

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
July 9, 2019 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Tuesday, July 9, 2019 at 4:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Will Cathey, Vice-Chairman David Guice, Chairman Mike Hawkins and Page Lemel. Commissioner Jason Chappell was unable to attend due to a family medical issue. He reported at the previous meeting he would be absent for this meeting. Also present were County Manager Jaime Laughter, County Attorney Misti Bass and Clerk to the Board Trisha Hogan.

Media: *The Transylvania Times* – John Lanier, Editor

There were approximately 50 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 4:05 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their local government. He introduced Commissioners and staff in attendance.

PUBLIC COMMENT

The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.

Josh Kupras: Mr. Kupras is a student at Rosman High School and the NC School of Science and Mathematics. He will be the Youth Delegate at the Youth Voice Summit at the upcoming NC Association of County Commissioners Annual Conference in Guilford County. He is a member of 4-H and is involved in multiple volunteer operations, such as hosting a workshop for public speaking and helping the Sharing House. Mr. Kupras stated he is very honored to be selected as the Delegate to attend the Youth Voice Summit.

Chairman Hawkins recognized Mary Arnaudin for the work she does with 4-H. He pointed out that the NCACC hosts a parallel conference called the Youth Voice Summit for high school students across the State. These students learn about serving as a local elected official. Chairman Hawkins said he looks forward to hearing about Mr. Kupras' experience.

Prior to moving forward with the business of the agenda, the Manager introduced new Library Director Rishara Finsel who comes to us from Polk County. The Manager welcomed her and said she looks forward to having her as part of the Transylvania County team. Commissioners welcomed Ms. Finsel in her new role.

AGENDA MODIFICATIONS

There were no agenda modifications from Commissioners or staff.

Commissioner Cathey moved to approve the agenda, seconded by Commissioner Lemel and unanimously approved.

CONSENT AGENDA

Commissioner Lemel moved to approve the Consent Agenda, seconded by Commissioner Guice and unanimously approved.

The following item was approved:

MINUTES

The Board of Commissioners met in a special joint session with the Board of Education on January 16, 2019. The meeting was facilitated by Kara Millonzi with the UNC School of Government. Commissioners approved the minutes as submitted.

PRESENTATIONS/RECOGNITIONS

RECOGNITION OF CITIZEN ADVISORY COUNCIL MEMBERS

In July 2015, the Board of Commissioners implemented a recognition program for the purpose of expressing their appreciation to citizens who volunteer their time and expertise on the County's many citizen advisory councils. The Board intends to recognize citizens on a semi-annual basis. This period covered January 1, 2019 - June 30, 2019. Each person in attendance was presented with a certificate of appreciation and a coffee mug. The Clerk extended the invitation to either of the July meetings. The Clerk will mail certificates to those citizen volunteers who were unable to attend. Those to be recognized were:

Jeremy Gibbs	Blue Ridge Community College Board of Trustees
Gay Phillips	Board of Equalization & Review
Tom Tartt	Brevard Board of Adjustment & Appeal
Carroll Parker	Transylvania County Council on Aging
Aaron Bland	Joint Historic Preservation Commission
John Huggins, Sr.	Joint Historic Preservation Commission
Marcy Thompson	Joint Historic Preservation Commission
Toni Casciato	Juvenile Crime Prevention Council
Theresa Weber	Juvenile Crime Prevention Council
Anne Bullard	Library Board of Trustees
Karen Cole	Library Board of Trustees
Gregory Copeland	Parks and Recreation Commission
Daryle Hogsed	Planning Board
Mack McNeely III	Planning Board
Raymond Norris	Transportation Advisory Committee
Allyson Davenport	Workforce Development Board

Chairman Hawkins, with assistance from the Clerk to the Board, presented certificates and coffee mugs to those in attendance. They were Tom Tartt, John Huggins, Sr., Marcy Thompson, Toni Casciato, and Raymond Norris. Others will be recognized at the July 22 meeting. Chairman Hawkins offered his deep-

felt thanks to all the citizen advisory council members who have served, sacrificed their time and offered their expertise.

EMPLOYEE COMPENSATION AND CLASSIFICATION STUDY

The Manager reported there is a growing demand for high-skilled workers in public service. *Governing Magazine*, the International City/County Management Association (ICMA) and the NC Association of County Commissioners (NCACC) continually talk about the need for skilled public service workers due to liability potential, regulatory responsibility, and the public perception issues around what public service really means. These are all factors that determine whether someone will choose to enter the public service career field.

Public perception of public service employees is oftentimes that they are lazy, unskilled or not performing. In actuality, public service in county government means many times public employees are interacting with the public on their worst day (first responders, law enforcement). Public employees are also those Library workers interacting with children and inspiring them to make Lego robots or Parks and Recreation staff encouraging Senior Games participants to achieve gold. The Manager felt it was important for citizens to understand that careers in public service require more than just skills and the ability to manage those issues around regulatory responsibility and legal liability. It also requires a willingness to serve. For many public employees, the work they do weighs on them heavily and impacts their personal lives. Public service defines individuality and principles. For these reasons, it makes it that much more important that the County honor its public servants and ensure they are well-compensated to maintain quality and efficiency. It is critical that public employees are always showing up on their best day.

The need for the compensation study was due to several human resources concerns that have continued to be an issue over the last several years. Those include:

- Compression - last study put all employees, regardless of tenure and experience, between minimum and midpoint of the range; full range approved during last study was not utilized
- New hires were hired within those narrow bands to be consistent and legally defensible for equity among employees
- Recruitment of experienced professionals has been a challenge
- WNC regional market has grown significantly
- With fewer students attending training and degree programs (i.e., BLET), the market is more competitive for entry-level recruits meaning we need to be able to recruit experience
- Hiring the right professional with the right credentials can help prevent expenses from mistakes-regulatory and liability

The Manager shared the expectations from the proposal from Evergreen Solutions:

- Expectations
 - Addresses compression; rewards experience with pay in the market range
 - Shifts focus from tenure only to credentials
 - Not all ranges were below market, but some employees in those ranges will see an increase to compensate experience and alleviate compression
 - Many ranges were below market
 - Increases will vary throughout organization depending on the range, evaluation of the job and each person's education and experience over the minimum required; some are in the right place for their experience in the range already
 - Caps are used based on job classification (5 years, 10 years, and 20 years) to encourage career progression in responsibility

- Methodology applied equitably as if re-hiring all staff and shifting to a more modern approach to compensation (Note: Given that performance has not been rewarded for over 10 years, performance is not a factor in the reset but should be a factor moving forward)
- COLA was not budgeted for FY 20 in order to fund the study implementation
- Evergreen hired to do a market analysis, engage employees, review job duties for each position and make recommendations on methodology to accomplish goals
- Personnel Board helped shape goals, review methodology and make recommendations

The Manager introduced Nancy Berkeley with Evergreen Solutions. She presented to the Board the firm's findings and talked about the methodology used to build the pay ranges and determine their final recommendations. This is a summary of her presentation:

Study Process

- Completed
 - Employee outreach; sought participation from employees to create their individual Job Assessment Tool (JAT); group meetings to share concerns
 - Analysis of conditions of the current pay system
 - Review of County's compensation philosophy, including primary goals of study
 - Internal equity analysis by reviewing JAT input; recommended proposed class structure
 - External equity analysis by surveying the market to determine competitiveness of current pay structure
 - Development of new competitive pay structure
 - Individual classification assignments to a pay grade/range
 - Development of options for implementing the proposed structure
 - Estimated annualized salary costs for implementing the proposed structure
- Remaining
 - Prepare/provide draft and final reports
 - Revise/provide job descriptions utilizing existing descriptions and input from employees' JATs

Employee Outreach

- Received the following feedback from employees
 - Compression of salaries should be alleviated
 - Recruitment and retention of employees are at risk if salaries are not adjusted; should be compared to peers and made competitive
 - County provides good employee benefits
 - Some job titles are too broad/generic; descriptions should be updated
 - Interest in linking pay increases to individual performance

Review of Current Conditions

- Reviewed the current pay system
 - Open range pay plan with pay range spreads of 50%
 - Plan has 27 pay grades
 - Each pay grade has three annualized ranges based on 37.5, 40, and 42-hour work weeks (same hourly rate for each)
- Analyzed the distribution of employees' salaries across the current pay ranges
 - Employees' salaries are clustered below the existing midpoint
 - 1st quartile: 66.7%
 - 2nd quartile: 21%
 - 3rd quartile: 11.5%

- 4th quartile: 1.8%

County Compensation Philosophy

- Desired market position
 - Competitive at market average
- Pay practices
 - Equitable, flexible, and competitive
- Pay plan design
 - Open range; no steps
- Pay increase methods
 - Across the board and performance-based

Classification Review Results

- Reviewed employee input
- Determined internal equity
- Made appropriate title change recommendations

Compensation Review Results

- Conducted a salary survey
- Collected salary range data from 13 peers
- Analyzed external market equity
- Collected salary range data for 66 benchmark classifications and compared the data at the average market; overall:
 - Transylvania County is 1.4% behind at the minimum range
 - Transylvania County is 4.8% behind at the midpoint range
 - Midpoint is typically considered market as employees receiving pay at this point should be proficient and satisfactorily performing the duties of their classification
 - Transylvania County is 6.5% behind at the maximum range

Proposed Pay Plan and Implementation

- Competitive open range plan
 - 28 pay grades
 - Range spreads at 55%
 - Individually slotted each classification into a pay grade/range
- Implementation Option 1
 - 30-year parity; total tenure and related additional experience with no caps
 - This option attempts to alleviate issues with compression by directly correlating tenure and additional experience with salary
 - Total implementation cost: \$2,569,379; including cost of benefits: \$2,760,111
 - 325 employees would receive adjustments
- Implementation Option 2
 - 30-year parity; total tenure and related additional experience with caps
 - This option attempts to alleviate issues with compression by directly correlating tenure and additional experience with salary
 - Caps are designed to encourage progression of responsibility
 - Total implementation cost: \$2,116,565; including cost of benefits: \$2,264,465
 - 325 employees would receive adjustments

Next Steps/Additional Resources

- Commissioners to approve implementation of methodology and use of earmarked funds (\$2.3 million annually)
- Continue to progress salaries according to the County's compensation philosophy i.e., utilize across the board and develop/implement performance-based increases
- Continue to conduct compensation studies every three to five years
- Continue to implement annual COLA

This concluded Ms. Berkeley's presentation.

The Manager reported that the Personnel Board reviewed both methodologies and had a lengthy discussion about the pros and cons of each option. The Personnel Board recommended the implementation of Option 2 which places employees where they belong in the salary ranges based on their experience and tenure, with the proposed caps on experience. They also recommended the Board consider funding the COLA. The Manager shared that the amount normally recommended for the COLA was used toward implementation of the compensation study. The Personnel Board recommended the Board fund the COLA, which is tied to CPI, in February to prevent lagging behind the market. They are also interested in evaluating and developing recommendations on how to move employees through the ranges and addressing performance.

The Manager noted there were 13 individuals with long tenure identified for additional credit in their ranges to avoid further compression. Additionally, 24 individuals do not qualify for the recommended minimum job requirements and will need to be placed in "work against" status which means their salary would not be brought to the minimum until they meet the requirements for their job description.

The Manager asked Commissioners to consider approval of the methodology for Option 2 at their second meeting in July. This would allow for implementation effective the first payroll in September. The Manager stated she would meet with Commissioners individually to review the detail of the methodology used, if needed.

Human Resources intends to review employee level data to ensure all the information is correct. Following confirmation that the information is accurate, Human Resources and the Manager will meet with each employee individually to review their new compensation level, pay range, etc.

The Manager added that the new methodology would be utilized for all new hires to ensure equity to the existing structure.

Below is a summary of the Board's discussion in Q&A format:

- Q. How much would the COLA cost the County?
 A. The CPI report is not available until January. Last year's COLA was 1.9% which cost the County \$180,000.
- Q. Does the implementation of the study recommendations alleviate compression altogether?
 A. Yes.
- Q. Was any salary data collected from South Carolina?
 A. There were three counties in South Carolina that responded. Staff will seek additional information from South Carolina border counties, if the Board desires.

- Q. What would the difference be in the DSS Director's salary from Option 1 to Option 2?
- A. Staff did not have the salary information to share. The difference between the options, globally, is the application of the experience caps. The salary amount would be dependent on the individual person, not the position itself. For example, a person with 23 years' experience under Option 2 would be capped at 20 years. A person who brought in eight years' experience and has worked for the County for eight years would be placed at the 16-year salary range. If a person has 14 total years of experience but fell under the 10-year cap, they would be capped at the 10-year mark in the range, with the hope they would progress through the range through their performance or other method. Education level is applied as well.
- Q. For example, if a Deputy Sheriff has a current salary of \$40,000- with 14-years' experience, what would their new salary be?
- A. In this example, the Deputy Sheriff would move up the range at 1.8% per year. That would put them at the midpoint range of \$55,000. Staff continues to refine the data to ensure accuracy. The consultant created a chart to show where certain positions would be classified based on varying levels of experience. They also figured the average increases by department. In general, the largest salary increases are found in Public Safety, Information Technology, Building Permitting, and the Department of Social Services.
- Q. The study brings about a shift in the way the Board of Commissioners has approached employment for the County by looking at rewarding experience, qualifications, and education, and seeking a method to compensate for performance. Will staff elaborate on the importance of the compensation study?
- A. The County is a large employer. In the past, many counties have focused mostly on tenure which is an industrial mindset. Historically, the expectation has been that someone becomes employed with the County early in their career and if they stay and remain loyal, then they would progress through the ranks. However, there has been a shift in the workforce and there is no longer the expectation that someone will have a long-term career in Transylvania County government. Staff hopes to attract long-term employees, but there has been a shift in mindset in the workforce. The goal of the study is to ensure the County has the best credentials for each position. There will always be another employer that pays better, but the compensation study gives the County a competitive edge over others. Reward for experience is important because it is no longer experience with Transylvania County that matters in our workforce; it is also experience and training someone receives from another agency during their career.
- Q. The staff interviews revealed that employees were satisfied with their benefits package. How did staff account for this in the analysis?
- A. Compared to other counties, there are benefits that Transylvania County does not provide. For instance, many of our peers provide 401K contributions to all employees, not just law enforcement officers which is required by statute. Transylvania County is probably below average in terms of the benefits we offer, but employees are satisfied with the benefits they receive. Since many of our peers provide better benefits, it makes the stronger argument to ensure we fairly compensate our employees. Staff did not ask Evergreen Solutions to conduct a benefits' analysis.
- Q. How do we measure success? What are the benchmarks for successfully recruiting and retaining employees?
- A. The Human Resources software the County uses does not currently track the necessary data, but the implementation of the new software will track information automatically. Most of the information provided to the Board this year was tracked manually. Some turnover is not bad for

the organization. However, losing 50+ employees a year in a 350-employee organization is significant.

- Q. Does staff conduct exit interviews with employees?
 A. Yes, but it is not a requirement. There are several reasons people leave employment, but staff noted pay is an issue when there is loss to other employers. Employees are very eager for the pay study to be implemented, specifically to deal with the compression issues.
- Q. Is the way to maintain the system, if implemented, through a combination of COLA and pay-for-performance incentives?
 A. The Personnel Board will discuss this in further depth. COLA is intended, by theory, to keep the system whole by keeping up with the market. Pay-per-performance is meant to reward high-performers and move them through their salary ranges. There are many ways to implement pay-for-performance. At this point, the recommendation is to continue with the COLAs because it keeps the system inline with the market (CPI). This is another reason Evergreen Solutions recommended reevaluating the compensation plan every three to five years to ensure there are no sudden shifts in classifications.
- Q. Does COLA help ensure that someone who has been employed for four years does not make the same as a new hire?
 A. In general, the ranges should expect to move with the COLA. However, COLA keeps up with the market.
- Q. What is the current payroll for the County?
 A. \$1.8 million/month.
- Q. Is it fair to say that a performance-based system requires a deep commitment to the structure, as well as an allocation of resources?
 A. Yes. Some of that will come from overhauling the existing performance management system, to include everything from new forms and how we determine performance. Much of that is in line with the data-informed decision-making the Board has undertaken with its strategic plan. It would involve taking the high-level works plans and creating individual work plans with objective measures so the Board can justify how one's performance exceeds another. This will require a lot of work and study by the Personnel Board, as well as engagement from Department Heads. It will also require a commitment from the Board of Commissioners to provide the funding on an annual basis.

Comments:

Commissioner Guice serves on the Personnel Board. He understands the Personnel Board's reasons for recommending Option 2, but he supports Option 1. He believes the Personnel Board recommended Option 2 due to the amount of funding already set aside. He did not agree with capping experience. Commissioner Guice urged Commissioners to fund Option 1 in its entirety, as well as a cost of living adjustment in February. He felt that the County needed to create the ability to hire new employees and pay them for their education, work experience, etc. and, furthermore, the Board needs to continue its work to develop a method for performance pay. The Personnel Board is willing to take on that task.

The Manager stated she understands the financial impact of implementing the compensation study. However, once the system is corrected, future studies should not cost as much to implement. Some of the issues compounding the expense is not only the market adjustment, but compression issues and the need to pay employees for their experience.

The Manager offered the Board the option of considering caps for new hires if they proceed with Option 1. This might prevent a new hire from coming on board simply for the pay with no goal of progressing in their career in local government. If approved, this would be implemented administratively.

This item will be placed on the agenda for the Board's consideration at the next meeting on July 22. The Board will be asked to act on one of the options and make the funds available to implement it. Staff would then process each individual employee's payroll change notice for implementation during the first payroll in September. Should the Board have any questions between now and the next meeting, they should forward them to the Manager.

Chairman Hawkins thanked staff and the members of the Personnel Board for their work to complete the compensation study and their continued efforts for implementation. He stated it is the intent of the Board to act at their next meeting.

APPOINTMENTS

VOTING DELEGATE TO THE NCACC ANNUAL CONFERENCE

The NC Association of County Commissioners (NCACC) will hold its 112th Annual Conference in Guilford County August 22-24, 2019. The NCACC requires counties to elect a Voting Delegate to the Annual Conference. The Voting Delegate is authorized by the counties to vote on business items during the conference. Commissioner Lemel is registered to attend the Annual Conference. The Voting Delegate form is due to the NCACC by August 16.

Commissioner Cathey moved to appoint Commissioner Lemel to serve as Transylvania County's Voting Delegate to the NCACC Annual Conference, seconded by Commissioner Guice and unanimously approved.

REGIONAL COUNCIL ON AGING

The terms of Patricia Roberts (Senior Tar Heel Delegate) and Dr. Carol Mackusick (Member-at-Large) have expired. Both are eligible and willing to serve another term. Another Member-at-Large position is vacant. The Clerk received an application from Delores Stroup. LeeAnne Tucker with Land of Sky Regional Council Area Agency on Aging recommended the reappointment of Ms. Roberts and Dr. Mackusick and the appointment of Ms. Stroup to fill the vacancy.

Commissioner Lemel moved to reappoint Patricia Roberts and Dr. Carol Mackusick and appoint Delores Stroup to the Regional Council on Aging, seconded by Commissioner Cathey and unanimously approved.

APPOINTMENT OF REVIEW OFFICER FOR TRANSYLVANIA COUNTY

NC General Statute § 47-30.2 requires the Board of Commissioners of each county to designate one or more persons experienced in mapping or lands records management to be appointed as a Review Officer to certify maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording. With turnover in the Planning and Community Development department over the last few months, the list of Review Officers for Transylvania County needs to be updated to reflect current staffing. The Manager also recommended adding staff experienced in mapping or lands record management in order to ensure adequate coverage and backup should staff be out of the office for training or other reasons.

Jason Stewart will come on board as the new Director for the department in mid-July. Kate Hayes, County Management Fellow in the County Operations department, has also been serving as backup in the department.

Commissioner Guice moved to approve Resolution #24-2019 (Appointment of Review Officers for Transylvania County) appointing Jason Stewart and Kate Hayes as Review Officers for Transylvania County and to instruct the Clerk to the Board to record the resolution with the Register of Deeds, seconded by Commissioner Lemel and unanimously approved.

RESOLUTION #24-2019
APPOINTMENT OF REVIEW OFFICERS FOR TRANSYLVANIA COUNTY

WHEREAS, Chapter 47-30.2 of the North Carolina General Statutes requires the Board of Commissioners of each county to designate by name one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

WHEREAS, the review of statutory requirements is of a technical nature; and

WHEREAS, one of the services that Transylvania County staff provides to the community is a similar technical process for subdivision plat review in order to verify compliance with the County's development regulations; and

WHEREAS, Transylvania County is committed to streamlining the review procedures for proposed developments and subdivisions of land; and

WHEREAS, it appears most efficient for Transylvania County to avoid adding another layer of development review by providing for the certification of statutory compliance for all maps or plats to be presented to the Register of Deeds for recording within the context of subdivision review procedures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY:

Section 1. The addition of the following persons are recommended to be appointed by the Transylvania County Board of Commissioners to serve as Review Officers for all lands within Transylvania County's planning jurisdiction in order to certify each map and plat presented to the Transylvania County Register of Deeds for recording satisfies the statutory requirements for recording.

<u>NAME</u>	<u>POSITION/TITLE</u>
Jason Stewart	Director, Planning & Community Development
Kate Hayes	County Management Fellow, Operations

Adopted and approved this the 9th day of July, 2019.

S: //Mike Hawkins, Chair
Transylvania County Board of Commissioners

APPOINTMENT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR AS ENFORCEMENT OFFICER/ZONING ADMINISTRATOR FOR PLANNED RELATED ORDINANCES

Jason Stewart will come on board as the new Director of Planning and Community Development in mid-July. Several of the County's planning-related ordinances requires the Board of Commissioners to appoint an enforcement officer/zoning administrator to administer and enforce all provisions of those ordinances.

1. Flood Damage Prevention Ordinance – Article 4, Section A

2. Mountain Ridge Protection Ordinance – Article 4
3. Pisgah Forest Community Zoning Ordinance – Article 7, Section 1
4. Subdivision Regulations – Article 9, Section 18
5. Telecommunications Tower Ordinance – Section 7
6. Watershed Protection Ordinance – Article 3, Section 17

Commissioner Cathey moved to appoint Planning and Community Development Director Jason Stewart as the Enforcement Officer/Zoning Administrator for the ordinances listed above and to direct the Clerk to the Board to swear him in upon taking his position, seconded by Commissioner Lemel and unanimously approved.

OLD BUSINESS

CONTRACT WITH VETERANS HISTORY MUSEUM OF THE CAROLINAS (FORMERLY KNOWN AS WNC MILITARY HISTORY MUSEUM)

The contract between the County and Veterans History Museum of the Carolinas, formerly known as the WNC Military History Museum, expired at the end of June. At the previous meeting, Commissioners approved a 30-day extension to the contract to allow time for the County Attorney to craft language to be included in a new contract that would meet statutory requirements. The contract has been updated to include the appropriate language and statutory references and includes a two-year extension through June 30, 2021.

Transylvania County has an interest in the education of its citizenry and the preservation of history. The Veterans History Museum of the Carolinas serves this interest and the public purpose through their agreement to maintain, support and operate the museum in the former Administration building and under the conditions outlined in the contract. The Museum currently pays \$625/monthly to the County for utilities and incidental costs and this amount was repeated in the revised contract. The contract includes a 30-day termination clause which applies to both parties. Staff recommended Commissioners consider the revised contract between Transylvania County and the Veterans History Museum of the Carolinas for a period of two years to be signed upon approval.

Commissioner Guice moved to approve the revised contract between Transylvania County and the Veterans History Museum of the Carolinas for a period of two years, seconded by Commissioner Cathey and unanimously approved.

NEW BUSINESS

OFFER TO PURCHASE COUNTY PROPERTY

Annelise Hagedorn, with the Brevard Tiny House Company, contacted the Manager with an interest in purchasing county-owned property for the purpose of building workforce housing. According to the email correspondence, Brevard Tiny House Company is a local, family-owned business with experience in building homes and renting them at rates that would meet the County's definition of affordable. They have built two homes on Hemphill Circle that meet the affordability criteria. Their work can be viewed on their website at www.brevardtinyhouse.com.

The County owns property on North Lane and Duckworth Avenue that was either foreclosed upon or seized. The property cards and maps of the property were included in the Board's agenda packet. There is no County purpose for either of these properties.

The property on North Lane (PIN # 8586-21-9844) has a tax value of \$10,000. Brevard Tiny House Company offered \$10,000 for the 0.1-acre lot.

The property on Duckworth Avenue (PIN #8585-39-2975) has a tax value of \$22,500. Brevard Tiny House Company offered \$15,000 for the 0.3-acre lot. At one point, the City of Brevard expressed possible interest in this lot because it is adjacent to City-owned property on which the Tannery Park Project is slated to go. There has been no further interest expressed in this property.

County property must be disposed of according to NC General Statutes. Should Commissioners accept either or both offers, staff recommended Commissioners approve a resolution outlining the upset bid procedures. A draft resolution was included in the Board's agenda packet for consideration.

Staff asked Commissioners to consider the offers from the Brevard Tiny House Company and direct staff on how to proceed.

Commissioner Lemel moved to accept the bids on the two pieces of property as presented and directed staff to proceed with the upset bid process as outlined in the draft resolution, seconded by Commissioner Cathey. Commissioner Lemel was excited for the community about the proposed affordable housing opportunity. Chairman Hawkins thanked the Hagedorns for trying to fill this need in the community. They have already constructed a tiny house in the same area that they are renting so they have a track record for success in providing affordable housing opportunities. Commissioner Cathey agreed, noting that with the high cost of housing in this County, this is positive for citizens. **The motion was unanimously approved.**

RESOLUTION #25-2019

Authorizing Intent to Sell County Property through Upset Bid Process

WHEREAS, Transylvania County is the owner of a parcel of real property containing 0.10 acres of land located at 64 North Lane (PIN #: 8586-21-9844) within the incorporated area of the City of Brevard, North Carolina (the "Subject Property #1"), as shown on the attached map marked as Exhibit A and incorporated herein by reference; and

WHEREAS, Transylvania County is the owner of a parcel of real property containing 0.298 acres of land located at 246 Duckworth Avenue (PIN #: 8585-39-2975) within the incorporated area of the City of Brevard, North Carolina (the "Subject Property #2"), as shown on the attached map marked as Exhibit B and incorporated herein by reference; and

WHEREAS, North Carolina General Statute §160A-269, permits Transylvania County to sell the property by upset bid after receipt of an offer for the property; and

WHEREAS, Transylvania County has received an offer to purchase Subject Property #1 in the amount of \$10,000 and Subject Property #2 in the amount of \$15,000 by the Brevard Tiny House Company; and

WHEREAS, the Brevard Tiny House Company has paid the required five percent (5%) deposit on this offer;

THEREFORE, THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY RESOLVES THAT:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

2. The Clerk to the Board shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Clerk to the Board within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Clerk to the Board shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the Clerk to the Board shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that:
 - the Board of Commissioners must approve the final high offer before the same is closed, which it will do within 30 days after the final upset bid period has passed, and
 - the buyer must pay with cash at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property to the Brevard Tiny House Company.

Adopted July 9, 2019.

S: //Mike Hawkins, Chair
Transylvania County Board of Commissioners

MANAGER'S REPORT

The Manager reported the following:

- Planning Board has drafted some changes to the County's Noise Ordinance; currently under review by the County Attorney; Planning Board would like to have a public input session during their August meeting; more information forthcoming
- Lead for NC Cohort 1 will be training with the UNC School of Government this month and will be making a site visit to Transylvania County on July 25-26 to learn about how Transylvania County uses innovation to deliver services and solve community problems.

- July 14 at 12 PM check out www.naco.org to see Commissioner Lemel co-present with Jeannette Betancourt with the Sesame Workshop at the 84th Annual National Association of Counties Conference and Exposition in Clark County, NV.
- August 5 at 12 PM Commissioner Strategic Planning Workshop
- Kudos to Animal Services staff and volunteers! The mid-year report for 2019 reflects a 95% live release rate.

Commissioner Guice was concerned about the draft Noise Ordinance. He was bothered by some of the recommendations. The Manager will share with the Board the changes for consideration following the current draft review. Staff will share with the public the proposed changes as well so the Planning Board and Board of Commissioners can hear from citizens.

PUBLIC COMMENT

The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.

Larry Chapman: Mr. Chapman thanked Commissioners for their vote on Museum contract. He encouraged Commissioners to visit the Museum. He also inquired if the NACo presentation is scheduled to be available online at 12:00 EST or PST. Commissioner Lemel informed him the correct time is EST.

Emmett Casciato: Mr. Casciato is the curator for the Museum and thanked Commissioners on behalf of the Museum's Board of Directors and volunteers for extending the lease agreement. He informed Commissioners the Museum is embarking on major fundraising efforts for a permanent location. The Museum is seeking a building that contains 15,000-20,000 sq. ft. of space. They intend to remain in Transylvania County, preferably downtown Brevard.

COMMISSIONERS' COMMENTS

There were no comments from Commissioners.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Cathey moved to adjourn the meeting at 5:40 p.m., seconded by Commissioner Lemel and unanimously carried.**

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board