded by Commissioner Hogsed. After comments, the motion was unanimously approved.

Mr. Baker thanked Commissioners for this recognition. He offered his assistance where needed and thanked everyone for being part of his family for so many years.

(Resolution 32-2014 In Recognition of Mark Anthony Baker is hereby incorporated by reference and made a part of these minutes.)

APPOINTMENTS

BREVARD BOARD OF ADJUSTMENT & APPEAL (ALTERNATE)

The Alternate on the Brevard Board of Adjustment & Appeal has been vacant for over a year. The Clerk has advertised on numerous occasions and received no applications. Thanks to the recruiting efforts of Commissioner Chapman and Board Member Judy Mathews, the Clerk received an application from Tom Tartt who is very much interested and willing to serve.

Commissioner Chapman moved to appoint Tom Tartt to fill the vacant Alternate position on the Brevard Board of Adjustment & Appeal. The motion was seconded by Commissioner Lemel and unanimously approved.

PLANNING BOARD

Jay Kaiser submitted his resignation from the Planning Board on September 5 effective immediately. There are 10 eligible applications on file.

Commissioner Lemel nominated and moved to appoint Mack McNeely to the Planning Board. The motion was seconded by Commissioner Chappell. There were no other nominations. Commissioner Chapman pointed out that Mr. McNeely has served on the County's Economic Development Advisory Board and owns a major business in the County. He is also well respected in the State. **The motion was unanimously approved.**

TAX ADMINISTRATOR

At the September 8 Board of Commissioners' meeting, David Reid, Tax Administrator, announced his retirement effective January 1, 2015. The County developed a succession plan some years ago and Assistant Tax Administrator Annette Raines was identified as a candidate for the Tax Administrator position. Ms. Raines has assisted with conducting four in-house appraisals and has all the qualifications necessary for the position. The County Manager and Tax Administrator both recommend Ms. Raines for the Tax Administrator position.

Commissioner Hogsed moved to appoint Annette Raines as Tax Administrator with an effective date of January 1, 2015. The motion was seconded by Commissioner Lemel. Commissioners

congratulated Ms. Raines on her appointment. They expressed their desire to work with her closely in continuing the excellent service provided by the staff of the Tax Administration Department. **The motion was unanimously approved.** The audience applauded Ms. Raines on her appointment.

OLD BUSINESS

UP-FIT OF REGISTER OF DEEDS AND TAX BUILDING

Staff has been working with Architect Rich Worley to develop a plan to improve the outside appearance of the Register of Deeds and Tax Administration Building. The plan is to use an Energy Finish Insulation System (EFIS) to wrap the building, covering up the places where the large windows were removed, giving the building an improved appearance and making it more energy efficient. EFIS resembles stucco. The steps on the South Broad Street side will be removed and that portion of the outside of the building will also be covered with EFIS. The proposal also includes replacing the existing windows with more energy efficient windows and repairing the rock wall.

The lowest responsible bidder for the project was Appalachian Construction at a base bid of \$129,000. Staff is proposing to add alternatives 1 (replacement of the windows \$10,500), 2 (replacement of outside lights for \$9,500) and 3 (repair of the rock wall for \$12,500), for a construction cost of \$161,000. The total project cost, including architectural fees, landscaping, construction and contingency is \$172,000. Here is a breakdown of the cost:

<i>Project Budget</i>	\$
Construction Cost	129,000
Window replacements	10,500
Replace Outside Lights	9,500
<u>Repair Rock Wall</u>	<u>12,500</u>
Total Construction Costs	161,000
Architectural Fees	3,000
<u>Contingency</u>	<u>8,000</u>
Total Project Budget	172,000

It was noted that staff followed proper bid procedures. Also, the City of Brevard approved the County's request for a variance for the EFIS to be applied to the building.

Commissioner Lemel moved to approve the bid from Appalachian Construction at a base bid of \$129,000 and alternatives 1 (replacement of windows \$10,500), 2 (new exterior lights \$9,500), and 3 (repair of the rock wall \$12,000) and a project budget of \$172,000. Funds are to come from the Unassigned Fund Balance in the General Fund. The motion was seconded by Commissioner Chapman. Commissioner Chapman asked if there was any benefit to completing the project in phases. The reason for his question is that the project cost has increased substantially since the planning first began. Architect Rich Worley recommended moving forward with the entire project. The EFIS wraps around the entire building, so if the installation of the windows is delayed, part of the EFIS could not be installed either. He also said it might be more costly to delay the project. The Manager pointed out that this project completes the building. No other work will have to be done once finished. There will also be a savings realized with better energy efficiency. He noted that the timeline for completing the project is 120 days from the time the contract is signed. **The motion was unanimously approved.**

NEW BUSINESS

BIKE/HIKE PATH

As part of the recreation master plan, the City and County have been working together to expand recreational opportunities in the community. The City, Tourism Development Authority and County are proposing to construct a bike/hike path that will connect Cherry Street and Oskar Blues Brewery to the Brevard-Pisgah National Forest bike/hike path. The estimated cost is \$92,000. The City of Brevard is committed to funding \$38,000 and the Tourism Development Authority has promised \$25,000, leaving \$29,000 to fund the project. The Manager requested that the Board of Commissioners commit \$29,000 to the City of Brevard to help construct the project. According to the Local Government Commission, the County can work jointly with another local government on parks and recreation projects.

Commissioner Lemel moved to authorize \$29,000 for the construction of the bike/hike path from Cherry Street to the bike/hike path from Brevard to the Pisgah National Forest with funds to come from the Unassigned Fund Balance in the General Fund. The motion was seconded by Commissioner Chapman. Commissioner Chappell believes this is an important project and will help attract business because these are the types of things new businesses are looking for in communities. **The motion was unanimously approved.**

AMENDMENT TO SMALL BUSINESS AND ENTREPRENEURIAL ASSISTANCE (SBEA) GRANT #1849

As required, Commissioners held a public hearing at the beginning of the meeting. There were no comments from the public. Staff requested Commissioners approve the amendment to the grant.

Commissioner Chappell moved to approve amendments to the Small Business and Entrepreneurial Assistance (SBEA) Grant #08-C-1849. The motion was seconded by Commissioner Hogsed and unanimously approved.

CLOSE OUT OF SMALL BUSINESS AND ENTREPRENEURIAL ASSISTANCE (SBEA) GRANT #1849

As required, Commissioners held a public hearing at the beginning of the meeting. There were no comments from the public. Staff requested Commissioners approve the close out of the grant.

Commissioner Hogsed moved to approve the close out of the Small Business and Entrepreneurial Assistance (SBEA) Grant #08-C-1849. The motion was seconded by Commissioner Lemel. It was noted that if staff was not successful with the close out, the County would have had to pay back the State \$112,000. Commissioners thanked staff for their work on resolving this matter. Staff spent a tremendous amount of time working with the State to amend the grant so it could be closed out. **Chairman Hawkins moved to amend the motion to include giving the Manager and Chairman the authorization to sign the necessary documents. There was no objection from Commissioner Hogsed. The amended motion was seconded by Commissioner Hogsed and unanimously approved. The main motion was unanimously approved.**

MANAGER'S REPORT

The Manager gave an update on the following key projects:

1. Renovation of the new Administration Building is almost complete. The County should be awarded a Certificate of Occupancy next week. The move in date is scheduled for October 17.
2. Oskar Blues Brewery-work continues on helping Oskar Blues deal with its discharge parameters. There has been discussion about the use of the aeration stabilization basin at Davidson River Village (DRV) should they become a tenant at the DRV property.
3. Initial tests of hauling leachate to the Rosman Wastewater Treatment Facility are promising.

4. Staff has completed preliminary plans for the renovation of the old Detention Facility. A total project cost including contingency is estimated at \$1.5 million.
5. Met with the Chairman and Vice Chairman of the Economic Development Organization. Their plans are to present a proposed agreement to the Board of Commissioners on October 27. They hope to be fully staffed with three people by July 1, 2015.

Chairman Hawkins asked Commissioners to be thinking about their philosophy for the new Economic Development Organization. At the next meeting, the EDO Board intends to bring forth a proposed budget for Commissioners to consider for the rest of the year.

Commissioner Chapman suggested Commissioners let the first County Commission meeting in November be the first meeting in the new Administration Building. This gives staff time to get settled and trained on the new equipment.

Commissioner Lemel asked if the County considered hauling its leachate from the landfill to the Rosman Wastewater Treatment Facility a long term solution. The Manager said this year has been a dryer year in terms of rainfall. It is unknown how much leachate the facility could hold if the rainfall totals are much higher. The County will continue working with the City of Brevard as well. At this time the results from using the Rosman facility are favorable.

COMMISSIONERS' RECOGNITION OF ARTIE WILSON

County Manager Artie Wilson will be retiring effective October 1, 2014. This is his last meeting as County Manager. He has been with Transylvania County since 1989 and has served as County Manager since 1992.

The County wishes to recognize the Manager in various ways. Tomorrow County employees have planned an employee breakfast with the Manager at the Library and they will make several presentations to him at that time. There will be a public event on Thursday from 5:00 p.m.-7:00 p.m. at the Library as well. There will also be a presentation at the public event. Chairman Hawkins invited the public to attend.

Commissioners also wish to present the Manager with a framed resolution in his honor. Commissioner Chappell read the resolution aloud. It was noted that local resident Don Surette constructed a wooden frame from wormy chestnut salvaged from an old piano bench to display the resolution. Mayor Harris, owner of Harris Hardware, donated the glass for the frame. **Commissioner Lemel moved to approve Resolution 33-2014 In Recognition of Arthur C. "Artie" Wilson, Jr. The motion was seconded by Commissioner Hogsed.** Each Commissioner shared personal statements about the Manager. They expressed heartfelt appreciation for his dedication to his job and for always making decisions based on what he believed were the best for the citizens of Transylvania County. They wished him well on his retirement and said they hoped he would continue his involvement in local government. **The motion was approved unanimously.**

RESOLUTION 33-2014

IN RECOGNITION OF ARTHUR C. "ARTIE" WILSON, JR.

WHEREAS, effective October 1, 2014, Arthur C. "Artie" Wilson, Jr. will retire from Transylvania County government; and

WHEREAS, Artie has been an employee of Transylvania County since November 1989, serving his first three years as Economic Development Director and since 1992 as the County Manager; and

WHEREAS, as County Manager, Artie skillfully led a complex organization with over 300 employees in nearly two dozen functional areas; and

WHEREAS, Artie has been an integral member of the County team whose responsibilities involve planning, coordinating and implementing all County services, programs and outreach for citizens within the community; and

WHEREAS, Artie's leadership skills and direction have enabled him to develop a highly professional staff which has consistently provided excellent service to our County's citizens and his priority has always been that County government make a positive impact on peoples' lives; and

WHEREAS, during his tenure, Artie improved and increased vital services to the County's citizens, led the County's successful Sesquicentennial Celebration, and helped the County rebound from an economic downturn that saw the County lose a large percentage of its manufacturing job base; and

WHEREAS, increased County services necessitated new building projects which Artie expertly oversaw, including but not limited to the Social Services Building, Library, Public Safety Facility, Connestee Falls Park, Community Park in Rosman and Animal Shelter, as well as prudent renovations of, and additions to, other County facilities, including but not limited to the Activity Center, Social Services Building, Silvermont, old Sheriff's Building, Champion Park and the old Library, with each of these projects enabling improvements in the scope and quality of County government's services to Transylvania County citizens; and

WHEREAS, Artie has worked tirelessly for quality economic development in Transylvania County, in all of its many complex facets: transportation, education, utilities, healthcare, workforce development, and housing, along with business support and recruitment; and

WHEREAS, Artie has always been a strong advocate for County staff while being mindful of his fiduciary responsibilities to the County's citizens, understanding that a strong and talented staff provides exceptional services which benefit all County residents; and

WHEREAS, Artie has shown his love for Transylvania County through the innumerable civic activities he has participated in, and his unflagging optimism about, and faith in, the people of his home County; and

WHEREAS, these are just a few of the ways in which Artie's leadership and passion for community service to citizens has left his mark in Transylvania County; and

WHEREAS, Artie is known, respected and loved by citizens throughout Transylvania County;

NOW, THEREFORE, BE IT RESOLVED by the Transylvania County Board of Commissioners to recognize Artie upon his retirement and to express our appreciation for his years of service to the County and citizens of our community;

BE IT FURTHER RESOLVED by the Transylvania County Board of Commissioners to extend to Artie best wishes for many years of good health and happiness during his retirement and his future endeavors.

This the 22nd day of September, 2014.

Commissioners presented the Manager with a gift card to Pisgah Inn.

Commissioners have also discussed naming the conference room in the new Administration Building for the Manager. This is allowed and possible according to policy recently approved by Commissioners for naming County buildings and facilities. **Commissioner Chapman moved to name the large conference room in the new Administration Building in recognition of the Manager. The motion was seconded by Commissioner Lemel. After comments, the motion was approved unanimously.**

Commissioners congratulated the Manager once again. The audience gave a standing ovation.

The Manager thanked Commissioners for this recognition. He said he could not have accomplished all that he did without having excellent department heads and employees to support him. He said it has been his honor to work for this and previous Boards of Commissioners. The Manager thanked this Board for their leadership as he has worked hard to carry out their wishes and policies. He felt blessed for being able to serve the citizens of this County for so long. He believes the Board has made an excellent choice in their new Manager who will be coming on board on October 1.

Chairman Hawkins called for a 5 minute recess at 8:35 p.m. The meeting reconvened at 8:40 p.m.

WORKSHOP-COURTHOUSE EXPANSION PROJECT

At the previous Board of Commissioners' meeting staff gave an overview of the history of identifying the space needs in the Courthouse. This second meeting will include a PowerPoint presentation of pictures of the overcrowded situation in the Courthouse, a short video showing the security issues, and Commissioners will hear from the Sheriff and others regarding the need for additional space in the Courthouse. Also, Finance Director Gay Poor will brief the Commissioners on financial options available for funding the project.

Court Sergeant Jimmy Jones showed a PowerPoint presentation which included video of what goes on during court days. The pictures and video showed the process for bringing inmates into the Courthouse while at the same time dealing with members of the public inside and outside of the facility. This is one of the most stressful times for officers.

Pictures depicted the overcrowded hallways outside of the small courtroom. Inmates are escorted through these same hallways on their way to the same courtroom. There are also no holding cells for inmates so they are placed in conference rooms. On criminal court days, up to 500 people (on occasion there have been more) enter and exit the Courthouse facility, all while inmates are being transported to and from the jail. Volunteers provide extra security on these days. Sergeant Jones also noted there is no space available for attorneys to meet with their inmate clients. He wrapped up his presentation by citing statistics of the number of people entering the Courthouse on criminal court days, how many days court was in session, and the number of inmates transported on these days.

Sheriff David Mahoney reported that as Sheriff he is constitutionally responsible for the security of the Courthouse and this building creates an issue with his ability to do that well. Everyone who is involved with the courts in some way (Clerk of Court, adult and juvenile Probation, Public Defender, District Attorney, inmates, members of the public, etc.) is at risk. His officers do the very best they can to provide security and control the movement of those in the building and parking lot.

Especially concerning is the commingling of inmates, those working in the court system, and members of the public in the same hallways. This is very dangerous. There should be a secure place to load and unload inmates and a way to get them into the building without commingling with the public. Furthermore, there is a desperate need for additional courtroom space. The Sheriff pointed out that the small courtroom can

usually hold only a fifth of its docket. The small courtroom can hold only 48 people. This is not manageable. Sheriff Mahoney pleaded with Commissioners to do what is necessary to enhance his officers' ability to provide the necessary security measures. He noted that improvements to the Courthouse entrance have helped but it is not a perfect fix. He believes now is the time to address this issue.

Commissioner Hogsed recalled from the report provided by the Rural Courts Commission a few years back that there have been mistrials in other counties because juries witnessed defendants in shackles or handcuffs. This is not allowed by law. This could present a problem here with the commingling issues.

The Sheriff pointed out there are also issues here in the large courtroom. Since there is no holding cell, inmates sit in the jury box. There have been times when people sitting in the audience have tried to pass things to the inmates and on occasion a couple of inmates jumped over the wall and tried to escape. Also, handicapped individuals must pass through the same doors as inmates.

Commissioner Lemel referred back to the reports from Courthouse Committees A and B. They both recommended a new Courthouse at the Public Safety Facility site. They also included a component for onsite expansion. Commissioner Lemel questioned if maintaining court functions at this facility is appropriate for downtown Brevard. It appears as though the onsite expansion does not provide public access from Main Street and does not address parking. While onsite expansion does allow continued use of the historical building; she does not see the value in using a historic building for transporting inmates. Commissioner Lemel said the onsite expansion does not address the issues of security and safety and is not the best use of taxpayer dollars. She commented that people in this community want the front doors of the Courthouse open and that cannot happen if court continues to be held here. It is important for the County to work with the community to determine what other functions are appropriate for this building.

Sheriff Mahoney added that several studies (by the US Marshal Service, Sheriff's Association, Rural Courts Commission, etc.) have revealed the fact that nothing can be done to make the current Courthouse secure. His officers are doing the very best they can with this building.

Chairman Hawkins asked the Sheriff about the impact of not having to transport inmates to the current Courthouse. Sheriff Mahoney said a new location at the Public Safety Facility site has its advantages both from a physical standpoint from being much closer, but also from a security standpoint. He reported that in 2013 and so far in 2014, his officers have made nearly 1,000 transports in each year.

Commissioner Hogsed said the new jail has the capability for video arraignments and he wondered why that is not being used. The Sheriff said the technology is available but most judges are reluctant to use it. There are few court processes that can be done using video technology.

Commissioner Chapman shared Commissioner Lemel's concerns. He hopes Commissioners will continue to explore options during the next few meetings. To him it comes down to the dollar figure and whether or not Commissioners want to provide a short term or long term solution. Commissioner Chapman stated he does not want to be sitting here in 10 years asking the same questions, so Commissioners need to focus on the location and how to pay for it.

Public Defender Paul Welch asked that Commissioners make wise decisions and not experience what Henderson County did. Henderson County built a new courthouse which was not big enough to handle all the functions. He encouraged Commissioners to build a new facility to accommodate future needs and find ways to repurpose the current facility. He noted that the current Courthouse was built in 1875, so Commissioners should construct a building that will last just as long as this one has.

Finance Director Gay Poor provided information about funding options for the Board to ponder. The most common funding options are bonds and installment purchasing agreements. The method chosen is based on the need and how the Board wants to pay the monies back. Bonds require voter approval. Installment financing is the simplest method. Ms. Poor informed the Board that it is the responsibility of the Local Government Commission (LGC) to determine if a county can borrow money. The LGC requires a good estimate of the project cost and proof the County has the ability to pay back the debt. After approval from the LGC, the County would then get bids on both the project and the financing of the project. Commissioners must also hold a public hearing and the minutes of the public hearing must be included with the loan to the LGC, along with copies of the bids and a resolution adopted by the Board. All of this information must be sent to them at least four weeks prior to the LGC's monthly meeting. The County has past experience with borrowing money and has an excellent bond rating. Ms. Poor noted there is a cap on the amount of money that can be borrowed through installment financing. If that is the case, then a bond is the only option.

Commissioner Chapman inquired about what a bond referendum might look like on a ballot. The Manager said what is on the ballot is extremely important. The ballot would indicate that the County is seeking permission from the public to borrow a certain amount of money and intends to pay it back within a certain period of time and that the monies will be used for a specific purpose which is described on the ballot.

Chairman Hawkins asked if the expansion of the old jail can be included with an installment financing loan or bond issue. Ms. Poor confirmed that it can.

Chairman Hawkins inquired about the costs involved with installment financing versus a bond referendum. Ms. Poor reported that the cost of a bond referendum is much higher because it involves a much more complicated process.

Commissioner Chappell asked for verification that taxpayer dollars cannot be used to market a bond referendum. The Manager confirmed that is correct. Taxpayers' dollars may only be used to educate the public, not influence their vote.

Commissioner Chapman noted that the Board of Education has been discussing the need for a bond referendum as well. He thinks it will be difficult for the County to withstand two bonds at the same time. The Manager noted that the current school bond issue will be paid off in FY 2018.

At the next meeting, staff will continue to present alternatives to the Board to aid them in their decision-making. Staff will also continue to explore all funding options, including grants.

PUBLIC COMMENT

Edwin Jones: Mr. Jones commented that the decision about the Courthouse should be based on public safety, not the image for downtown Brevard. He also commented that there is signage in Henderson County advertising for Sierra Nevada and he suggested the County contact Henderson County officials about getting similar signage for Oskar Blues.

Jack Hudson: Mr. Hudson stated if security is the main concern, then a new Courthouse is the only option. A new Courthouse at the Public Safety Facility also reduces costs by eliminating the need for transports. The onsite expansion does not address parking. Adding a parking deck to the onsite expansion project would cost roughly the same as building a new Courthouse altogether, according to the two bidders that estimated the cost of the project a few years ago. Mr. Hudson would like for Commissioners to obtain updated space needs and cost figures from Moseley Architects. He asked Commissioners to keep an open mind on this project.

Doug Harris: Mr. Harris thanked Commissioners for their thoughtful revisit of this issue and he understands that the decision may be made based on cost. He is concerned about how much space is actually needed and how long that space will be adequate to meet the needs. The square footage estimates have been wide ranging over the years and he thinks Commissioners need to clarify these numbers. Mr. Harris asked Commissioners to keep in mind future Boards of Commissioners and taxpayers as they make their decisions.

Wayne Hennie: Mr. Hennie agreed with Mr. Hudson's comments about having a new site at the Public Safety Facility. He asked Commissioners to also consider the needs for schools, infrastructure, and economic development.

COMMISSIONERS' COMMENTS

Commissioner Lemel reported that she spent two days at the School of Government learning about financing economic development. She said she benefited greatly from this opportunity and she was able to network with other county officials from across the State.

Commissioner Chapman reported that he recently participated in a webinar on fund balances. He will provide Commissioners with more information. He will be attending the Board of Directors meeting of the NC Association of County Commissioners where members will be reviewing the legislative priorities submitted by counties and assigning them to committees.

Chairman Hawkins responded to Mr. Hudson. He stated that the figures did not come from actual bids on the project; they were merely sketches of what the cost might be. The project cost provided by the Manager at that time was based on an average of the two estimates. Chairman Hawkins also responded to Mr. Harris about the wide ranging square footage numbers. He said the reason for the variation is that other needs have been addressed over the last few years (Register of Deeds, Tax Administration).

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Chapman moved to adjourn the meeting, seconded by Commissioner Lemel and unanimously carried.**

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board