

Continued Meeting 11/26/2007

The Graham County Board of Commissioners met Monday, November 26, 2007 at 5:00pm in the Conference Room of the Community Building at 196 Knight Street, Robbinsville, NC. Present were Commissioners Lynn Cody, Billy Cable, Jerry Sherrill, Eugene Trull, Raymond Williams and County Attorney Stewart. Chairman Cody called the Meeting to order. This meeting is continued from the Regular Board meeting of November 20, 2007.

1. Chairman Cody stated that there was a possibility that the Board may get a 3 month extension on the Flood Plain Ordinance if all of the information was in by tomorrow. Mr. Cody stated that he had all of the information compiled and it would take at least 30 minutes to fax all of the information. Mr. Cody stated that Donna Cody had worked very hard during this whole process. The information will be faxed to Raleigh and they will notify the County if there will be an extension on their request. Commissioner Williams made the motion to adopt the letter asking for a 3-month extension on the Flood Plain Ordinance. Commissioner Cable seconded this motion. Vote unanimous.
2. Commissioner Trull made the motion to go into closed session under GS 143.318.11 A (6 & 3). Commissioner Sherrill seconded this motion. Vote unanimous.
3. In closed session the Board discussed an application for a grant with the County Attorney and the vehicle maintenance position. Commissioner Cable had to leave the meeting due to a prior commitment.
4. Commissioner Williams made the motion to come out of closes session and back into open session. Commissioner Trull seconded this motion. Vote unanimous by members present.
5. Commissioner Trull made the motion not to approve the application in support of the Grant for the water system for Fontana because of statements made by County Attorney Sawyer. Commissioner Sherrill seconded this motion. Vote unanimous by members present. Commissioner Williams stated that he was for this project but that he could not obligate the County for a 20-40 year lease. Jennie Stewart, Manager of Fontana, asked how different this lease was to the other agreement that was signed by the prior Board. The Board stated that they did not vote on this lease as it was approved by a prior Board. Ms. Stewart asked if the lease was redone would the Board look at this again. Commissioner Williams stated if it was stated it was legal by the State. Chairman Cody stated that they had given a copy of the Resolution to our Attorney and that the County is responsible and if the County signs it will be 20 to 40 years and if something happens to the water then all falls back on the County. The County would be responsible for over seeing the whole project. The County Attorney talked to Julie Cubeta from Raleigh and I do not think that we can obligate the County to something for over 20 years. Mr. Sawyer stated that the draft Resolution the County will provide operation and maintenance on the project and the County will lease from Fontana for 20 to 40 years. Jennie Stewart asked the Board if she got the Resolution revised would the Board sign it. Commissioner Cody sated that they could look at it again.
6. Commissioner Williams made the motion to adjourn the meeting. Commissioner Trull seconded this motion. Vote unanimous by members present.

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Lynn Cody, Chairman

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Billy Cable, Vice-Chairman

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Jerry Sherrill, Member

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Eugene Trull, Member

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Raymond Williams, Member

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Jan Millsaps, Clerk