

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – June 15, 2015

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, HCHHSA Director/Asst. County Manager Stoney Blevins, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis, 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 HEARING

Chairman Swanger opened the Public Hearing concerning the approval of the execution and delivery of the financing contract for the Haywood Community College public services training facility and recognized Finance Director Julie Davis.

Ms. Davis explained that the purpose of the public hearing is on the proposed execution and delivery by the County of a) an installment financing contract to pay for the construction of a public services training facility at Haywood Community College and b) to create a security interest on all or a portion of the property where the project is located. A notice of this public hearing was published on June 5, 2015. She explained that projected cost is 4.1 million dollars with the loan expected to be approximately 2.9 million dollars. There are also other sources of funds on the community college side. Estimates of debt services are between \$300,000-\$600,000 per year depending if it is a five or ten year loan. She said that the HCC project manager, Brek Lanning, is here if there are any questions. She said that the debt service will be satisfied by the sales tax that was voted in, and is dedicated by the Board.

Commissioner Ensley recalled that when the .25 cents sales tax was passed, the college agreed to do this, and he appreciates them following through.

With no comments from the public, Chairman Swanger closed the public hearing.

Ms. Davis noted that there will be a couple more actions to be taken on this as there is a calendar of actions that must be followed.

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

County Attorney Chip Killian asked for personal privilege time. He said that Balsam Range sang the National Anthem at the State Senate chamber last Wednesday and did an outstanding job. He said they performed later in the day behind the legislative building, which was well attended. He reported that the Lake Junaluska annexation bill was discussed during this legislature session.

ADMINISTRATIVE/AGENCY REPORTS

Update on Francis Farm Landfill

Chairman Swanger recognized Solid Waste/Tax Administrator David Francis.

Mr. Francis presented a power point on the landfill explaining what led to this current situation and where it is going.

- The landfill was originally 28.25 acres, waste believed to be 18.25 acres. It is now expanded to a County owned 73 acre tract.
- In 1973, the landfill began accepting waste and was unlined at that time because it was not a requirement. Industrial and household waste was accepted with no screening required. The landfill closed in 1993.
- The County must provide post-closure care which includes: landfill gas (methane) monitoring; facility maintenance and monitoring of ground water and surface water. The County must maintain this care forever.
- There are problems associated with the landfill. Some issues are: waste is buried close to boundaries; methane gas detected above limits at boundaries; soil cap has settled; groundwater contaminated beneath landfill and off site close to landfill. Water becomes leachate after traveling through the waste and moves towards the boundaries. The surface water is not affected however and the creek is monitored to make sure there is no contamination. An interesting fact is that 1 inch of rain over 1 acre creates 27,000 gallons of water.
- DENR has compliance standards that must be met and the landfill does have some issues. These include: landfill gas exceed limits; soil cap needs interim maintenance and the groundwater exceeds limits. The County must develop a task list and timeline to address these compliance issues. The formal plan will be an Assessment of Corrective Measures (ACM).
- The County is in the (ACM) phase, first the landfill boundaries will be moved. DENR will review the ACM and the County will have a public meeting per statute. A remedy will be selected through DENR. The timeline for this has been extended due to financial restraints and DENR has agreed to this exception.
- Solutions for the Landfill problems have been established which include: expanding the facility boundary which has been done by the purchase of surrounding property; submit new landfill gas monitoring plan to DENR; install new landfill gas monitoring wells; continue to operate landfill gas recovery system.
- Solutions for issues facing the soil cap have been implemented which include: stockpile of 100,000 cubic yards of soil from a DOT road project, which has only included the cost of hauling the soil to the landfill; completion of the cap maintenance plan of 43,000 cubic yards which was approved by DENR and the regrade of the facility to improve surface drainage. This is the first major cap maintenance since the landfill closed, and it is a part of the normal required post closure care. An interesting fact in comparing the 100,000 cubic yards of soil from the DOT project is that this would be enough dirt to fill a football field 51 feet high, or enough dirt to fill the Haywood County Courthouse 19 times.
- Solutions for groundwater issues include the assessment of the extent of groundwater impacts, identify remedies in the ACM; select a remedy; prepare a corrective action plan (CAP); implement the corrective action; and return facility to compliance. There are wells throughout the facility that are monitored.
- DENR will review the ACM report and a public hearing will be held. After the public hearing, a remedy will be selected. A corrective action plan will be prepared and DENR will approve. The County will then implement the corrective action.
- Some potential remedies to remove the contaminants from the landfill were explained. These are: placement of a soil cap over the waste area; construct a half inch thick membrane between two layers of dirt; leachate recovery & disposal which will pull moisture out; recovery wells/recapture zone/pump & treat where there will be a holding area for treatment and sanitizing; phytoremediation will grow plants to take contaminants out of the ground; active soil vapor extraction system which pulls the soil and water out and goes through a chemical process; bioremediation with injection wells which injects a microorganism to eat the contaminate; passive reactive barrier which is a trench dug around the landfill and the water will have to run through chemicals to get to there and will be cleansed out; monitored natural attenuation is where it directs itself out through time; The County can pick one or a combination of 2 or 3.
- After some questions about why the solid waste fees were raised from \$92 to \$164/yr. (\$13.66/month), these are some utilities by comparison: average monthly

electricity bill in NC is \$117; average monthly water and sewer bill in NC is \$80.25, Verizon average \$148.

- Solid waste fee covers 10 convenience centers & MRF with 540 weekly hours of operation. It provides a sanitary landfill and transfer station for further convenience and protects human health & the environment.

Commissioner Ensley stated that by being proactive and getting the methane grant which took care of the methane recovery system, saved taxpayers a million dollars. He reminded the audience that having the dirt available through the DOT, the County has only had to pay for the hauling to bring the dirt to the landfill, which has saved a million dollars.

Mr. Francis noted that the soil cap has to be varying depths, some 3 to 7 feet. He said that since 2009, the County has been steadily working on a solution.

He spoke of the bus garage that is there near the site, and stated that it is monitored and will have also have a new monitoring system in July.

Commissioner Upton commented that the key is the cap and keeping the water from moving through, and off of the site.

Chairman Swanger said that the County has a moral and legal obligation to repair and protect the land and water. He stated that he does not know what this will do with availability fees once the remediation is complete, it will be for a future Board to examine at that time with the needs of Solid Waste and other factors.

Commissioner Ensley asked about where the solid waste fees are kept and Mr. Francis responded that it is kept in a separate special fund which has moved away from the enterprise fund.

Chairman Swanger explained this is a fund that is used for expenditures that is funded largely through ad valorem and sales tax.

Mr. Francis explained that there are different categories in this fund such as White Oak, Francis Farm, and hauling.

Mr. Francis explained that seniors 65 years or older or disabled, and with an income not over \$29,000, qualify for an exemption from paying the availability fee. He explained that the citizen would have to contact Jennifer Chandler in the Tax Assessor's office, as this requires the individual to come to County if they want to apply. Although it is over for this year, it can be done now for next year. The contact information is also on the back of the tax bill.

Commissioner Sorrells commented that \$13.66/ month is \$3.42 a week, which is a good deal to dispose of your trash.

DISCUSSION / ADJUSTMENT TO AGENDA

There were no discussions/adjustments to the agenda

CONSENT AGENDA

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

Commissioner Ensley seconded, the motion carried unanimously.

1. Approval of May 21, 2015 special meeting minutes and June 1, 2015 regular meeting minutes.
2. Approval of May 2015 Refunds, Release, Amendments and Discoveries – David Francis, Tax and Solid Waste Administrator
Mr. Francis reported that there was nothing unusual to report.
3. Approval of May 2015 Tax Collections update – Mike Matthews, Tax Collector –
Mr. Matthews explained that ad valorem collections are 96.82% which is an increase of \$185,000 from last year. He noted that the current year delinquent collections are \$3,500 down as of the end of May. This should be caught up by the end of the month.

Chairman Swanger and Commissioner Ensley commended Mr. Matthew's staff for their hard work.

4. Budget Amendments – Julie Davis, Finance Director

a. General Fund – Sheriff's Office - \$225

Ms. Davis explained that this is donations received at the Sheriff's Office for certain supplies and canine supplies.

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				
Other supplies & materials	114310-528000	3,231	225	3,456
			225	

which will result in a net increase (decrease) of \$ 225 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
Miscellaneous donations & contributions:				
Sheriff's Office donations	1170-00-440100	-	125	125
Sheriff's Office donations for K-9	117000-440100-K-9	-	100	100
			225	

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

Adopted this the 15 of JUN, 2015.

ATTEST: 
Clerk to the Board


Chairman
Haywood County Board of Commissioners

Explanation:
To incorporate the amount collected through donations and contributions to the Sheriff's Office to cover expenses for the office and the canine.

b. General Fund – various departments - \$486,845

Ms. Davis explained that this is a large year-end amendment. Most of this is small amounts to clean up line items for various issues throughout the year. She noted these were: Administration with salary additions; Human Resources – retiree health insurance; Wellness Clinic – temp labor; Tax Collections – DMV collections costs into the Tax Collections Department, the costs were coming in higher but this also means that collections are coming in higher and will see some revenues related to this; Legal – other attorney costs come in higher with issues from the hospital; Register of Deeds – Children's Trust Fund in the Domestic Violence Prevention Fund that have to be sent to the State are higher because they are based on marriage licenses sold, Public Safety – SRO, temp labor; EMS – special fund donations have come in above; Animal Services – higher veterinarian bills; Economic Development had some payouts – TDA – additional occupancy tax coming in; Debt service related to refunding have increased proceeds coming in.

Chairman Swanger remarked that this occurs every year and Ms. Davis agreed.

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
General Government				
Administration - administrative	11420-012000	225,871	14,800	240,671
Human Resources - Admin health ins. cost	11410-012000	418,000	56,000	474,000
Children's Trust Fund	11410-012000	1,100	8,000	9,100
Tax Collections - DMV proc. fee DMV collection cost	11410-028000	95,000	27,000	122,000
Legal - Other attorney fees	11410-012000	69,000	49,000	118,000
Register of Deeds				
Children's Trust Fund	11410-048000	200	200	400
Children's Trust Fund	11410-048000	2,000	2,000	4,000
Public Safety				
Sheriff - Special Services Officer - Temp Labor	11410-012000	2,000	2,000	4,000
Sheriff - JCC Resources Officer - Temp Labor	11410-012000	2,000	2,000	4,000
EMS - Admin Special Services	11410-012000	1,000	2,000	3,000
Animal Services - veterinarian services	11410-012000	20,000	1,000	21,000
Economic Development - Special Services - Grants & Fee	11410-012000	1,000	1,000	2,000
Tax Collections				
Tax Collections - DMV collection cost	11410-028000	1,275,100	207,000	1,482,100
Debt Service - interest and other charges - Refunding	11910-012000	1,000,000	86,845	1,086,845
			486,845	

which will result in a net increase (decrease) of \$ 486,845 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
NC DMV - DMV fee	11910-028000	2,000,000	99,875	2,099,875
Other Fees - Compliance fee	11910-042000	1,000,000	300,000	1,300,000
Other Fees & Services - Special Services	11910-048000	20,000	20,000	40,000
Other - Contributions and Donations				
EMS	11910-048000	300	2,000	2,300
Other - Special Services				
Loan proceeds - Refunding proceeds	11910-048000	8,000	89,845	97,845
Special Services - interest and other charges - Refunding	11910-048000	1,000	86,845	87,845
			486,845	

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

Adopted this the 15 of JUNE, 2015.

ATTEST: 
Clerk to the Board


Chairman
Haywood County Board of Commissioners

Explanation:
To incorporate additional funding to cover interest and payments to June 30, 2015 as described in the line item above.

c. Health Insurance Fund - \$550,000

Ms. Davis explained that this fund is separate from the General Fund. It is an amendment to transfer money into the General Fund and collect money from employees for dependant coverage, and retirees for retiree coverage. Costs are coming in high. The County is self-insured and pays actual claims. Half of last year's \$1,000,000 fund balance will be used for this and the other half is budgeted for next year.

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 Internal Service Fund, the expenditures are to be charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Insurance claims	150600-513302	4,737,500	600,000	5,337,500
Administration expense	115999-513303	879,000	(50,000)	829,000

which will result in a net increase of \$ 550,000 in the expenditures of the Internal Service Fund.

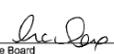
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Regular Haywood County - employer	150070-450000	4,900,000	50,000	4,950,000
Regular Dependent & retiree payments	150070-450201	450,000	20,000	470,000
Other financing sources:				
Appropriation of Fund Balance	150110-499991	-	480,000	480,000

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

Adopted this the 15 day of June, 2015.


 Chairman
 Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To increase appropriations to cover the health care expenses through June 30.

d. Capital Project Fund - \$9,970

Ms. Davis explained that this is a year-end transfer for projects that have come in lower than expected. These funds can be moved back into the general fund.

HAYWOOD COUNTY
CAPITAL PROJECT 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 capital project ordinance for the fiscal year ending June 30, 2015.

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
County projects:				
Old DSS building roofing project:				
Contingency	484263-599100-4ROOF	8,170	(8,170)	-
Transfer to General Fund	489810-598011-4ROOF	-	8,170	8,170
Canton Library roof replacement				
Site development	486110-559300-4LIB	1,800	(1,800)	-
Transfer to General Fund	489810-598011-4LIB	-	1,800	1,800

which will result in a net increase of \$ - in the expenditures of the Capital Project Fund.

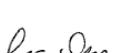
To provide the additional revenue for the above, the following revenues will be increased as the money has been received:

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 15 of June, 2015.


 Chairman
 Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To transfer the balances left in the capital projects that have been completed, so that the projects can be closed.

OLD BUSINESS

Request approval of MOU regarding installation and maintenance of signage for the Haywood Chamber of Commerce Young Professional Generation Leaders Greenway Project

Chairman Swanger recognized New Generation Leader Action Team member Martha Bradley.

Ms. Bradley stated that she has returned as requested after working with the County Attorney to correct some concerns and make the changes that were suggested on the MOU. Mr. Killian agreed that these had been made which were mostly technical in nature.

Commissioner Ensley made a motion to approve the Memorandum of Understanding regarding installation and maintenance of signage for the Haywood Chamber of Commerce Young Professional Generation Leaders Greenway Project and was seconded by Vice-Chairman Kirkpatrick. The motion passed unanimously.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
HAYWOOD COUNTY
AND THE
NEW GENERATION LEADERS GRANT ACTION TEAM
REGARDING
PERPETUAL USE OF UNIFORM BRAND AND LOGO
AND
INSTALLATION AND MAINTENANCE OF SIGNS**

Background

This Memorandum of Understanding (hereinafter "MOU") is entered into this the 15 day of June 2015 by and between the HAYWOOD COUNTY, 15 NORTH MAIN STREET, WAYNESVILLE, NORTH CAROLINA, 28786 (hereinafter "the County"), and the NEW GENERATION LEADERS GRANT ACTION TEAM (hereinafter "the Action Team") c/o HAYWOOD CHAMBER OF COMMERCE, 28 WALNUT STREET, WAYNESVILLE, NORTH CAROLINA 28786.

Purpose

The purpose of this MOU is to outline the responsibilities and expectations for the relationship between the County and the Action Team for the adoption of a unified, county-wide greenways brand and logo, as well as installation and ongoing maintenance of signs to be located as shown in Exhibit A.

Memorandum of Understanding

In consideration of the mutual promises in the MOU and the mutual reliance placed by each party on the responsibilities of each part, and such other consideration as the parties agree is good and sufficient, the parties make the following representations to each other:

1. **Purpose of the County:** The County has the authority and resources to create, manage, and maintain all greenways within the County, located on County property, on greenway easements, or where permission is otherwise obtained.
2. **Purpose of the Action Team:** The Action Team, an unincorporated collective of interested community members, was created to develop and complete a project promoting civic involvement among youth and young adults as a result of a grant funded by the North Carolina Rural Center. The Action Team chose as its project the development of a unified, county-wide greenways branding strategy and logo design and to provide a limited number of signs to any municipality within Haywood County who adopts the unified greenways strategy.
3. **Scope of Work:** The work described within this MOU includes ongoing activities undertaken by the Action Team to develop and promote the unified greenways branding

strategy, to purchase signage consistent with the unified branding strategy, and to donate purchased signage to the County. The work also includes installation and perpetual maintenance by the County of any signage donated to it by the Action Team. Activities will be restricted to those outlined in this MOU. Any project or activity not included in this agreement or in the County's maintenance plan for this site is subject to review and approval by designated representatives of the County.

4. Responsibilities:

The County:

- Adopt unified, county-wide branding strategy and logo design as developed by the Action Team;
- Use unified, county-wide brand and logo for any signage developed for any greenways location within its corporate limits in the future;
- Identify sites where signage can be installed no later than June 1, 2015;
- Identify the quantity and type of signage for each site no later than June 1, 2015;
- Identify unique content for educational signage, if requested, no later than June 1, 2015;
- Install all signage delivered no later than June 30, 2015 or as soon thereafter as is reasonably possible;
- Maintain, for the life of the sign or ten years, whichever is shorter, all signage delivered on a schedule and in a manner consistent with all other signage maintained by the County.

The Action Team:

- Provide the County with electronic copies of unified brand and logo design for use in future greenways development;
 - Purchase and donate signage to the County as specified by the County or its designated representative(s);
 - Promote and host a public event, in a location of the Action Teams choosing, to announce the unified branding strategy and signage installation to increase public awareness of existing greenways.
5. **Termination:** Either the County or the Action Team may terminate this MOU at any time by notice in writing at least thirty (30) days before the effective date of termination. In the event that one provides the other with such notice, the parties will meet promptly to discuss the reasons for and terms of transitioning out of the partnership.
 6. **Amendment:** The County or the Action Team may, from time to time, require changes in the nature of the provisions of the MOU. Such changes which are mutually agreed upon will be incorporated in written amendments to this MOU.
 7. **Authority:** The County and the Action Team each hereby certify that (i) it has the full power and authority to enter into this MOU and to enter into and to carry out the transactions

contemplated by this MOU; and (ii) by proper action it has duly authorized the execution and delivery of this MOU.

8. **Understanding:** The parties hereto agree that this MOU serves only as an expression of their respective current understanding and good faith intentions with respect to completion of the Responsibilities delineated therein, and nothing contained herein shall be construed as a binding agreement between or among the parties.
9. **No Indemnification:** The Action Team and its individual members shall not be required to indemnify, hold harmless, or defend the County or any of its officers, agents, or employees from or against any and all liability for personal injury or property damage arising out of or resulting from the negligent acts or omissions in the performance of this MOU.
10. **Assignment:** Neither party shall assign any interest in this MOU unless approved in writing by both parties.
11. **Governing Law:** The MOU shall be construed under the statutes and laws of North Carolina. It is agreed between the parties that the Action Team shall comply with and observe all applicable Federal, State, or local laws, ordinances, codes, rules, or regulations pertaining to this MOU and performance thereof.
12. **Independent Contractor:** The Action Team and its individual members shall not be deemed to be employees and/or agents of the County. The Action Team will supervise its members and volunteers disburse all liabilities and expenses incurred by the Action in the performance of this MOU.

HAYWOOD COUNTY

BY *Mark Swanger*

TITLE *Chairman, Haywood Co. Board of Commissioners*

DATE *June 15, 2015*

NEW GENERATION LEADERS ACTION TEAM

BY *Katy Wyatt*

TITLE *Offensive Services & Event Coordinator, Haywood County Chamber of Commerce*

DATE *June 24, 2015*

NEW BUSINESS

Request approval of Fiscal Year 2015-2016 Budget Ordinance

Chairman Swanger recognized County Manager Ira Dove. Mr. Dove thanked everyone that had worked on the budget including the public for their input. He noted that there had been public comment, both for and against. He stated that budget discussion had begun in December, with work sessions in February and April to follow. A pay study was completed in time for the May 18th meeting. Along with the public hearing on May 21st, this allowed a month for public comment. The budget was also heavily discussed at the June 1st work session and he thanked the Board for their support in the changes for the staff. He said that public comments were received after that time with one against, one neutral and one in favor. He advised the Board on changes from recommendations taken from the work session. There is an addition of a Soil and Water employee, adjustments to the Animal Services employees, and salary adjustments in EMS. He requested that a storage unit fee be moved to the appropriate place in the Solid Waste Ordinance. He noted that the contingency now stands at \$335,563 with the proposed adjustments.

Vice-Chairman Kirkpatrick made a motion to approve the Fiscal year 2015-2016 Budget Ordinance be approved with the notation that the storage units fees as reflected in the Household Fees be omitted and added to the Solid Waste Ordinance which will be presented later and was seconded by Commissioner Upton. The motion passed unanimously.

BOARD OF COMMISSIONERS
 MARY S. SHANDEL, CHAIRMAN
 J. W. "BOB" KIRKPATRICK, II, VICE CHAIRMAN
 L. KIM SHELLEY
 BILL L. UPTON
 MICHAEL T. BORELLES



COUNTY MANAGER
 IRA DOVE
 LEIGH M. KELLIAN, III
 COUNTY ATTORNEY

HAYWOOD COUNTY
 BUDGET ORDINANCE
 FY 2015-2016

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, 2015, and ending June 30, 2016, in accordance with the chart of accounts heretofore established for this County:

A. GENERAL FUND	
General Government	\$ 5,569,885
Central Services	3,502,511
Public Safety	14,688,150
Transportation & Environmental Protection	383,215
Economic & Physical Development	2,115,715
Human Services	17,859,243
Education	17,744,607
Culture & Recreation	1,521,979
Transfers, Debt Service & Budgetary	9,556,049
TOTAL	\$72,939,354
B. SPECIAL REVENUE FUND - EMERGENCY TELEPHONE SYSTEM	\$ 376,099
C. SPECIAL REVENUE FUND - SOLID WASTE	\$ 6,266,987
D. SPECIAL REVENUE FUND - ROAD MAINTENANCE	\$ 184,603
E. SPECIAL REVENUE FUND - FIRE DISTRICTS	\$ 3,693,688
F. SPECIAL REVENUE FUND - JUNALUSKA SANITARY DISTRICT	\$ 195,000

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G. SPECIAL REVENUE FUND - SWCDC	\$ 3,000,000
H. SPECIAL REVENUE FUND - LEO SEPARATION ALLOWANCE	\$ 58,131
J. INTERNAL SERVICE FUNDS	\$ 6,150,832

Section 2. It is established that the following revenues will be available for the fiscal year beginning July 1, 2015, and ending June 30, 2016:

A. GENERAL FUND:	
Ad Valorem Taxes	\$42,001,939
Local Option Sales Taxes	12,843,987
Other Taxes & Licenses	2,459,100
Unrestricted Intergovernmental Revenue	325,927
Restricted Intergovernmental Revenue	10,509,348
Permits & Fees	362,500
Sales & Services	3,774,049
Investment Earnings	30,000
Miscellaneous	230,484
Other Financing Sources	2,000
TOTAL	\$72,939,354
B. SPECIAL REVENUE FUND - EMERGENCY TELEPHONE SYSTEM	
Intergovernmental and interest	\$ 275,065
Fund Balance Appropriation	101,034
	\$ 376,099

C.	SPECIAL REVENUE FUND - SOLID WASTE	
	Availability, and Use Fees	\$ 5,951,987
	Grants	47,000
	SW Disposal Taxes	120,000
	Sales/Services/Fees	<u>148,000</u>
	TOTAL	\$ 6,266,987
D.	SPECIAL REVENUE FUND - ROAD MAINTENANCE	
	Ad Valorem Taxes	\$ 184,603
E.	SPECIAL REVENUE FUND - FIRE DISTRICTS	
	Ad Valorem Taxes	\$ 3,693,688
F.	SPECIAL REVENUE FUND - JUNALUSKA SANITARY DISTRICT	
	Ad Valorem Taxes	\$ 195,000
G.	SPECIAL REVENUE FUND - SWCDC	
	Intergovernmental Revenue	\$ 3,000,000
H.	SPECIAL REVENUE FUND - LEO SEPARATION ALLOWANCE	
	Transfer from General Fund	\$ 58,131
I.	INTERNAL SERVICE FUNDS	
	Financial Plans:	
	Health Insurance Fund:	
	Haywood County & Dependent Revenue	\$ 5,638,857
	Workers' Compensation Fund:	
	Haywood County Revenue	<u>512,000</u>
	TOTAL	\$ 6,150,857

Section 3. There is hereby levied a tax at the rate of 56.61 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2015, 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 \$7,370,674,146 and an unaudited estimated collection rate of 96.85% on property for fiscal year 2014-2015.

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, except when personnel changes dictate, and must report these changes to the Board of County Commissioners at the next board meeting.
- 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.
- F. Set salaries of employees at time of hiring and/or promotion as long as amount does not exceed budget appropriation within the functional area.
- G. Move employees from one department or functional area into another as deemed necessary in order to perform county functions.

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, 2015, 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	.075
Crabtree-Tondoluff Fire District	.075
Cruso Fire District	.100
Saunook Fire District	.050
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
Howell Mill	.060
Eagles Nest	.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, 2015, within the following Special Tax Districts:

Maggie Valley Country Club Road Service District	\$.140
Forest Park Road Service District	.080
Onk 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	.080
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. The following fee schedule is established for the Solid Waste Management Fund for its operations and activities for the fiscal year beginning July 1, 2015, and ending June 30, 2016.

Household Fees

Household Fee	\$164.00 per household
Hotels, Motels, Cottages, Inns, Bed & Breakfast & Retreat Centers...	\$27.00 per unit
Campers - Temporary	\$27.00 per unit
Hospitals, Nursing Homes & Rehabilitation Centers	\$27.00 per room

White Oak Landfill

Commercial	\$22.25 per ton
Industrial (sludge, etc.)	\$53.00 per ton
Clean Wood, Brush, Leaves, Pallets	\$53.00 per ton
Blocks-Bricks-Concrete, Uncontaminated Dirt, Asphalt, Stumps	\$22.25 per ton
Painted/Treated Wood, Sheet Rock, Shingles	\$22.25 per ton
Dead Animals	\$22.25 per ton @ 800 lbs. or more
with a minimum charge of	\$8.00 up to 800 lbs.
Asbestos	\$53.00 per ton
Asbestos handling fee	\$50.00 per load

Materials Recovery Facility

Residential Household Garbage (Trash, Furniture, etc.)	No Charge
Commercial	\$55.00 per ton
Industrial	\$55.00 per ton
Recyclable Carpet	\$27.50 per ton
Appliances	No Charge
Tires off Rim	No Charge
Tires on the Rim	No Charge
Split Rim Tires	\$10.00 per tire
Scrap Metal	No Charge

Section 10. 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 15th day of June, 2015
Haywood County Board of Commissioners


Mark S. Swanger, Chairman

ATTEST:


Ira Dove, County Manager/Clerk to the Board

Request approval for fireworks display requests from Town of Maggie Valley and Lake Junaluska Assembly on July 4, 2015 and Town of Canton on July 5, 2015

Chairman Swanger recognized Fire Marshal Johnny Glance.

Mr. Glance said that these were the yearly fireworks in these towns, and all normal procedures of obtaining licenses, insurances and applications had been completed and are on file.

Commissioner Sorrells made a motion to approve the fireworks display for the Town of Maggie Valley and Lake Junaluska Assembly on July 4, 2015 and Town of Canton on July 5, 2015 and was seconded by Commissioner Ensley. The motion passed unanimously.

Request bid approval and award for the provision of In-Home Aide Level II Services under the HCCBG

Chairman Swanger recognized Sarajane Melton, Region A Area Agency on Aging Administrator.

Ms. Melton explained that this request is for the in home aide bid. She explained that the current provider is a for profit provider which requires an every two year public bid. The ad was placed in the newspaper and opened up the bid process. The current provider was the lone bidder. The recommendation from the Block Grant Committee is for Interim Health Care be awarded that bid. Mr. Killian has approved the document.

Ms. Melton also shared with the Board that today is World Elder Abuse Awareness Day, and eight walks are taking place across this region to raise awareness.

Commissioner Upton made a motion to approve the bid and award for the provision of In-Home Aide Level II Services under the HCCBG to Interim Health Care and was seconded by Commissioner Sorrells. The motion passed unanimously.

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

Chairman Swanger recognized John Chicoine, JCPC Chair.

Mr. Chicoine explained that there is an increase in providers this year which are listed in the attachment the Board received. He reviewed some of the areas that the funding covers such as drug abuse, truancy and mediation. He noted that this is presented annually to the Board for approval. Mr. Killian reviewed and approved the document.

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

Request approval of "unauthorized substance" seizure funds to purchase a canine

Chairman Swanger recognized Sheriff Greg Christopher. Sheriff Christopher explained that Haywood County does not currently have a bomb dog, and when a circumstance arises that requires this dog, the County has to borrow from Buncombe or Macon County. With the help from the Waynesville Police Department funding the vet bill, dog food and training, the seizure funds will be used to buy the dog. These funds are not tax dollars, it is money seized from drug dealers.

Commissioner Sorrells made a motion to approve "unauthorized substance" seizure funds to purchase a canine and Commissioner Ensley seconded. The motion passed unanimously.

Request approval of budget amendment – General Fund – Sheriff’s Office - \$2,250

Chairman Swanger recognized Finance Director Julie Davis. Ms. Davis explained that this money is in the fund balance which has to go to a program such as this, or it is allowed to use current year revenue. This will be taken from the revenue received this year, as there is enough in the current year revenue.

Commissioner Ensley made a motion to approve the budget amendment as presented and Commissioner Upton seconded. 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
Public Safety – Sheriff's Office:				
CDO - patrol dogs	114310-555004	13,000	2,250	15,250
which will result in a net increase (decrease) of \$		2,250		

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:				
Sheriff's controlled substance tax	110050-443030	1,710	2,250	3,960
			2,250	

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

Adopted this the 15 of June, 2015.


 Chairman
 Haywood County Board of Commissioners

ATTEST:


 Clerk to the Board

To appropriate an amount of the controlled substance tax collected to cover the drug patrol canine.

Request approval of purchase computer equipment - Capital Project Fund – E-911 grant for co-location E-911 office

Chairman Swanger recognized Finance Director Julie Davis, IT Director Lori Tomlin and 911 Coordinator Chanda Morgan. Ms. Davis explained that this is included within the 2.6 million project grant. She explained that this is a resolution to purchase computer equipment, at a cost of \$597,795, which would typically go out to bid. However, NCGS gives an exception when standardization or compatibility is the overriding consideration. She stated that the resolution does two things, approves the purchase of the equipment as allowed with the exception, and approves the contract with Sirius.

Ms. Tomlin further explained that within the scope of the grant that was awarded, it was determined the need to have compatibility in case of an anomaly which would allow cutting directly over to the core network in the County. In doing that, the County needs to have like equipment. The company used to configure and design for the 911 center is the same company used to design the County core network. This company is engaged to help with configuration and the proposal includes significant incentives. This will meet the timeline for the 911 center.

Ms. Morgan commented that this is within the grant funds.

Chairman Swanger made a motion to approve the resolution to purchase computer equipment based on the E911 grant through N.C.G.S.143-129(e) exception (6) and Commissioner Upton seconded. The motion passed unanimously

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



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

RESOLUTION OF THE COUNTY OF HAYWOOD, NORTH CAROLINA
AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT THROUGH THE NORTH
CAROLINA GENERAL STATUTE REGARDING EXCEPTIONS WHEN STANDARDIZATION
OR COMPATABILITY IS THE OVERRIDING CONSIDERATION

WHEREAS, grant funds have been approved in the 2014-2015 fiscal year in a Capital Project Ordinance to consolidate the Haywood County Emergency 911 Communications Center, including enhancing the 911 system equipment, and

WHEREAS, N.C.G.S. 143-129 details the procedures for letting of public contracts; and

WHEREAS, item (6) of N.C.G.S. 143-129 (e) allows exception to the bidding process when purchasing apparatus, supplies, materials or equipment when standardization or compatibility is the overriding consideration; and

WHEREAS, the county is currently using Cisco, EMC, and VMWare from Varrow/Sirius Computer Systems for business critical and emergency operations, and it was determined that a compatible system of like equipment was required for the county to maintain compatibility and redundancy for the future operations of the Emergency 911 Center as outlined in the scope of the grant, and

WHEREAS, the Haywood County Emergency 911 Communications Center has a need to purchase computer equipment that will aid in consistency of the Center's operations and functionality, and

WHEREAS, N.C.G.S. 143-129 (e) (6) also states that notwithstanding any other provision of the subsection, the governing board of a political subdivision of the State shall approve these purchases prior to the award of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Haywood County Board of Commissioners authorizes Haywood County to purchase computer equipment from Sirius Computer Solutions, as permitted under N.C.G.S. 143-129 (e) (6), exceptions for equipment standardization and consistency.

ADOPTED this 15th day of June 2015.


MARK S. SWANGER, Chairman
Haywood County Board of Commissioners

ATTEST:

Ira L. Dove, County Manager
Clerk to the Board of Commissioners

Request approval of the contract renewal of Transform Health Correctional Services for the Inmate Medical Services for the Detention Center

Chairman Swanger recognized Sheriff Greg Christopher. Sheriff Christopher thanked Ms. Morgan, Ms. Tomlin and Mr. Burris for their hard work. He stated that the Sheriff's Office has been very pleased with the services provided by Transform Health this year and is asking for another year. Mr. Killian has reviewed and approved the contract.

Commissioner Sorrells made a motion to approve the contract renewal of Transform Health Correctional Services for the Inmate Medical Services for the Detention Center and Commissioner Ensley seconded. The motion passed unanimously

Request approval of Combined Public Communications Inmate Telecommunications General Service Agreement

Chairman Swanger recognized Sheriff Greg Christopher. Sheriff Christopher explained that his office had looked at two vendors. In reviewing the proposals, the requested vendor has offered to upgrade the inmate video visitation system. This would cost \$60,000 out of pocket. The age of the equipment at the Center is old and this needs to be done. There is also a higher commission paid on inmate phone calls as opposed to the contract the County currently has. The local technician lives in Transylvania County who would provide 24/7 coverage. They will also provide an automated phone service for no cost, which has a \$16,500 value. We pay \$1,000 a month now through the other carrier. He noted that inmates' families pay at the kiosk by putting a certain amount on the inmate account. Mr. Killian has reviewed and approved the contract.

Commissioner Sorrells made a motion to approve Combined Public Communications Inmate Telecommunications General Service Agreement and Commissioner Ensley seconded. The motion passed unanimously

Request approval of resolution declaring surplus and authorizing for disposal using private sale, five tractor trucks used in Solid Waste Management to Transource, Inc. in the amount of \$48,500

Chairman Swanger recognized David Francis, Tax/Solid Waste Administrator. Mr. Francis explained that earlier this year with the privatization of the Materials Recovery Facility, the management of the fleet is leased by CWS. This however, is still a liability for the County due to age and condition. It is prudent to surplus and get this equipment off the

road. One tractor has a million landfill miles on it, with the rest of the equipment having excessive mileage. He confirmed that part of the negotiation with the individual that will be buying this equipment, is that with the private offer, it involves a lump sum. It will still be advertised for the 10 day upset bid process. He noted that he will be coming back to the Board in July with a revision to the CWS contract since it involves this equipment. He responded to Vice-Chairman Kirkpatrick's inquiry about the condition of the equipment by stating that the buyer is aware of the condition of all of the equipment and it is acceptable to him. Mr. Killian has reviewed and approved this resolution and sale.

Vice-Chairman Kirkpatrick made a motion to approve the resolution declaring surplus and authorizing for disposal using private sale, five tractor trucks used in Solid Waste Management to Transource, Inc. in the amount of \$48,500 and Commissioner Ensley 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

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

RESOLUTION OF THE COUNTY OF HAYWOOD, NORTH CAROLINA
DECLARING SURPLUS AND AUTHORIZING FOR DISPOSAL USING PRIVATE SALE

WHEREAS, N.C.G.S. 160A-265 authorizes the board to dispose of surplus property; and
WHEREAS, N.C.G.S. 160A-267 details the procedures for private negotiation and sale of surplus items; and
WHEREAS, the Haywood County Solid Waste Department has 5 vehicles no longer needed:
1. 1994 Ford tandem tractor - VIN #4642, Asset 794
2. 1997 International tandem tractor - VIN # 8981, Asset 797
3. 1999 International tandem tractor - VIN #4558, Asset 809
4. 2003 Sterling tractor - VIN #6385, Asset 1273
5. 2007 Sterling tractor - VIN #4010, Asset 2361; and
WHEREAS, Haywood County Solid Waste Department has negotiated with Transource, Inc. for the above identified surplus property; and
WHEREAS, a copy of the proposal letter indicating a purchase price of \$48,500.00 is attached to this Resolution as Exhibit A;
WHEREAS, a notice summarizing the contents of the resolution shall be published once after this adoption for the above identified surplus property; and
WHEREAS, the sale shall be consummated after 10 days from publication;

NOW, THEREFORE, BE IT RESOLVED that the Haywood County Board of Commissioners in general session on June 15, 2015 hereby authorizes Haywood County to sell the above surplus personal property after 10 days from publication, by executing Department of Motor Vehicles titles where applicable, and executing and delivering a Bill of Sale, a copy of which is attached hereto as Exhibit B.

ADOPTED this 15th day of June 2015.


Mark S. Swanger, Chairman
Haywood County Board of Commissioners

ATTEST:

Ira L. Dove, County Manager
Clerk to the Board of Commissioners

Commissioner Ensley inquired if the County lowered the landfill fees at White Oak and Mr. Francis responded that the fees went from \$55.00 to \$22.25 a ton, which is cut more than half from 2012.

Chairman Swanger agreed noting that if the County had not privatized, solid waste fees would be considerably higher.

CLOSED SESSION

Commissioner Upton made a motion to enter into Closed Session for:
Personnel – G.S. §143-318.11(a)(6)

Commissioner Ensley seconded and the motion carried unanimously.

The Board returned from Closed Session.

ADJOURNMENT

Chairman Swanger asked if there was any further business. With no further business, Vice-Chairman Kirkpatrick made a motion to adjourn the regular Board meeting. Commissioner Upton seconded; the motion carried unanimously.

The time of adjournment was 7:47 pm. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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