

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**JULY 25, 2022 – REGULAR MEETING**

The Board of Commissioners of Transylvania County met in a regular meeting on Monday, July 25, 2022, at 5:30 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Larry Chapman, Chairman Jason Chappell, Vice-Chairman Jake Dalton, and Teresa McCall. Commissioner David Guice was absent due to health reasons. Also present were County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. County Attorney Natalia Isenberg participated via Zoom meeting software.

Media: *The Transylvania Times*: Jonathan Rich  
*Brevard Newsbeat*: Dan DeWitt

There were approximately 40 in the audience.

**CALL TO ORDER**

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 5:31 p.m.

**WELCOME**

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

**PUBLIC HEARING**

**PROPOSED ECONOMIC INCENTIVE GRANT FOR PROJECT VITAL FOREST**

Transylvania Economic Alliance Executive Director Burton Hodges provided the detail for the public hearing. He reported that Project Vital Forest is a pharmaceutical manufacturing business currently located in unincorporated Transylvania County. The company was founded in Transylvania County in 1981 and operates currently in a 20,000 sq. ft. facility with 28 full-time employees, the majority of whom are high-wage laboratory-based research and development scientists.

In 2018, the company was sold to a publicly traded India-based pharmaceutical development and manufacturing company. The company is considering a multi-phased expansion of the Transylvania County facility to enhance the operations manufacturing capabilities to serve US-based customers, including several federal agencies. The company operates 11 formulation plants in India and 15 active pharmaceutical ingredient manufacturing facilities in India, the UK, and Transylvania County. The location in Transylvania County competes globally for new investment and job creation.

The proposed investment under Project Vital Forest involves the initial construction of a pilot manufacturing facility as phase 1, which is scheduled to begin operations in early 2023. Once the pilot facility is completed, the company will begin construction of phase 2 which consists of an 80,000 sq. ft. commercial pharmaceutical manufacturing facility focused on the manufacturing of liquid oral doses and sterile injectables.

Project Vital Forest will create at least 55 new jobs by 2026 with an average annual wage exceeding \$60,000 and will invest a cumulative \$55 million in new taxable investment. The success and the importance of Project Vital Forest are the introduction and the positioning of this facility to not only enable the first expansion but to put position the facility to continue to expand and receive new investment projects for which it competes globally.

**Chairman Chappell opened the public hearing at 5:35 p.m.**

There were no public comments.

**Chairman Chappell closed the public hearing at 5:36 p.m.**

#### **PUBLIC COMMENT**

There were no comments from the public.

#### **AGENDA MODIFICATIONS**

There were no agenda modifications.

**Commissioner Dalton moved to approve the agenda as submitted, seconded by Commissioner Chapman, and unanimously approved.**

#### **CONSENT AGENDA**

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

The following items were approved:

#### APPROVAL OF MINUTES

The Board of Commissioners met in a regular session on Monday, July 11, 2022. The Board approved the minutes as submitted.

#### DISCOVERY, RELEASE, AND 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 shall 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 the period June 21-30, 2022, there were no releases and refunds totaled \$10,932.34. The Board approved the Discovery, Release, and Monthly Settlement Report for the period June 21-30, 2022 as submitted.

#### REQUEST FOR OUT-OF-STATE TRAVEL

The Association of Rural and Small Libraries (ARSL) Annual Conference will be held in Chattanooga, Tennessee from September 14 to 17, 2022. Professional development topics at the conference include digital inclusion, community partnerships, collection management, staff development, library programming, and more.

The proximity of this year's conference location provides the opportunity for three members of the library staff to attend with significant cost savings due to minimal travel costs. The library staff attending will be Laura Gardner (Local History Librarian), Kelly McBride (Community Engagement Librarian), and Brenda Ivers (Bookmobile Specialist).

The anticipated cost per attendee will be approximately \$810, including \$275 for conference registration, \$488 lodging for three nights, and per diems for meals not included in conference costs, plus approximately \$125 for gas and parking for a county vehicle. This will result in a total cost of approximately \$2,430, which was planned for and included in the approved FY 23 County budget.

The Board approved the request for out-of-state travel as submitted.

## NEW BUSINESS

### 2021 TAX SETTLEMENT REPORT

Tax Administrator Jessica McCall presented this item. Each year the Tax Collector shall make a sworn report to the governing body of the taxing unit per N.C.G.S. § 105-373. This report covers the 2021 tax year. She highlighted the following from the report:

- Total levy 2021 taxes
  - County - \$39,644,319.50
  - All districts - \$42,430,128.30
- Total collected 2021 taxes (as of June 30, 2022)
  - County - \$39,575,112.64
  - All districts - \$42,355,138.46
- Uncollected 2021 taxes (as of June 30, 2022)
  - County - \$69,206.86
  - All districts - \$74,989.84
- 2021 overall County collection Rate - 99.83%
  - Each district percentage rate - greater than or equal to 99.47%
  - County collection rate as of January 5 - 87.11%
- Delinquent taxes collected for 2020 and prior (as of June 30, 2022)
  - County - \$58,176.48
  - All districts - \$63,351.24
- Bank attachments - \$16,122.31
- Wage garnishments - \$10,455.36
- Payment plans - 177
- Made approximately 7,500 phone calls

Commissioners thanked Ms. McCall for the outstanding work of her staff. Their work continually ranks Transylvania County as having one of the highest tax collection rates in the State of North Carolina. They also conduct their work with compassion for our citizens. Commissioners were appreciative of Transylvania County taxpayers for their dedication to paying their taxes on time.

**Commissioner McCall moved to approve the 2021 Tax Settlement Report, seconded by Commissioner Dalton and unanimously approved.**

### 2022 ORDER TO COLLECT ALL REAL AND PERSONAL PROPERTY TAXES

Tax Administrator Jessica McCall presented this item. The Tax Collector must be charged with the 2022 tax bills which give full and sufficient authority to collect taxes with forced collection remedies, if

necessary, per N.C.G.S. § 105-321. The order of collection shall have the force and effect of a judgment and execution against the taxpayer's real and personal property.

*To the Tax Collector of the County of Transylvania:*

*You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in the County of Transylvania, and this order shall be full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.*

**Commissioner McCall moved to approve the 2022 Order to Collect Property Taxes, seconded by Commissioner Dalton and unanimously approved.**

PROPOSED ECONOMIC INCENTIVE GRANT FOR PROJECT VITAL FOREST

The Manager reported the Board of Commissioners held the public hearing at the beginning of the meeting for the proposed economic incentive grant for Project Vital Forest. She requested the Board's approval of approximately \$1.8 million in incentives over a nine-year period which were calculated according to the County's policy for economic development. This project scored very high on the policy's scorecard making it a significant project for Transylvania County.

The Manager recommended the Board approve the making of the grants as described during the public hearing and approve and enter into one or more economic development agreements with respect to the project, including accountability for the job creation and investment.

Prior to a motion, Chairman Chappell called for comments from the Board.

Commissioner Dalton reported the expansion will make this company's North American headquarters in Transylvania County. It complements well with two other businesses in this field which has created a hub and has been called the RTP of the West. He was thrilled to see this project happening.

Commissioner Chapman commented on the significant average wage of the new jobs. He informed the public that this did not happen overnight; it was a culmination of a lot of work on the part of the Transylvania Economic Alliance and many others. He thanked everyone involved for their work.

Commissioner McCall stated she was proud to serve on a Board of Commissioners that is committed to economic development. She stated that July has been a great month for Transylvania County which also included breaking ground on the water and sewer expansion. She was happy for Transylvania County and looked forward to what the future holds.

On behalf of Commissioner Guice, Chairman Chappell stated that he was grateful to all those involved, and he was very excited about this project.

Chairman Chappell emphasized that this Board has made a dedicated effort to promote economic development and manufacturing in Transylvania County. It is another example of a promise made and a promise kept. Chairman Chappell congratulated the company, noting there will be a press conference announcing the company name and further details of the expansion after this meeting. He stated these are exciting times in Transylvania County and he thanked all those involved for pushing for these successes and moving the County forward.

**Commissioner McCall moved to approve the making of the grants as described and to approve and enter into one or more economic development agreements with respect to the project, seconded by Commissioner Dalton and unanimously approved.**

#### MANAGER'S REPORT

The Manager reported the following:

- On Friday, July 15 we held a groundbreaking ceremony at Gaia Herbs to kick off construction of the US 64 water and sewer line which was in partnership with the Town of Rosman.
- Scott Justus has accepted the job as the Transylvania Fire Marshal to replace Gerald Grose when he retires in September. Congratulations Scott and Gerald!
- Land of Sky Regional Council has applied to establish a Foreign-Trade Zone in Western North Carolina. EDPNC research projects that an FTZ will result in 300-400 new jobs and up to \$100 million in investment in just the four counties in the Land of Sky region. The next step is to begin the process to request the creation of a Port-Of-Entry at the Asheville Regional Airport which will allow more counties in WNC to be served by the FTZ and it will also allow the airport to clear flights from outside of the United States. The Port of Greer in SC will serve our region until a port is established in WNC. The Transylvania County Board of Commissioners submitted a letter in support of the establishment of the FTZ in April of this year.
- The Capital Workshop targeted for August 22 is being postponed to the first meeting in September. More details to come.
- A reminder that the August 8 Board of Commissioners' meeting has been cancelled. The Board's next regular meeting will be on August 22.

#### **PUBLIC COMMENT**

There were no public comments.

#### **COMMISSIONERS' COMMENTS**

Commissioner Chapman commended Dan DeWitt with the *Brevard Newsbeat* on his recent article concerning the mental health issues affecting teens in our community. He invited the public to read the article. He thanked Mr. DeWitt for bringing this to the public's attention. He also encouraged the public to be more attentive to the youth in our community.

Commissioner Dalton referred to the Manager's report of the FTZ potentially coming to Asheville Regional Airport. He said this could be significant for Transylvania County because of our proximity to it. There is an inland port in Greer, SC and the capacity has been overwhelming. The possibility for manufacturers to get their products out to market is priceless.

**Chairman Chappell moved to enter into a closed session 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, seconded by Commissioner Dalton and unanimously approved.**

#### **CLOSED SESSION**

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 6:00 p.m. Present were Chairman Chappell, Commissioners Chapman, Dalton and McCall, County Manager Jaime Laughter, and Clerk to the Board Trisha Hogan. Commissioner David Guice and County Attorney Natalia Isenberg participated via conference call. The closed session was held in the Arthur C. Wilson, Jr. Conference Room.

Commissioners received an update from staff on the potential acquisition of property and directed staff on how to proceed.

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

#### 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 approved.**

#### ADJOURNMENT

There being no further business to discuss, **Chairman Chappell moved to adjourn the meeting at 6:22 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