

**MINUTES  
BREVARD CITY COUNCIL  
Regular Meeting  
October 17, 2016 – 7:00 PM**

The Brevard City Council met in regular session on Monday, October 17, 2016, at 7:00 p.m. 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, Gary Daniel and Charlie Landreth. Councilman Maurice Jones was not in attendance.

**Staff Present** - City Manager and Finance Director Jim Fatland, City Attorney Mike Pratt, Deputy City Clerk Jill Murray, Accounting Clerk Tom Whitlock, Fire Chief Craig Budzinski, Planning Director Daniel Cobb, Police Chief Phil Harris.

**Press** - Matt McGregor, Transylvania Times

**A. Welcome and Call to Order** - Mayor Harris called the meeting to order, welcomed those present and introduced Council members, Manager, Attorney and City Clerk.

**B. Invocation** - Pastor Larry Davis of Bethel A Baptist Church was not able to attend so Mayor Harris offered a moment of silence.

**C. Pledge of Allegiance** - Mayor Harris led in the Pledge of Allegiance.

**D. Certification of Quorum** - The Deputy City Clerk certified a quorum present.

**E. Approval of Agenda** - The Mayor stated that we have one closed session that needs to be added to the agenda. Ms. Hollingsworth moved, seconded by Mr. Morrow, the Agenda be approved as presented including the closed session. Motion carried unanimously.

**F. Approval of Minutes** - Mr. Morrow moved, seconded by Ms. Hollingsworth, the September 19, 2016, September 21, 2016 and September 26, 2016, meeting minutes be approved as presented. Motion carried unanimously.

**G. Certificates, Awards and Recognition**

**G-1. Proclamation 2016-11** Mayor Harris read aloud and presented a Proclamation for Breast Cancer Awareness Month recognizing the month of October for same.

**PROCLAMATION NO. 2016-11  
BREAST CANCER AWARENESS MONTH  
October 2016**

WHEREAS, the City of Brevard joins our nation in recognizing October as Breast Cancer Awareness Month; and

WHEREAS, breast cancer is the most commonly diagnosed cancer among women in the United States, and is the second-leading cause of cancer deaths among women in North Carolina and our nation; and

WHEREAS, early detection can be an effective tool in combating breast cancer, with regular screenings preventing 15 to 30 percent of all deaths from breast cancer in women over 40; when diagnosed while still confined to the breast, the 5-year relative survival rate is more than 98 percent; and

WHEREAS, the City of Brevard encourages citizens to talk with their health care providers about regular screenings, examinations and mammograms, and to practice self-examination.

NOW, THEREFORE, I, Mayor Jimmy Harris and Brevard City Council, do hereby proclaim **October 2015**, as "**Breast Cancer Awareness Month**" in the City of Brevard, North Carolina, and call on all citizens to join us in recognizing and commend this observance to all citizens. Adopted and approved this the 17th day of October, 2016.

#### **H. Public Hearing(s) - None**

#### **I. Public Participation**

Mr. Gil Newbury of 158 Fisher Road, brought forth and read a petition with 175 signatories on it in opposition to the West Loop Project. (Exhibit A)

Ms. Katinka Remus of 1036 Knob Road spoke in favor of getting a dog park in the City of Brevard. She stated that there are donation boxes all over the City that are stuffed with donations and that citizens are really very excited about the prospect of a dog park.

#### **J. Special Presentation - None**

**K. Consent Agenda and Information** - Consent Agenda items are considered routine and are enacted by one motion. Mayor Harris read aloud the items listed, and asked if Council desired to remove an item for discussion, or, to add an item(s) to the Consent Agenda.

Mr. Morrow asked that Item M1- Board and Committee Appointments be moved to the consent agenda. Mr. Landreth moved, seconded by Ms. Hollingsworth, the Consent Agenda be approved as presented. Motion carried unanimously.

#### **K-1. Staff Reports:**

- a. Public Works Department, August 2016 Report
- b. Finance Department September 2016 Report
- c. Planning Department Quarterly Report (July-Sept 2016)
- d. Police Department Quarterly Report (July-Sept 2016)
- e. Clerk's Office Record Retention Activities-Disposal of Records 2010-2015 (Exhibit B)

**K-2. Community Development Contracts** – Council received and accepted the October Community Development Contracts for Transylvania Community Arts Council (\$10,000), Transylvania Farmers Market (\$17,000) and Heart of Brevard (\$32,500).

**K-3. Land Development Code (Form-Based Code Update)** – Form-based codes are an alternative form of zoning that use the physical form of development as the organizing principle for the code, as opposed to the traditional separation of uses, in order to emphasize predicable development. Form-based codes focus on the relationships between buildings and the public areas of a city, such as sidewalks. An individual site is viewed as a piece of the larger unified design of the district it is in, and the city as a whole. This ensures that development fits the desired character by regulating building height, placement, orientation, mass, and scale. This project is directly related to several **Goals, Objectives, and Policies** in the 2015 Comprehensive Plan,

**K-4. Status Report on County-City Parks & Recreation Master Plan** - On Wednesday October 5, 2016 the County Manager, County Parks Director and City Manager met at City Hall. It was decided to schedule a meeting with the Parks and Recreation Strategic Plan Task Force on October 20, 2016 to discuss next steps.

**K-5. Status Report on Pisgah Forest Small Area Plan** - In August, 2015, the City of Brevard contracted with Destination by Design (DbD), a planning and landscape architectural firm, to develop a plan for the portion of the Pisgah Forest community located within the jurisdiction of the City of Brevard. The plan is heavily focused upon identification of opportunities for redevelopment, as well as improvements to bicycle,

pedestrian, and vehicular transportation infrastructure within the project area. A final draft will be presented at the November regular Council meeting.

**K-6. Correspondence (No Action. Offered as information only.)**

a. Safe Routes to School Bike Rodeo, November 9, 2016

**K-7. (M-1.) Council made appointments to the following Boards:**

Board of Adjustment – Paul Welch, Term Exp. Nov. 2019

Board of Adjustment – Tad Fogel, Term Exp. Nov. 2019

Brevard Housing Authority – John Lambert, Term Exp. Nov. 2021

Brevard Planning Board – Katy Thompson, Term Exp. Sept. 2019

Terrell Scruggs Scholarship Committee – Adam Hughey, Term Exp. July 2019

**L. Unfinished Business - None**

**M. New Business – Item Moved to Consent Agenda**

**N. Remarks by Officials / Future Agenda Considerations**

Mayor Harris mentioned Halloweenfest is coming and it is all about families and is a fun-filled family festival. He mentioned that for residents of Probart Street, paving will be taking place soon. Also, he mentioned the framed piece in Council Chambers and explained that they went to Charlotte, NC for a memorial service for Dr. Ephraim Brevard at Old Settlers' Cemetery and those were some pictures from the event.

Mr. Morrow commented on the Community Development Contracts was a nice thing to see. It's public money well spent.

Mr. Daniel had no comments.

Mr. Landreth thanks Mr. Newbury for the petition and added that there's no question that our road construction is not adequate but we have to make sure that our solutions are good solutions.

Ms. Hollingsworth had no comments.

The Deputy City Clerk had no comments.

Attorney Michael Pratt had no comments other than mentioning the closed session that was added to the agenda.

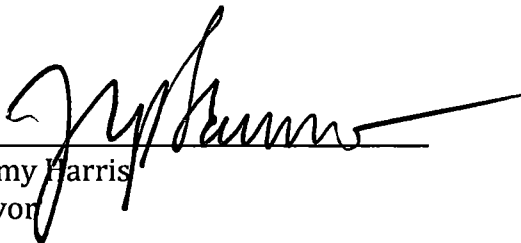
Mr. Fatland spoke about the dog park and said that Mr. Harlow Brown is working on land options and is looking at the sports complex. He said that the dog parks turn into social meccas for people. He also said that he feels that during the West Loop discussions they have learned a lot and is pleased being around a community that takes such a strong interest.

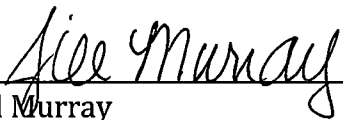
**O. Closed Session** – Mayor Harris asked the City Attorney if it would be appropriate for Council to hold closed sessions to discuss matters of potential litigation. City Attorney advised pursuant to **GS § 143-318.11. (a)(3) (4) (5) (6)** it would be appropriate to convene. Closed sessions will require a separate motion, second and vote to discuss the matter.

**O-1. Closed Session #1** - At 7:35 p.m. Mr. Landreth moved, seconded by Mr. Daniel, Council go into closed session to discuss a potential litigation matter. Motion carried unanimously. (A five minute break was taken to allow Council Chambers to be cleared.)

Council Returned to Regular Session – At 7:50 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.

**P. Adjourn** – There being no further business, Mr. Morrow moved, seconded by Ms. Hollingsworth, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 7:51 p.m.

  
Jimmy Harris  
Mayor

  
Jill Murray  
Deputy City Clerk

Minutes Approved: November 21, 2016

EXHIBIT A  
BREVARD CITY COUNCIL MEETING  
October 1, 2016

*Presented to City Council  
October 17, 2016  
file minway  
Deputy City Clerk*

**PETITION TO STOP THE WEST LOOP CORRIDOR**

**To the Mayor and City Council of Brevard, NC**

**We, the undersigned citizens of Brevard, NC, say a resounding "No!" to the proposed West Loop Corridor due to the irreversible negative impacts it would have on our city and our communities.**

**The proposed project would destroy historic properties, take private residences, impact the environment, devalue properties and endanger vulnerable populations by diverting almost 10,000 cars and trucks through quiet residential neighborhoods and past the Brevard Middle School and the Brevard Rescue Squad. The proposed project funding would have the North Carolina Department of Transportation pay for the land, the construction and the maintenance of the Corridor - essentially creating a new state highway where none exists and ceding local jurisdiction to the State.**

**While we say "No!" to the West Loop Corridor, we say "Yes!" to exploring low cost, environmentally sound and practical solutions such as first building the 'east bypass' and analyzing the effects; exploring additional one-way streets in the downtown area; and a robust bus system that actually removes vehicles from the road instead of diverting them and makes mobility easier and safer for seniors and students.**

| Name                     | Address                             | Signature                 |
|--------------------------|-------------------------------------|---------------------------|
| <i>Martha J. Johnson</i> | <i>131 Montview Circle, Brevard</i> | <i>Martha Jay Johnson</i> |
| <i>Nancy Barber</i>      | <i>85 Kassehala Dr Brevard</i>      | <i>Nancy Barber</i>       |
| <i>Shirley Popay</i>     | <i>55 Piney Woods Dr. Brevard</i>   | <i>Shirley Popay</i>      |
| <i>Cathy Foster</i>      | <i>864 Tip Top Rd</i>               | <i>Cathy Foster</i>       |
| <i>Breck L. Conley</i>   | <i>185 Sugarloaf Cove Ln</i>        | <i>Breck L. Conley</i>    |
| <i>Jennifer Campbell</i> | <i>1800 Deerlake Rd</i>             | <i>Jennifer Campbell</i>  |

# PETITION TO STOP THE WEST LOOP CORRIDOR

| Name               | Address                              | Signature          |
|--------------------|--------------------------------------|--------------------|
| Jeremy Campbell    | 1000 Deerlake Rd.                    | Jeremy Campbell    |
| Kathy Lowery       | 384 Morris Rd.                       | Kathy Lowery       |
| William J. Hillman | 38 THURSEE TRAIL                     | William J. Hillman |
| Ann Etters         | 100 E. Jordan St.                    | Ann Etters         |
| Richard Landreth   | 94 Montview Circle                   | Richard Landreth   |
| Dave Redenour      | 93 Montview Circle                   | Dave Redenour      |
| Sammy Ridman       | 93 Montview Circle                   | Sammy Ridman       |
| FRANK KELLEY       | 44 Montview Cir                      | Frank Kelley       |
| Joyce Kelley       | 44 Montview Cir                      | Joyce Kelley       |
| Bill Scott         | 25 Montview Circle                   | Bill Scott         |
| Wanda & Nelson     | 43 Montview                          | Wanda & Nelson     |
| Betsy Bradley      | Brevard                              | Betsy Bradley      |
| Janette Schmitt    | 63 Sunrise Lane<br>Pisgah Forest     | Janette K. Schmitt |
| CAROL HAMANN       | 200 College View Terrace, Bvd, 28712 | Carol L. Hamann    |
| Norma Thomas       | 100 College Dr Apt 276               | Norma L. Thomas    |
| PHIL HAM           | 1338 WINDYVIEW DR BREVED             | Phil Ham           |
| Juanita Phillips   | 300 Green St.                        | J. Phillips        |
| Nancy Davis        | 178 Meadowbrook Ln                   | Nancy Davis        |
| Jack Wheeler       | 41 Jumping Branch Tr                 | Jack Wheeler       |
| John Davis         | 146 Windward Dr PF                   | John Davis         |
| Sarah Lee Myracle  | 106 Chickadee Ln, Brevard            | Sarah Lee Myracle  |
| Kathy Arden        | 44 Fair Hills Terrace, Brevard       | Kathy Arden        |

# PETITION TO STOP THE WEST LOOP CORRIDOR

| Name               | Address                    | Signature          |
|--------------------|----------------------------|--------------------|
| Bob Barnes         | 1506 ENON AVE              | Robert D. Barnes   |
| Sandra Whitaker    | 47 Ridge Road              | Sandra Whitaker    |
| Cherryl Gary       | 229 Hubbard Hollow, Rosman | Cherryl R. Gary    |
| Mark To Upl        | 189 Montview Cir           | Mark To Upl        |
| Jeff Enslay        | 141 Montview Circle        | Jeff Enslay        |
| Carol Shana Greger | 141 Montview Circle        | Carol Shana Greger |
| Matt Stoupenos     | 104 Montview Circle        | Matt Stoupenos     |
| Dawn Closson       | 118 Montview Circle        | Dawn Closson       |
| Vincent Warren     | 148 Montview Circle        | Vincent Warren     |
| Saronda Morgan     | 148 Montview Circle        | Saronda Morgan     |
| Paula Fisher       | 163 Montview Circle        | Paula Fisher       |
| Noelle Fehn        | 163 Montview Circle        | Noelle Fehn        |
| DEAN SPEDEN        | 84 Montview Circle         | DEAN SPEDEN        |
| MELANIE SPEDEN     | 84 Montview Circle         | MELANIE SPEDEN     |

# PETITION TO STOP THE WEST LOOP CORRIDOR

| Name                  | Address        | Signature          |
|-----------------------|----------------|--------------------|
| LINDA ASSELSTINE      | 200 FISHER RD  | <i>[Signature]</i> |
| Betty Rogers          | 168 " "        | <i>[Signature]</i> |
| Brian Summey          | 135 Fisher Rd  | <i>[Signature]</i> |
| Mandi Summey          | 135 Fisher Rd. | <i>[Signature]</i> |
| MARY A GALLYON        | 96 FISHER RD   | <i>[Signature]</i> |
| Alicia V. Gibson      | 83 Fisher Rd.  | <i>[Signature]</i> |
| Nate Shawver          | 200 Fisher Rd. | <i>[Signature]</i> |
| Sarah Shawver         | 200 Fisher Rd. | <i>[Signature]</i> |
| LON ASSELSTINE        | 200 FISHER RD  | <i>[Signature]</i> |
| Lyn Cotton            | 93 Fisher Rd.  | <i>[Signature]</i> |
| Phillip Owen          | 23 Fisher Rd   | <i>[Signature]</i> |
| Amber Flood           | " " "          | <i>[Signature]</i> |
| Doug Gibson           | 83 Fisher Rd.  | <i>[Signature]</i> |
| Julie Whitmore        | 109 Fisher Rd. | <i>[Signature]</i> |
| Michael Whitmore      | 109 Fisher Rd. | <i>[Signature]</i> |
| Allison Arensman      | 125 Fisher Rd. | <i>[Signature]</i> |
| Hannah Arensman       | 125 Fisher Rd. | <i>[Signature]</i> |
| Jason Andighis        | 73 Fisher Rd.  | <i>[Signature]</i> |
| Megan Grimm           | 73 Fisher Rd.  | <i>[Signature]</i> |
| Sam King              | 54 Green Acres | <i>[Signature]</i> |
| Patricia J. Scurlette | 64 Green Acres | <i>[Signature]</i> |
| Jacky L. Horck        | "              | <i>[Signature]</i> |

# PETITION TO STOP THE WEST LOOP CORRIDOR

| Name               | Address             | Signature          |
|--------------------|---------------------|--------------------|
| Mary Norton        | 76 Green Acres Ave  | Mary Norton        |
| David J. Parker    | 92 " " "            | David J. Parker    |
| Barbara Heckman    | 92 " " "            |                    |
| John R. Brinkley   | 115 " "             | John R. Brinkley   |
| Barbara W. Winkler | 75 " " "            | Barbara W. Winkler |
| Michael Shotwell   | 63 Green Acres Ave  | Michael Shotwell   |
| Denise Shotwell    | " " "               | Denise Shotwell    |
| Raymond J. Norris  | 381 Fisher Rd       | Raymond J. Norris  |
| Randy Wilburn      | 106 Green Acres Ave | Randy Wilburn      |
| Jesse Nelson       | 53 Green Acres Ave  | Jesse Nelson       |
| Heather Nelson     | 53 Green Acres Ave  | Heather Nelson     |
| Linda Gregg        | 99 Green Acres Ave. | Linda A. Gregg     |
| Jim Gregg          | " " " "             | Jim Gregg          |
| Matthew Whitmire   | 109 Green Acres     | Matthew Whitmire   |

| Name               | Address           |
|--------------------|-------------------|
| Stephanie Hamilton | Brevard, NC       |
| HOLLY JONES        | BREVARD, NC       |
| David Baney        | Brevard, NC       |
| Angie Baney        | Brevard, NC       |
| Mitch Baney        | Brevard, NC       |
| Tucker Baney       | Brevard, NC       |
| Sharon Goforth     | Brevard, NC       |
| Barbara Fehn       | Brevard, NC       |
| Richard Fehn       | Brevard, NC       |
| Ali Landreth       | Brevard, NC       |
| Beth Landreth      | Pisgah Forest, NC |
| Melinda Medevitt   | Brevard, NC       |
| Brenda Sheffington | Brevard, NC       |
| Amy Kelley         | Pisgah Forest, NC |
| Brace Kelley       | Pisgah Forest, NC |
| Katie Kelley       | Pisgah Forest, NC |
| Matthew Kelley     | Pisgah Forest, NC |
| LISA FISHER        | ROSMAN, NC        |
| Dana Welch Tabor   | Brevard, NC       |
| Steve Tabor        | Brevard, NC       |
| Kayden Floyd       | Pisgah Forest, NC |
| Katherin Zimmerman | Brevard, NC       |
| SHRIMPER KHARE     | BREVARD, NC       |
| Noelle Khare       | Brevard, NC       |
| Henry Khare        | Brevard, NC       |
| Melissa Akers      | Brevard, NC       |
| Stewart Akers      | Brevard, NC       |
| Kirstin Smith      | Brevard, NC       |

| Name                        | Address                     |
|-----------------------------|-----------------------------|
| Kelly Burton                | Brevard, NC                 |
| Jessica Compton             | Brevard, NC                 |
| Blake Burgess               | Brevard, NC                 |
| Candice Owen                | Brevard, NC                 |
| Shirley H. H. H. H.         | Brevard, NC                 |
| Carol Woodard               | Brevard, NC                 |
| Ann W. Galloway             | Brevard, NC                 |
| Robert Chapman              | Rosier, NC                  |
| Alfred Chapman              | Rosier, NC                  |
| Michael Fisher              | Brevard, NC                 |
| Elia M. Williams            | 333 Faison Rd. Crawford     |
| Deborah Galloway            | 343 Faison Rd. Crawford, NC |
| <del>Deborah Galloway</del> | 381 Faison Rd. Crawford, NC |
| John Buchanan               | Brevard, NC                 |
| Curtis Buchanan             | Brevard, NC                 |
| Annice Tamm                 | Brevard, NC                 |
| LAKIN MOSS JONES            | BREVARD, NC                 |
| TIM JONES                   | BREVARD, NC                 |
| Emily D. Fisher             | Brevard, NC                 |
| Anger Drinkle               | Bake Torkway, NC            |
| Kim Moss                    | Bake Torkway, NC            |
| Kaitlyn Moss                | Lake Torkway, NC            |
| Jack Conner Davis           | Brevard, NC                 |
| Reanne Williams             | Brevard, NC                 |
| Barrie Prado                | Brevard, NC                 |
| MACY OSWALDS                | Brevard, NC                 |
| Emily Atkinson              | Brevard, NC                 |
| Brandon Alexander           | Brevard, NC                 |

| Name              | Address            |
|-------------------|--------------------|
| Dorena Maunier    | Brevard, NC        |
| Lindsay Green     | Brevard, NC        |
| Yonda Linderman   | Brevard, NC        |
| Shanna Kiser      | Brevard, NC        |
| Natasha Dalk      | Brevard, NC        |
| Joseph Jamison    | Fishers Forest, NC |
| David Smith       | Brevard, NC        |
| Stanley Pressley  | Brevard, NC        |
| Crystal Pressley  | Brevard, NC        |
| Kayla Leed        | Brevard, NC        |
| Callum McEwen     | Brevard, NC        |
| Cathy Langdon     | Brevard, NC        |
| Tim Langdon       | Brevard, NC        |
| Jenny Campbell    | Brevard, NC        |
| Jeremy Campbell   | Brevard, NC        |
| Shaven Hafner     | Brevard, NC        |
| Kristy Oldham     | Brevard, NC        |
| Claira Aspray     | Brevard, NC        |
| Nataly Rubinstein | Brevard, NC        |

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**While we say "No!" to the West Loop Corridor, we say "Yes!" to exploring low cost, environmentally sound and practical solutions such as first building the 'east bypass' and analyzing the effects; exploring additional one-way streets in the downtown area; and a robust bus system that actually removes vehicles from the road instead of diverting them and makes mobility easier and safer for seniors and students.**

| Name               | Address               | Signature                |
|--------------------|-----------------------|--------------------------|
| Bob Dinsdale       | 63 Poplar St.         | <i>Bob Dinsdale</i>      |
| Becca Dinsdale     | 63 Poplar St.         | <i>Becca Dinsdale</i>    |
| Luther E. McElyea  | 72 Poplar St.         | <i>Luther E. McElyea</i> |
| Judy McElyea       | 72 Poplar St.         | <i>Judy McElyea</i>      |
| Sarah K. Carson    | 77 Poplar St.         | <i>Sarah K. Carson</i>   |
| Elizabeth Thompson | 855 Wolf Pen Cove Rd. | <i>E Thompson</i>        |

# **PETITION TO STOP THE WEST LOOP CORRIDOR**

| Name | Address | Signature |
|------|---------|-----------|
|------|---------|-----------|

Leona Davelle Shirley Burton  
Susan Scott -- 29 Poplar St. Susan J. Scott

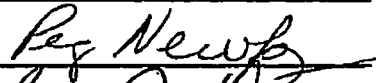
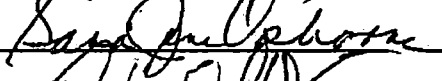
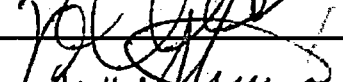
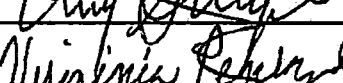
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| Name              | Address         | Signature                                                                             |
|-------------------|-----------------|---------------------------------------------------------------------------------------|
| GAIL NEWBURY      | 158 FISHER ROAD |  |
| Peg Newbury       | " " "           |  |
| SARA JANE OSBORNE | 180 FISHER RD   |  |
| REBA CHANDLER     | 125 FISHER RD   |  |
| Amy STRINGER      | 125 FISHER      |  |
| Virginia Penland  | 134 "           |  |

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## EXHIBIT B

### CITY CLERK'S OFFICE - RECORD RETENTION AND DISPOSITION

Below is listing of the Records Disposed of in accordance with the  
City of Brevard Retention Schedule adopted on June 15, 2009.

2010

- *Note: "Glenda" references electronic documents created by former City Clerk Glenda Sansosti that remained on the computer in the Clerk's Office following her retirement on Dec 31, 2009, by Resolution No. 22-2009.*

#### December 15, 2010

Spoke with Mr. Tom Vincent, Records Analyst (Raleigh), to ask what the retention period would be used for the copies of Demolition, temporary signs, and temporary political campaign sign permits that once had a check attached which served as either a bond or deposit (to insure cleanup and/or removal). He shared that although the City did not deposit the checks (as is the recommended practice) but rather returned them to the owner/contractor/candidate, the closest category would be within the Finance/Budget section of record retention related to paid checks, accounts payable, etc., and that for such records a THREE YEAR retention period is required.

#### Demolition, Temporary Signage and Political Candidate Signs & Bond/Deposits – 2002 thru 2006

From large expandable folder within the City Clerk's Office marked, "BONDS", the following records were removed and destroyed: Xerox copies of Planning & Zoning Department: Demolition Permits, Temporary Signage Permits, and Political Candidate Sign Permits that staff forwarded to the City Clerk's Office along with a check from the owner/contractor/candidates made payable to the City of Brevard that served as a "bond or deposit".

I, Desiree Perry, personally viewed all copies prior to destruction in order to verify that NO CHECKS remained attached; all records disposed of had already been marked showing the checks had been returned to the owner, contractor or candidates.

Note: Regardless of DATE, any permit/bond in the file that still had a check (even if outdated check) was not destroyed; they were turned over to City Finance Director Terry Scruggs.

Means of Disposal: American Security Shredding, Inc., locked box.

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2011

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by "delete" and then emptying of the "recycle bin" on the computer.

#### January 2011

- "Glenda" Electronic Files – Log of Council Chambers (log notes) – Dated 2007 and 2008
- Copies of Completed Demolition Permits, Temporary Signage and Temporary Political Sign Permits, etc., that were issued in 2007-2008, and filed in Glenda's "Bond" file. (3-year retention

was required, per T. Vincent NCDCCR on 12/15/2010, under the Acct-Paid Checks-Accts Payable standard.)

- Files found in metal base cabinet that is to be removed from office. File labels read:
  - 1 file - Bulletins – 1968-69
  - 1 file - Digitizer (office equipment) information – 2001
  - 1 file - Minority Business, general file – 1991
  - 1 file - Planning for Progress book (old – no date on file)
  - Associations & Organizations File, Standard 1, Item #5 (Destroy when Admin Value Ends)
    - 1 file - NCBEMO – 2005
    - 1 file - WCCA – General correspondence, appointment letters, etc. (no minutes in file) – 1983 – 1987
    - 1 file - Miscellaneous – 1984
    - 1 file - Good Neighbor Council (no minutes) – 1968
    - 1 file - Human Relations Council, General correspondence, appointment letters, etc. - 1974
    - 1 file - Transylvania Recreation, Misc. – 1980
    - 1 file - Brevard Redevelopment – 1980
    - 1 file - Brevard Theatre Council (no minutes) – 1981
    - 1 file - Region B Commission, General
  - 1 file - Web Page, General Information – 2000-2001
  - 1 file - Correspondence – 2005

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## 2012

- **Means of Disposal:** American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by “delete” and then emptying of the “recycle bin” on the computer.

### January 2012

- LaserFiche Software - 3” Floppy Disks, Version 4.1A (outdated software update disks)
  - “Glenda” electronic files: General Correspondence dated 2007
  - “Glenda” electronic files: Massage Therapy files, General, copy of NCGS 90, Application form, etc., dated 2007
  - “Glenda” electronic files: Log Notes from Council Meetings, 2008 & 2009
  - Vending Cart - Donald E. Owens. File dated February 2009, and contains an Application for Vending Cart and associated information. Note from Glenda Sansosti in file reads, “Mr. Owen has received approval from City Council. Upon receipt of an updated Insurance Verification, an updated photo of the cart, payment of the \$50 Application fee and \$50 Privilege License fee, the License can be issued.” As of January 2012 Mr. Owen has not been back in contact with the City on this matter. File Destroyed.
- **NOTE:** NC Dept. of Cultural Resources Division of Archives and Records revised/updated the NC State Municipal Records Retention and Disposition Schedule on September 10, 2012. The revised/updated Schedule was adopted by Brevard City Council on November 5, 2012 (Resolution No. 2012-02). Brevard’s adoption of the

*"administrative value ends" dates associated with the Schedule will be adopted in the near future. Desiree Perry, City Clerk*

- At training session it was recommended (not required) that reference to the Retention Schedule Section/Item or the Title used in the Retention Schedule be included with listing of disposed records.

#### December 2012

1. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, 1-8 – For the Record (FTR) Log Notes of Council Meetings (electronic) , January thru December 2010, and, January thru December 2011

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#### **2013**

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by "delete" and then emptying of the "recycle bin" on the computer.
- **NOTE**: *"Administrative Value Ends" for the City of Brevard Municipal Records Retention and Disposition Schedule were established by Resolution No. 2013-11 adopted on May 20, 2013. (Amendment to Res No 2012-02)*

#### Sept. 27, 2013

1. Associations and Organizations File, Pg. 2, S-1, I-6 - Board & Committee Appointment Letters, electronic version. (GSansosti-mydocs), 2000-2010
2. Publications Received, Pg. 13, S-1, I-60 - Clerk's Office; Records Room box labeled "miscellaneous" (no date) and contained a few CD's along with miscellaneous old IIMC Clerk magazines, and a variety of outdated publications. CD's in box that were disposed of were labeled (Pg. 2, S-1, I-8):
  - i. March 2007 – LOS RPO Central Area Parking Inventory
  - ii. Land of Waterfalls, Come Discover Transylvania County (no date)
  - iii. Log Notes – 2009
  - iv. City Council meeting, March 16 and Dec 15, 2009
  - v. Surplus 2008, A-5
  - vi. City-County joint meeting 5/29/2008
3. Minutes / Audio and Video Recording of Meetings, Pg. 2, Standard 1, Item 8 – For the Record (FTR) Recordings - Log Notes (electronic) - Council Meetings, January thru December 2012.
4. Agenda Packets, Pg. 1, Standard1, Item 3 – Deleted the electronic copy of Council Agenda Packets that had been scanned using Laserfiche, 1991 – 2010.

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#### **2014**

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by "delete" and then emptying of the "recycle bin" on the computer.

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February 14, 2014

1. Agenda & Meeting Packet File, Pg. 1, Standard 1, Item 3 - Clerk's **hard copy** of Council Meeting Agenda Packets, Jan-July 2013. Note: Manager's Office is official holder of these records.
2. Copies of Completed Demolition Permits, Temporary Signage and Temporary Political Sign Permits, etc., that were issued in 2009-2010, and filed in Glenda's "Bond" file. (3-year retention was required, per T. Vincent NCDCCR on 12/15/2010, under the Acct-Paid Checks-Accts Payable standard.)

May 20, 2014

1. Minutes (Staff Meetings) Pg. 10, S-1, I-45 – Minutes (Staff Meetings) Agendas – Agendas – Weekly (Tuesday 9:00 am) Management Team Meeting agenda and notes; Year 2010 and 2011
2. Mailing & Distribution Records "Sunshine List" Pg. 9, S-1, I-42 – Copies of the "add to sunshine list", "remove from sunshine list" and "email address no longer valid" emails (hard copy). Years 2010, 2011 and 2012.

July 14, 2014

1. Conference & Workshops File, Pg. 4, S-1, I-21 - January 2010 Annual City & County Clerk's School (Standard 1, Item 21)
2. Telephone Logs, Pg. 33, S-4, I-53 - Phone Message Books – Jan 2010 thru June 2011; and June 2011 thru April 2013
3. Calendars of Events and Appointments, Pg. 3, S-1, I-14 – Clerk's 2012 desk calendar
4. Agenda & Meeting Packets File, Pg. 1, S-1, I-3 - Clerk's office copy of Council Meeting Agenda Packets, Aug-Dec 2013. (*Manager Office is the official keeper of these records.*)

July 22, 2014

1. Audio & Video Recordings of Meeting, Pg. 2, S-1, I-8 – "Glenda" electronic (WORD) folder of "Minutes"; electronic version of Council meeting Minutes 2004, 2005, 2006, 2007, 2008 and 2009. (*Approved hard copy of Council Minutes are retained as permanent record.*)
2. Agenda & Meeting Packets, Pg. 1, S-1, I-3 – "Glenda-Archive" Laserfiche files that contained City Council meeting Agenda Packets from years Jan. 2005 – Dec. 2009.
3. News and Press Releases, Pg. 132, S-15, I-4
  - a. "Glenda" electronic version of City Newsletters 2006-2009
  - b. "Glenda" electronic version Press Releases –2006-2009
4. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, I-8 – For the Record (FTR) Log Notes of Council Meetings, January thru December 2013; electronic record
5. Correspondence & Memoranda, Pg. 5, S1, I-23 – Correspondence, General 2010 (Jan-Dec), 1 file
6. Correspondence & Memoranda, Pg. 5, S1, I-23 – Deleted electronic records of the following that had been scanned and stored in Laserfiche: "Correspondence-General" and "Correspondence-Mayor" dated 1998 through 2003; Deleted "City Manager Update Reports" dated 1997–2003; Deleted "City Newsletters" dated 2004-2007; and, "National League of Cities Correspondence" dated 1997, 1999 and 2007.

November 14, 2014 – Jeanette Owen's Records and/or Emails.

- Jeanette Owen retired on October 31, 2014. IT Contractor (Kirk Daniels) had her emails forwarded to me for a week or so until position was filled. There were very few current (2013-2014) emails in her system; however, there were some older "folders" I (Desiree Perry) deleted from Jeanette's email account:

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○ Folders dated 2002 – 2004 Titled:

- G. Sansosti
- A. Cox
- D. Owen
- R. Howell
- S. Rohrbaugh

December 16, 2014

1. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, 1-8 – For the Record (FTR) Recordings - **Log Notes** (electronic) - Council Meetings, January thru December 2013, and, January 30, 2014 thru August 18, 2014.
2. Correspondence & Memoranda, Pg. 5, S1, I-23 - Deleted electronic records from the "My Documents-Glenda-Miscellaneous" Folder. Dozen or more documents dated 2004-2008 that included Focus 2020 documents, info used within City newsletters, and variety of documents titled "draft".

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**2015**

April 24, 2015

1. Laserfiche – Deleted electronic copies of the Clerk Agenda Item Staff Reports to Manager, 2010-2012.

April 27, 2015

1. Tax Records - Privilege Licensing, Standard 20, Item 13 – 2010, 2011, 2012 Renewal Notices. Returned by USPS or by the business owner who DID NOT renew; Inactivated License.
2. Tax Records – Privilege Licensing, Standard 20, Item 13 – 2011 Renewal Notice Contact Information Request Memo. Memo asked Businesses to verify/update their mailing address, phone number, and contact person. Completed memo was returned with their Oct 2011 Renewal Notice.

April 29, 2015

1. Privilege License Applications, Pg. 175, Standard 20, Item-13, and, Pg. 11, Standard 1, Item 46. Destroyed Privilege License applications (issued and denied/not issued) dated between February 2, 2002, to April 2012. All were shredded because most included confidential information (SS#, Fed & State Tax ID #).

July 6, 2015

1. Calendars, Pg. 3, S1, I-14 – Deleted 2010-2011 emails of appointments, interoffice memos, etc., from inbox and outbox.
2. Correspondence & Memoranda, Pg. 5, S1, I-23 Correspondence, General-2011 (1 file)
3. One unmarked box of Clerk's Office records in Records room that contained some outdated publications, and the following files:
  - a. Going Out Of Business, Applications for License to Conduct Closing-Out Sale; 1989 – 2001
  - b. Massage Therapy Application, Brevard Wellness (J. Stempel) - 2005
  - c. Center for Dialogue, Correspondence – 2005 (3 yr. retention)
  - d. Auction and Disposal of Surplus Property, Oct. 9, 2004 (3 year retention)
  - e. Safety Committee – 2003-2004
  - f. Powell Bill, Report on Powell Bill Funds, Expenditures & Certified Statements – 1982-1997

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- g. Abstract of Municipal Votes – Nov. 4, 2003 (2 year retention period)
- h. Vending Cart License Applications – 1997-2002
- i. City Seal, Vendors and Pricing
- j. Website Reports, Page Views by Section- 2004-2005
- K. Census Information, 1995-2000 (3 yr. retention period)

September 29, 2015

1. Deleted electronic FTR Recordings and Log Notes of Council, BPB and BOA meetings that were on the laptop from years 2013, 2014 and up to May 2015. Retention Schedule provides recording may be deleted following adoption of Minutes; however, our practice is to retain recordings for at least 60-days following adoption should litigation be filed.

**Desiree D. Perry**  
**City Clerk**