

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – NOVEMBER 07, 2011

CALL TO ORDER

Chairman Mark S. Swanger convened the regular meeting of the Haywood County Board of Commissioners at 9:00 a.m. in the Historic Courtroom at the Haywood County Historic Courthouse, Waynesville, North Carolina, with Chairman Mark S. Swanger, Vice-Chairman J.W. “Kirk” Kirkpatrick III, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill Upton, present. Staff members present were County Manager Marty Stamey, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis, and Public Information Officer David Teague

PLEDGE OF ALLEGIANCE

Chairman Swanger led the pledge of allegiance.

INVOCATION

Commissioner Sorrells offered the invocation.

PUBLIC COMMENT SESSION

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. One person, Jonnie Curé, signed up to speak. She opened her comments with a reminder that the Commissioners are elected to represent the majority in Haywood County and not the interests of small groups at the expense of the majority. She sees Haywood County as a small rural community of farms and small businesses dependent on local consumers and summer and winter seasonal tourism. Ms. Curé commented that occasionally small groups try to turn us into something we would rather not be, and many of their projects require spending that is totally out-of-line with local or state budgets. She feels that the bike plan, at a cost of \$107 million, is like this; that even if it is state funded, that state funds are Haywood County taxpayer’s money too.

Chairman Swanger closed the public comment session. He responded, in his view, Commissioners are elected to represent all the people of Haywood County, the majority and the minority depending on the issue at hand. He said it is correct that there has been no request for funds associated with the Bike Plan.

CONSTITUENT CONCERNS

Commissioner Sorrells stated that last Thursday night, he attended a great dinner at the Community Development Organization's meeting in North Hominy and got a chance to see what these community organizations do for each community. He encourages everyone if they cannot be involved to please support them. Commissioner Ensley commented that the things the community clubs do enhance our community and probably save taxpayer funds. Chairman Swanger stipulated he was at the meeting also, and the Manna Food Banks that are available in several of our communities have impressive amounts of food storage. By Manna rules, they are restricted to distribution within that community, but anyone who needs food or knows someone who does, should contact their local community club. Commissioner Upton commented that he attended the 4-H Banquet/Celebration and enjoyed seeing how well our kids have succeeded in all their competitive activities. Commissioner Swanger commented that he and County Manager Stamey attended a meeting with Haywood Community Connections last week for a presentation of all the services that are available to seniors in Haywood County, and also those that are being planned. He has asked them to appear before this board for a presentation on some of those available services. They have an impressive list of all volunteers, and it is remarkable how much money is saved by the thousands of hours that the volunteers donate.

DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA

Chairman Swanger had one adjustment of the Consent Agenda. There are issues with the grant for the electric charging station; so, it is deleted for today's meeting.

CONSENT AGENDA

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

- Approve October 17, 2011 regular meeting minutes
- Budget Amendments – Julie Davis, Finance Director
 - Adaptive Renovation Project – \$99,967 – Health Department Grant for dental equipment in dental labs (Grant awarded and putting into project budget to purchase dental equipment)
 - DSS – Domestic Violence Prevention funding - \$3,135 – grant funding – Match required from DSS (Public Assistance for domestic violence prevention)
 - DSS – Crises Intervention - \$243,203 – Federal reimbursement funding (Public Assistance for Fuel – receiving additional federal funding)

375

- DSS – Low Income Heating Assistance - \$76, 225 – Federal reimbursement funding (Different program – same type of assistance)
- Extension - \$20,000 – 4-H Youth Council grant for program development (Grant from Cherokee Preservation Foundation – creation & development of a Haywood County Youth Council – no match required)
- Extension - \$4,315 – final state allocations – wages & benefits (Amount needed to bring the salary & benefits line items budgeted for fiscal year 12 up to the amount the State requires)

HAYWOOD COUNTY
CAPITAL PROJECT ORDINANCE
FISCAL YEAR 2011-2012

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, 2012.

Section 1. To amend the Capital Project Fund - County building/repairs/construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
County projects:				
C/O - Equipment	455310-555000-11WAL	-	99,967	99,967

which will result in a net increase of \$ 99,967 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:

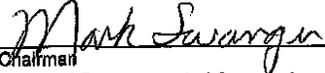
Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental:				
ARC-dental grant	450050-451130-11WAL	-	99,967	99,967
			<u>99,967</u>	

The effect on the General Fund is as follows:

				-
				-
				-

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

Adopted this the 7th of Nov., 2011.



Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the amount of the grant to be used to purchase dental equipment for the new Health Dept.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-12

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, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
DSS - Public Assistance:				
TANF-Domestic Violence	115340-549926	21,838	383	22,221
		22,221	2,752	24,973
				-
				-
				-

which will result in a net increase of \$ 3,135 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. Reimbursement	110050-453400	4,872,252	3,135	4,875,387
				-
				-

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

Adopted this the 7th day of November, 2011



Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the additional Domestic Violence prevention funding per the two authorizations, attached.
The 25% county match (917) will come from the DSS budget.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-12

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, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
DSS - Public Assistance:				
Crisis Interv - Fuel	115340-549910	100,000	243,203	343,203
				-
				-
				-
				-

which will result in a net increase of \$ 243,203 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. Reimbursement	110050-453400	4,629,049	243,203	4,872,252
				-
				-

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

Adopted this the 7th day of November, 2011



Chairman
Haywood County Board of Commissioners

ATTEST: 

Clerk to the Board

Explanation:
To balance accounts to additional allocated Energy Crisis
Funds per Authorization.
Copy attached.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-12

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, 2012

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
DSS				
Public Assistance		-		-
Low income energy assistance	115340-549910-LIEAP	-	76,225	76,225
				-
				-
				-

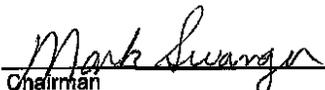
which will result in a net increase of \$ 76,225 in the expenditures of the General Fund.

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

Revenue	Accf. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental				-
Admin. Reimbursement	110050-453400	4,552,824	76,225	4,629,049
				-
				-

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

Adopted this the 7th day of November, 2011



Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the Low Income Housing Energy Assistance program through DSS.
Copy of Funding authorization attached

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-2012

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, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Extension:				-
Special programs - 4H-youth Council	114950-523100-4H-YC	-	20,000	20,000
				-

which will result in a net increase (decrease) of \$ 20,000 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
Intergovernmental revenue:				
Extension - 4H- Youth Council grant	110050-449500-4H-YC	-	20,000	20,000
				-
				-
			20,000	-

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

Adopted this the 7th of November, 2011.



Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the grant from The Cherokee Preservation Foundation for creation and development of a Haywood County Youth Council.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-2012

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, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Extension:				-
Payments on Co-op agreement	114950-569301	215,741	4,315	220,056
Contingency	119910-599100	464,721	(4,315)	460,406

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 7th of November 2011.


Chairman
Haywood County Board of Commissioners

ATTEST:

Clerk to the Board

Explanation:
To increase the budget for Extension to cover the amounts that were not available during budgeting.
The state notified the Extension Office at the end of July regarding state benefit percentages.

AGENCY / ADMINISTRATIVE REPORT**DSS/Health/Building and Environmental Services Project Update – PowerPoint Presentation**

Dale Burris, Facilities and Maintenance Director, gave a PowerPoint presentation showing how the project has progressed since February of this year. With color photos, he pointed out different aspects before construction and after some renovation work had been completed. He showed locations of conference rooms and the different department offices – Environmental Health will have a cubical-type area with skylights for natural light in the room – Main Lobby for DSS for clients will be in a secure area – the architect design of orange/red floor tile gives a perception when coming to intersection of another corridor - there are also exit signs and evacuation plans – the former Wal-Mart receiving area is now the Meals-on-Wheels area with a complete commercial kitchen – the cafeteria at Meals-on-Wheels can be used for meetings as well as for staff to have lunch on site – in the back is a large storage area to fit the needs of every department. The contractor has 55 to 65 subcontractors/employees on site each day to make sure everything is completed by 11/24/11. Mr. Burris, the architect, and contractor will start a punch list to have for the BOCC meeting on 11/21/11. Mr. Burris will request the BOCC to approve substantial completion that is required by the USDA Rural Development. Commissioner Upton commented that this is the smoothest project they have ever had.

OLD BUSINESS**Request approval of DSS/Health/Building and Environmental Services Furniture Moving Notice of Award, Contract Approval, and Notice to Proceed**

- Notice of Award
- Furniture Relocation Contract
- Notice to Proceed
- Budget Amendment to cover moving costs - \$8,333

Dale Burris, Facilities and Maintenance Director, stated that the Commissioners approved to continue with negotiations for the furniture relocation when moving each department in January. During the entire process, PBI was the low bidder for furniture and for furniture relocation. He requested approval of the three items: notice of award, contract approval, and the notice to proceed that is required to following up and get started in January.

Commissioner Sorrells made a motion to approve the Notice of Award to Professional Business Interiors, Inc. Commissioner Upton seconded, and the motion carried unanimously.

Commissioner Upton made a motion that the Furniture Relocation Contract as presented be approved. Commissioner Ensley seconded, and the motion carried unanimously.

Commissioner Sorrells made a motion that the Notice to Proceed be approved. Commissioner Ensley seconded, and the motion carried unanimously.

Julie Davis, Finance Director, presented a budget amendment for \$8,333 to cover moving costs for this project. This is from the general fund, not within the project fund.

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

HAYWOOD COUNTY
CAPITAL PROJECT ORDINANCE
FISCAL YEAR 2011-2012

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, 2012.

Section 1. To amend the Capital Project Fund - County building/repairs/construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
County projects:				
C/O - Furniture & Equipment	456310-551000-11WAL	477,179	8,333	485,512

which will result in a net increase of \$ 8,333 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
Other financing sources:				
Transfer from General Fund	450110-498111-11WAL	389,567	8,333	397,900
			<u>8,333</u>	

The effect on the General Fund is as follows:

Transfer to C/P Fund 45	119840-698045	408,620	8,333	416,953
Facilities & Maintenance				
Utilities - Paragon Prkwy	114260-533000-42641	119,300	(8,333)	110,967

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

Adopted this the 7th of Nov., 2011.


Chairman
Haywood County Board of Commissioners

ATTEST:

Clerk to the Board

Explanation:
To appropriate the cost of the moving expense over the amount in the current project budget.

NEW BUSINESS

2012 Valuation for Personal Property Guide – David Francis, Tax Administrator

David Francis, Tax Administrator, gave Dale Burris a “thank you” and words of appreciation for the great job he is doing; he stated that he is a great asset, and the County is lucky to have him.

Mr. Francis presented the 2012 Valuation for Personal Property Guide, which is the depreciation schedule for personal property and includes manufactured homes, boats, trailers, and anything of that sort. He commented that there are no changes from last year, but in 2013, there will be significant changes. His department is updating abstracts, getting information from property owners about how many bedrooms and bathrooms are in their manufactured homes, and going to a pricing guide instead of a depreciation schedule in 2013. Mr. Francis said this will bring things more in-line with the revaluation, and everything will equal out. Commissioner Sorrells asked where he got the figures. Mr. Francis answered that some of the things about business personal property are state statutes and state mandated, and the other things developed here over the years have followed those same guidelines.

Commissioner Upton made a motion that the 2012 Valuation for Personal Property Schedule as presented be approved. Commissioner Ensley seconded, and the motion carried unanimously.

Consider Adoption of Haywood County Comprehensive Bicycle Plan

Cecil Yount, Planning Committee Member, and Don Kostelec, Project Manager, presented a Comprehensive Bicycle Plan for adoption.

Cecil Yount stated that the planning committee has spent 6 or 7 months of hard work at developing a plan for the greater community of Haywood County; not fragmented by municipalities, but a broader range of the whole county. A direction they took was to apply for League of American Bicycle recognition as a bicycle-friendly community, which is a proven economic growth indicator. They have spoken to clubs, communities, all municipalities except Canton, and county officials with outstanding response and support. An executive summary and full plan are attached. Funding is largely from the French Broad Metropolitan Planning Organization, who is in the process of developing a regional bike plan that will look at Haywood County in its entirety.

Don Kostelec commented that going forward, getting the bicycle-friendly designation and everything that goes along with that gave them the foundation for their approach. This approach is the five E’s - education, encouragement, enforcement, engineering and evaluation (he explained each concept) – trying to reach out to schools, community college, Healthy Haywood and law enforcement groups to get ideas and concerns as the plan was formulated. Another E was added for economics; special events bring people into the County, and they spend money.

Vice-Chairman Kirkpatrick, a member of the Recreation Board, stated the Recreation Board unanimously approved adoption of the plan. Commission Sorrells commented that he sits on the Metropolitan and Rural Planning Boards, and there is a move for these plans and complete streets throughout NC. Chairman Swanger stated it is encouraging that the creation of the bicycle lanes will be in concert with previous plans of NCDOT to add shoulder width to our roads, which is a safety concern. Commissioner Ensley felt once people come to Haywood County, they will want to come back.

Vice-Chairman Kirkpatrick made a motion that the Haywood County Comprehensive Bicycle Plan be approved. Commissioner Upton seconded, and the motion carried unanimously.

Transfer of Sheriff's Office Drug Seizure Funds to Regular Budget Line Item

- Request approval to use drug seizure funds for equipment purchase – Sheriff Bobby Suttles

Sheriff Bobby Suttles stated he is in the process of equipping four new vehicles with cameras at a total cost of \$23,732. He is asking that \$5,732 be transferred from drug seizure funds and placed in the Budget Line Item to complete this purchase.

Commissioner Ensley made a motion to approve the use of drug seizure funds for equipment purchase as described by the Sheriff. Vice-Chairman Kirkpatrick seconded, and the motion carried unanimously.

- Budget Amendment for Sheriff's request for drug seizure funds - \$5,732 – Julie Davis

Ms. Davis did a budget amendment to miscellaneous departmental supplies to add \$5,732, and she is showing an increase in revenue. If the revenue does not come in this year, the Sheriff has \$102,000 sitting in fund balance for drug seizure funds that are restricted for those purposes.

Vice-Chairman Kirkpatrick made a motion that the Budget Amendment be approved as presented. Commission Upton seconded, and the motion carried unanimously.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011-2012

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, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<u>Sheriff Office:</u>				
Misc. Departmental supplies	114310-528901		5,732	5,732

which will result in a net increase (decrease) of \$ 5,732 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
<u>Intergovernmental:</u>				
NC Controlled substance funds	110050-443330	4,319	5,732	10,051
			5,732	

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

Adopted this the 7th of November 2011.



Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the amount of the Sheriff's drug seizure funds to cover the equipment for the vehicles in the Sheriff's office.

Fines Creek Fire Department Request for Approval to Finance Fire Truck

Krystal Ledford, Fines Creek Fire Department, requested approval to finance a fire truck with the Credit Union. They are looking to replace their 30-year old brush truck, and instead of buying one for just one purpose, to make it a 3-in-1 truck.

Julie Davis commented that Ms. Ledford noticed on the memo to the BOCC concerning the Fines Creek Fire Department financial reports, that the stated annual payment of \$1,373 is actually a monthly payment; the annual payment is \$16,476. Ms. Davis stated that she looked at their financial statements for the last three years, and it appears they are going to have the ability to pay for this fire truck.

Commissioner Ensley made a motion that the Fines Creek Fire Department be authorized to finance the fire truck as set forth in their request. Commissioner Upton seconded, and the motion carried unanimously.

Network and Local Health Department Agreement for Pregnancy Medical Home-Pregnancy Case Management & Care Coordination for Children Program with Access Care

Carmine Rocco, Health Department Director, stated that this agreement is between Community Care of NC (CCNC) and Access Care, which is part of that organization, and the Health Department to provide care management services to children and pregnant women for the period of September 1, 2011 through June 30, 2012. This has come before the BOCC several times in the past year, because it has transitioned from the State to CCNC as a means of getting that system and those services contracted with health departments; previously, it was the Division of Public Health.

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

Request to Re-establish a Nurse Practitioner Position in the Health Department

Carmine Rocco, Health Department Director, commented that up until 2005 the Health Department had two full-time equivalent nurse practitioner positions; since then, they have had 1.5. In 2009, one of the two positions became vacant, that position was reduced due to budget constraints; and since that time, there have been numerous requests for services. Appointments for the nurse practitioner open on Monday, and by the end of the day are full for the week. If granted this new position, the number of clients they can see will increase by about 240 per month, and the position will generate revenue and pay for itself through the services it provides. The level of service they can provide now is limited, and they would like to ask for re-establishing the position back into the Health Department budget.

Vice-Chairman Kirkpatrick stated that they have been very careful about not hiring anybody and keeping the positions frozen to maintain a good budget. He would feel more comfortable if there was more basis and information on the number of people turned away. Chairman Swanger commented if it pays for itself plus some, it would be addressing a need and be consistent with our prior budget decisions; but, it is certainly reasonable to get enough information to feel comfortable. The decision was made to delay the action until more data can be presented.

Schedule Interviews for Jury Commissioner Applicants

Marty Stamey, County Manager, commented that he has received one application so far. Depending on how many applicants he gets; tentatively, he would schedule for November 21 at 4:30 or 5:00 p.m. The deadline for applications is November 17; so, he could notify them on November 18 and let the Board know.

ADJOURNMENT

Vice-Chairman Kirkpatrick made a motion to adjourn the regular Board meeting. Commissioner Upton seconded, and the motion carried unanimously.

The time of adjournment was 10:08 a.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN