

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
JULY 10, 2023 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, July 10, 2023 at 4:00 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 Julie Hooten, and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – Jon Rich

There were approximately 30 people in the audience.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 4:02 p.m.

WELCOME

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

PUBLIC COMMENT

The comments represent the speaker's opinion or point of view. The Clerk to the Board did not attempt to modify their comments based on facts.

Ryan Hinkleman: Mr. Hinkleman is the Executive Director of Isaac Home Youth Services. He addressed the Board specifically about the Rosman Youth Support Center. He was accompanied by Mickey Robinson, President and Founder of Isaac Home Youth Services. He explained that Rosman Youth Support Center is a teen center located in Rosman since early 2022. Youths from various backgrounds, abilities, and neighborhoods come together for meals, tutoring, mentorships, positive relationships, and a safe place. Mr. Hinkleman asked the Board to consider a letter of support to include in their application for a Dogwood Health Trust grant titled "Investing in WNC after 3 pm". The grant would help them open a new teen center in the heart of Rosman. With the Board's support, they believe they will secure grant funding to move their operations to within walking distance of the middle and high schools thus eliminating the existing transportation barrier and providing accessibility to more youth.

Chairman Chappell directed staff to place the letter on the next meeting agenda for the Board's consideration.

Mark Tooley: Mr. Tooley thanked the Board for their support of the recently awarded Nationally Significant Federal Lands and Tribal Projects grant to the City of Brevard for \$21.4 million that will be used toward the construction of the Ecusta Trail. He shared that the City of Brevard was also recently awarded the RAISE grant for \$24.5 million from the Federal Highway Administration for the same project. Mr. Tooley pointed out the Commissioners chose not to support that grant application which he felt was unfortunate. Mr. Tooley said the success of these grants was due to the partnerships of those involved, including several local governments, federal agencies, our congressional delegation, and Conserving Carolina and the Friends of the

Ecusta Trail for securing the rail corridor and raising funds to provide the necessary match for the federal grants. Mr. Tooley said the County now has a chance to become one of the many partners in this project. The inevitable change that will happen to the areas in the County near the trail will require the Board's attention just as they have discussed changes that will occur along the Rosman Highway due to the water and sewer expansion project. It will also be necessary for the City and County to work cooperatively concerning public safety and emergency services once the trail becomes operational. Mr. Tooley welcomed the County's future participation in the project.

AGENDA MODIFICATIONS

Chairman Chappell requested to add the Workforce Development Board under Appointments.

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

CONSENT AGENDA

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

The following items were approved:

SHERIFF'S OFFICE OUT-OF-STATE TRAVEL REQUEST

Sheriff Chuck Owenby requested permission for out-of-state travel to the NC Sheriff's Association Summer Business Meeting and Training Sessions in Myrtle Beach, SC. The funds have been budgeted for this purpose totaling \$8,500. Those attending will be Sheriff Owenby, Chief Deputy Bryan Stroup, Captain Chase Owen, Captain Jeremy Queen, and Investigations Lieutenant Mark Ellenberger. The training will focus on school safety, active shooter response, line of duty deaths, etc., and will be beneficial to the officers so they may effectively do their jobs and serve the community. All out-of-state travel requests must come before the Board of Commissioners for approval. The Board approved the out-of-state travel request as submitted.

UPDATE RESOLUTION ON COMPENSATION AND BENEFITS FOR TRANSYLVANIA COUNTY ELECTED OFFICE DEPARTMENT EXECUTIVES

In 2019, the Commissioners adopted a new pay plan including salary grades and minimum requirements. In 2021, the County Attorney recommended a resolution regarding the pay methodology for the elected Sheriff and Register of Deeds to accompany the pay plan. The pay study completed in 2023 recommended changing the grade for the Sheriff by one grade and thus required updating the resolution. The Board approved the revised resolution to be consistent with the 2023 Compensation Plan update.

Resolution #30-2023

Compensation and Benefits for Transylvania County Elected Office Department Executives

WHEREAS, Transylvania County Commissioners adopted a new comprehensive compensation plan that factors in education and experience to determine salary in July 2019; and

WHEREAS, Transylvania County Commissioners approved an update to the plan in 2023; and

WHEREAS, The Transylvania County compensation philosophy is designed to create equity in pay across the organization by recognizing the education and experience of employees; and

WHEREAS, The Registrar of Deeds and Sheriff are elected political offices with salaries set by the Board of Commissioners by statute; and

WHEREAS, Both positions were included in the pay study and incorporated into the compensation tables approved by the Board of Commissioners based on the unique responsibilities and requirements of the job titles in addition to market comparisons;

THEREFORE:

- Salaries for both positions shall be calculated by reviewing relevant education and experience.
- Associate degrees shall count for two years of experience equivalent, bachelor's for four years, master's for six years, and Doctoral for eight years.
- The Sheriff's salary will be classified as grade 127.
 - The minimum salary assumes a minimum of 7 years of relative work experience.
 - For every year above seven years, the salary shall be calculated by increasing by 1.8% per year.
- The Registrar of Deeds' salary shall be classified as grade 120.
 - The minimum salary assumes a minimum of 5 years of relative work experience.
 - For every year above 5 years, the salary shall be calculated by increasing by 1.8% per year.
- Both positions shall be granted any increases granted to county employees through COLA or other means approved by the Board of Commissioners in addition to being offered the same benefit packages as approved for county employees.

This the 10th day of July 2023.

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

PRESENTATIONS/RECOGNITIONS

RECOGNITION OF CITIZEN ADVISORY COUNCIL MEMBERS

In July 2015, the Board of Commissioners implemented a recognition program to express their appreciation to citizens who volunteer their time and expertise on the County's citizen advisory councils. The Board intends to recognize citizens on a semi-annual basis. This period covered January 1, 2023 through June 30, 2023. Chairman Chappell presented each person in attendance with a certificate of appreciation and an insulated mug with the county logo. The Clerk will mail certificates to those citizen volunteers that are unable to attend.

APPOINTMENTS

PLANNING BOARD

There is a vacancy on the Planning Board due to a recent resignation. The Clerk to the Board advertised the vacancy with an application deadline of July 1 and received two applications for the Board to consider in addition to the applications on file.

Commissioner Chapman nominated and moved to appoint Greg Cochran to the Planning Board, seconded by Commissioner Dalton. Commissioner McCall commented that she was impressed with the applications on file, and she hoped they would elect to keep their application on file for future consideration. There were no further nominations, **and the motion was approved unanimously.**

VOTING DELEGATE TO THE NCACC ANNUAL CONFERENCE

The NC Association of County Commissioners 116th Annual Conference Business Session will be held in Wake County on Saturday, August 26 at 2:00 p.m. Each county is entitled to one vote on items that come before the membership, including the election of the NCACC 2nd Vice-President. Commissioners Chapman, Dalton, and McCall are registered to attend the conference. The Voting Delegate designations are due by August 21. The Commissioners may select a delegate and an alternate if they so choose.

Commissioner McCall moved to designate County Commissioner Larry Chapman to serve as the Voting Delegate representing Transylvania County at the upcoming NCACC Annual Conference in Wake County, seconded by Chairman Chappell and unanimously approved.

Commissioner Chapman moved to designate County Commissioner Teresa McCall to serve as the Alternate Voting Delegate, seconded by Commissioner Dalton and unanimously approved.

WORKFORCE DEVELOPMENT BOARD

There is a vacancy on the Workforce Development Board that has been open since February. The Clerk to the Board advertised the vacancy but received no applications. Transylvania Economic Alliance Executive Director Burton Hodges recommended the Clerk contact Will Smith with Smith Systems. Mr. Smith submitted his application on Friday after the agenda had been submitted to the Board of Commissioners. The applicant for this position must be a business owner or hiring representative. Current Board policy stipulates that applicants must be residents of Transylvania County; however, the Board may waive the policy in certain circumstances. Smith Systems is a long-time business in Transylvania County. Mr. Smith is a former resident of Transylvania County. Since the vacancy has been open for some time, the Commissioners were eager to have representation on the Workforce Development Board. Therefore, Chairman Chappell recommended the Board consider waiving the residency requirement for this appointment only.

Commissioner Chapman moved to appoint Will Smith to fill the vacancy on the Workforce Development Board and waive the Board's Citizen Advisory Council residency policy for this appointment only, seconded by Commissioner McCall. Commissioner McCall did not want to set a precedent because she felt it was important for members of the County's citizen advisory councils to reside in Transylvania County, but she acknowledged the position has been vacant for some time. She supported the nomination with the caveat that the Board can revisit the appointment if staff receives additional applications. Commissioner Chapman stated that Smith Systems is a very important business in our community and therefore he supported the appointment. **The motion was unanimously approved.**

NEW BUSINESS

FUNDING FOR THE TOWN OF ROSMAN/CITY OF BREVARD WATER INTERCONNECT

The City of Brevard and the Town of Rosman operate two distinct water systems with separate water sources. They both see the benefit in having an interconnect to create resiliency for both systems long term and have developed a Memorandum of Understanding (MOU) to govern the maintenance and operation of an interconnect. The County has secured DEQ At Risk Funds to invest in infrastructure that can be utilized to fund the interconnect. These funds are federally originated and so the County will be required to administer them and maintain accountability for the expenditure, similar to the US 64 water and sewer line extension project for the Town of Rosman.

The interconnect is projected to cost \$736,000 including engineering and construction. Upon approval of funding by the Commissioners, staff will prepare agreements for the County to pursue the design and construction of the project with the turnover to each entity per their MOU.

The County Manager recommended the Board authorize her to prepare an agreement for the County to contract to complete an interconnect for water services between the Town of Rosman and the City of Brevard which will be turned over to the two entities for maintenance upon construction and governed by the MOU developed between the City and the Town.

Commissioner Chapman asked how the cost impacts the total amount of federal funds allotted to Transylvania County. The Manager stated the \$736,000 will be deducted from the \$7 million in federal funds allocated to Transylvania County. The County had already planned for this expenditure anticipating that the request would come forward from the City and the Town.

Chairman Chappell pointed out that discussions about an interconnect between the two systems have been ongoing for many years. He said this is an important step forward for our community. He was appreciative of both the City of Brevard and the Town of Rosman for their willingness to come together on this project. It also helps to realize the Board of Commissioners' goal of investing in infrastructure for economic development and ensures our citizens have access to water.

In response to a question from Commissioner McCall, the Manager stated that the County will provide oversight for the installation by contracting for the engineering services with consultation from both the City and the Town. The County would then pursue the construction contract and turn over the operation and maintenance to both entities after completion. The MOU provides for each entity to have a portion of the asset. County staff asked them to include an appendix so that once the drawings are complete, there will be the end of maintenance designation to outline exactly the point for which each entity would be responsible. The County will not have a long-term responsibility for that asset.

Commissioner Dalton moved to authorize the Manager to prepare an agreement for the County to contract to complete an interconnect for water services between the Town of Rosman and the City of Brevard to be turned over to the two entities for maintenance upon construction and governed by the MOU developed between the City and Town, seconded by Commissioner Chapman and approved unanimously.

FY 2024 NONPROFIT FUNDING APPROVAL

The budget process included an internal review committee to vet nonprofit funding applications as outlined in the Board's nonprofit funding policy. In addition, the Joint Historic Preservation Commission reviewed the applications for nonprofits with historical emphasis. The level of funding recommended is consistent with prior year totals, although specific nonprofits may see changes in their recommended funding as explained during the budget presentation.

S.L. 2021-191 requires the Board of Commissioners to consider nonprofit funding applications separately from the budget adoption. The session law mandates governing board members' recusal procedures pertaining to nonprofits. Any public official who serves as directors, officers, or board members of a nonprofit organization may not make or administer any contracts with those nonprofits. Board members involved with any of the nonprofits will need to recuse themselves from any deliberation and vote and may not attempt to influence any other votes. Volunteering with or being a member of the non-profit does not fall under the statute. Transylvania County may still execute contracts with the non-profits even if a Board member holds a leadership position with that non-profit if the involved public official refrains from voting or participating in the contract. Once the recusal is recorded with the Clerk, the County may enter into the FY 2024 Nonprofit Contracts and direct staff to administer the contracts for funding.

Staff recommended the Commissioners acknowledge any nonprofit contract vote in which they should recuse themselves and then the Board should vote on those contracts individually. Any agreement that does not have a conflict may be approved in a single motion.

The review committee recommended the County contract with the following nonprofit organizations to receive funds from the FY 2024 budget totaling \$102,500:

• Transylvania County Arts Council	\$3,000
• Blue Ridge Health	\$10,000
• Bread of Life of Transylvania County	\$6,000
• Transylvania Farmers Market	\$5,500
• Transylvania Heritage Museum	\$5,000
• Transylvania Historical Society	\$4,000
• Honor Guard	\$3,000
• Housing Assistance Corporation	\$10,000
• Isaac Homes Youth Shelter	\$5,000
• Pisgah Legal Services	\$17,000
• Rise and Shine	\$5,000
• Transylvania Christian Ministry	\$10,000
• The Haven	\$15,000
• The Mediation Center	\$3,000
• The Veterans History Museum of the Carolinas	\$1,000

There were no recusals.

Commissioner McCall moved to approve the FY 2024 nonprofit funding contracts as submitted, seconded by Commissioner Dalton, and unanimously approved.

Commissioner McCall requested a future presentation on the funding and resources the County provides to the various community centers. She stated that some citizens believe the County does not provide any support to the community centers, so she felt it was important for staff to share this information. The Manager confirmed that the County provides support to the community centers annually as part of the budget process. Approximately \$80,000 is earmarked for community centers for support to provide free Wi-Fi, in addition to grant programs. She shared that last year the budget process began before a call for grant proposals, so this year staff will issue a combined two-year call for grant proposals in the fall. She advised that would be the ideal time to review the program with the public and to ensure all community centers are aware of the available funding.

REVISION TO THE TRANSYLVANIA COUNTY TRAVEL POLICY

The Manager reported that several department leaders have expressed challenges with getting their employees to receive travel reimbursements and they asked her to consider putting forth some policy changes to better meet the training and travel needs throughout the organization. County Finance has been reviewing per diem reimbursement requests per the Transylvania County Travel Policy. The current policy and process involves the Finance Department handling the majority of the review for travel; however, the Finance Department does not approve travel within the departments. So there has been a challenge in communication to ensure what is being approved in the departmental budget is being reimbursed to the employee. The process has also created a bottleneck with turnaround times.

Staff in various sectors across County government – from the Sheriff’s Office to Landfill staff – travel for varying reasons and there are not always formal meeting agendas to document the travel. A meeting with State legislators is an example where there would be no formal meeting agenda available.

Staff requested policy changes that will make the policy consistent with the State Personnel Policy for per diem reimbursements by requiring department leadership to be responsible for confirming travel

requests approved in their section meet the qualifications for reimbursement and lessen the impact on Finance. Administration intends to provide guidance and training to ensure the new process works smoothly. The County Manager, Human Resources Director, and Finance Director reviewed the requested policy and process changes. Staff recommended the Board approve the modifications as presented.

Commissioner McCall moved to approve the modifications to the Transylvania County Travel Policy as presented, seconded by Commissioner Dalton, and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- A lot of news in broadband including how the County invested \$2 in local funds to leverage \$8 million in broadband investment through the GREAT grant program; providers will give updates to the Board at their next meeting
- The NC Department of Information Technology's Division of Broadband and Digital Equity has awarded Comporium funding under the GREAT Grant program for \$4 million
- Congratulations to Burton Hodges, Transylvania Economic Alliance, for winning this year's NCEDA Award for Small Market Deal of the Year for the Pisgah Labs expansion. This project is currently moving forward. Burton will present the Alliance's biannual report at the Commissioners' meeting.
- Several meetings in July to receive public input on the Rosman Riverfront Park Master Plan. Citizens may also participate via Survey Monkey. Staff will post the link on the County's social media.
- NC Association of County Commissioners kicked off a new video series to show the ins and outs of county functions and to illustrate the responsibilities, processes, and hard-working people that make county governments operate in North Carolina. The first episode was shared in February, and it gave a general overview of county government. The second episode shared in June gave an overview of county finance functions. The Manager showed episode 3 which highlighted Emergency Management in North Carolina.

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Commissioner Chapman shared that the Blue Ridge Parkway Foundation held a meeting recently in which he attended about Blue Ridge Rising, a major initiative to bring together all 29 counties that connect to the Blue Ridge Parkway to discuss ways to improve economic development in those connected communities. Transylvania County has two access points to the Parkway. They will be conducting surveys on how the Foundation can interact with counties.

Commissioner Chapman attended a meeting at Southern Highlands Reserve. They are working closely with the US Forest Service on the Red Spruce Project to raise funds to build a \$2.5 million greenhouse to produce 50,000 trees which will be planted in higher elevations within the region. The Transylvania County Tourism Development Authority has invested \$100,000 toward the project. The US Forest is making an initial investment of \$300,000. He encouraged citizens to visit the Southern Highlands Reserve to see the good work they are doing.

Commissioner Chapman met with several business owners in Cedar Mountain regarding their concerns about the intersection of Staton Road and Highway 276. He is working with the Land of Sky Rural Planning

Organization and the NC Department of Transportation to consider safety measures, as well as with the Transylvania County Tourism Development Authority on wayfinding signage.

Commissioner Chapman shared that he attended the Riverfest in Rosman and it was a great event and well-attended.

Commissioner Chapman stated there is a lot of work and discussion on adult daycare services in the community. He hopes to share positive news soon about reestablishing this service in the community.

Commissioner Chapman stated that on Friday he will be attending an affordable housing roundtable in Asheville sponsored by the Land of Sky Regional Council. He will bring back information to the Board.

Commissioner Casciato said there has been a lot of positive talk about the Ecusta Trail, but no one wants to talk about the negative aspects. He pointed out that citizens along the rail corridor have been paying their property taxes on the property they own along and within the corridor and they will continue to do so once the trail is completed. Commissioner Casciato also pointed out the safety concerns that no one has addressed. He said many think that the project will generate millions of dollars and thousands of jobs, but that will only happen if the area is developed which means landowners will be cut off from the property they own and are paying taxes on. Commissioner Casciato stressed that he will vote against any measure that comes before the Board concerning the Ecusta Trail.

Commissioner McCall said she wanted to set the record straight about the Board's support for the Ecusta Trail. She did not recall this Board approving any document that supported the Ecusta Trail. Each Commissioner has gone on record expressing their individual concerns. Commissioner McCall pointed out that the County's Comprehensive Plan includes a goal statement that acknowledges the County's support of private property rights while actively seeking ways to promote new growth and development through citizen-driven policies and procedures that include safety, livability, extension of utilities, road improvements, and community character. She said this Board has not supported the construction of the Ecusta Trail and the Commissioners have gone on record as being very concerned about private property rights. She said she continues to be amazed that some citizens have a distinct problem with property rights. Commissioner McCall congratulated the City for their work to secure the grant funding and she said now it is theirs to deal with.

Commissioner Dalton shared that attended a meeting at Rosman Town Hall regarding their park master plan. He encouraged citizens to complete the survey and provide feedback on the development of the riverfront park so the Town can begin applying for grant funds.

Commissioner Dalton announced that on July 29 from 10:00 a.m. to 3:00 p.m. there will be a fundraiser for Rosman athletics. He encouraged the citizens to show out in force to showcase Rosman school athletics and help raise funds.

Chairman Chappell thanked all our law enforcement and emergency services personnel for all they do each day to serve our citizens. He expressed that he felt defeated and disheartened when he learned that a plea deal was reached recently for an individual who placed incendiary devices at a local church and near County buildings with a daycare onsite with the intent of causing damage and/or maiming or hurting others. The individual served 21 days before posting bond and then reached a plea deal to serve on probation. Chairman Chappell said this is a travesty and a slap in the face to all those who responded to the emergency and to every law-abiding individual who no longer feels as safe as they did the day before the incident occurred. Chairman Chappell was thankful to all those who responded to the incident so quickly and diffused the devices before anyone could be hurt. He shared that some made statements that the incendiary devices were not well made, and he thanked God for that. Chairman Chappell encouraged citizens to read the comments by the pastor from First Baptist Church which referenced the crime being turned into a misdemeanor. As a father with a young

child who is very curious, he said he could only imagine what would have happened. Speaking as an individual, he said there is something very wrong about this and he stood strongly behind his comments that to allow such a plea deal with no additional incarceration time is an injustice.

Chairman Chappell recalled the Manager reporting about the significant impact of broadband in our community which is very much needed for economic development, education, workforce development, etc. coming into Transylvania County and will serve hundreds of unserved citizens and businesses. This is a major announcement and achievement for Transylvania County. He thanked Senator Corbin and all those involved in helping to bring these funds to our County. Transylvania County received more funding than any other award during this grant cycle. He congratulated all the parties involved for maximizing their resources and he thanked the County Manager for her ability to leverage \$2 in federal funds to bring in \$8 million in grant funding. He was thankful for the leadership in Transylvania County. Chairman Chappell announced that at the next meeting, the Board will receive an update from the Transylvania Economic Alliance on major projects occurring in Transylvania County.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner McCall moved to adjourn the meeting at 5:05 p.m., seconded by Commissioner Dalton and unanimously approved.**

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board