

Regular Meeting 5/5/2008

The Graham County Board of Commissioners met Monday, May 5, 2008 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 Sawyers. Chairman Cody opened the Meeting and Terry Slaughter gave the invocation. This meeting was held on Monday, May 5<sup>th</sup>, 2008 because of the Primary Election is to be held on Monday, May 6, 2008 at the Community Building.

1. Commissioner Williams made the motion to approve the Agenda with the addition of Commissioners Trull and Williams. Commissioner Cable seconded this motion. Vote unanimous.
2. Commissioner Williams made the motion to approve the Minutes. Commissioner Cable seconded this motion. Vote unanimous.
3. Chairman Cody opened the Public Comment session of the Meeting. Juanita Colvard, Election Board member, told the Board that she was requesting the Board do a budget amendment for a pay increase for Election Workers. Ms. Colvard stated that the pay they were receiving now was poll workers made \$7.00, Chief Judge \$8.00 and Judges makes \$7.50 and this is not enough money for the hours that they work and to keep qualified workers. Ms. Colvard request that the pay be increased for poll workers to \$8.50 an hour, Judges \$9.50 an hour and Chief Judge \$10.00 an hour. Commissioner Williams made the motion to increase election workers pay as stated above and Commissioner Cody seconded this motion. Commissioner Sherrill vote yes. Commissioner Cable voted yes. Commissioner Trull voted no. Commissioner Trull stated that he might not be against it at all but on the spur of the moment you make those decisions without looking into the situation. Commissioner Cody stated that the situation was Mr. Trull is that they had been working for 3-weeks trying to get workers that are required by the State to be in those polling places because they have not been able to get them because of the low wages we pay them for being there 12 hours a day. Commissioner Trull stated they should have been working on it 3-weeks ago or 2-months ago. Ms. Colvard stated that they had been working on it for months but it's the Republican and Democrat Chairs responsibility to get the names of workers and when they get hold of those workers and sometimes they can't get time from their jobs and we do need qualified people. Commissioner Cable stated that the question he had did these workers not volunteer to work? Ms. Colvard stated no that the Chair's get the names of the workers and submit them to the Board and they are notified and some can work and some can't. Ms. Colvard stated that some of the workers have worked for years and we can not have an election if we do not have the workers. Mr. Cable stated that he did not have a problem with the wage increase.
4. Scott Cunningham, Santeetlah Fire Department, met with the Board to discuss the matter of a fire truck they had that had and four different people's name on the loan and they wanted the truck to be put in Graham County's name and out of their name and they will still make the payments. County Attorney Stewart told the Board that to transfer the note that it would come due automatically and this note could be a problem but if you refinance it that would be different. The Board tabled this matter until County Attorney Sawyer looks over the financing papers.
5. Jeff Zakroski, Assistant Fire Chief, Meadow Branch Fire Department met with the Board to discuss an issue that they would like to have the \$5,000.00 reinstated in their budget as they have a 15 year contract starting in August 2006. Mr. Wiggins stated that this was his mistake and apparently it's not been fixed. Chairman Cody stated that was true and it was never corrected leaving it at \$30,000.00. Commissioner Trull asked what kind of contract they had. Chairman Cody stated that the Board had agreed not to recognize any of the contracts given by the previous Board. The insurance is held out of each fire department and is paid by the County and the balance is paid out quarterly. Commissioner Williams

made the motion to give Meadow Branch Fire Department the \$5,000.00. Chairman Cody asked for a seconded and there was not one. Commissioner Cable made the motion to table this request. Commissioner Trull seconded this motion. Commissioners Sherrill and Cody voted yes. Commissioner Williams voted no.

6. Lavina West met with the Board to discuss the building from the US Forest Service for a museum for Graham County. Ms. West stated that there was a matching grant for \$10,000.00. The Forest Service has tentatively agreed to a special use of their old office to Graham County for a minimal fee and Ms. West stated that the Board would have to find someone to oversee the museum. Ms. West stated that the Board would have to sign the final analysis when it was ready. The Board thanked Ms. West for all she was doing on this project.
7. Commissioner Trull stated that the recycling bins were taken to the recycling center and all was thrown in the trailer and that they should just eliminate the recycling bins. Commissioner Trull made the motion to eliminate the recycling bins. Commissioner Sherrill seconded this motion. Vote unanimous.
8. Commissioner Cable stated that employers had complained to him that they were receiving calls wanting employee's social security numbers so they could garnish their wages and Mr. Cable stated that this was not a good practice to do. The Board agreed for Mr. Cody to address this.
9. Chairman Cody informed the Board that Tajuana Ledwell's appointment was up as Tax Collector. Commissioner Williams made the motion to appoint Ms. Ledwell to a 2-year appointment as Tax Collector. Commissioner Trull seconded this motion. Vote unanimous.
10. Chairman Cody told the Board that Nantahala Regional Library, Friends of the Graham County Public Library and the current members of the Board of Trustees requested that the Board appoint Dianne Tatham Kaskey to replace Sherri Collins. Ms. Kaskey's appointment will expire in 2013. The Board recognized Sherrie Collin for all of her dedication to Graham County. Commissioner Sherrill made the motion to appoint Dianne Tatham Kaskey on the Nantahala Regional Library. Commissioner Cable seconded this motion. Vote unanimous.
11. Commissioner Cody told the Board that they needed to accept the bid package from P&J for the pool project according to McGill and Associates so they can do the bond procedures. Mr. Cody told the Board that the County still had the \$500,000.00 grant for this project. Commissioner Cody made the motion to accept the bid package from P&J to build the pool. Commissioner Williams seconded this motion. Commissioner Cody stated that the Board was requesting that P&J do the pool first and if any money is left then they will finish the project. Commissioners Cable, Sherrill and Trull stated they were for the pool but let County Attorney Sawyer check with McGill and make sure that they understood this project as to what is to be built first and the Board would move on with the meeting and come back on this item at the next meeting.
12. Commissioner Cody told the Board that Naomi Edwards had given them a list containing deceased ambulance patients that have no estates and this is over quite a few years. Commissioner Williams made the motion to dismiss all of the names on the call list that Naomi Edwards had presented to the Board. Commissioner Sherrill seconded this motion. Vote unanimous.
13. Commissioner Williams made the motion to approve the appointment of Commissioner Cable as the liaison between the NCACC and Board of Commissioners. Commissioner Cody seconded this motion. Commissioners Sherrill and Trull voted yes.
14. Chairman Cody told the Board that the Health Department was moving a nurse into a state funded position and that they want to advertise for the vacant nutrition

position created by this move. Commissioner Trull stated that there was no official funding at this point but taking a nurse in a different position and moving programs and the money that they were getting for this position won't be there if they don't generate monies to off set this position. Commissioner Cody explained what Mr. Trull was saying that they were moving 2 nurses and they are going to do a wellness program from infant to a certain age and basically what they are going to do is go into the homes and be able to help take care of new born and infant children and will do physicals and home based care for the parents that cannot bring their children to the Health Department. The Health Department will charge for these services to generate the monies to pay these nurses and at no cost to the County. Commissioner Williams made the motion to approve the advertising of this position. Commissioner Cable seconded this motion. Vote unanimous.

15. Chairman Cody reminded the Board of the DOT meeting to be held May 15, 2008 at the Library and this meeting is before they have the public hearing meeting at the High School. The time is 5 to 7pm. This meeting is to discuss the Cherohala connector. Commissioner Cody stated that County Attorney Sawyer stated that there was some discrepancy with the figures that McGill & Assoc. had presented and the pool project would be tabled until the next Board meeting.

16. Chairman Cody stated that he would like to make a comment that Mr. Trull had made a few minutes ago about people coming in and making requests and they had been on the phone for a week trying to get people to work and I think that's offensive that you made a comment about them when somebody is trying to get them to work and help the Election Office to get you elected or whatever. Commissioner Trull stated Mr. Cody did not understand his point and Mr. Cody stated he did understand what his point was and stated that these people can not get people to work two weeks before the election and they have to start working on the election 6 months before the election and they have all of the lists from each party that lists the names of the workers and they contact these people and if they refuse to work what are you going to do – you are going to go out and try to get whoever you can to work or we won't have an election. Commissioner Trull then stated next year do they get another raise if they don't show up and Commissioner Cody stated no it has to be set in the budget and this amount has not been changed since the 80's. Commissioner Trull stated if you had listened you will notice that I said I don't necessarily oppose them getting a raise but I was opposed to this last minute everything and all we do is the last minute and we vote on it and maybe you know more than I do and Chairman Cody stated that he knew about the list and trying to get people to work and Commissioner Trull stated that they needed advanced warnings. Chairman Cody stated that he was not on that Board and he stated he was not familiar with what goes on and they came to me and told me what they needed to do and my objective is to have them to come before the Board and present their case and if they go along with it then that's fine. I just take offense that you are making comments about this and Commissioner Trull stated that he was glad that Mr. Cody was taking offense that at least he was listening and Mr. Cody stated that he was listening and Mr. Trull stated that you got in trouble last week on the same thing and Commissioner Cody stated excuse me I got in trouble and Commissioner Trull stated that all of us did the Board. Commissioner Cody stated when a person comes to me I tell them to come to the Board meeting and that's what they did. Mr. Stewart made his presentation before the Board and it was up to the Board to make a decision and was that not correct and Commissioner Trull stated it could have been tabled and is that not correct and Commissioner Cody said that was true but there was a motion on the floor, there was a second and everybody was asked to vote and you voted. Chairman Cody stated to Mr. Trull that I'm speaking and I have the opportunity to speak and Commissioner Trull said you do and Mr. Cody said that's exactly right. Commissioner Cody stated that he had been elected to speak for the people just the same as Mr. Trull had and Mr. Cody stated that he was going to do his best to serve the public. Commissioner Cable told the Board that this was not the time for this conversation. Lynn runs the meeting and nobody else runs it and he is the Chairman. Commissioner Williams stated that he would like to say something about this trailer. I talked to Jack about it and the trailer was bought 6 or 7 years ago and it wasn't any good when they bought it, the cylinders on it was

warped and had to be packed 2 or 3 times and it set in the same place and not moved in 4 years. I heard that someone said we had to have that trailer to stack those tires in and when they dumped it there were two tires in it. We may have jumped the gun but we didn't do anything intentional against anybody as one of the papers let on like we did. Everybody had the same chance on the trailer because it's set in the same place for 4 years. Commissioner Cable stated that he had more flack over this than anything else they had done and we may have jumped the gun and the next time somebody thinks that they're perfect tell them to walk on water. I hope this is a lesson for all of us and if there is a next time we go and look at it.

17. Commissioner Cable made the motion to go into closed session under GS 143.318.11 A (6)/ (3). Commissioner Trull seconded this motion. Vote unanimous.
18. Commissioner Cable made the motion to come out of closed session and back into open session. Commissioner Williams seconded this motion. Vote unanimous.
19. In closed session the Board discussed personnel and Attorney/Client privilege.
20. Commissioner Trull made the motion to approve the full-time employment of Kayla Golden as paramedic and Justin Mickens as a part-time paramedic. Commissioner Cable seconded this motion. Commissioners Sherrill and Cody voted yes. Commissioner Williams voted no.
21. Commissioner Trull made the motion to unseal closed session minutes for the purpose of Attorney review on a pending litigation of a lawsuit. Commissioner Sherrill seconded this motion. Vote unanimous.
22. Commissioner Williams made the motion to continue this meeting to Monday, May 12, 2008 at 5:00pm in the Conference Room of the Community Building at 196 Knight Street, Robbinsville, NC. Commissioner Sherrill seconded this motion. Vote unanimous.

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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