

HAYWOOD COUNTY COMMISSIONERS**REGULAR MEETING – MARCH 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, 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

Commissioner Upton offered the invocation.

BOY SCOUT TROOP 370

The Board recognized Boy Scout Troop 370. Chairman Swanger stated that the boys were attending the Board meeting as part of the requirements for the Communication merit badge.

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.

Juanita Dixon, member of the Haywood Senior Advocacy Network, expressed that Haywood County has outstanding organizations such as the Department of Social Services that operates the adult day-care center and Meals on Wheels. Ms. Dixon stated that other organizations that assist senior adults are Haywood Community Connections and Mountain Projects. Ms. Dixon shared that it is more cost effective for the County to support the efforts of various organizations in the County than to take on provisions of senior services that are totally county-funded. Ms. Dixon and members of the Haywood Senior Advocacy Network stood in recognition of their appreciation to the Board for its support.

Sam Smith expressed his appreciation for the continued support by the Board for the development of the fairgrounds facility. Mr. Smith shared that there is a need for water outlets around the parameter around the show ring.

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 Sorrells stated that he attended the opening of the Western Carolina livestock facility in Canton. Commissioner Sorrells shared that more than 900 head of cattle arrived at the facility.

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 as presented. Commissioner Sorrells seconded and the motion carried unanimously.

- Approve March 7th, 2011 Regular Meeting Minutes
- Approve January 2011 Refunds, Releases, Amendments and Discoveries David Francis, Tax Administrator
- Budget Amendments – Julie Davis, Finance Director
 - DSS - \$23,233- additional allocated Energy Crisis funds – Balance accounts to additional allocated Energy Crisis Funds.
 - Animal Control - \$22,308 – funding from the Department of Agriculture for Haywood Spay / Neuter Program – To appropriate funding from Dept of Agriculture for Haywood County spay / neuter program to be conducted by Haywood Animal Welfare Association, Inc. (HAWA) money received by the County and distributed to HAWA for the program.
 - General Fund - \$209,956 – allocation of 1% to departments for merit increases – to allocate money to individual department for 1% allocation for salaries and benefits.
 - Solid Waste Fund - \$4,179 - new DENR electronics recycling grant – to appropriate the new grant from the NC Department of Environment and Natural Resources for electronic equipment recycling.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2010-11

PER: _____
JNL: _____

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

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Public Assistance	Crisis Interv - Fuel			
#115340-549910	#115340-549910	310,542	5,000	315,542
#115340-549918	#115340-549918	14,673	18,233	32,906
				-
				-
				-

which will result in a net increase of \$ 23,233 in the expenditures of the General Fund.

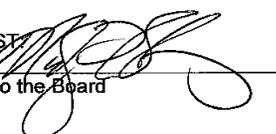
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental	Admin Reimb			
#110050-453400	#110050-453400	4,842,159	23,233	4,865,392
				-
				-

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 March, 2011


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
Balance accounts to additional allocated Energy Crisis Funds
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 General Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Animal Control				
Other Contracts- HAWA	11 4380 569900 1HAWA		22,308	22,308

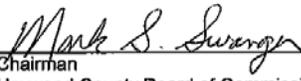
which will result in a net increase of \$ 22,308 in the expenditures of the General Fund.

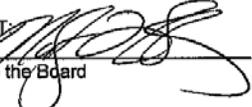
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Restricted Intergovernmental				
Int Gov Revenue-Non Fed	11 0050 448331 1HAWA		22,308	22,308

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 March, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation: To appropriate funding from Dept of Agriculture for Haywood County spay/neuter program to be conducted by Haywood Animal Welfare Assco. Inc. (HAWA) money received by the county and distributed to HAWA for the program.
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HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2011

PER: _____
JNL: _____

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

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
General Fund				
Salaries and Benefits	11**** 51**** see attached	21,167,705	209,956	21,377,661
Non Departmental				
Salaries & Wages- Regular	11 8000 512100	209,956	(209,956)	-

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

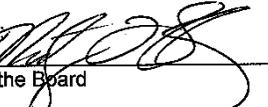
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

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

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

Adopted this the 21st day of March 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation: To allocate money to individual departments for 1% allocation for salaries and benefits.
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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
S/R Fund-Solid Waste Mgt.:		-	-	-
Special Prg. Materials- Electronic Recycling	244710-523102-47104	-	4,179	4,179

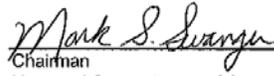
which will result in a net increase of \$ 4,179 in the expenditures of the Special Revenue Fund.

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
Intergovernmental:				
NC DENR Electronic Recycling grant	240050-449365-47104	-	4,179	4,179

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

Adopted this 21st day of March, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST 
Clerk to the Board

Explanation:
To appropriate the new grant from the NC Department of Environment and Natural Resources for electronic equipment recycling.

ADMINISTRATIVE / AGENCY REPORT

Smoky Mountain Center Quarterly Financial Report

Julie Davis, Finance Director, presented the Smoky Mountain Center's fiscal monitoring report (FMR) for the quarter ended December 31st, 2010, the final audited financial statements, and FMR for the fiscal year ended June 30th, 2010.

Department of Social Services (DSS) / Health / Central Permitting Project Update

Dale Burris, Facilities and Maintenance Director, gave a PowerPoint presentation showing the interior portion of the property located on Paragon Parkway, which is the former Wal-Mart. Renovations are being done to the building to house the DSS, Health Department and the Central Permitting Department.

OLD BUSINESS

Approval of Contractor / Award of Fairground Project Bid

Dale Burris, Facilities and Maintenance Director, explained that informal bids were posted on the County website and received until Thursday, March 17th at 3:00 p.m. B. Allen Construction presented a bid of \$433,000. Murray Construction Company of Monroe, Inc. presented a bid of \$566,343. Three multi-prime contracts were received for general electrical and plumbing. The general contract work for base bid from Clark and Leatherwood, Inc. was \$410,000. Midnite Electric Company presented a bid for \$53,600. There were no bids for mechanical. J. H. Plumbing and Piping presented a bid for \$90,000. Mr. Burris explained that he negotiated with B. Allen Construction to change the type of material for handrails and change the insulation in the walls for a decreased price of \$415,000. Mr. Burris requested approval of the bid received from B. Allen Construction.

Vice-Chairman Kirkpatrick made a motion to accept the bid of B. Allen Construction at the negotiated price of \$415,000. Commissioner Sorrells seconded and the motion carried unanimously.

Julie Davis, Finance Director, explained that a budget amendment was included in the Commissioner’s agenda books for \$400,000. However, the budget amendment that came in after the agenda books were presented to the Commissioners is actually \$415,000. This budget amendment includes the construction project, an estimate for \$10,850 for any of the miscellaneous and financing fiscal costs and 1% contingency of \$4,150. The budget amendment is to appropriate the amount needed to complete the projects at the County Fairgrounds by transferring the amount from the General Fund – fund balance appropriation to the capital project fund.

Commissioner Ensley made a motion to accept the budget amendment as presented. Commissioner Upton seconded and the motion carried unanimously.

HAYWOOD COUNTY, NORTH CAROLINA
CAPITAL PROJECT ORDINANCE
 A.D.A. UPGRADES AND RESTROOM FACILITIES
 AT THE COUNTY FAIRGROUNDS
 INCEPTION FISCAL YEAR 2010-2011

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

Section 1. The project authorized is the construction of restroom facilities and wheelchair ramps at the county fairgrounds property.

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 amounts are appropriated for the project:

Construction	\$ 415,000
Miscellaneous Financing Costs	10,850
Contingency	<u>4,150</u>
Total Expenditures	<u>\$ 430,000</u>

Section 4. The following financing sources are anticipated to be available to complete the project:

Transfer from General Fund	
by appropriation of fund balance	\$ <u>430,000</u>
Total Sources	<u>\$ 430,000</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. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Director for direction in carrying out this project.

ADOPTED this the 21st day of March, 2011.

Mark S. Swanger
 Mark S. Swanger, Chairman
 Haywood County Board of Commissioners

ATTEST:

Marty Stamey
 Marty Stamey, County Manager and Clerk to the Board,
 Haywood County Board of Commissioners

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 be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
County projects:				
Economic Development-Fairgrounds:				
County Fairgrounds construction	484922-558000-11FG1	-	415,000	415,000
Misc. financing/fiscal costs	484922-549801-11FG1	-	10,850	10,850
Contingency	484922-599100-11FG1	-	4,150	4,150
				-
				-

which will result in a net increase of \$ 430,000 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
Other financing Sources:				
Transfer from the General Fund	480110-498111-11FG1	-	430,000	430,000
				-
				-
			<u>430,000</u>	

The effect on the General Fund is as follows:

Transfer to C/P fund - County projects	119840-598048	-	430,000	430,000
Appropriation of Fund Balance	110110-499991	3,783,026	430,000	4,213,026

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

Adopted this the 21st of March, 2011.

Mark S. Swanger
 Chairman
 Haywood County Board of Commissioners

ATTEST:
Marty Stamey
 Clerk to the Board

Explanation:
To appropriate the amount needed to complete the projects at the County Fairgrounds by transferring the amount from the General Fund - fund balance appropriation, - to the capital project fund.

Health Board Appointment – Pharmacist

Marty Stamey, County Manager, shared that the Health Board has a vacancy for a pharmacist. This vacancy was first advertised with applications being accepted through December 31st, 2010. No applications were received from a pharmacist at that time. The Board of County Commissioners re-advertised the vacancy. One application was submitted by Kim Ferguson. Mr. Stamey confirmed that the Board interviewed Ms. Ferguson.

Vice-Chairman Kirkpatrick made a motion to appoint Kim Ferguson to the Haywood County Health Board as the pharmacist member. Commissioner Sorrells seconded and the motion carried unanimously.

NEW BUSINESS**Jonathan Creek Property Multi-Year Lease 2011-2013**

Claire Carleton, Recreation Director, stated that request for proposals (RFP) to bid on a multi-year lease for the Jonathan Creek property was advertised in January 2011. Three bids were received from Charles Medford, Ronnie and Kathy James and Dan Ross. The highest bid was from Mr. and Mrs. James, who propose to build a corn maze as a fundraiser for The ARC of Haywood County. The term of the lease would be June 1st, 2011 through May 31st, 2015, for \$5,000 per year.

Commissioner Sorrells made a motion that the lease for the Jonathan Creek property be approved. Commissioner Upton seconded and the motion carried unanimously.

Criminal Justice Partnership Program (CJPP) Request for Approval of Budget

Anita Pruet, CJPP Director, presented the proposed budget for the CJPP for the fiscal year (FY) 2011-2012. CJPP is partially funded by grant money from the State of North Carolina. The State requires that each year the local CJPP budget request be approved by the local Advisory Board and then the County Commissioners before they are submitted to the State. Chairman Swanger clarified that Ms. Pruet is requesting the Board to approve the document as required by the State and not the actual budget amount of the Haywood County budget at this time.

Commissioner Upton made a motion that the Criminal Justice Partnership Program request for approval of budget as presented be approved. Commissioner Ensley seconded and the motion carried unanimously.

Community Oriented Policing (COPS) Technology Grant #2009CKWX0528

Kristy Lanning, Technology and Communications Director, explained that Haywood County has received a COPS grant to take part in a regional project to be used as a Law Enforcement Visual Intelligence Tool to all Counties and Tribal Area of the 11th Congressional District. The 11th Congressional District of North Carolina encompasses fifteen counties and the Eastern Band of the Cherokee Indians. The global positioning system (GIS) data produced within each county originates in several different formats. By providing a visual imaging system, those responding to fire, 911 calls, crimes, and more will have more sophisticated geospatial intelligence information about the event, making them more effective first responders. Key goals of the project include:

Provide oblique imagery and measurement software, enterprise-wide, to all counties and municipalities, and the Eastern Band of Cherokee Indians within North Carolina's 11th Congressional District.

Provide additional Pictometry access via web-based Pictometry for one year, with access to all the imagery in the fourteen county areas captured for this project.

Pictometry to provide a 911 grant to offset the Pictometry access cost to enable 911 integration for each County's primary public safety answering point.

Ms. Lanning explained that oblique imagery flights have been completed and agencies will begin receiving data. Ms. Lanning stated that this project is funded entirely through a federal COPS grant.

Commissioner Sorrells made a motion to accept the Community Oriented Policing as presented. Commissioner Upton seconded and the motion carried unanimously.

Julie Davis, Finance Director, presented a budget amendment for the Technology Services - \$200,000 – U.S. Department of Justice for technology programs, to appropriate funding under the 2009 COPS Technology Program Grant, from the US Department of Justice. This COPS technology grant will be used to provide a Law Enforcement Visual Intelligence Tool to all counties in the 11th Congressional District.

Commissioner Upton made a motion to approve the budget amendment as presented. Commissioner Ensley 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
Technology Services				
Data Processing Supplies	11 4200 529100 09COP	-	263	263
C/O-Data Processing Equipment	11 4200 552000 09COP	-	199,737	199,737

which will result in a net increase of \$ 200,000 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				
Federal COPS grant	11 0050 443260 09COP	-	200,000	200,000

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 March, 2011.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation: To appropriate funding under the 2009 COPS Technology Program Grant, from the US Dept of Justice. This COPS technology grant will be used to provide a Law Enforcement Visual Intelligence Tool to all counties in the 11th Congressional District.
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Haywood Regional Medical Center (HRMC) Board Appointments

Chairman Swanger shared that the HRMC Board unanimously recommended Cliff Stovall be re-appointed and Maurice Phillips be appointed to the HRMC Board.

Vice-Chairman Kirkpatrick made a motion that Cliff Stovall and Maurice Phillips be approved for appointment. Commissioner Upton seconded and the motion carried unanimously.

Schedule Work Session with Haywood Regional Medical Center (HRMC) Board

Chairman Swanger explained that the HRMC Board requested a work session with the Board of County Commissioners to discuss matters of their board's bylaws. After discussion, the Board agreed to hold a work session at 8:00 a.m. on Monday, April 4th, 2011.

Southwestern Commission Region A Board of Directors

Chairman Swanger explained that the Southwestern Commission Region A Board requested a Haywood County Board of Commissioner representative attend its meetings. After discussion the Board volunteered Commissioner Sorrells attend those meetings.

Commissioner Upton made a motion that Michael Sorrells be designated as the Southwestern Commission Region A Board member. Commissioner Ensley seconded and the motion carried unanimously.

CLOSED SESSION

Vice-Chairman Kirkpatrick made a motion to enter into Closed Session for the purpose of Approval **and** / or Release Minutes – 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.

Return from Closed Session

The Board returned from closed session.

Vice-Chairman Kirkpatrick made a motion that closed session minutes dated February 21st, regarding litigation, March 7th, regarding litigation and February 21st regarding Attorney / Client privilege be approved, but not released. 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 7:03 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN