

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – October 16, 2017

CALL TO ORDER

Chairman J.W. “Kirk” Kirkpatrick, III 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 Rogers present. Staff members present were Asst. County Manager/HHSA Director Talmadge “Stoney” Blevins, County Attorney Leon M. “Chip” Killian, III, Finance Director Julie Davis and Clerk to the Board Candace Way.

PLEDGE OF ALLEGIANCE

Chairman Kirkpatrick led the Pledge of Allegiance.

INVOCATION

Reverend Patrick Womack offered the invocation.

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.

Monroe Miller addressed the Board. He stated he believes that either Mike Matthews or Judy Hickman are capable employees that would be able to perform the duties of Tax Administrator, rather than appointing Stephanie Parkins to the position.

Norman Medford addressed the Board. He stated that he is speaking on behalf of some of the neighbors around the Chestnut Ridge venue. He expressed concern over the fireworks displays from the venue, stating that it is disruptive to the area, especially the displays that are sent off late at night.

Mike Marrone addressed the Board. He explained that he recently moved to the Dutch Cove area. He said that the noise coming from the venue has been a surprise to them, as they expected a quiet area. He said that the late night fireworks are unexpected and have been disturbing to his family.

Tony Gregg addressed the Board. He said that he is the closest house to the venue. He said that he and another neighbor usually do not hear any noises from the venue and are of no concern to him.

CONSTITUENT CONCERNS

Both Chairman Kirkpatrick and Commissioner Rogers stated that they have had concerns expressed to them over the fireworks display from Chestnut Ridge.

ADMINISTRATIVE/AGENCY REPORTS

There were no administrative/agency reports.

DISCUSSION / ADJUSTMENT TO AGENDA

There was no discussion or adjustment to the agenda.

CONSENT AGENDA

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

1. Approval of October 2, 2017 regular meeting minutes.
2. Request approval of September 2017 – Refunds, Releases, Amendments and Discoveries – Greg West, Assistant Tax Assessor
Mr. West requested approval of the report for the month of September, noting that there has been a little more activity with the tax bills going out in September, audits on exemptions and the present use value.

3. Request approval of September 2017 Tax Collections Update – Mike Matthews, Tax Collector
Mr. Matthews reported that the collection rate was 14.89% and the delinquents were \$1,424,102.
4. Request approval of budget amendments – Finance Director, Julie Davis
General Fund - \$450,000 – Public Safety Grant
Ms. Davis explained that this is a grant for the Improving Criminal Justice Responses program. She noted that this is the third time this grant has been awarded to Haywood County. It is 100% federal funds.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2017-2018

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, 2018:

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

Department	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Public Safety Grant				
Professional Services	11-0218-02000-19499		437,542	437,542
Office Supplies	11-0218-02000-19499		12,458	12,458

which will result in a net increase of \$ 450,000 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
Received intragovernmental				
Interest Revenue - GUP-18499	11-0209-442100-18499		450,000	450,000

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

Adopted this the 18th day of October, 2017.

ATTEST:
Elizabeth C. Way
Clerk to the Board

Julie Davis
Chairman
Haywood County Board of Commissioners

Explanation: To appropriate funds from the Department of Justice - Office of Violence Against Women for the new program: Improving Criminal Justice Responses Program Period Oct 1, 2017 - Sept 30, 2018.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Request approval of Occupancy Tax Waiver for The Swag Country Inn

Chairman Kirkpatrick recognized TDA Executive Director, Lynn Collins. Ms. Collins explained that ever since the U.S. Postal Service office closed in Asheville and moved to Greenville, S.C., some mail has not been postmarked timely or not at all. This payment was postmarked on the 21st, but was mailed on the 20th. The Swag has had no prior penalties, and the TDA Board is recommending this waiver.

Commissioner Sorrells noted that he is the Board appointee to the TDA Board, and the issue with the Postal Service was discussed at length during the TDA Board meeting. The Swag has always been on time with their payments.

Vice-Chairman Upton motioned to approve the occupancy tax penalty waiver for The Swag Country Inn in the amount of \$1,363.98 pursuant to the request of the TDA Executive Director and the TDA Board. Commissioner Rogers seconded, and the motion passed unanimously.

Request approval of wedding fireworks displays at Chestnut Ridge

Chairman Kirkpatrick recognized Fire Marshal, Andrew Messer. Mr. Messer explained that Chestnut Ridge is requesting permission for fireworks displays for November 18, 2017, December 30, 2017 and December 31, 2017. All proper documentation and paperwork has been submitted. He explained that the proper paperwork is licensing, insurance documentation, how many shells will be shot off and the site where they will be sent from. He explained that the Fire Marshal's office will visit the site to make sure it is safe, the rack is secure, there is proper safety equipment, fire retardant clothing and helmets and a fire extinguisher for a small fire.

He noted that Chestnut Ridge has a pump unit on site. He said that it is up to the fire department for that district to choose to be there at the time of the fireworks.

Chestnut Ridge owner Preston Gregg addressed the Board, explaining that most often the shows are at the end of the night. Two shows this year so far have been at 10:42 p.m. and 7:45 p.m. He said that the first time, the fireworks were loud. The second show used a different type of fireworks which was not as loud. He commented that they have over 50 bookings this year scheduled, and the fireworks option attracts business. There are around 25 that have chosen this option. He said that this brings economic value to the area with businesses such as hotels, restaurants, and stores. He said their goal is to be a good neighbor, they have heard the concerns and will address them. He noted that the display lasts about 28 seconds.

The Board discussed the time of the display, suggesting maybe shooting them off earlier. Mr. Preston responded that the party usually prefers them toward the end of the event as a send off.

Commissioner Ensley noted that he had not received any calls on this issue. He compared the site to the setback for the commercial gun ranges. With waivers from the family, there could even be a range on the site.

Commissioner Rogers said after speaking to Mr. Medford, one alternate option to explore would be a laser encore. Mr. Preston commented that the problem with that could be aircraft, and he is not sure this would be allowed. He said that they are working to find mortars that do not break as hard, but it will be a process. He said that some of the feedback that he received after the second night suggested it was not as loud.

Commissioner Sorrells suggested that it might help to notify neighbors of a scheduled display, and Mr. Preston answered that he could do that.

Mr. Killian advised that it is totally discretionary with the County. All of the requirements have been presented. The subjective part is the time of day, weather and the impact to the neighbors. He said that in his opinion, it is a public display since all can see, however the statute is not clear. He noted that due diligence should and is being done at this point.

The Board discussed the issue, noting that it is not in violation of the noise ordinance as it does provides an economic service. It was discussed getting feedback after the first display on November 18th. They agreed that it would be beneficial to try to work this out as to what is best for the citizens in that area and to allow Mr. Preston to succeed with his business. It was acknowledged that he is attempting to work on finding a type of shell that is not as loud. Mr. Preston agreed to notify the neighbors and to set off the display on or before 10:00 p.m. for the November 18th event.

Commissioner Sorrells motioned to approve the wedding fireworks displays at Chestnut Ridge on November 18, 2017, display to be set on or before 10:00 p.m. Commissioner Ensley seconded, and the motion passed unanimously.

Request approval of fireworks display for November 4, 2017 at New Covenant Church

Chairman Kirkpatrick recognized Fire Marshal, Andrew Messer. Mr. Messer explained that this request for November 4, 2017 is for an anniversary celebration at the New Covenant Church. He noted that they have all the required proper documentation and paperwork and agreed to notify them that it will need to be on or before 10:00 p.m.

Vice-Chairman Upton motioned to approve the fireworks display at New Covenant Church on November 4, 2017 prior to 10:00 p.m. Commissioner Ensley seconded, and the motion passed unanimously.

Request approval of an Investment Manager and to revise the Haywood County investment policy

Chairman Kirkpatrick recognized Finance Director, Julie Davis. Ms. Davis explained that she is requesting two parts, the first is for an investment manager so there will be a place to put U.S. treasuries and government backed securities for a possible higher interest. The second is to revise the current fiscal policies to allow investments in AA+ rated bonds versus AAA rated bonds. The rate the County is currently receiving is 1.13 to 1.15. There is an investment fee so the net yield will be closer to 1.2. The average yield will increase over time. She noted that by statute, the County is restricted to certain types of investments. These are very low risk and have a low interest rate.

Commissioner Ensley motioned to approve an Investment Manager and to revise the current Haywood County investment policy regarding investment of County funds to earn better interest. Vice-Chairman Upton seconded, and the motion passed unanimously.

Commissioner Ensley thanked Ms. Davis for always looking for a better way to invest County funds.

Request approval of a permanent part time Office Assistant position for the Human Resources Department

Chairman Kirkpatrick recognized Human Resources Director, Kathi McClure. She explained that this request is to convert the temporary part time position into a permanent part time position at 25 hours per week, 1300 hours annually. She said that there are some temporary part time wages in the Human Resources budget that can transfer for this position and will require a budget amendment for the remainder.

The Board agreed that this position is warranted.

Commissioner Rogers motioned to approve a permanent part time Office Assistant position for the Human Resources Department, taking the temporary part time position and making it permanent. Commissioner Ensley seconded, and the motion passed unanimously.

Request approval of budget amendment - \$4,000 – Human Resources position

Chairman Kirkpatrick recognized Finance Director, Julie Davis. Ms. Davis explained that close to \$4,000 will fund the permanent part time Human Resources office assistant position. This will come from contingency.

Commissioner Rogers motioned to approve the budget amendment as presented. Vice-Chairman Upton seconded, and the motion passed unanimously.

HAYWOOD COUNTY
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2017-2018

FEE: _____
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, 2018:

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

Department Account	Account Number	Current Budget	Increase (Decrease)	Amended Budget
Human Resources Contingency	10400-01200	100,000	4,000	104,000
	10400-00000	20,000	(24,000)	16,000

which will result in a net increase (decrease) of \$ _____ in the expenditure 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 16th day of October, 2017.

ATTEST:
[Signature]
County Clerk

[Signature]
Haywood County Board of Commissioners

Declaration:
I, _____, Finance Director,
do hereby certify that the information presented
is true and correct.

Request approval of the appointment of Stephanie Parkins as the Haywood County Tax Administrator

Chairman Kirkpatrick spoke of Stephanie Parkins tenure with the County, that she had started in July, 1993 as a Land Records Specialist and promoted to GIS Mapping Technician in July, 2000. She currently is the Land Records/GIS Manager.

The Board spoke of her commitment to the County and the community in serving on 4H and the Fairgrounds.

Vice-Chairman Upton motioned to approve the appointment of Stephanie Parkins as the Haywood County Tax Administrator. Commissioner Ensley seconded, and the motion passed unanimously.

Ms. Parkins thanked the Board for their confidence in her and stated that she is thankful to the County employees that have backed her.

Request approval of Reverend Patrick Womack as Chaplain to the Haywood County Board of County Commissioners

Chairman Kirkpatrick stated that Reverend Womack has offered the invocation at the past several meetings, and the Board has agreed to ask him to serve as the Chaplain to the Board. He noted that Reverend Womack has agreed to do so without compensation, although this can be revisited if requested.

Commissioner Sorrells motioned to approve Reverend Patrick Womack as Chaplain to the Haywood County Board of County Commissioners. Commissioner Ensley seconded, and the motion passed unanimously.

Reverend Womack commented that he would be happy to serve in any way the Board needed him.

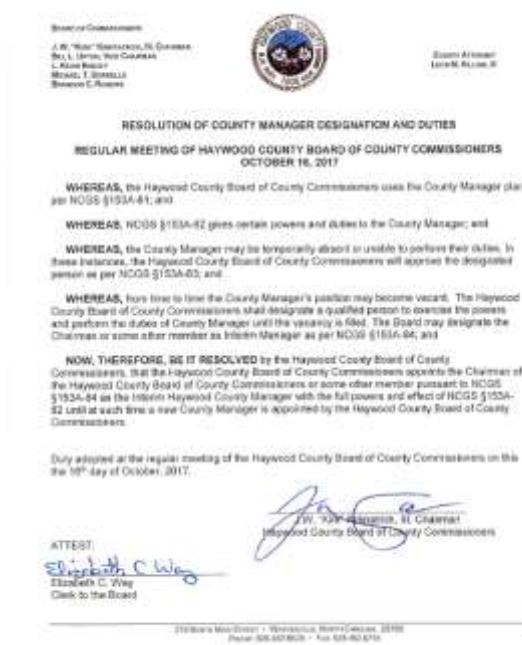
Request approval of Resolution of County Manager Designation and Duties

Chairman Kirkpatrick stated that during the time the County is without a County Manager or an Interim County Manager, there is business and duties that must continue to be performed. He reviewed the resolution and statutes and noted that this will allow him to perform those necessary duties.

Mr. Killian said that the resolution is consistent and authorized by statute.

Chairman Kirkpatrick noted that this is short term while the search begins for an interim or county manager.

Commissioner Sorrells motioned to approve the Resolution of County Manager Designation and Duties. Commissioner Ensley seconded, and the motion passed unanimously.



CLOSED SESSION

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

Personnel – G.S. §143-318.11(a)(6)
Attorney/Client Privilege - G.S. §143-318.11(a)(3)

Commissioner Rogers seconded, and the motion carried unanimously.

The Board returned from Closed Session.
The Attorney/Client Privilege - G.S. §143-318.11(a)(3) session was tabled until the next Board meeting.

ADJOURNMENT

Chairman Kirkpatrick stated that there are two items from the Closed Session that need to be addressed. The first is the salary for the Tax Administrator. The salary for Ms. Parkins was agreed by the Board at \$67,000.

Commissioner Ensley motioned to approve the Tax Administrator salary at \$67,000. Vice-Chairman Upton seconded, and the motion passed unanimously

Chairman Kirkpatrick explained that the Board had interviewed Joel Mashburn for the position of Interim County Manager. After the interview with Mr. Mashburn and discussion among the Board, it was agreed to hire him into that position between November 6, 2017 and the time of the hiring of a permanent county manager. Mr. Killian and Mr. Mashburn will work on a contract effective November 6, 2017 and to be approved at the next meeting.

Commissioner Rogers motioned to appoint Joel Mashburn as the Haywood County Interim County Manager effective November 6, 2017 upon the negotiation and signing of the agreement. Commissioner Ensley seconded, and the motion passed unanimously.

Chairman Kirkpatrick highlighted Mr. Mashburn’s education and career, and the Board welcomed Mr. Mashburn to the County.

Mr. Mashburn commented that he was delighted to have the opportunity to serve his home county in this capacity. He said even though he has not lived in Haywood County during most of his working career, it has always been his home. He said that he had recently purchased a house here, so it gives them a great opportunity to be part of a community that they have always loved. He said that he will do his best to assist the Board in carrying out the functions of county government and will help them in any way they want to try to fill the position in a more permanent basis.

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

The time of adjournment was 8:26 p.m. The DVD is attached by reference to the minutes.

CLERK

CHAIRMAN

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