

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – December 19, 2016

CALL TO ORDER

Chairman J.W. “Kirk” Kirkpatrick 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 J.W. “Kirk” Kirkpatrick, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers 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 Kirkpatrick led the Pledge of Allegiance.

INVOCATION

Vice-Chairman Upton offered the invocation.

CALL TO PUBLIC HEARING

Call to Public Hearing for the consideration of a new stealth Monopine Telecommunication Tower for Celco Partnership D/B/A Verizon Wireless including variance request at 600 Sleepy Hollow Drive, Lake Junaluska, NC.

Chairman Kirkpatrick recognized Planning Director Kris Boyd. Mr. Boyd stated that the process of this application had taken place a couple of years ago with the same request of a monopine cell tower and the same site on Sleepy Hollow Dr. The project did not transpire and the permit expired.

Commissioner Sorrells confirmed that the intentions are to build it, but it has not yet started.

Mr. Boyd stated that the reason it never happened with the prior request was due to priority changes in their network. He said that the parts of the tower that extend above the tree canopy will have branches to look like a pine tree.

Vice-Chairman Upton asked if the previous process will apply or will they have to go through it all again. Mr. Boyd responded that it will all have to be repeated.

Commissioner Rogers asked how many times this had been applied for and Mr. Boyd responded that it had been done twice before and they had waited five years to apply again.

Commissioner Sorrells noted that this will improve service to areas where there is poor service.

Commissioner Ensley commented that he would be glad when it is built as he has noticed the poor service around the Fairgrounds. Mr. Boyd noted that there will be maps showing the service area during the public hearing.

Chairman Kirkpatrick confirmed that property owners will be notified. He also confirmed that the variance for one property owner has been signed. He stated that there will be a public hearing on January 17, 2017 at 5:30 p.m. in the Historic Courtroom of the Historic Courthouse.

ADMINISTRATIVE/AGENCY REPORTS

There were no reports.

PUBLIC COMMENT SESSION

Chairman Kirkpatrick 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

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

1. Approval of November 21, 2016 regular meeting minutes and December 5, 2016 organizational meeting minutes.
2. Request approval of November 2016 – Refunds, Releases, Amendments and Discoveries – David Francis, Solid Waste/Tax Administrator
Mr. Francis stated that there was nothing unusual to report this month. He noted that there was some increase in land use from the last quarter.
3. Request approval of November 2016 Tax Collections Update – Mike Matthews, Tax Collector
Mr. Matthews stated that collections are 46.33%, delinquent collections have a balance of \$1.342 million.

Commissioner Ensley asked Mr. Matthews about the motor vehicles report and it reading “as of October 31, 2016” instead of “as of November 30, 2016.” Mr. Matthews responded that he believes it may be an error and will let Commissioner Ensley know.

Commissioner Sorrells commented that the majority of taxes come in December now and between the end of the year.

Mr. Matthews stated that escrow bills went out late last year, which is one reason there is the big difference between collections this year and last.

Chairman Kirkpatrick asked Mr. Matthews if they have seen an increase in the number of people paying their taxes through the service in Charlotte rather than coming in to pay. Mr. Matthews said that it varies, however there has been more through the service in Charlotte than the previous years.

4. Request approval of application to the Public School Building Capital Fund – Joe Buchanan Facilities Director, Haywood County Schools; Julie Davis, Finance Director.
Mr. Buchanan explained that they had previously asked for funding for this project, and after meeting with the engineers, their estimates were much higher than previously thought. They are now seeking to amend the lottery request. The original request was for \$150,000 per school. The request is now \$400,000 per school.

Chairman Kirkpatrick asked about the difference in the current HVAC and the new one. Mr. Buchanan explained that the current is an electric radiant heater system which was installed in 1966. There is no air conditioning in the gymnasiums or locker rooms. The new units will include natural gas heat and air conditioning for the main gyms and locker rooms and upgrade for electric water heaters.

Commissioner Sorrells noted that the auxiliary gymnasiums were upgraded with heat and asked if they had air conditioning. Mr. Buchanan said that there is heat, but no air conditioning. Commissioner Sorrells asked what had caused the price to go up and Mr. Buchanan responded that he hopes his numbers are closer, and the estimates are higher. It said it would all depend on costs and workloads when they get it out to bid.

Chairman Kirkpatrick noted that the Board could approve up to the \$400,000 each subject to the final contract amount and Ms. Davis stated that there will be a budget amendment to match the contract amount.

Mr. Buchanan stated that this will involve duct work running through joists in the ceiling, and is the most economical versus putting something on the roof.

- b. General Fund - \$9,600 – HHSA – Public Health
 Ms. Davis explained that this is for a Public Health position as a Zika Planning Coordinator. \$11,100 was allocated to Haywood County and this will bring the amount up to the allocation. It is grant revenue.

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 charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
HHSA				
115113 Public Health				
Salaries & Wages	115113-012100-16630	1,894,999	6,600	1,901,599

which will result in a net increase of \$ 6,600 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
11995 Restricted Intergovernmental				
Revenue State Zika	11995-45195-16600	1,500	6,600	8,100

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

Adopted this the 15th day of December 2016.


 Chairman
 Haywood County Board of Commissioners

ATTEST: 
 Clerk to the Board

Explanation
To increase the additional Federal & State funding provided to support a second Zika Planning Coordinator as a Zika Planning Coordinator per the Zika Preparedness and Response Agreement with Division of Public Health for FY 2017.

- c. General Fund - \$3,022 – HHSA – Public Health
 Ms. Davis explained that this is unspent carryover of grant funding from last year to spend this year. It is grant funding passed through Macon County to Haywood County for the Obesity Diabetes Heart Disease Stroke Program.

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 charged as follows:

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
HHSA				
Health Department				
115151 Health Commission				
Special Program Materials	115151-823500-HMCO		3,022	3,022

which will result in a net increase of \$ 3,022 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
11995 Restricted Intergovernmental				
Int'l Rev - ODHHS Grant	11995-45195-16600		3,022	3,022

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

Adopted this the 15th day of Dec 2016.


 Chairman
 Haywood County Board of Commissioners

ATTEST: 
 Clerk to the Board

Explanation
To carryover unspent grant funding received through Macon County to Haywood County for the Obesity Diabetes Heart Disease Stroke (ODHHS) Program grant.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Request approval of resolution to declare Sheriff's Office vehicles surplus

Chairman Kirkpatrick recognized Captain Jason Smiley. He explained that there are five vehicles that all have transmission or electrical problems. The request is to trade them in for a 2017 Ford Fusion. There will be a \$5,000 balance to be paid from budgeted funds.

Vice-Chairman Upton asked about the mileage on the vehicles and Captain Smiley said that the lowest mileage is 219,000.

Captain Smiley explained that the Ford Fusion will be used for the Criminal Investigations Division.

Commissioner Rogers motioned to approve the purchase of the 2017 Ford Fusion with the trade in of the five old vehicles from the Sheriff's Office with a \$5,000 balance. Commissioner Ensley seconded and the motion passed unanimously.



Request approval for the Public Health Department to provide sharps containers

Chairman Kirkpatrick recognized HHSA Public Health Director, Patrick Johnson. Mr. Johnson explained that this is to seek approval for the Public Health Unit to sell sharps containers for \$5.00 in order to provide a safer means to dispose of needles. Many people use milk jugs or other containers and these end up in the landfill. This will enable a person to fill up the container, return it back to the Health Department for proper disposal and purchase another one. It is also a more difficult access if there are children in the home. The container will hold up to 200 sharps.

Commissioner Ensley motioned to approve the Health Department to provide sharps containers and disposals to individuals for a fee of \$5.00. Commissioner Sorrells seconded and the motion passed unanimously.

Request approval of e-rate refund for the Library

Chairman Kirkpatrick recognized Library Director, Sharon Woodrow. She explained that this is an annual request to ask for e-rate refunds to be given back to the Library. This amount is \$12,480 which will be added back to the Library budget.

Commissioner Rogers asked Ms. Woodrow to explain the e-rate refunds. She stated that this is a portion of an individual's phone bill. It came from the Telecommunications Act in 1982 where the federal government decided to give libraries and schools funding back to support telecommunications. The refunds do not have to be used solely in telecommunications, they can take it as a refund or a discount in technology equipment as our Library has done in the past. This year it will be used for part time salaries.

Vice-Chairman Upton motioned to approve the \$12,480 revenue received in an e-rate refund to the Haywood County Public Library for part time salaries. Commissioner Sorrells seconded and the motion passed unanimously.

Request approval of budget amendment - \$12,480 - Library

Chairman Kirkpatrick recognized Finance Director, Julie Davis. Ms. Davis explained that this will increase part time salaries \$12,480 and shows the e-rate funds as revenues.

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

HAYWOOD COUNTY
BUDGET CIRCUMVANCE AMENDMENT
FISCAL YEAR 2016-2017

PER
JUL

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 (see item)	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Office and Reception				
Library	11001000200	10,720	1,760	12,480
which will result in a net increase (decrease) of \$		1,760		

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

Revenue	Account No.	Current Budget	Increase (Decrease)	Amended Budget
Intergovernmental Revenue				
Phone refund - E rate	1100000000000		1,760	1,760
			1,760	

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

Adopted this 19th day of June, 2016.

ATTEST:  Clerk to the Board

 Haywood County Board of Commissioners

Capital of the County	
To appropriate the amount of the E-Rate Refund received by the County	

Request approval of funds for Library survey

Chairman Kirkpatrick explained that he and several County employees have been serving on a committee to determine the future of the library as a system to the County. The survey would present throughout the county to see what direction Haywood County citizens want the library to go. The cost is approximately \$9,000, with the Friends of the Haywood County Library funding \$3,000 and the Library Foundation funding \$3,000. The request is for the County to fund \$3,000 also. Mr. Dove noted that the survey will be conducted by Western Carolina University.

Ms. Woodrow stated that she feels that it is important to get as much information from the community as possible. She said that this will expand on the internal surveys and the information from their consultants.

Commissioner Sorrells agreed, noting that the library personnel and other groups made the Board aware of their desires at a work session and this will show what the public would like.

Chairman Kirkpatrick explained that it will be a survey of about 13 short questions.

Ms. Woodrow clarified for Commissioner Rogers that this will target citizens that do not typically use the library system. Western Carolina University will help select the homes to which the survey is sent.

Mr. Dove stated that the survey will be sent to 4,500 homes with hopefully a 600 to 800 return.

Commissioner Sorrells asked if this will be advertised, and Ms. Woodrow responded that it is not in the plan to advertise. She said that the plan is to conduct a random survey and to allow the public to participate.

Dona Stewart addressed the Board, explaining that this is one of a number of ways to gather information from the public. Over the past couple of months, there were 15 focus groups around the county to find out what their desires are. A patron survey has been done with heavy users of the library. This survey of the community will be representative of the county. Working with Western Carolina University will try to capture the representative geography of the county.

Commissioner Ensley noted that he appreciates what the committee is doing to touch all of the county.

Commissioner Sorrells questioned the only 600 to 800 return and asked if they would hope to get more. Ms. Stewart responded that only 15% return is normal.

Commissioner Ensley motioned to approve \$3,000 in funds for a survey for the Library. Vice-Chairman Upton seconded and the motion passed unanimously.

Request approval of budget amendment - \$3,000 – Library Survey

Chairman Kirkpatrick recognized Finance Director, Julie Davis. She explained that this will go into the Library budget and will come from contingency since it was not in the Library budget this year. Contingency was \$300,000 and is now \$264,000.

Commissioner Ensley motioned to approve the budget amendment as described. Vice-Chairman Upton seconded and the motion passed unanimously.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2016-2017

PREP: _____
JML: _____

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
Library				
Library				
Professional Services - other services	110100-01000		3,000	3,000
Contingency	150000-09000	267,000	(3,000)	264,000

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 amounts will be recorded 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 direction.

Adopted this 17th day of July, 2016.

ATTEST: _____
Clerk of the Board

Chairman
Haywood County Board of Commissioners

Approved: _____
To receive the amount's portion of the total of this Ordinance to include funds received regarding the items herein stated.

Request approval of McGill Engineering contract for the Highway 209 convenience center

Chairman Kirkpatrick recognized Tax/Solid Waste Administrator, David Francis. Mr. Francis reminded the Board of the recently purchased two acres adjacent to the old Crabtree School site for the relocation of the 209 convenience center. It will have two trash compactors, recycling and an oil containment system. The road will have to be widened to accommodate the traffic increase. The contract encompasses only that work. He updated the Board on Solid Waste projects, explaining that there will be three new sites under construction, Fines Creek, Mauney Cove and 209. He said that fencing will start at the Cruso site and by March, all five convenience centers will have new fencing. He noted that citizens will see a return on the increase in the prior Solid Waste fees by these improvements. He said that the preliminary bids for Mauney Cove will come before the Board at the next meeting. Bids for Fines Creek and 209 will be issued out on December 30th for bids to come back sometime in January. Those bids will be brought to the Board to in February for construction to begin in the spring. He acknowledged the hard work of Planning Director, Kris Boyd through this process.

Vice-Chairman Upton commented that this is a good service to offer to Haywood County, noting that the litter along the highways would be much worse if not for the convenience centers.

Commissioner Sorrells stated that options were given to the Harmon Den area and Mr. Francis agreed, stating that no one ever came back to him concerning the options. Mr. Francis said that the total cost of the 209 project is around \$300,000 without the land purchase. It is a fifty year build out. Mauney Cove was a lease that the County purchased two years ago. It will be closed from February 17th until May while it is being worked on.

Commissioner Ensley asked if there could be a clause in the contract for early finishing and Mr. Francis said that he can check into that possibility. He said that they are currently looking into temporary sites while Mauney Cove is closed. The winter is the slowest time of the year for the site.

Chairman Kirkpatrick confirmed that the contract covers the design permitting and administration throughout the process. Mr. Francis noted that Fines Creek and 209 will not be closed during construction.

Commissioner Ensley motioned to approve the McGill Engineering contract for the Highway 209 Convenience Center design and construction. Vice-Chairman Upton seconded and the motion passed unanimously.

Request approval of budget amendment - \$40,600 – Solid Waste

Chairman Kirkpatrick recognized Finance Director, Julie Davis. She explained that this will move funds into a capital project for the engineering fees. When ready, the construction contract will move into the capital project. It will come from the Solid Waste Special Revenue Fund. Contingency will be taken from this fund and will be transferred to the capital project.

Vice-Chairman Upton motioned to approve the budget amendment as described. Commissioner Ensley seconded and the motion passed unanimously.

HAYWOOD COUNTY
SOLID WASTE DIVISION
FINANCIAL YEAR 2010-2011

FORM
800

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, 2011:

Section 1. To amend the Capital Project Fund, the appropriations are to be changed as follows:

Department	Account Number	Current Budget	Increase	Decreased Budget
2000000000	2000000000		40,600	
2000000000	2000000000			40,600

which will result in an increase of \$40,600, if the amendments of the Capital Project Fund.

To provide the additional monies to the above the following revenues are to be expended in the money that has been received:

Department	Account No.	Current Budget	Increase	Decreased Budget
2000000000	2000000000		40,600	
2000000000	2000000000			40,600

The effect on the Special Revenue Fund is as follows:

Department	Account No.	Budget	Change	Budget
2000000000	2000000000	1,100,000	40,600	1,140,600
2000000000	2000000000	20,000		20,000

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

Approved by the Board of Commissioners:

ATTEST:  Clerk of the Board

 Board of Commissioners

Request appointments to the Tourism Development Authority Board (TDA) and 1% Zip Code Subcommittee

Chairman Kirkpatrick recognized County Manager, Ira Dove. Mr. Dove explained that there are several appointments. The first is for TDA Board – 20 units or more. Ken Howle is the one applicant and is eligible to serve again.

Commissioner Sorrells motioned to reappoint Ken Howle to the TDA Board – 20 units or more. He stated that Mr. Howle has brought a lot to the TDA Board. Vice-Chairman Upton seconded and the motion passed unanimously.

Mr. Dove explained that next is for the TDA Board – 20 units or less. There is one seat and three candidates which will require a vote. The three candidates are Tammy Wight, Kivanc Senocak and Allen Alsbrooks.

Chairman Kirkpatrick commented that there were interviews prior to the meeting, all were great interviews with a lot of valuable experience.

Mr. Dove passed out written ballots. Tammy Wight received the unanimous vote.

Mr. Dove explained that next is TDA Board – Tourism related. There is one seat and two candidates which will require a vote. The two candidates are Michael Graham and Lindsey Solomon. He passed out written ballots.

Vice-Chairman Upton, Commissioners Rogers, Ensley and Sorrells voted for Michael Graham. Chairman Kirkpatrick voted for Lindsey Solomon. Michael Graham won the vote with four votes.

Mr. Dove explained that next is the TDA Board - Town of Clyde municipal seat. The Town of Clyde is requesting that Laura Leatherwood be appointed.

Commissioner Sorrells motioned to appoint Laura Leatherwood to the TDA Board – Town of Clyde municipal seat. Commissioner Ensley seconded and the motion passed unanimously.

Mr. Dove explained that next is the TDA zip code subcommittee for Lake Junaluska. Larry East, Barbara Bowser and Dr. George Freeman have been submitted for Board approval.

Commissioner Ensley motioned to appoint Larry East, Barbara Bowser and Dr. George Freeman to the TDA Zip Code subcommittee for Lake Junaluska. Vice-Chairman Upton seconded and the motion passed unanimously.

Request appointments to the Haywood County Planning Board.

Chairman Kirkpatrick recognized County Manager, Ira Dove. Mr. Dove explained that this is for two appointments. There are three candidates which will require a vote. The applicants are Lynn Jefferys, Ron Reid, and David Gildersleeve.

Mr. Dove passed out written ballots with instruction to vote for two applicants. Ron Reid received four votes from Vice-Chairman Upton, Commissioners Sorrells, Ensley and Rogers. Lynn Jefferys received three votes from Chairman Kirkpatrick, Vice-Chairman Upton and Commissioner Sorrells. David Gildersleeve received three votes from Chairman Kirkpatrick, Commissioners Rogers and Ensley. Ron Reid won one of the appointments with four votes. The second appointment required a second vote.

Mr. Dove passed out written ballots with instruction to vote for one of the two remaining candidates. David Gildersleeve received 3 votes from Chairman Kirkpatrick, Commissioners Ensley and Rogers. Lynn Jefferys received two votes from Vice-Chairman Upton and Sorrells. David Gildersleeve won the second appointment with three votes.

Commissioner Sorrells motioned to appoint Ron Reid and David Gildersleeve by vote to the Haywood County Planning Board. Commissioner Ensley seconded and the motion passed unanimously.

Request approval of re-appointment to the Town of Clyde Planning Board

Chairman Kirkpatrick stated the Town of Clyde has asked for the re-appointment of Marcos Gutierrez to the Town of Clyde Planning Board.

Commissioner Sorrells motioned to re-appoint Marcos Gutierrez to the Town of Clyde Planning Board. Commissioner Ensley seconded and the motion passed unanimously.

Request appointment of one voting delegate to the Legislative Goals Conference

Chairman Kirkpatrick recognized County Manager, Ira Dove. Mr. Dove explained that this is the North Carolina Association of County Commissioners conference on January 12th and 13th. A voting delegate for the legislative goals session for county commissioners is required from each county where they set their agenda for two years.

Vice-Chairman Upton stated that he would be willing to be the delegate.

Commissioner Ensley motioned to appoint Vice-Chairman Bill Upton as the voting delegate at the Legislative Goals Conference on January 12-13, 2017. Commissioner Rogers seconded and the motion passed unanimously.

Commissioner Sorrells asked Vice-Chairman Upton if he knew what they were voting on. Vice-Chairman Upton stated that the lottery money is a main issue.

Mr. Dove noted that issues are submitted, debated and refined at the conference.

Vice-Chairman Upton said that counties send recommendations. There are seven committees and each committee meets and has around five goals. There is a committee that narrows that down to about five overall. All 100 counties will vote in January. He will provide the Board with information from the session.

ADJOURNMENT

Chairman Kirkpatrick asked if there was any further business.

Commissioner Sorrells wished everyone a Merry Christmas and Happy New Year.

Commissioner Ensley wished everyone Merry Christmas and Happy New Year.

Vice-Chairman Upton wished everyone Merry Christmas and urged people to get involved for those in need.

Commissioner Rogers wished all a Merry Christmas and a healthy and prosperous New Year.

Chairman Kirkpatrick wished all a Merry Christmas and reminded everyone to be thankful for what we have with our county and our families and tell someone you love them and you appreciate them, and to keep those that are having difficult times in your thoughts.

With no further business, Commissioner Sorrells made a motion to adjourn the regular Board meeting. Commissioner Rogers seconded; the motion carried unanimously.

The time of adjournment was 6:50 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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