

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**MARCH 27, 2023 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, March 27, 2023 at 6:00 p.m. in the Multipurpose Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC. Commissioners present were Emmett Casciato, Larry Chapman, Chairman Jason Chappell, Vice-Chairman Jake Dalton, and Teresa McCall. Also present were County Manager Jaime Laughter, County Attorney Bill Bulfer, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Jon Rich

There were approximately 40 people in the audience.

**CALL TO ORDER**

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 6:02 p.m.

**WELCOME**

Chairman Chappell welcomed everyone to the meeting and introduced the Commissioners and staff in attendance.

**PUBLIC COMMENT**

*The comments made by the public represent the individual speaker's opinion or point of view. The Clerk to the Board did not attempt to vet their statements for accuracy or modify them based on facts.*

Sam Edney: Mr. Edney spoke in response to a Commissioner's comments from the previous meeting about our form of government not being a democracy and that the majority does not rule. Mr. Edney agreed that we live in a representative democracy and that representatives are democratically elected; however, he refuted the Commissioner's comments about the majority not ruling in the United States saying that the Commissioner was elected by a majority of the vote in a democratic election. He was appalled at the Commissioner pondering the outcome of a vote on the Ecusta Trail yet saying it would not mean anything. Mr. Edney then cited several issues that he said also might not mean anything to this Board, including the Governor signing Medicaid expansion into law giving 2,000 residents in Transylvania County access to paid healthcare, a leaking roof at Rosman High School that has needed repair for years, and the school bond projects that have yet to commence.

Claudia Hawkins: Ms. Hawkins celebrated Governor Cooper's signing into law a bill that will bring Medicaid expansion into North Carolina subject to the passage of the budget. She said many of our citizens fell into a coverage gap and did not qualify for insurance under the Affordable Care Act, but they also did not earn enough money to purchase insurance in the marketplace. Because North Carolina refused to adopt Medicaid expansion, many people were left behind. With Governor Cooper's signature, over 2,000 Transylvanians can now be insured which is happening despite this Board's opposition to Medicaid expansion. Ms. Hawkins commended Commissioner Dalton for being the only Commissioner to support the expansion and she thanked him for his leadership. She asked the Board to follow the example of the Republicans in Raleigh to put aside partisan politics, listen to others with different viewpoints, and study the facts before making decisions on future issues that impact Transylvania County citizens.

## AGENDA MODIFICATIONS

Staff requested to table the Board of Health appointments until the next meeting.

**Commissioner McCall moved to approve the revised agenda, seconded by Commissioner Chapman and unanimously approved.**

## CONSENT AGENDA

**Commissioner McCall moved to approve the Consent Agenda as submitted, seconded by Commissioner Casciato, and unanimously approved.**

The following items were approved:

### APPROVAL OF MINUTES

The Board of Commissioners held a regular meeting on Monday, March 13, 2023. The Board approved the March 13, 2023 minutes as submitted.

### FEBRUARY 2023 DISCOVERY, RELEASE & MONTHLY SETTLEMENT REPORT

Per N.C.G.S. § 105-312 (b), the Tax Administrator must see that all property not properly listed during the regular listing period be listed, assessed, and taxed. The Tax Administrator shall file such reports of discoveries with the Board of Commissioners. Per N.C.G.S. § 105-381 (b), the Tax Administrator must provide a monthly report to the Board of Commissioners of the actions taken by the Tax Administrator on requests for release or refund, which shall be recorded in the minutes. For February 2023, tax dollars released totaled \$628.36, and refunds amounted to \$1,185.75. The Board approved the February 2023 Discovery, Release, and Monthly Settlement Report as submitted.

### TRANSYLVANIA PUBLIC HEALTH CARE COALITION – OUT-OF-STATE TRAVEL REQUESTS

The CARE Coalition requested approval to attend multiple out-of-state training opportunities in the calendar year 2023. Various grant projects necessitate the need for diverse training opportunities for CARE staff and coalition partners. All travel and training opportunities have been approved in their respective grant program's action plans and budgets. The details of each request were included in the Board's agenda packet.

### REQUEST FOR TEMPORARY SUMMER CAMP DIRECTOR POSITION

Due to the vacancy in the Parks and Recreation Director position, there is a need for additional staff capacity to supervise the summer camps during one of the busiest times of the year for Parks and Recreation. Staff requested the Board add a Summer Camp Director position on a temporary eight-week basis to supervise summer camp operations and the part-time recreation assistants. Parks and Recreation will bring in additional program revenue over budgeted amounts for the current fiscal year. The revenue projection, in addition to lapsed salaries, will cover the anticipated cost of the Summer Camp Director for eight weeks so the staff requested no additional funds. The Board approved the request to hire a temporary Summer Camp Director position.

### PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

April 9-15, 2023 is recognized as National Public Safety Telecommunications Week to honor the thousands of men and women who respond to emergency calls, dispatch professionals and equipment, and render life-saving assistance to the citizens of the United States. The Board of Commissioners is very proud of all the Transylvania County 911 Communications Center's Tele-communicators and the vital service they provide to the citizens and visitors of Transylvania County and their fellow emergency services comrades. The Board approved Proclamation #12-2023 National Public Safety Telecommunicators Week April 9-15, 2023.

**Proclamation #12-2023**  
**National Public Safety Telecommunicators Week**  
**April 9-15, 2023**

**Whereas**, emergencies can occur at any time that require police, fire or emergency medical services; and

**Whereas**, when an emergency occurs, the prompt response of police and law enforcement officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

**Whereas**, the safety of our police and law enforcement officers, firefighters and paramedics is dependent upon the quality and accuracy of information obtained from citizens who telephone the Transylvania County 911 communications center; and

**Whereas**, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

**Whereas**, Public Safety Telecommunicators are the single vital link for our police and law enforcement officers, firefighters and paramedics by monitoring their activities by radio, providing them information and ensuring their safety; and

**Whereas**, Transylvania County's Public Safety Telecommunicators have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

**Whereas**, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

**Now, Therefore, Be It Resolved that** the Transylvania County Board of Commissioners declares the week of April 9 through 15, 2023, to be National Public Safety Telecommunicators Week in Transylvania County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Signed this 27<sup>th</sup> day of March 2023.

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

**PROCLAMATION - NATIONAL PUBLIC HEALTH WEEK**

Making communities safe and healthy is public health's top priority. COVID-19 has made that even more important. Amid the most challenging public health crisis of our lifetimes, it's more important than ever to celebrate public health. The Board of Commissioners thanked Transylvania Public Health for the hard work they are doing to keep our community safe. The Board approved Proclamation #13-2023 National Public Health Week

**Proclamation #13-2023**  
**National Public Health Week**

**WHEREAS**, the week of April 3-9, 2023 is National Public Health Week, and the theme is "Centering and Celebrating Cultures in Health;" and

**WHEREAS**, the Transylvania County Public Health Department has provided immeasurable contributions to enhancing the quality of life for our residents, especially during the challenge of the coronavirus pandemic through testing, tracing, health education and vaccination; and

**WHEREAS**, Transylvania Public Health programs have evolved over many years from a focus on sanitation and controlling the spread of infectious diseases to now also preventing the onset of chronic diseases; and

**WHEREAS**, Transylvania Public Health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the COVID-19 pandemic, measles, natural disasters and disasters caused by human activity; and

**WHEREAS**, Transylvania Public Health promotes improved lifestyles by providing services and supporting policies to help young people stay well and develop into healthy adults; and

**WHEREAS**, Transylvania Public Health is a critical collaborative partner in the community to respond to emergencies; and

**WHEREAS**, the Transylvania Public Health's efforts in the community have contributed to improving the overall health of Transylvanians;

**NOW, THEREFORE, BE IT RESOLVED** that the Transylvania County Board of Commissioners does hereby proclaim the week of April 3-9, 2023 as **PUBLIC HEALTH WEEK** in honor of the men and women who work tirelessly to keep our community safe and healthy.

**BE IT FURTHER RESOLVED** that the Transylvania County Board of Commissioners encourages all citizens of Transylvania County to take steps to protect and promote the health and wellbeing of their families by making healthy personal lifestyle choices and seeking regular preventive health care.

This the 27<sup>th</sup> day of March 2023.

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

**RESOLUTION IN EXPRESSION OF SUPPORT AND SOLIDARITY WITH HAYWOOD COUNTY AND THE TOWN OF CANTON**

Transylvania County was saddened to learn the recent news about the closing of the Pactiv Evergreen/Canton Paper Mill in Haywood County and the Town of Canton. Transylvania County and its leaders and citizens sympathize with them as we have a shared experience of losing our major manufacturing companies 20 years ago which completely transformed our economy. At the previous Board meeting, Commissioners expressed their sympathy, support and solidarity with Haywood County and the Town of Canton, and requested staff draft a resolution stating such and that it be presented to the Haywood County Board of Commissioners. The Board approved Resolution #14-2023 In Expression of Support and Solidarity with Haywood County and the Town of Canton. At the request of Chairman Chappell, Commissioner McCall read aloud the resolution for the benefit of the public. Chairman Chappell announced that several Commissioners plan to attend the next meeting of the Haywood County Board of Commissioners to present a copy of the resolution.

**RESOLUTION #14-2023  
IN EXPRESSION OF SUPPORT AND SOLIDARITY  
WITH HAYWOOD COUNTY AND THE TOWN OF CANTON**

**WHEREAS**, The Transylvania County Board of Commissioners was saddened to learn about the devastating news of the closing of the Pactiv Evergreen/Canton Paper Mill that has been a mainstay of Haywood County's economy and the very fabric of life in Haywood County and the Town of Canton for nearly 120 years; and

**WHEREAS**, Transylvania County sympathizes with Haywood County and the Town of Canton as we have a shared experience of the shutdown of our three major manufacturing companies in 2002, all of which were a major part of our county's tax base and whose closings completely transformed our local economy; and

**WHEREAS**, Transylvania County is heartbroken for the men and women of the Haywood County community, and we offer our condolences to all those affected by the loss of the mill; and

**WHEREAS**, Transylvania County stands in support of and in solidarity with Haywood County and the Town of Canton as they formulate a plan to navigate the weeks and months ahead; and

**WHEREAS**, Transylvania County echoes recent comments by Congressman Chuck Edwards that the paper mill, while important for many decades, does not define who they are, and that Haywood County and the Town of Canton are defined by their spirit and mountain heritage, and are powered by their belief in God; and

**WHEREAS**, Transylvania County acknowledges the recovery will be a long and difficult process, but believes there will be better days ahead; and

**WHEREAS**, Transylvania County believes Haywood County and the Town of Canton have the character, grit, and ability to overcome adversity and this economic crisis and build a new future;

**NOW, THEREFORE, BE IT RESOLVED** by the Transylvania County Board of Commissioners that we express our deepest condolences and sympathy, and we stand in support and solidarity with Haywood County and the Town of Canton as they navigate the steps to regrow their community.

This the 27<sup>th</sup> day of March 2023.

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

## **NEW BUSINESS**

### UPDATE ON SCHOOL CAPITAL SPENDING

The Manager asked the County Attorney to present the status of the collaborative working group on school capital and to address questions raised regarding the outlay of capital funds which was followed by a lengthy discussion by the Commissioners and staff.

County Attorney Bill Bulfer first gave some background on the working group. In August 2022, the Board of Commissioners approved, subject to the limitations of the available remaining bond funds, Option B as requested by the Board of Education and to move forward with certain projects. In response to that approval, the Board of Commissioners and the Board of Education elected to start a collaborative working group in which the County Manager, Superintendent, County Attorney and the Board of Education Attorney could determine the best path forward for some of the much-needed capital outlays for the schools. It had become apparent that the amount of available bond monies was not sufficient given the inflation rates and other factors. In the meantime, some questions have arisen with the key question being how the available monies are being spent and whether they are being spent consistent with the amount of available funds that the Board of Commissioners has to use in any given fiscal year.

Mr. Bulfer reported that the Public School Forum of North Carolina website indicates Transylvania County is doing better than its peers in terms of school spending. Transylvania County ranks in the top 10% of school funders as a county and in the top 5% on base local appropriations per student.

In a recent meeting of the Board of Education, the School Board Attorney questioned how the sales tax revenues applied to the amounts available for spending on schools and whether the County is spending those monies consistent with statutes. Mr. Bulfer reported that the statutes require counties to meet or exceed the amounts counties obtain through the restricted school funds from sales tax. The County's financial records indicate that since 2020 until now, the County has exceeded those amounts with the exception of 2022. In 2022, the Board of Commissioners approved expenditures for specific projects requested by the Board of Education, but those projects have not started so those funds are not reflected as an expenditure for that year.

In FY 2020, the County exceeded those amounts by \$688,492. In 2021, the County exceeded those amounts by over a million dollars. In 2022, the County was short \$788,492 due to projects being approved but not completed. The County has already spent \$220,300 more than the sales tax that has been brought in for FY 2023. These figures indicate the County has a clear record of spending more than the tax revenue that is generated in most years and the Board is on pace to make up for the deficit that happened last year.

In addition, the working group has identified critical individuals to serve as consultants to help both Boards determine how to best meet the needs of the schools. The consultants are a former county manager and superintendent. The working group also agreed upon hiring a firm to conduct a maintenance reserve study to determine the needs of each school. Mr. Bulfer and the County Manager will be meeting with the Superintendent and School Board Attorney soon to move forward with the work of the consultants and finalize the requests for proposals on the maintenance reserve study.

The Manager noted that the School Board Attorney recently questioned whether the County is applying the spending overage each year against the following year. The Manager clarified this is not the case. All the funds collected by the County have been accounted for and are available for spending on education capital. The Manager also pointed out that the County receives a third-party review of its finances. The Local Government Commission (LGC) is required by statute to receive reports from each county on education spending. The LGC specifically reviews the sales tax portion for all counties and provides a report to the legislature. Transylvania County has not been flagged for its reporting. In addition, the County also receives audit reviews to ensure compliance with statutory spending requirements. These third-party reviews are conducted annually, and the County remains compliant.

Commissioner Chapman asked why the capital projects from 2022 have not been completed. Mr. Bulfer was unaware of why the approved projects had not been completed but stated the Board of Education may have legitimate reasons. He pointed out the maintenance reserve study will identify issues with each school, and that staff remains in a bond discussion on Option B. For this agenda item, staff wanted to focus on the practical reality that the projects have been approved but the monies have not been spent, thus making the financials make more sense.

Mr. Bulfer shared a recommendation from staff on how to account for these funds in a way that reduces concerns over where the money is coming from. He reemphasized that the County is spending money on education as required per statutes. Staff's recommendation was to move the monies allocated toward the FY 22 projects to the education capital fund so that it makes clearer that designated education capital sales tax goes into that fund and is appropriated from that fund. The goal of doing so is to ensure there can be no question in the future about whether the Board is meeting its fiscal obligation. Furthermore, it will be easier to demonstrate where the Board is exceeding.

Commissioner McCall emphasized that the Board has approved and targeted more projects and spending than is required by statute. Staff confirmed the Board is meeting its statutory obligations. The Manager reported that over the last six-year period, the County has spent \$30 million but collected only \$20 million in sales tax. The additional \$10 million came from the County's general fund.

Commissioner Casciato inquired how much money the County spends per student. Mr. Bulfer reported that the County is spending an average of \$4,000 in local operational appropriations per pupil which puts Transylvania County at 5<sup>th</sup> in the state. The current Average Daily Membership (ADM) is 3,200 students which equate to \$16 million in operational expenditures. The report from the Public School Forum of North Carolina website is a year and a half old, and since that time the County has increased funding while the ADM has decreased. The Manager added that when taking into account the \$30 million in capital spending over the past six years, it calculates to \$9,000 per student.

Chairman Chappell referenced the third-party reviews and asked if how the County handles its audits and accounting of expenditures is in line with other counties. Mr. Bulfer was unaware if the County's procedures were different than other counties but noted that the staff's recommendation to move the FY 22 funds to the education capital fund would add clarity.

Commissioner Casciato asked if the Board of Education kept an emergency fund and, if so, how much money it contained. The Manager responded that both the Board of Commissioners and the Board of Education maintain a fund balance. The School System may have a fund balance for operational expenses and a separate fund balance for capital. Their capital fund balance is not associated with their approved capital projects at the County level. The Board of Commissioners carried a fund balance for all the responsibilities of the County. The Manager estimated the School System's operational fund balance at \$400,000 and their capital fund balance at \$1.5 million.

Commissioner Chapman asked if the Board of Commissioners could legally oversee or take over the School System's major projects that are not getting done. Mr. Bulfer replied no. He said there is a delicate balance between the responsibilities of the two Boards statutorily. The Board of Education has an obligation to identify the needs and correct them whereas the Board of Commissioners has an obligation to fund them. The Board of Commissioners may ask questions, but there is no mandate for collaboration and negotiation. He believes the working group, the identification of issues, and the use of professionals will help the County Commissioners through this process and get the school buildings to where everyone wants them to be.

Commissioner Chapman asked whether the Commissioners would have some input on the scope of work for the working group. The Manager responded that the Board of Commissioners will have an opportunity to review the contracts and scope of work prior to approval. She noted that County staff offered the expertise of the County's project team because the County moves a lot of capital projects forward each year. She offered the project team to work on some of their projects, but she cannot force the issue.

Commissioner McCall stated there should be an expectation that the work the Board of Commissioners is funding is getting done. She believes there should be a level of accountability that requires approved projects to be completed within a certain amount of time. Mr. Bulfer advised that the Board of Commissioners does not have the authority to force that issue, but he understood the Commissioners' frustrations. The solution is to allow the working group to commence which will afford the opportunity to "break the log jam" that is causing this Board so much concern. The Manager added that the County received three responses to the request for proposals on the maintenance reserve study which are currently under review. The County Attorney is reviewing the scope of work for the consultants. The consultants' work will not commence until the maintenance reserve study is complete. There are many schools to review and that review should be thorough because these are investments that will make these schools operational for a significant period of time. Mr. Bulfer reminded the Board of Commissioners that their actions are limited to funding and that they have yet to turn down any request for funding by the Board of Education.

Commissioner McCall emphasized that the Board of Education can move on the FY 22 approved projects at any time because the funding is available. There is no hold-up on these projects by the Commissioners of Commissioners. She also stated that the maintenance reserve study is commonplace to ensure that buildings

and facilities are maintained and she felt it was one of the best actions taken between the two Boards in a while.

Mr. Bulfer shared that he and the Manager received an update late this afternoon from the Superintendent on the status of the FY 22 projects but neither has had a chance to review it.

Chairman Chappell asked at what point the LGC would consider an approved project as an actual expenditure. He asked because there is a definite lag time between the receipt and expenditure of sales taxes. The Manager said the LGC considers it an expenditure when the County writes the check on the project. She noted that moving the projects into the education capital fund will reflect multi-year spending. The Manager reported that the County will not receive sales tax for FY 2023 until August, so the sales tax figures included in each budget are projected. When the pandemic hit, there was an immediate drop in the sales tax which was something the County could not have predicted or controlled.

**Commissioner McCall moved to move the approved projects and revenue to the existing education capital fund so that it makes clearer that designated education capital sales tax goes into that fund and is appropriated from that fund, seconded by Commissioner Chapman and unanimously approved.**

Mr. Bulfer advised that it may be valuable for the Board to receive an update on the capital spending after it meets the deficit from the prior year. The Manager stated she intended to provide regular updates on the capital fund to accomplish that goal.

Commissioner Chapman encouraged the media to share the information presented during this meeting to help clarify some of the accusations made about the Board of Commissioners regarding the financing of schools.

#### RESOLUTION IN SUPPORT OF LOCAL CONTROL OF SCHOOL CALENDARS

On March 6, 2023, the Transylvania County Board of Education approved a resolution showing support for local control of school calendars. As stated in the resolution, local control over establishing school calendars is an integral component of school system supervision and administrative powers.

In 2004, the NC General Assembly set a statewide mandatory start and end date for all school districts, known as the school calendar law. In 2012, the NC General Assembly amended the school calendar law to further restrict starting dates for schools.

The Transylvania County Board of Education cited several instances in the resolution where these mandates are cumbersome, inflexible, and restrictive thus causing undue burden to the students, educators, and school system as a whole. The Board of Education supports having local control over its school calendar because they are better equipped to understand how to balance the community's needs and maximize student success and meet the calendar preferences of families, educators; and businesses in our community.

The Board of Education sought the Board of Commissioners' support through the passage of a similar resolution. In the late summer/early fall of 2022, the Board of Commissioners submitted a list of legislative goals to the NC Association of County Commissioners to advocate for on behalf of counties. Included on the list was to advocate for school calendar flexibility.

Chairman Chappell noted that some Commissioners have been advocating for having local control for many years, going back to when he and Commissioner McCall served on the Board of Education.

**Commissioner Chapman moved to approve Resolution #15-2023 In Support of Local Control of School Calendars, seconded by Commissioner Dalton. Commissioner Dalton reported that our state legislators support this action. The motion was unanimously approved.**

**RESOLUTION #15-2023**  
**IN SUPPORT OF LOCAL CONTROL OF SCHOOL CALENDARS**

WHEREAS, the North Carolina law provides the Transylvania County Board of Education powers of supervision and control of the public schools located within Transylvania County; and

WHEREAS, local control over establishing school calendars is an integral component of school system supervision and the administrative powers with which the Transylvania County Board of Education has been vested; and

WHEREAS, in 2004 the North Carolina General Assembly set a statewide, mandatory start and end date for all school districts (the school calendar law); and

WHEREAS, the North Carolina General Assembly amended the school calendar law in 2012 to further restrict the starting date for schools; and

WHEREAS, neither charter schools nor private schools are required to follow the school calendar law; and

WHEREAS, local school boards are better equipped to understand the balancing act of meeting the community's needs and maximizing student success; and

WHEREAS, restoring local control of school calendars will allow the Transylvania County Board of Education to meet the calendar preferences of Transylvania County's families, educators, and businesses in our community while allowing for innovative experimental approaches to improve student achievement; and

WHEREAS, on December 12, 2022, the North Carolina House Select Committee on An Education System for North Carolina's Future issued its finding that the current school calendar law is not best suited to the needs of students and educators and that local boards of education should be given greater calendar flexibility; the Select Committee recommended the "General Assembly take action and change the school calendar law."; and

WHEREAS, every two years in the months preceding the long session of the General Assembly, the North Carolina Association of County Commissioners (NCACC) engages in a process to determine legislative goals it should pursue in the best interest of the counties; and

WHEREAS, during this process, the Transylvania County Board of Commissioners has requested local control over school calendars as one of their legislative goals for the NCACC to advocate for on behalf of counties;

NOW THEREFORE BE IT RESOLVED that the Transylvania County Board of Commissioners supports an amendment to the current school calendar law, providing local school boards more flexibility in the start date of the school calendar.

Adopted this the 27<sup>th</sup> day of March 2023.

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

BOARD OF EDUCATION REQUEST FOR LOTTERY FUNDS FOR PISGAH FOREST  
ELEMENTARY SCHOOL HVAC PIPING IMPROVEMENTS

Finance Director Jonathan Griffin presented this item to the Board. He reported that on March 21, 2023, the County Manager received an update from the Superintendent of Transylvania County Schools concerning the Pisgah Forest HVAC piping replacement project.

The County had previously supported the project through the proposal and adoption of a memorandum of understanding to govern sales tax reimbursements and payments of vendors, pledging sales tax revenues towards the local component of the project budget.

The final bidding on the project came in at \$528,589 over the initially adopted budget of \$1,200,000. The new construction budget is \$1,625,000, with \$103,589 on engineering design and construction administration.

Transylvania County Schools proposed increasing the amount of funding drawn from the Public-School Building Capital Fund (lottery). Their initial request was \$570,000. The new proposed allocation is \$1,098,589. The County would be responsible for drawing down the resources from the accounts held at the NC Department of State Treasurer and paying vendors as appropriate.

Mr. Griffin asked the Board to consider the request by the Board of Education to draw down lottery funds to cover the overage on the Pisgah Forest Elementary HVAC piping improvements project and amend the budget. The Manager pointed out the Board has the option to allocate from the Education Capital Fund that the County has on its books.

Commissioner McCall inquired about an estimated start date for this project. From the audience, Brian Weaver, Assistant Superintendent of Transylvania County Schools, reported the project is scheduled to occur over spring break.

Commissioner Chapman stressed the importance of moving forward with projects as quickly as possible to avoid cost escalation due to inflation and other factors.

**Commissioner McCall moved to approve the request by the Board of Education to draw down lottery funds to cover the overage on the Pisgah Forest Elementary School HVAC piping improvements project, seconded by Commissioner Chapman.** Chairman Chappell asked if staff could turn around the application quickly so the School System could complete the project promptly. The Manager confirmed. **The motion was approved unanimously.**

**Commissioner Dalton moved to approve a budget amendment to update the amounts to be spent as reflected in the request, seconded by Commissioner McCall and unanimously approved.**

MANAGER'S REPORT

The Manager reported the following:

- WNC Construction Career Days at the Smoky Mountain Event Center in Waynesville on March 28-29. Participants will learn about construction-related careers.
- 2023 Rural Summit held March 20-21 in Raleigh with over 600 community leaders, policymakers, and rural advocates from across the state and nation in attendance, including Commissioner Chapman. Rural Center CEO opened the event by introducing key influences shaping rural North Carolina. Breakout sessions addressed top concerns, such as broadband, healthcare, housing, small business development, water and wastewater infrastructure, disaster recovery, and weather resiliency.
- The Land of Waterfalls Senior Games & Silver Arts registration is now open for Transylvania County residents ages 50+ through April 6. The event will be held from April 17 – May 9.

- Library Foundation and Brevard College are hosting best-selling author Kelly Corrigan on Thursday, April 6 at 6:30 p.m. at the Porter Center as part of the J.R. McDowell speaker series. Ms. Corrigan is the host of the PBS series *Tell Me More with Kelly Corrigan*. Free, general admission tickets are available at the Library.
- North Carolina Awards Committee and Secretary Reid Wilson with the NC Department of Natural and Cultural Resources accepting nominations through April 30 for the 2023 North Carolina Award which recognizes outstanding contributions in the areas of Fine Arts, Literature, Public Service, and Science. More information can be found on the website of the NC Department of Natural and Cultural Resources.
- Our thoughts and prayers are with New Hanover County. New Hanover County Commissioner Deb Hays passed unexpectedly this weekend. She also served on the NCACC Board of Directors alongside Commissioner Chapman.
- Our thoughts and prayers are with the people of Mississippi and Alabama who were devastated by this weekend's storms. They lost entire towns, and many lost their lives. Transylvania County has also been through storms that have been devastating to our community, as well as Haywood County, most recently with Tropical Storm Fred.
- We are keeping the children and families that were injured in the jump house accident on Saturday at the City Sports Complex in our prayers.
- Kudos to the Library from citizen Andy VonCanon: He recently wrote in *The Transylvania Times* that he is "continuously impressed with the quality services and creative programming conducted by an ever-helpful and delightful staff at the Transylvania County Library. I am pleasantly reminded how grateful I am for this amazing asset to our county."

### PUBLIC COMMENT

*The comments made by the public represent the individual speaker's opinion or point of view. The Clerk to the Board did not attempt to vet their statements for accuracy or modify them based on facts.*

Mike Privette: Mr. Privette acknowledged that the Board of Commissioners takes a lot of heat from a very vocal and sometimes vitriolic minority in the County. As a member of the overwhelming majority of Transylvanians who elected the members of this Board, he thanked the Commissioners for all they do and for doing what the majority elected them to do.

Rick Bellini: Mr. Bellini agreed with the previous speaker. He was appreciative of the efforts the Commissioners put into the issues they face each day. He was thankful for their questions and answers and how hard they work to resolve problems.

Maureen Keate: Ms. Keate agreed with the previous two speakers. She said many people forget that the Board of Commissioners represents 100% of the County but 100% of the citizens do not always agree with everything. She was respectful of the decisions the Board makes and of them representing their constituents.

### COMMISSIONERS' COMMENTS

Commissioner Chapman noted that it was him the speaker was referring to during the first public comment period. He admitted to making an error in his comments when he said we live in a representative republic. He clarified that we are a constitutional republic, not a democracy. In a total democracy, the mob would rule.

Commissioner Chapman pointed out that people are making statements that are not factual. He encouraged public comment, both positive and negative, but preferred the comments are grounded in facts. Commissioner Chapman reemphasized that Transylvania County is number five out of 100 counties in North Carolina for

school funding. The comments about the Commissioners not funding the schools or making accusations about leaky roofs are incorrect.

Commissioner Chapman reported that he attended the 2023 Rural Summit Annual Conference and participated in sessions on affordable workforce housing and water and sewer infrastructure. He encouraged Commissioners to consider attending future conferences. Commissioner Chapman is traveling to New Bern next month to attend the NCAACC Board of Directors meeting.

Commissioner Casciato announced that March 29 is Vietnam Veterans Recognition Day at the Veterans Museum. The Museum wants to make sure those veterans are never forgotten. It is open to anyone who wants to attend. On May 29, the Memorial Day Ceremony will be held on the lawn in front of the Museum. More information to come.

Commissioner McCall stated that this Board has a lot of work ahead, but they are spending a lot of time dealing with pettiness. She reiterated Commissioner Chapman's comments that we live in a republic, not a democracy.

Commissioner McCall responded to the public comments from earlier in the meeting. She said the Board is aware of the Governor signing the Medicaid expansion bill into law, but she pointed out there are reasons why earlier this year she opposed a resolution in support of Medicaid expansion. She said Medicaid expansion without transformation will be a disaster. She supports citizens having the healthcare they need but pointed out that Medicaid is a system that can entrap people.

Commissioner McCall was also concerned about there being a lack of providers to handle the influx of people with health insurance. Citizens are already desperately trying to find healthcare and having to travel out of the county or out of the state. She is unsure where the services or staffing will come from. With that said, she stressed that the County will cross those bridges, but do not tell her she does not care especially when she was not asked the reason she did not support the expansion.

Commissioner McCall said the Board is aware of the leaky roof at Rosman High School and allocated the funds to repair it, but the Board of Education has not completed the project. She said the Board is also aware that the school bond passed with 60% voter approval, but that it was "dead on arrival" the next day.

Commissioner Dalton pointed out that while Medicaid expansion will bring help for 2,000 of our citizens, there will be another 3,000 that will lose Medicaid because of redetermination due to the extension of the COVID-era emergency act. He did not believe we have the staff to handle the reapplication process in addition to the new applicants. He lobbied for money to be approved for staffing at the State level at a recent meeting with our state representatives but he was unsure if funding was included in their budget.

Commissioner Dalton gave kudos to Alan Justice at the School System for consistently bringing projects forth to the Board of Education. He was glad to see many projects getting traction. He was also excited to see work getting done on the Rosman baseball field but he did not think it would be done in time to use this year. He noted it is the only field that does not have lights and asked for future consideration to place lights on that field.

Chairman Chappell reported that the Board is headed into its budget cycle and that staff is working diligently to prepare next year's budget. He bragged about staff for the work they are doing in addition to the budget work. He mentioned specifically that staff – Information Technology Director and his staff, the County Manager, etc. - are working diligently on ways to expand broadband because it is a critical need. They are researching grants and other funding opportunities that, if successful, will make a lasting impact on Transylvania County. He expected to share some success stories soon.

Chairman Chappell shared that he contacted the Chairman of the Haywood County Board of Commissioners when he learned about the closing of the Canton paper mill. Chairman Ensley responded by thanking Chairman Chappell and Transylvania County for our prayers and offer of assistance. Chairman Ensley called Transylvania County an inspiration for overcoming our mill closings with perseverance and determination and likewise, offered Haywood County's assistance if ever needed. Chairman Chappell stated that Chairman Ensley is a true example of a public servant. He said while Transylvania County may not be able to do much to help Haywood County during this difficult time, the resolution expresses that Transylvania County understands what they are going through and that we stand with them.

Commissioner Dalton shared that he was in attendance at the Little league fields on Saturday and witnessed the inflatables get loose from the strong gust of wind. He said it was a horrific event and he was inspired and amazed to see the men and women, both citizens and emergency services staff, run in mass to help care for others.

Commissioner Chapman shared that broadband was a topic at the Rural Summit conference. One of the suggested solutions for expanding broadband service in communities was to add install service in their community centers. He was proud to share that Transylvania County accomplished this a few years ago, thus putting Transylvania County ahead of many rural counties in North Carolina.

**Chairman Chappell moved to enter into closed session per N.C.G.S. §143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the county and the public body, which privilege is hereby acknowledged, and per N.C.G.S. § 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, following a 10-minute recess, seconded by Commissioner Dalton and unanimously carried.**

#### CLOSED SESSION

Per N.C.G.S. §143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the county and the public body, which privilege is hereby acknowledged, and per N.C.G.S. § 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, a closed session was entered into at 7:45 p.m. Present were Chairman Chappell, Commissioners Casciato, Chapman, Dalton and McCall, County Manager Jaime Laughter, County Attorney Bill Bulfer, and Clerk to the Board Trisha Hogan.

The Board of Commissioners discussed issues in closed session as allowed by statute involving consultation with the County Attorney on privileged matters. The Board of Commissioners also discussed negotiation efforts on a proposed contract for the acquisition of real property and directed staff on how to proceed.

**Chairman Chappell moved to leave the closed session, seconded by Commissioner Dalton and unanimously carried.**

**OPEN SESSION**

**Chairman Chappell moved to seal the minutes of the closed session until such time that opening the minutes does not frustrate the purpose of the closed session, seconded by Commissioner Dalton and unanimously carried.**

**ADJOURNMENT**

There being no further business to come before the Board, **Chairman Chappell moved to adjourn the meeting at 8:40 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