

May 22, 2007– Regular Session

The Swain County Board of Commissioners held a Regular Session on Tuesday, May 22, 2007. Present were Chairman Jones, Vice-Chair Lindsay, Commissioner Monteith, Commissioner Moon and Commissioner Carson.

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

Adjust Agenda

Vice-Chair Lindsay made a motion to adjust the agenda to better facilitate the meeting. Commissioner Moon seconded the motion. A vote was unanimous.

Approval of minutes

Chairman Jones made a motion to approve minutes of the April 24 regular session. Commissioner Carson seconded the motion. A vote was unanimous.

Public Comments

Citizens listed on the following sign in sheet expressed their concerns during this regular session:

Swain County Commissioners Meeting

May 22, 2007

Please sign in if you wish to speak during the Public Comment
Period concerning an item on this agenda.

You will be allowed approximately 3 minutes to speak.

Name	Address/Phone #	Subject	Organization
Mike Clampitt			

Mike Clampitt submitted the following comments:

TO: Swain County Board of Commissioners
FROM: Mike Clampitt
DATE: 22 May 07
RE: WE HAVE MADE GREAT PROGRESS

Mr. Chairman, members of the Board, and fellow citizens of Swain County I step away from the usual outline for "Items for Public Comment". Instead, may I take this opportunity to commend this body for taking a giant step in forward thinking and a move toward progress. In just a mere few months the Board has embraced bold, new and innovative ideas from the public. The communication channels between county officials and the public that have been so strained in the past, have begun to take a back seat to suspicion, scrutiny, and verbal conflict.

However, with all new policy's and new things there are going to be growing pains. This is natural, whatever side of the fence one may be on. Mr. Chairman, I thank you for your patience with myself and others as we appeared before the Board in voicing our concerns, issues and hot topics. We on the other hand have been patient with the Board in becoming more comfortable with the new policy #1-06-12-1.

At the last meeting of the Board, 15 May 07, Mr. Chairman, members of the Board, during the meeting, as I do any other time I appear before the Board, give each of you an outline of the topics, questions or whatever along with my name, address and phone number. And we have had the discussion that the courtesy of a reply in person during the meeting, as to be part of the minutes and record, or to be in writing, or be sent by e-mail. All of this is just not by chance. Tonight I remind you of policy #1-06-12-1, page 7, under Section II Public comment, item B, "If an individuals' allotted time expires prior to the individual ask all of his or her questions, that person may leave those questions along with his/her name, address and phone number with the County Manager who will determine who needs to respond to the question(s) and call or write that person prior to the next Board meeting." Mr. Chairman, questions have been put forth to YOU, and it NOT Mr. King's responsibility to answer all the questions presented before the Board. That is why I bring back any e-mail's Mr. King has sent me in answering my items that have been presented, so they will be part of the minutes, and everyone will have the answer. Which is the idea behind having public comment, and brings me to item E, of the policy, "The Board will reserve 30 minutes during the regular session for comment on agenda items and general public comment. Additional time may be given with a majority vote of the Board." Mr. Chairman, Commissioner Monteith at the last meeting attempted to guide you and the other members of the Board in that direction of this policy we have "accepted". Instead Mr. Chairman, you adjourned the meeting and directed the County Manager to go aside to answer the items of Mrs. DeBoard and myself. A copy of Mr.

Kings responses to me are attached as to keep you and the members of the public informed.

Mr. Chairman, "executive privilege" is a wonderful and useful tool, when used wisely. It is this shortcoming and hidden agendas of the "us versus them" attitude which is causing our failure of maturity, manifesting of distrust and belief in our elected officials. Along with that, there has been a failure of the County Attorney whom is acting parliamentarian to advise you in procedural policy as outlined.

In closing, I know we all have had to move "out of our comfort zone", and that is okay, for some it is easier than others. Mrs. DeBoard has so patiently has challenged us all, many times before, "do the right thing" and you know she is correct, Deuteronomy 6:18 "Do what is right..." .

Finance Officer's Report

Kevin King, Finance Officer, presented a report to the Board for the month of April. Mr. King reported revenues for the month were \$511,143.39. Total revenue year to date is \$8,797,231.17. We have approximately 82.20% of revenues for 2006-2007 fiscal year. Expenditures for the month were \$733,378.74. Year to date we have expended \$7,590,220.41. We have paid out approximately 70.90% of the General Fund appropriations for 2006/2007 fiscal year. Commissioner Carson made a motion to approve the Finance Officer's report as presented. Commissioner Monteith seconded the motion. A vote was unanimous.

SMAMH – Local Business Plan

Commissioner Moon made a motion to approve the Local Business Plan submitted by Smoky Mountain Mental Health. Commissioner Carson seconded the motion. A vote was unanimous.

Presentation of the 2007-2008 Budget

Kevin King presented the 2007-2008 budget noting it will be on preview for the public until the public hearing in June.

Planning Board Decisions

Kevin King gave an update on the Planning Board's progress with a subdivision ordinance noting public hearing will be scheduled for feed back.

Joseph Dilillo – Soccer Issues

Mr. Joseph Dilillo came before the Board with an update on the proposed soccer organization. Mr. Dilillo relayed this organization was on it's way to a 501 ©(3) status along with Jackson County. He requested support from the Board for this organization.

Department Reports

Solid Waste: Kevin King presented the following report to the Board for Charles Bailey, who was unable to attend:

Solid Waste Report May 22, 2007

NCDENR representative Jim Patterson inspected our Transfer Station, tire collection and LCID Landfill with no violations.

Shannon Scott Cody resigned from his duties during the month of April. Andy Smith assumed the duties as tractor trailer driver and Roger Burnette was hired to drive the frontlift truck.

Scott Moew, with the Division of Pollution Prevention and Environmental Assistance visited our facility on May 7, 2007. Our facility was used as a model for other rural counties. Personnel from Madison and Clay Counties accompanied Mr. Moew. Methods of collection, markets, transfer stations and grants were discussed.

QUARTERLY SANITATION REPORT
Eagle Point Landfill

January

<u>Trips</u>	<u>Tons</u>	<u>TOTAL</u>
38	686.56	\$14,328.51

February

<u>Trips</u>	<u>Tons</u>	<u>TOTAL</u>
35	564.46	\$11,780.27

March

<u>Trips</u>	<u>Tons</u>	<u>TOTAL</u>
42	773.09	\$16,134.40

April

<u>Trips</u>	<u>Tons</u>	<u>TOTAL</u>
39	724.96	\$15,129.92

QUARTER TOTALS

<u>Trips</u>	<u>Tons</u>	<u>TOTAL</u>
154	2,749.07	\$57,373.10

Building & Grounds report: Mitchell Jenkins presented the following report:

**Building and Grounds
Quarterly Report
May 22, 2007**

Rec Park:

- +Removed old score board at the big baseball field
- +Installed posts and wire around tennis court
- +Installed french drain at the pool
- +Dug ditches and installed power lines for upgrade at ballfields
- +Multi-use facility : Building is dried in and backfill around basement walls

Administration Building:

- +Remodeled office in the Tax Department:
 - Painted walls
 - Built a new work station
 - Replaced carpet with tile and replaced baseboards
- +Remodeled kitchen area
- +Handrail repair and cleanup from fallen tree on the walkway near pavillion

Jail:

- +Installed plexiglass over fingerprint machine
- +Scraped gravel parking lot
- +General maintenance/work orders

Meridian:

- +Installed new water cooler

Health Department:

DSS:

Marianna Black Library:

- +Mulched and trimmed shrubbery
- +Graveled gazebo area
- +Moved furniture

Informal Discussion

-Add DSS item: Chairman Jones made a motion to add a revision to the Work First Plan to the agenda. A vote was unanimous.

Vice-Chair Lindsay made a motion to approve a revision to the Work First Plan as submitted. A vote was unanimous.

-Commissioner Monteith encouraged everyone to attend a special meeting June 12 regarding water quality.

County Manager's report

Kevin King gave an update on the following:

- LEC still on track
- Pool renovations at the Rec. Park are complete
- Water/sewer projects.

Closed Session

Chairman Jones made a motion to go into Closed Session as called for under G.S. 143-318 to discuss Contract Issues. Commissioner Moon seconded the motion. A vote was unanimous.

Commissioner Monteith made a motion to adjourn the Closed Session. Commissioner Carson seconded the motion. A vote was unanimous.

Chairman Jones noted there were no actions taken during the Closed Session.

Adjournment

There being no further business to discuss, Commissioner Moon made a motion to adjourn. Commissioner Carson seconded the motion. A vote was unanimous.

Respectfully Submitted,

Kevin S. King,
Clerk to the Board
Swain County Commissioners

Glenn Jones
Chairman
Swain County Commissioners