

## HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – November 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, County Attorney Leon M. “Chip” Killian, III, Finance Director, Julie Davis and Peggy Cope.

### **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.

There were no public comments.

### **CONSTITUENT CONCERNS**

There were no constituent concerns.

### **ADMINISTRATIVE/AGENCY REPORTS**

There were no reports.

### **DISCUSSION / ADJUSTMENT TO AGENDA**

There was no discussion/adjustments to the agenda.

### **CONSENT AGENDA**

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

1. Approval of November 7, 2016 regular meeting minutes.
2. Request approval of October 2016 – Refunds, Releases, Amendments and Discoveries – Judy Hickman, Tax Assessor  
Ms. Hickman stated that there was nothing unusual to report this month.
3. Request approval of October 2016 Tax Collections Update – Mike Matthews, Tax Collector  
Mr. Matthews reported that collections are 22.36% and delinquents are \$1.458.

Commissioner Ensley asked about the 2013 \$143,790 real property receivable amount being just real estate, and Mr. Matthews responded that it is also personal property and everything that they do. He confirmed that it would be the same thing as in 2008, and there are things they could get for it such as an account. He said that he hasn't looked at what detail there is, and he doesn't intend to. He said he would still collect on the amount, but he hasn't done a break down on what it is.

4. Budget Amendment – Julie Davis, Finance Director  
 a. General Fund - \$10,211 – Facilities & Maintenance  
 Ms. Davis explained that this is for the removal of the chassis from an EMS vehicle to be used by the Facilities and Maintenance Department.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2016-2017

PER: \_\_\_\_\_  
J.M. \_\_\_\_\_

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, 2017.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Facilities & Maintenance				
EMS - Make Vehicles	11 4300 05400 4300	2,200.00	10,211	12,411
which will result in a net increase of \$		10,211		

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
Other Financing Sources				
Sale of Capital Assets	11 0110 40300	4,300	5,700	10,000
Miscellaneous				
Sale of Property, other property	11 0130 40300	2,500	450	2,950
				10,211

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

Adopted this the 23 day of November, 2016

ATTEST: Julie Davis  
Clerk to the Board

Mark Savage  
Chairman  
Haywood County Board of Commissioners

Explanation: Funds from Use Book for EMS vehicles to show increase for 2017. EMS vehicles for removal included to be used as Sub-Station Utility Truck in Facilities & Maintenance.

- b. General Fund - \$26,986 – Governing Body – insurance  
 Ms. Davis explained that this is an increase in the budget for flood insurance for the Law Enforcement Center, and will be taken from contingency. This is due to flood map changes that include the center.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2016-2017

PER: \_\_\_\_\_  
J.M. \_\_\_\_\_

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, 2017.

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Operating Only				
Property & General Liability	11 4110 945100	199,443	26,986	226,429
Contingency - Fund 11				
Contingency	11 0010 999100	300,000	(26,986)	273,014
which will result in a net increase of \$		26,986		

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

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

Adopted this the 23 day of November, 2016

ATTEST: Julie Davis  
Clerk to the Board

Mark Savage  
Chairman  
Haywood County Board of Commissioners

Explanation: To appropriate funds from contingency for excess flood insurance premium \$ 26,986 for LEC (due ) are foretold on property 3410 due 2 April 2017.

- c. General Fund - \$4,350 – Health & Human Services Agency – Public Health  
Ms. Davis explained that this is an exchange between two departments for the purchase of software in the Public Health area.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2016-17

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, 2017:

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
315110 Public Health				
Repairs & Maintenance Equipment	115110-050208	45,000	(4,350)	44,850
315181 Environmental Health				
C/D Data Processing Equipment	115181-050000	9,000	4,350	13,350

which will result in a net increase of \$ \_\_\_\_\_ 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

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

Adopted this the 21 day of November 2016.

*Mark Long*  
Chairman  
Haywood County Board of Commissioners

ATTEST: *Lucy*  
Clerk to the Board

<b>Explanation:</b> Reallocate funds between departments within Health & Human Services Public Health Division for the purchase of an Evidence Management System (software system for Environmental Health's Food & Lodging program. This software system aimed greatly to more efficiently and effectively public viewing of establishment inspection notes.
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- d. General Fund - \$10,351 – Sheriff's Office – grant funding  
Ms. Davis explained that this is a grant from the Justice Assistance program to enable the Sheriff's Office to purchase bullet proof equipment.

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2016-17

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, 2017:

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Sheriff				
Other Supplies & Materials	11 4310 02000 17,000		3,000	3,000
C/D Equipment (TJAG)	11 4310 05000 17,000		6,750	6,750

which will result in a net increase of \$ 10,351 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
Respect Intercommunal Sheriff	110000-40100 17,000		10,351	10,351

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

Adopted this the 21 day of November 2016.

*Mark Long*  
Chairman  
Haywood County Board of Commissioners

ATTEST: *Lucy*  
Clerk to the Board

<b>Explanation:</b> Allocate to appropriate funding under the TJP Office of Justice Assistance for DOJ Robert Byrne Memorial Justice Assistance Grant to purchase 25 Tactical Vest Level II and AMMOC supplies
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**OLD BUSINESS**

There was no old business.

**NEW BUSINESS****Update on Affordable Housing Task Force**

Chairman Swanger recognized Administrator/Program Evaluator, Dona Stewart. Ms. Stewart reminded the Board that the Task Force was created on March 21<sup>st</sup> to focus on affordable housing and homelessness. She stated that she and Patsy Dowling from Mountain Projects chaired the Task Force, and have had great participation from the community. In August, 2016, they released the assessment for the county. She said that housing is found to be affordable when housing costs are 30% or less of household income. Over half of all renters in Haywood County, and 35% of homeowners report more than 30% of household income for housing. There are two populations in particular that are in need of affordable housing. By 2020, senior citizens are expected to constitute 36.5% of the population with an income of \$15,000 or less in our county. Members of the millennial generation, age 25-34, make up about 11.7% of the population with household incomes of \$15,000 or less. 15.8% of the county's population lives below the poverty line, which for a family of four is \$24,300. Fair market rent is \$811, with very few rentals available in Haywood County. The waiting list for Section 8 is closed, with a wait time of two years or more. Wages have not kept pace with housing increases. The Task Force is now turning its efforts to developing a plan to meet this need. The next meeting will be January 9<sup>th</sup> and all are invited to participate.

**Request approval of Resolution Giving Preliminary Approval To Issuance Of Revenue Bonds**

Chairman Swanger recognized Tax/Solid Waste Administrator, David Francis. Mr. Francis explained that this time last year, the County was moving towards the renovation of the historic hospital. Unfortunately, after going through the process, only two in the state were chosen for affordable housing. Since that time, a group of local businessmen came to the County with a proposal for something different in the renovation of the historic hospital and construction for affordable housing. This group, consisting of Rob Roland, Virgil and Beth Daughtery, and Chad Carver, have partnered with Ironwood Capital, Thirdwave Housing and Sari Associates, all whom have extensive experience in affordable housing. The proposed project consists of a senior housing community near Lake Junaluska, an affordable family housing community near the entrance of Jule Noland Drive and the renovation of the historic hospital. He explained that the resolution is for the preliminary approval for issuance of revenue bonds for the renovation and development of construction of 300 units of affordable housing for Haywood County in the amount not to exceed \$45 million dollars. Just like last year, the LIHTC tax credits that were pursued, and the issuance of these Bonds, comes from the 30 year-old Tax Reform Act of 1986 to provide market incentives to acquire and develop or rehabilitate affordable rental housing. He noted that the IRS allocates federal tax credits to State Housing Credit Agencies, which in the County's case is the NC Housing Finance Agency. He said that it promotes private activities that are deemed for the benefit of the public. Each state can issue private activity "volume cap" tax-exempt bonds under the Internal Revenue Code 142. The tax-exempt nature of the bonds makes them more attractive for the bond purchaser. He stated that this resolution and agreement for the bonds does not constitute a debt or pledge of the faith and credit of Haywood County. He explained that Haywood County is the gatekeeper of the program. By passing this Resolution and Agreement, the County is saying it feels this project has merits and it would like for the developers to begin the physical and fiscal work to initiate the project and to submit their application to NC Housing Finance Agency. He noted that there are a lot of moving parts to this, with the structure and the three projects, so with the preliminary approval it gives the developer the time to iron out details with their underwriters, attorneys and to pay costs associated with such projects like environmental assessments, surveys etc. He said that concurrently, the County will be conducting their Due Diligence to ensure certain benchmarks are met, thus allowing better control of the moving parts. The County has to conduct a Public Hearing to finalize the issuance of the bonds. He said that the old hospital will be sold for somewhere between \$775,000 or more and will be renovated for senior housing and office space. As with any of the affordable housing transactions, the County be a part. The County will lease the property back for office space for ten to 12 years using the funds from the sale. The County will help the developers obtain the National Historic Tax Credits. The Town of Waynesville will once again be a strategic infrastructure partner.

The Developer, by signing this Agreement, will reimburse the County for any out of pocket expenses. The hospital would be held as collateral. It is very low risk in the project not succeeding, all of these projects in North Carolina have been successful. If for some reason it did not succeed, the County would not receive the hospital back. The application is due by January 17, 2017.

Chairman Swanger confirmed with Ms. Davis that she had spoken with the Local Government Commission about this. She said that they have done several of these and will have to go before them to be approved.

Mr. Killian stated that he has been involved with this and is comfortable with it.

Chad Carver, Development Resources LLC and Richard Inman, Ironwood Capital thanked the County for this opportunity and expressed their enthusiasm in the project.

Mr. Francis clarified that there will be 300 units, and also explained that once the application goes in the amount cannot be increased.

Vice-Chairman Kirkpatrick asked Mr. Francis about concerns, the bonds and the process. Mr. Francis stated that a concern is to make sure the County does its Due Diligence as well through this process. The bonds are put out to the public for investment. After the project is up and running, the proceeds from the project go back to pay the investors. Counsel has been engaged for the resolution and the agreement. Any expenses that the County incurs will be reimbursed by developers, to include legal fees. These will be paid on demand. The County has worked with counsel to ensure the County is well protected during this process. N.C. Housing Finance gives the first approval after the application is submitted. There is a second approval that will follow.

Mr. Francis clarified for Commissioner Ensley that the County would not get the hospital back if something happened to the project. It becomes the collateral of the entity and the trustee after it sells. Commissioner Ensley commented on the success and importance of affordable housing for seniors.

Commissioner Sorrells commented that this seems like a well-planned and monitored process for affordable housing and how it is used throughout North Carolina. Mr. Francis clarified that typically there is no problem finding a purchaser for tax exempt bonds.

Vice-Chairman Kirkpatrick made a motion to approve the resolution giving preliminary approval to the issuance of revenue bonds to finance the acquisition, rehabilitation, construction and equipping of the affordable housing developments as described. The motion was seconded by Commissioner Ensley and passed unanimously.

<p style="text-align: center;"><b>RESOLUTION GIVING PRELIMINARY APPROVAL TO ISSUANCE OF MULTI-FAMILY HOUSING REVENUE BONDS</b></p> <p>WHEREAS, the Haywood County Board of County Commissioners (the "Board") of Haywood County (the "County") met at their regularly scheduled meeting in Waynesville, North Carolina at 5:30 p.m. on the 21<sup>st</sup> of November, 2016; and</p> <p>WHEREAS, pursuant to N.C.G.S. § 171A-376(a), the County is granted the power to exercise directly the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"); and</p> <p>WHEREAS, the Act in N.C.G.S. § 157-34 and § 171A-376 gives the County acting as a housing authority the power "to provide for the construction, reconstruction, improvement, alteration or repair of any housing project" and "to borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by pledges of its revenues"; and</p> <p>WHEREAS, Sam and Associates NC, LLC, a North Carolina Limited Liability Company, Ironwood Capital, L.L.C., a Georgia Limited Liability Company and Development Resources, L.L.C., a North Carolina Limited Liability Company, or an affiliated or related entity (collectively, the "Company"), intends to acquire and renovate an existing historic county hospital building and to acquire two parcels of vacant land to construct affordable housing in the County; and</p> <p>WHEREAS, the Company has requested that the County assist in financing the acquisition, renovation, construction and equipping of multi-family residential rental developments, consisting of a total of 300 units to be located at 1230 North Main Street, Waynesville, Haywood County, North Carolina, also known as the historic Haywood Hospital, and two tracts of land being a 9.076 acre tract located on Jule Island Drive, Waynesville, Haywood County, North Carolina (being parcel 08016-49-2646) and a 10.589 acre tract located on Jule Island Drive, Waynesville, Haywood County, North Carolina (being parcel 08016-47-9937) (the "Developments"); and</p> <p>WHEREAS, the Company has described to the County the benefits of the Developments to the County and the State of North Carolina and has requested the County to agree to issue its multi-family housing revenue bonds in such amounts as may be necessary to finance the costs of acquiring, renovating, constructing and equipping the Developments; and</p> <p>WHEREAS, the County is of the opinion that the Developments are facilities that can be financed under the Act and that the financing of the same will be in furtherance of the purposes of the Act;</p>	<p style="text-align: center;"><b>NOW, THEREFORE, BE IT RESOLVED BY THE HAYWOOD COUNTY BOARD OF COUNTY COMMISSIONERS:</b></p> <p>1. It is hereby found and determined that the Developments will involve the acquisition, renovation, construction and equipping of multi-family housing facilities, and that therefore their financing will be in furtherance of the purposes of the Act.</p> <p>2. To induce the Company to acquire, renovate, construct and equip the Developments in the County, the County hereby authorizes the execution by the Chairman of the Haywood County Board of Commissioners of an Indenture Agreement (the "Agreement") between the County and the Company, in substantially the form attached hereto as Exhibit "A", whereby the County agrees, pursuant to the terms and subject to the conditions of the Agreement and the Act, to assist the Company in every reasonable way to finance the acquisition, renovation, construction and equipping of the Developments, through the issuance of the County's multi-family housing revenue bonds (the "Bonds") in an amount not estimated not to exceed Forty-Five Million Dollars (\$45,000,000.00) to provide all or part of the cost of the Developments. Under the Agreement, the Company is permitted to proceed with the acquisition, renovation, construction and equipping of the Developments, and to reimburse itself for the same through out of the proceeds of the Bonds.</p> <p>3. The County intends that the adoption of this resolution be considered an "official action" toward the issuance of the Bonds within the meaning of the regulations issued by the Internal Revenue Service pursuant to Section 1.150-2 of the Treasury Regulations (issued under the Internal Revenue Code of 1986, as amended) (the "Code").</p> <p>4. The Bonds shall be issued in such series and amounts and upon such terms and conditions as are mutually agreed upon between the County and the Company. The County and the Company shall enter into a "financing agreement" pursuant to the Act for a term and with payments sufficient to pay the principal of, premium if any, and interest on the Bonds and to pay all of the expenses of the County in connection with the Bonds and the Developments. The Bonds will be issued pursuant to an indenture or security agreement between the County and a trustee (the "Trustee") or the bondholder which will set forth the form and terms of the Bonds, and will assign to the Trustee for the benefit of the holders of the Bonds, or directly to the bondholder, the County's rights to payments under the financing agreement, except the County's right to payment of fees and expenses and reconstructions. The Bonds shall not be deemed to constitute a debt or pledge of the faith and credit of the State of North Carolina or any political subdivision or agency thereof, including the County, but shall be payable solely from the revenues and other funds provided under the proposed agreements with the Company.</p> <p>5. The County hereby authorizes the Company to proceed, upon the prior advice, consent and approval of bond counsel and the County's council, to obtain approvals by agreement with the issuer and sale of the Bonds and to obtain an allocation of its sufficient amount of the State of North Carolina's "private activity bond limit", as defined and imposed by</p>
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Sections 141 and 146 of the Code, for the Bonds from the North Carolina Housing Finance Agency and the North Carolina Tax Relief Allocation Committee.

6. If having been represented to the County that it is desirable to proceed with the acquisition, renovation, construction and equipping of the Developments, the County agrees that the Company may proceed with plans for such acquisition, renovation, construction and equipping, under contracts for the same, and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Company to obligate the County without its written consent in each instance to the payment of any money or the performance of any act in connection with the Developments and no such consent shall be implied from the County's adoption of this resolution. The County agrees that the Company may be reimbursed from the proceeds of the Bonds, if and when issued, for all qualifying costs so incurred as permitted by Treasury Regulations Section 1.150-2.

7. All obligations hereunder of the County are subject to the further agreement of the County and the Company to terms for the issuance, sale and delivery of the Bonds and the execution of a financing agreement, indenture or security agreement and other documents and agreements necessary or desirable for the issuance of the Bonds, and the approval of the Bonds by the North Carolina Legal Development Commission, if applicable. The County has not authorized and does not authorize the expenditure of any funds or monies of the County from any source other than the proceeds of the Bonds. All costs and expenses in connection with the financing and the acquisition, renovation, construction and equipping of the Developments, including the reasonable fees and expenses of the County's counsel, bond counsel and the agent or underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Company, but if for any reason the Bonds are not issued, all such expenses shall be paid by the Company and the County shall have no responsibility therefor. It is understood and agreed by the County and the Company that nothing contained in this resolution shall be construed or interpreted to create any personal liability of the board members from date to date of the County.

8. The County shall be entitled to conduct a period of due diligence. The Company shall provide any required and requested information during the due diligence period to the County or their counsel.

9. Upon the completion of due diligence, the Haywood County Board of County Commissioners are hereby authorized and directed to take all actions in furtherance of the resolution and issuance of the Bonds, including calling for a public hearing with respect to the financing of the Developments through the issuance of the Bonds.

10. This resolution shall take effect immediately upon its passage, however, no Bonds shall be issued until further action of the Haywood County Board of County Commissioners is taken after the public hearing.

11. This resolution shall take effect immediately.

Commissioner Kidpatrick moved the passage of the foregoing resolution and

Commissioner Enstey seconded the motion and the resolution was passed by the following vote:

Ayes: Commissioners 5

Nays: Commissioners \_\_\_\_\_

Not Voting: \_\_\_\_\_

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Adopted this 21<sup>st</sup> day of November, 2010.

Mark Swanger  
Chairman  
Haywood County Board of Commissioners

I, Iris Dove, Clerk to the Haywood County Board of County Commissioners, Haywood County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings of the Board of County Commissioners at a regular meeting duly called and held November 21, 2010, as it relates in any way to the resolution heretofore set forth and that such proceedings are recorded in Minute Book 26 of the minutes of the County. Pursuant to N.C.G.S. § 143-318.12, a current copy of a schedule of regular meetings of this Board of County Commissioners is on file in my office.

WITNESS my hand and the common seal of the County, this 21<sup>st</sup> day of November, 2010.

Iris Dove  
Clerk to the Haywood County Board of County Commissioners



Mr. Francis thanked Chairman Swanger for his years of guidance and service to the County.

**Request approval of resolution to declare surplus equipment for the Sheriff's Office**

Chairman Swanger recognized Sheriff's Office, Chief Deputy Jeff Haynes. Chief Haynes explained that this is to declare surplus by resolution, a Polaris 4x4 for the credit towards the purchase of two 2016 Sportsman 4x4 vehicles from Polaris of Waynesville as the informal low bid. The balance will be \$8,907.86 to be paid out of the Sheriff's Office budget.

Commissioner Upton made a motion to approve the resolution as read. The motion was seconded by Commissioner Sorrells and passed unanimously.

  
**RESOLUTION  
DECLARING SURPLUS  
POLARIS RANGER 4X4 VEHICLE**

**WHEREAS**, N.C.G.S. 160A-255 authorizes the Board of Commissioners of Haywood County to dispose of surplus property; and

**WHEREAS**, N.C.G.S. 143-120.7 allows bidders to purchase as trade-in, property owned by the county; and

**WHEREAS**, Haywood County has in its possession:

One 2009 Polaris Ranger purchased 11/12/09 with current book value of \$0, VIN #7003

no longer of use by the county; and

**WHEREAS**, The Board of County Commissioners of Haywood County is authorized to declare surplus and adopt a resolution for this surplus of personal property.

**NOW, THEREFORE, BE IT RESOLVED** that The Board of County Commissioners of Haywood County meeting in general session on Monday, November 21, 2010, does the following:

Honors authorize the Haywood County Purchasing Manager to declare surplus:

One 2009 Polaris Ranger purchased 11/12/09 with current book value of \$0, VIN #7003

**ADOPTED** this 21<sup>st</sup> day of November, 2010.

Mark Swanger  
Mark S. Swanger, Chairman  
Haywood County Board of Commissioners

**ATTEST:** Iris Dove  
Iris L. Dove, County Manager  
Clerk to the Board of Commissioners

**Request approval of reclassification of position for Tax Office**

Chairman Swanger recognized Human Resources Director, Kathi McClure. Ms. McClure thanked Chairman Swanger for his support and service to the County. She explained that this is a  $\frac{3}{4}$  Administrative Assistant II position in the Tax Collections Office. The position has been vacated, and the request is to reclassify the position to a full time position and to downgrade it to a Tax Collections Clerk I position, Pay Grade 65 down to Pay Grade 59. The entry level salary would be \$24,409.43.

Vice-Chairman Kirkpatrick confirmed the position has been vacant since August of this year. He asked if the determination has been made that it needs to be filled and Ms. McClure responded that Mr. Matthews reevaluated the duties and has made this request. She stated that she had looked at approximately seven different counties and their salary study through the UNC School Government, and Haywood County is down about one position. He inquired that if this position was to be filled, would the Tax Collections Office no longer require additional help in completing all of their job duties in that office such as getting tax bills out etc. Mr. Dove responded that legal work would still need to be done for procedures such as foreclosures. Ms. McClure added that there is a contracted person that does paralegal work for this type of work.

Chairman Swanger asked if this would allow more training opportunities with a fully staffed office and Mr. Dove responded that it should. Chairman Swanger stated that attention needs to be given to assure that required duties are performed in the Tax Collections Office. He noted that assistance outside of that office, but within the County government, has been required to prepare the order of collections, balancing the monthly accounts and receivables reports, getting the tax bills mailed, getting escrows to the banks in a timely manner, preparing settlement of taxes, and the audit.

Ms. McClure suggested that how the duties are assigned may need to be studied, and that Mr. Matthews had said that one person had been working on bankruptcies so there may be extra duties that the new clerk can assume.

Commissioner Ensley asked if they knew if the counties they had looked at had reduced their staff due to the transfer of the motor vehicles to the State. Mr. Dove responded that they looked at surveys, and they were able to distinguish between Tax Collections and the Tax Assessors office. Commissioner Ensley remarked that he had noticed a significant drop in citizens in the office as compared to when the motor vehicles were paid there. He said that he thought staff could be reduced due to this.

Chairman Swanger noted that there will be another time during the budget preparations to determine if the position is needed or not.

Vice-Chairman Kirkpatrick asked who was making the request and Ms. McClure responded that it was Mr. Matthews. He noted that although Mr. Matthews was present a few minutes earlier, he is not present now to make this request.

Chairman Swanger asked if the Board wished to proceed with the request at this meeting.

Vice-Chairman Kirkpatrick responded that he was not, that he would like for Mr. Matthews to be present to request the change, and explain why it is needed. He commented that he is on that hall every day, and other departments have talked to him. He stated that although he is not questioning the work of the Tax Collections Office staff, it is not unusual to question when there is a request for additional staff to be added. He said that he wants to be told what the new employee will be doing, and what the reason is now as to why that work is not being done, such as are the overloaded with work and this position is needed. He said he would like to hear the director request it.

Vice-Chairman Kirkpatrick said that this would be time for Mr. Matthews to make the request, as it is the busiest time of the year.

Ms. McClure explained that this position would have to be posted for applications if approved.

Commissioner Ensley noted that he had the same observations at the Courthouse as Vice-Chairman Kirkpatrick, as he conducts business regularly himself on that hall.

The Board agreed to wait on this issue until tentatively the second meeting in December.

**Request approval of updated Haywood County Fairgrounds bylaws**

Chairman Swanger recognized Commissioner Kevin Ensley. Commissioner Ensley explained that there was a committee looking at the Haywood County Fairgrounds bylaws. He said that Fairgrounds Board was reorganized in 2010, and there have been some changes since that time in their bylaws. He noted that they have been approved by the Fairgrounds Board.

Mr. Dove stated that he has looked at them, and has found no issues after making sure that the Board has final authority over all appointed boards.

Commissioner Ensley made a motion to approve the updated Haywood County Fairgrounds bylaws. The motion was seconded by Commissioner Upton and passed unanimously.

**Request approval of Change Order #2 for Haywood County Emergency Medical Services/Emergency Management Base**

Chairman Swanger recognized Facilities & Maintenance Director, Dale Burris. Mr. Burris thanked Chairman Swanger for his services to the County. He explained that the foam insulation for the facility was reduced during the negotiation phase of the project. This additional insulation with the Change Order will meet the energy efficiency needed in the building. The request of \$19,500 will increase the John Burgin Construction contract to \$2,230,750.

Commissioner Ensley made a motion to approve the change order #2 for the Emergency Medical Services/Emergency Base as described. The motion was seconded by Commissioner Upton and passed unanimously.

**Request approval of budget amendment - \$19,500 – EMS/EM base**

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this will come from money in contingency for the project that has not been used.

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

HAYWOOD COUNTY  
CAPITAL PROJECT ORDINANCE AMENDMENT  
FISCAL YEAR 2016-2017

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, 2017.

Section 1. To amend the Capital Project Fund - Master Facilities, the expenditures are to be charged as follows:

Line Item	Account Number	Current Budget	Increase (Decrease)	Amended Budget
CPR Fund - Master Facilities				
State Contingency - EM Base				
CPR - Insulation/foam structure	484270-559000-195CM	2,804,250	19,500	2,823,750
Project Contingency	484270-589700-195CM	89,125	(19,500)	69,625

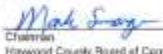
which will result in a net increase of \$ \_\_\_\_\_ in the expenditures of the Capital Project Fund.

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 21<sup>st</sup> day of November, 2016

  
 Chairman  
 Haywood County Board of Commissioners

ATTEST:   
Clerk to the Board

Explanation: If appropriate, change contract - additional spray foam insulation per the attached request.
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**Request approval of Temporary Construction Easement & Permanent Stormwater Easement for Ingles Market**

Chairman Swanger recognized Facilities & Maintenance Director, Dale Burris. Mr. Burris explained that Ingles Market and the Town of Waynesville both approached him about the water runoff for the new facility that will be built on the site. They want to sheet flow the water from their parking lot into the storm water and deliver to the retention pond. They will do all the enhancements at no charge to Haywood County.

Commissioner Upton made a motion to approve the Temporary Construction Easement & Permanent Stormwater Easement for Ingles Market #58 as described. The motion was seconded by Commissioner Ensley and passed unanimously.

**Request approval of funding and installation of awning at the Haywood County Agriculture Facility**

Chairman Swanger recognized Facilities & Maintenance Director, Dale Burris. Mr. Burris explained that in June, 2016, Leslie Smathers from Soil and Water requested permission to install a shelter for the Haywood County Cattlemen’s Association to store equipment at the Agriculture Center on Raccoon Road. Simpson Aluminum can construct the shelter to be adjacent to the current storage facility and will match the color. The all-inclusive cost is \$6,000.

Chairman Swanger noted that the Cattlemen Association had offered to construct another shelter, but it would have taken away from scholarship money for students.

Commissioner Upton made a motion to approve the aluminum awning installation at the Haywood County Agriculture facility. The motion was seconded by Commissioner Ensley and passed unanimously.

**Request approval of budget amendment - \$6,000 – awning at Haywood County Agriculture Facility**

Chairman Swanger recognized Finance Director, Julie Davis. Ms. Davis explained that this will be from the General Fund contingency.

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

HAYWOOD COUNTY  
BUDGET ORDINANCE AMENDMENT  
FISCAL YEAR 2016-2017

PER:  
-16-

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, 2017:

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
Facilities & Maintenance				
Capital Outlay - other building, utility, etc. bids	11600-5000-4007		6,000	6,000
Contingency	11600-990000	(77,814)	(6,000)	(83,814)

which will result in a net increase (decrease) of \$ \_\_\_\_\_ 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)

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

Adopted this 21<sup>st</sup> day of June, 2016.

  
 Chairman  
 Haywood County Board of Commissioners

ATTEST:   
 Clerk to the Board

Reference:

To show the cost of the aluminum awning to be placed on the existing storage facility at the Haywood County Agriculture Facility, as attached herein.

**Request approval of resolution designating the County Manager to make recommendations/register objections to the ABC Commission**

Chairman Swanger recognized County Manager, Ira Dove. Mr. Dove thanked Chairman Swanger for his years of service to the County. Mr. Dove read the resolution to the Board.

Chairman Swanger reiterated that Mr. Dove will be the contact person representing the County with the applications.

Vice-Chairman Kirkpatrick said it is important for the public to know that applications are made through the state, and Mr. Dove will make sure the local requirements are met.

Commissioner Sorrells made a motion to approve the resolution designating Ira Dove, pursuant to NCGS Section 18B-904(f). The motion was seconded by Commissioner Upton and passed unanimously.



**ADJOURNMENT**

Chairman Swanger asked if there was any further business.

Commissioner Ensley thanked Chairman Swanger for his service to the County and acknowledged all of the accomplishments that have been achieved during his tenure. He thanked him for his leadership and running the County government with open transparency.

Mr. Killian stated that he has seen a lot of boards and complemented the Board on how well it runs and acknowledged Chairman Swanger for his leadership.

Chairman Swanger congratulated Commissioner Ensley and Mr. Rogers on their elections.

Commissioner Upton reflected on his time working with Chairman Swanger in the school system, and his time with him as a commissioner.

Vice-Chairman Kirkpatrick commented on the award that Chairman Swanger received from the governor, the Order of the Long Leaf Pine. He stated that he values his opinion and the respect they have developed for each other through the years.

Commissioner Sorrells thanked Chairman Swanger for his guidance and the whole Board for the vision in moving the County forward. He stated that Chairman Swanger will be missed and that he appreciates all that he has done through his leadership.

Chairman Swanger thanked all for their comments, and said that all has been done through a labor of love. He thanked the staff for their hard work.

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 6:58 p.m. The DVD is attached by reference to the minutes.

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CLERK

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CHAIRMAN

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