

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – November 17, 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, Public Information Officer David Teague and Executive Assistant/Deputy Clerk Candace Way.

PLEDGE OF ALLEGIANCE

Chairman Swanger led the Pledge of Allegiance.

Commissioner Sorrells offered the invocation.

CALL TO PUBLIC HEARING

Request for Call to Public hearing for creation of East Canton Fire Service District, Ivy Hill Fire Service District, Waterville Fire Service District, and annexation of Territory into Fines Creek Fire Service District on Monday, January 19, 2015 at 5:30 p.m.

Chairman Swanger recognized Fire Marshal, Johnny Glance. Mr. Glance stated that he is here to request a Call to Public Hearing for the creation of four different area fire districts and the annexation into a fire district.

With no objections, the Public Hearing is set for Monday, January 19, 2015 at 5:30 p.m. in the Historic Courthouse Courtroom.

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.

Brenda O’Keefe addressed the Board. She expressed concern over the elected Tax Collector, Mike Matthews being able to hold such an important position in the county. She noted that the position is a complicated job which takes a long time to learn and it concerns her that he has held so many jobs in a short period of time. She stated that the County has an outstanding tax collection rate, noting that the County collects the taxes for Maggie Valley and she is concerned for the future. She commented that she does not dislike Mr. Matthews personally, that these are just her personal feelings.

CONSTITUENT CONCERNS

Chairman Swanger stated that there will be a Closed Session to follow the regular meeting in regards to certain issues and there could be motions to follow.

Commissioner Upton commented on the hard work of the Elections Board and the excellent work they did over the 29 precincts.

Commissioner Ensley paid condolences to the Walter Clark family, stating that Mr. Clark had been the Town of Canton attorney for 59 years, noting that he was a fine gentleman. He also thanked those that worked tirelessly on the shelter, complementing the work of Dale Burris, the community and churches.

ADMINISTRATIVE/AGENCY REPORTS

DISCUSSION / ADJUSTMENT TO AGENDA

Chairman Swanger noted that there was one adjustment to the agenda. The Board will be holding a Work Session on December 4, 2014 at 1:00 p.m. at the Health & Human Services Agency training room. He noted that this is open to the public and may be about three to four hours long.

He commented that Commissioner Bill Upton has been appointed to co-chair the Committee on Education for the North Carolina Association of County Commissioners. This committee’s focus is to prioritize educational goals and present them to the North Carolina legislature.

4. Approve one time change of hours of operation for the Register of Deeds and the Tax Collection Office to close on November 26th at 4:00 p.m. and the Tax Collection Office to re-open on December 1st at 11:00 a.m. for transition preparation. Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that due to the transition of the Tax Collector office, an audit and settlement has to be made. The Register of Deeds will need to close early because they cannot record deeds without the Tax Office open.

County Attorney Chip Killian noted that due to a bill that was brought forth a few years ago, the Register of Deeds hours need to be posted and possibly put on the County website.

Vice-Chairman Kirkpatrick expressed concern that it being the end of November, someone not knowing the change of hours could come to have a deed stamped and not be able to do so. Mr. Francis replied that he will be there and will be able to perform that task if needed. He noted that when the office closes at 4 p.m. on November 26th, there is an outside auditor coming in along with the Finance Office to close out the books before the transition begins on December 1st.

NEW BUSINESS

Request approval of resolution declaring surplus van and authorizing the trade of surplus van from the Sheriff's Office

Chairman Swanger recognized Sheriff's Office Chief Deputy, Jeff Haynes. He stated that the Sheriff's Office is seeking a resolution to surplus a 2005 Ford E350 van and authorize for trade.

Commissioner Sorrells made a motion to approve the resolution as presented and was seconded by Commissioner Ensley. The motion carried unanimously.



Budget Amendment – General Fund – Sheriff's Office - \$9,050 additional money received from sale of vehicles to cover new vehicle purchase

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this is related to the resolution that was just approved. She stated that the van needs to be traded for another vehicle. She noted that they have sold some vehicles and equipment this year. She stated that the Sheriff's Office had budgeted \$5,000, but had actually brought in about \$14,050, therefore will have \$9,050 in their budget.

Vice-Chairman Kirkpatrick made a motion to approve the budget amendment as presented. Commissioner Sorrells seconded and the motion passed unanimously.

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
Sheriff's office:				
C/O - Motor vehicles	114310-054000	56,228	9,050	65,278

which will result in a net increase (decrease) of \$ 9,050 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
Sales of property other than capital assets	110100-483810	5,000	9,050	14,050
			9,050	

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

Adopted this the 19th of Nov. 2014.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To appropriate the additional amount of property sales to the Sheriff's office for the purchase of a vehicle.

Introduction of the new Health & Human Services Agency Director, Talmadge "Stoney" Blevins to the Board

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove stated that it was with great pleasure that he introduces Mr. Blevins. He gave a background on Mr. Blevins, noting that he is currently the Social Services Director in Transylvania County.

Mr. Blevins commented that he is honored to be selected and is excited to get out in this community and meet everyone.

Chairman Swanger commented that it is not easy being the first at something, and congratulated Mr. Blevins for being the first Health & Human Services Director in this county.

Commissioner Ensley thanked Mr. Dove for performing two jobs as the director of Health & Human Services Agency and the County Manager.

Mr. Dove stated that the Division Directors have done a tremendous job helping lead the Agency during this time, recognizing Carmine Rocco, Michelle Haynes, Donna Lupton and Teresa Allison.

Commissioner Sorrells agreed, thanking the Directors for helping Mr. Dove during this time in keeping the Agency running smoothly.

Request approval of the 2015 Personal Property Depreciation Schedules

Chairman Swanger recognized Tax Administrator, David Francis. Mr. Francis explained that each year this comes before the Board for approval. He stated that this is the next year's property schedule, noting that one change is that there is now a category for junk boats.

Vice-Chairman Kirkpatrick asked about the minimum of the personal property tax for a LLC if nothing is submitted. Mr. Francis responded that there is no minimum, however they need to fill out the form.

Commissioner Upton made a motion to approve the 2015 Personal Property Depreciation Schedule and Vice-Chairman Kirkpatrick seconded. The motion passed unanimously.

Request approval of architectural designer, Padgett & Freeman for the Haywood County 911/EOC Facility renovations

Chairman Swanger recognized Facilities & Maintenance Director, Dale Burris. Mr. Burris stated that this had been advertised for Request for Qualifications. Three names were submitted with packages. He noted that he, Mr. Dove and Ms. Davis had reviewed all three. He stated that he contacted each one and had four or five basic questions for them. He noted that none of three have been involved with a grant writing group. The suggestion that he received on November 13 was to enter into negotiations with Padgett Freeman.

Commissioner Ensley asked about the fees, and Mr. Burris stated that it is based on \$60,000 to \$65,000 and the County will negotiate on that. He noted that once it is negotiated, it will brought back to the Board for approval.

Commissioner Upton made a motion to approve architectural designer, Padgett & Freeman for negotiating the fees for the Haywood County 911/EOC Facility renovation and bring a contract back to the Board. The motion was seconded by Commissioner Ensley and passed unanimously.

Request approval of resolution authorizing staff to submit a grant request up to \$600,000 to the EPA for funding a community-wide Brownfields Coalition Assessment Grant to identify and address potential Brownfields sites and authorize the Chairman to execute any or all documents pertaining thereto; providing for an effective date

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that the County will be the lead agency when this grant is submitted. He noted that the Town of Waynesville has committed as well as the Town of Canton, and Maggie Valley may also possibly be included. This will enable the County to pick sites, public or private, that may need some type of remediation. This will pay for the initial assessment and open up the ability to do that with other grant funding.

Vice-Chairman Kirkpatrick made a motion to approve the resolution as presented and authorize the Chairman to execute related documents 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. KILLIAN, III
COUNTY ATTORNEY

A RESOLUTION AUTHORIZING STAFF TO SUBMIT FOR CONSIDERATION A GRANT REQUEST FOR UP TO \$600,000 TO THE US ENVIRONMENTAL PROTECTION AGENCY FOR FUNDING A COMMUNITY-WIDE BROWNFIELDS COALITION ASSESSMENT GRANT TO IDENTIFY AND ADDRESS POTENTIAL BROWNFIELD SITES AND AUTHORIZING THE COUNTY COMMISSION CHAIRMAN TO EXECUTE ANY OR ALL DOCUMENTS PERTAINING THERETO; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Haywood County has experienced several years of commercial and residential development and has been impacted, like many communities, with conditions of blight due to age and neglect, long-term decay and potential contamination from a wide variety of industrial, commercial and transportation related sources, and

WHEREAS, the identification of many of these impacted locations of concern are not known to the community and should be identified in order to provide for environmental site assessments, evaluations and for establishing corrective actions, remediation and economic incentives, and

WHEREAS, providing for an effective brownfield redevelopment strategy will encourage new private sector capital investment for returning impacted properties to future alternative reuse, aid in the creation of new to Haywood County jobs and enrich the tax base of the community specifically in areas of economically distressed older development, and

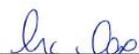
WHEREAS, the USEPA to provide technical support and training to communities within EPA's District IV and funding to identify and address potential brownfield assessments, clean-up and revitalization, and

WHEREAS, the Towns of Clyde, Maggie Valley and Waynesville have indicated a possible interest in joining with Haywood County Government to seek funding to identify and address potential brownfield sites and revitalization opportunities, and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY, NORTH CAROLINA, that: (1) This body authorizes County staff to prepare and to submit an application to the U.S. Environmental Protection Agency's "Brownfield Coalition Assessment Grant" program and receive funding to support site assessments, technical assistance and to authorize the County Chairman to sign or execute any or all documents therefore required.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Haywood County, North Carolina, this 17th day of November 2014.


Mark S. Swanger, Chairman
Haywood County Board of Commissioners

ATTEST: 
Ira Dove, Clerk to the Board

Request approval of contract for professional services between Haywood County, North Carolina and Mission Critical Partners, Inc.

Chairman Swanger recognized Chief Deputy, Jeff Haynes. Mr. Haynes stated that following the approval of the grant last month, this will be the partner group to receive the grant. He stated that the contract will be a multitude of different things for a turn-key project for the County and will oversee the seamless transition into the new 911 center. He noted that this contract will be paid for out of existing grant funds.

Commissioner Sorrells made a motion to approve the contract for professional services between Haywood County, North Carolina and Mission Critical Partners, Inc. The motion was seconded by Commissioner Upton and it passed unanimously.

Vice-Chairman Kirkpatrick noted that this is not a company that is affiliated with Mission Hospital.

Request appointment of one (1) member to the TDA Board – accommodations more than 20

Chairman Swanger recognized Mr. Dove. Mr. Dove stated that there was one position and one application. He reviewed the application of Christopher Corbin, noting that he was interviewed by the commissioners previous to the meeting.

Vice-Chairman Kirkpatrick made a motion to approve the appointment of Mr. Corbin and was seconded by Commissioner Ensley. The motion passed unanimously.

Request appointment of one (1) member to the TDA Board – accommodations less than 20

Chairman Swanger recognized Mr. Dove. Mr. Dove stated that there was one position and one application. He reviewed the application of Beth Brown, noting that she currently sits on the TDA Board.

Commissioner Upton made a motion to approve the appointment of Ms. Brown and was seconded by Commissioner Ensley. The motion passed unanimously.

Commissioner Sorrells stated that as the commissioner appointee to the TDA Board, he has seen the dedication that Ms. Brown demonstrates.

Request appointment of one (1) member to the Engineering Review Board

Chairman Swanger recognized Mr. Dove. Mr. Dove stated that there were three positions and one application. He reviewed the application of Warren Sugg, who has applied for the engineer position on the board.

Commissioner Sorrells made a motion approve the appointment of Mr. Sugg and was seconded by Commissioner Ensley. The motion passed unanimously.

Request appointment of two (2) members to the Sediment & Erosion Control Board

Chairman Swanger recognized Mr. Dove. Mr. Dove stated that there were two positions and two applications. He reviewed the applications of Ronald Leatherwood and Shane Valliere, noting that Mr. Leatherwood currently sits on the Board.

Commissioner Ensley made a motion to approve the appointment of Mr. Leatherwood and Mr. Valliere and was seconded by Vice-Chairman Kirkpatrick. The motion passed unanimously.

Chairman Swanger noted that the Board will be going into Closed Session which may be lengthy, however there may be some actions following the return from the Closed Session.

CLOSED SESSION

Commissioner Upton made a motion to enter into Closed Session for:

Personnel - G.S. §143-318.11(a)(6).

Acquisition of Real Property – G.S. §143-318.11(a)(5). Property of Betty Lewis, adjacent to the Francis Farm Landfill; 25.3 acres.

Attorney/Client Privilege - G.S. §143-318.11(a)(3).

Commissioner Ensley seconded, the motion carried unanimously.

The Board returned from Closed Session.

Chairman Swanger called for a series of motions:

Vice-Chairman Kirkpatrick made a motion to appoint David Francis as interim Tax Administrator at his current salary with duties including, but not limited to, GIS, revaluation, mapping, Tax Assessor, Solid Waste including the coordinator of the Francis Farm remediation project, assist County Manager prepare the appropriate personnel manual and pay grade changes; Tax Collector does not report to the Tax Administrator. Commissioner Upton seconded the motion and it passed unanimously.

Commissioner Sorrells made a motion to set the salary of the incoming Tax Collector, Mike Matthews at \$55,831. The motion was seconded by Commissioner Upton and it passed unanimously.

Commissioner Upton made a motion to set the bond for the incoming Tax Collector, Mike Matthews at \$410,000. The motion was seconded by Commissioner Sorrells and it passed unanimously.

Chairman Swanger asked David Francis for a brief summary of the why the property adjacent to the Francis Farm Landfill is being purchased. Mr. Francis explained that for years, methane gas has been bleeding onto the property and the County has not been in compliance. Ground water monitoring wells on the Lewis property show contamination. By purchasing this property, it will allow boundaries to move and puts the County back in compliance on the methane gas. Currently the edge of the waste goes up against the Lewis Property. Remediation of the property will continue. He noted that the purchase of this property was recommended by engineers from McGill & Associates.

Commissioner Ensley made a motion to purchase 25.3 acres of real property from Betty Lewis off of Francis Farm Road portion of PIN #8626239678 described in Deed Book 115, page 184 being 25.3 acre site at a price of \$850,000 and allowing seller to lease the property for one year to complete agricultural activities on the property. Commissioner Upton seconded the motion and it passed unanimously.

ADJOURNMENT

Chairman Swanger asked if there was any further business.

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

The time of adjournment was 8:10 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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