

### **July 12, 2018– Regular Session**

The Swain County Board of Commissioners held a Regular Session on July 12, 2018 Present were Chairman Carson, Vice-Chair Bushyhead, Commissioner Burns, and Commissioner Parton and Commissioner Parsons.

Chairman Carson called the regular session to order and led the Pledge of Allegiance.

### **Adjust Agenda**

Commissioner Parsons made a motion to adjust the agenda as needed. Commissioner Burns seconded the motion. A vote was unanimous.

### **Approval of Minutes**

Vice-Chair Bushyhead made a motion to approve minutes of the June 14 budget public hearing, June 14 regular session, June 25 special session and June 25 work session. Commissioner Burns seconded the motion. A vote was unanimous.

### **Tax Collector's Report**

Kevin King presented the Tax Collector's report to the Board for the month of June 2018. Ad-Valorem tax receivable was reported at \$5,666,847.23. There was \$79,946.33 collected for the month. Total collections year to date were \$6,485,879.05. The tax collection percentage year to date was 103.57%. Total releases were \$2,380.61, total discoveries were \$0 and total refunds were \$0. Vice-Chair Bushyhead made a motion to approve the Tax Collector's report as presented. Commissioner Parsons seconded the motion. A vote was unanimous.

### **Action Items to discuss/consider**

**Heritage Board Appointments:** Vice-Chair Bushyhead made a motion to appoint David Sawyer, Diana Williamson Kirkland, Debi Hyatt and Earl Kirkland for a 3 year term. Commissioner Burns seconded the motion. A vote was unanimous.

**Recreation Park Advisory Board:** Vice-Chair Bushyhead made a motion to appoint Larry Bryant, Jennifer Brown, Trent Crisp, Jason Boston, Tanner Lawson, Branton Loftis and Jim Douthit for a 3 year term. Commissioner Parton seconded the motion. A vote was unanimous.

**Health Department Policies:** Commissioner Parsons made a motion to approve the following policies as presented by Alison Cochran. Vice-Chair Bushyhead seconded the motion and a vote was unanimous:

### **Human Services Board Operating Procedures**

The Human Services Board is the policy-making, rule-making and adjudicatory body for the Swain County Health Department and Swain County Department of Social Services. The Human Services Board has the responsibility to protect and promote the public health and social welfare of the citizens of Swain County and as such has the authority to adopt rules necessary for that purpose.

To provide guidance and direction, and ensure accuracy, consistency and standardization in the development of policies and procedures for the Health Department. There are 3 major roles the Human Services Board has:

- Rulemaking
- Adjudication
- Administration

You are responsible to protect and promote the public health and as a board you have the authority to adopt rules necessary for that purpose. The rules that the Human Services Board adopt are enforceable in court. General limitations are:

- Must be related to health
- Must be reasonable
- Must not discriminate

Another role is your Adjudicatory role. If the board adopts a local rule and a staff member is enforcing that rule- and a local citizen is unhappy with the department's action...they can appeal to the Human Services Board. The board is acting like a "quasi-judicial body" hearing the evidence and determining if:

- Legal authority existed for the department's decision

- The decision is supported by the evidence

The county attorney would be available for consult prior to an appeal hearing to ensure all legal requirements are met. If the citizen is not satisfied with the board's decision they have the right to appeal to district court.

The final role is Administration and financial operations. The Human Services Board is involved in setting fees for some services. They must be cost based. It is not required that you are involved in developing the budget of the health department but it has always been our policy to present our budget for your review.

### **Delegation of Duties of Health Director**

Policy follows the general statute described in the duties of a health director. Duties include overall management of the affairs of the Health Department, approving all staffing assignments, representing Board of Commissioners in community settings and other duties as guided by the approved job description.

### **Adjudication Policy and Procedure**

To provide a fair and equitable adjudication process for local rules and ordinances in compliance with North Carolina Statutes.

### **Fees and Eligibility Policy and Procedure**

Public health services are increasingly costly to provide. The Health Department serves the public interest best by assuring that all legally required public health services are furnished for all citizens and then providing as many recommended and requested public health services as it can for those citizens with greatest need.

### **Participation in Community Health Improvement Policy**

The Human Services Board recognizes the community health improvement process can be an effective tool for developing shared vision and supporting a planned and integrated approach to improved community health. This refers to the community health assessment which is completed every 3 years and that the board recognizes this concept as a valuable tool to use when soliciting information from individual in the community in finding out what they believe are major health problems facing Swain County.

### **Workforce Development Policy**

Guideline for the health department to achieve diversity in our workforce in accordance to our population.

### **Recruitment, Retention and Diversity Action Policy**

Our employees will be trained in Diversity and that we do everything we can to retain our staff.

### **Staff Development, Training and Continuing Education Policy**

Our staff receives required and related training and continuing education to make them a more knowledgeable employee and perform their duties here at the health department.

### **Establishing Policy and Procedures**

To provide guidance and direction, and ensure accuracy, consistency and standardization in the development of policies and procedures.

### **Observing Public Health Laws, Rules and Regulations**

Ensure that the workforce consults and follows Federal, state, and local laws and regulations and the most current recommendations of regulation and advisory agencies in the delivery of essential and mandated public health services.

Commissioner Burns made a motion to approve the following write offs as presented by Alison Cochran:

Write-Off for 07/01/2016 to 06/30/2017

<u>Family Planning</u>		<u>Adult Health</u>	
05/31/2017	\$68.00	04/12/2017	\$20.00
07/13/2016	\$136.00	03/08/2017	\$45.00
04/12/2017	\$40.00	07/15/2016	\$20.00
02/22/2017	\$102.00	10/12/2016	\$45.00
11/30/2016	\$34.00	04/05/2017	\$45.00
03/08/2017	\$80.00	02/20/2017	\$4.00
01/04/2017	\$68.00	<u>03/08/2017</u>	<u>\$34.00</u>
<u>08/03/2016</u>	<u>\$40.00</u>		
<b>Total:</b>	<b>\$568.00</b>	<b>Total:</b>	<b>\$213.00</b>

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

Alison Cochran presented the Board a copy of her job description and employee twelve month performance evaluation.

**Tax Administration Appointment:** Vice-Chair Bushyhead made a motion to reappoint Peggy Hyde for a 4 year term. Commissioner Burns seconded the motion. A vote was unanimous.

**Resolution - Declaration of Official Intent to Reimburse:** Commissioner Burns made a motion to approve the following:



**Resolution #930-2018-01**

**NORTH CAROLINA  
COUNTY OF SWAIN**

**“DECLARATION OF OFFICIAL INTENT TO REIMBURSE”**

**BE IT HEREBY RESOLVED** that the County of Swain, N.C. does hereby adopt the following declaration (the “Declaration”) of official intent to reimburse.

This declaration is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the County of Swain, North Carolina (the “Issuer”) with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the “Expenditures”) to buy equipment and vehicles for the use by the county.
2. **Plan of Finance.** The Issuer intends to finance the costs of 5 vehicles, along with computers, radios and lights for 4 of the vehicles with the proceeds of debt to be issued by the Issuer (the “Borrowing”) the interest on which is to be excluded from gross income for Federal income tax purposes.
3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal

amount of the Borrowing to be incurred by the Issuer to finance the items listed on exhibit A is \$400,000

4. **Declaration of Official Intent to Reimburse.** The issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

This the 12<sup>th</sup> day of July, 2018.

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Phil Carson, Chairman  
Swain County Commissioners

ATTEST:

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Cindi Woodard, Clerk to the Board  
Board of Commissioners  
Commissioner Parsons seconded the motion. A vote was unanimous.

**Informal Discussion:** The Board discussed the following items:

- TDA Chair
- Jones Creek qualified for emergency services thru the Natural Resources Conservation with a 20% match to repair damage received from the storms.
- The Recycling Center bay cover cost estimation is approximately \$40,000.
- The County received a \$70,500 inmate bill for hospital services.
- SC Schools Central Office plan to move into the Federal Building within the next couple weeks.
- Vice-Chair Bushyhead and Commissioner Burns met with the SC Board of Education regarding the referendum for the election ballot for a ¼ cent sales tax increase.
- Commissioner Carson thanked everyone for attending the Settlement Presentation.

**Public Comments:** None

**New Business**

None

**Closed Session**

Commissioner Parsons made a motion to go into closed session as called for under NCGS 143-318.11(a)(5) for contract negotiations and 143-318.11(a)(6) personnel. Commissioner Burns seconded the motion. A vote was unanimous.

Commissioner Parsons made a motion to adjourn the closed session. Commissioner Burns seconded the motion. A vote was unanimous.

Chairman Carson noted The Board unanimously agreed to go with Eagleview for the reappraisal imagery for the Tax Office.

**Adjournment**

Commissioner Parsons made a motion to adjourn. Vice-Chair Bushyhead 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