

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 19, 2013

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley and Michael T. Sorrells, Bill L. Upton

MEMBERS ABSENT:

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Mark Clasby, Executive Director, Economic Development Commission

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: ConMet Expansion

DISCUSSION:

Mr. Clasby explained that a draft of the Memorandum of Understanding with ConMet would be provided to members during an upcoming session.

Mr. Killian will review and provide any necessary input in advance of its presentation.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	3/18/2014
Chairman	Mark Swanger
Clerk	[Signature]

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
OCTOBER 7, 2013**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Ira Dove, Attorney

GENERAL STATUTE: Personnel §143-318.11(a)(6)

SUBJECT: Investigation Related to Veterans Services Hiring Allegations

DISCUSSION:

Mr. Dove provided an overview of the process he followed related to the investigation. He interviewed the panelists and all involved. Following this investigation a legal opinion was sought from Amy Jenkins, Employment Law Attorney.

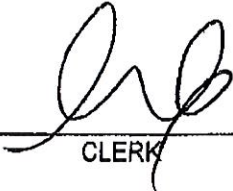
The findings were as follows:

1. There was an inappropriate question asked during an interview; however, it did not impact the hiring decision. As the decision was not impacted - this was not illegal.
2. Changes to the job description were made prior to the posting of the position and no candidates were excluded from interview based on the revised description. Therefore, there was no discrimination.

Chairman Swanger requested a media release related to this issue utilizing the comments from Ms. Jenkins and Mr. Dove. Members were instructed that no further response to this issue would be required.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED

3/18/2014

Date

Chairman

Clerk

Mark Swanger
[Signature]

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
JANUARY 6, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: Interim County Manager/Clerk to the Board Ira Dove

OTHERS PRESENT:

GENERAL STATUTE: Personnel §143-318.11(a)(6)

SUBJECT: Interim County Manager Compensation Discussion

DISCUSSION:

Discussion was held related to compensation for the Interim County Manager. The following was approved related to compensation:


1. Annual Salary - \$125,236
2. Payment of Dependent Life Insurance
3. Travel - \$600.00 monthly - covers non-overnight travel
4. County pays for certifications and training for Mediator, Law License, CLE Classes and fees
5. Hold both titles of Interim County Manager and DSS Director for no more than six (6) months

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>3/18/2014</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 5, 2013

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:


Vice Chairman Kirkpatrick explained that there would be a Public Hearing on August 22 at HRMC related to the sale, lease or conveyance of the hospital. This action would have to be approved by the County. Discussion was held related to utilizing bonds to pay debt.


As Vice Chairman Kirkpatrick is on the HRMC Board, he cannot disclose certain information. Chairman Swanger suggested having some type of confidentiality agreement for the Board members and requisite staff so that all pertinent information could be considered.

County Attorney Killian will review any document that is presented for signature by HRMC related to confidentiality and advise accordingly.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED

Oct 6, 2014

Date

Chairman

Clerk

Mark Swanson

[Signature]

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 19, 2013

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Janie Sinacore-Jaberg, President and CEO, MedWest Haywood; Mark Clasby, Board Chair; David Waylin, Stroudwater Associates

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

A letter was presented from Stroudwater Associates that granted permission for the Commissioners and related staff to discuss information about the affiliation process currently underway at MedWest. Information was presented by David Waylin related to the process of obtaining bids from potential partners, as well as highlighting certain requirements (or pillars) from all the bidders. Three (3) bidders responded and formal presentations will be made to the MedWest Board. Site visits both at MedWest and the bidder locations will be completed by early September.

Follow up information will be presented during closed session on September 16th. Mr. Killian advised everyone present that this information should be kept confidential due to the sensitive nature of this process.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Chairman

Clerk

Mark Swanger

[Signature]

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
SEPTEMBER 16, 2013

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Janie Sinacore-Jaberg, President and CEO, MedWest Haywood; Mark Clasby, Board Chair

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Clasby and Ms. Sinacore-Jaberg updated members on the activities since the last discussion. Site visits to Danville, VA and Gallatin, TN for Duke Life Point were conducted. Additional site visits to WestCare were completed. Mr. Clasby noted that best and final proposals were due this week and that the Executive Committee would meet Thursday morning to review.

Additional meetings of the MedWest Board would be on September 24; HRMC Board on September 26 and WestCare Board on October 1. All boards will be provided with the final proposals.

Mr. Clasby and Ms. Sinacore-Jaberg noted that the next steps would be to have a formal vote related to a possible partner - this may occur in October. Ms. Sinacore-Jaberg shared that the physician base appears to be on-board with the gain of a financial partner.

County Attorney Killian was involved in discussion about possible options for the county, and in particular regarding the possible distribution of sale proceeds. Mr. Killian again advised that this information is confidential and should not be shared.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Mark Spang

Chairman

Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
OCTOBER 7, 2013

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Mark Clasby, MedWest Board Chair, Frank Powers, HRMC Board Chair and Jeff Summer, Stroudwater Associates

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Summer prepared and distributed a spreadsheet illustrating estimated net proceeds for HRMC and provided description and explanation for all line items.

Chairman Swanger questioned the responsibilities of the county following a sale of the hospital. Mr. Summer explained that Ms. Davis would have access to a monitoring mechanism similar to an escrow account. Provisions would be included in any agreement to allow for County access to financial information.

Mr. Summer explained potential post-closing costs and accounting mechanisms. Chairman Swanger questioned performance requirements and who has enforcement rights. County Attorney Killian will research the options presented related to proceeds from a sale and the county's role in enforcement and use of proceeds.

Mr. Clasby explained the next steps including presentation to all involved boards (WestCare, HRMC and MedWest). If purchase is approved, then a memorandum of understanding will be executed and due diligence performed. Approval will be required by the Attorney General; will be at least early 2014 before any resolution is possible.

County Attorney Killian will continue research related to county interests. Mr. Killian again advised that this information is confidential and should not be shared.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.





CLERK

CHAIRMAN

RELEASED	
Date	<u>October 6, 2014</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
MARCH 17, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: Interim County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

SUBJECT: Closed Session Minutes

DISCUSSION:

Chairman Swanger reviewed the list of closed session minutes to be approved and released, and the list of minutes to be approved and not released. The Board concurred.


Attorney Killian advised the Board that the County has received some inquiries concerning prior closed sessions. He then read a statement that will be read into the minutes following this closed session.

OPEN SESSION:

Vice Chairman Kirkpatrick made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>October 6, 2014</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 7, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: Interim County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Worker's Compensation case - Shiffler

DISCUSSION:

Mr. Dove stated that Andrew Kaplan, worker's compensation attorney, was on standby by phone to explain the worker's compensation case of Betty Shiffler. Mr. Kaplan was called and after discussion of the case, he recommended the following settlement based on the facts of the case, on total exposure and risk of long term payment:

\$50,000 settlement, \$1275.00 in mediation fees, \$2400.00 in medical fees set aside for Medicare, and \$402.75 per week until the settlement is made with the Industrial Commission.

It was agreed unanimously to accept this settlement.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Mark Swanger

Chairman

[Signature]

Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
JUNE 16, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III. Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Killian updated the Board with the most recent status of the hospital. He said that he had been corresponding with Tom Stukes, and that we are back to BOCC approval of the APA on July 21, HRMC approval on July 24, and a July 31 closing date.

He read an email that he had sent to Mr. Stukes explaining the County procedure on posting Board approved documents, further noting that Mr. Stukes had expressed a concern with the APA being posted on line.


A discussion was held about this concern, and it was decided to post online for ten days and then take it down. A hard copy of the APA will be available in the Manager's office.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session and Commissioner Upton seconded. The motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Mark Swanger

Chairman

Clerk

289b

HAYWOOD COUNTY BOARD OF COMMISSIONERS CLOSED SESSION MINUTES OCTOBER 6, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

SUBJECT: Closed Session Minutes

DISCUSSION:

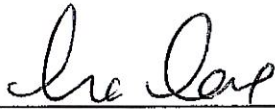
Chairman Swanger reviewed the list of closed session minutes to be released, the list of minutes to be approved and released and the list of minutes to be approved but not released.

Attorney Killian advised the Board that one set of minutes from March 18, 2013 needed to be amended and read the suggested revision. The Board agreed.

After discussion, all commissioners agreed that the closed session minutes would be reviewed quarterly or after ten closed session minutes had accumulated.

OPEN SESSION:

Vice Chairman Kirkpatrick made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>1/20/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

289a

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
MARCH 18, 2013
APPROVED SEPTEMBER 3, 2013
AMENDED OCTOBER 6, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Personnel §143-318.11(a)(6)

SUBJECT: Economic Development Commission

DISCUSSION:

During review for release of closed session minutes, the approved minutes were amended as follows:

Commissioners discussed the potential of terminating the Economic Development Commission and allowing the Chamber of Commerce to assume certain responsibilities and to assume transfer of certain employees. An exploratory meeting is scheduled for March 19 with the Chamber to assess. Chairman Swanger will report regarding findings at the next meeting and in the interim he will discuss with the employees who would be affected by this potential change.

OPEN SESSION:

Commissioner Ensley made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED	
Date	1/20/15
Chairman	Mark Swanger
Clerk	Ira Dove

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
OCTOBER 6, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley and Michael T. Sorrells, Bill L. Upton

MEMBERS ABSENT: none

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Candace Way; Tax Administrator David Francis

OTHERS PRESENT: Mark Clasby

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: JMAC

DISCUSSION:

Chairman Swanger explained that the reason for this session is to first discuss the economic incentives to the Evergreen Packaging project and to make sure that the County's existing economic development incentive policy is consistent with JMAC requirements.

Mr. Dove distributed and explained policies from 2001, 2004 and a tax spreadsheet for Evergreen Packaging from Mr. Francis.

Chairman Swanger noted that the policy from 2004 doesn't have anything that addresses job creation, where the 2001 policy leans more toward job creation guidelines. The Evergreen JMAC is about job retention.

Mr. Clasby noted that economic development has changed and the competition in other counties has been more aggressive. He stated that he will look at the numbers as outlined in the 2001 and 2004 policies and send updates to Mr. Killian.


A discussion was held about the current policies and it was agreed among the commissioners that one global policy is desirable. The Board discussed the JMAC and Evergreen.

Mr. Killian stated that he will review the policies and see if they can be consolidated into one guiding principle. Once he has a revised policy, he will forward it to Chairman Swanger, Mr. Dove and Mr. Clasby to review.

The Board will approve a letter to Evergreen Packaging outlining proposed tax credits schedule per the JMAC requirements in an open session.

OPEN SESSION:

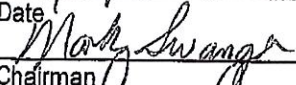
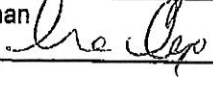
Vice Chairman Kirkpatrick made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	1/20/15
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
NOVEMBER 17, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: David Francis, Tax Administrator

GENERAL STATUTE: Personnel §143-318.11(a)(6)

SUBJECT: Interim Tax Administrator position

DISCUSSION:

County Attorney Chip Killian reviewed the statutes pertaining to Tax Collector duties.

A discussion was held related to the retention of David Francis as Interim Tax Administrator during the transition period until March 1, 2015. He would be able to help train Tax Collector Elect, Mike Matthews. He could also be the coordinator of the Francis Farm Landfill project. It was agreed that his job duties would include GIS, mapping, Tax Assessor, Revaluation, Francis Farm remediation project, assist County Manager prepare the appropriate personnel manual and pay grade changes at his current salary.

Mr. Francis was brought into the Closed Session. He explained that his job had shifted in the last few years more towards the administration side. He noted that he has spent more time on administrative duties rather than tax collections. He stated that he has had to work extensively with revaluations. Of significant importance is the amount of time that he has spent in Solid Waste with the Francis Farm remediation. He agreed to continue on until March 1st at his current salary with the above job duties.

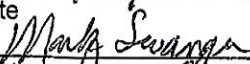
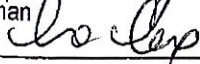
OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED

1/20/15
Date

Chairman

Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
NOVEMBER 17, 2014 REDACTED

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; Finance Director Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: Kathi McClure, Human Resource Director; Mike Matthews, Tax Collector Elect

GENERAL STATUTE: Personnel §143-318.11(a)(6)

SUBJECT: Tax Collector Salary and duties

DISCUSSION:

A discussion was held related to the 1% filing fee which reflects a salary of \$51,000. Chairman Swanger noted that Mr. Matthews had filed with Elections based on \$51,000. After discussion, it was agreed to set his salary at \$55,831, which is the salary that the Tax Collector was receiving prior to acquiring further duties of Solid Waste, revaluations, more administration duties in the assessors office, and mapping.

Redacted for confidential personnel information.

Ms. Davis' bond is set at \$410,000. Chairman Swanger commented that other counties have been researched and Henderson County has a \$1,000,000 bond for their Tax Collector and Jackson County has a \$250,000 bond. After discussion, it was agreed to set Mr. Matthew's bond the same as Finance Director, Julie Davis at \$410,000.

Mr. Matthews was brought into the meeting.

Chairman Swanger advised Mr. Matthews that the Board has two topics to discuss with him:

His salary is set at \$55,831, which was the salary of the Tax Collector prior to assuming additional duties.


His bond is set at \$410,000, the same as the Finance Director, Julie Davis. Mr. Matthews commented that his must be the highest in the state, and Chairman Swanger stated that Henderson County has a \$1,000,000 bond for their Tax Collector. Mr. Killian noted that the County pays the premium.

Chairman Swanger explained that his duties will be limited to that the statutory duties of Tax Collector and Mr. Matthews stated that he understood that.

The Commissioners all expressed the desire to work along with Mr. Matthews to ensure a successful transition as Tax Collector. Mr. Matthews agreed, noting that he was open minded and eager to learn the job.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>1/20/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Eric Darp</u>

289g

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
DECEMBER 15, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Worker's Compensation case - Campbell

DISCUSSION:

Mr. Killian advised that he reviewed the settlement agreement (attached) and thinks that it is proper and recommends to approve. During the November 17, 2014 Closed Session, the Board approved for Mr. Dove to go into mediation with authority to settle. He explained the further settlement of terms.

It was agreed unanimously to pay \$134,472 cash payment, pay mediator, pay total Temporary Disability until the settlement is approved and all other incidents of agreement.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>1/24/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
December 15, 2014

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Commissioner Michael T. Sorrells.

MEMBERS ABSENT:

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, County Attorney Leon M. "Chip" Killian, III Finance Director Julie Davis and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: David Francis, Interim Tax Administrator; Stephen King, Solid Waste Director

GENERAL STATUTE: Acquisition of Real Property §143-318.11(a)(5)

SUBJECT: Possible Acquisition of Property from Elaine Stephens Trust PIN #8626-11-5397.

DISCUSSION:

Mr. Francis explained that this property is from trust. The trustee has passed, and there has been an inquiry if the County is interested in purchasing the property. The property adjoins the landfill as shown on the attached map. Bore samples over the summer showed over on the side of the landfill near the property, some waste was outside our defined edge of waste. Methane well and lower explosive limits have been high and have always exceeded the lower limit. By purchasing this property, the County will be able to move the line and we can be in compliance.

He explained that McGill Engineering said that it is not a necessity but good to have in light of other issues going on. The letter is attached.

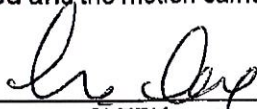
Mr. Killian advised that there is a high risk for migration into this property, and Mr. Francis concurred, noting that there is a hot well close to the line. He also noted that there is water and sewer near the property.

Mr. Killian stated that the title search is ready, noting that there does not need to be a new survey. The estate is asking for an accelerated closing by December 31.

After, discussion, it was the consensus of the Board to purchase the property for no more than \$150,000 as discussed.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>1/20/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
JANUARY 20, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

SUBJECT: Closed Session Minutes


DISCUSSION:

Chairman Swanger reviewed the list of closed session minutes to be approved and released and the list of minutes to be approved but not released and the Board concurred. He explained the redaction of the minutes from November 17, 2014 - Personnel § 143-318.11(a)(6).

The commissioners were reminded that the closed session minutes would be reviewed quarterly or after ten closed session minutes had accumulated.

OPEN SESSION:

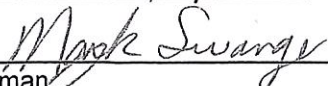

Commissioner Upton made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	5/4/15
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
MARCH 16, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: none

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Henson Dr. offer

DISCUSSION:


Mr. Dove advised the Board that an offer has been made on the County owned 50 Henson Dr. property. It is for \$160,000 cash with the County paying the \$3,000 closing costs. With it being a negotiated offer, Mr. Killian had reviewed the contract.

Mr. Killian advised that a provision needed to be added to the contract that it is subject to upset bids. He will give Mr. Dove the language to put into the contract.

Mr. Dove stated that it was in the MLS listing that it is subject to upset bids. The offer has been signed and can now proceed with the upset bids policy.

OPEN SESSION:

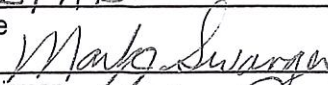

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	5/4/15
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 6, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; HSSA Director/Assistant County Manager Stoney Blevins; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Animal Shelter site


DISCUSSION:

Mr. Killian advised the Board that the County had received a concern stating that using the Fairground property as an Animal Shelter is not allowed because of deed restrictions. He stated that after research, he contacted the daughter of Edith Fultz, who had deeded the property to Haywood County in 1990, to discuss a modification of the deed restrictions. He had followed up with an email and she had stated that she was waiting to hear from her sister. After a few conversations, he received an email stating that she had spoken with her sister, and they had decided not to sign the Modification of Deed Restrictions. He read her email to the Board,

The options concerning the site for the shelter were discussed. It was decided to continue to look at other possible sites, and look at some possibilities that were already for sale.

OPEN SESSION:

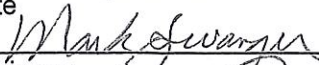

Vice-Chairman Kirkpatrick made a motion to return to Open Session. Commissioner Ensley seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	5/4/15
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 20, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; HSSA Director/Assistant County Manager Stoney Blevins; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: Dale Burris, Facilities & Maintenance Director

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: 50 Henson Dr.

DISCUSSION:

Mr. Killian explained to the Board that the County had received a Due Diligence Request And Agreement request to repair/replace multiple issues at the 50 Henson Dr. property. The bidders requested that extensive repairs be made; see attached. It was suggested that a credit could be given. He advised that this is standard in a contract, however this property was offered "as is." He advised the Board that the County can say no and make the potential buyer make a decision.

A discussion was held with the Board about the possibility of the Agreement being completed. Mr. Burris stated that many of the requested repairs can be done, however this property has sat vacant and he does not have an idea as to the cost.

Mr. Killian stated that we cannot legally do the work or give a credit because the County is giving the buyer more than what the County accepted the bid for. He advised the Board to deny the request and if the buyer backs out, the County will need to put it out for rebid with an upset bid.

Chairman Swanger stated that the contract will need to be revised to strike out the Due Diligence Request And Agreement option if put back out for rebid.

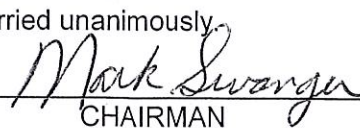
It was the consensus of the Board to deny the Due Diligence Request And Agreement submitted by the potential buyers of the property.

OPEN SESSION:



Commissioner Sorrells made a motion to return to Open Session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>7/20/15</u>
Chairman	<u></u>
Clerk	<u></u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 20, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; HSSA Director/Assistant County Manager Stoney Blevins; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: Dale Burris, Facilities & Maintenance Director

GENERAL STATUTE: Acquisition of Real Property §143-318.11(a)(5)

SUBJECT: 453 Jones Cove Rd. property

DISCUSSION:

Mr. Dove explained that the County has a signed contract subject to Board approval. He noted that there is a due diligence period of 90 days. The Board reviewed the contract.

Mr. Burris said that footings should not be an issue at this property. He said that there are two tail lines for the septic. Domestic water is already run to the property, however it is not large enough for a commercial facility. Although the site is narrow, Mountain Design feels that it is a good site. Fill can be cut and brought forward on the property. Natural gas is at the intersection.

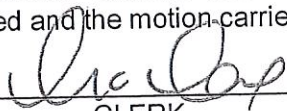
Mr. Killian stated that it is not within the Waynesville ETJ. He requests that if possible, the addition of Trust Account be added to Nelson Mullins Riley and Scarborough on the name of person/entity with whom deposited on the contract.

Mr. Dove stated that the Hitching Post apartments is across the street and the Nathan property is adjacent. Alternative County owned sites have been closely screened and considered, but not found to be conducive to placing the Animal Services facility on any of them.

It was the consensus of the Board to have Mr. Burris proceed with the architectural feasibility study and for the County to proceed with the purchase of the property in the amount of \$233,500.

OPEN SESSION:

Commissioner Sorrells made a motion to return to Open Session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>7/20/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 20, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove; HSSA Director/Assistant County Manager Stoney Blevins; Finance Director, Julie Davis; County Attorney Chip Killian; Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: Dale Burris, Facilities & Maintenance Director; David Francis, Tax & Solid Waste Administrator

GENERAL STATUTE: Acquisition of Real Property §143-318.11(a)(5)

SUBJECT: 30 Mauney Cove Road property

DISCUSSION:

Chairman Swanger explained that this property is the Mauney Cove Convenience Center.

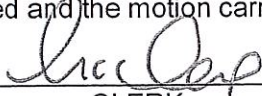
Mr. Francis reminded the Board that this property had been discussed during a commissioner's work session, and also had been discussed in a Solid Waste Committee meeting. He said that the traffic count is 785 visitors daily, 17,000 per month and 200,000 people annually. He explained that Mr. Toy and his brother have agreed to sell for \$150,000 conditional to the County running septic and water lines up to the rental house above the property. The most expensive part of this is the sewer tap. Mr. Dove and Mr. Francis will talk to the Town of Waynesville about the cost, which is currently approximately \$12,000.

After discussion which included the tax value of adjacent properties, it was determined that with the center being the busiest convenience center in the County, and the difficulty siting a center, it would be more costly in trying to move it.


It was the consensus of the Board to proceed with the purchase of the property and bring the contract to a future commissioner's meeting.

OPEN SESSION:

Commissioner Sorrells made a motion to return to Open Session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED
7/20/15
Date
Mark Swanger
Chairman
E. L. S.

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
MAY 4, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, HCHHSA Director/Asst. County Manager Stoney Blevins, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

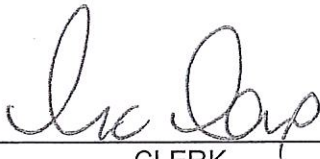
SUBJECT: Closed Session Minutes

DISCUSSION:

Chairman Swanger reviewed the list of closed session minutes to be approved and released and the list of minutes to be approved but not released and the Board concurred.

OPEN SESSION:

Vice-Chairman Kirkpatrick made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>5/20/15</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 3, 2015 REDACTED

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, HCHHSA Director/Asst. County Manager Stoney Blevins, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: Beaverdam property

DISCUSSION:

Chairman Swanger stated that he, Mr. Dove, David Francis and Mark Clasby had met with Ken Allison, of Regional Recycling Solutions (RRS) and members of Stadler America, a firm from Germany, concerning the Beaverdam property. This company is looking at making a site in western North Carolina it's North American headquarters. This is a recycling firm that uses the procedures used throughout Europe. This is a clean facility, self enclosed with no emissions.

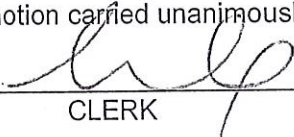
Mr. Dove explained that RRS essentially takes commercial and household waste and separates out the recycling materials. He noted that they said about 40% of household waste is recyclable, up to 60% is commercial.

Chairman Swanger informed the Board that investors and engineers will be in Haywood County on Thursday to look at the Beaverdam site owned by the County. Redacted for confidential information. This will provide 30-35 jobs in the plant, and 12-15 in management. The plant salary will start at \$32,000. He said that this company will want to make a decision very shortly, as they are having to currently stockpile their recyclables, and they would also possibly want the option to acquire the additional county owned 20 acres. Their long range plan is to build two or three plants as business increases. The initial purchase would be ten to twelve acres. Redacted for confidential information.

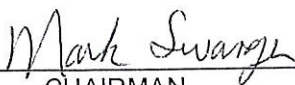
After discussion, the Board agreed to move forward with the consideration.

OPEN SESSION:



Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	3/7/16
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 17, 2015 REDACTED

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, and Michael T. Sorrells

MEMBERS ABSENT: Commissioner L. Kevin Ensley

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, HCHHSA Director/Asst. County Manager Stoney Blevins, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Solid Waste/Tax Administrator David Francis and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: Beaverdam property

DISCUSSION:

David Francis said that he had met with Mr. Ken Allison with Resource Recycling Solutions. He had talked about bringing an offer to the County, but was held up on engineering plans for the building on the 10 acre site right now. In addition, they are interested in purchasing the tract between Plus Cleaners and Carolina Conveying for an education center.

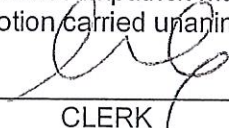
There would be a lot of dirt to move. The additional acreage consists of a 12, 8 and 15 acre tract that is attached to the 10 acre site.

He said that he had met with (redacted for confidential information) and had walked the creek coming off of Green Mountain. Marc Pruett advised (redacted for confidential information) that it wasn't a class stream and had no buffer requirements.


Chairman Swanger asked that Mr. Francis keep Mr. Killian advised of any developments.

OPEN SESSION:

Vice-Chairman Kirkpatrick made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>3/2/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
September 8, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, Commissioner L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT:

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Solid Waste/Tax Administrator David Francis and Peggy Cope

OTHERS PRESENT: Mark Clasby and Regional Recycling Solutions staff: Ken Allison, Rick Hardee and T.J. Ledbetter

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: Beaverdam property

DISCUSSION:

Regional Recycling Solutions (RRS) staff gave a presentation of the recycling facility which they wish to build at the Beaverdam Industrial Park. They would like to purchase the 55.8 acre tract of property at the Beaverdam Industrial Park in the amount of \$450,000. The building will be 160 ft in front and 100 ft wide. There is to be a Visitors' Education Center built on site. It will house a 40 seat theater room for recycling educational programs for the public school system, as well as a venue for the general public as an educational space when not in use by RRS. RRS likes to get the schools and media involved in recycling. Local schools compete for prizes to see which school can recycle the most.

RRS is in partnership with Strader with 200 plants worldwide, and is planning on using the Haywood County plant as a "Showroom" to sell this facility to others. RRS will need approval from DENR, and all paperwork will need to be resubmitted to DENR with the new Haywood County location, this will take three months. Although not finalized, RRS is considering the Haywood County facility as their corporate headquarters in the future.

Commissioner Upton asked if the facility would be loud and if odor control would be an issue. Mr. Allison answered that it would have minimal noise due to the construction of the building, and the facility would have an odor control system.

The RRS facility will be recycling more than Haywood County is currently able to do. This will put less waste into our landfill, therefore saving the County money on tipping fees. The RRS scale house will be set up with a camera system that will photograph all trucks and license plates. This will enable them to track what is coming into the center. They intend to have a hauler meeting to review with local haulers what their facility will and will not allow. This will be monitored, and if a hauler is trying to bring materials consistently that are not allowed, they will not be permitted to haul into the RRS facility. They would like to start construction in March 2016 which will take about 7 or 8 months, with the assurance that they can get all 55 acres. DENR can take up to 6 months to approve the permit.

Mr. Killian asked about the title for all 55 acres, and Mr. Allison stated that they would need to work out the details. Mr. Allison noted that the DENR permit would need to be approved before they would move forward. It would take 15 weeks for the equipment to arrive and another 5 weeks to put it together. Redacted for confidential information.

Mr. Killian asked if the Headquarters would be located on the same site and Mr. Allison responded that it would be.

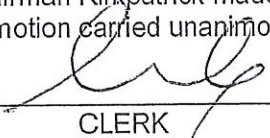
Chairman Swanger provided an economic impact study to the Board.

Mr. Francis stated that RRS has located its drop off entrance to the end of the building farthest away from the road that the homeowners will be using. The development was built after the industrial park went in.


Mr. Killian is to draft a contract to protect the County, and Mr. Dove will meet with RRS concerning all of the details.

OPEN SESSION:

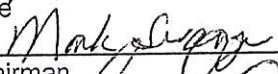
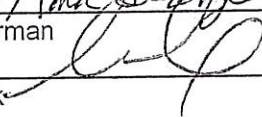
Vice-Chairman Kirkpatrick made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

	RELEASED
<u>3/7/16</u>	_____
Date	
	_____
Chairman	
	_____
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
September 21, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, Commissioner L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT:

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, HHSA Director/Assistant County Manager Stoney Blevins and Executive Assistant/Deputy Clerk Candace Way.

OTHERS PRESENT: Solid Waste/Tax Administrator David Francis

GENERAL STATUTE: Economic Development §143-318.11(a)(4)

SUBJECT: Beaverdam property

DISCUSSION:

Mr. Dove explained the County is continuing to work with the recycling group. He said that Mr. Francis had contacted Regional Recycling Solutions (RRS) and offered the property at \$780,000, which would be discounted if doing buildouts.

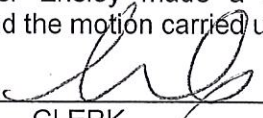
Mr. Francis explained that the purchase price is \$450,000 which includes Haywood County permitting fees for building, soil/erosion and planning. The investment cost to make the property pad ready is at \$780,000 with a \$330,000 economic incentive. He said that construction will begin within 12 months of the date of sale. Phase I will employ 30 employees after the first full year, with a capital investment of \$12 million dollars. The timeline for Phase II and III will be within 60 months from date of sale. Phase II will have 21 additional employees with a capital investment of \$8 million dollars. If not completed, the County will be paid back \$165,000. Phase III will be completed within 84 months from date of sale with an additional 20 employees at a capital investment of \$4.8 million dollars. If not completed the County will receive a \$165,000 payback.

He noted that there are no foreseen problems with Phase II, but does not know yet about Phase III. The parties agreed to a due diligence of six months, he said that they do not anticipate that but their lawyers asked for it. He said that locating their headquarters here is a strong possibility. If they are unable to locate headquarters on the acquired property, the County will assist RRS in purchasing additional property in the Beaverdam Industrial Park at \$40,000 an acre. If Phase II is done, and opens headquarters in Haywood County, the County will forgive Phase III payback of incentives.

Chairman Swanger commented that if all goes through, the County will not have property inventory left. The Board agreed to have Mr. Dove research for more development property.

OPEN SESSION:

Commissioner Ensley made a motion to return to open session. Vice-Chairman Kirkpatrick seconded and the motion carried unanimously.


CLERK


CHAIRMAN

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
October 5, 2015

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, HCHHSA Director/Asst. County Manager Stoney Blevins, County Attorney Leon M. "Chip" Killian III, Peggy Cope

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

SUBJECT: Closed Session Minutes

DISCUSSION:

Chairman Swanger reviewed the list of closed session minutes to be approved and released and the list of minutes to be approved but not released and the Board concurred.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	3/7/16
Chairman	Mark Swanger
Clerk	[Signature]

HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
NOVEMBER 2, 2015 REDACTED

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: David Francis, Solid Waste/Tax Administrator; Mark Clasby EDC Director

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)
Economic Development §143-318.11(a)(4)

SUBJECT: Beaverdam Industrial Park, Regional Recycling Solutions (RRS)

DISCUSSION:

Chairman Swanger stated that this is to provide updates on the negotiations with the Regional Recycling Solutions (RRS) project.

Commissioners Ensley and Sorrells gave a report on their trip to the Kansas recycling site.

Mr. Francis said that whoever is chosen to be the plant manager will go to Germany for two months to be trained by Stadler. He said that RRS sent a letter committing to the full price of \$780,000 and guarantees the headquarters here in Haywood County.

Redacted for confidential information.

Mr. Francis noted that all phases for the project are still under discussion. He said that there will be some contaminated material coming into the facility initially in order to jump start the operations and will be phased out during the first year.

A discussion was held on making the best use of this property and Mr. Clasby commented that we could wait 10 to 20 years with no guarantee that this property would sell.

Vice-Chairman Kirkpatrick voiced his concern over the statute, no taxes coming back to the County, the amount of people employed at the facility and the wages.

Redacted for confidential information.

A discussion was held over the offer made by Dr. Harley, and it was decided that Mr. Dove and Mr. Francis will meet with him to find out what his plans are for the property.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.

CLERK

Mark Swanger
CHAIRMAN