MINUTES
BREVARD CITY COUNCIL
Organizational Meeting
December 2, 2013 – 5:00 PM

The Brevard City Council met for their Organizational meeting and a Comprehensive Plan Work Session on Monday, December 2, 2013 at 5:00 p.m. in the Council Chambers of City Hall with City Clerk Desiree Perry presiding.

Present - Mayor Jimmy Harris, Pro Tem Mac Morrow, Council Members Rodney Locks, Wes Dickson, Maurice Jones and Charlie Landreth.

Staff Present – City Manager Joe Moore, City Attorney Mike Pratt, City Clerk Desiree Perry, Planning Director Josh Freeman, Police Chief Phil Harris, HR Director Christine Caldwell, HR Specialist Jill Murray, Fire Chief Craig Budzinski, Building and Grounds Director Lynn Goldsmith, Finance Director Jim Fatland, Utility Director Jay Johnston, PE, and Executive Assistant Jeanette Owen.

Press - Derek McKissock, Transylvania Times

Others Present – Honorable Judge Peter Knight, Council Candidate elect Ann Hollingsworth, NC League of Municipality Human Resources Director Michael Naylor, NCLM Director of Communications Najuma Thorpe, and many family and friends of Mr. Locks, Mayor Harris, Mr. Morrow and Ms. Hollingsworth were in attendance.

A. Welcome and Call to Order – The City Clerk called the meeting to order, welcomed those present, and shared that immediately following the brief Organizational meeting Council will recess to the Administrative Conference Room for a reception to recognize and extend appreciation to our departing Council Member Rodney Locks, and to welcome the newly elected members of Council.

B. Induction of Council Members – Oath of Office

B-1 Administration of the Oath of Office to Mayor Jimmy Harris – Mayor Jimmy Harris, accompanied by his daughter Cassie, was administered the Oath of Office by the Honorable Judge Peter Knight, NC Judicial District 29B. (An original was deposited with Transylvania County Clerk of Superior Court, and a second original is on file in City Clerk's office.)

State of North Carolina
County of Transylvania
City of Brevard

I, Jimmy Harris, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are, or may be established for the Government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties of the Office of Mayor of Brevard, North Carolina, imposed upon me by law, so help me God.

s/Jimmy Harris

Oath Administered by:
Honorable Judge Peter B. Knight
North Carolina Judicial District 29B
December 2, 2013

At this time Mayor Harris presided the meeting.

B-2 Administration of the Oath of Office to Council Member Spencer Macfie "Mac" Morrow – Spencer Macfie "Mac" Morrow, accompanied by his wife Veronica, was administered the Oath of Office by City Clerk Desiree Perry. (An original was deposited with Transylvania County Clerk of Superior Court, and a second original is on file in City Clerk's office.)

State of North Carolina
County of Transylvania
City of Brevard

I, Spencer Macfie Morrow do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are, or may be established for the Government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties of City Council Member of Brevard, North Carolina, imposed upon me by law, so help me God.

s/Spencer Macfie Morrow

Oath Administered by:
Desiree D. Perry, City Clerk
December 2, 2013

B-3 Administration of the Oath of Office to Council Member Ann Hollingsworth – Ann Hollingsworth, accompanied by her husband Danny, was administered the Oath of Office by Mayor Jimmy Harris. (An original was deposited with Transylvania County Clerk of Superior Court, and a second original is on file in City Clerk's office.)

State of North Carolina
County of Transylvania
City of Brevard

I, Ann Hollingsworth, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are, or may be established for the Government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties of the City Council Member of Brevard, North Carolina, imposed upon me by law, so help me God.

s/Ann Hollingsworth

Oath Administered by:
Mayor Jimmy Harris
December 2, 2013

Mayor and Council Members Seated - At this time Mayor Harris and Council Members Morrow and Hollingsworth took their seat at the dais.

C. Certification of Quorum - The City Clerk certified a quorum present.

D. Approval of Agenda – Mr. Morrow moved, seconded by Mr. Landreth the Agenda be approved as presented, and further moved **Resolution No. 2013-27** Resolution of Appreciation for Council Member Rodney Locks be approved as presented. Motion carried unanimously.

E. Special Presentation to Departing Council Member Rodney Locks – Mayor Harris presented to former Council Member Rodney Locks a small desk clock and compass and engraved, "In appreciation for your time and direction while serving on Brevard City Council. Rodney Locks – 1997-2013", along with a framed original of **Resolution No. 2013-27** signed by the Mayor, each member of Council, Manager, City Attorney and City Clerk.

RESOLUTION NO. 2013-27
RESOLUTION OF APPRECIATION
FOR COUNCIL MEMBER RODNEY LOCKS

WHEREAS, Rodney Locks was elected to the Brevard City Council on November 4, 1997; and

WHEREAS, Rodney Locks was re-elected in 2001, 2005, and 2009 serving a total of 16 years on the Brevard City Council; and

WHEREAS, Rodney Locks was elected Mayor Pro Tempore in 2003 and 2005; and

WHEREAS, Rodney Locks has represented the City of Brevard on national, state and regional organizations through his involvement with the National League of Cities, North Carolina League of Municipalities and Land of Sky Regional Council; and

WHEREAS, Rodney Locks was elected President of the North Carolina League of Municipalities on October 25, 2009 after serving as First and Second Vice President of an organization representing 542 cities, towns and villages. And further Rodney Locks served as Chairman of the NCLM Finance, Administration and Intergovernmental Relations Committee; and

WHEREAS, Rodney Locks served as President of the North Carolina Black Elected Municipal Officials; and

WHEREAS, Rodney Locks was appointed by Governor Michael Easley to serve on the North Carolina Energy Policy Council; and

WHEREAS, Rodney Locks served as President (2007), First Vice President (2006), Second Vice President (2005), Treasurer (2004) and Secretary (2003) of the Land of Sky Regional Council, a regional planning and development organization representing four counties (Transylvania, Buncombe, Henderson, and Madison) and fifteen municipalities; and

WHEREAS, Rodney Locks was appointed by the Brevard City Council as a representative to the Brevard Housing Authority, Brevard Planning and Zoning Board, Transylvania Human Relations Council, Western Carolina Community Action and Focus 2020 Design and Implementation Team; and

WHEREAS, Rodney Locks was appointed by the Transylvania Board of Commissioners to serve on the Joint Historic Preservation Commission and Workforce Development Board and Youth Council Committee; and

WHEREAS, Rodney Locks was instrumental in obtaining grant monies for infrastructure improvement for the Rosenwald Community; and

WHEREAS, Rodney Locks served as President of local organizations including Transylvania Citizens Improvement Organization and Transylvania Boys and Girls Club; and

WHEREAS, Rodney Locks has served on community boards including SAFE, The Children's Center, Kids in Camp, 4-H, Transylvania Arts Council, Transylvania County American Red Cross, and Transylvania County United Way; and

WHEREAS, Rodney Locks has been active in his community as a member and volunteer of several organizations including Big Brothers/Big Sisters, Brevard High School, Transylvania Dispute Settlement Center, Davidson River School, Schenck Job Corps, Brevard Little Theater, River Link, Transylvania Volunteers in Medicine, and Kiwanis Club; and

NOW THEREFORE, BE IT RESOLVED THAT:

Brevard City Council, wishes to express its gratitude and appreciation to Rodney Locks for his many contributions which has had a positive impact in our community, our region and our State during his sixteen years in office; and

Further, that the Brevard City Council is thankful for Rodney Locks for his public and community service to the City of Brevard and express its gratitude on behalf of the citizens of the City of Brevard.

Adopted this the 2nd day of December, 2013.

Mr. Locks stated it has been an honor to serve with Mayor Harris and Council members as they have worked together for the best of Brevard, and expressed his appreciation for the gifts.

F. Nomination and Appointment of Mayor Pro-Tempore – Mr. Jones nominated Mac Morrow to serve as Mayor Pro-Tempore. Mr. Landreth seconded the nomination. No further nominations were offered. Vote: The nomination of Mr. Morrow was passed unanimously.

G. Acknowledge receipt of the Transylvania County Board of Election abstract of Votes for the Municipal Election November 5, 2013. Results of the 2013 Municipal Election have been certified and the following were elected: Office of the Mayor, Mr. Jimmy Harris (4 years); Office of Council Member, Mr. Spencer Macfie Morrow (4 years); Office of Council Member, Ms. Ann Hollingsworth (4 years). (Exhibit A)

5:30 PM

H. RECESS FOR RECEPTION TO EXTEND APPRECIATON TO:

A. Departing Council Member Rodney Locks, and to

B. Welcome the incoming Mayor Jimmy Harris and Council Members Mac Morrow and Ann Hollingsworth.

At 5:30 p.m. Mayor Harris called for a recess for the reception to begin in the Administrative Conference Room. He further explained that promptly at 6:30 p.m. Council members, Manager, Attorney and staff will return to Council Chambers, ending the recess, in order to resume the meeting and begin the scheduled Work Session on the Comprehensive Plan.

The City Clerk was excused from the meeting in order to attend and host the Reception. When the recess is over acting City Clerk Sarah Lutz will take Minutes for the remainder of Council's meeting.

Recess - At 5:50 p.m. Council recessed for the Reception. Meeting will reconvene at 6:30 p.m. for the scheduled Comprehensive Plan Work Session. Sarah Lutz will serve as Acting City Clerk and provide Work Session Minutes.

s/_____
Jimmy Harris
Mayor

s/_____
Desiree D. Perry, CMC, NCCMC
City Clerk

Minutes Approved: February 17, 2014

MUNICIPAL GENERAL ELECTION
November 5, 2013
ABSTRACT OF VOTES
FOR MUNICIPAL OFFICES
STATE OF NORTH CAROLINA

INSTRUCTIONS

THREE COPIES are to be made. One copy is to be signed by the County Board of Elections and delivered by them, when the canvass is concluded, to the City Clerk (GS 163-300). One copy is to be retained by the County Board of Elections. One copy is to be mailed on canvass day to the Chairman of the State Board of Elections, Raleigh, North Carolina (GS 163-182.6).

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 12th day of November 2013

David P. Morrow
John K. Barber
Lydene H. [illegible]

This day personally appeared before me, David P. Morrow, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed My notarial seal this the 12th day of Nov., 2013.

Karen L. Brinson
(Seal)

My Commission (if any) Expires: 4/10/2016

KAREN L. BRINSON
NOTARY
MY COMMISSION EXPIRES
4/10/2016
PUBLIC
HENDERSON COUNTY, NC

Transylvania County, NC
Nov 5, 2013 Municipal Election

	STATISTICS		BREVARD MAYOR		BREVARD COUNCIL					ROSMAN ALDERMEN				
	REGISTERED VOTERS - TOTAL	BALLOTS CAST - TOTAL	Jimmy Harris	WRITE-IN	Ann Hollingsworth	Mac Morrow	Kim Provost	Lori Swank	WRITE-IN	Corey Gravley	Missy Hendricks	Roger Petit	Doyle Stubblefield	WRITE-IN
B1 BREVARD #1	1166	356	313	11	273	252	134	23	0					
B2 BREVARD #2	827	127	113	4	102	86	40	14	0					
B3 BREVARD #3	1435	404	371	6	311	280	127	54	2					
B4 BREVARD #4	1540	408	373	13	339	296	128	26	0					
CC CATHEYS CREEK	21	6								4	4	4	2	1
PF PISGAH FOREST	380	47	44	0	35	34	17	6	0					
RE ROSMAN EASTATOE	434	137								48	104	109	34	71
TOTALS	5803	1485	1214	34	1060	948	446	123	2	52	108	113	36	72

MUNICIPAL ELECTION
November 5th, 2013
ABSTRACT OF WRITE-IN VOTES
STATE OF NORTH CAROLINA

INSTRUCTIONS

THREE COPIES are to be made. One copy is to be signed by the County Board of Elections and delivered by them, when the canvass is concluded, to the City Clerk (GS 163-300). One copy is to be retained by the County Board of Elections. One copy is to be mailed on canvass day to the Chairman of the State Board of Elections, Raleigh, North Carolina (GS 163-182.6).

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

Write-in votes must be accounted for if an individual receives 5 or more votes. All other write-in votes shall be accumulated and placed under Miscellaneous

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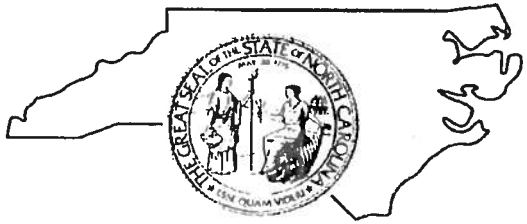
OFFICE: Mayor of Brevard TOTAL WRITE-IN VOTES: 34
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES: 34

OFFICE: Brevard City Council TOTAL WRITE-IN VOTES: 2
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES: 2

OFFICE: Rosman Board of Aldermen TOTAL WRITE-IN VOTES: 72
NAME: Jared Crowe WRITE-IN VOTES: 69
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES: 3



Certificate of Election

Transylvania County Board of Elections

James Trent Harris

Certificate of Election to the Office of

Mayor

in Brevard, North Carolina

This is to certify that James Trent Harris was elected to the Office of Mayor, City of Brevard, at an election held in Transylvania County, North Carolina on the 5th day of November, 2013. This Certificate of Election is your authority to be sworn into said office.

This the 18th day of November, 2013.

_____, Chairman

_____, Director

Certificate of Election

Transylvania County Board of Elections

Spencer M. Morrow

Certificate of Election to the Office of

City Council

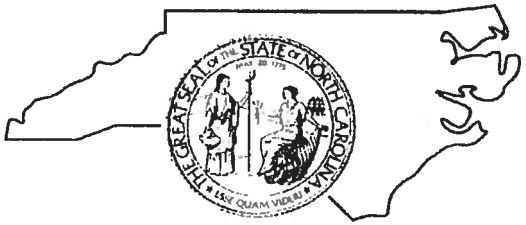
in Brevard, North Carolina

This is to certify that Spencer M. Morrow was elected to the Office of City Council, City of Brevard, at an election held in Transylvania County, North Carolina on the 5th day of November, 2013. This Certificate of Election is your authority to be sworn into said office.

This the 18th day of November, 2013.

David P. Morrow, Chairman

Karen K. Brinson, Director



Certificate of Election

Transylvania County Board of Elections

Ann Read Hollingsworth

Certificate of Election to the Office of

City Council

in Brevard, North Carolina

This is to certify that Ann Read Hollingsworth was elected to the Office of City Council, City of Brevard, at an election held in Transylvania County, North Carolina on the 5th day of November, 2013. This Certificate of Election is your authority to be sworn into said office.

This the 18th day of November, 2013.

_____, Chairman

_____, Director

MINUTES
BREVARD CITY COUNCIL
Work Session
December 2, 2013

The City Council of the City of Brevard met for the scheduled work session on Monday, December 2, 2013 at 6:39 p.m. Work Session followed the Organizational Meeting, induction of new Council Members and reception that was recessed at 5:50 p.m. Meeting was held in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

Present: Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Ann Hollingsworth, Charlie Landreth, Wes Dickson and Maurice Jones.

Staff Present: City Manager Joe Moore, City Attorney Mike Pratt, Acting City Clerk Sarah Lutz, Asst. Planning Dir. Brad Burton, Finance Director Jim Fatland, Planning Dir. Josh Freeman, Police Chief Phil Harris, Planner Daniel Cobb, and Planner Aaron Bland.

Council was called out of recess at 6:39 p.m. Mayor Harris suggested a revision to the agenda wherein the Comprehensive Plan as a second agenda item and the Closed Session items to be moved to the first items to be discussed. Mr. Jones made a motion to adjust the agenda in this manner, to which Ms. Hollingsworth seconded. The vote to accept this revision was unanimous.

Mayor Harris asked the City Attorney if it would be appropriate to convene two closed sessions for the purpose to discuss (1) potential property acquisition; and, (2) economic development. City Attorney advised it would be appropriate pursuant to **GS § 143-318.11. (a)(3)** and **(6).** Each closed session will require a separate motion, second and vote to discuss the matter. Council will enter and exit regular session for each closed session.

At 6:42 p.m., Mr. Landreth moved, seconded by Mr. Jones, Council go into closed session to discuss a property acquisition matter. Motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were the Manager, Planning Director, Finance Director, Police Chief, Planner Aaron Bland, Planner Daniel Cobb and Acting City Clerk, Sarah Lutz.

A three minute break was taken to allow citizens and staff to leave Council Chambers.

Council Returned to Regular Session - At 7:03 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the Minutes of the closed session are authorized to be sealed.

Mayor Harris requested that the City Attorney confirm that Council may enter into closed session to discuss an economic development matter. Mr. Pratt confirmed that North Carolina General Statute allows for Council to enter into closed session for the reason mentioned above.

Mayor Harris asked for a motion to re-enter closed session for the purposes of economic development. At 7:04 p.m., Mr. Landreth motioned to re-enter closed session, seconded by Mr. Dickson.

Council Returned to Regular Session – At 7:51 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the Minutes of the closed session are authorized to be sealed.

Comprehensive Plan Update Work Session:

J. Freeman began the work session by recognizing the work of Planner Aaron Bland, consultant Susan Evans, and the Planning Board on the comprehensive plan and then recognized Aaron Bland to speak.

A. Bland explained the public input process to Council, including twelve sessions from December 2012 to May 2013 of public input sessions, and then presented a tentative schedule for Council to review and adopt the Comprehensive Plan.

A. Bland reviewed three of the major themes of infill development, natural resource protection, and walkability as well as general concerns expressed in public input regarding the increasing median age in the community, the nature of the workforce, the economic vitality of the community, and the constraints on growth.

After general discussion where Staff was given direction to further review the economic development chapter of the plan and some comments were made about outreach, Council had consensus to continue to review the document and await feedback from the Planning Board.

At 9:00 p.m., Mr. Morrow motioned to adjourn the work session, seconded by Mr. Landreth. The motion carried unanimously.

s/_____
Jimmy Harris
Mayor

s/_____
Sarah Lutz, CFM, CZO
Acting City Clerk

Minutes Approved: May 19, 2014