

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – July 18, 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 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.

Denny King addressed the Board. He spoke of the Board meetings when it was under discussion of Regional Recycling coming into the Beaverdam Community. He voiced concern over the conversation of “contaminated materials” mentioned in the closed session minutes, and asked what they were and why they weren’t told about them.

CONSTITUENT CONCERNS

Vice-Chairman Kirkpatrick said that he had received calls about the proposed animal services building.

Commissioner Ensley thanked the staff for seeing that the Paragon Parkway entrance was promptly repaved.

Commissioner Sorrells stated that he has had discussions with citizens over the proposed animal services building.

ADMINISTRATIVE/AGENCY REPORTS**Child Fatality Prevention Team Report – Lisa Davis, RN, HHSA Director of Nursing**

Ms. Davis advised the Board that these teams are mandated for all counties in North Carolina. Haywood County’s has been in existence since 1995. The purpose is understand causes and identify the gaps and services by agencies that are designed to prevent child abuse or death for children birth to 17 years. Recommendations are made based on the findings. The review process involves a one year delay after the day of death. The team meets four times a year, and makes recommendations of changes and initiatives to the N.C. State Child Fatality Prevention Team Coordinator. She reviewed the statistics with the Board. She spoke of the Micah Raelynn Foundation, named after an infant who passed away at 4 months of age, founded by the infant’s mother, Kandace Boone. Ms. Boone has done commendable work promoting education to parents to reduce risk of infant mortality. She stated that Health Director, Patrick Johnson, published an article in the newspaper for infant sleep safety and SIDS risk-reduction guidelines. She stated that they have been notified that the state task force is monitoring issues that address the N.C. Driver’s Education Program among other issues. Haywood County has a low death rate for this age group per capita compared to other counties in North Carolina.

DISCUSSION / ADJUSTMENT TO AGENDA

Chairman Swanger noted that there is one adjustment to the agenda. Number four under New Business will add a call to public hearing for the Sheriff’s Office grant application. There was no objection to the addition.

CONSENT AGENDA

Commissioner Upton made a motion to approve the consent agenda as presented. Commissioner Ensley seconded, the motion carried unanimously.

1. Approval of June 20, 2016 regular meeting minutes.
2. Request approval of June 2016 Refunds, Releases, Amendments and Discoveries – Judy Hickman, Asst. Tax Assessor
Ms. Hickman stated that there was nothing out of the ordinary this month.
3. Request approval of June 2016 Tax Collections Update – Mike Matthews, Tax Collector. Mr. Matthews stated that June closed out at 96.97% for a total of \$37,371,000. Total collections is \$38,611,000, total delinquents are \$1.16 million.

Chairman Swanger asked if he knew why the percentage is down and Mr. Matthews responded that he is not sure but he is reviewing to try to identify if there was something missed. He stated that this leaves \$2 million dollars total delinquent left to collect.

Chairman Swanger confirmed that Mr. Matthews will have a written collections plan to share with the Board at the August meeting.

Commissioner Ensley asked if that would include motor vehicles and Mr. Matthews responded that they are still collected.

4. Request approval of Haywood County Health and Human Services Board Bylaws and Operating Procedures revisions – Stoney Blevins, HHS Director/Asst. County Manager.
Mr. Blevins explained that at the annual HHS board retreat, the departments operating procedures were reviewed. He stated that two major changes were proposed. One is the term of the Chair and Vice Chair to two years instead of one to help with continuity. The other is to take the five subcommittees and condense down to four.

Chairman Swanger remarked that he is on that board, and the remainder of the changes are housekeeping type matters. He noted that after the board has been in existence, some of the needed changes have become apparent.

OLD BUSINESS

There was no old business.

NEW BUSINESS**Request approval of purchase of property by Saunook Volunteer Fire Department**

Chairman Swanger recognized Finance Director, Julie Director.

Ms. Davis explained that two members of the Saunook Fire Department were present to make a request to enter into a seller finance mortgage to buy property that surrounds their property. They have had a public hearing on this matter and after a review have found that they can afford to make this purchase with the recent payoff of a note that they held. They are putting \$70,000 down for the \$350,000 purchase, and are owner financing \$280,000. She introduced Daniel Hyatt and Dan McClure to the Board.

Mr. Hyatt stated that he appreciated the consideration, and is looking forward to the purchase. He explained that their little parcel of land was donated to them in 1962, which is 2/10th of an acre. He noted that parking is an issue. Additionally, the septic drain field is on the parcel that they are hoping to buy. He said that the property is four acres.

Chairman Swanger noted that if the land was sold to someone else, it could become an issue if that party did not allow them any use of the land.

Commissioner Ensley asked if they had obtained an appraisal and Mr. Hyatt responded that they had not. He said that the fire department had approached the owner and asked to buy the parcel where the drain field is located. The owner did not want to sell just a portion of the land.

Ms. Davis stated that she is satisfied that they can afford the purchase.

Vice-Chairman Kirkpatrick advised the Board that he would need to abstain from voting as he had prepared the contract for this purchase and was involved in some of the negotiations. He noted that he feels this is a wise decision considering the cost that would be incurred if the whole department had to be moved.

Commissioner Sorrells agreed that the cost would be significantly more if they had to do something else with the department.

Commissioner Ensley made a motion to approve Saunook Volunteer Fire Department to enter into a seller financing agreement for the purchase of property as described. Commissioner Sorrells seconded and the motion passed by quorum. Vice-Chairman Kirkpatrick abstained from voting due to a conflict.

Request approval of Fairway Ford, Evans, GA for the purchase of vehicles for the Sheriff's Office

Chairman Swanger recognized Chief Deputy, Jeff Haynes.

Chief Haynes explained that this is for an annual purchase of vehicles for the rotation of patrol cars. The bidder was Fairway Ford, Evans, GA for a total of \$200,288.90 for seven vehicles.

Commissioner Ensley asked if there was a local bidder and Chief Haynes confirmed that Ken Wilson Ford was the local dealer. He confirmed to the commissioners that although their bid was \$5.00 less, the additional cost of the required equipment at \$452 per vehicle would have made their cost more. They would not include the additional required equipment in the cost, which Fairway Ford had done.

Vice-Chairman Kirkpatrick asked if the County was exempt if they bought vehicles out of state. Ms. Davis verified that there were no additional costs that would incur.

Commissioner Upton made a motion to approve the lowest responsive, responsible bidder, Fairway Ford, Evans, GA for the purchase of seven vehicles for the Sheriff's Office in the total amount of \$200,288.90. The motion was seconded by Vice-Chairman Kirkpatrick and passed unanimously.

Request approval of renewal of Transform Health contract for inmate healthcare services

Chairman Swanger recognized Chief Deputy, Jeff Haynes.

Chief Haynes said that this is the renewal of the annual contract for medical inmate services at the detention center. He said along with the increase of services in staffing, it will increase services to seven days week and biweekly mental health care.

Commissioner Ensley made a motion to approve the renewal of Transform Health contract for inmate healthcare services in the Detention Center in the amount of \$206,536, and to authorize the County Manager to sign. Commissioner Upton seconded and the motion passed unanimously.

Request approval to review the no match grant application and call to public hearing

Chairman Swanger recognized Chief Deputy, Jeff Haynes.

Chief Haynes explained that this is a request to review a grant application in the amount of \$10,351 to buy form fitting body armor and ballistic vests. These will allow the deputies to move more efficiently and effectively. He noted that the department routinely rotates out vests and this will not replace equipment funding, but allow funding to supplement, which will help to rotate out more equipment. He asked for a required public hearing as well on the grant as required by the state.

Commissioner Ensley made a motion to approve for submission the no match Edward Byrne Memorial grant application in the amount of \$10,351. The motion was seconded by Vice Chairman Kirkpatrick and passed unanimously.

Chairman Swanger called for a public hearing for the no match grant application from the Edward Byrne Memorial Justice Assistance Grant Program. There were no objections. The public hearing is set for August 15, 2016 at 5:30 p.m. in the Historic Courtroom of the Historic Courthouse.

Request approval of the annual support and maintenance renewal for Tyler Technologies

Chairman Swanger recognized IT Director, Lori Tomlin.

Ms. Tomlin stated that the request is for the annual support renewal for the Munis finance system software. She said that it has an annual fee of \$73,836 to be paid for from budgeted funds.

Vice-Chairman Kirkpatrick made a motion to approve the annual support and maintenance renewal for Tyler Technologies for the Munis financial system software for an annual fee of \$73,836 to be paid for with budgeted funds. Commissioner Upton seconded and the motion passed unanimously.

Request approval of NCDEQ contract and interlocal agreement with Town of Maggie Valley for recycling carts and bins

Chairman Swanger recognized Tax/Solid Waste Administrator, David Francis.

Mr. Francis stated that this is a contract with the Department of Environmental Quality and also an interlocal agreement with the Town of Maggie Valley. He explained that there are problems with the processing of recyclables due to the machines becoming clogged with the bags. This is a pilot program that eliminates bags and will supply the town residents with 96 gallon bins. Loose material will be allowed in the bins to be picked up by the recycling contractor. Next year, the grant will include the Towns of Canton and Clyde and they are still working the Waynesville. He said that \$20,000 is from the grant funds, \$34,650 reimbursement from the Town of Maggie Valley and \$3,600 from budgeted County funds.

Commissioner Ensley noted that he had observed this being done when he went to Kansas during the consideration of bringing Regional Recycling to the County. Mr. Francis agreed, noting that this referred to general waste, there has never been any illegal contamination.

Commissioner Upton made a motion to approve the NCDEQ contract and interlocal agreement with the Town of Maggie Valley for recycling carts and bins. Commissioner Ensley seconded and the motion passed unanimously.

Request appointment of one (1) County Commissioner, Bill Upton, as the voting delegate at the NCACC annual conference

Chairman Swanger recognized County Manager, Ira Dove.

Mr. Dove explained that as part of the business session of the NCACC annual conference, it is required to have a voting delegate from the county appointed. Commissioner Upton has agreed to be that delegate.

Commissioner Sorrells made a motion to appoint Commissioner Upton as the voting delegate at the NCACC annual conference. Commissioner Ensley seconded and the motion passed unanimously.

CLOSED SESSION

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

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

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

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

The time of adjournment was 6:59 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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