

HAYWOOD COUNTY COMMISSIONERS**REGULAR MEETING – DECEMBER 20, 2010****CALL TO ORDER**

Chairman Mark S. Swanger convened the regular meeting of the Haywood County Board of Commissioners at 5:30 p.m. in the Historic Courtroom at the Haywood County Historic Courthouse, Waynesville, North Carolina, with Chairman Mark S. Swanger, Commissioners Bill Upton, L. Kevin Ensley, and Michael T. Sorrells present. Staff members present were Interim County Manager Marty Stamey, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis, Public Information Officer David Teague and Administrative Assistant Rebecca Morgan.

Vice-Chairman J.W. “Kirk” Kirkpatrick III, arrived at 6:20 p.m.

PLEDGE OF ALLEGIANCE

Chairman Swanger led the pledge of allegiance.

INVOCATION

Commissioner Upton offered the invocation.

PUBLIC HEARING**Public Health and Solid Waste Awareness and Compliance Ordinance**

Kris Boyd, Planning Director, explained that the language of the proposed Public Health and Solid Waste Awareness and Compliance Ordinance was drafted by an advisory committee consisting of elected officials, members of the public at-large, staff and members of the Health Board. The proposed ordinance is designed to deal only with public health risks. The proposed ordinance was posted on the website, www.haywoodnc.net. Chairman Swanger opened the public hearing. Being no public comment Chairman Swanger closed the public hearing.

Changing boundaries of the Junaluska Fire District

David Francis, Tax Administrator, and Johnny Glance, Fire Marshal, presented a request to redraw the boundaries of the Junaluska Service District to exclude Lakemont Condominiums from that district, so that they are covered solely by the Lake Junaluska Assembly contract with the Town of Waynesville for fire protection. Mr. Francis confirmed that the decision to redraw the boundaries should be made prior to the upcoming tax year. Chairman Swanger opened the public hearing.

Frank Queen, Attorney, stated that he represents the Lakemont Condominiums Association. Mr. Queen explained that the condominium owners were paying a fee to be covered under the Town of Waynesville on their water bill and paying an annual assessment as part of the Junaluska Service District.

Being no other public comment Chairman Swanger closed the public hearing.

PUBLIC COMMENTS

Chairman Swanger opened the public comment session. Comments are generally limited to three minutes per individual, unless the speaker is representing a group for which the comment period may be extended to five minutes.

There being no other public comments, Chairman Kirkpatrick closed the public comments session.

CONSTITUENT CONCERNS

Chairman Swanger inquired if there were any constituent concerns. There were none.

DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA

There were no adjustments to the agenda.

CONSENT AGENDA

Commissioner Upton made a motion that the consent agenda be approved as presented. Commissioner Sorrells seconded and the motion carried unanimously.

- Approve November 15th, 2010 Regular Meeting Minutes
- Amend December 6th, 2010 Organization Meeting Minutes to reflect that Commissioner Ensley represents the Sediment Control Commission and the Engineering Review Board.
- Budget Amendments – Julie Davis, Finance Director
 - Health Department - \$1,500 – grant for immunization plan - Additional funds from DPH to be used for immunization related activities.
 - DSS - \$7,368 – Progress Energy - Balance account to additional allocated PE Funds per authorization – reimbursed 100%.
 - Tax Collections Department - \$7,500 – legal fees from contingency - To cover legal expenses for grant project foreclosures that may be reimbursed later in the year.
- Approve November 2010 Refunds, Releases, Amendments and Discoveries
David Francis, Tax Administrator
- 2011 Valuation for Personal Property Pricing Guide – David Francis.
Commissioner Upton requested that the personal property pricing guide be added to the website, www.haywoodnc.net

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2011

Section 1. To amend the General Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Immunization Action				
Special Program	115112-523100	300	1,500	1,800
which will result in a net increase of \$		1,500		

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Immunization Action	110050-451260-57150	13,994	1,500	15,494

Section 2. Copies of this budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010

 Chairman
 Haywood County Board of Commissioners

ATTEST:

 Clerk to the Board

Explanation: Additional funds from DPH to be used immunization related activities.
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HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2010-11

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2011

Section 1. To amend the General Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Public Assistance	Progress Energy			
Chrg-CP&L Energy	115340-549918-MISC	5,000	7,368	12,368

which will result in a net increase of \$ 7,368 in the expenditures of the General Fund.

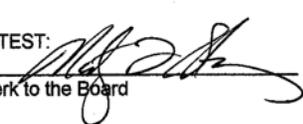
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental	Admin Reimb			
Admin Reimb	#110050-453400	4,651,892	7,368	4,659,260

Section 2. Copies of this budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010

 Chairman
 Haywood County Board of Commissioners

ATTEST:

 Clerk to the Board

Explanation: Balance account to additional allocated PE Funds Per Authorization-- reimbursed 100%

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2011.

Section 1. To amend the General Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Tax Collections:				
Prof. Svcs. Other attorney	114140-519204	10,000	7,500	17,500
Contingency	119910-599100	292,100	(7,500)	284,600

which will result in a net increase (decrease) of \$ _____ in the expenditures of the General Fund.

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget

Section 2. Copies of this budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010.



Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation: To cover legal expenses for grant project foreclosures that may be reimbursed later in the year.
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ADMINISTRATIVE / AGENCY REPORTS

Appreciation Message

Mike Bonfoey, District Attorney, shared that a trial, the State versus Wong, was held in Catawba County. Mr. Bonfoey stated that many members of the Haywood County Law Enforcement, jailers, and Emergency Medical Services played an important role in that case. Mr. Bonfoey expressed his appreciation to five deputies from the Haywood County Sheriff's Office and a Canton Police Officer, Carroll Greene. The five deputies are Bruce Warren, John Rhyne, Todd Riddle, Scott Robinson and Steve Mann. These deputies apprehended Edwardo Wong within fourteen minutes of the shooting death of Officer Shawn Blanton. Mr. Bonfoey stated that these officers showed tremendous courage and should be recognized for going beyond their call of duty.

Agency reports: Smoky Mountain Center quarterly report

Julie Davis, Finance Director, presented the Smoky Mountain Center quarterly report for the quarter ended September 30th, 2010. The actual revenues are \$12,595,965. The actual expenditures are \$9,889,241.

OLD BUSINESS

Adaptive Renovation Project for the Haywood County DSS, Health and Central Permitting

Scott Donald, AIA, Padgett & Freeman Architects, PA, presented certified bid tabulation for general contract work from various contractors. Nine bids were received with the lowest bid from Murray Construction Company. Mr. Donald presented a letter of recommendation to enter into negotiations with Murray Construction Company.

Commissioner Ensley made a motion to approve Murray Construction Company as an approved low bidder and authorize Scott Donald to enter into negotiations with them and

bring back a final agreement in accordance with those final negotiations for approval. Commissioner Upton seconded and the motion carried unanimously.

Haywood County Fairgrounds Memorandum of Understanding and Budget Amendment

Commissioner Ensley explained that there were two loans on the buildings at the fairgrounds. Funding by the County for the fairgrounds decreased due to the economic conditions. Commissioner Ensley explained that there have been interest-only payments made to the bank, but the bank now requires more. Julie Davis, Finance Director, shared that the County has applied for a United States Department of Agriculture (USDA) loan. If the loan is approved, enough money will be available to allow the County to purchase the buildings at the fairgrounds and complete some American Disability Act (ADA) compliant renovations. The County owns the land, but not the buildings. Ms. Davis presented a Memorandum of Understanding (MOU) between Haywood County and the Haywood County Fairgrounds. Ms. Davis explained that once the USDA loan comes available, the County could borrow the money from USDA and purchase the fairgrounds. At that point, the Fairgrounds Board could repay the County. Ms. Davis presented a budget amendment to appropriate the amount of the loan to the Fairgrounds Board per the MOU.

Commissioner Ensley made a motion that the Memorandum of Understanding be approved. Commissioner Upton seconded and the motion carried unanimously.

Commissioner Ensley made a motion to approve the budget amendment as presented. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

HAYWOOD COUNTY
BUDGET AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget for the fiscal year ending June 30, 2011.

Section 1. To amend the General Fund - , the expenditures are to be charged as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Economic & Physical Development				
Fairgrounds disbursement	114922-569900	40,000	337,111	377,111
		-		-
		-		-
		-		-
		-		-

which will result in a net increase of \$ 337,111 in the expenditures of the General Fund.

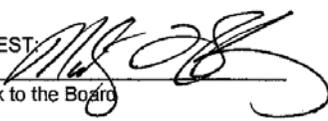
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Other financing sources:				
Appropriation of fund balance	110110-499991	3,142,915	377,111	3,520,026
		-		-
		-		-

Section 2. Copies of this amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the amount of the loan to the Fairgrounds Board per the Memorandum of Understanding.

Offer to Purchase “Old Haywood County Hospital”

Chip Killian, County Attorney, stated that the County has received proposals from interested and qualified master developers for the development of the former Haywood County Hospital property, preferably for affordable housing and preferably for the elderly. County Attorney Killian stated that the developers who did respond and made proposals, included as a plan affordable housing for the elderly. However, under the laws that apply to counties regarding disposing of or selling county property, there is a process stipulating that the County must advertise for upset bids. A contract has been prepared for signing by the County only if the bid that the party the County intends to sell the property to is not upset, exceeded by certain amount as specified in G.S. §168-a-269. The County has advertised the notice. Marty Stamey, Interim County Manager, stated that the County has not received upset bids. The deadline to receive the upset bids was 5:00 p.m., December 20th, 2010. Mr. Stamey confirmed that the completed contract would be presented at the next regular Board meeting on January 10th, 2011.

NEW BUSINESS**Suspend Rules for Changing the Boundaries of the Junaluska Fire District / Lakemont Condominiums**

Chairman Swanger, explained that a public hearing was held today regarding the Lakemont Condominium Owners Association requesting to be removed from the Junaluska Fire District. It is not the procedure to vote on the same date as a public hearing. Chairman Swanger explained that at a public hearing the Board could vote to suspend the rules. Chairman Swanger explained that this issue must be decided prior to the end of this tax year and confirmed that the petition was signed by the property owners unanimously.

Commissioner Sorrells made a motion to suspend the rules for changing the boundaries of the Junaluska Fire District. Commissioner Ensley seconded and the motion carried unanimously.

Commissioner Sorrells made a motion to approve changing the boundary as presented to the Board by David Francis, and the Fire Marshal is set forth in the report on modification as part of the agenda packet. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

Haywood County Schools – Average Daily Membership (ADM) funds for projects – Department of Public Instruction (DPI) approval – Budget amendment \$333,105

Julie Davis, Finance Director, presented a budget amendment to appropriate the amount requested by the school board for the school roofing projects that were approved by the Board of County Commissioners and the Board of Education in October. The total project includes a County match of twenty-five percent. The total expense for the project is \$440,140. Ms. Davis explained that the money is divided between the North Canton Elementary School flat roof, North Canton Elementary School shingle roof, the Meadowbrook Elementary School shingle roof and the Canton Middle School flat roof. Commissioner Upton inquired if it was possible to use the \$440,140 for teaching positions. Larry Smith, Haywood County School Finance Officer, replied that the Average Daily Membership (ADM) portion cannot be used for teaching positions, but the lottery money can be used for teaching positions.

Commissioner Ensley made a motion to approve the budget amendment. Commissioner Sorrells seconded and the motion carried unanimously.

HAYWOOD COUNTY
CAPITAL PROJECT ORDINANCE AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the capital project ordinance for the fiscal year ending June 30, 2011.

Section 1. To amend the Capital Project Fund - , the expenditures are to be charged as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget	75% state portion
<i>C/P - School - ADM/Lottery Fund</i>					
<i>Other building projects:</i>					
Prof. srvs. - N. Canton Elem. Flat roof	49****-558003-1ADM1	-	26,000	26,000	19,500.00
Prof. srvs. - N. Canton Elem. shingle roof	49****-558003-1ADM1	-	30,400	30,400	22,800.00
Prof. srvs. -Meadowbrook shingle roof	49****-558003-1ADM1	-	198,740	198,740	149,055.00
Prof. srvs. - Canton middle Flat roof	49****-558003-1ADM1	-	189,000	189,000	141,750.00
					333,105.00

which will result in a net increase of \$ 444,140 in the expenditures of the Capital Project Fund.

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
<i>Intergovernmental Revenue:</i>				
ADM-Lottery Fund	490050-459365-1ADM1	-	333,105	333,105
<i>Other financing sources</i>				
Transfer from Gen Fund	490110-498111-1ADM1	-	111,035	111,035

The effect on the General Fund is as follows:

<i>Other financing sources (uses)</i>				
Transfer to C/P Fund 49	115912-563049	-	111,035	111,035
Public School - C/O- ADM match	115912-563102	135,000	(111,035)	23,965

Section 2. Copies of this amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the amount requested by the school board for the school roofing projects that were approved by the BOCC, and the Brd of Edu. in October.

Haywood County Schools – Lottery projects

Tracy Hargrove, Haywood County Schools Maintenance Director, stated that the Haywood County School Board approved three projects from the FY 2010 – 2011 State Public School Building Capital Fund North Carolina Education Lottery. Julie Davis, Finance Director, presented a request to approve funding. Ms. Davis confirmed that the amount to replace bleachers is \$175,724 and to install concrete ramps is \$130,000.

Commissioner Sorrells made a motion to approve the utilization of lottery proceeds. Commissioner Upton seconded and the motion carried unanimously.

Landfill Roads

Stephen King, Solid Waste Director, explained that the roads at the White Oak Landfill (WOLF) need repair. Mr. King stated that four bids were received for this project. Mr. King presented the lowest bid from Randy Best Excavating, Inc.

Vice-Chairman Kirkpatrick made a motion that the low bid of \$29,457.64 by Randy Best Excavating, Incorporated be approved. Commissioner Ensley seconded and the motion carried unanimously.

Julie Davis, Finance Director, presented a budget amendment for \$29,457 to appropriate the amount of the road repair project per Stephen King. Ms. Davis explained that the funds would come from the Solid Waste Management fund, not the general fund.

Vice-Chairman Kirkpatrick made a motion that the budget amendment as presented by Ms. Davis be approved. Commissioner Ensley seconded and the motion carried unanimously.

HAYWOOD COUNTY
BUDGET AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget for the fiscal year ending June 30, 2011.

Section 1. To amend the Special Revenue Fund - , the expenditures are to be charged as follows:

Line Item SOLID WASTE MGT	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Capital Outlay- road improvements	244710-559100	-	29,457	29,457
		-		-
				-
				-
				-

which will result in a net increase of \$ 29,457 in the expenditures of the General Fund.

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Other financing sources:				
Appropriation of fund balance-SR Fund	240110-499991	355,211	29,457	384,668
				-
				-

Section 2. Copies of this amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the amount of the road repair project per Stephen King.

Annual Lease Renewals for Buyout Properties

Claire Carleton, Recreation Director, presented a request to approve the annual lease renewals for buyout properties.

Commissioner Upton made a motion that the annual lease renewals for the buyout properties behind tab seventeen be approved. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

Rural Hope Grant Application

Mark Clasby, Economic Development Director, stated that the North Carolina Rural Center provides grants to stimulate economic development and job creation under their Rural Hope Grants program by assisting in construction and expansion of health care facilities. LifeSpan, Inc. serves children with developmental disabilities. Mr. Clasby explained that LifeSpan, Inc. has expressed that they wish to expand their operation by purchasing property, renovating and creating eleven new jobs. Local Government must apply on behalf of the private business to receive the grant.

Vice-Chairman Kirkpatrick made a motion that the Rural Hope Grant application as described be approved. Commissioner Ensley seconded and the motion carried unanimously.

Health Department – Family Planning - \$8,244 – grant for long-term contraceptive methods

Julie Davis, Finance Director, presented a budget amendment for additional funds from Division of Public Health (DPH) WCH / Women’s Health for the purchase of long acting reversible contraception.

Commissioner Upton made a motion that the budget amendment be approved as presented. Vice-Chairman Kirkpatrick seconded. The motion passed four to one with Commissioner Ensley opposing.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2011

Section 1. To amend the General Fund, the expenditures are to be charged as follows:

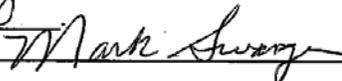
Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Family Planning				-
Operating Expense	115130-549500	25,000	8,244	33,244
				-
				-
				-
				-
				-
				-
which will result in a net increase of \$		8,244	in the expenditures of the General Fund.	

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Family Planning	110050-451515	124,238	8,244	132,482
				-
				-
				-
				-

Section 2. Copies of this budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010



Chairman
Haywood County Board of Commissioners

ATTEST: 

Clerk to the Board

Explanation: Additional funds from DPH WCH/Women's Health for the purchase of long acting reversible contraception.

Disaster Drill Grant Application Approval

Greg Shuping, Emergency Management Director, stated that Emergency Management has received a Memorandum of Understanding (MOU) to plan and conduct a large-scale disaster drill for \$106,000. The drill is being sponsored by the Local Emergency Planning Committee, a Board of Commissioners appointed committee. The MOU is between the State of North Carolina Department of Crime Control and Public Safety, Division of Emergency Management and the County of Haywood. The purpose of this agreement is to establish responsibilities and procedures to implement the terms of the U.S. Department of Homeland Security (DHS) FY 2010 Homeland Security Grant Program.

Commissioner Sorrells made a motion that Mr. Shuping be authorized to proceed with the application for the disaster drill grant. Commissioner Ensley seconded and the motion carried unanimously.

Emergency Management: NC Dept of Crime Control – procurement of prime mover vehicles

Greg Shuping presented a Memorandum of Understanding (MOU) between the State of North Carolina Department of Crime Control and Public Safety, Division of Emergency Management and the County of Haywood to establish responsibilities and procedure to implement the terms of the U.S. Department of Homeland Security FY 2010. Mr. Shuping explained that a grant has already been approved by the County Manager for the purchase of two F-450 Crew Cab Diesel Trucks, and two mobile radios special purpose vehicle for transport of response equipment and personnel to incident sites, which have limited or restricted access because of an emergency or disaster.

Commissioner Sorrells made a motion that the grant expenditure of \$117,000 be approved. Commissioner Upton seconded and the motion carried unanimously.

Julie Davis, Finance Director, presented a budget amendment for \$117,000 for grant funding for these vehicles coming from the Federal Government to the State.

Commissioner Ensley made a motion to approve the budget amendment as presented. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2011.

Section 1. To amend the General Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Emergency Management				
C/O-Motor Vehicles	11 4375 554000 11PRI	-	103,000	103,000
C/O-Other Equipment	11 4375 555000 11PRI	-	14,000	14,000

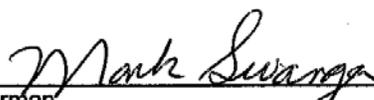
which will result in a net increase of \$ 117,000 in the expenditures of the General Fund.

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Restricted Intergovernmental				
Emergency Management	11 0050 443750 11PRI	-	117,000	117,000

Section 2. Copies of this budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation: To appropriate money from the NC Dept of Crime Control & Public Safety, Div of Emergency Management for (2) F-450 Crew Cab Diesel Trucks, and (2) mobile radios Special purpose vehicle for transport of response equipment and personnel to incident sites which have limited or restricted access as result of an emergency or disaster.

Emergency Medical Service (EMS) Ambulance Engine Replacement - \$20,000

Jim Pressley, EMS Director, presented a quote to repair the damage to an ambulance owned by Haywood County. Initially there was a problem with the vehicle due to contaminated fuel. Mr. Pressley explained that the repairs made to the vehicle were paid for out of automobile insurance. Since the time of contaminated fuel repairs to the truck, there has been a complete engine failure. Because of the fuel contamination, Ford will not honor the remaining portion of the warranty on the vehicle.

Vice-Chairman Kirkpatrick made a motion to approve the engine replacement on the ambulance as described for \$20,000, which includes additional monies for oil changes for all F-Series ambulances. Commissioner Upton seconded and the motion carried unanimously.

Julie Davis, Finance Director, presented a budget amendment from the General Fund Contingency, to appropriate the amount of the new engine rebuild to the ambulance per EMS Director.

Vice-Chairman Kirkpatrick made a motion that the budget amendment be approved as presented. Commissioner Ensley seconded and the motion carried unanimously.

HAYWOOD COUNTY
BUDGET AMENDMENT
FISCAL YEAR 2010-2011

PER: _____
JNL: _____

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget for the fiscal year ending June 30, 2011.

Section 1. To amend the General Fund - , the expenditures are to be charged as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Emergency Medical Services:				
Repair & maintenance	114370-535300	42,000	20,000	62,000
Contingency	119910-599100	284,600	(20,000)	264,600

which will result in a net increase of \$ _____ in the expenditures of the General Fund.

To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget

Section 2. Copies of this amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 20th day of December, 2010


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the amount of the new engine rebuild to the ambulance per EMS director

Board Members

Marty Stamey, Interim County Manager, stated that one vacancy on the Tourism Development Authority Board and four vacancies for the Health Board. Those vacancies have been advertised with applications being accepted thru December 31st, 2010.

Mr. Stamey announced that there is one vacancy on the Fairgrounds Board as Glenn White is unable to serve due to health reasons. Mr. White's term would end October 31st, 2012. This vacancy was advertised. Four applications were received from Christy McLean, Bruce Johnson, Dorothy Morrow, and Tony Beaman.

There are two vacancies on the Adult Care Home Committee, as Virginia Gebhart, who's term ends January 26th, can no longer serve due to health reasons. There are five vacancies. Two new applications were received from Juanita Dixon and Kim Gardner. Other members serving now have expressed that they would like to be re-appointed. They are Allene Irvin, Betty Ferguson and Corrine B. Reams.

Vice-Chairman Kirkpatrick made a motion to appoint the five applicants for the five openings on the Adult Care Home Committee. Commissioner Ensley seconded and the motion carried unanimously.

The Clyde Planning Board has one vacancy for an Extra Territorial Jurisdiction (ETJ) member. This vacancy was advertised and only one application was received from Scott Cook. Mr. Cook currently serves on the Clyde Planning Board.

Commissioner Ensley made a motion to appoint Mr. Cook to the Clyde Planning Board. Commissioner Sorrells seconded and the motion carried unanimously.

There is one vacancy on the Nursing Home Community Advisory Board. Maria Caldwell already serves in this capacity and would like to continue serving on the Nursing Home Community Advisory Board. This vacancy was advertised and two applications were received from Maria Caldwell, and Larry Reeves. At this time, the board has expressed interest in Ms. Caldwell continuing to serve and to accept Larry Reeves' appointment.

Mr. Stamey clarified that the number of members serving on the Nursing Home Community Advisory Board is determined by the Board of County Commissioners. Presently there is only one vacancy. However, the Nursing Home Community Advisory Board requests increasing the board from six members to seven members. The Board of County Commissioners requested that a letter recommending the increased membership be submitted by the Nursing Home Community Advisory Board. Once the Board of County Commissioners receives the letter both applicants could be appointed to the Nursing Home Community Advisory Board.

After discussion, the Board agreed to schedule interviews at 11:30 a.m. on January 10th, 2011.

Code of Ethics

The North Carolina G.S. §160A-86 requires governing boards to adopt a code of ethics. Chip Killian, County Attorney, explained that the reason for the Code of Ethics is to establish guidelines for an ethical standard of conduct for the Haywood County Board of Commissioners and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a Commissioner's best judgment. County Attorney Killian presented for approval and adoption the Code of Ethics.

Commissioner Upton made a motion that the Code of Ethics behind tab twenty-nine be approved as written. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

CLOSED SESSION

Vice-Chairman Kirkpatrick made a motion to move into closed session for the purposes of approval and release of Closed Session Minutes – G.S. §143-318.11(a)(1), Potential Litigation – G.S. §143-318.11(a)(3), and Personnel – G.S. §143-318.11(a)(6). Commissioner Ensley seconded and the motion carried unanimously.

Return from Closed Session

The Board returned from closed session.

Vice-Chairman Kirkpatrick made a motion that previously approved minutes regarding the acquisition of real property be released. Those dates are:

- November 2nd, 2009
- November 16th, 2009
- December 7th, 2009
- December 28th, 2009
- January 4th, 2010
- January 13th, 2010
- January 19th, 2010
- January 27th, 2010
- February 15th, 2010
- March 15th, 2010.

In addition, that previously approved minutes regarding potential litigations involving the fairground be released. Those dates are:

- March 1st, 2010
- September 20th, 2010
- October 18th, 2010

We also include attorney / client privilege matters regarding the HCC solar panel contract have been previously approved and can be released. That date is October 4th, 2010.

We would also have two sets of minutes that need approval and release regarding potential litigation with the fairgrounds. The dates of those minutes are November 1st, 2010, and November 15th, 2010.

One additional set of minutes regarding attorney / client matter be approved and released, dated November 1st, 2010.

Finally, approval of two sets of minutes regarding potential litigation, but not yet released dated November 15th, 2010, and November 1st, 2010. Commissioner Ensley seconded and the motion carried unanimously.

Closing Remarks

Marty Stamey, Interim County Manager, explained that Mountain Projects, Inc. distributes heating assistance funds throughout the county. This year when funds were diminished, a project called the Tree of Warmth, was organized. Mr. Stamey shared that County employees have donated approximately \$2,200 to the Tree of Warmth project. All proceeds will go toward heating assistance. A donor has pledged to match dollar-for-dollar up to \$10,000 to the Tree of Warmth project.

ADJOURNMENT

Commissioner Sorrells made a motion to adjourn. Commissioner Upton seconded and the motion carried unanimously.

The time of adjournment was 7:54 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN