

**July 10, 2007– Regular Session**

The Swain County Board of Commissioners held a Regular Session on Tuesday, July 10, 2007. Present were Chairman Jones, Vice-Chair Lindsay, Commissioner Monteith, Commissioner Carson and Commissioner Moon.

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

**Adjust Agenda**

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

**Approval of minutes**

Vice-Chair Lindsay made a motion to approve minutes of the June 12 regular session. Commissioner Moon seconded the motion. A vote was unanimous.

**Public Comments**

Citizens listed on the attached sign in sheet (see **attachment #1**) expressed their concerns during this meeting.

Virginia DeBord commended the Board for holding a public hearing regarding the North Shore Road.

Mike Clampitt (see **attachment #2**)

Leonard Winchester noted there wasn't a need for an additional public hearing regarding the North Shore Road and requested it be cancelled.

**Tax Collector's Report**

Peggy Hyde, Tax Administrator, presented a report to the Board for the month of June. Ad-Valorem tax receivable was reported at \$3,874,573.43. There was \$77,879.19 collected for the month. Total collections year to date were \$4,806,825.06. The tax collection percentage year to date was .79%. Total releases were \$5,138.41, total discoveries were \$1,155.95 and total refunds were \$0.00. Commissioner Carson made a motion to approve the Tax Collector's report as presented. Commissioner Moon seconded the motion. A vote was unanimous.

**Action Items:**

**Clean Water Resolution**

Vice-Chair Lindsay made a motion to approve the following resolution:



**Resolution # 900-2007-8**

**STATE OF NORTH CAROLINA  
COUNTY OF SWAIN**

**“Resolution of Support for the Clean Water Act of 2007”**

**WHEREAS**, North Carolina’s continued prosperity depends on protecting the State’s water resources for current use and future generations; and,

**WHEREAS**, North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the State’s water resources and local water providers; and,

**WHEREAS**, the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- Helped create or retain 42,000 jobs
- Corrected major regulatory violations in 97 communities
- Addressed failing septic systems and contaminated wells in 59 counties
- Resulted in 50 communities receiving sewer service for the first time
- Encouraged regional efficiencies, sound planning and conservation practices; and

**WHEREAS**, North Carolina’s public water, sewer and storm water utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years

**NOW THEREFORE BE IT RESOLVED** that the Swain County Board of Commissioners urges the North Carolina General Assembly to enact the “Clean Water Act of 2007”, which provides for a \$500 million bond issue to be expended over the next five years, and an annual appropriation of \$50 million in recurring funding to address urgent needs.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2007.

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Glenn Jones  
Chairman of the Swain County  
Board of Commissioners

ATTEST:

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Kevin King  
Clerk to the Swain County  
Board of Commissioners

Commissioner Carson seconded the motion. A vote was unanimous.

**Certified Entrepreneurial Community Resolution**

Commissioner Carson made a motion to approve the following resolution:



**Resolution #920-2007-01**

**County of Swain, North Carolina  
Certified Entrepreneurial Community**

**WHEREAS** Swain County wishes to participate in the Certified Entrepreneurial Community Program in partnership with the AdvantageWest Economic Development Group and;

**WHEREAS** our County is willing to collaborate across jurisdictional borders with our regional neighbors and;

**WHEREAS** our Swain County Economic Development Commission has agreed to set aside the necessary resources to conduct this program of work.

**BE IT THEREFORE RESOLVED** that Swain County is committed to establishing an Entrepreneurial Economic Development Plan and establishing ourselves as a Certified Entrepreneurial Community.

This the \_\_\_\_ day of \_\_\_\_\_, 2007.

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Glenn Jones, Chairman  
Swain County Commissioners

ATTEST:

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Kevin S. King, Clerk to the Board  
A vote was unanimous.

**TDA Resolution**

Chairman Jones made a motion to approve the following resolution:



**Resolution # 900-2007-7**

**STATE OF NORTH CAROLINA  
COUNTY OF SWAIN**

**WHEREAS**, the Swain County Board of Commissioners has adopted a Resolution levying a room occupancy tax; and

**WHEREAS**, the Swain County Board of Commissioners deems it necessary to create a Swain County Travel and Tourism Authority for the purpose of using the funds so collected to promote travel and tourism within Swain County.

**THEREFORE, BE IT RESOLVED** that the Swain County Board of Commissioners does hereby create a Swain County Tourism Development Authority as described in Senate Bill 336/S.L. 2007-23

All member shall be appointed by the Swain County Commissioners. The Commissioners will take the recommendations of the Swain County Chamber of Commerce for four of said members and the remaining five member shall be chosen directly by the Board of Commissioners for a total of nine appointees. Three members shall have initial terms of one year, three for two year terms and three for three year terms. After said terms, all members shall have terms for a period of three years. Terms shall end on June 30<sup>th</sup> in the year the term expires.

The Tourism Development Authority Board membership shall be in compliance with Senate Bill 336/ S.L. 2007-23

The Swain County Finance Officer will serve as the Ex-Officio member of the Swain County Travel and Tourism Authority.

No appointees to the authority shall serve for more than two consecutive terms.

The Tourism Development Board shall elect a Chairman on the first meeting of the new fiscal year. No member shall serve as Chairman of the Authority for more than one consecutive term.

**BE IT FURTHER RESOLVED** that all members of the authority shall serve without compensation; that each authority shall adopt its own rules of procedure to govern its meetings, and each authority will meet at least once each month.

Any member of the authority who fails to attend at least 75% of the meetings of the authority during a calendar year shall automatically cease to be a member of the authority.

**BE IF FURTHER RESOLVED** that any vacancy occurring on the authority shall be filled by the Board of Commissioners, such person who is no longer a member of the authority, and such

appointment shall be for the unexpired term of the person replaced. Any person appointed to fill an unexpired term shall be eligible for appointment for two full terms.

**BE IT FURTHER RESOLVED** that Swain County Travel and Tourism Authority shall file written quarterly reports with the Swain County Board of Commissioners, with the first of such reports to be due on or before September 30<sup>th</sup>, 2007. An annual report shall be filed with the Swain County Board of Commissioners on or before July 1 and on the 1st day of July 1, 2008 thereafter, said annual report to contain an itemized list of all receipts and disbursements for the proceeding year.

**BE IT FURTHER RESOLVED** that each authority may contract with any person, firm, corporation or agency to advise and/or assist with the promotion of travel, tourism and conventions or for the dissemination of promotional materials and information, but no such contract shall be made unless the monies for the payment of said contract in full have actually been collected and allocated to each respective authority.

Additionally, the Authority can purchase, lease and maintain property for the purpose of promoting travel and tourism in Swain County. Said expenditures shall be in compliance with Senate Bill 336.

**BE IT FURTHER RESOLVED** that no monies shall be expended by the authority except as provided for in Section 1 (e) of Senate Bill 336, or as the same may hereafter be amended from time to time, unless specifically authorized by law and only then with the approval of the Swain County Board of Commissioners.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2007.

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Glenn Jones  
Chairman of the Swain County  
Board of Commissioners

ATTEST:

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Kevin King  
Clerk to the Swain County  
Board of Commissioners

A vote was unanimous.

**Franklin Grove Sewer Project award**

Chairman Jones made a motion to award the Franklin Grove Church Road Water and Sewer project to Buckeye Construction Company, Inc. with the bid amount of \$310,949.45. Commissioner Carson seconded the motion. A vote was unanimous.

**County Manager's Agreement**

Commissioner Moon made a motion to approve the County Manager's Agreement. A vote was unanimous.

**New Business**

**Department Reports**

Peggy Hyde presented a report to the Board with updates on the progress of the Tax Office. (see attachment # for these reports)

**Informal Discussion**

Commissioner Moon made a motion to cancel the North Shore Road Public Hearing. Vice-Chair Lindsay seconded the motion.

**County Manager's report**

None

**Adjournment**

There being no further business to discuss, Chairman Jones made a motion to adjourn. A vote was unanimous.

Respectfully Submitted,

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

Glenn Jones,  
Chairman  
Swain County Commissioners