



December 22, 2009

Board of County Commissioners - Transylvania County  
c/o Jason Chappell  
21 East Main Street  
Brevard, NC 28712

Dear Chairman Chappell:

Perhaps some of you may remember downtown Brevard in the 1980s - empty storefronts, shops and offices closing at 5:00 p.m., no downtown restaurants, and after normal business hours no pedestrians and only cars passing through downtown.

All of this began to change in 1991 when the members of the Heart of Brevard started working together. The Heart of Brevard combined entrepreneurial risk-taking with collaboration that has turned downtown into the vibrant and inviting destination for both residents and visitors. We now have excellent restaurants, great shopping, cultural events, festivals, and public art that keep people coming to downtown all day and well into the evening.

The historic courthouse is a centerpiece of our revitalized downtown and vital to its economic success. Residents frequent the courthouse to obtain birth and death certificates, to apply for passports, to list and pay taxes, to obtain copies of their property documents, to conduct genealogy research and to obtain marriage certificates. These courthouse visitors also conveniently frequent the downtown shops, businesses and restaurants, not only contributing to the economic viability of downtown but also adding to the sales tax collections for the County.

The current courthouse is inadequate to house all of the traditional functions usually found in courthouses. The problems include: 1) lack of sufficient space for its current usage; 2) inadequate security; and 3) lack of sufficient parking.

**Space:** The courthouse now houses the Clerk of Court, Register of Deeds, tax offices and all civil and criminal courts (including two courtrooms, the law library, jury room and district attorney's office). All of these spaces are overcrowded with no area for expansion.

**Security:** The current courthouse cannot be made secure as long as criminal defendants and prisoners and the general public must walk through the same parking lot, enter through the same single entrance, and use the same hallways and elevator. Criminal district court is in session at least two days a week and criminal superior court at least six weeks a year. These sessions of court bring large numbers of defendants, witnesses, family members, friends and victims to the courthouse. These people spill out into the hallways, parking lot, the gazebo and Walker Park. People required to attend criminal court are often anxious, agitated and angry; leading to arguments, fights, inappropriate language and threats. All of these factors create a very unpleasant experience for those citizens that need to go to the courthouse for non-court matters. These problems can only be expected to increase in the future with the increasing size of the criminal dockets necessitating more court days. In addition, there is no secure holding room for prisoners waiting for their cases to be called nor is there a secure port for the transferring prisoners from the transport van to the building. Security issues are far more likely to arise from criminal defendants and from the transport of prisoners to criminal court rather than from people applying for passports, handling estate matters, getting a copy of a birth certificates, etc.

**Parking:** The courthouse parking is limited and not sufficient for the large number of people attending criminal and civil courts, causing these people to park in other city parking lots and on the streets, crowding out citizens and visitors who come downtown to transact business in the courthouse, shop, eat, and visit other downtown businesses.

**Because the courthouse's problems of space, security, and parking greatly affect the main street of the downtown, and because we know that all departments cannot continue to reside in the historic courthouse building, we are asking that the county commissioners seriously consider the following: Keep the Registrar of Deeds and the tax assessment/collection offices in the historic building. Move the criminal court (and if necessary, the civil court) to the old jail and sheriff's office buildings.**

If civil and criminal court were removed to the old jail all three of the current problems would be alleviated. The entire second floor of the historic courthouse would be available for expansion of the remaining offices. Citizens could easily access the courthouse for all non court functions. The security issues would also be resolved. The old jail has a secure port used for the transfer of prisoners into the building and would preclude prisoners from using the public parking area and public entrance, thus isolating the prisoners from the public. The old jail has cells that can be used to hold prisoners while waiting for their cases to be called. There is sufficient parking in the area of the old jail. The many people attending court (whether parties, family, witnesses, and victims) will have more places to park without using the very limited parking surrounding the historic courthouse and thereby allowing downtown visitors to visit the courthouse and downtown shops, restaurants and businesses without interference.

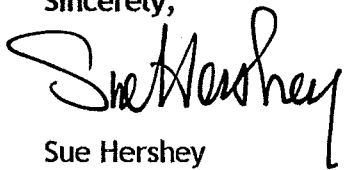
The revitalization of downtown is due to the efforts of private citizens who were willing to take the risk of investing in new businesses. The hard work of the Heart of Brevard and its merchants and businesses benefits all citizens of our country and contributes significantly to tax revenue through increased downtown property values and added sales taxes. This is especially apparent when you consider that during the past two county re-evaluations, each time the property values doubled or tripled in our downtown. Downtown property owners continue building improvements because they believe in the commercial importance of the central business district.

The downtown has had a major impact in the increase in tourism in our County and has become a major attraction for visitors. Fortifying the premier landmark historic building in the middle of downtown in order to accommodate more defendants and prisoners increases the problems that discourage law-abiding citizens from enjoying the amenities our downtown offers. We have an economy that cannot afford to dismiss the positive financial revenue tourism generates. A visitor does not necessarily have to spend money to enjoy our incredible outdoor natural resources; a visitor, however, does spend money when shopping, eating, going to the movie.

County residents who make use of business services and government offices value the downtown for its convenience, safety, ambience. The historic courthouse is the landmark building that connects Transylvania County's rich past with the importance of continuing to do business in the county today. Many residents savor the ability to do important county

**“business” in the most prominent historic building in the downtown. The usage of the current courthouse should not discourage the general public from patronizing the small businesses that make up our downtown.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Sue Hershey". The signature is fluid and cursive, with the first name "Sue" and last name "Hershey" clearly distinguishable.

**Sue Hershey**

**Heart of Brevard - President**