

## **HAYWOOD COUNTY COMMISSIONERS**

### **REGULAR MEETING – JUNE 4, 2012**

#### **CALL TO ORDER**

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

#### **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. No one addressed the board.

#### **CONSTITUENT CONCERNS**

No constituent concerns were noted.

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

There were no adjustments to the agenda.

#### **CONSENT AGENDA**

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

- Approval of May 21, 2012 regular meeting minutes
- Budget Amendments – Julie Davis, Finance Director
  - a. Special Revenue – \$271,700 - Fire District Fund - this increase may be due to prior year taxes collected or the percentage of current year taxes collected. Funds were spread across all fire districts. Ms. Davis added that this item could only be budgeted based on the previous year percent collected.

- b. General Fund – \$700,000 – State reimbursement for Southwestern Child Development Center – this is for a child care supplement and is a pass-through account.
- c. General Fund - \$75,000 – Inmate medical costs – this is to cover inmate expenses through the remainder of the fiscal year.

Vice-Chairman Kirkpatrick asked about the upcoming budget year amount for this expense; Mr. Stamey noted that the budget is \$205,000, which includes the contract with Southern Health Partners. The current budget amendment is for costs for services provided outside the jail.

- d. General Fund - \$5,073 – Elections – from the Help America Vote Act grant. Funds were obtained for use during the current fiscal year and be reimbursed for the primary. Ms. Davis noted that the hope is to use for portions of the second primary.
- e. General Fund - \$12,000 – DSS – Adoption Awareness – a total of \$6,000 has been received; however, there is no guarantee for the remainder. If the remainder is not received, it will not be spent.

Vice-Chairman Kirkpatrick asked how the funds are used. Ms. Davis answered that this is to pay for awareness activities such as promotion and information. There is another adoption line item used to assist with costs for adoptions.

- f. General Government - \$91,600 – Human Resources and County Garage –
  - 1. Human Resources – additional expenses for changes in HR, salary payouts, retiree health insurance and temporary help
  - 2. County Garage - \$1,200 for repairs to vehicle from Animal Control

Ms. Davis noted that \$100,000 was from Contingency with \$91,600 from additional prior year tax. Chairman Swanger noted that Contingency was approximately \$26,000. Ms. Davis confirmed.

Vice-Chairman Kirkpatrick asked if there was concern related to the cost for the insurance for retirees under 65. Ms. Davis explained that the County does maintain the liability for those retirees under 65; this amount will continue to go up and will be shown each year forward. Mr. Stamey added that there is a change effective July 1, 2012 for a mandatory generic pharmacy benefit to attempt to control costs. Chairman Swanger asked if the pharmaceutical savings would offset the cost for the retirees. Mr. Stamey explained that this would not be possible to accurately project as it is based on utilization, but an estimated amount has been included in the budget.

Commissioner Ensley thanked Mr. Stamey for his knowledge and efforts in continually monitoring these costs.

Commissioner Upton inquired if budget items that have been adjusted this year have been budgeted in the upcoming year. Mr. Stamey answered that if departments know that items will be recurring, these items have been included in the budget. He added that some budget amendments are due to unexpected but necessary circumstances; there will never be a way to eliminate budget amendments.

Commissioner Sorrells asked if the cost of the insurance for retirees over and under 65 would continue to grow. Mr. Stamey answered that the amount for those retirees under 65 will continue to grow since these individuals may not yet be Medicare eligible, but will require insurance coverage. Ms. Davis reminded the board of the early retirement program enacted several years back. Commissioner Sorrells stated that this is the cumulative effect of all of these items; Ms. Davis confirmed.

Chairman Swanger noted that there would always be clean up required for accounts at the end of each fiscal year. Ms. Davis added that these adjustments might occur in June, July or even into August.

- g. Capital Project Fund - \$2,395 – Haywood Community College – this is for change order #6, which was approved by the State prior to presentation to the board at the May 21, 2012 meeting.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-12

PER: 12  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
FIRE DISTRICTS				
OTHER CONT.				
AD VAL	284434-5698**	3,323,598	271,700	3,595,298

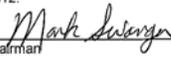
which will result in a net increase of \$ 271,700 in the expenditures of the Special Revenue Fund.

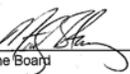
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
FIRE DISTRICTS				
AD VAL TAXES	280010-4430**	3,323,598	271,700	3,595,298

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

Adopted this 4<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
\_\_\_\_\_  
Clerk to the Board

Explanation:
To increase the budget to reflect the additional amount of taxes collected through June 30.
These must be paid to the relevant Fire Districts.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-2012

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012.

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

Department & Account	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Social Services				
Work First - SWCDC-child care	115372-539907-SWCDC	2,359,423	700,000	3,059,423

which will result in a net increase (decrease) of \$ 700,000 in the expenditures of the General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental Revenue:				
State payments for child daycare	110050-453701-SWCDC	2,449,848	700,000	3,149,848
			700,000	

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

Adopted this the 4th of June, 2012.

Mark Swanger  
Chairman  
Haywood County Board of Commissioners

ATTEST:

[Signature]  
Clerk to the Board

Explanation:
To cover the SWCDC child care reimbursement that was required to flow through the county books for the current fiscal year.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-2012

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Public Safety - Detention Office				
Professional Services - Inmate medical	114320-519302	130,000	75,000	205,000
Contingency	119910-599100	201,179	(75,000)	126,179

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 4th of June, 2012.

Mark Swanger  
Chairman  
Haywood County Board of Commissioners

ATTEST:

[Signature]  
Clerk to the Board

Explanation:
To cover additional costs coming in for treatment of inmates per the Sheriff.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-2012

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Elections				
Professional Services-Other	11 4170 519905 2HAVA	-	5,073	5,073

which will result in a net increase of \$ 5,073 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				
Intgov't Revenue-Voting	11 0050 441702 2HAVA	-	5,073	5,073

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

Adopted this the 4<sup>th</sup> day of June, 2012.

Mark Swanger  
Chairman  
Haywood County Board of Commissioners

ATTEST: [Signature]  
Clerk to the Board

Explanation: To appropriate grant funds from State Board of Elections. This is Title I Help America Vote Act (HAVA) federal funds. Funding to be reimbursed for 2012 primary election coding cost.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-12

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
SOCIAL SERVICES				
Public Assistance				
Misc - Adoption Awareness	115392-529905	39,774	12,000	51,774

which will result in a net increase of \$ 12,000 in the expenditures of the General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
INTERGOVERNMENTAL				
Adoption Awareness	110050-453901	-	12,000	12,000

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

Adopted this the 4<sup>th</sup> day of June, 2012

Mark Swanger  
Chairman  
Haywood County Board of Commissioners

ATTEST: [Signature]  
Clerk to the Board

Explanation:  
Increase in adoption awareness line item to balance with allocations. All are 100% reimbursed.  
Copy of allocations are attached.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2011-2012

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2012.

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

Department & Account	Account Number	Current Budget	Increase (Decrease)	Amended Budget
General Govt				
Human Resources-Salaries	114135-512100	114,012	8,000	122,012
Human Resources-Temp/Part-time	114135-512600		5,400	5,400
Human Resources-Retiree health insurance >65	114135-518301	120,000	27,000	147,000
Human Resources-Retiree health insurance <65	114135-518301	147,000	150,000	297,000
Central Services - County Garage	114250-635300	23	1,200	1,223
Contingency	119910-599100	126,179	(100,000)	26,179

which will result in a net increase (decrease) of \$ 91,600 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
Ad Valorem taxes: 2009 tax	110010-410911	72,715	91,600	164,315

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

Adopted this the 4th of June 2012.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

Explanation:
To cover the additional expenses for changes in HR related to increased duties and to cover the vacation payout, etc for prior director.
Also to cover retiree health insurance expenses.
Garage - to cover repairs on old truck received from animal control.

HAYWOOD COUNTY  
CAPITAL PROJECT BUDGET AMENDMENT  
FISCAL YEAR 2011-2012

PER: \_\_\_\_\_  
JNL: \_\_\_\_\_

BE IT ORDAINED by the Board of Commissioners of Haywood County that the following amendment be made to the capital project ordinance for the fiscal year ending June 30, 2012.

Section 1. To amend the Capital Project Fund - Community College construction projects, the expenditures are to be charged as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
COMMUNITY COLLEGE PRJS:				
Creative Arts Bldg.				
C/O - buildings construction	405924-558000-1HCC1	8,684,432	2,395	8,686,827
Contingency (Creative Arts Cont.)	405924-599100-1HCC1	340,000	(2,395)	337,605

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 4th of June 2012.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

Explanation:
To allocate the amount for change order #6 per HCC request and NC Department of Administration approval.

- Chairman Swanger recognized Kris Boyd, Planning Director. Mr. Boyd noted that at the May 21, 2012 meeting, the board approved the addition of a portion of James

Chapel Road to the State Secondary Road System. The NC Department of Transportation (NCDOT) requires formal resolution of this action.

BOARD OF COMMISSIONERS:  
MARK S. SWANGER, CHAIRMAN  
J.W. "KIRK" KIRKPATRICK, III, VICE CHAIRMAN  
L. KEVIN ENSLEY  
BILL L. UPTON  
MICHAEL T. SORRELLS



COUNTY MANAGER  
MARTY STAMEY  
LEON M. KILLIAN, III  
COUNTY ATTORNEY

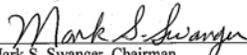
**RESOLUTION  
ACCEPTING ADDITION TO THE  
SECONDARY ROAD SYSTEM**

**WHEREAS**, the Haywood County Board of Commissioners was submitted a petition requesting the North Carolina Department of Transportation to accept a portion of a private road into its maintenance system, and

**WHEREAS**, the Haywood County Board of Commissioners is of the opinion that the road described in the attached petition should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the North Carolina Department of Transportation for the addition of roads to the System.

**NOW, THEREFORE BE IT RESOLVED** the Haywood County Board of Commissioners adopts this resolution supporting the addition to the Secondary Road System.

Adopted this the 4th day of June, 2012

  
Mark S. Swanger, Chairman  
Board of County Commissioners

ATTEST:

  
Marty L. Stamey  
County Manager/Clerk to the Board

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215 NORTH MAIN STREET • WAYNESVILLE, NORTH CAROLINA 28786  
PHONE: 828.452.6625 • FAX: 828.452.6715

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**NEW BUSINESS**

**Request Approval of Voluntary Annexation to Upper Chestnut Grove Road Service District**

Mr. Boyd explained that a public hearing was held on May 21, 2012 with no comments received related to the voluntary annexation of one property to the Upper Chestnut Grove Road Service District; he requested approval of the resolution for this voluntary annexation.

Commissioner Ensley motioned to approve the voluntary annexation to the Upper Chestnut Grove Road Service District as described in the resolution. Vice-Chairman Kirkpatrick seconded; the motion carried unanimously.

RESOLUTION  
Haywood County Board of Commissioners  
Regular Meeting  
June 4, 2012

PRESENT: Mark Swanger, Chairman; Michael Sorrells, James W. "Kirk" Kirkpatrick, III, Kevin Ensley and Bill Upton.

ABSENT: None

WHEREAS, by Resolution of the Haywood County Board of Commissioners dated April 2, 2012, a public hearing was called, a public notice was duly given and such public hearing was held on May 21, 2012 on the question of annexing territory and extending the boundary of the Upper Chestnut Grove Road Service District pursuant to G.S. Section 153A-303; and

WHEREAS, the adjoining territory sought to be added to the boundaries of the district is contiguous to the present boundaries of the district, with at least one-eighth of the area's aggregate external boundary coincident with the existing boundary of the district; the area to be annexed requires the services of the district; and

WHEREAS, the Board of Directors of the Upper Chestnut Grove Homeowners Association have approved the annexation of this territory to the boundary of the Road Service District and have agreed to furnish road maintenance to such area; and

WHEREAS, a Report on the Proposed Annexation to Upper Chestnut Grove Road Service District, dated March 8, 2012 was prepared by the Planning Department of Haywood County, which report included a map of the service district and the adjacent territory, showing the present and proposed boundaries of the district; a statement showing that the area to be annexed meets the standards and requirements of GS 153A-303 (a), (b) and (c); and a plan for extending services to the area to be annexed; and

WHEREAS, the Haywood County Board of Commissioners has approved the aforesaid Report; and

WHEREAS, notice of the public hearing was published in the Mountaineer on May 7, 2012, and posted at the place designated by the Haywood County Board of Commissioners for the posting of legal notices and on the bulletin board for Haywood County; and

WHEREAS, the Report was available for public inspection in the office of the Clerk to the Haywood County Board of Commissioners for more than two weeks prior to the date of the public hearing.

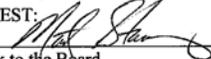
NOW THEREFORE, upon motion of Commissioner Kevin Ensley and second of Commissioner Bill Upton, the following action was taken by the Haywood County Board of Commissioners:

1. The annexation of the property described in Exhibit A hereto which adjoins the present limits of the Upper Chestnut Grove Road Service District may be added to the prior boundary of the Upper Chestnut Grove Road Service District and approval is hereby given by the Haywood County Board of Commissioners.

2. The Upper Chestnut Grove Road Service District shall have as its boundaries the area described upon the map attached hereto as Exhibit A.

Adopted this the 4th day of June 2012.

  
Chairman  
Board of Commissioners of Haywood County

ATTEST:   
Clerk to the Board

CERTIFICATION

The above Resolution was adopted the 4th day of June 2012.

I, Marty Starnes, Clerk to the Board of Commissioners for the County of Haywood, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings for the Board of Commissioners, for said County at a meeting duly called and held June 4, 2012, as it relates in any way to the Resolution hereinabove set forth, and that said proceedings are recorded in Minute Book No. 24 of the minutes of said Board.

WITNESS my hand and the common seal of said County, this the 4<sup>th</sup> day of June, 2012.

  
Clerk to the Board of Commissioners,  
Haywood County

**Request Approval of the Solid Waste Disposal Ordinance**

Chairman Swanger recognized Stephen King, Solid Waste Director. Mr. King noted that there had been a public hearing on May 21, 2012 the Solid Waste Disposal Ordinance with no comments received related to the proposed changes. Mr. King explained that the revisions reflected the operational processes related to the transfer function that will take effect on July 1, 2012; he requested approval of the revised Solid Waste Disposal Ordinance. Chairman Swanger asked if anyone had received additional input following the public hearing. No one received any comments.

Commissioner Ensley motioned to approve the Solid Waste Disposal Ordinance with the proposed changes as presented. Vice-Chairman Kirkpatrick seconded; the motion carried unanimously.

**Request Approval for the Rural Operating Assistance Program (ROAP) Application**

Chairman Swanger recognized Ira Dove, DSS Director. Mr. Dove noted that there had been a public hearing for the ROAP application on May 21, 2012 with no comments received; he requested approval of the application for submission.

Commissioner Upton motioned to approve the ROAP application as presented. Vice-Chairman Kirkpatrick seconded; the motion carried unanimously.

**Request approval of two contract amendments – Mountain Projects and Champion Cab**

Mr. Dove continued by presenting two contract amendments related to Medicaid transportation. Mr. Dove explained that funds were contained in the Social Services budget. The contract with Mountain Projects would require an additional \$30,000 in funding to complete this fiscal year for the medical transportation program. He noted that the contract with Champion Cab would require an additional \$33,000, and is for work first program transportation. County Attorney Killian has reviewed these contracts with no concerns noted.

Commissioner Ensley motioned to approve the contract amendments with Mountain Projects for medical transportation and Champion Cab for work first transportation as presented. Commissioner Sorrells seconded; the motion carried unanimously.

Vice-Chairman Kirkpatrick clarified that Medicaid transportation programs are mandated by the State; Mr. Dove confirmed.

Contract # K044-034-12  
Mountain Projects

**Contract Amendment**  
**Haywood County Department of Social Services**  
**Fiscal Year Begins July 1, 2011 Ends June 30, 2012**  
**Contract # K044-034-12**  
**Amendment #1**

**SECTION I**

Agency: Mountain Projects, Inc.  
Program: Medical Transportation  
Effective Period of the Contract: July 1, 2011 – June 30, 2012

This Contract Amendment amends the contract dated August 15, 2011 between the Haywood County Department of Social Services (the "County") and Mountain Projects, Inc. (the "Contractor"), a copy of which is attached hereto as Exhibit A. As provided for under the terms of the contract, The County and Contractor agree to amend the provision(s) indicated in Section II below.

**SECTION II**

Justification/Change to Contract:

Due to an increase in volume of customers requiring Medical Transportation services, and based upon actual year-to-date expenditures and projected future costs for Medical Transportation services, the contract between the County and Contractor is amended to increase by \$30,000 for a total of \$155,000. This total amount is for services provided during fiscal year 2011/2012 beginning July 1, 2011 and ending June 30, 2012.

**SECTION III**

All other terms and conditions set forth in the original contract shall remain in effect for the duration of the contract. The contract specified above is amended by this Contract Amendment effective May 1, 2012.

Contractor	County
By: <u>[Signature]</u>	By: <u>[Signature]</u>
Title: <u>Executive Director</u>	Title: <u>Director</u>
Date: <u>5/2/12</u>	Date: <u>5/2/12</u>

This agreement has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

County: <u>HAYWOOD</u>	Signature: <u>[Signature]</u>
Title: <u>FINANCE DIRECTOR</u>	Date: <u>5/2/12</u>

Contract-Amendment (07/08) Page 1 of 1

Justification for Contract Amendment  
Mountain Projects, Inc.  
Contract #K044-034-12

DSS contracts with Mountain Projects, Inc. to provide Medicaid transportation for qualified recipients. Medicaid Transportation is a mandated program that is 100% reimbursable as long as the qualified recipient receives a Medicaid-covered service and the transportation method is the least expensive means available and appropriate for the recipient.

In Medicaid transportation policy revised and effective January 1, 2012, the State clarified that failure to use the most cost effective method could result in denial of Medicaid reimbursement for the transport(s). Mountain Projects provides transportation services to qualified Medicaid customers for local trips within Haywood County and, to a lesser extent, immediate surrounding counties.

Through February 2012 agency staff have arranged and coordinated 6,359 medical transports for qualified recipients, which is an average of 795 trips per month.

To be cost effective in scheduling medical transportation and remain compliant with State Medicaid policy requirements, we request a contract amendment for an additional \$30,000 to have adequate contracted funds to utilize Mountain Projects for the remainder of fiscal year 2011/2012.

Exhibit A

K044-034-12  
Mountain Projects  
Medical Transportation

**Contract # K044-034-12 Fiscal Year Begins July 1, 2011 Ends June 30, 2012**

This contract is hereby entered into by and between the Haywood County Department of Social Services (the "County") Mountain Projects (the "Contractor") (referred to collectively as the "Parties"). The Contractor's federal tax identification number or Social Security Number is 56-0849092.

**1. Contract Documents:** This Contract consists of the following documents:

- (1) This contract
- (2) The General Terms and Conditions (Attachment A)
- (3) The Scope of Work, description of services, and rate (Attachment B)
- (4) Federal Certification Regarding Drug-Free Workplace (Attachment C)
- (5) Conflict of Interest (Attachment D)
- (6) No Overdue Taxes (Attachment E)
- (7) Certification Regarding Environmental Tobacco Smoke(Attachment F)
- (8) Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion (Attachment H)
- (9) HIPAA Business Associate Addendum (Attachment I)
- (10) Certification of Transportation (Attachment J)
- (11) Contract Determination Questionnaire

These documents constitute the entire agreement between the Parties and supersede all prior oral or written statements or agreements.

**2. Precedence Among Contract Documents:** In the event of a conflict between or among the terms of the Contract Documents, the terms in the Contract Document with the highest relative precedence shall prevail. The order of precedence shall be the order of documents as listed in Paragraph 1, above, with the first-listed document having the highest precedence and the last-listed document having the lowest precedence. If there are multiple Contract Amendments, the most recent amendment shall have the highest precedence and the oldest amendment shall have the lowest precedence.

**3. Effective Period:** This contract shall be effective on July 1, 2011 and shall terminate on June 30, 2012. This contract must be twelve months or less.

**4. Contractor's Duties:** The Contractor shall provide the services and in accordance with the approved rate as described in Attachment B, Scope of Work.

**5. County's Duties:** The County shall pay the Contractor in the manner and in the amounts specified in the Contract Documents. The total amount paid by the County to the Contractor under this contract shall not exceed \$ 125,000. This amount consists of \$ % in Federal funds (CFDA # \_\_\_\_\_), \$ \_\_\_\_\_ in State Funds, \$ % in County funds for no shows. Acct# 115340-549916

[ X ] a. There are no matching requirements from the Contractor.

**6. Reporting Requirements:**

Contractor shall comply with audit requirements as described in N.C.G.S. § 143-6.2 and OMB Circular A-133.

**7. Payment Provisions:**

Payment shall be made in accordance with the Contract Documents as described in the Scope of Work, Attachment B.

**8. Contract Administrators:** All notices permitted or required to be given by one Party to the other and all questions about the contract from one Party to the other shall be addressed and delivered to the other Party's Contract Administrator. The name, post office address, street address, telephone number, fax number, and email address of the Parties' respective initial Contract Administrators are set out below. Either Party may change the name, post office address, street address, telephone number, fax number, or email address of its Contract Administrator by giving timely written notice to the other Party.

For the County:

IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Name & Title Pat Hyatt Business Officer County Haywood Mailing Address 486 E. Marshall St City, State, Zip Waynesville, NC 28786 Telephone 828-452-6620 Fax 828-452-6673 Email phyatt@dsshaywood.org	Name & Title County Street Address SAME City, State, Zip

For the Contractor:

IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Name & Title Susan Anderson Company Name Mountain Projects Mailing Address 2251 Old Balsam Rd. City State Zip Waynesville, NC 28786 Telephone 828-452-1447 Fax Email	Name & Title Company Name Street Address SAME City State Zip

9. Signature Warranty:

The undersigned represent and warrant that they are authorized to bind their principals to the terms of this agreement. The Contractor and the County have executed this contract in duplicate originals, with one original being retained by each party.

Mountain Projects Medical Transportation

Signature *Susan Anderson* Date 7/18/11  
Printed Name Susan Anderson Title Director

COUNTY  
Signature *Ira Dove* Date 7/22/11  
Printed Name Ira Dove Title Director

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Signature of County Financial Officer *Julie Davis* Date 8/15/11  
Printed Name Julie Davis

Contract Amendment  
Haywood County Department of Social Services  
Fiscal Year Begins 7/1/11 Ends 6/30/12  
Contract # K044-044-12  
Amendment # 1

SECTION I

Agency Champion Cab  
Program Work First Transportation  
Effective Period of the Contract July 1, 2011 - June 30, 2012

This Contract Amendment amends the contract between the Haywood County Department of Social Services (the "County") and Champion Cab (the "Contractor"). As provided for under the terms of the contract, The County and Contractor agree to amend the provision(s) indicated in Section II below.

SECTION II

Justification/Change to Contract:

In order to meet the State Work First Participation Rate, client transportation must be provided when transportation is a barrier to employment. Due to an increase in the general cost of transportation, leading to more Work First Participants who are unable to provide their own transportation, the demand for this service is up. Additionally, the base amount of the contract was set according to previous years spending trends, during a time when the vendor was not fully submitting the costs for the service. Now, following reorganization within his business, billing has been submitted more timely and is more complete, reflecting true usage for the service.

Due to increases in Work First Transportation services, year-to-date expenditures, and projections for the remainder of the fiscal year a contract amendment will be needed. This amendment between the Contractor and Haywood County DSS will increase the amount of funds available for Work First transportation by \$33,000 for a total of \$45,000 for FY 2011-2012. Based on average monthly costs, this amended amount should allow the services to continue uninterrupted for the remainder of the FY.

SECTION III

All other terms and conditions set forth in the original contract shall remain in effect for the duration of the contract. The contract specified above is amended by this Contract Amendment effective 4/30/12.

Contractor County  
Champion Cab Haywood County DSS  
By: Rick Rathbone Ira Dove  
Title: Owner Director  
Date: 4/30/12 4/30/12

This agreement has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Witness:  
County: Haywood Signature: *Julie Davis*  
Title: Finance Director Date: 5/21/12

Fiscal Year Begins July 1, 2011 Ends June 30, 2012

This contract is hereby entered into by and between the **Haywood County Department of Social Services** (the "County") and **Champion Cab** (the "Contractor") (referred to collectively as the "Parties"). The Contractor's federal tax identification number or Social Security Number is 95-1992941.

**1. Contract Documents:** This Contract consists of the following documents:

- (1) This contract
- (2) The General Terms and Conditions (Attachment A)
- (3) The Scope of Work, description of services, and rate (Attachment B)
- (4) Federal Certification Regarding Drug-Free Workplace (Attachment C)
- (5) Conflict of Interest (Attachment D)
- (6) No Overdue Taxes (Attachment E)
- (7) Federal Certification Regarding Environmental Tobacco Smoke (Attachment F)
- (8) HIPAA Business Associate Addendum (Attachment I)
- (9) Certification of Transportation (Attachment J)
- (10) W-9 Taxpayers Certification

These documents constitute the entire agreement between the Parties and supersede all prior oral or written statements or agreements.

**2. Precedence among Contract Documents:** In the event of a conflict between or among the terms of the Contract Documents, the terms in the Contract Document with the highest relative precedence shall prevail. The order of precedence shall be the order of documents as listed in Paragraph 1, above, with the first-listed document having the highest precedence and the last-listed document having the lowest precedence. If there are multiple Contract Amendments, the most recent amendment shall have the highest precedence and the oldest amendment shall have the lowest precedence.

**3. Effective Period:** This contract shall be effective on July 1, 2011 and shall terminate on June 30, 2012. This contract must be twelve months or less.

**4. Contractor's Duties:** The Contractor shall provide the services and in accordance with the approved rate as described in Attachment B, Scope of Work.

**5. County's Duties:** The County shall pay the Contractor in the manner and in the amounts specified in the Contract Documents. The total amount paid by the County to the Contractor under this contract shall not exceed \$12,000. This amount consists of \$ % in Federal funds (CFDA # \_\_\_\_\_), \$ \_\_\_\_\_ in State Funds, \$ % in County funds, \$ \_\_\_\_\_ Work First/ MOE Account # 115372-531300

[ X ] a. There are no matching requirements from the Contractor.

**6. Reporting Requirements:**

Contractor shall comply with audit requirements as described in N.C.G.S. § 143-6.2 and OMB Circular A-133.

**7. Payment Provisions:**

Payment shall be made in accordance with the Contract Documents as described in the Scope of Work, Attachment B.

**8. Contract Administrators:** All notices permitted or required to be given by one Party to the other and all questions about the contract from one Party to the other shall be addressed and delivered to the other Party's Contract Administrator. The name, post office address, street address, telephone number, fax number, and email address of the Parties' respective initial Contract Administrators are set out below. Either Party may change the name, post office address, street

## **Request Approval to Raise the Purchase Order Threshold from \$500 to \$1,000**

Chairman Swanger recognized Donna Corpening, Purchasing Manager. Ms. Corpening provided information to the board including a four-year purchase order analysis and a compilation of survey information from the NC Purchasing list serve. She explained that the majority of the purchases made via the purchase order process are already greater than \$1,000. Ms. Corpening noted that even with a threshold change, the protocol for purchases would not change. Ms. Corpening highlighted data that supported the efficiency that could be achieved by making this change. Chairman Swanger asked Mr. Stamey and Ms. Davis if they concurred with the proposed change in purchase order threshold. Both agreed.

Commissioner Upton motioned to raise the threshold for purchase orders from \$500 to \$1,000 as presented. Commissioner Ensley seconded; the motion carried unanimously.

## **Request Approval of proposed change orders for Creative Arts Building at Haywood Community College**

Chairman Swanger recognized Bill Dechant, Director Campus Development from Haywood Community College (HCC). Mr. Dechant explained that there are seven (7) proposed change orders.

- Proposed change order #23 - \$2,277 – this is for the addition of an exhaust system in the sanding room.

- Proposed change order #31 - \$1,037 – this is related to the addition of the exhaust system in the sanding room; specialized filter.
- Proposed change order #32 - \$1,303 – this is for the addition of a fire pump transformer pad and was required by Progress Energy.
- Proposed change order #41 – (\$5,761) – this credit is due to the deduction of drywall for the ceilings as the ceiling material could be placed directly to the roof.
- Proposed change order #42 – (\$1,628) – this credit is due to the change in roof anchors on the sloping metal roof; no tie offs required using the new roof anchors.
- Proposed change order #43 - \$1,843 – this is for the addition of an eyewash station to room 7306; originally this room was to be used for classroom activities but has since been designated for multipurpose and to ensure safety compliance an eye wash station is required.
- Proposed change order #44 - \$2,380 – this is for the change in countertop material from a laminate to an epoxy surface due to the various equipment being used for jewelry making which utilize water and could limit the life of a laminate countertop and require replacement within a few years.

Chairman Swanger asked if the HCC Board had approved all proposed change orders; Mr. Dechant confirmed. Mr. Dechant explained that proposed change order #32 was included on a change order that was already in line for approval by the State Construction Office.

Vice-Chairman Kirkpatrick motioned to approve change orders 23, 31, 32, 41, 42, 43 and 44 as presented and contingent upon State Construction Office approval. Commissioner Ensley seconded; the motion carried unanimously.

Commissioner Sorrells asked about the scheduled completion of the building. Mr. Dechant indicated that based on current schedule, the completion date is August 2, 2012. However, this is subject to revision based on information discussed at the upcoming monthly construction meeting.

Commissioner Sorrells asked if the building would be in use for the Fall classes. Mr. Dechant noted that it may be possible, but not probable and that there are contingency plans in place.

### **Request Approval of Southern Health Partners contract for Inmate Medical Services**

Chairman Swanger recognized Sheriff Bobby Suttles. Sheriff Suttles explained that the board had seen two presentations from Southern Health Partners (SHP) and that at the last regular meeting of the board had approved the proposal submitted by SHP. The contract will be effective July 1, 2012. County Attorney Killian has reviewed the contract and noted that it appeared detailed and comprehensive, and is a well-drafted agreement. Chairman Swanger commended Sheriff Suttles for this attempt to control inmate health costs.

Commissioner Ensley motioned to approve the Southern Health Partners contract for Inmate Medical Services as presented. Commissioner Upton seconded; the motion carried unanimously.

Chairman Swanger noted that following adjournment, there would be a short break to allow for preparation for the budget work session.

**ADJOURNMENT**

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

The time of adjournment was 9:38 a.m. The DVD is attached by reference to the minutes.

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CLERK

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CHAIRMAN