

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – May 21, 2012

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 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

Commissioner Ensley offered the invocation.

PUBLIC HEARINGS

Voluntary Annexation of Property to the Chestnut Grove Road Service District

Chairman Swanger noted the first item on the agenda was a public hearing regarding a voluntary annexation of a property to the Chestnut Grove Road Service District. Chairman Swanger recognized Kris Boyd, Planning Director. Mr. Boyd explained that the President of the Chestnut Grove Road Homeowners Association had contacted him regarding annexation of one property into the service district. Mr. Boyd is in receipt of two handwritten notes from Mr. William Hatcher, the property owner, approving this annexation; Mr. Boyd also spoke with Mr. Hatcher via telephone last week and Mr. Hatcher is aware of the additional taxes – approximately \$30.00 annually - associated with this annexation. Mr. Boyd provided a brief overview of road service districts and their function.

Chairman Swanger asked if any individuals would like to comment regarding the voluntary annexation into the Chestnut Grove Road Service District. No public response was received. Commissioner Ensley voiced that this was an appropriate annexation based on the location of the property.

Chairman Swanger closed the public hearing and noted that the board would take appropriate action at the next regular meeting.

Rural Operating Assistance Program (ROAP)

Chairman Swanger opened the public hearing for input on the Rural Operating Assistance Program (ROAP) and recognized Ira Dove, DSS Director. Mr. Dove explained there are three programs noted in the ROAP application including elderly and disabled transportation assistance, employment transportation assistance, and rural general public programs; total program funds for these three programs FY 2013 is \$188,922. A copy of the application can be obtained from the Haywood Public Transit Office.

Chairman Swanger asked if any individuals would like to comment regarding the Rural Operating Assistance Program (ROAP) application. No public response was received.

Chairman Swanger closed the public hearing and noted that the board would take appropriate action at the next regular meeting.

Solid Waste Disposal Ordinance

Chairman Swanger opened the public hearing for input regarding the Solid Waste Disposal Ordinance and recognized Stephen King, Solid Waste Director. Mr. King explained that the Solid Waste Disposal Ordinance was revised to reflect the operational processes related to the transfer function that will take effect on July 1, 2012.

Chairman Swanger asked if any individuals would like to comment regarding the Solid Waste Disposal Ordinance. No public response was received.

Chairman Swanger closed the public hearing and noted that the board would take appropriate action at the next regular meeting.

Fiscal Year 2012-2013 Proposed Budget

Chairman Swanger opened the public hearing for input regarding the Fiscal Year 2012-2013 Proposed Budget and recognized Marty Stamey, County Manager. Mr. Stamey commended the Commissioners for their guidance and thanked the staff and department heads for their participation in the budget process. Mr. Stamey provided an overview of the assumptions and recommendations utilized in development of the proposed budget.

Mr. Stamey explained that due to the change in the transfer function processes, additional transportation costs would be incurred by the municipalities. A funding formula of \$15.00 per residential pick up was used to calculate an equitable assistance subsidy for transportation costs for each town. Mr. Stamey noted that with this assistance, the towns of Canton and Clyde noted they would not have to raise rates; the town of Waynesville has not made a decision related to rates. All municipalities were supportive of this formula and the subsidy provided.

Mr. Stamey shared the following recommendations:

- a. General fund budget of \$66,596,839
- b. Maintain the current tax rate of 54.13 cents or 0.5413 per \$100 valuation
- c. Maintain Solid Waste Household Availability Fee at \$92.00

Chairman Swanger asked if any individuals would like to comment regarding the Proposed FY 2012-2013 Budget.

Penny Wallace, Executive Director of Haywood Spay/Neuter, expressed concern that Animal Services requires new data collection equipment for better tracking information to be used as benchmarking for grants or other programs. She questioned why the spay/neuter funds were not showing in the budget line items, why there was no information related to the requested data collection equipment, why the line item for pet food was decreased, and requested clarification on the professional medical/surgical line item. Ms. Wallace encouraged the county to look at the various volunteer opportunities that are available and services that are provided without the use of county funds.

Chairman Swanger thanked Ms. Wallace and noted that the Animal Services budget was up 13% versus the overall budget increase of 2%, and added that there are items reflected in the maintenance budget for improvements to the Animal Services facility. Mr. Stamey explained that the data collection equipment was replaced this year, which is why it is not showing in the proposed budget. Chairman Swanger instructed Mr. Stamey and Ms. Davis to review the Animal Services budget with Ms. Wallace.

Connie Hewitt, Board Member of Sarge's and President of Haywood Spay/Neuter, expressed disappointment that an Intake Officer was not provided in the proposed budget. She explained that the addition of this position would allow someone to answer calls and provide customer service on site. Chairman Swanger thanked Ms. Hewitt for her comments.

Chairman Swanger asked Mr. Stamey to comment regarding volunteer fire department requests. Mr. Stamey noted that the North Canton Volunteer Fire Department (NCVFD) has proposed a fire service district tax increase of ½-cent to 6.5 cents. Chairman Swanger noted that a public meeting was held regarding this increase with no opposition. Dennis Williams, Chairman of the Board for NCVFD, explained that this increase is necessary to purchase equipment to comply with National Fire Protection Association regulations. Mr. Williams noted that there was \$25,000 already in reserve for this equipment; this increase is for one year only and the tax rate would return to 6 cents in FY 2014 following the purchase of equipment. Chairman Swanger thanked Mr. Williams for his explanation.

Commissioner Upton asked if the insurance rating would be affected by purchasing this equipment. Mr. Williams commented that by meeting these standards and possibly getting the insurance rating decreased for the NCVFD, homeowners' insurance rates could decrease.

Chairman Swanger noted that Maggie Valley Volunteer Fire Department (MVVFD) is also proposing an increase to their tax rate. Jan Pressley, Maggie Valley Fire and Rescue, explained that there are long- and short-term goals that require funding assistance including increasing the number of full-time employees to provide 24/7 coverage. She noted that MVVFD is also working to reduce the insurance rating outside of the city limits from nine to possibly six, which could lower homeowners' insurance as much as 35%. Ms. Pressley added that plans include possible additional equipment. A public hearing was held on April 9, 2012, with no opposition to the one (1) cent tax increase to 6 cents. Chairman Swanger thanked Ms. Pressley.

Chairman Swanger noted that the Oak Park Road Service District is also considering a tax increase. Leroy Kauffman, Treasurer, Oak Park Road Service District, explained that a millage increase of 2 cents is proposed; the rate would be 10 cents. He provided historical information related to the tax rate and the use of funds for maintenance of streets within the service district. Mr. Kauffman noted that the board of directors approved this increase at the annual meeting on March 27, 2012. Chairman Swanger thanked Mr. Kauffman.

Chairman Swanger asked if any other individuals would like to comment regarding the Proposed FY 2012-2013 Budget.

Chairman Swanger closed the public hearing and moved to the next agenda item.

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.

Chairman Swanger recognized Monroe Miller. Mr. Miller commented regarding potential judicial actions related to the County Building Inspector and Fire Marshall. Mr. Miller expressed concerns related to the Town of Waynesville's Code Enforcement Officer.

Chairman Swanger noted that since the County has no jurisdiction over the Town of Waynesville's employees, he recommended that Mr. Miller address the town board with any concerns.

Chairman Swanger closed the public comment session.

CONSTITUENT CONCERNS

Commissioner Upton expressed his appreciation to Mr. King and to the citizens who participated in the Commission for a Clean County trash pick-up along 276 and Oakdale Road. Commissioner Upton noted that other groups have been holding clean-up sessions and he thanked these groups.

Commissioner Ensley reiterated his appreciation of Mr. Crawford, Building Inspector, and his service to the County.

Commissioner Sorrells thanked the volunteers who work with Animal Control, volunteer fire departments and all of the volunteers who work to make Haywood County a better place.

Chairman Swanger reflected the sentiment of Commissioner Sorrells, and noted that especially during these trying economic times the County appreciates all volunteers for their contributions and support.

DISCUSSION / ADJUSTMENT / APPROVAL OF CONSENT AGENDA

There were no adjustments to the agenda.

CONSENT AGENDA

Commissioner Sorrells made a motion that the consent agenda as presented be approved. Commissioner Upton seconded, and the motion carried unanimously.

- Approval of May 7, 2012 regular meeting minutes
- April 2012 Refunds, Releases, Amendments and Discoveries
- Budget Amendment:
Julie Davis, Finance Director, explained the following budget amendment
 - Emergency Management – \$3,822 – this is for renewal of the emergency notification system; this is the reverse 911. This will be from contingency. Ms. Davis clarified that contingency is still in excess of \$200,000.

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 - Emergency Management				
Communications	114375-532000	4,300	3,822	8,122
Contingency	119910-599100	205,001	(3,822)	201,179

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 21st of May, 2012.



 Chairman
 Haywood County Board of Commissioners

ATTEST:


 Clerk to the Board

Explanation:
To cover the cost of the renewal for the Emergency Notification System.

ADMINISTRATIVE/AGENCY REPORTS

Smoky Mountain Center Quarterly Report

Ms. Davis presented the quarterly financial report through March 31, 2012 for Smoky Mountain Center. She highlighted revenues of \$34,199,284, with expenditures of \$35,674,541 resulting in a net decrease in cash balance of \$1,475, 257.

NEW BUSINESS

Request Approval of Proposed Change Orders for Creative Arts Building at Haywood Community College

Chairman Swanger recognized Bill Dechant, Director of Campus Development, Haywood Community College (HCC). Mr. Dechant presented three proposed change orders for consideration by the board.

- Proposed Change Order #6 - \$2,395 – lack of foundation to support rocks on columns of building requiring studs to be added. This was a design omission by the architect. Chairman Swanger inquired if the State Construction Office had approved this proposed change order; Mr. Dechant confirmed this was approved.
- Proposed Change Order #28 - \$16,423 – lack of detail in survey resulting in drainage issues and additional paving required.

Commissioner Ensley commented that the surveyor should have been more conscientious and that this was an omission on the part of the surveyor.

Commissioner Sorrells asked if the surveyor would be approached regarding these omissions. Mr. Dechant has been directed by the HCC board to meet with the surveyor. Commissioner Sorrells asked the surveyor's name; Mr. Dechant will provide this information to the board.

Commissioner Upton asked if the location of the building site was contributing to unforeseen problems. Mr. Dechant answered that the location of the building was not the problem; the minimal detail work is the main issue.

Vice-Chairman Kirkpatrick asked if the HCC board had approved this change order. Mr. Dechant confirmed it was approved. Vice-Chairman Kirkpatrick asked if the State had approved. Mr. Dechant noted it had not been approved by the State.

Commissioner Sorrells inquired whether negotiations had been initiated related to these change orders that were due to questionable procedures (errors and omissions). Mr. Dechant answered that a meeting was held with the architect two weeks ago to begin those negotiations.

- Proposed Change Order #39 - \$919 – invert elevation on the manhole was incorrect resulting in change in position.

Vice-Chairman Kirkpatrick clarified that this had been HCC board approved, but not state approved. Mr. Dechant confirmed.

Commissioner Sorrells requested that Mr. Dechant update this board related to discussions with the architect and surveyor and negotiations.

Vice-Chairman Kirkpatrick asked whether the County has the standing to take issue with the errors and omissions perpetuating these change orders. He questioned whom the contract is with; County Attorney Killian noted that the contract was with the County. Mr. Killian clarified that HCC supervises the contract and provide updates to the County.

Vice-Chairman Kirkpatrick questioned if approving these proposed change orders would waive any responsibility of the County. Mr. Killian explained that there was discussion at an earlier time as to whether the County should review change orders and it was decided that the board had the responsibility to do so.

Vice-Chairman Kirkpatrick inquired if the architect and surveyor who made the alleged errors do not cooperate in correcting those, is the County the entity that would bring action against them. Mr. Killian answered that the County would be responsible for further action. HCC's responsibility is administering the contract and Mr. Dechant would report progress to this board.

Chairman Swanger commented that no approvals by this board would interfere with the ability to seek relief. Mr. Killian explained that approvals are on behalf of this board, not HCC, but feels that the ability to seek reimbursement is not compromised.

Mr. Dechant noted that during the first meeting with the architect to discuss these issues and some initial resolution was founded. The HCC board discussed this resolution at their last meeting.

Mr. Killian offered a consideration of adding a condition to the motion to be approved subject to report from HCC as to progress made in seeking reimbursement. Vice-Chairman Kirkpatrick noted that the board would need a report regarding the progress of the negotiations between HCC, the architect, and the surveyor as a potential party to an action due to lack of cooperation and correction of areas noted. He commented that these issues can be corrected, but there should be accountability. Vice-Chairman Kirkpatrick added that the County and HCC should not have to bear the burden of the cost of these issues.

Commissioner Sorrells asked if an agreement stating the negotiated terms should be developed and brought before this board. Mr. Killian explained that the contract already includes retainage language and Ms. Davis confirmed there is a retainage.

Mr. Dechant will provide updated information to this board as it becomes available and Chairman Swanger noted that if there is information of a legal nature for discussion, it could be done initially in closed session. Mr. Killian confirmed that negotiations could be discussed in closed session. Chairman Swanger clarified that the information would be made public, but not during negotiations.

Vice-Chairman Kirkpatrick asked if the motion related to proposed change order #6 be approved not subject to State approval as it was already approved, and move to approve #28 and #39 subject to obtaining state approval with a caveat that information regarding the surveyor and architect and ongoing reconciliation of error negotiations be provided to the

board. Mr. Dechant noted that the architect involved in change order #6 admitted omission during negotiation discussion; the surveyor has not yet been approached for discussion.

Mr. Killian explained that approval of the change order is comprised of two areas; the board desires that the change be made and consideration of cost and who pays. Mr. Killian reiterated that the board is approving the change to be made, the board understands and has been informed of the cost, and the funding is being provided, but the board reserves the right to take the cost from the retainage or to negotiate with the responsible parties.

Vice Chairman Kirkpatrick motioned to approve proposed change order #6 as approved by the State with the proviso that HCC provide a detailed report regarding the surveyor and architect and ongoing reconciliation of error negotiations, and the board reserves the right to take the cost of change orders from retainage or to negotiate with the responsible parties. Commissioner Sorrells seconded; the motion carried unanimously.

Commissioner Upton motioned to approve the proposed change orders #28 and #39 contingent upon State approval and with the proviso that HCC provide a detailed report regarding the surveyor and architect and ongoing reconciliation of error negotiations, and the board reserves the right to take the cost of change orders from retainage or to negotiate with the responsible parties. Commissioner Sorrells seconded; the motion carried unanimously.

Request Approval to Add a Portion of James Chapel Road (SR 1506) to the State Road Maintenance System

Chairman Swanger recognized Mr. Boyd. Mr. Boyd explained property owners have requested that a small portion, less than .1 mile, of James Chapel Road (SR 1506) be added to the state system. Prior to any consideration for addition to the state road system by the NC Department of Transportation (NCDOT), the board of commissioners shall take action approving that addition. Mr. Boyd has been in contact with NCDOT District Engineer, Jonathan Woodard. Mr. Woodard has confirmed there are no concerns with proceeding and the NCDOT is willing to move forward so long as the property owners provide sufficient right-of-way.

Commissioner Ensley motioned to approve the addition of a portion of James Chapel Road (SR 1506) to the State Road Maintenance System. Vice-Chairman Kirkpatrick seconded; the motion carried unanimously.

Request Approval to Implement Clinical Fee Changes

Chairman Swanger recognized Carmine Rocco, Health Director. Mr. Rocco explained that an annual cost analysis is performed by the State. From this review, it was discovered that certain fees should be adjusted to cover the costs of the procedure or supply required. The Board of Health reviewed the recommended clinical fee schedule changes at their March 13, 2012 meeting and voted to approve. Mr. Rocco requested approval to implement these clinical fee changes effective today.

Commissioner Upton motioned to approve the implementation of the clinical fee changes effective May 21, 2012. Commissioner Sorrells seconded; the motion carried unanimously.

Request Approval for Amendment #1 to the contract between AccessCare and Haywood County Health Department

Mr. Rocco noted that this amendment is to an initial contract from November 2011 for two services, Pregnancy Care Management and Care Coordination for Children (CC4C), provided through contract with AccessCare. The amendment addresses excess fund balance and any carry forward. County Attorney Killian has reviewed and has no concerns.

Commissioner Sorrells motioned to approve Amendment #1 to the contract between AccessCare and Haywood County Health Department as presented. Commissioner Upton seconded; the motion carried unanimously.

Amendment #1 to the AccessCare and Haywood County Health Department Agreement

ACCESSCARE

And

HAYWOOD COUNTY HEALTH DEPARTMENT

WHEREAS, ACCESSCARE ("NETWORK ABBRV") and HAYWOOD COUNTY HEALTH DEPARTMENT ("CONTRACTOR") have made and executed a Network and Local Health Department Agreement, dated September 1, 2011, to assist the Networks in the implementation of a Pregnancy Care Management program and a Care Coordination for Children (CC4C) program, both targeting the high risk and high cost Medicaid population.

WHEREAS, the parties hereto desire to alter and modify said Agreement in the manner hereinafter set forth, effective September 1, 2011.

11. Compensation and Expenses. Contractor shall be compensated for services provided pursuant to the Agreement. Network receives a per member per month (pmpm) fee from the Division of Medical Assistance for the implementation and support of Pregnancy Care Management and CC4C programs. The structure of payments from Network to Contractor for these two programs is set forth in "Exhibit C" attached hereto and incorporated herein by reference. Network will issue payment for services on a monthly basis using a per member per month; payment amount will be determined by the count of individuals in the base population for each program. Funds provided by Network to Contractor for services outlined in this contract must be used to support these programs through direct service provision with adequate staffing, supervision of direct service providers, essential equipment, and professional development needed for successful delivery of services. Detailed budgets for these services must be provided in "Exhibit D" for Pregnancy Care Management and "Exhibit E" for CC4C. Funds may only be used for the Pregnancy Care Management and CC4C programs (described in "Exhibit A") respectively for which they were paid and may not be made available to support other programs conducted by Contractor. Funds should be accounted for in distinct, restricted accounts to clearly separate them from other funding sources. Contractor shall submit a fiscal and programmatic report quarterly to Network, using a template provided by Network. Contractor is not permitted to release unexpended program funds associated with this contract to general funds at the end of the fiscal year or at any other time. If Contractor is unable to carry unexpended program funds forward to a subsequent fiscal year in a manner restricting the funds for program services outlined in Exhibit A, funds are to be returned to Network; appropriate use of such funds to achieve program goals will be at the discretion of Network. Contractor shall submit a proposal on the Excess Fund Balance template to the Network for approval for any fund balance exceeding a three month operating reserve. This template will specify how and when the Contractor will utilize these funds and must be submitted with the quarterly report to the Network. The Network has the right to approve, amend or request return of funds based on the plan for excess funds.

16. Termination. Either party may terminate this Agreement upon 30 days advance written notice to the other party. Notwithstanding the foregoing, Contractor acknowledges that Network's funding for the compensation payable to Contractor for its services provided pursuant to this Agreement will come from the Division of Medical Assistance, a state agency, and Contractor agrees that Network may terminate this Agreement, and Contractor's right or duty to

provide further services for Network, immediately or on such other notice as Network in its discretion may deem appropriate, in the event Network's funding for the compensation payable to Contractor for its services expires, ceases or is withdrawn. In addition, Network may terminate this Agreement immediately or on such other notice as Network in its discretion may deem appropriate in the event Contractor materially breaches this Agreement, including, but not limited to, by refusing or otherwise failing to accept or complete program assignments to Network's satisfaction, or engages in dishonest, fraudulent or felonious conduct or other conduct which is materially injurious to Network. Contractor may terminate this Agreement at any time in the event Network materially breaches this Agreement, including, but not limited to, refusing or otherwise failing to pay Contractor as required by "Exhibit C." In the event of termination of this Agreement, Contractor shall have no right to any compensation for any services provided, or any reimbursement of any expenses incurred, after the effective date of termination. Notwithstanding the foregoing, if Contractor terminates the Agreement, Network shall have the right, in its discretion, to require Contractor to continue to provide services, as set forth on "Exhibit A," for an interim period of up to an additional ninety (90) days to assure no disruption of services will occur, due to the nature of the services provided and, in such event, compensation payable to Contractor for such interim services will be negotiated for interim service period, but shall not exceed the rate provided in "Exhibit C." In the event of termination of this contract, unexpended funds are to be returned to Network within 90 days, accompanied by a final fiscal report.

IN WITNESS WHEREOF, the parties hereto have set their hands all as of the day and year first above written.

CONTRACTOR

CLIENT

HAYWOOD COUNTY HEALTH
DEPARTMENT

ACCESSCARE

BY: _____

BY: _____

PRINT: _____

PRINT: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

COUNTY MANAGER

FINANCE DIRECTOR

BY: Marty L. Stamen

BY: Julie H. Davis

PRINT: Marty L. Stamen

PRINT: JULIE H. DAVIS

TITLE: County Manager

TITLE: FINANCE DIRECTOR

DATE: 5/21/2012

DATE: 5/24/12

Special Revenue Ordinance committing the use of revenues in the Solid Waste Management Special Revenue Fund for Solid Waste Fund expenditures

Chairman Swanger recognized Ms. Davis. Ms. Davis explained that she, the Local Government Commission (LGC), and auditors have discussed how best to report the Solid Waste Revenue Fund (SWRF) in the financial statements. From this discussion, Ms. Davis noted that the SWRF would be reported as a special revenue fund as has been done in the past. She provided background information related to the need for adoption of an ordinance by the board to commit the funds to Solid Waste Management activities. Ms. Davis read aloud the proposed ordinance.

Commissioner Ensley motioned to approve the Special Revenue Ordinance committing the use of revenues in the Solid Waste Management Special Revenue Fund for Solid Waste expenditures as presented and read. Vice-Chairman Kirkpatrick seconded; the motion carried unanimously.

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



COUNTY MANAGER
MARTY STAMEY

LEON M. KILLIAN, III
COUNTY ATTORNEY

HAYWOOD COUNTY, NORTH CAROLINA
SPECIAL REVENUE ORDINANCE
COMMITTING THE USE OF REVENUES IN
THE SOLID WASTE MANAGEMENT SPECIAL REVENUE FUND
INCEPTION FISCAL YEAR 2011-2012

WHEREAS, Statement 54 of the Governmental Accounting Standards Board relating to *Fund Balance and Governmental Fund Type Definitions* requires the governing body to impose constraints which commit the use of revenues in certain special revenue funds; and

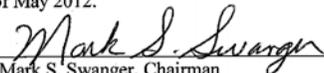
WHEREAS, the Board of Commissioners desires to impose such constraints for all revenues which are currently in, or are hereinafter placed in, the Solid Waste Management Fund;

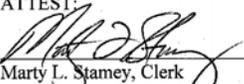
NOW, THEREFORE, BE IT ORDAINED by the County of Haywood, North Carolina, as follows:

That all revenues in the Solid Waste Fund are hereby committed and shall be used only for activities associated with the operation and other expenditures of the Solid Waste Fund, including those for the landfills, the materials recovery and recycling facilities, and the convenience centers throughout the county, and

That this Ordinance be made retroactive back to the beginning of the current 2011-2012 fiscal year in order to accurately report the activity in the fund for the fiscal year ending June 30, 2012 and beyond.

ADOPTED this the 21st day of May 2012.


Mark S. Swanger, Chairman
Haywood County Board of Commissioners

ATTEST:

Marty L. Stamey, Clerk
Haywood County Board of Commissioners

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

Request for appointment of Jonathan Song to Clyde Board of Zoning Adjustment

052112

Chairman Swanger recognized Mr. Stamey. Mr. Stamey received a letter from Mayor Jerry Walker, Town of Clyde, recommending Jonathan Song be appointed to the Clyde Board of Zoning Adjustment. He noted that Mr. Song was the only applicant for the opening, and has been interviewed by the Mayor and Aldermen.

Vice-Chairman Kirkpatrick motioned to approve the appointment of Jonathan Song to the Clyde Board of Zoning Adjustment. Commissioner Upton seconded; the motion carried unanimously.

Appointment of Planning Board Members

Chairman Swanger noted that the commissioners had ballots and should vote for two at-large members for the Planning Board. While votes were tallied, Chairman Swanger moved to the next agenda item.

Resolution in Support of Senate Bill 433

Chairman Swanger read aloud the resolution in support of Senate Bill 433 that allows county flexibility to organize local human services.

Commissioner Ensley motioned to approve the resolution in support of Senate Bill 433 as read. Commissioner Upton seconded; the motion carried unanimously.

Chairman Swanger instructed Mr. Stamey to forward copies of the resolution to the necessary individuals in the General Assembly and to local officials.

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
IN SUPPORT OF SENATE BILL 433

WHEREAS, the membership of the North Carolina Association of County Commissioners adopted a legislative goal to "allow county flexibility to organize local human services" so counties can offer a more streamlined and efficient government to minimize administrative costs and maximize services for citizens; and

WHEREAS, North Carolina county governments are responsible for administering social services and community health programs with county employees; and

WHEREAS, counties cover more than \$500 million per year on DSS administrative costs while state dollars cover less than 3 percent of these costs; and

WHEREAS, a study commissioned by the General Assembly recommended that counties be given flexibility in determining how to organize their local human services delivery programs; and

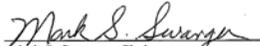
WHEREAS, Senate Bill 433 would provide all counties with the option to determine locally how they can best provide human services to their citizens; and

WHEREAS, Senate Bill 433 overwhelmingly passed the Senate in 2011 with a majority of Senators in both parties in support;

NOW, THEREFORE, BE IT RESOLVED that the Haywood County Board of Commissioners adopts this resolution in support of S433 to "**allow county flexibility to reorganize local human services**";

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Haywood County to let them know of our support for this issue.

Adopted this the 21st day of May, 2012.


Mark S. Swanger, Chairman
Board of County Commissioners

ATTEST 
Marty L. Stamey
County Manager/Clerk to the Board

Appointment of Planning Board Members

Mr. Stamey reported the following results: David Bradley received five votes; Joanna Swanson received four votes and June Johnson one vote. Mr. Stamey added that Charles Medford would require reappointment as a full-time farmer representative as he was the only applicant.

Commissioner Upton motioned to approve the appointment of David Bradley and Joanna Swanson and reappointment of Charles Medford to the Haywood County Planning Board. Commissioner Ensley seconded; the motion carried unanimously.

Change in meeting schedule July 2012

Commissioner Upton asked if the July 2, 2012 regular meeting would occur as it was during a holiday week. Chairman Swanger inquired if the Board would consider holding only one meeting in July. Following brief discussion, the Board agreed to hold only one meeting in July on the 16th at 5:30 p.m.

There was no motion; the change in meeting schedule was adopted by consensus.

ADJOURNMENT

Commissioner Upton made a motion to adjourn the regular Board meeting. Commissioner Ensley seconded, and the motion carried unanimously.

The time of adjournment was 6:40 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN