

# Haywood County “Toeprints”

May 9, 2010

Vol. #1 Issue #6 (Subject: **Budget Work Session, Quarry Expansion - Arrogance, Privatization**)

[www.haywoodtp.net](http://www.haywoodtp.net)

## What’s Happening?

The purpose of this newsletter is to inform Haywood County Taxpayers of what transpires at the bi-monthly County Commission Meetings. This newsletter will be written from the perspective of a casual observer, myself. Any opinions expressed will be mine.

## Budget Work Session, May 5<sup>th</sup>, 2010.

A budget work session was held on Wednesday, May 5<sup>th</sup>, at 81 Elmwood Way, not televised, but was recorded. There is a summary which was posted on [www.haywoodnc.net](http://www.haywoodnc.net) on May 7<sup>th</sup>: [County budget recommendations presented at Work Session](#). I encourage everyone to review this. My Public Comment is similarly posted on [www.haywoodtp.net](http://www.haywoodtp.net).

Two important items bear emphasizing:

- **The budget is balanced. There will be no tax rate increase.**
- **Considerable discussion regarding the privatization of the Solid Waste Department - all options are on the table** [re: Toeprints, Issue #3].

I applaud the county posting the results of this Budget Work Session on their web site. First time I believe that this has ever happened in such detail, if at all. I cannot overemphasize the exceptional work by Julie Davis and Marty Stamey on this budget proposal.

## Harrison Construction Company Quarry Expansion.

Chairman **Kirkpatrick** sent a letter to DENR on April 30<sup>th</sup>, 2010, as a result of the concerned public turnout at the April 19<sup>th</sup> County Commission meeting. His letter is posted on [www.haywoodtp.net](http://www.haywoodtp.net).

His first paragraph on the second page stated: **“I urge you to clarify the exact actions that Harrison Construction Company is going to undertake. There seems to be some confusion in our community as to their intended use of the proposed additional land for mining or only repair”**.

What? You just slammed the citizens of our community!

Since there was no discussion of “repair”, only citizen concerns, expressed at the April 19<sup>th</sup> commission meeting, this leads me to believe that **Kirkpatrick** had a subsequent discussion with Harrison Construction personnel. In fact, there have been two subsequent local newspaper articles [re: [Mine expansion permit opposed, 4/22/2010](#), [The Mountaineer](#), and [Neighbors draw the line over latest rock quarry expansion, week of 5/5/2010, SMN](#)] quoting a Don Mason, head of Harrison Construction Company environmental compliance. In the Mountaineer article, he said “We are not expanding the mine because we want to make it bigger”, on 4/22/2010. Mason said that the company already owns the area for which it is seeking the permit... That was challenged [re: Toeprints Issue #4 on 4/25/2010 - land appears to be owned by Floyd and Annie Conner], and there

was no response from Mason to that challenge in the subsequent 5/5/2010 article in the SMN.

Mason was again quoted in the SMN that “the slide sent a 600-foot slab of rock crashing down at the Waynesville rock quarry, which dislodged 480,000 tons of earth and buried a drilling rig.” (Shouldn’t they have been fined for that?) Then, “It can’t be left the way it is, it has to be repaired ... This expansion is a safety act, not a mining act.” “...it needs to “back up far enough” to replace the quarry’s sheer face with a terraced-system to prevent future slides. **While disturbing nearly 12 out of the 13 acres...**”. Finally, “Are we going there specifically to mine that section? No, We’re going there to repair the slide.” [Editor’s comment: The mining material recovered happens to be a freebie. :-) ]

So, the way I see it, Chairman **Kirkpatrick**, this changes absolutely **none** [zero] of the citizens concerns (using **your** own words in **your** letter) that “would have unduly adverse effects on potable ground water supplies and wildlife, that the operation will violate standards of air quality, service water quality, and ground water quality, that the operation will constitute a direct and substantial physical hazard to public health and safety which includes neighboring dwelling houses and a public recreational facility located adjacent to the proposed mining area”.

So why did you add that paragraph to your letter to DENR?

You make it appear to the respondent of the letter, James D. Simons of DENR, that we are just a bunch of country bumpkins here who are confused doofuses who need to be straightened out with Simons explanation of mining vs. repair. The only person that appears to me to be confused here is you, Chairman **Kirkpatrick**. There is only one word that comes to mind why I think you added that paragraph - **Arrogance** (your “Taliban” moment). Perhaps at the next commission meeting, you might consider extending an apology to our citizens for throwing them under the bus.

In your last sentence to James D. Simons, you “look forward to your (his) response”. I would likewise be interested in Mr. Simons response, and have officially requested any such correspondence [re: e-mail to Rebecca Morgan, 5/6/2010]. However, I noticed something that may be problematic. You gave your personal law office address and personal law e-mail address (on what appeared to be official Haywood County Stationary) as the primary method for Mr. Simons to respond to.

Is a response from DENR to the Chairman of the Haywood County Board of Commissioners, who gives his primary return address as a private lawyer at his personal law office of business with his personal law e-mail address, something I can request as a public record? Why don’t you have the County Attorney check on this for an **opinion**?

## May 3<sup>rd</sup> Commission Meeting.

### Public School Capital Fund Amendment.

\$ 1.15 Million was transferred from 2006 & 2008 General Obligation Bond excess to the General Fund. This will help numbers look good this year, but will turn it around next year to go to the Public School debt service.

### Revaluation Update.

The revaluation remains set for 2011. David Francis, the Tax Collector, had previously recommended at the first Budget Work Session that a revaluation of property be deferred until 2013 because there were not enough valid sales to continue revaluation. Most commissioners appeared split on what to do (based on facts presented by David Francis), so it appeared the final decision was made by looking into the crystal ball, determining that the economy had bottomed out, and to move ahead with revaluation in 2011. It appears that homes under \$ 300 K will see an increase in property value (i.e. more tax for you). There hasn't been much discussion on what this means to commercial valuation - stay tuned...

### Ground Water Well Installation (McGill Associates).

Commissioners approved an expenditure of \$ 170 K (taken out of the Solid Waste Management budget) to pay for professional engineering services (McGill) to pay for wells and testing demanded by DENR (another mandate).

### \$ 409 K more for the Solid Waste Management.

More money was transferred to the SWM sinkhole to cover additional costs of operating expenses. There was a bright moment however, when Commissioner Swanger (who is on the SWM board) indicated that they were looking seriously into privatization (re: Toeprints, Issue #3, David Cotton at March 15<sup>th</sup> meeting) and would have more to report at the next meeting. Let's see what develops.

**FLASH!** At the subsequent May 5<sup>th</sup> Budget Work Session, a considerable discussion ensued regarding the Solid Waste Department Board looking at Privatization aspects of garbage collection and processing. "Everything is on the table..." regarding fixing this sinkhole.

**URGENT!** Personnel were given pink slips at the garbage processing center off of Jones Cove Road Friday, 5/7/2010, and were told the facility was closing in July. Presumably, this is part of the 15 FTE reduction in force mentioned in the summary on the county website [County budget recommendations presented at Work Session.](#)

### HCC Resolution to Approve \$ 12 M Construction Loan.

Considerable time spent on this issue. HCC presented a resolution requesting the board "pass a resolution acknowledging that the Board of Trustees of HCC has approved the construction of the Creative Arts facility and that the Board of Commissioners, endorse a \$12 million loan, pending approval of the Local Government Council (LGC), to be funded through the 1/4 cent sales tax proceeds, and that said loan will fund the construction of the Creative Arts facility...". Commissioners balked. HCC said they need this resolution to move forward with the bidding process. There

has been no approval by the LGC, nor the State Construction Office. The \$12 million request is padded, the facility costing \$ 10.2 M, the remaining - "other projects" may not qualify for the loan. The building cost is \$9.0 M, while Commissioner Ensley felt it should cost around \$6.3 M. In the end, the commissioners drafted a resolution (changed multiple times during creation), they essentially agreed with the intent to apply for a loan, but not to approve the loan, so that HCC could proceed with the bid (see the video/minutes for exact wording). This whole thing was a repeat of the March meeting. HCC came in with a resolution and schedules and attempted to force the issue without appearing to have actually made an attempt to work this out before the meeting. Ensley was the only **NO** vote on the resolution, presumably because of the cost of the building (**Super Platinum Grade Green** \$ 9 Million building) [re: College plan questioned, **Mountaineer**, 3/14/2010]. HCC evidently has its heels dug in on this.

Commissioner Swanger noted that if the 1/4 cent revenue falls lower than projected, the taxpayers would be responsible for the debt [re: Toeprints, Issue #3]. Other than that, it looks like this project is well on track for this board pencil whipping this new debt without any kind of public vote.

### Fairgrounds Activities Update.

This was very confusing. Evidently, there are openings for a six (6) new board members for a board that does not exist. The new board has to be in place by July 1, so applications for these new board members were approved to be published. Marty Stamey and Chip Killian to draft documents creating a new Fairgrounds Activities Board.

There is a little un-noticed new account number in the proposed budget: Account #[11-4922, Haywood Co. Agri. & Activities], which contains \$40,000. What the heck is this for? In addition to bailing them out with a \$ 700 K loan, are we supposed to continue to pour money into this sinkhole?

### Closed Session.

X. Closed Session. 1. Closed Session Minutes – Approval and / or Release Minutes G.S. §143-318.11(a)(1). There was another closed session. Was this to finally release the closed minutes for the purchase of the old Walmart building?

### Primary Election Results.

Mike Sorrells [D]	2,542
<b>Kirk Kirkpatrick</b> [D]	2,528
<b>Bill Upton</b> [D]	2,297
Denny King [R]	1,102
David Bradley [R]	987
Tom Freeman [R]	819

It is interesting to note that **Kirkpatrick** was not the overall top vote-getter.

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