

## HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – August 1, 2016

**CALL TO ORDER**

Chairman Mark S. Swanger convened the regular meeting of the Haywood County Board of Commissioners at 9:00 a.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 Sorrells offered the invocation.

**CALL FOR A PUBLIC HEARING**

Chairman Swanger explained that the call to public hearing is regarding the proposed High Impact Development Ordinance and recognized County Manager, Ira Dove. Mr. Dove stated that a number of years ago, the Haywood County Planning Board began to address the issue of High Impact Development. If a vulnerable part of the population had to be evacuated, what kind of ordinance would the County need in order to protect its citizens? They began a draft of an ordinance with some recommendations. This spring, the Public Policy Institute of Western Carolina University conducted a study to gather public input on land use regulations. It was determined that there is a strong support for common regulations that would help with land use planning, particularly high impact uses. The Planning Board met last week and have a more finalized version of a High Impact Development Ordinance with distances and buffers for highly vulnerable areas of the county, such as schools, hospitals, nursing homes and daycares.

With no objection, Chairman Swanger set the public hearing for 5:30 p.m. on August 15th in the Historic Courtroom of the Historic Courthouse.

**ADMINISTRATIVE/AGENCY REPORTS**

There were no administrative/agency reports.

**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**

There were no concerns.

**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 July 18, 2016 regular meeting minutes.
2. Budget Amendment – Julie Davis, Finance Director
  - a. General Fund - \$7,500 – Wellness Clinic  
Ms. Davis explained that this is needed in order to pay some outstanding invoices in the Wellness Clinic for FY15-16. She stated sales tax is coming in good, and this amount will come from there.



There was no old business.

**NEW BUSINESS**

**Request approval of one application to release ADM funds and three Lottery funds for Haywood County Schools**

Chairman Swanger recognized Haywood County Schools Facilities Director, Joe Buchanan. Mr. Buchanan explained that they are seeking approval of applications to release ADM and lottery funds. He said that the ADM funds requested are to be used for access control at North Canton Elementary. These will be card readers on exterior doors and for tracking movement at the facility. This will be the pilot school to see how this improves safety at the facility.

Vice-Chairman Kirkpatrick asked if this was the only school that will have this, and Mr. Buchanan responded that it will be right now, that they want it all set correctly before going to other facilities. This currently will also include testing offices, child nutrition and IT to see how this will affect schools moving forward.

Chairman Swanger asked if this will be under evaluation for the upcoming school year and Mr. Buchanan responded that it will and that this will purchase the material. The school system will run and operate the system.

Vice-Chairman Kirkpatrick asked Mr. Buchanan to explain how this will run. Mr. Buchanan explained that this system will allow each faculty member to have identification badges to scan or slide at the door to allow entry. He said that at school property that is being leased, a card will be provided to the person which will allow use for a specific time.

Chairman Swanger asked about a parent visit to the school and Mr. Buchanan explained that the process for allowing a parent into the building will not change.

Commissioner Upton asked about other districts using this, and Mr. Buchanan answered that he had spoken to several other schools districts and most had something they use with different types of systems.

Commissioner Sorrells commented that unfortunately, this is the sign of the times and the County has a similar system in place at many of its buildings.

Commissioner Sorrells made a motion to approve the application for the ADM expenditure of \$55,131 for North Carolina Elementary for security as described. The motion was seconded by Commissioner Ensley and passed unanimously.

APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
ADM (Cooperative Tax) Fund

Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

County: Haywood  
Address: 200 South Main Street, Haywood, NC 28743  
School Admin. Unit: \_\_\_\_\_  
Project Title: Access Control System  
Location: North Canton Elementary  
Type of Facility: Elementary School

Contact Person: Joe Buchanan  
Title: Facilities Director  
Phone: (828) 438-1111

U.S. 110C-406.2(b) "Comities shall use moneys in the Fund for capital outlay projects including the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school buildings and for the purchase of land for public school buildings, for equipment to implement a local school technology plan that is approved pursuant to G.S. 110C-403.2(c) or for both. Moneys used to implement a local school technology plan shall be transferred to the State School Technology Fund and allocated by that Fund to the local school administrative unit for equipment. As used in this section, "public school building" and "building" includes, but is not limited to, individual schools, but are used for instructional and related purposes and does not include semipublic educational institutions or other facilities. Applications must be submitted no later than one year after the first payment to the Contractor or Vendor.

Short Description of Construction Project: North Canton Elementary Access Control System

Estimated Costs:	State	Local	Total
Purchase of Land	\$	\$	\$
Planning	\$	\$	\$
Construction	\$ 55,131	\$ 0	\$ 55,131
Renovation	\$	\$	\$
Other	\$	\$	\$
Payroll	\$	\$	\$
School Technology	\$	\$	\$
Other Services/Other Payment	\$	\$	\$
Total	\$ 55,131	\$ 0	\$ 55,131

Bid Dates/Vendors: See Doc No.

Contract Agreement: \_\_\_\_\_  
Estimated date of beginning of construction: September 2011  
Estimated date of completion: June 2012

Notes: The matching funds of one dollar of local funds for every three dollars of state funds are from (Waiver) \_\_\_\_\_ of the matching funds have been expended for (date/description): \_\_\_\_\_

Deposit/contractor: We, the undersigned, agree to submit a report of whatever costs expended for this project within 60 days after completion of the project, or 90 days after receiving state funding, whichever is later. The County Commissioners and the Board of Education do hereby jointly request approval of the above project and request release of \$ \_\_\_\_\_ from the Public School Building Capital Fund. We certify that the project herein requested is within the parameters of 110C-406.2(b) and that all of the required bond funding is available and designated to match the project.

(Signature - County Commissioners) \_\_\_\_\_ (Date) 6/1/11  
(Signature - Chair, Board of Education) \_\_\_\_\_ (Date) 6/1/11

Form No. 1002022

Mr. Buchanan explained that Waynesville Middle School needs a replacement of the twenty year old "D" building roof. The new roof will be 16,000 square feet, with an efficient addition of a slope. This will cost \$150,000 from lottery funds. He explained that both Tuscola and

Pisgah High Schools need new heat in the gymnasiums. They are asking to convert from electric to natural gas, and will also allow for the option of providing air conditioning. This conversion will maintain humidity and comfort during summer and winter.

Commissioner Sorrells remarked that this is the last part of remodeling for the gyms, as they have new floors, bleachers and windows. He noted that these repairs have been needed for some time.

Commissioner Sorrells made a motion to approve three applications to release \$450,000 from lottery funds for the Waynesville Middle School roofing project and the gymnasiums at Tuscola and Pisgah High Schools. The motion was seconded by Commissioner Upton and passed unanimously.

**APPLICATION PUBLIC SCHOOL BUILDING CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY**

County: Haywood  
 LEA: Haywood County Schools  
 Address: 1200 Oak Street, Waynesville NC 28786  
 Project Title: Waynesville Middle School Roof Replacement  
 Location: Waynesville Middle School  
 Type of Facility: Middle School

**Estimated Costs:**  
 Purchase of Land: \$  
 Planning and Design Services: \$  
 New Construction: \$180,000  
 Addition / Renovation: \$  
 Repair: \$  
 Total Payment / Bond Payment: \$180,000

Estimated Project Beginning Date: September 2014 Est. Project Completion Date: December 2015

**Signature:** Mark Swanger, Chairman, Board of Education

**APPLICATION PUBLIC SCHOOL BUILDING CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY**

County: Haywood  
 LEA: Haywood County Schools  
 Address: 1200 Oak Street, Waynesville NC 28786  
 Project Title: Pisgah High School Gym  
 Location: Pisgah High School Gym  
 Type of Facility: High School Gym

**Estimated Costs:**  
 Purchase of Land: \$  
 Planning and Design Services: \$7,000  
 New Construction: \$140,000  
 Addition / Renovation: \$  
 Repair: \$  
 Total Payment / Bond Payment: \$147,000

Estimated Project Beginning Date: November 2014 Est. Project Completion Date: March 2017

**Signature:** Mark Swanger, Chairman, Board of Education

**Request approval of annual application for State Aid to Public Libraries**

Chairman Swanger recognized Library Director, Sharon Woodrow. Ms. Woodrow explained that this is an annual application for state aid that will give them revenue that is based on a formula. This will allow the library its allocation.

Commissioner Sorrells confirmed with Ms. Woodrow that the application is part of obtaining the available funds that are needed annually.

Commissioner Upton made a motion to approve the application for State Aid to Public Libraries. The motion was seconded by Vice-Chairman Kirkpatrick and passed unanimously.

**Request approval for advertisement of Request for Proposal for a foundation to manage funds from sale of Haywood Regional Hospital**

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove explained that two years ago in July of 2014, Haywood County sold the hospital to Duke Lifepoint. The goal was to designate proceeds of the sale to community health initiatives. He said that in July of 2014, the Smoky Mountain News reported on the goals of promoting health initiatives and that the details were being worked on. He said that in April of 2015, the Mountaineer reported that the Board said the proceeds were to be solely dedicated to improving community health. He said that the Board and staff members have been looking for a vehicle to dedicate these funds. He noted that the majority of the proceeds are not yet available, and the amount will not be determined until all liabilities are covered. This allows time to look at options, noting that it is common to do it this way. He referred to a 2010 survey indicating this fact. Also, proceeds from many hospital sales have been used to fund foundations. Duke Lifepoint has purchased four hospitals that have chosen to create or partner with foundations. He said that he is recommending that the Board first looks to partnering with a foundation that will provide expertise in grant making and support. He said that the vote today would be to put it out for a Request for Proposal. He noted that the County will be working with Mr. Killian and other lawyers. He said that what is also proposed is to put this forth with restrictions that it is to be used for this purpose. It will allow the ability to retrieve funding should they not meet the purpose put in the foundation, or a failure of the health system.

Chairman Swanger noted that the first step is finding and talking to the foundation. He stated that this does not commit the County to any course of action.

Mr. Dove agreed, commenting that if the Board so chooses, another course of action could be selected.

Chairman Swanger remarked that this will be an orderly transition once the funds become available, as it may be a series of releasing funds.

Commissioner Sorrells commented that the County is limited on what is allowed to be done with investments, therefore the County return could be very minimal compared to partnering with a foundation that may be able to do more. Ms. Davis concurred, noting that the County is limited what it can do through the Local Government Commission. Commissioner Sorrells stated that this is a way that the County can maximize the principal along with protecting the asset, noting that it is tax payers' money.

Mr. Killian advised that the funds are not under the control of Duke Lifepoint, there is a trust that is independent.

Chairman Swanger inquired if there was total amount of funds, and Mr. Dove responded that there is not a total yet, although the County will receive the funds because they are in trust under the contract agreement. Chairman Swanger gave the example of pending lawsuits that could affect the total and the time that the County would receive the funds.

Mr. Killian commented that statute of limitations on claims would expire soon.

Vice-Chairman Kirkpatrick noted that some of the statute of limitations have expired on some types of claims.

Vice-Chairman Kirkpatrick made a motion to approve the advertisement of the Request for Proposal for a foundation to manage funds from the sale of Haywood Regional Hospital. The motion was seconded by Commissioner Ensley and passed unanimously.

**Request approval of one appointment to the Waynesville Planning Board**

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove stated that the Waynesville Board of Aldermen voted on and approved the ETJ appointment of Ginger Hain to the Waynesville Planning Board at their July 12<sup>th</sup> meeting. It is required to have the ETJ appointment confirmed by the Board.

Vice-Chairman Kirkpatrick made a motion to approve the appointment of Ginger Hain as the ETJ representative to the Waynesville Planning Board. Commissioner Upton seconded and the motion passed unanimously.

**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 9:42 a.m. The DVD is attached by reference to the minutes.

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CLERK

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CHAIRMAN

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