

Unsealed by the Board of Commissioners on 02/12/2024.

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
August 23, 2021 – CLOSED SESSION

Per North Carolina General Statute § 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 attorney and the public body, which privilege is hereby acknowledged, the first closed session was entered into at 9:15 p.m. Present were Vice-Chairman Dalton, Commissioners Chapman, Guice and McCall, County Manager Jaime Laughter, Assistant County Manager David McNeill, and Clerk to the Board Trisha Hogan. County Attorney John Kubis participated remotely via Zoom meeting software.

Closed Session #1 – Sewer Line Repair

The Board previously explored purchasing a former dentist office on Johnson Street. The property remains for sale but is currently under contract. The potential new owner is completing the due diligence phase and in doing so identified that the sewer line for the Community Services Building runs underneath the building and connects to the former dentist building. They want to move the line and thus approached the County about paying for the project. The County Attorney contacted their attorney and negotiated splitting the cost 50/50. The project would involve relocating and cleaning out the line to maintain flow and is estimated at \$12,500. Assistant County Manager David McNeill was concerned the estimate may be too low. If the final cost turns out to be higher, he recommended the new owner bear the cost.

The Community Services Building is a former school and more than likely both buildings served the same purpose at one time, but when the property was sold, there was never an easement recorded. There is interest in the County's resolving this issue to relieve itself of any liability should the line fail which the County Attorney advised should be done in a memorandum of understanding with the new owner.

Mr. McNeill was also concerned about the turns in the line, so he intends to consult with the City of Brevard about the design. This will require a manhole to ensure access, but he estimated the cost to be low. Staff will review the plans to ensure a comfort level with the flow and that an easement is drawn up to ensure access to the line if needed.

The Board agreed to pay half of the current estimate not to exceed \$6,250. The County Attorney will assist in drafting a memorandum of understanding. This item will be added to a future agenda of the Board for formal approval.

Jason R. Chappell, Chairman
 Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board

08/23/2021