

**November 14, 2019– Regular Session**

The Swain County Board of Commissioners held a Regular Session on November 14, 2019 Present were Chairman Bushyhead, Vice-Chair Burns, Commissioner Parton, Commissioner Parsons and Commissioner Seagle.

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

**Adjust Agenda**

Commissioner Parsons made a motion to move item number up to number 4. Vice-Chair Burns 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 October 2019. Ad-Valorem tax receivable for was \$5,721,397.49. There was \$508,337.58 collected for the month. Total collections year to date were \$2,605,022.16. The tax collection percentage year to date was 38.96%. Total releases were \$839.99, total discoveries were \$2,279.80 and total refunds were \$2,477.36. Vice-Chair Burns made a motion to approve the report as submitted. Commissioner Seagle seconded the motion. A vote was unanimous.

**Budget Amendment #4**

Commissioner Seagle made a motion to approve the following:

**SWAIN COUNTY - BUDGET AMENDMENT #4**

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, 2020:

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.
<b><u>General Fund</u></b>		
All Departments- Christmas Bonus	68,000	
Juvenile Crime Prevention Council	11,602	
<b><u>General Fund Revenues</u></b>		
Appropriated Fund Balance		68,000
NC Dept of Juvenile Justice		<u>11,602</u>
<b>Total</b>	<b><u>79,602</u></b>	<b><u>79,602</u></b>

As Clerk of the Board, I certify the Swain County Board of Commissioners in a Regular Session approved this budget amendment on November 14, 2019.

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Cindi Woodard, Clerk to the Board

Commissioner Parsons seconded the motion. A vote was unanimous.

**New Business**

-National Weather Service Presentation: Trish Palmer presented a certificate to the Swain County Board of Commissioners recognizing the County as a Storm Ready County. Ms. Palmer applauded David Breedlove and staff for all their hard work and dedication to make this happen.

-Region A Annual Presentation: Sarah Thompson presented Southwestern Commissions Year in Review for 2018 noting two local topics that keep coming up working with local governments, non-profits and citizens. They are broadband and housing. Ms. Thompson also relayed the first phase of regional broadband planning was completed and the second phase has begun. Also, a summit was held called, “Housing and Economic Development, Bridging the Gap”. A copy of the full report is on file.

-Cooperative Extension Report: Rob Hawk presented an annual report to the Board highlighting in numbers: 4,841 direct contacts were made, 8,762 indirect contacts, \$51,033 grants and gifts received for 4-H, 90 volunteers donated 800+ hours for over 700 citizens valued at \$15,000, 54 major programs, and 52 weekly extension newspaper articles to the “Smoky Mountain Times”. Mr. Hawk gave an update on administration, agriculture/horticulture, 4-H youth development, family and consumer sciences

community development, livestock, and clerical departments noting all have been very busy and productive.

-League of Women Voters Resolution: Tabled

**Public Comments:** Ronald Gerard and James Devries expressed their concerns regarding the Animal Control Ordinance.

**Action Items**

-Minutes: Commissioner Parton made a motion to approve minutes of the October 10 public hearing, October 10 regular session and October 24 work session. Vice-Chair Burns seconded the motion. A vote was unanimous.

-NC DOT resolution – NC28: Vice-Chair Burns made a motion to approve the following resolution:



Swain County  
North Carolina

Resolution 900-2019-12

**RESOLUTION ENDORSING NCDOT'S REQUEST FOR FHWA TO DESIGNATE NC 28 IN SWAIN COUNTY AS PART OF THE NATIONAL HIGHWAY SYSTEM**

**WHEREAS**, the North Carolina Department of Transportation (NCDOT) wishes to improve portions of NC 28, NC 143, and US 129 in Swain, Graham, and Cherokee Counties to complete the Appalachian Development Highway System's "Corridor K": and

**WHEREAS**, NC 28, NC 143, and US 129 are not currently included on the Federal Highway Administration's (FHWA) National Highway System; and

**WHEREAS**, NCDOT plans to submit a request to FHWA to add these routes to the National Highway System, and;

**WHEREAS**, US 74 is currently on the National Highway System and will remain so; and

**WHEREAS**, designating NC 28 from US 19/74 in Swain County to NC 143 in Graham County does not change the recommendations in the Swain County Comprehensive Transportation Plan: and

**NOW THEREFORE. BE IT RESOLVED**, the Swain County Commissioners endorse NCDOT's request for FHWA to designate NC 28 in Swain County as part of the National Highway System.

Adopted this 14<sup>th</sup> day of November, 2019.

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Ben Bushyhead, Chairman  
Swain County Commissioners

ATTEST:

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Cindi C. Woodard, Clerk to the Board  
Swain County Commissioners

Commissioner Parsons seconded the motion. This resolution was approved with 4 voting aye and Commissioner Parton voting nay.

-Swain County Schools Energy Savings Contract resolution: Commissioner Parsons made a motion to approve the following:



Swain County  
North Carolina

Resolution 900-2019-13

**RESOLUTION ACKNOWLEDGING THE EXECUTION AND DELIVERY BY  
THE SWAIN COUNTY BOARD OF EDUCATION OF A GUARANTEED  
ENERGY SAVINGS CONTRACT**

BE IT RESOLVED by the Board of Commissioners (the "Board") of the County of Swain, North Carolina (the "County") as follows;

1. The Board hereby finds, determines and acknowledges that:

(a) The Swain County Board of Education (the "School Board") plans to enter into a Guaranteed Energy Savings Contract pursuant to G.S. 143-64.17 et. seq. not to exceed Three Million Dollars (\$3,000,000,00) for the purpose of providing; certain energy conservation measures authorized to reduce energy consumption and/or energy-related operating costs (the "Project");

(b) The School Board intends to finance said Project by entering into an installment contract (the "Contract") pursuant to G.S. 143-64.171 and G.S. 1.60A-20, as amended;

(c) The School Board's Guaranteed Energy Savings Contract shall not exceed 15 years from the date of the installation and acceptance by the governmental unit of the energy conservation measures provided for under the Contract;

(d) The energy conservation measures to be installed under the Contract are for existing Buildings

(e) The energy savings resulting from the Project are expected to equal or exceed the total costs payable under the Contract as evidenced through an evaluation performed by a third party reviewer, McKim & Creed, Inc., on behalf of the School Board;

(f) The payments made under the Contract are not expected to require any additional appropriations to be made by the Board to the School Board nor require any increase in taxes; and

(g) The Board does not intend to reduce appropriations to the School Board based upon a reduction of energy costs in a manner that would inhibit the ability of the School Board to make required payments under the Contract, provided that the County is not bound in any manner to appropriate funds to the School Board in an amount sufficient for the School Board to make such payments.

2. This resolution shall take effect upon its passage.

Adopted this 14<sup>th</sup> day of November, 2019.

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Ben Bushyhead, Chairman  
Swain County Commissioners

ATTEST:

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Cindi C. Woodard, Clerk to the Board  
Swain County Commissioners

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

-Swain County Animal Control Ordinance: Commissioner Parsons made a motion to adopt the

animal control ordinance. Vice-Chair seconded the motion. This ordinance was approved with 4 voting aye and Commissioner Parton voting nay.

-Offer to Purchase Property: Charles Ted Moore, Jr. and Vanessa Moore submitted an offer to purchase Parcel #666320809616 on Fox Run Ridge 0.796 acres for \$4,060.00. Commissioner Parsons made a motion to accept this offer. Commissioner Seagle seconded the motion. A vote was unanimous. This offer to purchase will be publicized in the paper requesting any upset bids at that time for 10 days.

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

-Aquatics H2O is looking at a new design for the pool at the Swain County Rec. Park and will give us a plan to bring back for the Board's approval in 2020. The liner will need to be fixed at approximately \$4,500.00 before next summer.

-The Rec Park ball field lights will cost approximately \$3,200 to replace all 32. For \$22,000 these could be reduced to 17 LED lights.

-The Comprehensive Transportation Plan is updated every 10 years and in order to ask for an amendment we need to have an updated Land Use Plan in place as well as a steering committee. The last update was in 2010.

-Met with the Marianna Black Library

-Personnel Committee will meet again in January

-Blue Ridge Health will be co-located at the Swain County Health Department in which a 1 year lease agreement is being compiled by Alison Cochran.

-Cancel work sessions for November and December.

### **Commissioner Reports**

Vice-Chair Burns: met with MBL Committee regarding site study comparisons and store front, C4C December food drive, distributing free books at the laundromat, working on a grant for summer camp.

Commissioner Seagle: Sweet Dreams Homeless Shelter will open tomorrow at 7 pm, can occupy 5, announced the Resilient Community meeting at the Presbyterian Church – childhood trauma – December 5

Commissioner Parsons: attended the regional broadband meeting, Giving Spoon board meeting, homeless shelter meeting and RENEW ACES summit

Commissioner Parton: No report

Chairman Bushyhead: Reminded everyone about the senior citizen's Christmas program the Board normally gives \$500, Family Resource Center is making food boxes, doing a coat drive and needs volunteers, WATR algae bloom information update.

### **Closed Session**

None

### **Adjournment**

Commissioner Parsons made a motion to adjourn. Commissioner Seagle 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