

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 16, 2015 REVISED

**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, HHS Director/Asst. County Manager, Stoney Blevins and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** Old Hospital - Location of Landmark Development

**DISCUSSION:**

Mr. Dove advised the Board that there is a group that is interested in the old hospital building. He said that it is a private entity that may be interested in turning it into affordable housing.

Mr. Francis explained that Ted Alexander with Preservation, N.C., has told him that there is a developer that he is working with. He has sent documents to them and they have asked if the County would be willing to gift the hospital to them. One potential issue that has to be looked into is if it is a taxable entity, or does it receive any exemptions from the federal government through Section 42.

Issues with moving Haywood County School's Central Office, and potential buildings where the school board could move were discussed if the transition of the building was to occur.

Chairman Swanger said that the old hospital is sitting there costing taxpayers money and the right thing to do is take advantage of using it for low income housing. He suggested that the old Health Department building could be renovated for this purpose.

Mr. Dove agreed and also suggested the Annex II building as another possibility.

Commissioner Sorrells also agreed on the suggestion of renovating the old Health Department building and giving it to the school system.

It was decided that Mr. Dove will set up a meeting with Dr. Garrett, Chuck Francis, Julie Davis and Chairman Swanger to discuss the possible transition of the old hospital. Mr. Dove will send information on school enrollment numbers to the Board, as it was mentioned that elementary enrollment was down and charter schools seem to be pulling an increased amount of students. Mr. Francis will continue with conversations about the hospital and will find out about the tax status.

**OPEN SESSION:**

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

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CLERK

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CHAIRMAN

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 7, 2016

**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, Finance Director, Julie Davis, Executive Assistant/Deputy Clerk to the Board, Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION:**

Chairman Swanger reviewed closed session minutes. The Board agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>June 6, 2016</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 7, 2016

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

**MEMBERS ABSENT:** Commissioner Bill Upton

**STAFF PRESENT:** County Manager/Clerk to the Board Ira Dove, HHSA Director/Assistant 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:** Attorney/Client Privilege §143-318.11(a)(3)

**SUBJECT:** Commercial Outdoor Sport Shooting Range Ordinance

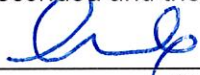
**DISCUSSION:**

Mr. Killian discussed the ordinance and advised that he is fine with the latest draft of the ordinance. He stated that from a legal standpoint, it is enforceable.

Mr. Dove noted that other counties use the lower 65-75 decibel range, they are talking about an average over a day. This proposed ordinance went with the NRA/OSHA standard of 90 decibels. The noise will dissipate as it travels.

**OPEN SESSION:**

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



CLERK



CHAIRMAN

RELEASED

June 6, 2016

Date

Chairman

Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
June 6, 2016

**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, Finance Director, Julie Davis, Executive Assistant/Deputy Clerk to the Board, Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION:**

Chairman Swanger reviewed closed session minutes. The Board agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
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CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
June 20, 2016

**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, HHSA Director/Asst. County Manager, Stoney Blevins, County Attorney, Leon "Chip" Killian III and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** Freightliner relocation

**DISCUSSION:**

Mr. Francis reported that there is a July 22nd closing date set. They have not selected a contractor yet to widen the access road. He said that he can start working on the reimbursement agreement. An interlocal agreement can also be created.

Mr. Killian asked if there is an agreement of what the County will pay for and Mr. Francis answered that there was not one yet.

He will keep the Board up to date on the project.

**OPEN SESSION:**

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

\_\_\_\_\_  
CLERK

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CHAIRMAN

RELEASED	
10/3/16	_____
Date	
Chairman	_____
Clerk	_____

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
July 18, 2016

**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, HHS Director/Asst. County Manager, Stoney Blevins, County Attorney, Leon "Chip" Killian III and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** Freightliner relocation

**DISCUSSION:**

Mr. Francis reported that the signing will be Thursday in Asheville. He stated that the buyer viewed the site over the weekend and said that everything is ready to go. They are still waiting on architecture renderings at this point.

He advised that we are discussing \$200,000 in road repairs along with the Town of Canton offering money. Canton has approved the setbacks and modifications to the road.

It was decided to work with Canton on Friday to make a joint press release.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
September 6, 2016

**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, County Attorney Leon M. "Chip" Killian III, Finance Director, Julie Davis, Executive Assistant/Deputy Clerk to the Board, Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION:**

Chairman Swanger reviewed closed session minutes. The Board agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>M. Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 3, 2008

**MEMBERS PRESENT:** Chairman Larry Ammons, Vice-Chairman Kirkpatrick, Commissioners Bill L. Upton, Charles "Skeeter" Curtis and Mary Ann Enloe present.

**MEMBERS ABSENT:** none

**STAFF PRESENT:** County Manager / Clerk to the Board David B. Cotton, Assistant County Manager Marty Stamey

**OTHERS PRESENT:** County Attorney Leon M. "Chip" Killian, III, Architect PBC + L, Chad Roberson and Administrative Assistant Rebecca Morgan

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**GENERAL STATUTE:** Litigation §143-318.11(a)(3)

**SUBJECT:** Litigation - Ferguson

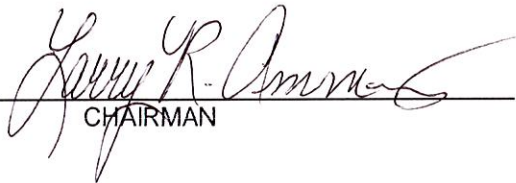
**DISCUSSION:**

Vice-Chairman Kirkpatrick explained that in regards to the Ferguson case, documents were being drawn up which should bring the issue to an amicable resolution, shortly.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swartz</u>
Clerk	<u>[Signature]</u>



HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
DECEMBER 7, 2009

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

**MEMBERS ABSENT:** Charles "Skeeter" Curtis

**STAFF PRESENT:** County Manager David B. Cotton, Assistant County Manager Marty Stamey, County Attorney Leon M. "Chip" Killian, III, Facilities Maintenance Director Dale Burris, Finance Director Julie Davis, Administrative Assistant Rebecca Morgan.

**OTHERS PRESENT:** none

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

**SUBJECT:** Personnel


**DISCUSSION:**

Fred Smith, from Nashville, North Carolina, requested information regarding business travel conducted by Carmine Rocco, Health Director. Leon M. "Chip" Killian, III, County Attorney, stated that Mr. Smith will be given information regarding Mr. Rocco's travel. Mr. Smith will be charged for the documentation based on the County's fee schedule.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16.</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
JUNE 7, 2010

**MEMBERS PRESENT:** Chairman J. W. "Kirk" Kirkpatrick, Vice-Chairman Bill L. Upton, Commissioners Charles "Skeeter" Curtis, Mark S. Swanger and L. Kevin Ensley.

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Assistant County Manager / Clerk to the Board Marty Stamey, County Attorney Leon M. "Chip" Killian, III, Finance Director Julie Davis, Department of Social Services Director Ira Dove and Administrative Assistant Rebecca Morgan

**OTHERS PRESENT:** none

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**GENERAL STATUTE:** Litigation §143-318.11(a)(3)

**SUBJECT:** Early

**DISCUSSION:**

Department of Social Services Director Ira Dove, stated that the Court of Appeals had ruled for the County and dismissed the case.

**OPEN SESSION:**

Commissioner Swanger made a motion to enter into open session. Vice-Chairman Upton seconded and the motion carried unanimously.

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
OCTOBER 18, 2010

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick, Vice-Chairman Bill L. Upton, Commissioners Charles "Skeeter" Curtis, L. Kevin Ensley, and Mark S. Swanger present.

**MEMBERS ABSENT:** none

**STAFF PRESENT:** County Manager David Cotton, Assistant County Manager Marty Stamey, County Attorney Leon M. "Chip" Killian, III, Finance Director Julie Davis and Administrative Assistant Rebecca Morgan.

**OTHERS PRESENT:** none

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**GENERAL STATUTE:** Litigation §143-318.11(a)(3)

**SUBJECT:** Potential Litigation - Council on Aging

**DISCUSSION:**

County Attorney Chip Killian stated that Margie Mann, bankruptcy trustee, filed suit in bankruptcy court against the County. A complaint was filed and served to the County. The Council on Aging file has been received and is being reviewed by the County Attorney. Ms. Mann alleges that the property purchased from the Council on Aging was worth more than the County paid for it and that the content was valued at \$300,000. At the time of purchase property was valued at \$1.5 million and the Council on Aging paid off the loan. According to the allegations the furniture was worth \$300,000. Julie Davis, Finance Director, stated that an appraisal on the property was completed at the time of purchase. County Attorney Killian advised having a lawyer whose expertise is bankruptcy, represent the County.

**OPEN SESSION:**

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



CLERK



CHAIRMAN

<b>RELEASED</b>	
Date	10/3/16
Chairman	Mark Swanger
Clerk	[Signature]

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 15, 2010

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick, Vice-Chairman Bill L. Upton, Commissioners Charles "Skeeter" Curtis, L. Kevin Ensley, and Mark S. Swanger present.

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Marty Stamey, County Attorney Leon M. "Chip" Killian, III, Finance Director Julie Davis and Administrative Assistant Rebecca Morgan.

**OTHERS PRESENT:** Patsy Dowling, Director of Mountain Projects, Inc.

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

**SUBJECT:** Former Haywood County Hospital

**DISCUSSION:**

Commissioner Swanger stated that an offer to purchase the former Haywood County Hospital has been received from Fitch Development Group. The offer does not include the excess parking and Smoky Mountain Center building. The offer price is \$1,275,000 and is for the proposed use and development as elderly housing. Patsy Dowling, Director of Mountain Projects, Inc., (MPI) confirmed that the former hospital would be an excellent home for the elderly and MPI could assist with the cost for rental on housing. County Attorney Chip Killian reviewed the proposed offer. Commissioner Swanger stated that the developer, Fitch Development Group, has requested a loan from Haywood County for \$25,000. Commissioner Swanger stated that Gavin Brown, Mayor of the Town of Waynesville, who committed to sharing that loan amount with the County. The Board discussed the building and expressed their desire to see it certified as a historic site, award of tax credits by the N.C. Housing Finance Agency, zoning changes together with a public loan of \$159,000, and the contract to be subject to the upset bid procedures. County Attorney Killian stated that he would prepare the documents once he receives direction from the Board. Ms. Dowling stated there must be evidence of a site control. County Attorney confirmed the requirement for a statement of intent from Fitch Development Group.


**OPEN SESSION:**



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

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CLERK

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CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u></u>
Clerk	<u></u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
JUNE 20, 2011

**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 Marty Stamey, County Attorney Leon "Chip" Killian, III, Finance Director Julie Davis, and Administrative Assistant Rebecca Morgan.

**OTHERS PRESENT:** none

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

**SUBJECT:** Meridian Building

**DISCUSSION:**

Chairman Swanger presented a summary of financial information regarding two facilities located on East Street and Broadview. This summary was provided to him by Smoky Mountain Center. The Board discussed Smoky Mountain Center's interest to purchase the property, and discussed the procedure with the County Attorney.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/2/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
DECEMBER 19, 2011

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** County Manager/Clerk to the Board Marty Stamey, County Attorney Leon "Chip" Killian, III and Finance Director Julie Davis,

**OTHERS PRESENT:** CEO Brian Ingraham and Planning Director Shelly Foreman from Smoky Mountain Center and Jay Coward, Attorney for Smoky Mountain Center.

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

**SUBJECT:** Property

**DISCUSSION:**

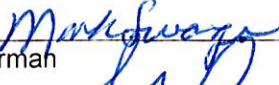

Chip Killian, County Attorney and Jay Coward, Attorney for Smoky Mountain Center (SMC) provided legal advice on the verbiage of the proposed resolution for the purchase and sale agreement between Haywood County and Smoky Mountain Center and the Assignment of said Agreement to Foothills Service, Inc. for the sale of the 1.79 acre tract of land including two buildings created by a recent subdivision of the property, for \$459,635 cash, subject to the following: Execution by SMC of an Indemnity and Hold Harmless Agreement prepared by the County Attorney and Resolution of approval by Foothills.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
MARCH 18, 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, Executive Assistant/Deputy Clerk Amie Owens

**OTHERS PRESENT:** None

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

**SUBJECT:** County Attorney

**DISCUSSION:**

Commissioners discussed the potential of having a full-time county attorney on staff. Several payment and potential staffing requirement options were presented.

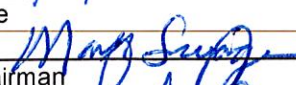
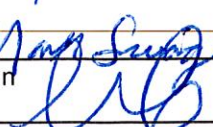
Chairman Swanger tasked Mr. Stamey and Ms. Davis with development of a proposed plan that may allow the current county attorney to remain, and meet to discuss proposal with Mr. Killian.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u></u>
Clerk	<u></u>

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

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

**SUBJECT:** Evergreen Packaging - Natural Gas Pipeline

**DISCUSSION:**

Mr. Clasby explained that discussions have been held with Evergreen Packaging related to the need for natural gas for the boilers and installation of a combustion turbine to increase capacity. Discussion centered on incentives and what the County could do to assist with offsetting the cost of the upgraded turbine and increasing natural gas capacity in the area. Specific research will be done by Mr. Clasby related to benefit provided to surrounding counties and potential incentive packages.

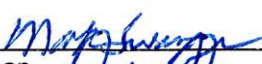

Mr. Clasby will provide an update in closed session on September 16<sup>th</sup>.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u></u>
Clerk	<u></u>



HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
FEBRUARY 17, 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:**

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

**OTHERS PRESENT:** None

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

**SUBJECT:** Compensation for Realtor

**DISCUSSION:**

The County Attorney advised as to the legal requirements for contracting with a real estate broker or other professional service provider.

A discussion was held about the negotiations for the listings of the Annex II and the old Health Department. Mr. Dove explained that he had received two bids. Ron Breese with ReMax Realty has offered his services with a 8% commission, and Thomas Mallette with Realty World has offered his services with a 6% commission single and a 5% commission split.

After discussion, Mr. Dove was instructed to continue to negotiate the bids.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
MARCH 17, 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:**

**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:** Economic Development §143-318.11(a)(4)

**SUBJECT:** Evergreen- Natural Gas

**DISCUSSION:**

Chairman Swanger provided an update on Evergreen to the Board. He stated that it is necessary to protect the County and the Board during the process of committing to the requested monetary support.

Mr. Sorrells updated the Board with information that he has received. He stated that the company is exploring seeking a grant from the Department of Commerce.

After discussion, it was agreed that Mr. Dove will draft a letter and send to Board members to approve. Assuming the State can do their part, the letter will agree to the County commitment of the funding that Evergreen has requested. The commitment will be subject to claw backs and protections and the agreement that Evergreen will move forward with their improvement plans.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
MAY 19, 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:** Frank Powers, HRMC Board Chair; Janie Sinacore-Jaberg, President and CEO, MedWest Haywood; Mark Clasby, MedWest Board Chair; by phone John Young, Carolina Health Systems and Tom Stukes, HRMC attorney

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

**SUBJECT:** Haywood Regional Medical Center

**DISCUSSION:**

The status of the hospital purchase was discussed with all parties. With the financial situation of the hospital at a critical point, it was agreed that it is imperative to continue to work towards a June closing.

Mr. Killian advised that it is not a legal issue for the County to move forward prior to the closing, and he advised to suspend the rules specifically subject to this matter. He discussed holding a public meeting on the agreement.

Closed session continued with commissioners and staff present:

Mr. Killian advised that the only thing the Hospital Authority Board has to do is participate in the agreement and the winding up.

Chairman Swanger inquired if the Board of County Commissioners could be the "sellers" board in the agreement after the sale.

Mr. Killian noted that he would make that clear.

Chairman Swanger asked the commissioners if they were comfortable moving forward in this manner and all commissioners agreed. A notice of public meeting will be advertised on June 6<sup>th</sup> to be held on June 16<sup>th</sup>.

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**OPEN SESSION:**

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

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 17, 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, Tax Administrator; Stephen King, Solid Waste Director

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

**SUBJECT:** Possible Acquisition of Real Property of Betty Lewis

**DISCUSSION:**

Mr. Francis reviewed a map of the landfill and the Lewis property with the BOCC. He explained that there are two issues with the property owned by Betty Lewis which is adjacent to the Francis Farm Landfill. 1) Methane gas has been bleeding onto the property for years; and 2) ground water monitoring wells show contamination. There are presently monitoring wells on the property. He explained by purchasing this property, it will allow the landfill boundaries to move and this will help put the County back in compliance with the methane gas issue.

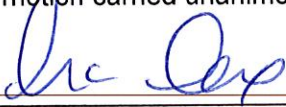
He further noted that the purchase of the property is strongly recommended by engineers from McGill & Associates so that the corrective measures could bring the County into compliance. Remediation of the property will continue.

He advised that Ms. Lewis will sell the property of 25.3 acres at a price of \$850,000. She also requests the option to lease the property back from the County for one year.

After, discussion, it was the consensus of the Board to purchase the property as discussed.

**OPEN SESSION:**

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



CLERK



CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
MARCH 2, 2015

**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:**

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

**SUBJECT:** HIPPA - HHSA

**DISCUSSION:**

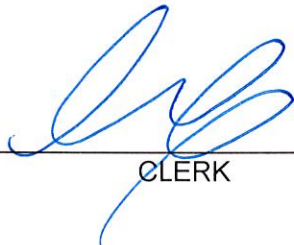
Mr. Killian advised the Board that the HIPPA process is running smoothly. Mr. Blevins received a few phone calls which were mostly positive comments, but they seem to have tapered off.

He advised that the consultant is coming in to do the HIPPA assessment. He feels that so far, the County is complying with everything requested and there seem to be no problems.

He stated that his colleagues at Nelson Mullins have done a great job with their research and advice.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
JUNE 1, 2015

**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, Asst. County Manager/HHSA Director Stoney Blevins, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III. Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** Solid Waste - CWS

**DISCUSSION:**

There is a contract issue that needs to be resolved with CWS. Mr. Francis explained to the Board that before CWS took over MRF, Mr. Welch met with Ms. Davis, Mr. Dove and himself and talked about the trucks at the landfill. At that time, a propopsal was developed for CWS to use the equipment. There are five tractors, three trailers, a lowboy and a F450. Also during the transition, the County phone system at the MRF would not be compatible with a private vendor equipment. CWS also put in all their own computers. Mr. Francis has been talking with Mr. Welch about settling on these items also. A proposed figure to settle all items is \$26,500.

Mr. Killian advised that he had reviewed the contract, and would need to review any amendments.

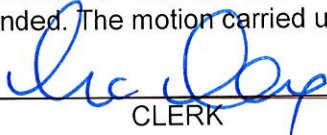
An offer to purchase all of the trucks and trailers has been made in the amount of \$48,500. Mr. Killian advised that after the contract for purchase has been submitted to the Board, the upset bid procedure needs to be followed.

After discussion, it was agreed to put the contract for the purchase of the County equipment before the Board on June 15. Afterwards, amend the CWS contract concerning the equipment and work out the \$26,500 settlement. The figure was reasonable.

Chairman Swanger asked Mr. Dove to assure that no other department in the County needs the equipment.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>Ira Dove</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 2, 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, and Executive Assistant/Deputy Clerk Candace Way

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

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

**SUBJECT:** West Carolina Freightliner

**DISCUSSION:**

Mr. Clasby stated that this company would like to move into the old Anton building in Canton. They would like to move their Buncombe operations to Haywood County, which includes 25 employees and an additional 10. They are not asking for the standard incentives based on the number of employees or investment. They are asking the County to repair and upgrade the road from Champion Drive up to the facility.

Mr Francis said that the cost would be approximately \$300,000 according to a McGill Engineering preliminary report. The Town of Canton is offering to pay for the paving, but the cost projections have not been brought to their board yet.

Ms. Davis advised that there is money in school contingency.

Mr. Killian advised that this will require a public hearing and Mr. Dove will schedule a call for public hearing at the first meeting in December.

After discussion, it was decided that Mr. Francis and Mr. Clasby will negotiate up to a \$200,000 grant.

**OPEN SESSION:**

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

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CLERK

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CHAIRMAN

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
NOVEMBER 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, HHSA Director/Asst. County Manager, Stoney Blevins and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** West Carolina Freightliner

**DISCUSSION:**

Mr. Francis reported that he had been to the Town of Canton's Board meeting and presented them the cost of the driveway information he had received from McGill Engineering. Canton has agreed to pay for the paving in the amount of \$44,500.

He said that the president of Freightliner had contacted him and said that they had tendered an offer to Anderson and Associates. They have decided not to raze the building, which will put their timeline at the end of June to July. He said that they discussed the phases, and they are willing to accept the property as is. There is an old tank in the ground, Anderson's will be asking for a hold harmless waiver. He noted that he has explained the process to Mr. Gibson and the requirement of a public hearing to approve the incentives. He would like for Mr. Gibson to come and meet the Board at some time.

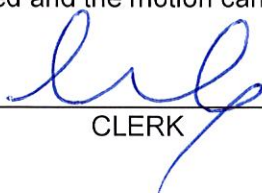
Chairman Swanger commented that this will bring 25 jobs and create 12 new. He asked for a plan and timeline be drawn up.

Ms. Davis advised that there is money in school contingency.

After discussion, it was decided that Mr. Francis will provide a work up on revenues that the County can expect to generate, along with a timeline of the plans.

**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  
FEBRUARY 1, 2016

**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, HHS Director/Asst. County Manager, Stoney Blevins, County Attorney, Leon "Chip" Killian III and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** West Carolina Freightliner Relocation

**DISCUSSION:**

Mr. Francis reported that another offer had been tendered from Freightliner to Anderson and Associates, up \$275,000 from their previous offer, but they had not heard back from them as of this meeting. Freightliner wants to move to Haywood County.

Chairman Swanger asked Ms. Davis about the revenues if this comes to pass, and Ms. Davis responded that tax is \$18,000 per year. Sales tax is as low as \$20,000 or high as \$40,000 per year. The County is considering incentives and needs the return on investment.

Ms. Davis explained that there will be a net gain from property taxes, it may not be much but will be positive.

Mr. Dove said that sales tax on labor just recently passed in North Carolina, but cannot be calculated yet.

**OPEN SESSION:**

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

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
Date	10/3/16
Chairman	Mark Swanger
Clerk	Ira Dove

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
MARCH 7, 2016

**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, HHS Director/Asst. County Manager, Stoney Blevins, County Attorney, Leon "Chip" Killian III and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:** David Francis, Solid Waste/Tax Administrator

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

**SUBJECT:** West Carolina Freightliner Relocation

**DISCUSSION:**

Mr. Francis reported that an agreement has been reached with the Anderson family for \$1.75 million. It is now in the due diligence phase. Freightliner wants to widen the road leading up to the facility, and the Anderson family wants to keep it as is. He stated that when the property was sold that created a subdivision, the Andersons kept a back piece of the property. It is a recorded plat that already allows a 30 foot right of way access to the property. He said that it is recorded with signatures from both the County and the Anderson family.

Mr. Killian stated that this would be interpreted as an offer of dedication when it was recorded. He said they cannot argue against it.

Mr. Francis said that Freightliner wants to close by March 31<sup>st</sup>. He said that the Town of Canton will need to do a resolution that will allow a public right of way.

**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>10/3/16</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 21, 2016

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

**MEMBERS ABSENT:** none

**STAFF PRESENT:** County Manager/Clerk to the Board Ira Dove, HHS Director/Assistant 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:** Attorney/Client Privilege §143-318.11(a)(3)

**SUBJECT:** Reimbursement Agreements Ordinance

**DISCUSSION:**

Mr. Dove reviewed the Reimbursement Agreements Ordinance to the Board. He explained that this will be in place going forward.

Commissioner Ensley asked if the notice for the public hearing can be elaborated more, and Mr. Killian agreed to change it.

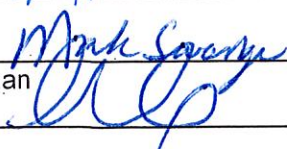
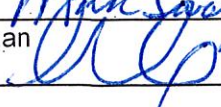
Mr. Killian advised that this will allow more reimbursements by the County. He stated that the policy is legal.

**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>10/3/16</u>
Chairman	<u></u>
Clerk	<u></u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
October 3, 2016

**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, HHS Director/Assistant County Manager, Stoney Blevins, County Attorney Leon M. "Chip" Killian III, and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** 209 property – convenience center – acquisition of real property

Mr. Dove informed the Board that the appraisal for the property under consideration for the 209 convenience center came in at \$98,500 for 2 acres.

The potential for any environmental concerns was discussed since the old school on the site was burned. It was agreed that the County should ask for a report on anything that may be buried at the site.

Chairman Swanger asked if any further testing had been done at the site. Mr. Dove will get an opinion at the site, and will find out if a pad can be put there.


Mr. Killian advised that due diligence be added to the contract. It was agreed to enter into the contract at \$100,000 with the due diligence added.

**DISCUSSION:**

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
4/3/17	_____
Date	
	_____
Chairman	
	_____
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
October 3, 2016

**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, HHS Director/Assistant County Manager, Stoney Blevins, County Attorney Leon M. "Chip" Killian III, and Executive Assistant/Deputy Clerk Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** HRMC funds after sale – Request for Proposal

Mr. Dove stated that it is anticipated that the Board will have two groups to interview for the Request for Proposal for the fund management and grant making after the sale of the hospital. He asked that questions be sent to him and Mr. Killian on what they would like to be asked of these groups and for negotiating points.

It was agreed that the interviews will begin at 3:30 p.m. prior to the regular Board meeting.

Mr. Killian advised that a special meeting will need to be called for the interviews, and the interviews will be open to the public. He advised that specific questions about the contract be sent to Mr. Kort.

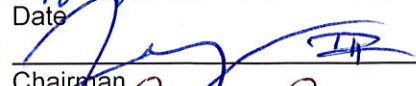
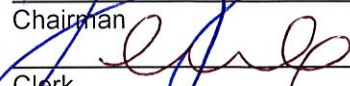
**DISCUSSION:**

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
4/3/17	
Date	
	
Chairman	
	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
April 3, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

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

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes


**DISCUSSION**

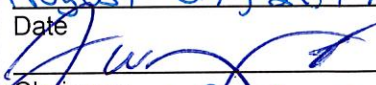

The Board reviewed closed session minutes and agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	August 21, 2017
Chairman	
Clerk	

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HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 21, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

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

**OTHERS PRESENT:**

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


**SUBJECT:** Closed Session Minutes

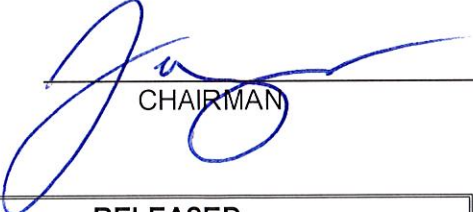
**DISCUSSION**

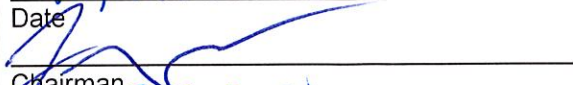

The Board reviewed closed session minutes and agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
Date	11/6/17
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
September 5, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

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

**OTHERS PRESENT:**

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

**SUBJECT:** Prayer during commissioners' meetings

**DISCUSSION**

Mr. Killian advised the Board on the law and their options for prayer during the meeting. He explained that even though the Rowan County case decision is expected to appeal to the U.S. Supreme Court, right now it is the law. He noted that he feels that a chaplain offering the prayer does not give the aura of speaking from the Board. He gave the following options:

1. No prayer at all.
2. Moment of silence. He advised against asking anyone to stand.
3. Chaplain to offer a nonsectarian prayer.
4. Each commissioner offering the prayer as it has been done, but nonsectarian and do not ask anyone to stand.
5. Offer a nonsectarian prayer and stand.

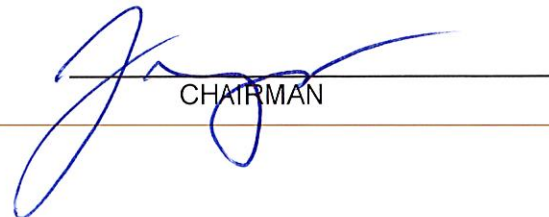
He noted that the courtroom is everyone's courtroom, and a safe approach would be a moment of silence.

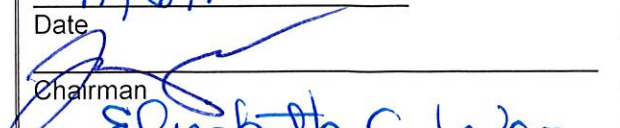
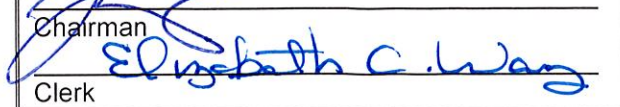
The Board discussed all options at length, and it was agreed that Mr. Dove would look for a chaplain to offer the prayer at the meetings.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
11/6/17	_____
Date	
	_____
Chairman	
	_____
Clerk	



HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
October 16, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Asst. County Manager/HHSA Director, Talmadge "Stoney" Blevins, County Attorney Leon M. "Chip" Killian III, Human Resources Director Kathi McClure, Finance Director Julie Davis, and Executive Asst/Clerk to the Board Candace Way

**OTHERS PRESENT:** Joel Mashburn

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

**SUBJECT:** Joel Mashburn

**DISCUSSION**


Chairman Kirkpatrick explained that Joel Mashburn is being considered for the Interim County Manager position with the County

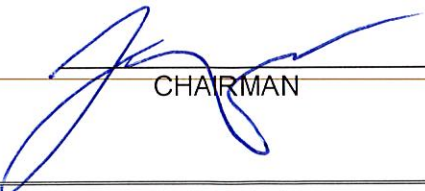
Mr. Mashburn entered the meeting. He spoke of his personal, educational, and work history and the challenges he faced as a county manager. He said that he is interested in this position on a part time basis. He said that he can assist in finding a permanent manager, usually taking about four to six months, but can serve longer if needed. He asked for a salary of \$60.00/hour, no benefits, and travel reimbursement for county business travel. He would like some flexibility from time to time with his work hours, with the expectation to be at Board meetings and other meetings as required. He noted that his total hours worked would be limited to a point because of his retirement benefits.

After discussion, the Board offered Mr. Mashburn the position as Interim County Manager. Mr. Mashburn accepted. He will have a salary of \$60.00/hour with a limit of 1,000 hours a year. This will be effective November 6, 2017, subject to a contract to be written between Mr. Mashburn and Mr. Killian.

**OPEN SESSION:**

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

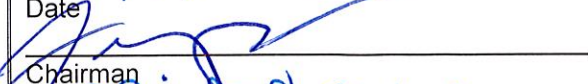
  
CLERK


  
CHAIRMAN

RELEASED

11/6/17

Date

  
Chairman

  
Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
November 6, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton,  
Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

**STAFF PRESENT:** Interim County Manager, Joel Mashburn, HHSA Director/Asst. County Manager,  
Stoney Blevins, County Attorney Leon M. "Chip" Killian III, Finance Director, Julie Davis and  
Executive Assistant/Clerk to the Board, Candace Way,

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION**

The Board reviewed closed session minutes and agreed on minutes to release, minutes to review at  
a later date for release and minutes not to release.

**OPEN SESSION:**

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

*Elisabeth C. Way*  
CLERK

*J. Kirkpatrick III*  
CHAIRMAN

RELEASED	
Date	<i>March 5, 2018</i>
Chairman	<i>J. Kirkpatrick III</i>
Clerk	<i>Elisabeth C. Way</i>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
December 4, 2017

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, Asst. County Manager/HHSA Director, Stoney Blevins. County Attorney Leon M. "Chip" Killian III, Finance Director, Julie Davis; Deputy Clerk to the Board Tracy Wells and Executive Assistant/Clerk to the Board, Candace Way,

**OTHERS PRESENT:** Program Administrator David Francis

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

**SUBJECT:** Old Hospital options

**DISCUSSION**

Mr. Francis explained that three companies have shown interest in turning the old hospital into affordable housing after the required advertisement. They are Cadence, Landmark, and Sari & Associates. Two options have been received, Landmark for \$200,000 with the Town of Waynesville waiving the impact fees for water and sewer, and they will comply with state tax credits. At this point, Congress may end the tax credits. If that happens, Landmark may need help with a bridge loan. Cadence came in with an option of \$25,000 and has gone up to \$150,000. The request now is to allow Mr. Mashburn to enter into negotiations with either firms. The application has to be in by January 18<sup>th</sup>.

Mr. Killian advised that the statute in the notice did say offer, not option, but the County can negotiate with anyone on affordable housing.

The Board discussed both options. It was decided that Mr. Mashburn will negotiate with Landmark. If the negotiations are not moving forward, he will negotiate with Cadence at that point. If Landmark converts to an offer, it is recommended to work with them. Mr. Mashburn commented that he would like to make this a team effort.



Mr. Francis advised that there is a meeting in January with NEO to discuss demolition if needed.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
March 5, 2018	
Date	
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 5, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION**


The Board reviewed closed session minutes and agreed on minutes to release, minutes to review at a later date for release and minutes not to release.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	10/15/18
Chairman	
Clerk	Elizabeth C. Way

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 5, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Clerk to the Board Candace Way.

**OTHERS PRESENT:** Program Administrator David Francis, Deputy Clerk to the Board Tracy Wells, Development and Facilities Services Director Kris Boyd

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

**SUBJECT:** Jonathan Creek property project

**DISCUSSION**

Mr. Killian explained that a letter was sent to MAB counsel, Alexander Pappas. Because of the response from Mr. Pappas, Mr. Killian is proposing to relax the original position of cease and desist. He advised that the County responds, stating that it will allow access to the Jonathan Creek property as long as the soil that is brought has been tested, or allow the County to test.

Mr. Francis stated that the western portion of the property was not included in the geo-technical report, and it did not occur to him that MAB would knock down soil from that area and bring back to the pad for delivery to the County site. He said that he has tried to be communicative to them showing that the agreement was done to accommodate MAB and their schedule. The County has provided an acre for them to place the soil to help them meet their goals and not delay their project. MAB is maintaining that the County is to accept all soils. They had started hauling soil to a site in Maggie Valley, however that has been shut down due to a lack of a permit. They are now transporting to a site on Dellwood next to the Farmhouse restaurant, which has a permit. Mr. Francis, Mr. Mashburn and Mr. Killian agreed to sending an email to Mr. Pappas stating that the cease and desist be eased if there is a guarantee that the soil comes from boring sites 1, 6 or 7, which are in the geo-technical report.

The Board discussed and agreed that Mr. Killian will send the email with the addition that there has never been intent to prevent them from bringing good soil onto the property and the fact that the first load of soil brought to Jonathan Creek was dumped at the entrance, blocking access to the site.

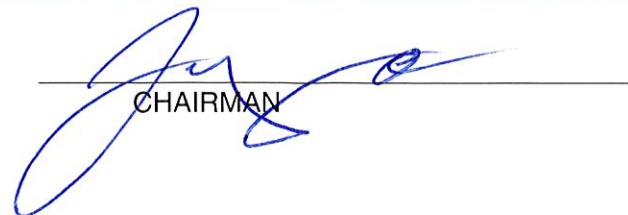
Mr. Francis will check to see if the County would be allowed to test the soil where it was placed in Maggie Valley or the site on Dellwood.

Mr. Killian stated that his advice is to cooperate with them to avoid involvement with a lawsuit. He noted that he had tried to set up a conference with engineers, but they would not agree to a meeting.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 19, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Jonathan Creek property

**DISCUSSION**

Mr. Killian advised that he and Mr. Francis have been conversing with Attorney Alexander Pappas, and have sent a letter to him dated March 16, 2018. He stated that the letter is requesting a monetary settlement of approximately \$19,000 for the expenses incurred at the site up until the time the letter was sent, with said payment preventing any further litigation. It will then void and terminate the Agreement. The letter does not include that we are still able to benefit from the site. He will keep the Board informed when he hears back from the attorney.

**OPEN SESSION:**

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

*Edisbeth C. Way*  
CLERK

*Julio*  
CHAIRMAN

RELEASED	
Date	<i>10/15/18</i>
Chairman	<i>Julio</i>
Clerk	<i>Edisbeth C. Way</i>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
March 19, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Interim County Manager Joel Mashburn

**DISCUSSION**

Mr. Mashburn stated to the Board that he would like for them to start the process for the search for a new County Manager. He explained that even though Haywood County is small, there are complicated issues and more than he can do working part time. He said that it is not fair to the County, and the time that is needed is more than he can commit to. He said that he has spoken with David Nicolson who is a retired County Manager working as a NCACC liaison, and he said that now is a good time to start. Mr. Nicholson agreed to assist with the process. He said that he needs to know how wide they would like to search, and he thinks they can have someone in by August.

The Board discussed options and agreed that they would like to meet with Mr. Nicholson. They agreed that they would like to advertise for applicants who have North Carolina experience or knowledge. Mr. Mashburn will contact Mr. Nicholson and have him at an upcoming meeting.

**OPEN SESSION:**

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

*E. Ensley*  
CLERK

*J. Kirkpatrick*  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>10/15/18</u>
Chairman	<u><i>J. Kirkpatrick</i></u>
Clerk	<u><i>E. Ensley</i></u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
April 2, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:** Program Administrator David Francis; Development and Facilities Director Kris Boyd

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

**SUBJECT:** Jonathan Creek property

**DISCUSSION**

Mr. Killian advised that correspondence has been received from Attorney Pappas extending the deadline until April 3<sup>rd</sup> at 5:00pm to respond to their concurrence to cancel the agreement, but rejecting the County demand for reimbursement of funds spent.

Mr. Francis stated that when this project began, MAB was very specific about the soil and the location the County was to receive it from. The geotechnical report indicated that some soil was wet, but when Mr. Boyd met with MAB, it was discovered that 25% would be wet. The contract was on geotechnical finds on two borings, with 10-15% expected to possibly be wet. The contract with AVCON did not allow the drying of soil. Attorney Pappas maintains that the document did not have an exact reference on moisture content. The far northwest corner was not tested, also MAB did not tell the County that they were under a violation from DEQ. The site was ready to accommodate them and expedite the process. The expenses have been reviewed, and it is agreed that the amount the County is asking back is acceptable.

The Board discussed the matter, noting that MAB did not supply the County the soil that was agreed to.

Mr. Killian advised that if the County proceeds with this, there is the cost of litigation, and someone would have to be hired for that as construction litigation is not in his contract.

The Board discussed and agreed that the County will document whatever they do with the soil from the site and mitigate the damages the County has incurred. A letter will be drafted that includes:

- The Board is not taking action at this time, but reserves the right to do so.
- The County has three years, and MAB will not be released.
- A public notice will be drafted for possible release.
- This all can be resolved with payment to the County.

Mr. Pappas could be notified by phone that Publix may be eligible for incentives for providing jobs, although that does not have to be done because they are already coming here. It could be conveyed that the Board may not be willing to do that if they do not meet our demands.

It was agreed to send the letter and at the next open Board meeting explain the issue. A press release will be drafted outlining what the County has done and its position.



HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
April 16, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Jonathan Creek property

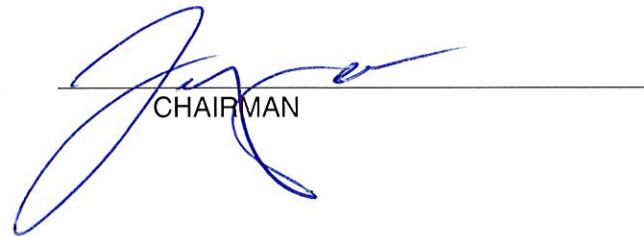
**DISCUSSION**

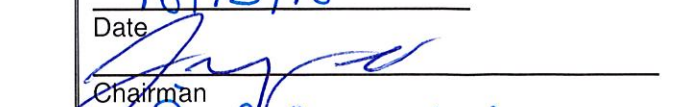

Mr. Killian advised that there has been no response from the letter that was sent to Attorney Pappas. He stated that he will send copies to the Board and keep them informed if there is a response.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
Date	10/15/18
Chairman	
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
April 16, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Public Records Policy

**DISCUSSION**

Mr. Killian advised that after the threat of a lawsuit regarding the procedure providing public records to citizens, he feels that there are further revisions needed to the current policy. He reviewed the proposed changes to the Board.

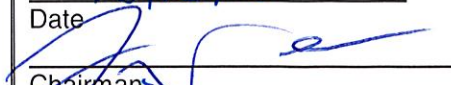
The Board had Ms. Way review more changes that she and Ms. Wells had suggested. The Board agreed that the policy be revised to comply with statutes and brought back to them for approval.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
Date	10/15/18
Chairman	
Clerk	Elizabeth C. Way

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
June 27, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton by phone, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Human Resources Director Kathi McClure and Interim County Manager Joel Mashburn

**OTHERS PRESENT:** NCACC representative David Nicholson

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

**SUBJECT:** County Manager applications


**DISCUSSION**

The Board was joined telephonically by Vice-Chairman Bill Upton. After review and discussion of the applications, the Board agreed to set up interviews with five of the applicants. HR Director Kathi McClure is to schedule the interviews beginning the week of July 23<sup>rd</sup>.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>November 19, 2018</u>
Chairman	
Clerk	<u>Elizabeth C. Way</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
July 25, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton,  
Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Human Resources Director Kathi McClure and Interim County Manager Joel Mashburn

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager interviews


**DISCUSSION**

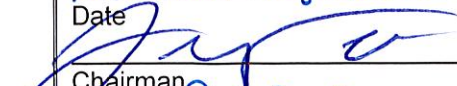
The Board conducted interviews with three applicants for the County Manager position.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
Date	<u>November 19, 2018</u>
Chairman	
Clerk	<u>Elizabeth C. Way</u>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
July 30, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Human Resources Director Kathi McClure and Interim County Manager Joel Mashburn

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager interviews

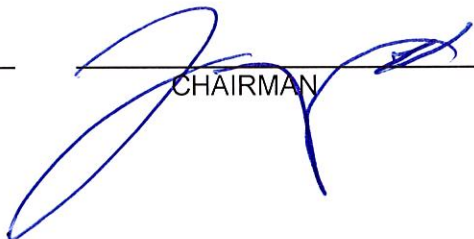
**DISCUSSION**

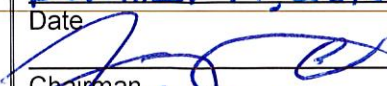
The Board conducted interviews with two applicants for the County Manager position.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
Date	November 19, 2018
Chairman	
Clerk	Edingbeth C. Way

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 6, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Human Resources Director Kathi McClure and Interim County Manager Joel Mashburn

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager interview

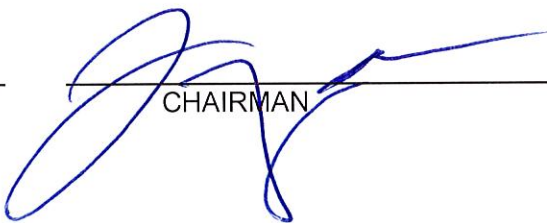
**DISCUSSION**

The Board conducted an interview with one applicant for the County Manager position.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
November 19, 2018	Date
	Chairman
	Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 7, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Human Resources Director Kathi McClure and Interim County Manager Joel Mashburn

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager interviews

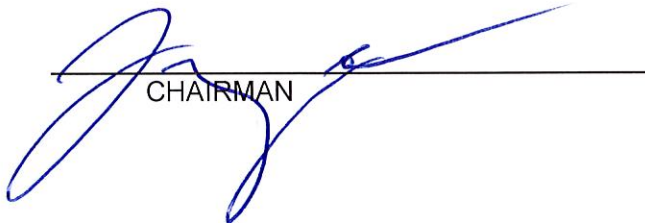
**DISCUSSION**

The Board conducted interviews for the County Manager position.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
<i>November 19, 2018</i>	
Date	
Chairman	
Clerk	<i>Elizabeth C. Way</i>

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 13, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager interviews

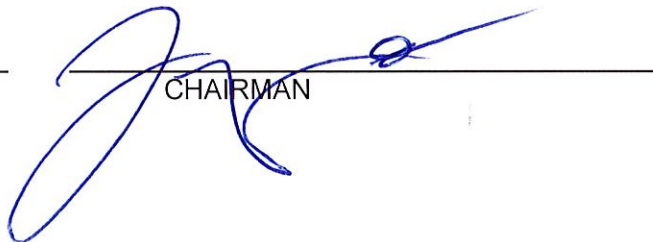
**DISCUSSION**

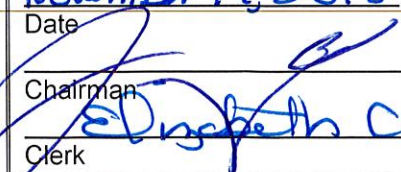

The Board reviewed the results of the interviews for the County Manager position. It was agreed to begin discussions on an agreement with one candidate.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

RELEASED	
November 19, 2018	Date
	Chairman
	Clerk



HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 20, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice Chairman Bill Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn; Executive Assistant/Clerk to the Board Candace Way and County Attorney Leon Killian.

**OTHERS PRESENT:** none

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

**SUBJECT:** County Manager

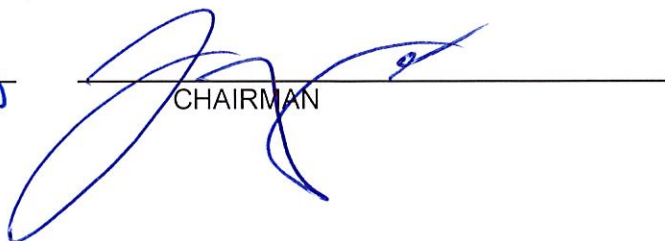
**DISCUSSION**

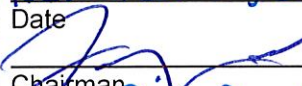
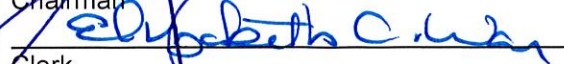
The Board unanimously agreed to offer the position of County Manager to Bryant Morehead at a salary of \$145,000. The contract is for four years then renew for one year after that. Mr. Morehead was contacted by phone and accepted the offer. The Board will make the motion to approve the appointment in open session contingent on entering into the employment agreement.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
<u>November 19, 2018</u>	Date
	Chairman
	Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
August 20, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, Executive Assistant/Clerk to the Board, Candace Way and County Attorney Leon Killian

**OTHERS PRESENT:** Chamber of Commerce President CeCe Hipps

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

**SUBJECT:** SEVA agreement

**DISCUSSION**

Ms. Hipps discussed the SEVA Economic Development Agreement with the Board and the incentives involved with this project.

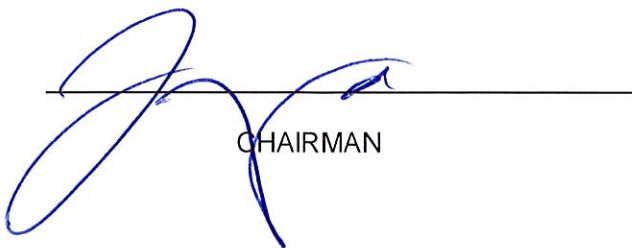
The Board agreed that it meets the criteria set in the guidelines and to move forward with the agreement.

**OPEN SESSION:**

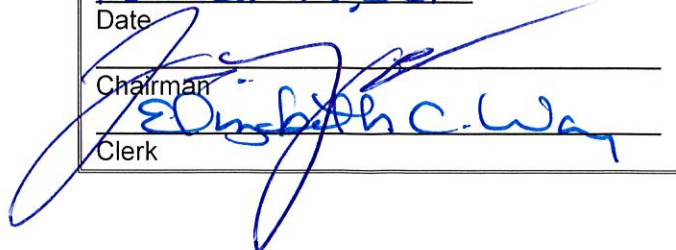
Commissioner Sorrells made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.



CLERK



CHAIRMAN

<b>RELEASED</b>	
November 19, 2018	_____
Date	
	_____
Chairman	
Elizabeth C. Way	_____
Clerk	

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
September 4, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Interim County Manager Joel Mashburn, County Attorney Leon M. "Chip" Killian, III, and Executive Assistant/Clerk to the Board, Candace Way

**OTHERS PRESENT:**

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

**SUBJECT:** Opioid lawsuit

**DISCUSSION**

Chairman Kirkpatrick said that the Board needs to discuss whether to enter into the opioid lawsuit. There are now 71 counties that have signed up.

The Board discussed the fact that the public is asking why the County has not entered into the suit. Scott Taylor is the first attorney that the County discussed this with. Chairman Kirkpatrick said that he had spoken to Mike Fuller who leads the lawsuit, and he did not indicate that the County had to hurry and sign up.

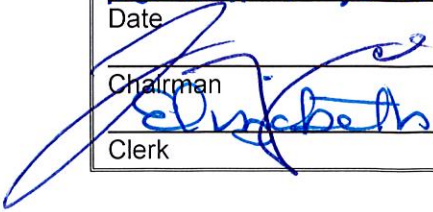
The Board agreed to sign up, Chairman Kirkpatrick will send the information that he received from Mike Fuller to Mr. Killian. Chairman Kirkpatrick will meet with Scott Taylor.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
November 19, 2018	Date
	Chairman
Elizabeth C. Way	Clerk

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
October 15, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

**STAFF PRESENT:** County Manager Bryant Morehead, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Clerk to the Board, Candace Way and Deputy Clerk to the Board Tracy Wells.

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes


**DISCUSSION**

The Board reviewed closed session minutes and agreed on minutes to release and minutes not to release.

**OPEN SESSION:**

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

  
\_\_\_\_\_  
CLERK

  
\_\_\_\_\_  
CHAIRMAN

<b>RELEASED</b>	
November 19, 2018	
Date	
Chairman	
Clerk	Elizabeth C. Way

HAYWOOD COUNTY BOARD OF COMMISSIONERS  
CLOSED SESSION MINUTES  
November 19, 2018

**MEMBERS PRESENT:** Chairman J.W. "Kirk" Kirkpatrick III, Vice-Chairman Bill L. Upton, Commissioners L. Kevin Ensley, Michael T. Sorrells and Brandon C. Rogers

**MEMBERS ABSENT:**

**STAFF PRESENT:** County Manager Bryant Morehead, County Attorney Leon M. "Chip" Killian III, and Executive Assistant/Clerk to the Board, Candace Way.

**OTHERS PRESENT:**

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

**SUBJECT:** Closed Session Minutes

**DISCUSSION**



The Board reviewed closed session minutes and agreed on minutes to release and minutes not to release.

**OPEN SESSION:**

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

  
CLERK

  
CHAIRMAN

<b>RELEASED</b>	
November 19, 2018	Date
	Chairman
	Clerk