

Unsealed by the Board of Commissioners on 11/13/2023.

**MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
November 8, 2021 – CLOSED SESSION**

Per North Carolina General Statute § 143-318.11 (a) (5) To establish, or 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 and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, closed session was entered into at 6:30 p.m. Present were Chairman Chappell, Commissioners Chapman, Dalton and Guice, County Manager Jaime Laughter, Assistant County Manager David McNeill, County Attorney Patrick Scott, and Clerk to the Board Trisha Hogan.

The Manager informed the Board that the Ingles corporation has responded to the County with a counteroffer to purchase the county-owned property on which the EMS base station currently sits. They calculated the offer based on a per acre price point. Ingles counteroffered at \$560,740 for the 068-acre lot. Ingles also counteroffered with the following conditions:

1. Ingles would give the County four months to vacate after the closing date
2. 60-day turn-around time to close following approval of final offer
3. Ingles would not charge the County rent while occupying the building after closing
4. Purchase by an LLC closely held to Ingles Markets to transact the purchase

The Manager sought guidance from the Board of Commissioners on next steps. She informed the Board the purchase must follow the upset bid process according to statutes. The Manager reminded the Board that EMS can operate at a different location after the sale is complete and pending construction of a new EMS base station. At the next meeting, the Board intends to approve the property swap with Biltmore Baptist Church for land on which to build a new EMS base station. Staff is already collaborating with an architect to draft a request for qualifications for design and engineering work.

Any conditions agreed upon by the Board would be included in the upset bid process so that any potential bidder would be held to the same conditions. Following discussion, the Board counteroffered with the following conditions:

1. Ingles to give County up to six months to vacate after closing date; County will work diligently to vacate sooner
2. Counteroffer purchase price of \$600,000
3. If agreeable with Ingles, County will accept this offer at the December 13 meeting and proceed with upset bid process

The Board required a response from Ingles prior to their meeting on December 13. If the Manager receives a favorable response, staff will move forward with adding this as an agenda item.

Commissioner Dalton moved to leave closed session, seconded by Commissioner McCall, and unanimously approved.

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

ATTEST:

S://Trisha M. Hogan, Clerk to the Board

11/08/2021