

## **HAYWOOD COUNTY COMMISSIONERS**

### **REGULAR MEETING – June 2, 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.

#### **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**

There were no constituent concerns.

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

There were no administrative/agency reports.

#### **DISCUSSION / ADJUSTMENT TO AGENDA**

There were no adjustments to the agenda

#### **CONSENT AGENDA**

Commissioner Upton made a motion to approve the consent agenda as presented. Vice-Chairman Kirkpatrick seconded, the motion carried unanimously.

1. Approval of May 19, 2014 regular meeting minutes.
2. Budget Amendments – Julie Davis, Finance Director
  - a. Various departments - \$56,320. Ms. Davis explained each item in this budget amendment, noting that these were from the General Fund for year end expenditures through June 30<sup>th</sup> for these various departments.



HAYWOOD COUNTY  
 CAPITAL PROJECT ORDINANCE AMENDMENT  
 FISCAL YEAR 2013-14

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, 2014.

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

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
C/P Fund - School - ADM/LOTTERY				
Wayn. MS Roof Replacement:				
Prof. Svcs - Architect	495937-519917-4LOT2	11,000	-	11,000
C/O - other building costs	495937-558002-4LOT2	-	157,000	157,000
Canton MS Roof Replacement:				
Prof. Svcs - Architect	495973-519917-4LOT3	8,275	-	8,275
C/O - other building costs	495973-558002-4LOT3	-	118,225	118,225
				294,500

which will result in a net increase of \$ 275,225 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
Restricted Intgvtl - LOTTERY Fund	490050-459365-4LOT2	11,000	157,000	168,000
Restricted Intgvtl - LOTTERY Fund	490050-459365-4LOT3	8,275	118,225	126,500
			275,225	294,500

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

Adopted this the 2<sup>nd</sup> day of June, 2014.

Mark Sumner  
 Chairman  
 Haywood County Board of Commissioners

ATTEST: [Signature]  
 Clerk to the Board

Explanation:
To appropriate the amount from the NC Lottery
to cover the cost of the roof replacement at
Waynesville and Canton Middle Schools.

- c. County building projects - \$55,500 – Canton Library renovations (roof/ parking lot). Ms. Davis explained that this was from the Capital Project fund and were current year revenues transferred for this project.

HAYWOOD COUNTY  
CAPITAL PROJECT ORDINANCE  
FISCAL YEAR 2013-2014

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, 2014.

Section 1. To amend the Capital Project Fund - County building/repairs/construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<u>County projects:</u>				
Canton Library				
Building costs/roof repair	486110-558002-14LIB	-	52,500	52,500
Site development/paving	486110-559300-14LIB	-	3,000	3,000

which will result in a net increase of \$ 55,500 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
<u>Other financing Sources:</u>				
Transfer from General Fund	480110-498111-14LIB	-	55,500	55,500
			55,500	

The effect on the General Fund is as follows:

Transfer to C/P fund - County projects	119840-588048	-	55,500	55,500
<u>General Government:</u>				
Tax Collections data processing services	114140-538000	60,365	(30,500)	29,865
Library - regular wages	116110-512100	632,415	(10,000)	622,415
Library - site licenses	116110-542001	29,987	(15,000)	14,987

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

Adopted this the 2<sup>nd</sup> of June, 2014.

  
Chairman  
Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

Explanation:
To appropriate the amount needed to complete the parking lot repairs and new roof at the Canton Library.

- d. Hemlock Street property - \$6,800 – master plan expenditures. Ms. Davis explained that this was from the Capital Project Fund and were preliminary expenses for surveys and architects to start the project.

HAYWOOD COUNTY  
CAPITAL PROJECT ORDINANCE  
FISCAL YEAR 2013-2014

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, 2014.

Section 1. To amend the Capital Project Fund - County building/repairs/construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
<u>County projects:</u>				
Hemlock Street property (NC DOC)				
Professional services - Surveying	484120-519500-14HEM	-	2,000	2,000
Professional services - Architect/Eng.	484120-519906-14HEM	-	4,800	4,800

which will result in a net increase of \$ 6,800 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
<u>Other financing Sources:</u>				
Transfer from General Fund	480110-498111-14HEM	-	6,800	6,800
			<u>6,800</u>	

The effect on the General Fund is as follows:

<u>Expenditures:</u>				
Transfer to C/P fund - County projects	119840-598048	328,434	6,800	335,234
<u>Revenues:</u>				
Ad Valorem Taxes - MV 2012	110010-411201	133,047	6,800	139,847

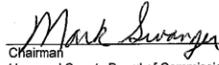
Section 2. Copies of this amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 2<sup>nd</sup> of June, 2014.

ATTEST:

Clerk to the Board



  
Chairman  
Haywood County Board of Commissioners

Explanation:
To appropriate the amount needed for the Master Plan for the new NC Dept. of Correction property.

**NEW BUSINESS**

**Request approval of NC DOT Temporary Lane/Road Interference Permit for Blue Ridge Breakaway event**

Chairman Swanger recognized Haywood Chamber of Commerce President, CeCe Hipps. Ms. Hipps greeted the Board along with Sheriff Christopher, and explained that in order to do the event, permit signatures are needed from the Board of County Commissioners and Sheriff Christopher. She explained that there should be approximately 600 cyclists in the area this year, and there are two routes, one being on the Blue Ridge Parkway and the other through Haywood County.

Sheriff Christopher noted that safety is the first priority and they have partnered with other law enforcement agencies to look closer at this event. It will take place on August 16<sup>th</sup>.

Commissioner Sorrells made a motion to authorize Chairman Swanger to sign the permit, and Commissioner Ensley seconded. The motion passed unanimously.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
TEMPORARY LANE/ROAD INTERFERENCE PERMIT

County: Haywood County City: Waynesville  
 Name of Event / Purpose of Interference: Blue Ridge Breakaway Bicycle Ride  
 Description of Interference (from where to where): Lake Junaluska  
 Length of Interference: \_\_\_\_\_ mi. +/- Date of Interference: 8-16-14 Time of Interference: 828-456-3001  
 Requester: Cec Hippy Telephone: \_\_\_\_\_  
 (Name of person)  
 Requester Address: 28 Walnut St. Waynesville NC 28786  
 Responsible Law Enforcement Agency: Haywood County Sheriff's Department  
 Law Enforcement Contact: Det. J. H. Hippy Telephone: 828-400-9788  
 (Printed Name and Signature)  
 Responsible Local Government: Haywood County Manager  
 Local Government Contact: Joe Joe Joe Telephone: 828-356-2600  
 (Printed Name and Signature)  
 Liability Insurance Amount = \$1,000,000.00  
 (attach proof of insurance)

Terms/Conditions
<ul style="list-style-type: none"> <li>Requester shall be responsible to properly warn the traveling public of the lane interference according to the Manual on Uniform Traffic Control Devices.</li> <li>Requester shall be responsible to provide all necessary traffic control using the appropriate law enforcement agency or individuals trained in traffic control as set forth in GSR 20-114.1.</li> <li>Event shall be supported by local governing body.</li> <li>Requester shall be responsible to notify all emergency services and others of the impending interference.</li> <li>Requester shall provide the Department with appropriate maps, traffic control sketches, detour route, and prepared signage.</li> <li>After completing this form, requester shall print, sign, date, provide necessary signatures and return it to the following:            Division Traffic Engineer            North Carolina Department of Transportation            233 Webster Road            Sylva, NC 28779</li> </ul>

Since public safety and travel will not be adversely affected, this permit is...

Requested By: Cec Hippy Date: May 11, 2014  
 (signature)  
 Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Division Traffic Engineer

CC: Division Engineer  
 District Engineer  
 Resident Engineer  
 Bridge Maintenance Engineer  
 Roadside Environmental Engineer  
 Bilingual Supervisor  
 State Highway Patrol

**Request approval to execute Memorandum of Understanding for Emergency Management Training**

Chairman Swanger recognized Assistant Emergency Management Coordinator, Bill Miller. Mr. Miller explained that Emergency Management has procured a \$30,000 Homeland Security grant that is administered through the state of North Carolina. This money is to be used for training for an Incident Management Team in efficiency and proficiency as well as searches and rescues through parks and forests. It is also an opportunity to capture expenditures by way of a Finance Section Chief class. This class will help capture what is spent during an incident on Federal land.

Mr. Miller asked for the execution of the Memorandum of Understanding to secure these Homeland Security funds to train, noting that it will be 100% reimbursed.

Vice-Chairman Kirkpatrick made a motion to approve the execution of the Memorandum of Understanding for the Emergency Management Training and Commissioner Upton seconded. The motion passed unanimously.

**Budget Amendment for Emergency Management Training**

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this was from the General Fund and is grant funds in the amount of \$30,000. This will be used for the described training.

Commissioner Sorrells made a motion to approve the budget amendment as described and was seconded by Commissioner Upton. The motion passed unanimously.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2013-2014

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, 2014.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Emergency Management				
Professional Services	11 4375 519900 14TRN	-	27,000	27,000
Special Program Materials	11 4375 523100 14TRN	-	3,000	3,000

which will result in a net increase of \$ 30,000 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				
Emergency Management	11 0050 443750 14TRN	-	30,000	30,000

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

Adopted this the 2<sup>nd</sup> day of June, 2014.

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

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

Explanation: To appropriate grant funds from State of NC Dept of Public Safety Div of Emergency Management to host ICS 0305 All Hazards Incident Management Class including instructor, room rental, materials for class.
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**Request approval of fire districts and fire district modification**

Chairman Swanger recognized Fire Marshal, Johnny Glance. Mr. Glance reviewed the resolutions, stating that he is requesting approval of the districts that were in the May 19, 2014 Public Hearing.

Chairman Swanger asked if it was acceptable to approve these fire districts as a group, and Mr. Killian responded that it was. Chairman Swanger asked Mr. Glance if he had received any feedback, and Mr. Glance responded that all feedback that he received has been positive.

Commissioner Upton asked if they were working on the old Asheville Highway situation and Mr. Glance said that they were.

Commissioner Ensley made a motion to approve the resolutions of the fire districts of Howell Mill and Eagles Nest and the fire district modifications of Jonathan Creek, Junaluska, Maggie Valley, Waynesville Rural and Crabtree-Ironduff and Commissioner Upton seconded . The motion passed unanimously.

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EAGLES NEST FIRE SERVICE DISTRICT  
June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the Town of Waynesville requests the establishment of the Eagles Nest Fire Service District; and

WHEREAS, On May 19<sup>th</sup> 2014 there was held in the Commissioner's Boardroom a public meeting to establish demonstrable need; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire insurance district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Eagles Nest Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Ensley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
HOWELL MILL FIRE SERVICE DISTRICT  
June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the Town of Waynesville requests the establishment of the Howell Mill Fire Service District; and

WHEREAS, On May 19<sup>th</sup> 2014 there was held in the Commissioner's Boardroom a public meeting to establish demonstrable need; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire insurance district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Howell Mill Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Ensley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EXPANSION OF CRABTREE-IRONDUFF FIRE SERVICE DISTRICT BOUNDARY

June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the following agency requests the extension of their current fire service district: Crabtree-Ironduff Volunteer Fire Department Inc; and

WHEREAS, the territory sought to be annexed into the fire service district is adjoining to the current insurance district; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire service district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Crabtree-Ironduff Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Enslley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove,  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EXPANSION OF JUNALUSKA FIRE SERVICE DISTRICT BOUNDARY

June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the following agency requests the extension of their current fire service district: Junaluska Volunteer Fire Department Inc; and

WHEREAS, the territory sought to be annexed into the fire service district is adjoining to the current insurance district; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire service district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Junaluska Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Enslley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove,  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EXPANSION OF JONATHAN CREEK FIRE SERVICE DISTRICT BOUNDARY

June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the following agency requests the extension of their current fire service district: Jonathan Creek Volunteer Fire Department Inc; and

WHEREAS, the territory sought to be annexed into the fire service district is adjoining to the current insurance district; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire service district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Jonathan Creek Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Enslley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove,  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EXPANSION OF MAGGIE VALLEY FIRE SERVICE DISTRICT BOUNDARY

June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the following agency requests the extension of their current fire service district: Maggie Valley Volunteer Fire Department Inc; and

WHEREAS, the territory sought to be annexed into the fire service district is adjoining to the current insurance district; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire service district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Maggie Valley Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Enslley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

Ira Dove  
Ira Dove,  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

HAYWOOD COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING  
EXPANSION OF WAYNESVILLE RURAL FIRE SERVICE DISTRICT BOUNDARY

June 2, 2014

WHEREAS, fire district boundaries are established by Boards of County Commissioners pursuant to N.C.G.S. 153A-233; and

WHEREAS, the following agency requests the extension of their current fire service district: Town of Waynesville; and

WHEREAS, the territory sought to be annexed into the fire service district is adjoining to the current insurance district; and

WHEREAS, the Haywood County Fire Marshal has caused to be created new fire service district map using the GIS system for the fire district which are incorporated by reference into Exhibit A to this resolution; now therefore be it RESOLVED that the Haywood County Board of Commissioners approves the boundary lines of the Waynesville Rural Fire Service District, exclusive of current or future municipal town limits, and as represented in the GIS produced map certified by the Haywood County Fire Marshal referenced in Exhibit A.

NOW THEREFORE, upon motion of Kevin Ensley and second of Bill Upton, the following action was taken by the Haywood County Board of Commissioners:  
Adopted this 2<sup>nd</sup> day of June, 2014

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

  
\_\_\_\_\_  
Ira Dove,  
Haywood County Manager and Clerk to the Haywood County Board of Commissioners

## **Request approval of resolution to form Sugar Valley Springs Road Maintenance Service District**

Chairman Swanger recognized Planning Director, Kris Boyd. Mr. Boyd noted that this was part of the Public Hearing on May 19, 2014, and the resolution for this service district has been reviewed by Mr. Killian. He further noted that questions were brought forth by resident Mr. Abbott and after review it was determined that the formation of this district was legal. Mr. Killian concurred, commenting that Mr. Abbott's points were well taken and an issue at one point. He noted that in 1994, this issue had been addressed and an answer received from the Attorney General concerning the road district. At that point, Mr. Killian went to the General Assembly and had changes made.

Commissioner Sorrells stated that he had heard positive remarks about the district. He commented that he had to explain to one citizen how it worked and that gentleman was satisfied also.

Vice-Chairman Kirkpatrick commented that when an association is in place, there seems to always be an issue on how to spend the money, noting that as long as it is legal and in compliance it should be ok.

Mr. Killian stated that it operates like a fire district.

Commissioner Ensley made a motion to approve the resolution to form Sugar Valley Springs Road Maintenance Service District and was seconded by Commissioner Upton. The motion passed unanimously.

RESOLUTION  
Haywood County Board of Commissioners  
Regular Meeting  
June 2, 2014

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

ABSENT: None

WHEREAS, Sugar Mountain Road is in actual open use as public vehicular area, serves one or more contiguous subdivisions, and is not subject to compliance with the minimum secondary road standards of the Board of Transportation, as provided in GS 136-132 because it existed before October 1, 1975; and

WHEREAS, a Report on the Proposed Sugar Valley Springs Road Service District, dated March 3, 2014 was prepared by the Planning Department of Haywood County, which report included a map of the proposed service district, showing the proposed boundaries of the district; findings of fact; and a statement showing that the area meets the standards and requirements of GS 153A-302; and

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

WHEREAS, a public hearing was called, a public notice was mailed to each property owner within the proposed boundary and such public hearing was held on May 19, 2014 on the question of forming the Sugar Valley Springs Road Service District pursuant to G.S. Section 153A-303; and

WHEREAS, notice of the public hearing was published in the Mountaineer on April 7, 2014, and posted at the place designated by the Haywood County Board of Commissioners for the posting of legal notices; and

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

1. The boundaries of a road maintenance service district known as Sugar Valley Springs Road Service District as described in Exhibit A hereto attached and approval is hereby given by

the Haywood County Board of Commissioners.

2. The Sugar Valley Springs Road Service District shall have as its boundaries the area described upon the map attached hereto as Exhibit A.

Adopted this the 2nd day of June 2014.

Mark D. Swanger  
Chairman  
Board of Commissioners of Haywood County

ATTEST: [Signature]  
Clerk to the Board

CERTIFICATION

The above Resolution was adopted this the 2nd day of June 2014.

I, Ira Dove, 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 2, 2014, as it relates in any way to the Resolution hereinabove set forth, and that said proceedings are recorded in Minute Book No. 25 of the minutes of said Board.

WITNESS my hand and the common seal of said County, this the 2nd day of June, 2014.

[Signature]  
Clerk to the Board of Commissioners,  
Haywood County

**Notice of Public Meeting to consider adoption of a Resolution of Approval of the Asset Purchase Agreement between Haywood County, Haywood Regional Medical Center and Duke LifePointe Hospital Systems**

Chairman Swanger recognized County Attorney, Chip Killian. Mr. Killian suggested a proposed notice due to not being sure of the timing of the final agreement of the asset purchase agreement. He suggested the following: "Motion to authorize publication of Notice of Meeting at such time as the final Asset Purchase Agreement with exhibits are available for public inspection to accomplish the 10 day notice of regular meeting requirement for the June 16 regular meeting or for a subsequent regular meeting."

Chairman Swanger asked if there were any questions and there were none.

Vice-Chairman Kirkpatrick made a motion to authorize the publication of Notice of Meeting as described and was seconded by Commissioner Sorrells. The motion passed unanimously.

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

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove stated that he had received a letter from the Town of Clyde requesting appointment of Katherine Ramey as an ETJ member to the Clyde Planning Board. He reviewed Ms. Ramey's application.

Vice-Chairman Kirkpatrick made a motion to appoint Katherine Ramey as an ETJ member to the Clyde Planning Board and was seconded by Commissioner Ensley. The motion passed unanimously.

**CLOSED SESSION**

Vice-Chairman Kirkpatrick made a motion to enter into Closed Session for Attorney/Client Privilege G.S. §143-318.11(a)(3).

Commissioner Upton seconded and the motion carried unanimously.

The Board returned from Closed Session.

**ADJOURNMENT**

Chairman Swanger asked if there was any further business and there was none.

Vice-Chairman Kirkpatrick made a motion to adjourn the regular Board meeting.

Commissioner Upton seconded; the motion carried unanimously.

The time of adjournment was 10:16 a.m. The DVD is attached by reference to the minutes.

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CLERK

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CHAIRMAN

