

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – June 16, 2014

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 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

Commissioner Upton 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.

Mr. Monroe Miller addressed the Board expressing concern over the Funding Formula between the County and Haywood County Schools. He stated that he believed that there has been some falsifying of documents. He stated that he felt the Board owed Dr. Anne Garrett an apology for actions that he felt were inappropriate at the April 17th Work Session.

Ms. Juanita Dixon addressed the Board. She thanked the Board for being a forward thinking Board and for their services and stated that she was with the Senior Advocacy Governing Board. She said that her group had toured the new Maple Leaf building and was concerned about the increased traffic flow to the facility. She noted that they were aware that the County was looking to the State for feasibility of a traffic light there, and wanted the Board to be aware that they were in support of that action.

Chairman Swanger commented on the prior statements made by Mr. Miller stating that he had heard Mr. Miller make inaccurate and hateful accusations in the past, but felt that these topped them. He stated that Ms. Davis was highly respected in the State and he felt that Mr. Miller’s accusations were nonsense.

CONSTITUENT CONCERNS

Commissioner Upton commented that he agreed with Ms. Dixon as he goes to the Maple Grove Methodist Church across the street and a light is needed at that location.

Commissioner Ensley remarked that he appreciates all that Ms. Davis does for the County. He noted that Larry Smith with the Haywood County Schools is also held in high regard and that he verifies everything that Ms. Davis does with the Funding Formula. He noted that when the economic downturn happened in 2009, everyone was on board with looking at how to reduce funding. He also agreed with Ms. Dixon on what a great asset the Senior Resource Center is to the community.

Commissioner Sorrells stated that he had previously served on the School Board, and was thankful to have the Funding Formula in place while he was on the Board. He commented that it was an agreement between the two Boards to have it and it greatly benefited both. He noted that while in Raleigh with Chairman Swanger recently, they were approached many times by other counties that did not have it and were seeking information on how to put it in place in their communities.

Mr. Killian noted that the Funding Formula was not statutory but helped avoid litigation and mediation. He noted that many other counties have spent so much money litigating school funding and this agreement helps to prevent that.

Commissioner Upton noted that the Funding Formula began while he was the Haywood County School Superintendent. He stressed that this was the responsibility of the County and the school system, and was not all Ms. Davis's responsibility.

Commissioner Sorrells reminded the commissioners that the County ranks 21st in the state when it comes to per capita population and income rate when supporting schools.

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.

Commissioner Sorrells seconded, the motion carried unanimously.

1. Approval of June 2, 2014 regular meeting minutes.
2. Approval of May 2014 refunds, releases, amendments and discoveries – David Francis, Tax Administrator

Mr. Francis had nothing unusual to report and there were no questions.

3. Budget Amendments – Julie Davis, Finance Director
 FY 2013-2014

- a. Health & Human Services Agency - \$5,175. Ms. Davis explained that this was from the General Fund and is grant money that will be budgeted into the line items where the expenses occurred.

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
Adult Health Services:				-
Educ & Medicals Supp	115151-523000	5,200	(5,175)	25
Health - General:				-
Salary	115110-512100	1,793,084	4,501	1,797,585
Travel	115110-531100	9,926	674	10,600
				-
				-
				-
which will result in a net increase of \$		(0)	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 16th day of June, 2014


 Chairman
 Haywood County Board of Commissioners

ATTEST: 
 Clerk to the Board

Explanation:
Community Transformation Grant - this will transfer the budget for this grant to cover time spent on the grant activities by the HHS Department staff.

- b. General Fund - \$47,500 – Pigeon Community Center building.

Ms. Davis explained the year end transfers from the General Fund into the Capital Project Fund and stated that it will be used for repairs to the building.

Facilities and Maintenance Director, Dale Burris, addressed the Board explaining that while looking at the roof issues, they had also discovered a structure crack on the back of the building. He noted that this will be addressed along with roof.

Chairman Swanger commented that there are about eleven churches that have expressed interest in helping with the building repairs inside of the building once the roof and structural issues are completed.

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 line item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
General - Wellness Clinic-overtime wages	114137-512100	101,834	2,500	104,334
Central Garage				-
C/O- motor vehicle (replace engine in truck)	114260-554000	-	5,000	5,000
Information Technology				-
Temporary wages	114200-512600	8,117	7,000	15,117
Community Development				-
Other contributions/grants	114930-569900	35,000	(35,000)	-
Mental Health	115200-569302	100,000	(20,000)	80,000
Transfer to Capital Project Fund -48 County proj.	119040-590048	55,500	47,500	103,000

which will result in a net increase (decrease) of \$ 7,000 in the expenditures of the General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental Revenue from Towns	110050-442410	-	7,000	7,000
				-

The effect on the Capital Project fund is as follows:

County Projects:				
Expenditures:				
Pigeon Community Center:				
Professional Services - architect/engineer	484261-519906-14PCC	-	5,000	5,000
Building repair - roof	484261-558002-14PCC	-	35,000	35,000
Building repair - structural repair	484261-569900-14PCC	-	7,500	7,500
			47,500	
Revenues and other sources:				
Transfer from General Fund	480110-498111-14PCC	-	47,500	47,500
			47,500	

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

Adopted this the 16th of June, 2014.


Chairman
Haywood County Board of Commissioners

ATTEST:

Clerk to the Board

Explanation:
To increase(decrease) various departments at year end and appropriate the capital project fund amount for the Pigeon Community Center roof and building repairs with a transfer from the General Fund.

FY 2014 - 2015

c. Capital Project Fund - \$447,551 – Solid Waste Landfill cell.

Ms. Davis explained that this was from the Capital Project fund and and will be put into the Special Revenues Fund to pay the debt service that is due July 1.

HAYWOOD COUNTY
CAPITAL PROJECT ORDINANCE 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 - Solid Waste construction projects, the expenditures are to be charge as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Solid Waste landfill cell 3 project:				
Prof. services - Legal	434722-519200-09SW1	41,000	(14,502)	26,498
Prof. services - engineering	434722-519400-09SW1	371,481	(31,433)	340,048
C/O- Equipment	434722-555000-09SW1	152,000	(118,220)	33,780
C/O- Equipment-electrical	434722-555001-09SW1	37,571	(6,771)	30,800
Construction contingency	434722-599100-09SW1	92,684	(92,684)	-
Project Contingency	434722-599101-09SW1	10,017	(10,017)	-
Transfer to S/R Fund - Solid Waste Mgt.	439820-598024-09SW1	-	447,551	447,551

which will result in a net increase of \$ 173,924 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
Investment earnings	430090-483491-09SW1	-	21,975	21,975
Appropriation of fund balance/unused proceeds	430110-499991-03SW1	-	151,949	151,949
			<u>173,924</u>	

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

Adopted this the 16th of June, 2014.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To close the project fund by transferring the balance from the loan proceeds into the Special Revenue fund for Solid Waste, where the loan debt service will be paid.

OLD BUSINESS

Request approval of Resolution to dissolve the Economic Development Commission and reaffirm Memorandum of Understanding with Haywood County Chamber of Commerce

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove stated that the Economic Development Commission had their last meeting in May and that the Chamber of Commerce has begun work at their June 10th organizational meeting to begin taking over these functions. He read the resolution to the Board.

Commissioner Sorrells noted that Mark Clasby will be continuing as the Director. He remarked that there had been a kick off reception that was well attended, commenting that there is much enthusiasm and interest for the future.

Chairman Swanger noted that this public partnership is in line with what is being contemplated at the state level and will be good situation for Haywood County.

Commissioner Ensley made a motion to approve the resolution to dissolve the Economic Development Commission and reaffirm the Memorandum of Understanding with the Haywood County Chamber of Commerce and Commissioner Upton seconded. The motion passed unanimously.

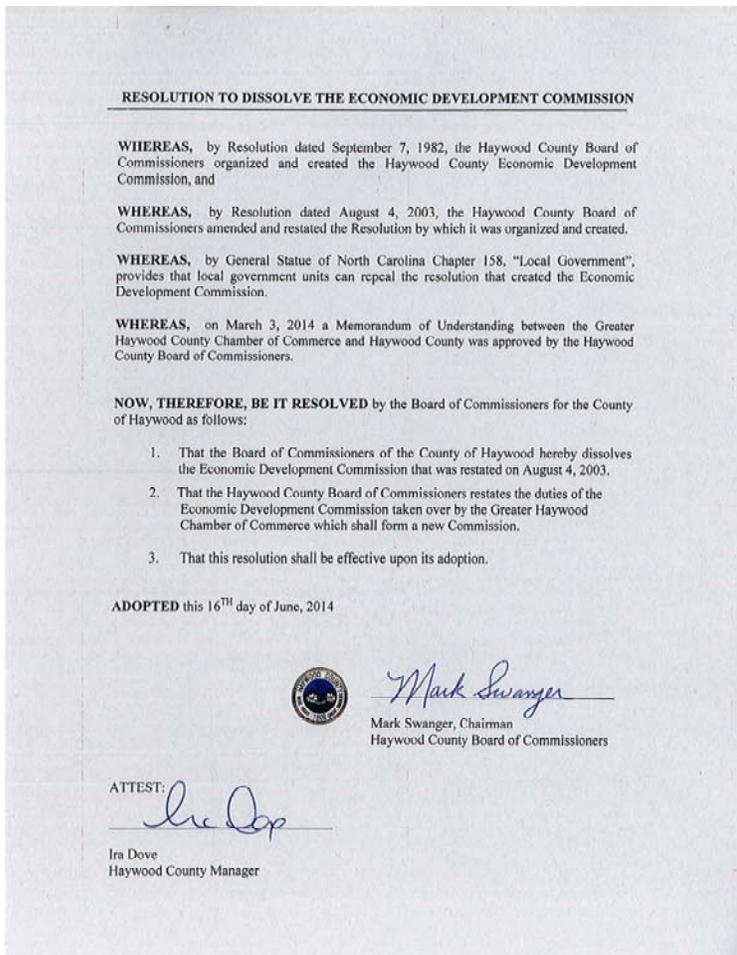


EXHIBIT "A"

BEING that 2.670 acre tract as set forth on plat titled, "Folkwood USA", by Clifford G. Sechster, PLS, dated April 3, 2013, bearing File Number 8605-08-A, recorded in Plat Book _____, Page _____, Haywood County Registry, reference to which is made for a more particular and accurate description.

THIS CONVEYANCE is conveyed SUBJECT TO the following terms and conditions:

1. Grantee and any successor owner of the above described real property agrees the existing door opening located between the conference center and the auditorium as shown on the above described plat shall be replaced with a minimum three (3) hour fire resistant door pursuant to the North Carolina State Building Code now existing or as may be hereinafter amended. Said fire resistant door to be installed and maintained by Grantee and any successor owner. Provided however, should Grantee or Grantee or any successor owner deem it necessary to close the door/opening permanently, then in such event, Grantee or any successor owner shall be solely responsible for constructing a permanent wall closing said opening and the same shall be constructed pursuant to the then existing North Carolina State Building Code. The Grantee, Grantee, and any successor owner agrees to accept all associated risk(s) resulting from this provision and shall take such action as they deem reasonably necessary for the protection of their respective property, both real and personal.

CONVEYED HEREWITH by Grantee to Grantee and any successor owner is a temporary construction Easement for Grantee and any successor owner to have access as reasonably necessary to Grantee's property to install said fire door and/or permanent fire wall.

CONVEYED HEREWITH to Grantee and any successor owner is a non-exclusive Easement to joint use of the parking area as shown on the above referenced plat lying along the western boundary of the above described tract and denoted as "Asphalt Pavement". This parking area Easement is SUBJECT TO Grantee and any successor owner following all reasonable traffic control directives by Grantee as necessary for both school and non-school related activities.

CONVEYED HEREWITH is a non-exclusive Easement by Grantee to Grantee and any successor owner for ingress and egress running from the area denoted as "Asphalt Pavement" on the above described plat to Brook Street and Virginia Avenue having the same course(s), width(s), and distance(s) as existing driveway(s). This access Easement is SUBJECT TO Grantee and any successor owner following all reasonable traffic control directives by Grantee as necessary for both school and non-school related activities.

NORTH CAROLINA SPECIAL WARRANTY DEED

Deed Tax: _____
Parcel Identifier No. 8605-08-A Verified by _____ County on the _____ day of _____, 20____
By: _____

Met/Not by: Leon M. Kilian, Nelson Mullins Riley & Scarborough, LLP, P.O. Box 30519, Raleigh, NC 27622-0519

This instrument was prepared by: Leon M. Kilian
Brief description for the index: _____

THIS DEED made this _____ day of May, 2014, by and between

GRANTOR: HAYWOOD COUNTY, a body politic and corporate and subdivision of the State of North Carolina
215 N. Main Street
Waynesville, NC 27786
GRANTEE: NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., a North Carolina corporation
112 Virginia Avenue
Waynesville, NC 28786

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does give, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or subdivision of land situated in the City of Waynesville, Waynesville Township, Haywood County, North Carolina and more particularly described as follows:

Being that 2.670 acre tract as set forth on plat titled, "Folkwood USA", by Clifford G. Sechster, PLS, dated April 3, 2013, bearing the File Number 8605-08-A, recorded in Plat Book _____, Page _____, Haywood County Registry, reference to which is made for a more particular and accurate description.

The property heretobove described was acquired by Grantee by instrument recorded in Book _____ page _____
All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantee.
A map showing the above described property is recorded in Plat Book _____ page _____

Page 1 of 2
NC Notarization Form No. 5-0 (1/1/2014, 2/1/14)
Printed by Agreement with the NC Notarization
This standard form has been approved by:
North Carolina Bar Association - NC Bar Form No. 5

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantee, other than the following exceptions:

The above described Property is conveyed by the Grantor and accepted by the Grantee under the following condition: If the Grantee, its successors or assigns, should at any time fail to comply with the requirements of GS 160A-279, as amended, and in particular should at any time fail to use said property for a public purpose or to put same to a public use, the title to same shall automatically revert to and vest in the Grantor, upon assumption by Grantor of any outstanding notes which are necessary deeds of trust encumbering said Property.

Also excepted are all those terms and conditions set forth upon Exhibit A, in that deed recorded immediately prior to this deed, from Haywood County Consolidated School System Board of Education, to Haywood County, of record in Book _____, Page _____ Haywood County Registry.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

HAYWOOD COUNTY, a body politic and corporate and subdivision of the State of North Carolina (SEAL)
By: Mark Conway (Seal) Print/Type Name: _____
Print/Type Name & Title: Chairman, Board of Commissioners Print/Type Name: _____ (SEAL)

ATTEST:
By: Lisa Dove (Seal) Print/Type Name: _____
Print/Type Name & Title: Clerk, Board of Commissioners Print/Type Name: _____ (SEAL)

State of North Carolina - County of Haywood

I, a Notary of said State and County, do hereby certify that LISA DOVE, personally appeared before me this day and acknowledged that he is Clerk to the Board of County Commissioners of Haywood County, a body politic and corporate, and that by authority duly given and as the act of the said Board, the foregoing instrument was signed in its name by its Chairman, seated with its corporate seal and attested by himself as its Clerk. Witness my hand and official seal this the 16th day of May, 2014.



Elizabeth C. Conway
my commission expires 2/13/19

Page 2 of 2
This standard form has been approved by:
North Carolina Bar Association - NC Bar Form No. 5

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THIS CONVEYANCE is conveyed SUBJECT TO the following terms and conditions:

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CONVEYED HEREWITH by Grantor to Grantee and any successor owner is a temporary construction Easement for Grantee and any successor owner to have access as reasonably necessary to Grantee's property to install said fire door and/or permanent fire wall, and access to the entire southern exterior wall for maintenance, repair, and construction as may be reasonably necessary from time to time.

CONVEYED HEREWITH to Grantee and any successor owner is a non-exclusive Easement to joint use of the parking area as shown on the above referenced plat lying along the western boundary of the above described tract and denoted as "Asphalt Pavement". This parking area Easement is SUBJECT TO Grantee and any successor owner following all reasonable traffic control directives by Grantee as necessary for both school and non-school related activities.

CONVEYED HEREWITH is a non-exclusive Easement by Grantor to Grantee and any successor owner for ingress and egress running from the area denoted as "Asphalt Pavement" on the above described plat to Brook Street and Virginia Avenue having the same course(s), width(s), and distance(s) as existing driveway(s). This access Easement is SUBJECT TO Grantee and any successor owner following all reasonable traffic control directives by Grantee as necessary for both school and non-school related activities.

RESOLUTION

REGULAR MEETING

HAYWOOD COUNTY BOARD OF COMMISSIONERS

JUNE 16, 2014

WHEREAS, by action taken by the Board of Commissioners on January 6, 2014, the County received, accepted and approved the offer set forth in a resolution of the Haywood County Consolidated School System Board of Education dated December 23, 2013, to convey to the County as surplus property, a portion of the old Hazelwood School property, pursuant to GS 155C-518 and GS 160A, Article 12, preliminary approval having been granted by action of the Board of Commissioners on January 21, 2014, subject to receipt of a proper deed with a party wall provision, and approval of the subdivision by the Town of Waynesville; and

WHEREAS, the stated purpose of acquiring the aforesaid property was to convey same to the North Carolina International Folk Festival, present occupant of the property under a lease agreement, and the aforesaid action by the Board of Commissioners further conditioned re-conveyance of said property on including certain provisions in the deed which would result in a reverter of title should the Grantee fail to own or use such property by a public or private entity which carries out a public purpose; and

WHEREAS, the Town of Waynesville having approved the subdivision plat and a proper deed having been tendered to the County.

NOW THEREFORE, BE IT RESOLVED:

1. The County does hereby agree to accept the offer of conveyance of subject property pursuant to the recently approved subdivision plat.
2. The County does approve conveyance of subject property to the North Carolina International Folk Festival pursuant to a deed which includes the required party wall agreement and aforesaid reverter.

This Resolution was duly adopted by a unanimous vote of the Haywood County Board of Commissioners at the aforesaid regular meeting, this 16th day of June, 2014.

Haywood County Board of Commissioners

By: 

Mark S. Swanger
Chairman

NEW BUSINESS

Request approval of Fiscal Year 2014-2015 Budget Ordinance

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that the proposed budget was presented on May 19, 2014, a public hearing was held on May 22, 2014 and a Work Session on June 2, 2014. He noted some minor adjustments and highlights in the budget, stating however that the total general fund budget is unchanged from the proposed budget of \$69,068,359.

There were no further questions or comments on the budget.

Vice-Chairman Kirkpatrick made a motion to approve the Fiscal Year 2014-2015 Budget Ordinance and Commissioner Upton seconded. The motion passed unanimously.

Commissioner Ensley commented that the budget was still less than the 2008 budget and Mr. Dove concurred.

Chairman Swanger noted that this budget was completed without any tax increase.

Commissioner Sorrells thanked the staff and departments for their hard work during this difficult economic time.

HAYWOOD COUNTY
BUDGET ORDINANCE
FY 2014-2015

BE IT ORDAINED by the Commissioners of Haywood County, North Carolina, THAT:

Section 1. The following amounts are hereby appropriated for the operation of the County government and its activities for the fiscal year beginning July 1, 2014, and ending June 30, 2015, in accordance with the chart of accounts heretofore established for this County:

A.	GENERAL FUND	
	General Government	\$ 4,963,054
	Central Services	2,982,902
	Public Safety	13,531,354
	Transportation & Environmental Protection	437,066
	Economic & Physical Development	2,138,163
	Human Services	17,241,138
	Education	17,498,654
	Culture & Recreation	1,525,890
	Transfers, Debt Service & Budgetary	<u>8,750,138</u>
	TOTAL	<u>\$69,068,359</u>
B.	SPECIAL REVENUE FUND - EMERGENCY TELEPHONE SYSTEM	<u>\$ 894,652</u>
C.	SPECIAL REVENUE FUND - SOLID WASTE	<u>\$ 4,768,666</u>
D.	SPECIAL REVENUE FUND - ROAD MAINTENANCE	<u>\$ 181,328</u>
E.	SPECIAL REVENUE FUND - FIRE DISTRICTS	<u>\$ 3,496,500</u>
F.	SPECIAL REVENUE FUND - JUNALUSKA SANITARY DISTRICT	<u>\$ 205,495</u>

G.	SPECIAL REVENUE FUND - SWCDC	<u>\$ 2,500,000</u>
H.	SPECIAL REVENUE FUND - LEO SEPARATION ALLOWANCE	<u>\$ 50,000</u>
J.	INTERNAL SERVICE FUNDS	<u>\$ 6,156,500</u>

Section 2. It is established that the following revenues will be available for the fiscal year beginning July 1, 2014, and ending June 30, 2015:

A.	GENERAL FUND:	
	Ad Valorem Taxes	\$39,219,314
	Local Option Sales Taxes	12,397,670
	Other Taxes & Licenses	2,412,908
	Restricted Intergovernmental Revenue	10,969,103
	Permits & Fees	398,500
	Sales & Services	3,390,150
	Investment Earnings	25,000
	Miscellaneous	253,714
	Other Financing Sources	2,000
	TOTAL	<u>\$69,068,359</u>
B.	SPECIAL REVENUE FUND - EMERGENCY TELEPHONE SYSTEM	
	Intergovernmental and interest	\$ 275,315
	Fund Balance Appropriation	619,337
		<u>\$ 894,652</u>

C.	SPECIAL REVENUE FUND - SOLID WASTE	
	Availability and Use Fees	\$ 3,569,887
	Grants	47,000
	Sales/Services/Fees	79,800
	Transfer from Capital Project Fund	447,551
	Fund Balance Appropriated	624,428
	TOTAL	<u>\$ 4,768,666</u>
D.	SPECIAL REVENUE FUND - ROAD MAINTENANCE	
	Ad Valorem Taxes	<u>\$ 181,328</u>
E.	SPECIAL REVENUE FUND - FIRE DISTRICTS	
	Ad Valorem Taxes	<u>\$ 3,496,500</u>
F.	SPECIAL REVENUE FUND - JUNALUSKA SANITARY DISTRICT	
	Ad Valorem Taxes	<u>\$ 205,495</u>
G.	SPECIAL REVENUE FUND - SWCDC	
	Intergovernmental Revenue	<u>\$ 2,500,000</u>
H.	SPECIAL REVENUE FUND - LEO SEPARATION ALLOWANCE	
	Transfer from General Fund	<u>\$ 50,000</u>
I.	INTERNAL SERVICE FUNDS	
	Financial Plans:	
	Health Insurance Fund:	
	Haywood County & Dependent Revenue	\$ 5,616,500
	Workers' Compensation Fund:	
	Haywood County Revenue	540,000
	TOTAL	<u>\$ 6,156,500</u>

Section 3. There is hereby levied a tax at the rate of 54.13 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2014, for the purpose of raising the revenue listed as "Ad Valorem Taxes" in the General Fund in Section 2.A of this ordinance. This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$7,280,265,446 and an unaudited estimated collection rate of 96.09% on property for fiscal year 2013-2014.

Section 4. The Budget Officer is hereby authorized to transfer appropriations within a fund, as contained herein, under the following conditions:

- A. He may transfer amounts between objects of expenditure within a department or functional area without a report being requested.
- B. He may not transfer amounts between functional areas of the same fund.
- C. He may accomplish interfund transfers established in the Budget Ordinance without additional approval of the Board of County Commissioners.
- D. He may not transfer any amounts from any contingency appropriation or from fund balance within any fund without approval of the Board of County Commissioners.

Section 5. The County Manager or his designee is hereby authorized to execute the necessary agreements within funds included in the Budget Ordinance for the following purposes:

- A. Grant agreements with public and non-profit agencies;
- B. Leases of normal and routine business equipment;
- C. Consultant, professional, or maintenance service agreements up to an anticipated contract amount of \$50,000;
- D. Purchase of apparatus, supplies, and materials where formal bids are not required by law;
- E. Construction or repair work where formal bids are not required by law.

Section 6. There is hereby levied the following tax rates per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2014, within the following Special Tax Districts:

West Canton Fire District	\$.100
North Canton Fire District	.060
Center Pigeon Fire District	.075
Lake Junaluska Fire District	.070
Crabtree-Ironcliff Fire District	.065
Cruzo Fire District	.095
Saunook Fire District	.040
Maggie Valley Fire District	.060
Clyde Fire District	.090
Jonathan Creek Fire District	.070
Fines Creek Fire District	.090
Lake Logan-Cecil Fire District	.100
Waynesville Fire District	.060

There is appropriated to these Fire Districts revenues generated from the proceeds of this tax and any other revenues otherwise accruing to these Fire Districts for use in such manner and for such expenditures as is permitted by law.

Section 7. There is appropriated to the Junaluska Sanitary District revenues generated from the proceeds of the \$0.06 tax rate per one hundred dollars (\$100) levied by the Sanitary District and any other revenues otherwise accruing to the Sanitary District for use in such manner and for such expenditures as is permitted by law.

Section 8. There is hereby levied the following tax rates per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2014, within the following Special Tax Districts:

Maggie Valley Country Club Road Service District	\$.140
Forest Park Road Service District	.080
Oak Park Road Service District	.100
Wildcat Run Road Service District	.150
Walker in the Hills Road Service District	.095
Upper Chestnut Grove Road Service District	.160
Norman Road Service District	.150
Tuscola Park Road Service District	.110
Fox Run Road Service District	.150
Sugar Valley Springs Road Service District	.120

There is appropriated to these Road Service Districts revenues generated from the proceeds of this tax and any other revenues otherwise accruing to these Road Service Districts for use in such manner and for such expenditures as is permitted by law.

Section 9. Copies of the Budget Ordinance shall be furnished to the Budget Officer, the Finance Director, and the Tax Assessor for direction in the carrying out of their duties.

ADOPTED this 16th day of June, 2014
Haywood County Board of Commissioners


Mark S. Swanger, Chairman

ATTEST:


Iva Dove, County Manager/Clerk to the Board

Request approval of contract with TransformHealthCS, Inc. for correctional healthcare services

Chairman Swanger recognized Sheriff Greg Christopher. Sheriff Christopher explained that this was a contract with a new company for the next Fiscal Year. When asked if there were any differences with this company, Sheriff Christopher responded that one difference is that they will dispense inmate medication seven days a week rather than being a detention officer duty.

Commissioner Upton remarked that as was stated before, the inmates don't always arrive in good health and the detention center has to take care of that.

Vice-Chairman Kirkpatrick made a motion to approve the contract with TransformHealthCS, Inc. and Commissioner Ensley seconded. The motion carried unanimously.

Request approval for fireworks display for Town of Maggie Valley and Lake Junaluska Assembly on July 4, 2014 and Town of Canton on July 5, 2014

Chairman Swanger recognized Fire Marshal, Johnny Glance. Mr. Glance explained that he had received the proper paperwork for the displays. He stated that these companies were nationally known and had all the proper licensure and insurance on file.

Commissioner Upton made a motion to approve the fireworks display as stated and was seconded by Vice-Chairman Kirkpatrick. The motion passed unanimously.

Request approval of twelve (12) month contract for custodial/janitorial services for the Haywood County Historic Courthouse

Chairman Swanger recognized Facilities and Maintenance Director, Dale Burris. Mr. Burris explained that this contract will begin on July 1, 2014 and go through June 30, 2015.

Mr. Killian stated that he had reviewed the contract and had spoken with Mr. Dove. One concern was that there was sufficient liability for property damage in the insurance policy. Mr. Burris stated that when the vendor registration is in place, the liability detailed in the documents will be the amount that the County requires.

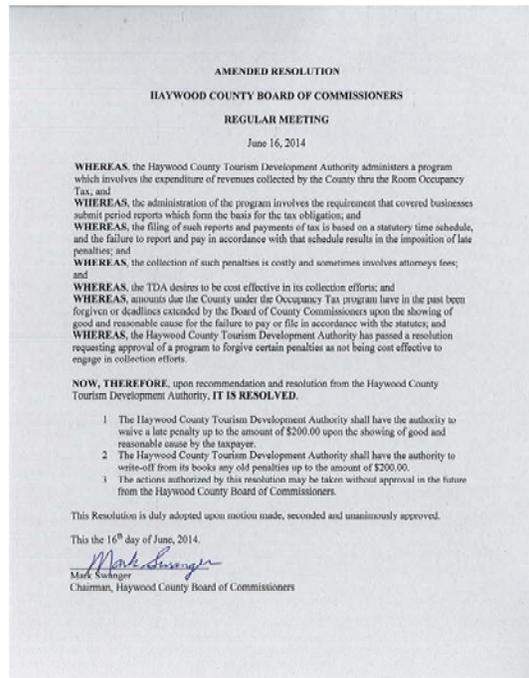
Vice-Chairman Kirkpatrick made a motion to approve the contract for custodial/janitorial services for the Haywood County Historic Courthouse and was seconded by Commissioner Ensley. The motion passed unanimously.

Request approval of amendment to the Occupancy Tax Penalty Waiver Resolution

Chairman Swanger recognized Haywood County Tourism Development Authority Executive Director, Lynn Collins. Ms. Collins greeted the Board and stated that she is asking for an amendment to the Resolution that was approved in 2010. She read the original resolution which gave authority to waive a one (1) day late penalty. The requested change to the resolution is that authority will be given to waive a late penalty up to the amount of \$200.00. She noted that it keeps the TDA from having to come back to the Board for nominal amounts.

Commissioner Sorrells stated that this will help clear up any loose ends.

Commissioner Upton made a motion to approve the amendment to the Occupancy Tax Penalty Waiver Resolution and Commissioner Sorrells seconded. The motion passed unanimously.



Request approval of the annual Juvenile Crime Prevention Council Certification and Funding Plan

Chairman Swanger recognized Torri Murphy, JCPC Chair. Ms. Murphy reviewed the activities of the Council, noting that there are five groups that are funded . She asked for approval of the certification and funding plan as stated.

Commissioner Upton made a motion to approve the annual Juvenile Crime Prevention Council Certification and Funding Plan and was seconded by Vice-Chairman Kirkpatrick. The motion passed unanimously.

Request approval to utilize lottery proceeds for roofing project at Jonathan Valley Elementary School

Chairman Swanger recognized Haywood County Schools Maintenance Director, Tracy Hargrove. Mr. Hargrove stated that this project will be around \$220,000 with \$13,000 of that for design fees, noting that it will be out of lottery proceeds. He stated that it will be about \$3.50 sq/ft. and they hope to start the project in July.

Commissioner Upton commented that the metal roofs seem to hold up good and Mr. Hargrove agreed, stating that even though it doubles the cost, it also doubles the life of the roof.

Commissioner Upton made a motion to approve the utilization of the lottery proceeds for the roofing project at Jonathan Valley Elementary School and was seconded by Commissioner Ensley. The motion passed unanimously.

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

Approved: _____
Date: _____

County: Haywood Contact Person: Tracy Hargrove
LEA: 440 Title: Director of Maintenance
Address: 1230 N. Main st. Waynesville, 28789 Phone: 828-456-3402

Project Title: Jonathan Valley Shingle Roof
Location: JV Elementary
Type of Facility: Elementary School

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-548.2. Further, G.S. 115C-548.2 (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:

Estimated Costs:	
Purchase of Land	\$ _____
Planning and Design Services	13,000.00
New Construction	_____
Additions / Renovations	_____
Repair	220,000.00
Debt Payment / Bond Payment	_____
TOTAL	\$ 233,000.00

Estimated Project Beginning Date: 7/1/14 Est. Project Completion Date: 11/1/14

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 \$ 233,000.00 from the Public School Building Capital Fund Lottery Distribution. We certify that the project herein described is within the parameters of G.S. 115C-548.

(Signature — Chair, County Commissioners) _____ (Date) _____
(Signature — Chair, Board of Education) _____ (Date) _____

Form Date: July 01, 2011

Request approval to utilize contingency funds for renovation project at Pisgah High School

Chairman Swanger again recognized Tracy Hargrove. Mr. Hargrove explained that this request is for Pisgah High School. He said that the project was going very well and if the weather is good it should be completed before the deadline in November. He commented that the asphalt has deteriorated over the winter in places and they will use contingency to fix that. He said that they will have to put a new skin on the greenhouse, and work on the IT table in the fall.

Commissioner Upton made a motion to approve the utilization of contingency funds for the renovation project at Pisgah High School and was seconded by Commisioner Sorrells. The motion passed unanimously.

Budget amendment for Pisgah High School renovation - \$83,304 – Capital Project contingency

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this is from the Capital Project contingency fund for the additional work.

Commissioner Upton made a motion to approve the budget amendment as stated and was approved by Commissioner Ensley. The motion passed unanimously.

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
<u>CIP Fund - School - ADMLOTTERY</u>				
<u>Pisgah High School Renovations</u>				
Professional Services - Architect	495982-519917-3LOT1	170,000	15,000	185,000
Financing costs	495982-549901-3LOT1	22,000	(1,896)	20,304
Construction cost	495985-569002-3LOT1	2,145,300	70,000	2,215,300
Other building costs (prelim. elect., survey)	495982-558003-3LOT1	25,000	-	25,000
Project contingency	495982-599100-3LOT1	214,530	(83,304)	131,228
				2,576,830

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 16th day of June, 2014.

Mark Swanger
Chairman
Haywood County Board of Commissioners

ATTEST: [Signature]
Clerk to the Board

Explanation:
To appropriate the amount of additional work per the request from the school system.

Home and Community Care Block Grant for Older Adults										DOA-731 (Rev. 2/14)		
County Funding Plan										County: Haywood		
County Services Summary										July 1, 2014 through June 30, 2015		
Services	Block Grant Funding			Required Local Match	Net Service Cost	USDA Subsidy	Total Funding	Projected HCDBG Units	Projected Reimburse Rate	Projected HCDBG Clients	Projected Total Units	
	Access	In-Home	Other									
HA-Level 2	2050			2050	2050		2050	1279	20.0113	10	1279	
HA-Level 1	46428.8			5158	41270.8		41270.8	2800	37.2669	42	2842	
Home Repair	22477.8			2456	24221.8		24221.8			16	24221.8	
Congregate Meals		84862.1		8420	84012.1	7848.0	101860.1	11266	10.4121	100	9790	
General Transport	43360.48			4708	43652.48		43652.48	3870	11.8466	45	3794	
Medical Transport	11217.18			1246	12403.18		12403.18	905		20	623	
I.S.R.	20700.14			3411	34114.14		34114.14			20,3687	1130	1674
Senior Companion	28291.42			2823	28009.42		28009.42	5410	1.0106	20	4748	
Home Del Meals		61506		6024	60482	9756	70238	11261	5.7424	182	28706	
Adult Day Care		22556		2526	20030		20030	689	36.2724	11	20030	
ADC Transport		3282		361	3647		3647	991	3.4762	5	1805	
Adult Day Health		19312		2146	21458		21458	527	38.5211	10	2420	
ADH Transport		3521		391	3912		3912	818	4.7824	4	1444	
				0	0		0					
				0	0		0					
Total	91091.78	188041.12	146368.1	45501	45056	85256	17383.6	467938.6	40486	1569	60478	

Mark Sawyer
Signature Chairman, Board of Commissioners Date

Home and Community Care Block Grant for Older Adults										DOA-731 (Rev. 2/14)			
COMMUNITY SERVICE PROVIDER										County: Haywood			
County Funding Plan										July 1, 2014 through June 30, 2015			
Provider Services Summary										REVISION # 1, DATE: 06/13/14			
Services	Sec. Deficit (Check/Den) Days Push	Block Grant Funding			Required Local Match	Net* Serv Cost	USDA Subsidy	Total Funding	Projected HCDBG Units	Projected Reimburse Rate	Projected HCDBG Clients	Projected Total Units	
		Access	In-Home	Other									
Home Delivered Meals	x			61506	6874	68340	9735	78075	11901	5.7424	182	28706	
Adult Day Care	x		22556		2526	23042		23042	689	36.2724	11	20030	
ADC Transportation	x		3282		361	3647		3647	991	3.4762	5	1805	
Adult Day Health	x		19312		2146	21458		21458	527	38.5211	10	2420	
ADH Transportation	x		3521		391	3912		3912	818	4.7824	4	1444	
					0	0		0					
					0	0		0					
					0	0		0					
					0	0		0					
					0	0		0					
					0	0		0					
					0	0		0					
					0	0		0					
Total			680	41868	61506	110177	12242	132419	9735	132154	14956	212	37837

*Adult Day Care & Adult Day Health Care Not Service Cost

Daily Care: ADC

Transportation: ADC

Administrative: ADC

Net Serv. Cost Total: _____

Certification of required minimum local match availability. Required local match will be expended simultaneously with Block Grant Funding.

Michelle Hester
Michelle Hester, Executive Services Director
Authorized Signature, Title
Community Service Provider
Date: 6/11/14

Mark Sawyer
Signature, Chairman, Board of Commissioners Date

Request approval of amendment to a current lease agreement and to approve two (2) new lease requests for County property

Chairman Swanger recognized Recreation and Parks Director, Claire Carleton. Ms. Carleton reviewed the three lease agreements on the County owned property.

Chairman Swanger explained that this property was acquired after the flood when FEMA transferred the parcels to the County. There are 59 parcels and 35 of them are leased.

Vice-Chairman Kirkpatrick made a motion to approve the amendment to a current lease agreement and to approve two (2) new lease requests for County property. The motion was seconded by Commissioner Upton and passed unanimously.

Request appointment of one (1) member to the Junaluska Sanitary District

Chairman Swanger recognized Ira Dove. Mr. Dove passed out ballots for a written vote. Vice-Chairman Kirkpatrick stated that he had represented a client in his law practice who had worked for the Sanitary District. He said that it has been resolved through the court system to the satisfaction of the Sanitary District. A question had come up whether this is a conflict or not. Mr. Killian stated that it is not a conflict, and he had advised Vice-Chairman Kirkpatrick that he did feel that it was his responsibility to disclose this, but beyond that it is not a conflict. Vice-Chairman Kirkpatrick noted that he can abstain if he would like but he is going to vote.

Mr. Dove tallied the ballots and Mr. Tom Posey is the elected appointee to the Junaluska Sanitary District.

Request appointment of Vice-Chairman Kirkpatrick to the Haywood County Library Board of Trustees

Chairman Swanger stated that the Board had received a request to appoint Vice-Chairman Kirkpatrick to the Library Board of Trustees and he had agreed to serve.

Commissioner Sorrells made a motion to appoint Vice-Chairman Kirkpatrick to the Haywood County Library Board of Trustees and Commissioner Ensley seconded. The motion passed unanimously.

Request appointment of Commissioner Michael Sorrells to the new Chamber of Commerce Economic Development Commission Board

Chairman Swanger recognized Ira Dove. Mr. Dove said that under the Memorandum of Understanding with the Chamber there is a commissioner appointment. Commissioner Sorrells had served on the EDC, and as a means of continuity their recommendation was for him to continue on this board.

Vice-Chairman Kirkpatrick made a motion to appoint Commissioner Sorrells to the new Chamber of Commerce Economic Development Commission Board and was seconded by Commissioner Upton. The motion passed unanimously.

Commissioner Sorrells commented that he has served on the EDC for the past four years and is looking forward to serving with this new board.

Change in meeting schedule

Chairman Swanger stated that following the budget and in the absence of business, the first meeting in July is generally cancelled. He said that this had been discussed with the County Manager and the Board. He asked if there were any objections to cancelling the July 7, 2014 meeting and there were none.

Commissioner Sorrells made a motion to cancel the July 7, 2014 meeting and was seconded by Commissioner Upton. 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.

Commissioner Ensley thanked the Board for making it possible for the EDC to be turned over to the Chamber of Commerce, as this will benefit the County and Chairman Swanger concurred noting that it will also help funding.

Vice-Chairman Kirkpatrick paid respects to his grandmother who had recently passed away, commenting that she had never missed watching a commissioners meeting on the television.

Commissioner Ensley made a motion to adjourn the regular Board meeting.

Commissioner Sorrells seconded; the motion carried unanimously.

The time of adjournment was 6:51 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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