

July 9, 2012– Regular Session

The Swain County Board of Commissioners held a Regular Session on July 9, 2012. Present were Chairman Carson, Vice-Chair White, Commissioner Moon, Commissioner Dixon and Commissioner Monteith.

Chairman Carson called the regular session to order and led the pledge of allegiance.

Adjust Agenda

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

Vice-Chair White made a motion to add approval of 3 year update to the 10 year solid waste plan. Commissioner Dixon seconded the motion. A vote was unanimous.

Approval of Minutes

Commissioner Dixon made a motion to approve minutes of the June 11 work session, June 11 public hearing, June 11 regular session, June 26 work session, June 26 budget hearing and June 26 special session. Commissioner Monteith seconded the motion. A vote was unanimous.

Tax Collector’s Report

Peggy Hyde also presented a report to the Board for the month of June, 2012. Ad-Valorem tax receivable was reported at \$4,609,513.40. There was \$78,961.93 collected for the month. Total collections year to date were \$5,416,583.83. The tax collection percentage year to date was 100.31%. Total releases were \$1,843.61, total discoveries were \$298.98 and total refunds were \$127.34. Commissioner Monteith made a motion to approve the Tax Collector’s report as presented. Commissioner Dixon seconded the motion. A vote was unanimous.

Action Items

TVA Resolution: Commissioner Dixon made a motion to approve the following resolution:



Resolution # 900-2012-12

**STATE OF NORTH CAROLINA
COUNTY OF SWAIN**

RESOLUTION REQUESTING GENERAL ASSEMBLY TO ALLOCATE FUNDS RECEIVED FROM TENNESSEE VALLEY AUTHORITY SETTLEMENT BE DISTRIBUTED BASED ON THE SETTLEMENT AGREEMENT

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

WHEREAS, TVA is the second largest federal land owner in Swain County; and

WHEREAS, Swain County has more Great Smoky Mountain National Park property than any other county in North Carolina; and

WHEREAS, The Attorney General of North Carolina has settled a lawsuit with TVA in regards to pollution emission in the Great Smoky Mountains and other mountainous areas of Western North Carolina; and

WHEREAS, General Assembly shall budget the funds to this lawsuit as prescribed by law; and

WHEREAS, the settlement agreement reached by the Attorney General and TVA specifically states, “The States shall use their best efforts to identify Projects that are located in TVA’s power service area or the Tennessee River watershed and shall give a preference to such Projects over Projects outside these areas.” ; and

WHEREAS, Swain County lands are a part of the Tennessee River watershed and TVA’s power service area; and

WHEREAS, the settlement agreement also specifies categories of projects that are allowable for funding through the TVA funds (Clause 128 of Consent Decree); and

WHEREAS, the Swain County Board of Commissioner have five different projects that meet the criteria set forth in paragraph 128 of the settlement agreement; and

WHEREAS, Swain County has been told by state personnel that there are no projects that would qualify for funding in Western North Carolina;

NOW THEREFORE BE IT RESOLVED:

That the Swain County Board of Commissioners request the General Assembly of North Carolina to adopt specific guidelines for the grant processes of this settlement funds to specifically address the needs of the area effected by the pollution generated by TVA and to give priority to those projects and proposals being submitted from the "TVA Region" identified by the NC Energy Division in their public hearing handouts, the Tennessee River watershed and TVA's power service area; or to those North Carolina Counties included in the Appalachian Regional Commission. The Board also requests the General Assembly to adopt guidelines that give priority to the categories of projects specified in the Consent Decree and to assign responsibility for the administration of the TVA Settlement funds to the NC Energy Division.

Adopted this the 9th day of July, 2012.

Chairman of the Swain County
Board of Commissioners

ATTEST:

Clerk to the Swain County
Board of Commissioners
Commissioner Monteith 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, 2013:

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.
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General Fund

Sheriffs Department

Capital Outlay 30,000

Administration

Travel 8,000

Board of Elections

Contracted Service 15,000

General Fund Revenues

Appropriated Fund Balance		8,000
State HAVA Funds		15,000
Insurance Claims		<u>30,000</u>
Total	<u>53,000</u>	53,000

02600

As Clerk of the Board, I certify this budget amendment was approved by the Swain County Board of Commissioners in a Regular Session on July 9, 2012

Cindi Woodard, Clerk to the Board

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

Solid Waste 3 year update to 10 Year Plan: Commissioner Dixon made a motion to approve a 3 year

update to the Solid Waste 10 year plan as presented. Commissioner Moon seconded the motion. A vote was unanimous.

Closed Session: Commissioner Monteith made a motion to go into closed session as called for under G.S. 143-318.11 (a)(3) to discuss 2 contracts. Commissioner Dixon seconded the motion. A vote was unanimous.

Commissioner Dixon made a motion to adjourn the closed session. Commissioner Monteith seconded the motion. A vote was unanimous.

New Business

Informal Discussion: 6:58 p.m. Pic of Board in front of Wall of History

Public Comments: None

Adjournment

Commissioner Dixon made a motion to adjourn. Commissioner Monteith 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