

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – September 21, 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

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.

No one addressed the Board.

CONSTITUENT CONCERNS

Commissioner Upton asked that County Manager Dove update the Board on the Inaugural Western Regional Recovery Rally this past weekend. Mr. Dove reported that this rally was partly hosted by Smoky Mountain Mental Health with other organizations participating such as the Sheriff’s Office and Waynesville Police Department. He said that it was very informative and supportive of substance abuse issues in this area.

ADMINISTRATIVE/AGENCY REPORTS

There were no reports.

DISCUSSION / ADJUSTMENT TO AGENDA

There was no discussion/adjustment to the agenda

CONSENT AGENDA

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

1. Approval of September 8, 2015 regular meeting minutes.
2. Approval of August 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 August 2015 Tax Collections update – Mike Matthews, Tax Collector –
Mr. Matthews explained that delinquent taxes collections are proceeding. He noted that the current collections are not included because August had not been sent out in time for a full report. He noted that in the first 11 days, the County has collected \$4 million dollars.

Commissioner Ensley asked how the plan was working for collection of the delinquent motor vehicle tax. Mr. Matthews responded that many had been sent to Interstate Collections and that any older than ten years were written off.

4. Budget Amendments – Julie Davis, Finance Director
 - a. Health & Human Service Agency - \$34,252 – reduction for program previously funded through Medicaid.
Ms. Davis explained that the Health & Human Services Agency had a program that Medicaid no longer funds. Expenditures and revenues related to that program are being reduced.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2015-16

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, 2016

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
115310 Social Services				
Salaries & Wages	115310-512100	4,866,936	(31,618)	4,835,118
Social Security Contribution	115310-518100	352,939	(2,434)	350,505

which will result in a net increase of \$ (34,252) 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
110050-453400				
Admin Reimbursement	110050-453400	5,025,463	(34,252)	4,991,151

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

Adopted this the 21st day of Sept., 2015.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
AccessCare terminated the agreement with HHSADSS effective 08/31/15 that provided funding to improve access to primary care services for Medicaid recipients. Such Medicaid funding is no longer allowed for support of DSS caseworkers.

- b. Health & Human Services Agency - \$12,623 – Haywood Healthcare Foundation. Ms. Davis explained that this is one budget amendment with a combination of four grants from Haywood Healthcare Foundation to HHSA. All of these grants were awarded but not completely spent last year and they need to be carried over to this fiscal year.

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, 2016

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
115151 Adult Health				
Special Program Materials	115151-523100-SHHF1	-	2,335	2,335
115153 Dental				
Other Medical Supplies	115113-523900-SHHF2	-	683	683
C/O Office Furniture	115113-551000-SHHF2	-	3,990	3,990
115350 Meals on Wheels				
Food & Supplies	115350-522000-SHHF3	-	1,500	1,500
115401 ADC				
Professional Services	115350-522000-SHHF3	-	3,000	3,000
Special Program Materials	115401-523100-SHHF4	-	1,115	1,115

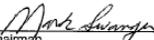
which will result in a net increase of \$ 12,623 in the expenditures of the General Fund.

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
110100 Miscellaneous				
Miscellaneous Health	110100-451890-SHHF1	-	2,335	2,335
Miscellaneous Health	110100-451890-SHHF2	-	4,673	4,673
Contributions & Donations DSS	110100-454540-SHHF3	-	1,500	1,500
ADC Client Cost Share	110100-454841-SHHF4	-	4,115	4,115

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

Adopted this the 21st day of Sept., 2015.


Chairman
Haywood County Board of Commissioners

ATTEST: 
Clerk to the Board

Explanation:
To recognize grant funds awarded by Haywood Healthcare Foundation to support Health, Dental, Meals on Wheels, and Maple Leaf Adult Respite programs for FY 2015-2016. These were awarded late in the last fiscal year and need to be carried over to this fiscal year.

9. Approve construction contract for Haywood Community College's Public Services Training Facility between Brantley Construction Company, LLC and the Trustees of Haywood Community College.

Ms. Davis explained that this is being asked to approve early in the process because the project has been condensed. The Local Government Commission (LGC) will need to approve on October 6th, and if it is put off, the architects may not have enough time to obtain the required State approvals. The State construction office will also have to approve the contract and will be contingent on LGC financing.

Brek Lanning from HCC agreed that the State construction office will have to approve the contract. He noted that there is a ten day turn around time. The bids are good through October 14th.

Chairman Swanger reiterated that this is contingent on approval from the LGC and the State construction office.

10. Approve Health & Human Services Agency Contracts over \$50,000 – Champion Cab Company - \$90,000.

Mr. Dove explained that this is an annual contract in the amount of \$90,000 for Medicaid transportation and is covered by Federal funds.

11. Approve funding from Governing Body for the Annual Emergency Services Appreciation Dinner - \$3,504.

Mr. Dove explained that this dinner is in recognition and appreciation of the fire departments, police, EMS and anyone connected to this type of service. It is on September 26th at the Lambuth Inn.

Chairman Swanger commented that it is nice to recognize people that do these type of services.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Update on JCPC and new program for troubled youth.

Chairman Swanger recognized Lead JCPC Consultant for West and Piedmont, June Ward. Ms. Ward provided an update to the Board, explaining the various funded programs. She noted that new this year, is the Prime for Life program which addresses substance abuse in juveniles, and also the Juvenile Mediation program which provides an alternative to going to court for interpersonal disputes. She explained that there are levels in juvenile justice which address multiple or more serious offenses. She stated that Haywood County was funded for multi systemic therapy which is demonstrating a strong evidence of success. Some therapies are funded by Medicaid, some may have private insurance, but won't cover higher intensive services. This creates a gap. There is a grant that will serve the small amount of clients that do not have access to Medicaid, but need the services due to the offenses they have committed. She thanked the Board for all they do for the youth, and commended them on the professionalism that they demonstrate during their meetings.

Request approval of budget amendment - \$100,000 - JCPC

Chairman Swanger recognized Finance Director, Julie Davis.

Ms. Davis explained that this is additional state funding for troubled youth and will be adding \$100,000 to the expense line item for youth services. She noted that there is no match for this grant.

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

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2015-2016

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, 2016:

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

Department (line item)	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Youth Services (JOPC)	115830		100,000	100,000
which will result in a net increase (decrease) of \$		100,000		

General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental Revenue:				
JOPC Funding	110500-498960		100,000	100,000
			100,000	

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

Adopted this the 21st of April, 2016.

ATTEST: 


Chairman
Haywood County Board of Commissioners

Explanation:
To appropriate additional funding for the JOPC program to treatment alternatives.
This funding is from the NC Department of Public Safety - Division of Adult, Correction and Juvenile Justice - Juvenile Community programs.

Request use of “unauthorized substance” seizure funds to purchase a canine in the amount of \$6,000 for use by the Haywood County Sheriff’s Office

Chairman Swanger recognized County Manager, Ira Dove.

Mr. Dove explained that this is a replacement for a canine that is very sick and not able to be in service any longer. This use of unauthorized substance monies is permissible based upon NCGS 105-113.113.

Commissioner Sorrells made a motion to approve the use of “unauthorized substance” seizure funds to purchase a canine in the amount of \$6,000 for use by the Haywood County Sheriff’s Office. The motion was seconded by Commissioner Ensley and passed unanimously.

Request approval of budget amendment - \$6,000 – Federal and State program – controlled substance funds available for use by the Sheriff’s Office for the purchase of a canine

Chairman Swanger recognized Finance Director, Julie Davis.

Ms. Davis explained that this was money in the fund balance appropriated to be used from that specific program in the amount of \$6,000.

Vice-Chairman Kirkpatrick 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 2015-2016

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, 2016:

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

Department (line item)	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Public Safety - Sheriff's Office:				
C/O - patrol dogs	114310-555004		6,000	6,000
which will result in a net increase (decrease) of \$		6,000		

General Fund.

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

Revenue	Acct. No.	Current Budget	Increase (Decrease)	Amended Budget
Fund Balance Appropriated	110110-499991		6,000	6,000
			6,000	

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

Adopted this the 21st of September, 2015.

ATTEST: 


Chairman
Haywood County Board of Commissioners

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

Request approval to amend the Haywood County Bid Procedures for County Owned Property

Chairman Swanger recognized Solid Waste/Tax Administrator, David Francis. Mr. Francis stated that the bid procedures were presented and approved in February, and since then there have been only two offers on posted properties. This amendment will allow the County Manager to negotiate with a realtor to expand the market. This hopefully will make what is available to be more out in the public. There are currently eight properties in foreclosure. He noted that it will give the County Manager more flexibility to work with the realtors.

Commissioner Sorrells agreed, stating that more advertising will make it more accessible to the public.

Mr. Dove commented that putting these properties with the realtor will help and noted that it will still be subject to the upset bid procedures.

Commissioner Ensley recognized a word that needed to be changed from that to than on the Submit an Offer page.

Commissioner Upton made a motion to approve the amendment to the Haywood County Bid Procedures for County Owned Property as presented. Commissioner Ensley seconded and the motion passed unanimously.

Request approval of renewal of lease agreement with the Department of Agriculture for the office space located at Haywood County Agriculture Services Center

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that this is for the Department of Agriculture renewal and extension of the lease for the USDA office space through July 31, 2018 on Raccoon Rd. It is an annual lease of \$58,604. Mr. Killian has reviewed this lease.

Commissioner Ensley made a motion to approve the renewal of the lease agreement with the Department of Agriculture for the office space at the Haywood County Agriculture Services Center and Commissioner Upton seconded. The motion passed unanimously.

 USDA LEASE AMENDMENT	LEASE AMENDMENT NUMBER - 2
	TO LEASE NO. Haywood County, NC USDA Service Center
589 Raccoon Road Waynesville, NC 28786-3429	

THIS AGREEMENT, made and entered into this date by and between
County of Haywood
Whose address is: 215 N. Main Street, Waynesville, NC 28786

Hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government.

WHEREAS, the parties hereto desire to amend the above Lease to establish beneficial occupancy and payment of rent.

NOW THEREFORE, these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended, effective upon execution by the Government, as follows:

A. This Lease Agreement (LA) is issued to extend the lease term beginning August 1, 2015, up to July 31, 2018. The new lease term can be terminated with 120 days' written notice.

B. The annual rent shall be \$58,604.00 payable at the rate of \$4,883.67 per month (representing \$13.00 per square foot of 4,209 net usable square feet) in arrears.

C. The Lessor must have an active registration in the System for Award Management (SAM) System (via the internet at <https://www.sam.gov>) prior to lease approval and throughout the life of the lease. To remain active, the Lessor must update or renew its registration annually. The Government will not process rent payments to Lessors without an active SAM Registration.

D. Pursuant to U.S. Government Lease for Real Property, dated 9/14/2006, the Government reserves the right to terminate this lease or decrease the amount of space at any time by giving at least 120 days notice in writing.

This Lease Amendment contains 1 pages.

All other terms and conditions of the lease shall remain in force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the below date.

FOR THE LESSOR:
 Signature: Mark Swanger
 Name: Mark Swanger
 Title: Chairman, BOCC
 Entity Name: Haywood County
 Date: _____

FOR THE GOVERNMENT:
 Signature: _____
 Name: Morrell Jordan
 Title: Lease Contracting Officer
 Entity Name: USDA Farm Service Agency
 Date: _____

WITNESSED FOR THE LESSOR BY:
 Signature: Ira Dove
 Name: Ira Dove
 Title: County Manager
 Date: _____

Lease Amendment Form 09/12

Request approval of Golden Leaf Grant Community Based Grant Making Initiative to determine which project is deemed a priority for the County and if the County will provide funding for any project

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that this grant from Golden Leaf is a significant grant up to \$1.5 million dollars. It can be divided up to three projects in the County. This is a competitive economic development grant with other counties with specific qualifications. One of the requirements is for the County Manager to endorse the project. There is also a 20% cash match. He noted that he learned about this grant in late July, went to a meeting in Henderson County in August and came back and sent out the information to several non-profits. He received three applications; Town of Canton, Haywood Community College and Junaluska Sanitary

District. The Town of Canton proposed extending sewer lines out to an area in the Industrial Park and also to another site to make these more competitive for economic development. Haywood Community College put forth an advanced machinery grant request to cover both the equipment and personnel to run it, as well as significant renovations to the building and had asked for the entire cost of the grant. Junaluska Sanitary District proposed running sewer service out Highway 209 which will impact Riverbend Elementary, the Pilot Travel Center and Truck Stop. He commented that they were all very worthy projects and recommended the Junaluska Sanitary District as being the strongest because of the impacts it has on the school and businesses. The businesses have septic systems that are old and have been cited with issues. The school is also on a septic system and has the possibility of facing problems as it ages. This project has the potential for development on other parcels of land. The total cost of the Junaluska Sanitary District project is over \$3 million dollars, and they will come up with some of the money themselves through sewer development loans. They are asking \$300,000 from the County because they will extend out to Riverbend and past Interstate 40.

Chairman Swanger recalled in 1996 the difficulty Riverbend had with permitting sewer with DENR, noting that it would be wise to have sewer run out that way.

Commissioner Upton recalled that the County spent a good amount of money at that time.

Commissioner Ensley noted that the Riverbend system is 17 years old. He also agreed that several tracts in that area have potential for future development which would mean jobs and retention of jobs that are already there.

Commissioner Sorrells concurred, stating that as many as 70 people are affected out at the truck stop. He said that he has worked with Golden Leaf, agreeing that this grant is very competitive. He noted that although the rest of the projects are good projects, this particular request meets the criteria the best and we want to put our best foot forwards so we can potentially win this grant. He commented that another criteria they will use to consider awarding the grant is if multiple agencies will be involved.

Chairman Swanger commented that although Golden Leaf does not require the Board approval, the \$300,000 match will require an approval.

Commissioner Ensley made a motion to approve the Golden Leaf Grant application for the Junaluska Sanitary District's Highway 209, 140 and Riverbend sewer service for submission with a 20% match and Commissioner Upton seconded. The motion passed unanimously.

Request approval of appointments of two (2) members to the Haywood County Planning Board

Chairman Swanger stated that the Board had interviewed two applicants, Candace Hladick and Howard Sorrells, both of which were excellent candidates.

Commissioner Sorrells stated that he is a close relation to Mr. Sorrells and inquired if he needed to abstain from voting.

Mr. Killian advised that as long as he discloses, he does not have to abstain.

Vice-Chairman Kirkpatrick made a motion to approve the appointments of Candace Hladick and Howard Sorrells to the Haywood County Planning Board. Commissioner Upton seconded and the motion passed unanimously.

CLOSED SESSION

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

Personnel – G.S. §143-318.11(a)(6)
Economic Development §143-318.11(a)(4)

Commissioner Sorrells 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, Commissioner Sorrells made a motion to adjourn the regular Board meeting. Commissioner Upton seconded; the motion carried unanimously.

The time of adjournment was 6:29 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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