

## HAYWOOD COUNTY COMMISSIONERS

### REGULAR MEETING – November 3, 2014

#### **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 L. Upton present. Staff members present were County Manager Ira Dove, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis and Public Information Officer David Teague.

#### **PLEDGE OF ALLEGIANCE**

Chairman Swanger led the Pledge of Allegiance.

Commissioner Upton offered the invocation.

#### **CALL TO PUBLIC HEARING**

#### **CONSIDERATION OF NEW STEALTH MONOPINE TELECOMMUNICATION TOWER FOR CELLCO PARTNERSHIP D/B/A/ VERIZON WIRELESS**

Chairman Swanger recognized Planning Director, Kris Boyd. Mr. Boyd stated that he had received an application for a new wireless communication tower. He requested that in accordance with the County Wireless Telecommunications Facilities Ordinance, a public hearing be set for December 15, 2014 at the 5:30 p.m. BOCC meeting. With no objections, it was agreed that the Public Hearing will be set for Monday, December 15, 2014 at 5:30 p.m. in the Historic Courtroom of the Courthouse.

#### **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**

Commissioner Upton noted that he had heard some very positive comments on the Hazelwood Convenience Center.

#### **ADMINISTRATIVE/AGENCY REPORTS**

##### **1. HAYWOOD CHAMBER AND ECONOMIC DEVELOPMENT COUNCIL QUARTERLY REPORT**

Chairman Swanger recognized HC Chamber President, CeCe Hipps. Ms. Hipps presented a power point outlining the report, noting that it has been four months since the Chamber and EDC merged. She stated that the MOU has been used as their guide, and has been also used to measure their progress. She noted that bylaws have been created and waiting approval and listed the committees that have been formed.

She introduced Economic and Development Committee Chair, Ken Flynt.

Mr. Flynt explained that the purpose of the Workforce Development Group is to enhance the opportunities of the worker’s skills and build better information on the industry job needs in Haywood County. He distributed and explained a survey for existing companies in Haywood County. The results will give the Chamber information to sharpen the services it provides.

John Tench from the Finance and Oversight Committee addressed the Board. He explained the purpose of the committee, stating that it works along with the MOU and has set some good checks and balances. Haywood County Finance Director, Julie Davis concurred, noting that they have a very good plan in place.

Marketing strategies were outlined to the Board, including the new website which will be accessible through the Chamber site or also independently. It was also suggested that it be accessible through the County website.

Ms. Hipps summarized the next steps; among them will be the creation of the Executive Committee, developing strategies from the results of the survey, implementing the website and newsletter and identifying businesses to work with.

Commissioner Sorrells, as the BOCC appointee to this Council, thanked them for their time and effort that they have put into the new structuring.

**2. HAYWOOD COUNTY TOURISM DEVELOPMENT AUTHORITY YEAR END REPORT**

Chairman Swanger recognized HCTDA Executive Director, Lynn Collins. Ms. Collins presented a power point to the Board, highlighting:

- Tourism generated a 2013 economic impact in Haywood County of \$155.38 million.
- Haywood County is ranked 27<sup>th</sup>, up from 31<sup>st</sup>, in travel impact.
- The \$14.11 million collected state and local tax revenues from travel in Haywood County saves each county resident \$236.39 in taxes.
- Tax collections in the 3% and 1% Occupancy Tax have increased, more occupancy tax has been collected from Clyde with more vacation rentals, bed and breakfasts etc. being identified.
- Occupancy Tax collections are ahead of last year so far.

Vice-Chairman Kirkpatrick stated that this report not only reflects the effects of tourism, but what comes out of tourism. He noted that both presentations were very informative.

Commissioner Ensley agreed, stating that he has heard many times of how people had been visiting here and decided to purchase.

Commissioner Sorrells noted that as commissioner appointee to the TDA, he sees these reports frequently and commended the staff of the TDA in their hard work and research that they do.

Ms. Collins commented on how progressive the TDA Board is and the great strides that they have made this year.

**DISCUSSION / ADJUSTMENT TO AGENDA**

There were no adjustments to the agenda.

**CONSENT AGENDA**

Commissioner Sorrells made a motion to approve the consent agenda as presented.

Commissioner Upton seconded, the motion carried unanimously.

1. Approval of October 20, 2014 regular meeting minutes.
2. Budget Amendments – Julie Davis, Finance Director
  - a. Health & Human Services Agency - \$1,000 – General Fund – funds received from the Epidemiology/Communicable Disease Branch of the NC Department of Health & Human Services for educational materials.

Ms. Davis explained that this was educational materials and in addition used for Enhanced Role RN nurse training.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2014-2015

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, 2015.

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

Department line item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Health & Human Services:				
Communicable Disease Control	115185-648500	4,880	1,000	5,880
which will result in a net increase (decrease) of \$		1,000		

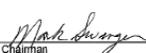
General Fund.

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
Reallocated Intergovernmental				
Communicable Disease Branch	110050-451555	16,303	1,000	17,303
				1,000

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

Adopted this the 3<sup>rd</sup> of Nov. 2014.

  
 Chairman  
 Haywood County Board of Commissioners

ATTEST:   
 Clerk to the Board

<b>Explanation:</b> To appropriate funds received from the Epidemiology/Communicable Diseases branch of NC Public Health for patient educational materials to reduce the spread of STDs and HIV. Funding may also be used for STD Enhanced Role Registered Nurse (ERRN) training.
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- b. Juvenile Crime Prevention Council - \$50,000 – additional State funding received for youth programs, (MST).  
 Ms. Davis explained that JCPC funding runs through the County, and the County provides a 20% match that was approved by the Board. This program does not require a match but is a new program that is put in the budget.

HAYWOOD COUNTY  
 BUDGET ORDINANCE AMENDMENT  
 FISCAL YEAR 2014-2015

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, 2015.

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

Department line item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Youth Services:				
Other contracts/grants	115830-669900		50,000	50,000

which will result in a net increase (decrease) of \$ 50,000 in the expenditures of the General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Restricted Intergovernmental				
Youth counseling	110050-458360-00031		50,000	50,000

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

Adopted this the 3rd of Nov, 2014.

Mark Swager  
 Chairman  
 Haywood County Board of Commissioners

ATTEST: Ira Dove  
 Clerk to the Board

Explanation:
To appropriate the amount of the new grant received from the NC Department of Public Safety for multi-systemic therapy for Western Area youth.

- c. Grant Project Ordinance - \$2,694,827 – state E-911 funding for consolidation/relocation and PSAP enhancement/replacement project.  
 Ms. Davis explained that in order to sign the pre-audit for this, the County must have a budget on this grant. She explained that as soon as there is an architect, she will be able to provide revised numbers and will be bringing an amendment back to the Board.

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



COUNTY MANAGER  
 IRA DOVE  
 LEON M. KILLIAN, III  
 COUNTY ATTORNEY

HAYWOOD COUNTY, NORTH CAROLINA  
 E-911 HAYWOOD COUNTY PSAP ENHANCEMENT  
 GRANT PROJECT ORDINANCE  
 INCEPTION FISCAL YEAR 2014-2015

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

Section 1. The project authorized is to consolidate the Haywood County 911 communications center operations with the County Sheriff's dispatch operations together with replacing or enhancing 911 system equipment.

Section 2. The officers of this unit are directed to proceed with the grant project within the terms of this ordinance and the grant document.

Section 3. The following amounts are appropriated for the project:

Engineering Design and Construction Administration	65,000
Construction	543,725
Technology systems	1,925,602
Construction Contingency	44,000
Technology Contingency	116,500
<b>Total Expenditures</b>	<b>\$ 2,694,827</b>

Section 4. The following revenues are anticipated to be available to complete the project.

NC 911 Board \$ 2,694,827

Section 5. The Budget Officer and the Finance Director are to report on the financial status of this project on a regular basis and keep the Board informed of any unusual occurrences.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. Copies of this grant project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

ADOPTED this the 3rd day of November, 2014.

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

ATTEST: Ira Dove  
 Ira Dove, Clerk  
 Haywood County Board of Commissioners

3. Application to the Public School Building Capital Fund of North Carolina – \$204,722.50 – Lottery proceeds for current year debt service amount for the Pisgah High School renovation project. Ms. Davis explained that this is budgeted each year. She noted that the Board had approved to pay for the debt service each year with the lottery proceeds.

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
NORTH CAROLINA EDUCATION LOTTERY**

Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

County: Haywood Contact Person: Bob Phillips  
LEA: 440 Title: Finance Officer  
Address: 1230 North Main, Waynesville, NC 28786 Phone: 828-455-2400

Project Title: Loan Payment for Pisgah High School Addition  
Location: 1 Black Bear Drive, Canton, NC 28716  
Type of Facility: Classrooms

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (c) has been amended to include the following:  
(3) No county shall have to provide matching funds...  
(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.  
(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.

Short description of Construction Project: Construction of Classrooms - loan payment

Estimated Costs:

Purchase of Land	\$ _____
Planning and Design Services	_____
New Construction	_____
Additions / Renovations	_____
Repair	_____
Debt Payment / Bond Payment	204,722.50
<b>TOTAL</b>	<b>\$ 204,722.50</b>

Estimated Project Beginning Date: 12/01/14 Est. Project Completion Date: 8/1/15

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 204,722.50 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

Mark Swanger 11/3/14  
(Signature — Chair, County Commissioners) (Date)

Bob Phillips 10/3/14  
(Signature — Chair, Board of Education) (Date)

Form Date: July 01, 2011

**OLD BUSINESS**

**Request approval of extension of the reduced flu vaccine cost as set during the Flu Clinic of \$34 for the shot and \$36 for the flu mist through the rest of the flu season**

Chairman Swanger stated that on September 2, 2014, the Board approved fees for the seasonal influenza vaccine at \$34 for the shot and \$36 for the flu mist. He noted that upon review of the video, it wasn't clear if that action would carry it through the rest of this season. It was decided that it needed to be brought back in front of the Board to reaffirm that the action that was taken in September was in fact the rate that would take it for the entire flu season and not just the flu clinic.

Commissioner Ensley motioned to affirm the action taken on September 2, 2014 to set the cost of \$34 for the flu shot and \$36 for the flu mist be through the rest of the flu season. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.

**NEW BUSINESS**

**Request approval of the utilization of loan contingency in the amount of \$28,100 for completion of the Sawmill Drive Improvement Project**

Chairman Swanger recognized HCC Director of Campus Development, Brek Lanning. Mr. Lanning stated that this request was to utilize the HCC Creative Arts building loan contingency for the Alternate 1 phase. This would include vegetation, such as street trees, ground cover and shrubs as well as installation. He noted that this would be the finalizing element of this project. He stated that the HCC Board had reviewed and approved this request.

Chairman Swanger requested that Ms. Davis explain how loan contingency may be used after a project is completed. Ms. Davis stated that when the County borrows money for any project, only the project can be funded. The projects that have been brought to use any of the additional money have been directly related to the building projects, especially the area around it that was damaged. The bank as well as the bond attorneys have to agree that it is directly related. Any money that is left over has to go to debt service.

Commissioner Upton made a motion to approve the utilization of loan contingency in the amount of \$28,100 for the Sawmill Improvement Project. The motion was seconded by Vice-Chairman Kirkpatrick and passed unanimously.

**Budget Amendment - \$28,100 – transfer funds from project fund contingency into construction line item**

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this amendment will move the money from the loan contingency as described by Mr. Lanning and increase the line item.

Commissioner Upton made a motion to approve the budget amendment as presented. Commissioner Sorrells seconded and the motion passed unanimously.

HAYWOOD COUNTY  
CAPITAL PROJECT BUDGET AMENDMENT  
FISCAL YEAR 2014-2015

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, 2015.

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

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<b>COMMUNITY COLLEGE PRJS:</b>				
Demolition/grading/lighting	405927-519400-1HCC1	49,300	-	49,300
Professional Svcs. - Engineering	405927-519900-1HCC1	64,000	-	64,000
Professional Svcs. - Other-demolition	405927-559300-1HCC1	376,346	28,100	404,446
Landscaping & site development				
Project contingency	409910-599100-1HCC1	44,095	(28,100)	15,995

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 5<sup>th</sup> of July, 2014.

ATTEST:   
Clerk to the Board

  
Chairman  
Haywood County Board of Commissioners

<b>Explanation:</b> To appropriate the amount needed to complete the landscaping for the Sawmill Drive project from loan project contingency.
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**Update on Broadband initiative and community survey**

Chairman Swanger recognized Economic Development Director, Mark Clasby. Mr. Clasby explained that this committee had started meeting in August to determine how to bring higher speed, reliable and affordable broadband service to the underserved and unserved people in the County. Within this committee, they have looked at ordinances, equipment locations, pros and cons of wireless and fiber. The next step is do a community survey to get public input on the broadband needs in the County. He stated that there will be another survey on the County website and a brochure to distribute. The data collected will be used to create a map to show providers that we have the demand.

Chairman Swanger suggested that these brochures may be sent home with school children and Mr. Clasby responded that he will look into this possibility.

Chairman Swanger recognized Ron DeSimone as being the caveat that pulled all of this together by doing research on his own and getting this project started.

Commissioner Sorrells stressed the need to get as much information back as possible in order to to improve broadband services in this area.

**Request approval of revision of adoption fee standards at the Haywood County Animal Shelter to simplify the adoption process and promote adoption of shelter animals**

Chairman Swanger recognized Animal Services Director, Jean Hazzard and Advisory Committee Member, Connie Hewitt. Ms. Hewitt stated that they would like to simplify the adoption fee procedures. She noted that one of the main concerns is with the cats. With the new fee structure, male or female unaltered cats would be the same price of \$32.50.

Chairman Swanger inquired how many cats in the County are not adopted and Ms. Hazzard responded that due to the Ferrell cat population, the rate of euthanizing is about 60%.

Ms. Hazzard commended both the Advisory Committee and Sarges on the efforts they put forth in the adoption of these animals.

Commissioner Sorrells thanked them for their hard work with these animals.

Vice-Chairman Kirkpatrick made a motion to approve the revised adoption fee standards as presented and Commissioner Upton seconded. The motion passed unanimously.

**Request approval of commitment letter of matching grant funds for VIPER radios for overall multi-agency improvement of communications**

Chairman Swanger recognized EMS Director, Jim Pressley. Mr. Pressley explained that the State of North Carolina has been working for the past several years on Emergency Services inoperability capability. There are towers and receivers that are coming to the Gorge and the south end of the County. This grant will get the remainder of the VIPER resources that the County needs to pull all communications together. This will be approximately \$300,000 worth of radios with a County match of \$36,435.84.

Commissioner Upton commented that it makes sense to have all the communications together.

Commissioner Sorrells asked if this would enhance radio communications and Mr. Pressley stated that they would hope this would help.

Commissioner Upton noted that it would be helpful to have the School Resource Officers on this also and Mr. Pressley agreed.

Chairman Swanger stated that it will take time to get access to all areas in the County that is needed.

Vice-Chairman Kirkpatrick made a motion to approve the commitment letter of matching grant funds for VIPER radios for overall multi-agency improvement of communication and Commissioner Upton seconded. The motion passed unanimously.

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  
IRA DOVE  
LEON M. KILIAN, III  
COUNTY ATTORNEY

October 20, 2014

2014 AFG Viper Grant Committee,

This letter expresses the intent of the Haywood County Board of County Commissioners to provide the matching funds for the portion of the 2014 AFG Viper Grant as described on the attached information sheet. If awarded, this grant will be used to purchase equipment for the Haywood County Emergency Medical Services and Sheriff's Office. Haywood County EMS is requesting three package 2's and one Package A as outlined under options. The Sheriff's Office is requesting a total of six package 2's as outlined under options. Haywood County understands that it would have to pay a total sum of \$36,435.84 to cover the matching funds if the grant is awarded.

It is the intent of Haywood County Board of County Commissioners to provide the funding, however it is subject to the laws of North Carolina.

Sincerely,

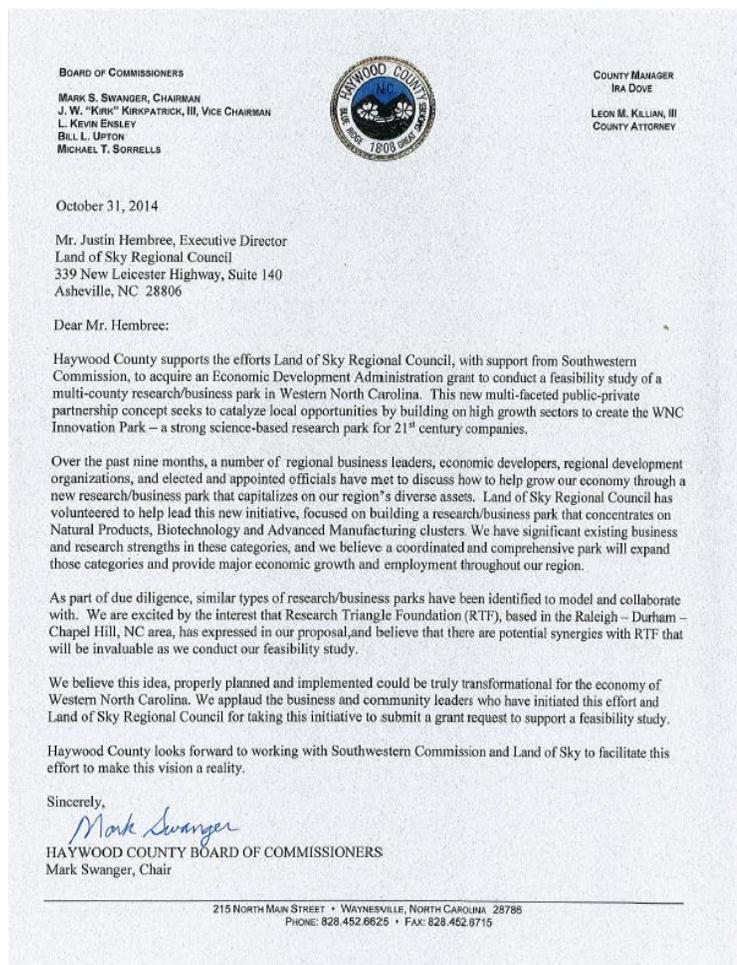
  
Mark S. Swanger, Chairman  
Haywood County Board of County Commissioners

  
Ira Dove, County Manager  
Haywood County

**Request approval of letter of support for the Land of Sky and the Southwestern Commission to acquire an Economic Development Administration grant to conduct a feasibility study of a multi-county research/business park in Western North Carolina**

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that this grant would be for a research park that would have several locations across Western North Carolina. The focus would be to bring more advanced manufacturing, life sciences and climate data services to the area.

Commissioner Sorrells made a motion to approve the letter of support and permission for Chairman Swanger to sign on behalf of the County and Commissioner Ensley seconded. The motion passed unanimously.



**Request appointment of one (1) member to the Clyde Planning Board ETJ**

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove reviewed the one application of Marco Gutierrez, noting that he currently lives within the ETJ.

Commissioner Upton made a motion to approve the appointment of Marcos Gutierrez to the Clyde Planning Board ETJ. The motion was seconded by Vice-Chairman Kirkpatrick and it passed unanimously.

**Request appointment of four (4) members to the Canton Planning/Zoning Boards ETJ**

Chairman Swanger recognized Mr. Dove. Mr. Dove stated that there are four applications recommended for approval by the Town of Canton, Jimmy Flynn, Kenny Holland, Chris May and Hanni Muerdter.

Commissioner Upton made a motion to approve the appointments and was seconded by Commissioner Sorrells. The motion passed unanimously.

**ADJOURNMENT**

Chairman Swanger asked if there was any further business.

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

The time of adjournment was 10:04 a.m. The DVD is attached by reference to the minutes.

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CLERK

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CHAIRMAN

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