

HAYWOOD COUNTY COMMISSIONERS**REGULAR MEETING – MAY 16, 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 Ensley 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.

Jonnie Curé requested attachments presented to the Commissioners prior to the Board meetings be posted on the County website. Ms. Curé explained that making the attachments available on-line would give citizens an opportunity to review topics being presented at the Board meetings.

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

Marty Stamey, County Manager, explained that the attachments could be posted on the County website by Friday, prior to the regular Board meetings. Vice-Chairman Kirkpatrick shared that the Commissioners receive agenda books on Thursdays, prior to the regular Board meetings. Therefore, posting the attachments the following day would be within a timely manner.

CONSTITUENT CONCERNS

Commissioner Upton shared that he had constituent concerns being reviewed by David Francis, Tax Administrator. Michael Sorrells stated that he received positive feedback from citizens who have utilized the appeals process. Commissioner Ensley shared that citizens have stated to him that the appeals process was very positive. Commissioner Ensley encouraged interested citizens to apply for the formal appeals process.

DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA

There were no adjustments to the agenda.

CONSENT AGENDA

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

- Approve May 2, 2011 regular meeting minutes.
- Approve April 2011 Refunds, Releases, Amendments and Discoveries
David Francis, Tax Administrator

Mr. Francis shared that the overall value of properties in Haywood County was reduced \$168 million during the informal appeals process. Values are presently below those during 2007. Mr. Francis stated that the values at that time were \$6.791 billion and the present values are \$6.621 billion.

- Budget Amendments – Julie Davis, Finance Director
 - Special Revenue Fund – Solid Waste – MRF - \$37,122 from Scrap Tire Disposal Tax to cover increased cost of tire disposal
 - Capital Project Fund – Public School Projects - \$440,583 – Lottery funds for bleacher and ADA projects

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.:				
Other services - recycling	244710-539905-47103	120,000	37,122	157,122

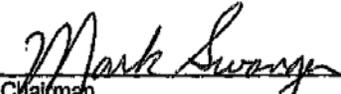
which will result in a net increase of \$ 37,122 in the expenditures of the Special Revenue Fund.

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
Other taxes:				
Scrap tire disposal tax	240030-427500	35,000	37,122	72,122

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

Adopted this 16th day of May, 2011.



Chairman
Haywood County Board of Commissioners

ATTEST


Clerk to the Board

Explanation:
To appropriate the additional scrap tire disposal tax that came in over the budgeted amount to cover the increase in the scrap tire disposal due to more tires collected.

HAYWOOD COUNTY
GENERAL FUND/CAPITAL PROJECT 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 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:				
Pisgah HS, Tuscola HS, Central HS, Bethel MS -				
Maintenance & Repair bleachers	495980-535100-1LOT1	-	134,859	134,859
Pisgah HS - Handicapped accessibility ramps		-		
Professional Svcs - Architects	495980-519917-1LOT2	-	9,000	9,000
C/O - Handicap ramps	495980-558002-1LOT2	-	121,000	121,000
Bethel MS, Waynesville, MS, Canton MS -		-		
C/O Replace bleachers	495980-55800*1LOT3	-	175,724	175,724

which will result in a net increase of \$
Capital Project Fund - .

440,583 in the expenditures of the

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-	490050-459365-1LOT1	-	134,859	134,859
	490050-459365-1LOT2	-	130,000	130,000
Lottery revenue	490050-459365-1LOT3	-	175,724	175,724
			440,583	

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

Adopted this the 16th

day of May, 2011


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the amount of the lottery revenue approved by DPI for bleacher repairs and ADA ramps.
Both the School Board and the County Board of Commissioners approved in November and December with the application to DPI.

Adjustments to the Agenda

Chairman Swanger adjusted the agenda by deleting the item, Juvenile Crime Prevention Council (JCPC) Funding Plan for 2011-12.

OLD BUSINESS

Southern Software Contract

Kristy Lanning, Information Technology (IT) Director, presented a contract from Southern Software that covers the multi-jurisdictional public safety integrated computer aided dispatch (CAD) and mobile data information system (MDIS). The total of the contract is \$284,944 to be paid from 911 funds. Ms. Lanning explained that Haywood County has four disconnected dispatch centers for all emergency and non-emergency telephone calls, which are received for law enforcement, fire and Emergency Medical Services (EMS). The Southern Software system would create one system for all the dispatch centers improving communication. If approved the CAD and MDIS would allow the responders to have mobile data systems in their vehicles. County Attorney Killian confirmed that he reviewed the contract.

Vice-Chairman Kirkpatrick made a motion that the Southern Software contract as set forth in the briefing books be approved. Commissioner Ensley seconded and the motion carried unanimously.

Fairgrounds Projects Resolutions

Julie Davis, Finance Director, presented a Reimbursement Resolution for the projects planned for the fairgrounds. The County intends to reimburse itself upon receiving the loan proceeds for the construction projects at the fairgrounds.

Commissioner Upton made a motion that the resolution be approved. Commissioner Ensley seconded and the motion carried unanimously.

Ms. Davis presented a Financing Resolution stating the financing terms from the bank. Ms. Davis explained that a request for proposal (RFP) was presented for banking and three proposals were received, but only one was received in time. There would be a two-year term with BB & T, with a 1.69% interest rate.

Commissioner Ensley made a motion that the financing resolution as presented be approved. Commissioner Sorrells seconded and the motion carried unanimously.

Resolution Approving Financing Terms

WHEREAS: Haywood County, North Carolina (the "County") has previously determined to undertake a project for the financing of the Haywood County Fairgrounds Restroom Facilities and ADA ramps (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated May 6, 2011. The amount financed shall not exceed \$350,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.69 %, and the financing term shall not exceed 2 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 16 day of MAY, 2011.

By: [Signature]
Title: County Manager

By: [Signature]
Title: Chairman

SEAL

NEW BUSINESS**Presentation of the Recommended Fiscal Year 2011-2012 Budget Message and Document**

Marty Stamey, County Manager, gave a PowerPoint presentation indicating the recommended fiscal year (FY) 2011-2012 budget message and budget document. Mr. Stamey shared that Haywood County has fewer full-time equivalents (FTE) than in 2005, but with the same and / or increased workload. Mr. Stamey stated that recommended expenditures are \$65.28 million. The proposed budget includes a 3% reduction for Haywood Community College (HCC) and a 3% reduction for the Haywood County School systems. Mr. Stamey advised that HCC transferred \$282,000 from the quarter cent sales tax into capital. As of June 2010, the Haywood County School system has an unreserved fund balance of more than \$2 million. From local funds, the school system will be able to add approximately \$330,000 to its fund balance. Julie Davis, Finance Director, explained there was a decrease in sales tax. Mr. Stamey stated that the proposed recommendations include no new requested positions, all 36-hour positions to remain as such, no cost of living adjustment, no 401(k) employer contribution, maintain 1% merit allocation to each department and reinstate employee Christmas bonus.

Call to a Public Hearing Fiscal Year 2011-2012 – Budget Message and Budget Document

Marty Stamey, County Manager, recommended holding a special meeting for a budget public hearing on May 31, beginning at 5:30 p.m. Mr. Stamey further recommended holding a budget work session on June 6, at 2:00 p.m., and adopting the Fiscal Year 2011-2012 budget ordinance and budget document could be held on June 20, at 5:30 p.m. Mr. Stamey advised that the Board was scheduled to hold a regular meeting at 9:00 a.m. on June 6. After discussion, the Board agreed to hold the budget work session on June 6, immediately following the regular Board meeting. A public hearing will be held on May 31, at 5:30 p.m. in the Historic Courtroom.

Emergency Medical Services (EMS) Week Proclamation

Jim Pressley, EMS Director, read the EMS Week Proclamation. The Board expressed appreciation for EMS.

Commissioner Upton made a motion that May 16 through 22nd, 2011, by proclamation be dedicated to Emergency Medical Services week. Commissioner Ensley seconded and the motion carried unanimously.

**Proclamation****Emergency Medical Services (EMS) Week**

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

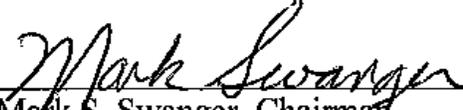
WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, the Haywood County Board of Commissioners, in recognition of this event do hereby proclaim the week of May 16-22, 2011, as **EMERGENCY MEDICAL SERVICES WEEK**.

We encourage the community to observe this week with appropriate programs, ceremonies and activities.

ADOPTED this the sixteenth day of May, 2011.



Mark S. Swanger, Chairman
Haywood County Board of Commissioners

ATTEST:



Marty Stamey, County Manager / Clerk to the Board

Department of Social Services (DSS) / Health / Central Permitting Change Order Request for Construction of Isolation Room

Dale Burris, Facilities and Maintenance Director, presented change order request one, for the installation of an isolation room at the property on Paragon Parkway, which is being renovated to house DSS, Health Department and Central Permitting Offices. A grant was secured for the air filtration system. Mr. Burris stated that the actual price for the change order is \$6,000. The Health Department was able to secure funding for construction of the isolation room. The process for a change order requires approval from the architect, approval from the Board of County Commissioners, approval from the contractor, and then approval from the engineer with USDA.

Commissioner Ensley made a motion that the change order request, be approved as presented. Commissioner Sorrells seconded and the motion carried unanimously.

Request for Quotes for Mosely Baler Repair

Stephen King, Solid Waste Director, explained that the Mosely baler has been in operation since 1993. The Mosely baler is imperative to the recycling of cardboard. Recycling is a large part of the revenue stream for the Solid Waste Department. Informal quotes were received for necessary repairs to the baler.

Vice-Chairman Kirkpatrick made a motion that repair of the Mosely baler be approved and the line item amount of \$80,000. Commissioner Upton seconded and the motion carried unanimously.

Haywood County Schools – Lottery Project Request for Approval \$109,400

Tracy Hargrove, Haywood County Schools Maintenance Director, explained that A building at Canton Middle School is eighty years old. The steps leading to the main entrance is in need of repair. Mr. Hargrove stated that the proposed reconstruction of these steps includes a single set of steps rather than two sets of steps. The total estimate for replacement of these steps is \$109,400. Mr. Hargrove stated that the cost of reconstruction would be paid out of lottery funds.

Commissioner Ensley made a motion that the lottery project application to DPI for \$109,400 for repair of building A steps at Canton Middle School be approved. Commissioner Sorrells seconded and the motion carried unanimously.

Boards

Marty Stamey, County Manager, stated that there is one vacancy on the Engineering Review Board for a Grading Contractor. This vacancy is for a three-year term. Randy Best presently serves on the Engineering Review Board and has expressed his interest to serve another term.

Vice-Chairman Kirkpatrick made a motion that Randy Best be re-appointed to the Engineering Review Board. Commissioner Sorrells seconded and the motion carried unanimously.

The Recreation 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. The vacancy was advertised with applications being accepted through April 29. Two applications were received from Patrick Willis and Zeb Smathers. After discussion, the Board agreed to schedule interviews beginning at 4:45, on May 31, 2011, in the Historic Courtroom.

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

Chairman Swanger stated that at the last regular Board meeting, May 2, 2011, the Chairman of the Republican Party, presented a resolution requesting the return of Haywood County to a single district for North Carolina House and Senate elections. Chairman Swanger stated that he spoke to the Chairman of the Democratic Party who is also preparing a resolution. The Board agreed to review this item at the next regular Board meeting, June 6, 2011.

Board of County Commissioner's Meeting Schedule for July

Chairman Swanger stated that there are two regular Board meetings scheduled for July 2011. Chairman Swanger inquired if the Board would consider holding only one meeting in July. After discussion, the Board agreed to hold one meeting in July on the 18th, at 5:30 p.m.

Commissioner Ensley made a motion that the schedule adjustment as presented for July 2011 be approved. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

Closing Comments

Marty Stamey, County Manager, announced that the Town of Canton would host a Memorial Day parade, beginning at 10:00 a.m. Monday, May 30.

ADJOURNMENT

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

The time of adjournment was 6:38 p.m. The DVD is attached by reference to the minutes.

 CLERK

 CHAIRMAN