

HAYWOOD COUNTY COMMISSIONERS
REGULAR MEETING – FEBRUARY 21, 2011

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 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.

Members Absent: Vice-Chairman J.W. “Kirk” Kirkpatrick III

PLEDGE OF ALLEGIANCE

Chairman Swanger led the pledge of allegiance.

INVOCATION

Commissioner Ensley offered the invocation.

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.

Monroe Miller inquired if the Haywood County Fairground Arena Building was owned by Haywood County or the Haywood County Fairgrounds, Inc. Mr. Miller read from a Memorandum of Understanding, (MOU), signed on December 20th, 2010, “Now, therefore, the County does hereby agree to lend to the Fairgrounds an amount that will cover the principal due to First Citizens Bank by December 25, 2010 at an interest rate equivalent to the county’s rate earned on available operating funds, to be repaid to the County at such time that the Fairgrounds sells the structures and other leasehold improvement on the fairgrounds property to the County, thereby terminating the ground lease between the Fairgrounds and the County.”

Chip Killian, County Attorney, explained that the MOU was entered into at the time money was loaned to the Fairground Board by the County in order to pay off the loan. There is an agreement for the leasehold improvements to be transferred to the County when the County is able to find permanent financing. Then the County would buy those leasehold improvements from the Fairground Board. County Attorney Killian stated at this time the County owns the land, and the Fairground Board owns the improvements until completion of the transaction.

Pete Shigematsu, member of the Western North Carolina Dog Fancier’s Association and the Blue Ridge Agility Club, expressed the importance of the fairgrounds for various dog shows.

Skipper Russell shared that the fairgrounds has been important to citizens. Mr. Russell explained that the Department of Insurance has ordered that the arena at the fairgrounds can no longer be occupied because of the lack of restrooms. Mr. Russell expressed the need to promote agriculture in Haywood County and urged the Board to find a solution to keep the arena open for occupancy.

Mary Ann Enloe, Chairman of the Fairgrounds Board, explained that there is a need for completion of work to be done at the fairgrounds, but the financial crisis poses many

questions for that work. Ms. Enloe stated that the recently hired Fairgrounds Facility Manager, Aaron Mabry, has an office at the fairgrounds. Mr. Mabry's office was built by volunteers. Most of the equipment was donated by volunteers.

Wallace Messer, with the Lion's Club, stated that the Lion's Club has been sponsoring a horse show for fifty-nine years. The fairground is a great place to hold the horse show. Money raised from the show stays inside Haywood County. Mr. Messer requested that the Board consider ways to keep the fairgrounds in operation. Commissioner Ensley inquired if the Lion's Club provided funds to the building of the fairgrounds. Mr. Messer confirmed that the Lion's Club helped fund the barn and purchased some of the concrete for the bleachers.

Commissioner Sorrells expressed his support for the fairgrounds. Commissioner Sorrells stated that events held at the fairgrounds bring visitors to Haywood County who often stay at local hotels and eat at restaurants.

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

CONSTITUENT CONCERNS

Chairman Swanger inquired if there were any constituent concerns. Commissioner Ensley commended Dr. Marc Pruett, Erosion Control Director, for his study on Santek, Inc. Dr. Pruett contacted counties and states and questioned them regarding their use of services of Santek for their landfills. Commissioner Ensley stated that the summary and report is posted on the website, www.haywoodnc.net.

Commissioner Upton shared that he has received compliments from citizens concerning the fine job done by the Board of County Commissioners.

DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA

Chairman Swanger added under "Old Business", "Haywood County School Board Request to Meet with the Board of County Commissioners", and "Fairgrounds Status".

CONSENT AGENDA

Commissioner Sorrells made a motion to approve the consent agenda as presented. Commissioner Ensley seconded and the motion carried unanimously.

Approve February 7th, 2011 Regular Meeting Minutes

Approve January 2011 Refunds, Releases, Amendments and Discoveries
David Francis, Tax Administrator

Budget Amendments – Julie Davis, Finance Director

- Recreation - \$15,024 – amount collected to cover senior trip to Washington D.C.
- CDBG Grant Special Revenue Fund – \$15,937 – additional funding from prior year amount returned to the program that will cover current projects
- DSS – Public Assistance – \$170,769 total – \$168,464 – additional federal funding from Home Energy Assistance and \$2,305 additional state funding from Progress Energy – Energy Neighbor for heating assistance Haywood County households
- Emergency Management – \$106,000 – NC Department of Crime Control and Public Safety, Division of Emergency Management – hazardous event drill grant
- Legal – \$35,000 – Additional costs for the Historic Courthouse renovation project legal services

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
Recreation:				
Special programs	116120-523100	33,570	15,024	48,594

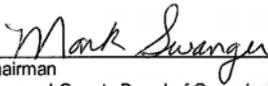
which will result in a net increase (decrease) of \$ 15,024 in the expenditures of the General Fund.

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
Sales & services:				
Recreation fees	110070-461201	37,500	15,024	52,524

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

Adopted this the 21st day of February, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To cover the cost of the Washington DC trip for senior adults. Fees are collected from the participants

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
DSS - Public Assistance:				
Crisis Interv - Fuel	115340-549910	142,078	168,464	310,542
Crisis Interv - CP&L energy	115340-549918	12,368	2,305	14,673

which will result in a net increase of \$ 170,769 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	4,671,390	170,769	4,842,159

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

Adopted this the 21st day of February, 2011


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To balance accounts to additional allocated Energy Crisis Funds per Authorizations dated 1/11/2011 & 1/5/2011, copies attached.

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 Special Revenue Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
S/R Fund- CDBG Block Grant:				
CDBG Home Rehab				
Rehabilitation	32 4976 500001 11001	-	15,937	15,937

which will result in a net increase of \$ 15,937 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
Miscellaneous Revenue:				
Other Miscellaneous Revenue	32 0100 483890 11001	-	15,937	15,937

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

Adopted this the 21st day of February, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST:


Clerk to the Board

Explanation:
To appropriate the amount returned to the county in a prior year that will be used in the current program to increase the amount of work done on certain qualified properties.
Community Development Block Grant funding.

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				
Professional Services-Project Coord	11 4375 519900 11EXE	-	45,000	45,000
Special Program Materials	11 4375 523100 11EXE	-	61,000	61,000

which will result in a net increase of \$ 106,000 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 11EXE	-	106,000	106,000

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

Adopted this the 21st day of February, 2011.


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 to conduct an LP gas explosion exercise in a railyard located near Evergreen Packaging Inc.-chemical plant.
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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
Legal:				
Professional Services - courthouse litigation	114150-519210	60,000	35,000	95,000
Contingency	119910-599100	192,172	(35,000)	157,172

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 21st day of February 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To cover the additional invoice received for the courthouse project attorney fees.

OLD BUSINESS

Francis Farm Landfill Methane Gas Collection & Combustion project:

Julie Davis, Finance Director, presented a budget amendment for the Grant Capital Project Budget Ordinance. The budget amendment was for \$1,175,410 - Solid Waste Francis Farm - State Energy Office grant - Greenhouse Gas to Energy Projects - Landfill Gas and Municipal Sewage Treatment Plants, Engineering proposal for Francis Farm Landfill Methane Gas Collection and Combustion System project.

Commissioner Ensley made a motion to approve the project ordinance as presented by Julie Davis.

Jeff Bishop, Senior Project Manager, explained that McGill Associates handles the engineering services for Phase Two and Three of the Francis Farm Landfill Gas Collection Combustion System and assists in the administrative of the grant. McGill Associates is the engineering firm of record for the County at the White Oak Landfill and the Francis Farm Landfill. McGill Associates has guided the County through the various states of landfill management. McGill Associates has already been working on the grant from the beginning application to expediting the timeline to finish the project, will provide design, bidding and construction contract administration, and will assist the County with the grant administration. Funds will have to come from Fund 24 fund balance.

Commissioner Ensley made a motion to accept the engineering proposal for this landfill methane gas collection and combustion system project. Commissioner Upton seconded and the motion carried unanimously.

HAYWOOD COUNTY, NORTH CAROLINA
 GRANT CAPITAL PROJECT ORDINANCE
 SOLID WASTE CONSTRUCTION
 INCEPTION FISCAL YEAR 2010-2011

BE IT ORDAINED by the Haywood County Board of Commissioners that, pursuant to North Carolina General Statute 159-13.2, the following Grant Capital Project Ordinance is adopted:

Section 1. The project authorized is the construction of a gas collection, piping, and flare station; and gravity sewer at the Francis Farm landfill in the county.

Section 2. The officers of this unit are directed to proceed with the design and construction of the project within the terms of this ordinance.

Section 3. The following financing sources are anticipated to be available to complete the project:

NC Department of Commerce, State Energy Office grant funds	\$ 1,000,000
Transfer from Solid Waste Special Revenue Fund	<u>175,410</u>
Total Financing Sources	<u>\$ 1,175,410</u>

Section 4. The following amounts, by item, are appropriated for the project:

Phase two and three:

Engineering/surveying/construction	
Administration/design	\$ 178,200
C/O-Phase 2-Equipment-gas collection, piping, and flare station	531,920
C/O-Phase 2- Equipment-gravity sewer	92,200
C/O-Phase 3- Equipment-power generator facility	291,200
Project contingency	<u>81,890</u>
Total project	<u>\$ 1,175,410</u>

Section 5. The Budget Officer and the Finance Director are to report on the financial status of this project on a regular basis and keep the Board informed of any unusual occurrences.

Section 6. Copies of this Grant Capital Project Ordinance shall be made available to the Budget Officer and the Finance Director for carrying out this project.

ADOPTED this the 21st day of February, 2011.


 Mark S. Swanger, Chairman
 Haywood County Board of Commissioners

ATTEST:


 Marty L. Stanley, Clerk to the Board and County Manager
 Haywood County Board of Commissioners

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:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Methane Gas Phases II-III				-
Professional Services-Engineers	43 4724 519400 11GAS	-	178,200	178,200
C/O-Equipment Phase II -gas collection, piping	43 4724 559000 11GAS		531,920	531,920
C/O-Equipment Phase II -gravity sewer	43 4724 559001 11GAS		92,200	92,200
C/O-Equipment Phase III-power generator	43 4724 559002 11GAS		291,200	291,200
Contingency	434724-599100-11GAS		81,890	81,890

which will result in a net increase of \$ 1,175,410 in the expenditures of the Capital Project Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental revenue:				
Dept of Energy grant	430050-447106-11GAS	-	1,000,000	1,000,000
Other financing Sources:				
Transfer from SW fund 24	430110-498224-11GAS	-	175,410	175,410
			<u>1,175,410</u>	

The effect on the Special Revenue Fund will be as follows:

Fund 24 - Solid Waste Mgt. Fund				
Expense:				
Transfer to capital project fund 43	249840-598043	10,544	175,410	185,954
Revenue:				
Appropriation of Fund Balance	240110 499991	384,668	175,410	560,078

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

Adopted this the 21st day of February, 2011


Chairman
Haywood County Board of Commissioners

ATTEST

Clerk to the Board

Explanation:
To appropriate the new grant project from the state Energy Efficiency Conservation Grant program and county solid waste fund balance.

Haywood County School Board Request to Meet with the Board of County Commissioners

Chairman Swanger explained that the current building that houses the Haywood County Board of Education's Central Office could be sold in the near future. Therefore, the Board of Education has requested to meet with the Board of County Commissioners to discuss the potential relocation of the Central Office. After discussion, the Board agreed to meet with the Board of Education on March 7th, 2011, at 6:00 p.m. in the banquet room at the Administrative Offices at Elmwood Way, Waynesville.

Fairgrounds Status

Commissioner Ensley stated that the arena, the largest building at the fairgrounds, was built with grant money. Presently the arena is unfinished. It has been operating under a temporary certificate of occupancy. Money is not available in order to add restrooms to the arena. Because of the economic strains on the County, the \$150,000 annual County contribution to defray capital improvement costs at the fairgrounds is no longer available. A complaint to the North Carolina Department of Insurance was filed by Monroe Miller. After that, a state inspector for the code official qualification board reviewed the fairgrounds. Because the arena does not meet the state building codes regarding required restroom facilities, it cannot be used for events. Several events have already been scheduled at the

arena. These events will be cancelled without the proper certificate of occupancy. Commissioner Ensley inquired if a loan to cover the immediate costs for the restrooms would be possible. Commissioner Sorrells asked about the possibility of extending the temporary permit of occupancy if plans were in place for the required improvements. Chairman Swanger replied that the temporary permit of occupancy and a temporary waive are being reviewed for an extension to the occupancy permit. The Board requested that this discussion be placed on the agenda for the next regular Board meeting, March 7th.

NEW BUSINESS

Emergency Medical Services (EMS) Peer Review committee

Jim Pressley, EMS Director, stated that the EMS Peer Review Committee by laws 2011 document states that the North Carolina Office of EMS is to gain approval from the Board of County Commissioners for the by laws. The activities, duties and responsibilities of this committee are set forth legislatively through Senate Bills 232; the Administrative Procedure Act authorized the Governor, by Executive Order, to make effective a permanent rule upon finding that is necessary to protect public health, safety, or welfare. Effective March 3rd, 2009, Authority G.S. §143-508(b); §143-509(12) Reference North Carolina Medical Care Commission, 10A NCAC 13P .0408. The committee utilizes information attained through review of system data including EMS, Rescue, Fire Department, Emergency Medical Dispatch and Haywood Community College reports for evaluation and assessment as to the needs of effectiveness of the system's policies, protocols and education as it relates to patient care. EMS is required to conduct quarterly session in accordance with North Carolina General Statute. There is no cost and no financial impact to the County as County employees who attend the EMS Peer Review Committee attend during normal working hours as part of their normal work week.

Commissioner Sorrells made a motion to approve the Emergency Medical Services Peer Review Committee by-laws. Commissioner Ensley seconded and the motion carried unanimously.

Property Tax Commission (PTC) Appeal Request

David Francis, Tax Administrator, presented a request from Stacy Overbay, regarding parcel identification number 8615490587 that was taxed on .18 acres since 1997. Land records discovered the error and changed the acreage to .76 acres. The assessor's office revalued the parcel for 2010 and per North Carolina General Statute discovered the additional acreage for five previous years. More information shows that the reduction in acreage was made by the 1996 Board of Equalization and Review. Since the change was made by the Board of Equalization and Review, Mr. Francis recommended that the correction of acreage be effective for 2010 and not do the discovery. If approved, the 2010 value would be \$332,000.

Commissioner Upton made a motion to approve 2010 PTC appeal for Stacy Overbay as presented. Commissioner Sorrells seconded and the motion carried unanimously.

Masonry Wall

Dale Burris, Facilities and Maintenance Director, explained that a masonry wall at the Haywood County jail annex fell on February 14th, 2011 due to high winds. Mr. Burris stated that the fallen wall is 84 ½ feet long. Because replacement of this wall and the other two remaining walls were an emergency, Mr. Burris contacted three contractors that are on the vendors list. Mr. Burris received three bid proposals. B. Allen Construction was the low bidder. After the bids were received, Mr. Burris learned that the Town of Waynesville Inspection Department requires a lateral stability sheer wall at every forty feet, which is required in the North Carolina Building Code under code reference 2109 (masonry). Mr. Burris then asked the three bidders if they would like to re-bid. The two highest bidders did not want to rebid the project since they were not low on the original bid and requested to have B. Allen Construction price the sheer wall columns. B. Allen Construction stated that the addition of the sheer wall columns would cost \$2,500. There would be four sheer walls columns, nine feet high with poured columns and steel rebar. The total cost is \$32,000. Mr. Burris stated that the insurance company sent their engineer to examine the walls.

Insurance could reimburse the County for some of the costs. Mr. Burris will report to the Board once that determination is made by the insurance company.

Commissioner Ensley made a motion to award the contract for the replacement of masonry walls to B. Allen Construction. Commissioner Upton seconded and the motion carried unanimously.

Commissioner Ensley made a motion to have these funds to pay for the masonry walls from contingency. Commissioner Upton 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
Facilities & maintenance:				
C/O- other structures	114260-558000-42619	-	32,000	32,000
Contingency	119910-599100	157,172	(32,000)	125,172

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 24 day of February, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To cover the cost of replacing the walls at the jail annex that fell due to high winds.

Resolution Supporting the Federal Funding of Southwestern NC Resource Conservation and Development

James Ferguson presented a resolution supporting the Resource Conservation and Development (RC&D). Chairman Swanger read the last paragraph of the resolution.

Commissioner Sorrells made a motion to approve the resolution as presented. Commissioner Ensley seconded and the motion carried unanimously.



**RESOLUTION
SUPPORTING THE FEDERAL FUNDING OF
SOUTHWESTERN NC RC&D**

WHEREAS, Haywood County is located within the geographic service area of Southwestern NC Resource Conservation & Development (RC&D) Area; and

WHEREAS, Southwestern NC RC&D plays an important role in protecting the environment in a way that improves the local economy and standard of living in Haywood County; and

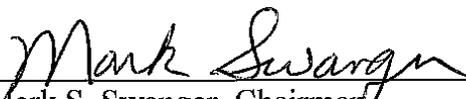
WHEREAS, the Haywood County Board of Commissioners believes that natural resources conservation continues to be of prime importance in southwestern North Carolina; and

WHEREAS, Southwestern NC RC&D provides technical assistance and project administration for vital resource projects; and

WHEREAS, the lack of adequate Federal funding will cause Southwestern NC RC&D to no longer have the assistance of a full-time coordinator and office support.

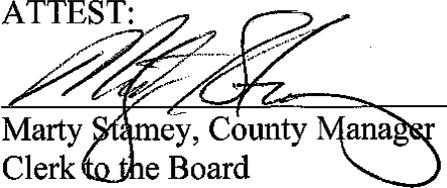
NOW, THEREFORE, BE IT RESOLVED that the Haywood County Board of Commissioners encourages and supports any and all efforts to secure adequate Federal funding to fully staff Southwestern NC RC&D, allowing that organization to continue to serve Haywood County and southwestern North Carolina.

ADOPTED the 21st day of February, 2011.



 Mark S. Swanger, Chairman
 Haywood County Board of Commissioners

ATTEST:



 Marty Stamey, County Manager
 Clerk to the Board

Board Members

Chairman Swanger stated that at a previous Board meeting the Board of County Commissioners took action to appoint two Commissioners and three citizens to the Board of Equalization and Review. Commissioner Ensley volunteered to serve as an alternate. The Board of County Commissioners advertised for the three citizen appointments. Five applications were received and the Board conducted interviews. Chairman Swanger suggested that the Board consider appointing four citizens, only one Commissioner to the Board of Equalization and Review. One Commissioner would serve as an alternate on the Board of Equalization and Review. Chairman Swanger volunteered to serve on the Board of Equalization and Review. Commissioner Upton volunteered to serve as the alternate. Chairman Swanger explained that the Board would need to rescind the first motion made previously.

Commissioner Sorrells made a motion to rescind the first motion made previously and consider appointing four citizens, only one Commissioner and one Commissioner to serve

as an alternate on the Board of Equalization and Review. Commissioner Upton seconded and the motion carried unanimously.

The Board voted by ballot for four citizens to serve as members to the Board of Equalization and Review. Marty Stamey, County Manager, collected and counted the ballots. Mr. Stamey announced that Wade Francis received four votes, Carroll Mease received four votes, Mary Ann Enloe received four votes, and Evelyn Cooper received four votes for the Board of Equalization and Review.

Commissioner Ensley made a motion to appoint Chairman Swanger, Wade Francis, Carroll Mease, Mary Ann Enloe, and Evelyn Cooper to the Board of Equalization and Review and Commissioner Upton as an alternate member. Commissioner Sorrells seconded and the motion carried unanimously.

CLOSED SESSION

Commissioner Ensley made a motion to enter into closed session for the purposes of approval and / or release of Closed Session Minutes – G.S. §143-318.11(a)(1), Litigation – G.S. §143-318.11(a)(3) and Attorney / Client Privilege – G.S. §143-318.11(a)(3). Commissioner Sorrells seconded and the motion carried unanimously.

Return from Closed Session

The Board returned from closed session.

Commissioner Upton made a motion to approve, but not release, closed session minutes from February 7th, 2011, regarding attorney / client privilege involving the FISK building. Commissioner Sorrells seconded and the motion carried unanimously.

Commissioner Ensley made a motion to accept an offer to purchase, by Al Wallis, the FISK building for \$85,000 contingent on receipt of a five percent down payment and publishing a ten-day upset notice in the local media. Commissioner Upton seconded and the motion carried unanimously.

ADJOURNMENT

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

The time of adjournment was 7:50 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN