

Regular Meeting March 3, 2009

The Graham County Board of Commissioners met Tuesday, March, 2008 at 5:00 p.m. in the Conference Room of the Community Building at 196 Knight Street, Robbinsville, NC. Present were Commissioners Bruce Snyder, Sandra Smith, and Billy Cable through teleconference. Chairman Bruce Snyder called the meeting to order and Commissioner Smith gave the invocation.

1. Commissioner Snyder made the motion to approve the Agenda with the addition of Blair Hyder, Tax Assessor, for the approval of Releases and Discoveries. Commissioner Smith seconded this motion. Vote unanimous.
2. Commissioner Snyder made the motion to accept and appoint Arvil Eugene Trull and Steven B. Odom to the vacant county commissioner seats previously held by Lynn Cody and Jerry Sherrill, for such periods of time as allowed by law. Commissioner Smith seconded this motion. Vote unanimous.
3. Commissioner Cable made the motion to approve the Minutes. Commissioner Snyder seconded this motion. Vote unanimous.
4. Commissioner Snyder opened the floor for Public Comment. Lavina West spoke about the museum that would be in the old Forest Service Ranger Station on Massey Branch and stated that we needed to get them going quickly on allowing us to use the building due to the deterioration. She stated that an engineer needed to come and take an assessment before further damage is done. She stated that we needed to contact Ray Jones in the Asheville's office and let him know about this. She is on the Museum Committee and stated that a Commissioner needed to be seated on that board. Commissioner Snyder made the motion to seat Commissioner Trull to this board. Commissioner Odom seconded this motion. Vote unanimous.
5. Blair Hyder, Tax Assessor, presented the Releases and Discoveries to the Board. Commissioner Odom questioned one item and Blair Hyder explained that all avenues had been taken but no money source was found for this collection. Commissioner Trull made the motion to approve all Releases and Discoveries. Commissioner Odom seconded this motion. Vote unanimous.
6. Alicia Parham, Health Director for our county, spoke next on the Smoking Ordinance that she had previously brought before the prior board. After a discussion and questions to Alicia the board decided to table this decision until Commissioner's Odom and Trull could review the ordinance that was presented. Commissioner Trull made the motion to table until the next meeting. Commissioner Odom seconded this motion. Vote unanimous.
7. Commissioner Odom made the motion to recess for the purpose of the introductions of the road names presented by the Road Naming Board which needed to be held as a Public Hearing, Commissioner Smith seconded this motion. Vote unanimous.

8. Commissioner Snyder announced that we are now in the public hearing session for the purpose of hearing the proposed new road names. See Attached! Terry Slaughter explained all names and how the road naming board came to these decisions. There was one question from the public about one of the names and after Terry explained they were satisfied. Commissioner Trull made the motion to accept the names that were recommended. Commissioner Odom seconded this motion. Vote unanimous.
9. Commissioner Snyder made the motion to close the Public Hearing. Commissioner Trull seconded this motion. Vote unanimous.
10. Commissioner Snyder made the motion to go back into our regular meeting session. Commissioner Odom seconded this motion. Vote unanimous.
11. Commissioner Snyder presented the Senior Citizen's Meals on Wheels Bids for the July 1, 2009 – June 30, 2010 contract. Clerk, Kim Crisp, stated that she had not been in possession of any of the envelopes due to the fact that her daughter in law put in a bid through her restaurant. County Manager, Lynn Cody stated this was true. The bids were as follows: Weekday Meals: Lynn's Place \$4.80 per meal; Our Daily Bread Café & Bakery \$6.16 per meal. Weekend and Holiday Meals: Lynn's Place \$8.40 per meal; Phillips Restaurant at Stanley location \$8.45 per meal. Commissioner Cable made the motion to go with the lowest bid which was Lynn's Place on both the Weekday Meals and the Weekend and Holiday Meals. Commissioner Smith seconded this motion. Vote unanimous.
12. Juanita Colvard, Transportation Director spoke next on the new proposed transit stimulus monies. She stated that we needed an environmental study done and that the money was in her budget for this. The study usually runs around \$10,000.00 but she requested around \$25,000.00 to be certain that all cost would be covered. She stated that these monies were in her budget. Commissioner Odom asked about the type of building and the metal building for the vehicle maintenance which the county could also use to service their vehicles. Juanita stated that the funds would cover more things that just the buildings such as security camera, fencing and covers for the transportation vehicles. Commissioner Trull asked Juanita if the monies needed to be transferred now or could we wait. Juanita stated that yes; we could wait but the sooner the better. This is the counties monies and time is of an essence. Commissioner Snyder asked for a motion for a Budget Amendment to be made when the actual cost was determined. Commissioner Odom made the motion to allow the Budget Amendment. Commissioner Smith seconded this motion. Vote unanimous.
13. Gavene Collins spoke next to the Board with her concerns on the Stimulus money that the county could receive. She stated that politics should not be involved in these decisions that the county needed every dime that we could get. She had spoken with Beverly Perdue's office and they are aware of our needs. She said if we could get our County Commissioners and County Manager to put their names on a proposal and send to Beverly Perdue's office along with a list of the most urgent items needed such as: Urgent Care, School System and a New Jail. She stated again that time was urgent

and she wanted these monies to come to us and we would have a better shot if we sent these requests on paper. She stated that she would help in any way that she could with any office but that she would not ask for or help the Sheriff's Department. County Manager, Lynn Cody spoke about the letters that Josh Carpenter, County Planner had prepared and sent to the state offices and directly to Congressman Shuler's office. Commissioner Odom stated that we needed to get with the Town's and apply together with them and the chances of more monies would be greater. Commissioner Odom thought that we should sit down with our Town's and ask for their support in this. County Manager, Lynn Cody stated that the Town of Santeetlah should meet with us also. The Board asked the Clerk to schedule a meeting with the Town's if possible on Monday, March 9, 2009 at 10:00 a.m. and to get back to the Board with confirmation.

14. Commissioner Cable spoke next with a request that the Board reconsider the Flood Plain decision and let the people have a say through a referendum. Commissioner Cable stated that the government is making us socialists and he understands that they only want to manage our land but he thinks we should fight this now. Commissioner Cable made the motion to put the Flood Plain on a referendum and let the county vote on it. Attorney David Sawyer stated that he needed to check the law on this since the Board had passed an Ordinance on this already. He stated that Commissioner Cable could either rescind this motion or then request a referendum or he could rescind his motion and table this until further review. Commissioner Odom and Commissioner Trull stated that they were for the referendum one hundred percent and that it should be the people's choice. Commissioner Cable rescinded his motion and made a motion to table this until the lawyer gets the correct procedures to follow. Commissioner Trull seconded this motion. Vote unanimous.
15. Commissioner Smith stated that she had a few things to discuss with the Board. She began with a motion to change the regular meeting day and time to the first and third Monday's beginning at 6:30 p.m. instead of the first and third Tuesday's at 5:00 p.m. to make our meetings more convenient for the working people. Commissioner Cable stated that he had been down this road before and would do whatever the Board decided but he thought this would not be more convenient. Commissioner Odom seconded the motion presented by Commissioner Smith. Commissioner Trull stated that he didn't have a problem but did the whole Board want to change this. Commissioner Snyder stated that he liked the meetings the way they were now. Commissioner Smith said how about 6:00 p.m. then. Juanita Colvard stated that due to federal compliance she needed the meetings a little later and that the Public Hearings should be held later. Commissioner Snyder called for a vote. Commissioners Odom and Smith vote for and Commissioners Cable, Trull and Snyder were opposed. The motion failed three to two.
16. Commissioner Smith spoke on her concerns about Josh Carpenter, our County Planner, having to go into the EMS Billing Office to make copies of his work. She thinks that a central location is needed for all the offices to use instead of purchasing more copy machines. Commissioner Trull asked where the location could be and one suggestion was the office beside the employee's bathroom in the bottom of the

- courthouse. The tax office currently houses the Xerox machine that will be moved into this office. County Manager, Lynn Cody stated that he would see to this immediately. After this discussion, Commissioner Odom brought up the repairs and cleaning that needed to be done to our buildings. Commissioner Smith and Trull were in agreement that our county buildings are in bad shape and we needed accountability with the maintenance and cleaning departments. This reflects on the Board when the county buildings are in disarray. The Board directed the County Manager to see about this.
17. Commissioner Smith also wanted to know why Naomi Edwards was listed as the representative for the VA office when she was in EMS Billing. County Manager, Lynn Cody stated that years ago her office and the VA's were shared and he thought that was the reason. Commissioner Smith stated that we needed to correct this and find out who can be responsible for this other than Naomi. Gordon Farley who works through the State of Franklin is presently keeping the office open.
 18. Commissioner Odom stated that we needed to try to come up to speed with the audit problem. Mabelle, our Finance Officer needed to come to the first monthly regular meetings and bring the board up to date on our finances. Commissioner Odom made the motion for Mabelle to attend all first monthly meetings. Commissioner Smith seconded this motion. Vote unanimous.
 19. Commissioner Odom also asked about the applications for the Assistant Finance Office position and also asked which departments had voluntarily cut their budgets by 7%. The county manager provided the list to the board of who complied and who did not. All but one had turned in for the cut. The Board decided that a cut of 22% in total would be done to each department for the 2009/2010 budget. Commissioner Odom stated that he thought we needed to have a working session on these budget cuts and verify that the cuts were made. Commissioner Odom made the motion to have the working session on Monday, March 9, 2009 immediately following the meeting with the Town of Robbinsville which begins at 10:00 a.m.? Commissioner Trull stated that more cuts may be necessary in the future. The Board discussed the health insurance costs and discussed the possibility of the employee having to pay a portion of the cost. Ideas of how much were discussed. Commissioner Odom made the motion to have all employees pay \$25.00 per week. Commissioner Trull thought the board should look into basing the costs on years of service. Commissioner Cable said we should look at this and when the contract comes due we should decide on employee payment then. Commissioner Snyder agreed. Commissioner Odom rescinded his motion and would bring back up at the work session. All Board agreed to the workshop for Monday, March 9, 2009. Commissioner Odom stated his concerns about the county paying insurance on employees who have retired. He thinks we should look into this also.
 20. Commissioner Odom wanted to know the current purchase order policy. The county manager stated that everyone submits a requisition to him and then they are issued a purchase order. The purchase orders go to the clerk and then back to the county

manager and then to the finance officer. Commissioner Smith asks what the policy was on presenting items for Board approval. Usually, the county manager approves all standard purchase orders. He also stated that purchases over \$1000.00 were submitted for board approval. The Clerk spoke up to state normal regular purchases are not brought before the board unless the total was over \$5000.00 Commissioner Odom stated that we needed accountability. He also asked for a list of all cell phones and who got them along with a departmental breakdown of all employees with their job titles.

21. Commissioner Smith stated that we needed to appoint someone to the Health Board. She stated that Dr. Johnson and Dr. Lynch did not have the time to serve and recommended Gavene Collins to one of the seats. Alicia Parham, stated that Matt Shiplet's term was up for reappointed also. Commissioner Smith made the motion to appoint Gavene Collins to the Health Board and to reappoint Matt Shiplet. Commissioner Odom seconded this motion. Vote unanimous.
22. County Manager, Lynn Cody stated that a commissioner needed to be appointed to the Smoky Mountain Mental Health Board and the Southwestern Commission Board to fill the seat that he vacated after resigning as Commissioner. Commissioner Trull made the motion to appoint Steve Odom to both Boards. Commissioner Cable seconded. Vote unanimous.
23. Commissioner Trull stated that the Board needed to look at all Boards and see who sat on them. He thought that a commissioner needed to sit on the Rural Development Board. Dirk Cody spoke up that there was not an available seat for a commissioner.
24. Commissioner Smith also spoke on the mutual aid agreement between area counties. She stated that she would like for Terry Slaughter to come and explain this to the board of what this will entail. The Clerk will let Terry Slaughter know and add him to the next agenda.
25. Commissioner Odom asks about the cracks in the pool and wanted some answers. He stated that he was told the pool had a one year warranty that this was poor planning. Commissioner Trull stated that if we allow them to patch the pool then why did we not patch the old pool. J.W. Cullbright, a representative from P&J stated that when the pool filled with water that the company expected it to crack at any stress points. He stated that the top layer was the only part affected which is called the diamond bright layer. Commissioner Trull asked several questions as will as the other board members but the end result is if you repair the pool you have a patched pool and that is not good enough for a million dollar pool project. Commissioner Odom wanted someone at the pool who knows about concrete when the time came to drain the pool and determine if the cracks were deeper. He also stated that any warranty should start when the pool was finished and approved, not before. Commissioner Snyder stated that he agreed with Commissioner Trull with you don't settle for second best when you pay for first rate of money. Commissioner Odom ask if the board would agree to

- have Matt Shiplet, and engineer be present when the pool is drained and check the concrete to see if it was sound. All Board was in agreement.
26. Commissioner Snyder called for a recess of ten minutes. Commissioner Odom seconded. Vote unanimous.
 27. Commissioner Snyder called the meeting back to order.
 28. Commissioner Snyder asks about the Tax office computer system and the Clerk told the board that the owner of the software, Perry Brown, was on the next agenda.
 29. Commissioner Snyder asked about the audit and the request for an addendum to the signed to extend the original deadline before Dixon & Hughes would release our audit. County Manager, Lynn Cody, stated that by law an addendum must be signed to be in compliance with the law. He stated that Mitch Crisp would come and present the audit to the board when the audit was completed. Mitch Crisp's firm has given the state a tentative audit. The commissioners also discussed the finance office and the CPA firm that provides service to the county now. The Board also stated that whomever we hired needed governmental accounting experience so that the next audit will go quickly. Juanita Colvard stated that she begs us to get someone quickly so that our audit will get done. Graham County has never been on time and this is crucial to her grants. She stated that high turnover in personnel is the major problem along with moving county documents from building to building. Commissioner Smith stated that we needed to get a book through the Institute of Government on the papers that we can destroy to make space for the ones we have to keep. Commissioner Smith also stated that we needed to do payroll in house and not use an outside company. The main reason for an outside company is Graham County can not do direct deposit. The Board also stated that we needed a different company for the next audit and Commissioner Cable stated that the next contract will state the exact date of completion. All Board was in agreement.
 30. Commissioner Smith presented the 2009 District Meeting that will be held on April 1, 2009 at W.C.U. from 5:30 – 9:00 p.m. and thought the board should attend. All board agreed to attend. The Clerk will make the necessary arrangements.
 31. County Manager, Lynn Cody presented the request from the Heritage Festival Committee to close the county offices on July 2 due to the festival being held uptown. The board will look into the matter further.
 32. County Manager, Lynn Cody also presented the letter from Tri-County asking for additional \$30,000.00 in funds. All Board stated that the county could not grant the request at this time.
 33. Commissioner Snyder made the motion to go into closed session under G.S.
 34. 143.318.11A (6) (3). Commissioner Cable seconded this motion. Vote unanimous.

35. Commissioner Odom made the motion to go back into open session. Commissioner Snyder seconded. Vote unanimous.
36. Commissioner Snyder made the motion to grant an easement to the Town of Robbinsville for the purpose of putting in a new sewer line subject to our attorney and the county manager approving the language with the understanding that if damage is done then the Town will be responsible. Commissioner Trull seconded this motion. Vote unanimous.
37. Commissioner Snyder made the motion to continue this meeting until Monday, March 9, 2009 at 10:00 a.m. at the Town of Robbinsville. Commissioner Smith seconded. Vote unanimous.