

### **July 11, 2019– Regular Session**

The Swain County Board of Commissioners held a Regular Session on July 11, 2019 Present were Chairman Bushyhead, Vice-Chair Burns, Commissioner Parton and Commissioner Parsons. Commissioner Seagle was absent.

Chairman Bushyhead called the regular session to order. Joe “Gunner” Vasquez led the Pledge of Allegiance.

### **Adjust Agenda**

Vice-Chair Burns made a motion to adjust the agenda as needed. The budget amendment and TDA resolution items will be tabled. Commissioner Parsons seconded the motion. A vote was unanimous.

### **Tax Collector’s Report**

Peggy Hyde gave the Tax Collector’s report to the Board for the months of June 2019. Ad-Valorem tax receivable for was \$5,679,676.93. There was \$77,930.00 collected for the month. Total collections year to date were \$6,533,128.04. The tax collection percentage year to date was 99.07%. Total releases were \$3,192.46, total discoveries were \$0 and total refunds were \$0. Commissioner Parsons made a motion to approve the report as submitted. Vice-Chair Burns seconded the motion. A vote was unanimous.

### **Budget Amendment #1**

Tabled

**Public Comments:** None

### **Action Items**

- Approval of Minutes: Commissioner Parsons made a motion to approve minutes of the June 13 budget public hearing, June 13 regular session and June 27 work session. Vice-Chair Burns seconded the motion. A vote was unanimous.

-Financing Documents/Resolution: Vice-Chair Burns made a motion to approve the following:



**Resolution #930-2019-03**

### **NORTH CAROLINA COUNTY OF SWAIN Resolution Approving Financing Terms**

WHEREAS: Swain County ("County") has previously determined to undertake a project for the financing of vehicles and equipment, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated June 19, 2019. The amount financed shall not exceed \$800,000 the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.55%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not

substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This the 11<sup>th</sup> day of July, 2019.

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Ben Bushyhead, 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.

### **TDA Resolution**

Tabled

### **Appointments**

-TDA Chair: Kenneth Parton made a motion to appoint Eugene Shuler as Chair. This motion died due to the lack of a second.

Commissioner Parsons made a motion to appoint Ron Larocque as chair. Vice-Chair Burns seconded the motion. This item passed with three voting aye and Commissioner Parton voting nay.

-Broadband Committee: Vice-Chair Burns made a motion to appoint Juliet Kastorff to serve on this committee for a three year term to expire June 30, 2022. Commissioner Parsons seconded the motion. A vote was unanimous.

### **County Manager's Report**

Kevin King gave an update on:

-School Project; yesterday was the start of the contract with H&M Contractors, all financing is complete

-Restrooms at the Event Park are 90% complete

-Strategic Planning; Ann Bass with the Department of Commerce will be here in September for guidance and also Russ with Southwestern Commission. Surveys will be sent out with tax bills, on county website and online for the public to fill out. We need to determine how many public meetings are needed, and talk to groups and encourage them to fill out one.

-Potholes at the Rec. Park/Morgan Pavilion will be fixed within the next couple weeks

-Met with Danny and members of the Library Board; they will be sharing a feasibility study they've been working on soon.

### **Commissioner Reports**

Commissioner Burns: Broadband met Tuesday, working fast paced mode with the grant they're working on due at the end of the month, having to obtain more information than anticipated, this grant focuses

more toward businesses; met with the Library, will report in September; C4C is having a reading camp in August for 40 children with reading issues.

Commissioner Parsons: The Giving Spoon June 27<sup>th</sup> fed approximately 94 people, averaging 60 per meal served; July 1 attended the community meeting; July 8 Four Square meeting; yesterday met with TDA; gave a shout out to the 288 clean up crew

Commissioner Parton: Attended the TDA meeting

Chairman Bushyhead: Invited everyone and plans to attend, on August 16<sup>th</sup>, recovery abuse presentation at First Baptist Church; gave an update on the proposed Catawba Indian Casino property purchase noting it's still sitting in committee and if it sits for so long, it will eventually fade away; June 24, attended the Senior Center benefit lunch that raised \$700; Invited all members to reach out to him when something is going on so they can all remain in the loop with all issues; July 17 meeting planned with Cassius Cash, GSMNP Superintendent to address trash in the lake, also cemeteries in the Park; also noted the Tow String Community needs a fence to keep the elk out.

### **Closed Session**

None

### **Adjournment**

Commissioner Parsons made a motion to adjourn. Vice-Chair Burns seconded the motion. A vote was unanimous.

Respectfully Submitted,

Cindi C. Woodard  
Clerk to the Board  
Swain County Commissioners

Ben Bushyhead  
Chairman  
Swain County Commissioners