

The Graham County Board of County Commissioners met Monday, October 5, 2009 at 5:00 p.m. in the Conference Room of the Graham County Community Building located at 196 Knight Street Robbinsville NC 28771. Present were: Commissioner Bruce Snyder, Sandra Smith, Billy Cable, Gene Trull and Steve Odom. Commissioner Snyder called the meeting to order.

1. Commissioner Cable gave the invocation.
2. Commissioner Trull made the motion to approve the agenda. Commissioner Cable seconded this motion. Vote unanimous.
3. Commissioner Trull made the motion to approve the minutes. Commissioner Cable seconded this motion. Vote unanimous.
4. Commissioner Snyder calls for public comment. Manager Lynn Cody stated that the residents of Stecoah would like the board to know how much they appreciated the Commissioners hosting a meeting in the Stecoah Community. He also stated that one request was made to hold the meetings at a later time to allow more people to attend. Commissioner Snyder asks for further comment. No further comments were given.
5. Commissioner Snyder asks Rebecca Garland to present the financial report. See Attached! Ms. Garland stated that the numbers are running close to last year with the exception that the Alcoa money has already been received. She stated that she had issued 320 purchase orders for the month of September and this is taking a great deal of her time. She stated that she would like for the board to consider an automated purchase order system and if the board agreed then the spending without asking would basically stop. She stated that the tax collections are up this year. Commissioner Cable asks if the purchase orders were legitimate. Ms. Garland stated that she is watching the expenditures closely and most expenses are for basic items. She stated that she had a couple of departments that were not requesting requisitions prior to their ordering. Commissioner Odom asks about the automated system and Ms. Garland stated that the system would not be cheap and would need to be tailor made for government sector. She stated that this system would allow budgetary control. Commissioner Odom suggested that she send letters out to the main vendors stating that a purchase order number must be issued before ordering or the bill would not get paid. Commissioner Smith gave a directive to the finance officer to sit down with every department head and explain the way that the purchase orders will be handled and make them understand that the budget is tight and no orders will be paid unless approved. All commissioners were in agreement. Commissioner Trull stated that most departments will ask forgiveness instead of permission and this needed to stop. Commissioner Cable stated that we needed to get used to spending less now because we do not know about next year's budget. Ms. Garland presented the board with three budget amendments. See Attached! Commissioner Odom made the motion to pass #3, #4 General Funds and #1 Health Department. Commissioner Trull seconded this motion. Vote unanimous.
6. Rebecca Garland also stated that she was working with County Planner Josh Carpenter on grant processing and she would have an internal control on all reporting.
7. Commissioner Snyder asks Tax Assessor Erma Phillips to present the Releases and Discoveries. See Attached! Ms. Phillips explained the releases and discoveries. Commissioner Trull made the motion to approve the Releases and Discoveries. Commissioner Smith seconded this motion. Vote unanimous. Ms. Phillips stated that Joelene and Rena were a godsend and they have both picked up the system quickly and everything was running smoothly. Commissioner Odom asks about the county on online. Ms. Phillips stated that Perry Brown was almost finished and the property cards would be available to view online in another week or so.
8. Commissioner Snyder asks for Virginia Zakroski. Ms. Zakroski was not present.
9. Commissioner Snyder asks for Doug Edwards to speak. Mr. Edwards ask County Manager to speak for him. Manager Cody stated that Mr. Edwards wanted to ask for a variance on his permits that he had gotten before the flood plain ordinance.

- He wants to sell the property with the permits included and needs a variance to do this. The commissioners discussed this at length. Commissioner Cable made the motion to give Mr. Edwards the variance. Commissioner Odom seconded this motion. Commissioner Snyder needed further clarification. Attorney Sawyer explained the variance. Commissioner Snyder called for a vote. Vote unanimous. Doug stated that he appreciated the board's decision.
10. Commissioner Snyder asks for old business. Commissioner Odom stated that he had some closed session items concerning the contract with McGill & Associates and needed to speak with the attorney on the warranty of the pool. Attorney Sawyer stated that we needed to fix the problems to prevent any further damage.
 11. Commissioner Odom asks about the surplus vans and could we donate one to the Stecoah Valley Center to assist with the after school program. That he had read in the Graham Star a few weeks ago where the county had donated a surplus van to the church mouse. The board questioned about the legality of hauling these kids on vans with heavy mileage. Commissioner Odom stated that the van would be titled to Stecoah Valley Center and that they would be responsible for licensing, insurance and liability as they are a stand along entity. Commissioner Smith stated that in the past Tom Herman, Consultant for Transportation Department state that any proceeds should be used for replacement cost of new vans for the department. Commissioner Cable questioned the reason for this when new vans are delivered from grants. Commissioner Odom stated that we table this issue until we get further information on the vans.
 12. Commissioner Odom asks about the Senior Citizen Building proposal and could we afford to do these repairs. The lowest proposal was for \$750.00 by Jerry Collins. Finance Officer Garland stated that this would be okay. Commissioner Trull stated that he hoped the proposal was for the repairs and not just for the painting. Commissioner Odom made the motion for the county manager to take Mr. Collins to the site and make sure all parties had a clear understanding of the work to be performed and make sure the price included all the work. If so, then the award would go to Mr. Collins. Commissioner Trull seconded this motion. Vote unanimous.
 13. Commissioner Smith asks if we had contacted anyone on offsite back up of our computer systems. Manager Cody stated that he and Rebecca were making sure that the company maintained governmental requirements.
 14. Commissioner Smith asks if the fiber that is billed through Duke Energy was disconnected. Manager Cody stated that he was working on this with Eddie Adams at Duke and this should be taken care of this week.
 15. Commissioner Smith asks if the credit cards had been received. Manager Cody that yes they had and that a paper was signed by each individual stating their responsibility on keeping the receipts or the cost would be taken from their paycheck.
 16. Commissioner Smith asks if the cardboard press had been moved. Manager Cody stated that he had talked to the Sanitation Director and they were trying to get it moved now but would have to borrow a loader to help with the move.
 17. Commissioner Smith asks if the county had advertised for the fencing and Manager Cody stated that he and the Clerk had a cross up but would advertise next week.
 18. Commissioner Smith asks about appointing someone to the 911 Road Naming Board to replace Larry Hembree who will not serve as the administrator. Manager Cody stated that he would speak with Larry on this issue and report back to the board.
 19. Commissioner Smith asks if we had signed a Fire Inspection Agreement. Manager Cody stated that everyone had agreed and was in the process of completing the paperwork.
 20. Commissioner Cable asks about the high speed internet that was put in the Stecoah area and if it was available for use since Verizon was being bought out by another company. Manager Cody stated that a problem had come about concerning a right of way but that everything should be all right as of now. He stated that he would check on this and report back.
 21. Commissioner Snyder asks for new business. Commissioner Smith stated that the county needed to contact the state about putting up signs to slow traffic down going to the garbage dump site in Stecoah. Manager Cody stated that he had

- contacted the state and they were sending someone to do a study. Commissioner Smith also suggested installing lighting.
22. Commissioner Smith stated that the board needed to finish the personnel policy manual and asks that the members review their copies and add changes if needed and have this ready for the next commissioners meeting. She stated that the board would need to set a special meeting to complete the manual.
 23. Commissioner Smith asks for an update from Fontana Village and stated that the grant from Southwestern Commission had a deadline. Manager Cody stated that he had an appointment with Jeannie Stewart on Wednesday to discuss this issue. Manager Cody also stated that he had spoken with Bill Gibson and he was aware that our audit for 2007 / 2008 was not completed but would follow up with Mr. Gibson again.
 24. Commissioner Smith asks about the memo on the Medicaid billing and asks if the billing office was signed up for the classes on October 12th. Clerk Crisp stated that yes they were signed up and would be attending.
 25. Commissioner Smith asks about an energy grant to help replace the windows in the courthouse. Finance Officer Garland stated that she had spoken with the county planner and they were trying all avenues to obtain monies for this project.
 26. Commissioner Smith stated that she noticed a problem with the phone transfers when she was working in the office and suggested that the county purchase a switchboard phone system that could transfer the calls correctly. Finance Officer Garland stated that this was a bad set up and something needed to be done.
 27. Commissioner Smith also commented on the lack of control that the office had concerning the employees entering the office at any time and disturbing the work process. Manager Cody stated that he would take care of this issue. The board discussed moving the mail tray back to the front room. Manager Cody stated that he would post a sign and Lavina give and receive the department's mail. Commissioner Trull stated that this was not a public problem but an employee problem and that some came to the office a dozen times a day.
 28. Commissioner Smith stated that she had received a letter from County Planner Josh Carpenter on a meeting with Scott Hamilton that was supposed to be tonight or on the 19th and that Mr. Hamilton needed an hour for a power point presentation. Manager Cody stated that the meeting will be on the 19th.
 29. Commissioner Smith asks if every department was aware of the policy on grant requests. She stated that all grants needed to go through our planner and finance officer before submission. She stated that someone from the sheriff's department had gone to see JR Rodgers on help with a grant and she felt that the policy needed to be reiterated to the departments on compliance. Commissioner Trull stated that there are some grants that the county did not want and that our finance officer needed to be aware of all grants.
 30. Commissioner Odom stated that he had talked with Randy Collins at the Extension Office on the livestock market and asked Randy to help set up a meeting with the local cattle farmers to discuss the new live stock market that will be opening in April or May of 2010 in Canton, NC. To answer any questions they may have about the market or it operation.
 31. Commissioner Odom stated that he had talked to Bryan Burch with NCDOT and was informed that they would be bidding the new asphalt paving of upper Mountain Creek Road from NC 143 to Holloway Road at Mountain Creek Church this month (October) and that due to the weather, the actual paving may have to wait until spring.
 32. Commissioner Snyder asks if the dumpsters had been put in Fontana Heights. Commissioner Odom stated that a total of four dumpsters had been placed there and that Fontana Village had put in millings which are particles of pavement to help prevent mud in and around the site.
 33. Clerk Crisp stated that Lavina West would be helping with the Christmas Parade and needed to know how much money that the county could contribute. The finance officer will give a dollar amount after the books are reviewed for any extra monies. She also stated that Travel & Tourism will be helping also.
 34. The commissioners also reviewed a letter from the NCDENR concerning the Watershed Ordinance. All commissioners were in agreement that this is just one more thing that we have no control over and the county will not have a say in. The board suggested sending in an ordinance with a 25 foot setback only.

35. The board also was informed of a meeting with Senator John Snow and Representative Roger West on October 13, 2009 at 9:00 a.m. at the community building to discuss concerns on issues of the county. County Manager Cody stated that he had sent an invitation to Congressman Shuler, Governor Hagen and Senator Burr's offices also.
36. Manager Cody stated that a meeting will be held on November 3rd with the Commerce 21st Century committee to discuss possible grants for the county. The meeting is scheduled for 1:00 p.m. until 2:00 p.m.
37. Manager Cody stated that he had a request from the Cherokee Tribe asking if they could have access to our gas pumps. In return the tribe would reimburse the county for all costs plus provide a tribal officer 24 hours a day. At this time the tribal officer must drive to Cherokee every day to refill their tanks. Manager Cody stated that he had spoken with Rebecca and she stated that the new gas pump system would print out usage by departments and we could assign the tribe with their own department and bill monthly. The commissioners were all in agreement if a contract was signed. Manager Cody stated that he had talked to Crystal Hicks in the Cherokee Billing Office and she stated they would do whatever the county wanted. The commissioners felt that the lawyer should type an agreement to be signed by Rebecca Garland, Finance Officer. Commissioner Smith made the motion to allow Cherokee Tribe to use our gas pump system. Commissioner Cable seconded this motion. Vote unanimous.
38. Manager Cody also spoke on the 2010 Census and stated that the more people that were counted the more additional funding that our county will receive. The census committee needs help through the county commissioner to help get the word out.
39. Commissioner Snyder asks a gentleman in the audience to speak. The gentleman was sent emails concerning the issue between Graham and Swain counties concerning the Deals Gap area EMS Services and stated that the motorcycle riders were going to boycott our county due to the conflict. He stated that a group of riders has retained a lawyer and will sue the county when a rider is killed and the response time is above normal. He also stated that this will affect not only his business, Mountain Motorcycle and Hydraulics, but all businesses in the county. The commissioners discussed this issue briefly and thanked the gentleman for his information.
40. Commissioner Snyder made the motion to go into closed session under G.S.143.318-11A (1) (2) (6). Commissioner Cable seconded this motion. Vote unanimous.
41. Commissioner Cable made the motion to go back into open session. Commissioner Trull seconded this motion.
42. Manager Cody discussed talking to Kevin King, Swain County Manager, today and he indicated that Swain County was in a bad financial crisis and he was hoping to discuss the issues on the Deals Gap Area again. Mr. King stated that Swain County was having a hard time making payroll and would like to discuss the possibility of their county paying the differences of any losses that incur on our EMS charges. Manager Cody informed Mr. King to make these offers in writing. The board issued a directive to Manager Cody to talk to Mr. King again and get in writing exactly what Swain County wants to do concerning the issues with Graham County.
43. Commissioner Smith asks about the Fire Inspection Contract. Manager Cody stated that the cost is \$50.00 per hour twice a year and the school inspections were also included. Commissioner Odom made the motion to accept the Fire Inspection Contract. Commissioner Cable seconded this motion. Vote unanimous.
44. The commissioners opened the bid for the Jail Meal Contract. Only one bid was taken and this was from Lynn's Place. The bid was for \$5.24 per meal. Commissioner Cable made the motion to approve the bid from Lynn's Place. Commissioner Trull seconded this motion. Vote unanimous.
45. Commissioner Snyder stated that his term of chairmanship would be up in December and the board needed to begin deciding who they wanted to be the new chairman.
46. Commissioner Odom stated that a question had been asked about the Southwestern Commission members. He stated that all commissioners are members of the board but in the event a contentious vote was needed, only one board member from every county was allowed to vote. This is the reason the

county boards must appoint one member to be the voice for their county. This method was designed to allow all counties a fair vote in all issues. Commissioner Cable stated that this is the same method used when the commissioners attend the legislative meetings in Raleigh every January. One vote per county. Commissioner Odom encouraged all the commissioners to attend the Southwestern meetings.

47. Commissioner Cable made the motion to adjourn. Commissioner Trull seconded this motion. Vote unanimous.

Bruce Snyder, Chairman, Graham County Commissioner

Sandra Smith, Vice-Chairman, Graham County Commissioner

Billy Cable, Member, Graham County Commissioner

Steve Odom, Member, Graham County Commissioner

Eugene Trull, Member, Graham County Commissioner

ATTEST:

Kim Crisp, Clerk to the Board