

October 10, 2011– Regular Session

The Swain County Board of Commissioners held a Regular Session on October 10, 2011. Present were Chairman Carson, Vice-Chair White, Commissioner Moon, Commissioner Dixon and Commissioner Monteith.

Chairman Carson called the regular session to order. Commissioner Moon led with prayer and the pledge.

Adjust Agenda

Commissioner Moon made a motion to adjust the agenda to better facilitate the meeting. A vote was unanimous.

Minutes

Commissioner Moon made a motion to approve minutes of the September 12 work session, September 12 regular session, September 26 public hearing and September 26 work session. Commissioner Monteith seconded the motion. A vote was unanimous.

Tax Collector's Report

Peggy Hyde presented a report to the Board for the month of September, 2011. Ad-Valorem tax receivable was reported at \$4,454,231.89. There was \$536,322.78 collected for the month. Total collections year to date were \$1,782,801.20. The tax collection percentage year to date was 33.17%. Total releases were \$2,450.08, total discoveries were \$34,242.41 and total refunds were \$0. Commissioner Moon made a motion to approve the Tax Collector’s report as presented. Vice-Chair White seconded the motion. A vote was unanimous.

Finance Officer's Report

Dean Kowal, Finance Officer, presented a report to the Board for September, 2011. Mrs. Kowal report revenues for the month were \$1,388,060.17. Total revenue year to date is \$4,109,870.07. We have approximately 27.59% of revenues for 2011/2012 fiscal year. Expenditures for the month were \$1,585,827.20. Year to date we have expended \$3,980,757.46. We have paid out approximately 26.72% of the General Fund appropriations for 2011/2012 fiscal year. Commissioner Monteith made a motion to approve the Finance Report as presented. Commissioner Moon seconded the motion. A vote was unanimous.

Action Items

Resolution – Smoky Mountain Center Property Purchase: Commissioner Moon made a motion to approve the following resolution:



Resolution # 900-2011-14

**STATE OF NORTH CAROLINA
COUNTY OF SWAIN**

WHEREAS, the Smoky Mountain Center for Mental Health, Developmental Disabilities and Substance Abuse services ("Center") is an area authority organized under North Carolina General Statute 122C, and as such serves as the Local Management Entity for the area consisting of fifteen counties; and,

WHEREAS, the Center intends to purchase certain real property in Haywood County, North Carolina, to use in the normal course of its business; and,

WHEREAS, pursuant to G.S. 122C - 147(c) each county in the fifteen county area must approve the purchase of real property by an area authority by resolution of the County Commission; and,

WHEREAS, the property is described as lot # 2 on a plat entitled Haywood County prepared by Owns Surveying, PLS, dated 09/26/11, Project No. 11-01-104.

NOW THEREFORE BE IT RESOLVED that this Board, upon motion and a second, and after discussion in open session, hereby approves the purchase of the property by the Center, this the_day of _____, 2011.

Phil Carson, Chairman
Swain County Commissioners

ATTEST:

Cindi C. Woodard, Clerk to the Board
Swain County Commissioners
Commissioner Monteith seconded the motion. A vote was unanimous.

Award Bid for Business/Education Center: Commissioner Monteith made a motion to award bid to Western Builders. A vote was unanimous.

Financing Resolution-Fill Application with LGC – Business/Education Center: table

Resolution – Intent to Reimburse – Business/Education Center: table

Personnel Policy Amendment: Commissioner Dixon made a motion to adopt the following amendment to the Personnel Policy:

AMENDMENT NUMBER 1
SWAIN COUNTY PERSONNEL POLICY

The Following Amendment will replace Article X, Section 25.

Transfer of Leave

An employee may transfer sick or vacation leave to another full time permanent employee in the event of a serious medical condition of the employee that would otherwise force them to go on leave without pay. To be eligible for donated leave an employee must have exhausted all accumulated leave (Comp, sick and vacation leave). The maximum amount an employee can donate to another employee is 80 hours per event. Donated leave will not be banked and must be used within ninety days of the donated date. It will not be deducted from the donor's time until it is actually used. The approval form for donation must be signed by the employee donating leave, the Department Head of the employee receiving leave, and the Human Resource Department. Copies of the form will be attached to the time sheet of both the employee donating time and the one receiving it.

Vice-Chair White seconded the motion. A vote was unanimous.

Rules and Procedures Policy: Commissioner Monteith made a motion to adopt the amended Rules and Procedures Policy to reflect the new meeting date. Commissioner Dixon seconded the motion. A vote was unanimous.

Resolution Establishing Meeting Dates: Commissioner Monteith made a motion to approve the following resolution:



Resolution # 900-2011-15

STATE OF NORTH CAROLINA
COUNTY OF SWAIN

RESOLUTION ADOPTING THE MEETING SCHEDULE FOR THE SWAIN COUNTY BOARD OF COMMISSIONERS

The Swain County Board of Commissioners hereby resolves the following at a regularly assembled meeting:

WHEREAS, The Board of Commissioners are required to have a monthly meeting to discuss the County business as cited in North Carolina General Statutes 153A-40.

WHEREAS, The Board of Commissioners have determined that there will need to be additional meetings each month to discuss other pertinent information prior to the regular session.

NOW THEREFORE BE IT RESOLVED:

That the Swain County Board of Commissioners at its October 10, 2011 meeting, adopted this resolution requesting that a Regular Session of the Swain County Board of Commissioners be held on the second Monday of each month beginning at 6:00 p.m. and a work session will be held on the second Monday and fourth Tuesday of each month beginning at 5:30 p.m. in the Swain County Administration Building, 101 Mitchell Street, Bryson City, NC 28713. Other meetings will be scheduled on a needs basis as determined by the Board.

Adopted this the 10th day of October, 2011.

Phil Carson, Chairman
Swain County Commissioners

ATTEST:

Cindi C. Woodard, Clerk to the Board
Swain County Commissioners
Commissioner Dixon seconded the motion. A vote was unanimous.

Budget Amendment #1: Commissioner Dixon made a motion to approve the following budget amendment:

SWAIN COUNTY - BUDGET AMENDMENT #1

BE IT ORDAINED by the Governing Board of the County of Swain, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2012:

SECTION 1. For the purpose of amending the adopted budget to reflect the following changes:

<u>Description</u>	Inc. Expenditures or Dec. Revenues	Inc.Revenues or Dec. Exp.
--------------------	---------------------------------------	------------------------------

General Fund

Special Appropriations

Swain County Schools Capital	15,000
State of Franklin- Meals on Wheels	20,000

Sheriffs Department

Bullet Proof Vest	16,000
Capital Outlay	18,000
Vehicle Maintenance	9,000

Emergency Management

Contracted Service	65,000
--------------------	--------

General Fund Revenues

State of Franklin- Meals Revenue	20,000
Bullet Proof Vest Grant	16,000
Insurance Claims	27,000
Transfer from Capital Reserve	65,000
Transfer from Article #42 Capital Reserve	<u>15,000</u>
Total	143,000

As Clerk of the Board, I certify this budget amendment was approved by the Swain County Board of Commissioners in a Regular Session on October 10, 2011

Cindi Woodard, Clerk to the Board
A vote was unanimous.

Rec. Park Master Plan: TABLED

Community Services Facility Fees: Commissioner Monteith made a motion to approve the following fees: Non-Profit Organizations: Free, For Profit Events: \$25.00, Parties, showers, etc.: \$10.00. A vote

was unanimous.

Riverwood Drive – Secondary Roads System: Commissioner Monteith made a motion to forward the following resolution to NCDOT for consideration of adding to the Secondary Roads System:

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO THE STATE MAINTAINED SECONDARY ROAD SYSTEM

North Carolina

County of Swain

Road Description **Riverwood Drive**

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Swain requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System and be paved.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Swain that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria and for pavement.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Swain at a meeting on the ___ day of _____, 2011.

WITNESS my hand and official seal this the _____ day of _____, 20 .

Clerk, Board of Commissioners
County of Swain

Commissioner Dixon seconded the motion. A vote was unanimous.

Audit Report – Eric Bowman: Vice-Chair White made a motion to approve the Audit Report as presented. Commissioner Monteith seconded the motion. A vote was unanimous.

Informal Discussion: None

Public Comments: None

Adjournment

Commissioner Monteith made a motion to adjourn. Commissioner Moon seconded the motion. A vote was unanimous.

Respectfully Submitted,

Cindi C. Woodard,
Clerk to the Board
Swain County Commissioners

Phil Carson,
Chairman
Swain County Commissioners