

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – March 21, 2016

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, Asst. County Manager, Stoney Blevins, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis and Deputy Clerk Candace Way.

PLEDGE OF ALLEGIANCE

Chairman Swanger led the Pledge of Allegiance.

INVOCATION

Commissioner Upton offered the invocation.

PUBLIC HEARING

Chairman Swanger stated that the first order of business is a public hearing for the consideration of the sale of the Historic Hospital at 1230 N. Main St., Waynesville, N.C. to Landmark Developers for affordable housing and recognized Solid Waste/Tax Administrator, David Francis. Mr. Francis stated that this public hearing is for the consideration of the sale of the Haywood County Historic Hospital and is for informational purposes, as it is not required. He said that the proposed sale is to the North Carolina Preservation Society who will then sell it to Landmark Group for affordable housing for seniors, veteran and families of low to moderate income in the amount of \$200,000. We will issue a \$450,000 loan with zero interest which will be due in thirty years.

John Stiltner from Landmark Group addressed the Board. He gave a history of his work with the Landmark Group. He commented that the total development cost is around \$7.1 million dollars. The construction cost is \$5 million dollars. There will be 54 units; 33 one bedroom and 21 two bedrooms. The square footage will be 660 to 880 for the one bedrooms, and 900 to 1,100 for the two bedrooms. This is targeting moderate income seniors and veterans with an income from \$17,000 to \$30,000. The building is currently under consideration for placement on the National Registration of Historic Places.

Chairman Swanger commented that this has been discussed several times which has allowed citizens time to hear about and give input on this project. He said that the County is looking at an August date for final approval.

Mr. Stiltner agreed, noting that they are confident that the project will get awarded this year. He anticipates if all goes well, construction will begin from December to February.

Waynesville Mayor Gavin Brown addressed the Board. He said that he wanted to let the County know that the Town fully supports the program. He said that it is an opportunity to provide service to the community and saves a historic building. He noted the Town stands ready to provide in kind funds.

There were no public comments and Chairman Swanger closed the public hearing.

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.

John Wadsworth addressed the Board. He voiced concerns over finances going into buildings such as the animal shelter and the EMS building instead of schools. He asked that county leaders pull together to solve this problem and to make it clear that kids are number one.

Chairman Swanger noted that some school buildings are paid for by lottery funds and cannot be used for anything else. He noted that portions of Article 40 and 42 sales tax have to be used for capital projects.

Connie Hewitt addressed the Board. She expressed her thanks to the Board for moving forward with the animal shelter. She said that she is here in support of the shelter.

Paul Yeager addressed the Board. He spoke in opposition of the proposed commercial shooting ranges ordinance. He asked the Board to table the issue and cited differences that make it appear that it isn't about safety.

Mark Melrose addressed the Board. He spoke about the closing of Central Elementary, commenting that the Board should help with the funding to keep the school open. He commented that the Board needs to raise taxes to help do this. He feels the Board should work with the school board to keep the school open.

Chairman Swanger responded that the decisions of education are made by the elected officials of the school board. He said that they have made this decision with one reason being that there are not enough children to keep it open. He remarked that as demographics change, schools close and the school board is charged to make the best decision they can. He said that it is a tough job to balance competing needs in the education system. He said that their capital expenditures are different than operating expenses. The question is at what point are you taking away from educational opportunity. He noted that the Board of Education has not requested the commissioners to get involved with their business.

Sarah Jane League addressed the Board. She spoke in support of the new animal shelter. She thanked the Board for being diligent in meeting the needs of the shelter.

Debbie King addressed the Board. She stated that she had sent an email to four of the five commissioners concerning the special called meeting. She asked the public hearings for the ordinances be spread out. She commented that she feels the proposed County Grounds Use Ordinance has issues because of a Department of Justice ruling on the Homeless.

Chris May addressed the Board. He spoke of the seriousness of homelessness in Haywood County. He commented that the County needs to look at ways to bring better jobs into this area. He noted that we are ahead of the curve if we act now.

Vickie Rogers addressed the Board. She thanked the Board for moving forward with the proposed commercial shooting ranges ordinance, and said that people don't understand unless it is in their back yard.

An email comment was received from Renee' Smith that spoke in support of the animal services building and the importance of it in the community.

Commissioner Sorrells stated that the County is working along with the school system and college to understand what is needed to prepare people for jobs in Haywood County. He said that the county has a good relationship with the schools in identifying training needs. He said that there have been meetings with the human resources in industries in the County to identify their needs and deficiencies. He said that he has talked with the schools and is aware that the two newer schools are only at 60% capacity. He noted that with this declining number, the business decision had to be made to close Central Elementary.

Commissioner Ensley remarked that education is handled by the Board of Education. He noted that our Board does not get in their business. He commented that they have studied their issue and have made their decision. He noted that Pathways has addressed a portion of the homeless. It has cut down on jail recidivism rate and the jail annex is empty most of the time now. He commented that the faith based program has worked and has saved the jail around one million dollars.

Vice-Chairman Kirkpatrick remarked that there are so many different issues that make being a commissioner difficult with priorities being different for each person. He said that it becomes hard to establish the county's priorities. He said that they have to take county money and use it to determine what is in the best interest of the community. He said that they try to look at every building that is constructed and make sure it is necessary. He commented that the new jail was necessary because the old was falling apart. It wasn't safe or secure.

He stated that the new justice center came about when a district court judge had to close a courtroom. There was one courtroom in the historic courthouse, and court was conducted all over the county. He said that there is no question that education is important. The funding formula was developed years ago, and every year the Board of Education is asked if it is agreeable with them. They have not wanted to change it or go back to the old way. The Board does not get into the decisions of the school board. He said that he is not opposed to look at ways to fund education and look at ways to increase support. He noted that if the County looks at the way it is now, it looks pretty good. He remarked that the school system has had some tough issues to look at. He noted that 65 kids were going elsewhere that should have been going to Central. A reduction of nearly 1000 students in all of Haywood County is something you have to plan for. He said that it was a decision that the school board looked at and they had to make. He stated that there is no question that the County needs a new Animal Shelter, however he is going to reserve if he supports the amount that the County is spending. He said that he cares for animals, but we have other issues to look at also. Homelessness is certainly a problem. He noted that Commissioner Ensley's wife spends a lot of time working with homelessness as does the commissioner. He said that it is unfortunate throughout the state and the country, but is not sure how much the government should be assisting in that.

Commissioner Upton recalled that when he was superintendent, he has seen it both ways. He said that funding was a battle every time. He recalls there was a time when they were lectured for an hour and a half of why they were asking the County for money. He said that the funding formula began when he was superintendent. He stated that the school can figure out what they will get next year by looking at the funding formula. He said that there are nine school board members that decide how they will spend the money. The County gives them \$14 million. He said that the County doesn't need to go back to the old way to decide what the Board of Education has to do with the money.

Chairman Swanger remarked that the animal shelter or any county public buildings have to be safe for the visitors and staff. He noted that Mr. Burriss said that the current animal shelter is likely in OSHA violation and that has to be taken that into consideration.

CONSTITUENT CONCERNS

There were no constituent concerns.

ADMINISTRATIVE/AGENCY REPORTS

North Carolina Certified County Clerk designation – Ira Dove, County Manager.

Chairman Swanger recognized Ira Dove. He explained that Deputy Clerk, Candace Way had, through this past year, attended courses at the School of Government in Chapel Hill obtaining her certification as a County Clerk. He said that she went through training and exams to achieve the certification. He and the Board commended her on this achievement.

DISCUSSION / ADJUSTMENT TO AGENDA

There were no discussions/adjustments 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 March 7, 2016 regular meeting minutes.
2. Request approval of February 2016 Refunds, Releases, Amendments and Discoveries – Greg West, Real Property Tax Administration
Mr. West stated that there was nothing out of the ordinary this month.
3. Request approval of February 2016 Tax Collections Update – Mike Matthews, Tax Collector
Deputy Tax Collector, Joretta Ezell reported for Mr. Matthews. She stated that February collections were down, but March has compensated for it.

Chairman Swanger noted that this was no cause for concern since there has been compensation for the decrease since the bills have gone out, and Ms. Ezell agreed.

OLD BUSINESS**Request approval of Mountain Design Architects contract for the design of the new Animal Services building**

Chairman Swanger recognized Facilities & Maintenance Director, Dale Burris. Mr. Burris stated that he is requesting approval of the contract for the design of the Animal Services building. He said that Mr. Killian has approved the document.

Chairman Swanger noted that \$48,750 has already been spent, the total for the budget amendment is \$276,250.

Vice-Chairman Kirkpatrick stated that he is concerned about the amount of money spent on the facility. He asked if there is a way to reduce the amount. He said that he wants to comply, but not overdo. He said that he has to think of the whole county. He said that he is not opposed to the functionality, but he is opposed to spending too much on the exterior for aesthetics. He suggested private donors may help with some of the expenses on this. He asked if the County would be bound to the contract, and Mr. Killian responded that the payments are staggered and any point in time it could be terminated. Vice-Chairman Kirkpatrick said that he is speaking on the side of Haywood County taxpayers to manage the money the best we possibly can.

Mr. Burris stated that right now, we don't know what the true cost is going to be, and won't know until it is bid out. He said that functionality is important to meet the required guidelines. He noted that the HVAC system is a cost driver, and is a necessary function. He said that changes can be made to the exterior. He noted that once the project is awarded, cutbacks can be made to the design. He said that a big portion of the design cost is Animal Arts which is one of the best in the country because they know the specialty of an animal control facility. He said that the size of the facility can be decreased which would cut down on the cost, and shingles could be used to cut back on 30% of roof cost. He noted that if the cost is split out, not a lot is going to the architect. A lot has to do with Animal Arts since they are specialized in what they do. Civil Design is paid for the site engineering. He reminded the Board that when using USDA, any changes made will have to go back through them again. Some guidelines are involved with that. He remarked that prices of construction materials are rising. He noted that he is very conservative with construction and watches everything that goes through and will do everything possible to make sure the County gets the best prices.

Chairman Swanger commented that it is hard to decide where to make the cuts until we have the design. He said that he has been involved with three new schools, the new jail, and the Justice Center. He noted that the County could have saved around a million dollars if we had been able to build at the Fairgrounds. He noted that the total out of any structure is a big sounding number. For budget purposes, it is the debt service that has to be factored in. With this, it is well under \$200,000 a year in debt service. He said that we need to get a design and value engineer like we do every other building. He commented that the Board has not had this kind of discussion about design before. He said that it can be determined where to save money at the end of the design process. He said that the roofing can be easily changed. He noted that contributions are usually specific and will need to be with no strings attached.

Commissioner Sorrells commented that he too has had concerns with cost. He said that it would be good if all will join together and be partners in fundraising to help this along. He agreed that the site prep would have been cheaper if they had been able to use the Fairgrounds.

Commissioner Ensley also stated that if we could have put it at the fairgrounds, the County could have saved around one million dollars. He said that it needs to be built to last for generations so future Boards won't be having this conversation. He said that it looks like a grand building, but hopes that the community will come together to raise money to help with the cost. He said that it needs to be looked at as a welcoming building. He agreed with Mr. Burris that building costs such as rebar and concrete are increasing in costs. He said the longer we put this off, the more it will be cost. He noted that the Justice Center is paid off next year and several courts can be in there now. He said that Paragon Parkway looks good and the County was able to have savings there. He noted that the County debt

NEW BUSINESS**Request approval to appoint a task force and fund an evaluation and plan to address lack of affordable housing and homelessness in Haywood County**

Chairman Swanger recognized Mountain Projects Executive Director, Patsy Dowling. He stated that the lack of affordable housing has come to the front when the school system said there were over 300 homeless children in Haywood County. He explained that this means the child is not in his or her permanent home, the child could be living with a grandparent etc. It does not necessarily mean that the child is living in the street. Ms. Dowling said that she was asked to share concerns that were occurring in this community. Homelessness was given as one of the top priorities. She presented a power point, highlighting the following:

- She said that due to the unavailability of homes, the waiting list for housing had to close. There are currently 600 people on the wait list, with an average wait of two years.
- She stated that fair market rent is \$811 for a two bedroom home. 86 hours of work is needed at minimum wage to afford a two bedroom rental.
- According to Head Start, there were 15 homeless children in 2014, and 12 in 2015; Pathways Center served 355 in 2015, and REACH served 78 people including 35 children in 2015.
- According to McKinney-Vento Law definition, there are currently 310 homeless children in Haywood County. These are children that are not in their permanent homes.
- The Community Kitchen sees an average of 5-10 homeless per month.
- Affordable housing reduces the burden of homelessness on law enforcement, emergency transports, hospitals and the business community
- Current efforts include the potential renovation of the Old Hospital; Mountain Projects self-help housing have 3 under construction, and have built 40; Habitat has 2 under construction and have built 44 since 1990
- Areas of Opportunity include tiny homes and communities, backyard cottages.

She said that she is requesting a task force be appointed to research options and also to help fund an evaluation and a plan to address housing solutions for all persons in Haywood County.

Chairman Swanger noted that other counties deal with similar situations. He said that a study was done to the east with a firm that got them closer to the true nature of the problem and made specific recommendations on how this can be improved. These are people that are involved in affordable housing. He said that at this point, Mountain Projects needs someone to help launch the effort and a plan. He said that everyone is overworked and needs help. They would like to have a study done and will need to put out a Request For Proposal. They will need County help to do this. He asked if anyone objected to Mr. Dove, Mr. Blevins and Commissioner Ensley working on this project with Ms. Dowling. Mr. Killian said that he would like to help on the legal side.

Vice-Chairman Kirkpatrick said that he agrees with this approach. He said that he is afraid that it will get worse before it gets better. He said that people that cannot afford to live in Buncombe County are moving this way, which is making rent and housing costs increase.

Commissioner Ensley made a motion to approve the appointment of a task force to create an evaluation and seek funding to address the lack of affordable housing and homelessness in Haywood County. The motion was seconded by Vice-Chairman Kirkpatrick and passed unanimously.

Request approval for Crabtree-Ironduff Volunteer Fire Department to enter into an installment agreement for the purchase of a new fire truck

Chairman Swanger recognized Tyrell Mehaffey, Crabtree-Ironduff Fire Department and Finance Director, Julie Davis.

Ms. Davis explained that the fire department has come to the Board to get approval to have a capacity to pay the debt. She said that they will be borrowing \$280,000 for a truck that will cost \$347,041. Their capacity to pay is about \$35,000 which is close to the \$32,000 debt service payment for this truck, but does give them the capacity to pay. She said that the debt they would like to enter into is their only debt. She said that they have been saving

Request approval of County Manager to sign letter of approval for the Lake Logan Multisport Festival

Chairman Swanger recognized County Manager, Ira Dove.

Mr. Dove explained that this is an event that will take place on August 6-7. The Sheriff's Department works with municipalities and the NCDOT to make the roads safe for this event of about 800 participants. This requires a letter of support from the County.

Commissioner Upton made a motion to give permission for the County Manager to sign a letter of approval to the N.C. Department of Transportation for the Lake Logan Multisport Festival on August 6-7, 2016. Vice-Chairman Kirkpatrick seconded and the motion passed unanimously.

Vice-Chairman Kirkpatrick asked that the public be properly notified of the traffic disruption. It will also be put on the County website.

Mr. Greg Duff from Glory Hound Events addressed the Board and explained that this is a multisport event that is held throughout Haywood County on August 6-7 this year. He stated that they will make sure to put the notification out to the public and work with neighborhoods and churches along the route.

Request approval to delegate the power to the County Manager to sign documents that require County support for events to be held in Haywood County

Chairman Swanger recognized County Manager, Ira Dove.

Mr. Dove explained that this is for approval to have the authority to sign documents for events that require County support.

Commissioner Sorrells stated that he is fine with it as long as the commissioners are kept informed. The commissioners agreed with Commissioner Sorrells.

Commissioner Upton made a motion to delegate the power to the County Manager to sign documents that require County support for events to be held in Haywood County and was seconded by Commissioner Ensley. The motion passed unanimously.

CLOSED SESSION

Vice-Chairman Kirkpatrick made a motion to enter into Closed Session for:

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

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

The time of adjournment was 8:15 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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