

**HAYWOOD COUNTY COMMISSIONERS****REGULAR MEETING – JUNE 6, 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 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.

**PLEDGE OF ALLEGIANCE**

Chairman Swanger led the pledge of allegiance.

**INVOCATION**

Vice-Chairman Kirkpatrick 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.

Horace Edwards stated that he submitted a signed petition seeking redress of the Haywood County Tax Assessor's real property reappraisal for the year 2011, to the Board. Mr. Edwards inquired as to the status of that petition.

County Attorney Killian explained that there have been cases in which revaluations were set aside by actions of the General Assembly. Once the Haywood County tax values had been determined and notices of the revaluations mailed to citizens, the County was required to move forward with the revaluations. Evidence of inaccurate revaluations must be present in order to redress the Haywood County Tax Assessor's real property reappraisal for the year 2011. Chairman Swanger stated that from January through April 2011, there have been 167 sales of Haywood County real estate. The value of those sales was over \$1.5 million higher than the property was valued at during the revaluation process, approximately 5.25% more than the revaluation amount, which indicates that the revaluation was fair.

Mr. Edwards expressed that the Board has authority to take appropriate actions to have a fair and equitable appraisals of real estate.

Chairman Swanger reiterated that on average, properties sold this year in Haywood County sold higher than the appraised value. Based on legal opinions the Board has received, and based on willing buyers and willing sellers, Chairman Swanger stated that there is no reason to redress the revaluation process.

Vice-Chairman Kirkpatrick explained that a sign that revaluations are accurate is the sales of real estate from January 1, 2011, which are higher than the actual appraised values. Vice-Chairman Kirkpatrick stated that appraisers did not enter homes. The appraiser did not see any interior problems. Therefore, some property appraisals are not as accurate as others are, but there is an appeals process that has been positive. Vice-Chairman Kirkpatrick stated that most owners whose property appraised lower than expected do not appeal their revaluations. Vice-Chairman Kirkpatrick explained that last year the Board contemplated performing revaluation, but there were not enough sales to have an accurate revaluation. Vice-Chairman Kirkpatrick expressed that the national average shows the price

of homes decreased substantially, but Haywood County properties remained somewhat within the same range as in 2006.

Mr. Edwards explained that some properties increased by as much as 300%, which is not justifiable or equitable in any way, shape or form. Mr. Edwards stated that he was speaking for many by saying that the revaluation was not fair and equitable.

Monroe Miller read an e-mail he sent to Mark Teague, Assistant Attorney General, regarding real estate values in Haywood County. In the e-mail, Mr. Miller read, "As I mentioned in my May 20<sup>th</sup> letter to you, David Francis created a spreadsheet during those years [2006 to 2011] which show a constantly increasing total value for Haywood County." Mr. Miller contended that David Francis' numbers are wrong and if those numbers were used as input to the [Comprehensive Annual Financial Report] CAFR, Mr. Miller further contends that the CAFR numbers are wrong. Mr. Miller continued reading the e-mail stating that if the CAFR numbers are wrong it will have an adverse effect on the taxpayers of Haywood County, giving the appearance of the County relying on artificially inflated and internally produced values. Perhaps, Mr. Miller read, hoping to gain added revenue without raising taxes.

Eddie Cabe stated that it appears the Board members did not necessarily believe that some property values increased 100 to 200%. Mr. Cabe shared that his home was built in 1919 and appraised for \$26,000. Mr. Cabe purchased the house for \$35,000. The home does not have adequate electrical, there is no insulation and there is no electrical outlet in the master bathroom. Mr. Cabe stated that in 2006 the revaluation for the house was \$67,000. In 2011, the increased revaluation was more than \$125,000. Mr. Cabe stated that it seems those citizens with the money; the bigger and nicer houses have lowered revaluations.

Chairman Swanger shared that Mr. Cabe followed the appeals process to help accurately reevaluate his home.

David Francis, Tax Administrator, stated that Mr. Miller insinuated that the numbers for the revaluation were artificially propped up on behalf of the County. Mr. Francis stated that the insinuation is asinine, insidious and blatantly ignorant and that he did not appreciate the insinuation made by Mr. Miller. Mr. Francis stated that he takes his job with integrity and would never do anything to undermine the taxpayers of Haywood County. Faceless accusations such as those made by Mr. Miller, have no bearing and are completely false. "Enough"!

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

### **CONSTITUENT CONCERNS**

Vice-Chairman Kirkpatrick expressed his appreciation to David Francis, Tax Administrator. Vice-Chairman Kirkpatrick stated that the Board members have tried to explain the process of revaluation, but a few citizens do not want to listen to that explanation. Vice-Chairman Kirkpatrick shared that neither the Commissioners, County Manager nor the Tax Administrator do anything intentional against any citizen. Vice-Chairman Kirkpatrick expressed that he does not appreciate the false insinuations made by Monroe Miller. Citizens are encouraged to give their public opinion, but Vice-Chairman Kirkpatrick stated, comments should be more fact-based. Vice-Chairman Kirkpatrick stated that since the appraisers cannot enter homes, the appraisers take the sales that have taken place, which the number of sales has decreased, review the value of those sales, look at the house on the outside, and price the property as fairly as possible. The appraisers do not try to inflate properties or take advantage of those in a lower socio-economic class.

Vice-Chairman Kirkpatrick stated that he appreciates Monroe Miller's comments, but the fact of the matter is that Mr. Miller is picking and choosing things to say in order to make the Commissioners and the County people look bad. Vice-Chairman Kirkpatrick stated that the County employees have spent a great deal of time servicing Mr. Miller, by providing him with information he requests, almost daily. Vice-Chairman Kirkpatrick stated that citizens of Haywood County should understand that their county dollars are spent paying the salaries of County employees, who are spending time dealing with Mr. Miller, instead of doing other

060611

things to benefit the County. Vice-Chairman Kirkpatrick expressed that it appears that Horace Edwards simply did not listen to Chairman Swanger's explanation of the sales of properties when determining values. In an effort to clarify, Vice-Chairman Kirkpatrick repeated that the sales of properties through April of 2011 are higher than the new appraised values by more than five percent. Vice-Chairman Kirkpatrick expressed his love and appreciation to Haywood County and advised that if anyone does not like living in Haywood County, or does not agree with the government, they can vote against the Commissioners or they can relocate.

Commissioner Ensley shared that during 2009 and 2010, he sold three properties. All three of those properties sold above the tax value at that time. Commissioner Ensley stated that evidence supports that the revaluations are fair. Commissioner Ensley congratulated the Pisgah High School girl's softball team for winning the State Championship.

Commissioner Sorrells shared that the appeals process has been very positive. Commissioner Sorrells explained that North Carolina counties are required to perform revaluations every eight years. Commissioner Sorrells expressed that he feels fortunate to have lived in Haywood County all his life.

Commissioner Upton stated that Mr. Francis is open, honest, fair and customer oriented. Commissioner Upton shared that the Commissioners are working hard for the people. During the past two years, the Haywood County school system has lost two assistant principals, twelve elementary school teachers, four high school teachers, one other teacher, one librarian, twenty-two teacher assistants, one employee in the technical field, three clerical employees, four cafeteria employees and two employees in the maintenance department. The State's budget is forty million dollars, which include salaries for 367 teachers. Just over half of the State's budget pays the salaries for teachers. Commissioner Upton shared that ninety percent of the forty million dollars pays for personnel, leaving approximately four million for school supplies. Commissioner Upton expressed his concern for the school system and the State budget for this fiscal year.

Chairman Swanger expressed his full confidence in Mr. Francis. Chairman Swanger stated that he did not appreciate comments made by Mr. Miller and shared that citizens would be dismayed if they knew what County employees have been forced to tolerate from Mr. Miller.

### **DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA**

There were no adjustments to the agenda.

### **CONSENT AGENDA**

Vice-Chairman Kirkpatrick made a motion to approve the consent agenda. Commissioner Upton seconded and the motion carried unanimously.

- Approve May 16, 2011 regular meeting minutes.
- Budget Amendments – Julie Davis, Finance Director
  - HCCBG – \$5,575 – additional grant funding for senior programs with County match from County contingency
  - Recreation – \$2,500 – fees collected for programs
  - Public Safety – \$105,536 – Sheriff, Detention Center, Animal Services, Emergency Medical Services
  - Special Revenue Funds – \$326,930 – Road, Fire, Sanitary Districts Funds
  - Special Revenue Fund – Solid Waste Mgt. – \$325,154
  - Capital Project Fund – DSS / Health / Central Permitting building – \$6,000 transfer from General Fund for Isolation Room at Health Dept.

- o Capital Project Fund – Public Schools – \$109,400 – CMS front entrance replacement

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
<b>Human Services:</b>				
HCCBG - grant for older adults				-
Mountain Projects - provider	115550-569913	301,887	4,000	305,887
MPI - County match	115550-569913-02010	33,543	445	33,988
HRMC-Homecare provider	115550-569915	36,045	1,474	37,519
HRMC - County match	115550-569915-02010	4,005	163	4,168
DSS - Meals on Wheels	115350-522000	115,000	101	115,101
Contingency	119910-599100	60,172	(608)	59,564

which will result in a net increase (decrease) of \$ 5,575 in the expenditures of the General Fund.

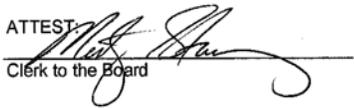
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
<b>Intergovernmental Revenue:</b>				
HCCBG - MPI	110050-455260-10MPI	301,887	4,000	305,887
HCCBG - HRMC	110050-455260-1HRMC	36,045	1,474	37,519
HCCBG - MOW	110050-455260-00006	44,500	101	44,601
			5,575	

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

Adopted this the 6<sup>th</sup> of June 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:  
  
Clerk to the Board

<b>Explanation:</b>
To appropriate the amount of the additional funding from the Home & Community Care Block Grant.
Match to come from County contingency.

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
<b>Recreation:</b>				
Special programs	116120-523100	43,344	2,500	45,844
				-
				-

which will result in a net increase (decrease) of \$ 2,500 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
<b>Intergovernmental:</b>				
Recreation contribution from towns	110050-461203	-	1,500	1,500
<b>Sales &amp; Services:</b>				
Recreation fees	110070-461201	-	1,000	1,000
			2,500	-

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

Adopted this the 6<sup>th</sup> of June 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:  
  
Clerk to the Board

<b>Explanation:</b>
Additional revenue received to cover the Senior Games.

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
<b>GENERAL FUND:</b>				
Public Safety:				
Sheriff Office -overtime	114310-512200	99,990	12,000	111,990
Sheriff Office -fuel/gas	114310-525002	99,000	52,000	151,000
Detention Office - inmate medical	114320-519302	64,000	44,000	108,000
Emergency Medical Services - Salaries/Temp	114370-512600	131,051	55,000	186,051
Animal control- R&M Vehicles	114380-535300	4,000	2,100	6,100
Contingency	119910-599100	59,564	(59,564)	-

which will result in a net increase (decrease) of \$ 105,536 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
<b>Miscellaneous donations:</b>				
Contributions & donations - Animal Control	110100-443842	-	500	500
<b>Intergovernmental Revenue:</b>				
EMS Medicaid Cost Report Reimb.	110050-443701	376,000	105,036	481,036
			105,536	

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

Adopted this the 6<sup>th</sup> of June 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

<b>Explanation:</b>
To increase the budgets for Public Safety departments to reflect increased overtime, the increased cost of fuel, inmate medical costs, the cost of temporary employees in the EMS department due to absences, and for repairs on the Animal Control vehicle.
Amounts to cover come from contingency in GF, and the related revenues - EMS Medicaid Cost Report reimb.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
Request for \_\_\_\_\_ of Expenditures  
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 Special Revenue Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
S/R Road Service Distr.	274510-5***** see attached	187,817	16,600	204,417
S/R Fire Service Distr.	284434-5698** see attached	3,348,753	291,330	3,640,083
S/R Sanitary Serv. Distr.	297100-569941	188,694	19,000	207,694

which will result in a net increase of \$ 326,930 in the expenditures of the Special Revenue 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
S/R Road Service Distr.	270010-4***** see attached	187,817	16,600	204,417
S/R Fire Service Distr. Tax	280010-4443***	3,348,753	260,830	3,609,583
Interest	280010*4118** see attached	-	30,500	30,500
S/R Sanitary Serv. Distr.	290010-410911	188,694	9,000	197,694
Interest	290010-410918	-	10,000	10,000
			326,930	

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

Adopted this 6<sup>th</sup> day of June, 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

<b>Explanation:</b>
To increase the budget to reflect the additional amount of taxes anticipated to be collected through June 30.
These must be paid to the relevant Service Districts.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<b>S/R Fund-Solid Waste Mgt.:</b>				
Convenience Centers	244710*****-47101	686,990	6,780	693,770
WOLF	244710*****-47102	1,218,458	135,780	1,354,238
Material Recovery Facility (MRF)	244710*****-47103	1,121,900	143,165	1,265,065
Recycling	244710*****-47104	527,173	39,429	566,602
				-

which will result in a net increase of \$ 325,154 in the expenditures of the Special Revenue 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
Solid Waste Fees - 07	240011-420711	1,200	11,000	12,200
Solid Waste Fees - 09	240011-420911	45,000	20,000	65,000
				-
Solid Waste Disposal Tax revenue	240030-423000	-	34,000	34,000
				-
<b>Intergovernmental revenue:</b>				
Scrap Tire DENR grant	240050-449363	-	58,025	58,025
				-
<b>Sales &amp; Services:</b>				
Tipping fees	240070-447413	1,000,000	128,129	1,128,129
Recycling sales	240070-447810	332,918	74,000	406,918
				-
				325,154

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

Adopted this 6th day of June, 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST  
  
Clerk to the Board

Explanation:
CC - rental of porta-johns
WOLF - erosion control expenses
MRF - full year expense of transfer station & leachate hauling
Recycling - additional personnel needed at scrap metal and tire area

HAYWOOD COUNTY  
CAPITAL PROJECT ORDINANCE  
FISCAL YEAR 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 - County building/repairs/construction projects, the expenditures are to charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<b>County projects:</b>				
DSS/Health/Permitting:				-
C/O - Construction	455310-558002-11WAL	5,398,012	6,000	5,404,012
				-
				-
				-
				-

which will result in a net increase of \$ 6,000 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:

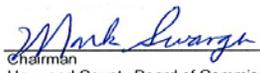
Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
<b>Other financing Sources:</b>				
Transfer from the General Fund	450110-498111-11WAL	309,220	6,000	315,220
				-
				-
				6,000

The effect on the General Fund is as follows:

Transfer to C/P fund - County projects	119840-598045	309,220	6,000	315,220
Third party payments	110050-451420	538,293	6,000	544,293

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

Adopted this the 6th of June, 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST  
  
Clerk to the Board

Explanation:
To appropriate the Change Order that will cover the construction of the isolation room at the DSS/Health/Central Permitting building.

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
Capital Project Fund				
Public Schools - ADM/Lottery Fund:				
Canton Middle School entrance replacement				
Professional Svcs - Architects	495980-519917-1LOT4	-	9,400	9,400
Maintenance & Repair entrance	495980-559900-1LOT4	-	100,000	100,000

which will result in a net increase of \$ 109,400 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 Revenue:				
Lottery revenue-	490050-459365-1LOT4	-	109,400	109,400
			109,400	

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

Adopted this the 6<sup>th</sup> day of June, 2011

*Mark Swanger*  
Chairman  
Haywood County Board of Commissioners

ATTEST: *[Signature]*  
Clerk to the Board

Explanation:
To appropriate the amount of the lottery revenue approved by DPI for the replacement of the Canton Middle School entrance.

**ADMINISTRATION / AGENCY REPORT**

**Smoky Mountain Center Quarterly Financial Report**

Julie Davis, Finance Director, presented the Smoky Mountain Center quarterly financial report through March 31, 2011. Actual revenues are \$36,077,233 and actual expenditures are \$33,477,728.

**OLD BUSINESS**

**Fairgrounds Project Budget Amendment – \$8,378 – for fire sprinkler repairs and \$1,500 tap fee, from project contingency**

Julie Davis, Finance Director, explained that the proposed budget amendment reflects items needed at the fairgrounds. The County received a quote for the fire sprinkler maintenance for \$8,000, \$700 for annual maintenance, and a tap fee of \$1,500 is included in the budget amendment. Chairman Swanger expressed his appreciation to the Town of Waynesville for waving the impact fee. Dale Burris, Facilities and Maintenance Director, explained that there were valves and gaskets that needed to be changed in the sprinkler system. The sprinkler system had to be tied into the restrooms in both buildings.

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

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 - County building/repairs/construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<b>County projects:</b>				
<b>Economic Development-Fairgrounds:</b>				
County Fairgrounds construction	484922-558000-11FG1	415,000		415,000
Misc. fees	494922-549900-11FG1	-	8,378	8,378
Misc. fees	494922-549900-11FG1	8,378	1,500	9,878
Misc. financing/fiscal costs	484922-549901-11FG1	10,850	(5,728)	5,122
Contingency	484922-599100-11FG1	4,150	(4,150)	-
				-
				-

which will result in a net increase of \$ \_\_\_\_\_ 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
				-
				-
				-
				-

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

Adopted this the 6<sup>th</sup> of June, 2011.

  
Chairman  
Haywood County Board of Commissioners

ATTEST  
  
Clerk to the Board

<b>Explanation:</b>
To appropriate the amount needed to complete the projects at the Fairground related to the fire sprinklers and the tap fees for the Town of Waynesville.

**Resolution - Returning Haywood County to a Single District for both North Carolina House and Senate Elections**

Chairman Swanger explained that the Republican party of Haywood County presented a resolution requesting that Haywood County be returned to a single district for both the North Carolina House and Senate Elections. The Republican Party requested endorsement of the resolution by the Board of County Commissioners. Chairman Swanger stated that potential action was delayed in order to give the Democratic Party an opportunity to weigh in as well. Janie Benson, Chair of the Haywood County Democratic party, read a letter from the Democratic Party requesting support by the Board of County Commissioners for the current representation of Haywood County by two for North Carolina House members and two Senate representatives. Two Senators and two House members give Haywood County twice the voting power of one Senator and one House member. The letter further read that there is no good reason to change what has worked well for Haywood County in the past.

Chairman Swanger stated that any action by the Board of County Commissioners regarding proposed redistricting would be contrary to the wishes of a large portion of Haywood County. After discussion the Board agreed that there would be no action regarding redistricting at this time.

**NEW BUSINESS**

**Telephone and Energy Bill Review**

Ken Burkel, Partner with Utilities Reduction Specialists (URS), shared that URS are auditors and bill reviewers of telecommunications and energy costs. Mr. Burkel stated that URS reviews contracts, invoices, and vendor records to identify billing errors and secure refunds. There are no upfront fees for these services. Mr. Burkel shared that URS would be compensated by percentage of the ongoing cost billed monthly to the County as it experiences the savings for a period of twenty-four months. County Attorney Killian agreed to secure agreements and return to the Board.

**Child Fatality Prevention Team (CFPT) Appointment**

Lisa Davis, Child Health Nursing Supervisor from the Haywood County Health Department and Chair of the Child Fatality Prevention Team (CFPT), requested the appointment of Christy Yazan, Licensed Clinical Social Worker and Team Leader at the Children's Developmental Services Agency.

Commissioner Upton made a motion that Christy Yazan be appointed to the Child Fatality Prevention Team. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

**Amendment to Professional Services Agreement for Haywood County Comprehensive Bicycle Plan**

Claire Carleton, Recreation Director, explained that a professional service agreement was approved by the Board in April with Transpo Group for a comprehensive bicycle plan. Since that time, the Project Manager was made a sub-contractor, rather than an employee of Transpo Group. Ms. Carleton presented the amendment to the agreement.

Vice-Chairman Kirkpatrick made a motion that the amendment to the professional services agreement for the Haywood County comprehensive bicycle plan be approved. Commissioner Ensley seconded and the motion carried unanimously.

**Jonathan Creek Property Multi-year Lease 2011-2015**

Claire Carleton, Recreation Director, explained that the Board approved a four-year lease to Ronnie James. Mr. James has recently decided not to move forward with the lease. Ms. Carleton stated that in January 2011, three bids were received for lease of the property in Jonathan Creek. The second highest bidders were Charles and Sarah Medford. Ms. Carleton requested approval for Charles and Sarah Medford to lease the County-owned property in Jonathan Creek, for \$3,696 annually.

Chairman Swanger stated that it was his understanding that if a property owned by a government unit is leased to a "for profit" concern, the lease amount must be equal to or greater than the property tax that would be owed on that property, if the individual owned the property and was using it for that purpose. County Attorney Killian stated that he would review this item and report his findings to the Board. Marty Stamey, County Manager, stated that if the property were in the farm land-use, the amount would be \$480 per acre. The property value of twenty acres would be \$9,600 and taxes with the revenue neutral rate would total \$51.97 per year. Vice-Chairman Kirkpatrick shared that monies from the rental agreements helps the County toward maintenance of the property. These properties were obtained after the floods.

Vice-Chairman Kirkpatrick made a motion to approve the multi-year lease as described by Claire Carleton and as set forth in the agenda books. Commissioner Sorrells seconded and the motion carried unanimously.

**Notice to Operate Phase III White Oak Landfill (WOLF)**

Stephen King, Solid Waste Director, explained that a final pay request to McGill Associates for the phase III WOLF was made in May 2011. Jeff Bishop, Senior Project Manager with McGill Associates shared that McGill Associates received the permit to operate at the WOLF. Mr. Bishop shared there were three change orders. The final construction contract was \$3,749,028.27. Mr. Bishop stated that the contract is complete and is ready for the North Carolina Department of Natural Resources' final walk-thru at the landfill.

**Mercury Containing Device / Fluorescent Bulb Ban July 1, 2011**

Stephen King, Solid Waste Director, stated that as per North Carolina Session Law 2010, counties are required to recycle fluorescent bulbs and mercury thermostats from all state agencies, community colleges and public school buildings. These agencies are required to have mercury containing device / fluorescent bulb ban program in place by July 1, 2011. Mr. King announced that Haywood County's program has been in place since 2009. In an effort to encourage recycling to businesses, Mr. King requested permission to accept these items

from businesses without charge. Mr. King explained that according to the Haywood County Solid Waste Disposal Ordinance, businesses are charged for bringing these items to the landfill. After discussion, the Board advised Mr. King to return with a formal amendment to the ordinance.

### **Land Records Service and Product Fees**

David Francis, Tax Administrator, presented a proposed fee schedule for land records service and products. Mr. Francis explained some of the reasons for the increased fees. Documents use to be black and white, but are now in color and the color cartridges have caused an increase in costs. Haywood County now has a new plotter in the Land Records office. Mr. Francis stated that the new fee schedule would be effective July 1, 2011.

Vice-Chairman Kirkpatrick made a motion that the Land Records service and product fees as presented be approved. Commissioner Sorrells seconded and the motion carried unanimously.

### **Recess**

Chairman Swanger called for a brief recess.

### **Juvenile Crime Prevention Council (JCPC)**

David Teague, JCPC Chairman, requested approval for the JCPC recommended funding plan for 2011-2012. Mr. Teague stated that each year the JCPC receives funding from the North Carolina Department of Juvenile Justice and Delinquency Prevention to implement programs in Haywood County designed to support efforts to respond to and reduce juvenile crime. In February 2011, the JCPC placed a Request for Proposals (RFP). Five responses were received this year and JCPC recommends funding four programs. Mr. Teague explained that JCPC currently funds Hawthorne Heights, a temporary shelter that provides a single-family dwelling for youth in seven counties. In the past fiscal year, Hawthorne Heights has worked with eight Haywood County youth. JCPC also funds Project Challenge, a restitution community service program, providing a dispositional option to juvenile court. Project Challenge allows the participants to repay to their community damages and / or injuries they have caused by their offenses. During this fiscal year, Project Challenge has worked with thirty-nine youth in Haywood County. Mr. Teague stated that Project Inspire is a structured day program for court-involved at-risk youth, ages 10 – 17. Project Pursuit, also funded by JCPC, provided social and communication skills to youth. However, this project did not apply for funding this fiscal year. Mr. Teague expressed his appreciation to all those at Project Pursuit. Mr. Teague shared that JCPC plans to fund another program, Compass. Compass is an interpersonal skill-building program with an outdoor component. The total available funds are \$145,992. In the past Haywood County has provided a twenty percent match. Chairman Swanger clarified that approval of the JCPC plan is contingent on approval of the County budget.

Commissioner Upton made a motion that the Juvenile Crime Prevention Council plan, with a County match of \$28,173, be approved contingent upon approval of the Haywood County FY 2011-12 budget. Commissioner Ensley seconded and the motion carried unanimously.

### **Boards**

Marty Stamey, County Manager, stated that the Recreation Advisory Board has one vacancy for District 5: Township of Beaverdam or the Town of Canton. The applicant must reside within the district. This vacancy will fill the unexpired term of Dr. Cline and will expire August 31, 2011. Applications were received from Patrick Willis and Zeb Smathers. Both applicants were interviewed by the Board of County Commissioners. The Commissioners voted by ballot. Mr. Stamey collected the ballots.

Mr. Stamey presented a letter from Gavin Brown, Mayor of the Town of Waynesville, requesting approval for Patrick McDowell to serve another three-year term on the Waynesville Planning Board. Mr. McDowell would represent the extraterritorial jurisdiction (ETJ).

Vice-Chairman Kirkpatrick made a motion to approve the appointment of Patrick McDowell to serve another three-year term on the Waynesville Planning Board. Commissioner Ensley seconded and the motion carried unanimously.

There is one vacancy on the Haywood Community College (HCC) Board of Trustees. This vacancy was advertised and two applications were received from Patsy Dowling and Monroe Miller, Jr.

There are three vacancies on the Clyde Board of Zoning and Adjustment. Mr. Stamey explained that there is no statute regarding advertising these vacancies by the County. The Town of Clyde has requested the re-appointment of three applicants, Floyd Brooks, William Osborn and Thomas Stamey.

Commissioner Ensley made a motion that Floyd Brooks, William Osborn and Thomas Stamey be re-appointed to the Clyde Board of Zoning and Adjustments. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

After discussion, the Board agreed to interview the applicants for the HCC Board of Trustees on June 20, beginning at 4:45 p.m.

Mr. Stamey collected the ballots for the Recreation Advisory Board. There were five votes for Zeb Smathers.

**CLOSED SESSION**

Vice-Chairman Kirkpatrick made a motion to enter into closed session for the purpose of closed session minutes approval and / or release – G.S. §143-318.11(a)(1) and attorney / client privilege – G.S. §143-318.11(a)(3). Commissioner Upton seconded and the motion carried unanimously.

The Board returned from closed session.

Vice-Chairman Kirkpatrick made a motion that closed session minutes dated February 7, 2011, and March 21, 2011, regarding attorney / client privilege be approved, but not released. Commissioner Upton seconded and the motion carried unanimously.

**Work Session**

Chairman Swanger announced that the Board would be holding a work session on the proposed budget for fiscal year 2011 – 2012 immediately following the adjournment of the regular Board meeting.

**ADJOURNMENT**

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

The time of adjournment was 11:41 a.m. The DVD is attached by reference to the minutes.

---

CLERK

---

CHAIRMAN