

Regular Meeting - Monday, June 15, 2009

The Graham County Board of County Commissioners met today, Monday, June 15, 2009 at 5:00 p.m. for their regular monthly meeting held at the Graham County Community Building at 196 Knight Street Robbinsville NC 28771. All Board was present. Commissioner Snyder opened the meeting and Commissioner Cable gave the invocation.

1. Commissioner Snyder asks for a motion to approve the agenda with a change to item #4 changing the word adjourn to recess. Commissioner Cable made the motion to approve the agenda with the change. Commissioner Odom seconded this motion. Vote unanimous.
2. Commissioner Smith made the motion to approve the minutes. Commissioner Cable seconded this motion. Vote unanimous.
3. Commissioner Odom made the motion to recess the regular meeting and open the public hearing for the Three Year Update to the Ten Year Solid Waste Plan. Commissioner Trull seconded this motion. Vote unanimous.
4. Commissioner Snyder introduced Jim Patterson to speak in place of Wayne Sullivan for the update. Mr. Patterson stated that the board needed to adopt a resolution to accept the plans with the changes that the state had required to be listed. The Board asks several questions about the plan with Commissioner Smith asking about the new NC law not to allow hard plastics to be taken to the landfill. She asks Mr. Patterson if this applied to our county. Mr. Patterson stated that our solid waste went to an out of state facility and he did not know the correct answer to that question. Mr. Patterson stated that the resolution needed to be adopted by June 30, 2009. No decisions were made at this time. Commissioner Odom made the motion to close the public hearing and reopen the regular meeting. Commissioner Trull seconded this motion.
5. Melba Millsaps, Chairperson for the Graham County Board of Health spoke to the board with a statement about the public health and their visions for the county. See Attached! Ms. Millsaps introduced five of her board members who were present with her. Ms. Millsaps also spoke to the board about the move for the Environmental Specialists and the Building Inspector and expressed her board's desire to see them moved into the mobile unit that was obtained by grant funds and given to the Graham County Health Department. Ms. Millsaps stated in closing that her board and the public health staff would honor the county commissioner's decision concerning the move.
6. Commissioner Snyder opened the floor for public comment. Donna Cody spoke about the July 4th week closing of the county offices and stated that she did not understand why they chose to close when this is never appropriated to close unless in emergency situations. She also stated that she did not understand the board's rationale because saving money is not the case and she wants to know why. She also spoke about the health department move and stated that she was in full favor of stopping rent. She stated that our county has struggled for years but she felt this move would not be long term and she expressed her concerns about confidentiality.

The board had a complaint from a gentleman in the audience about not being able to hear and understand what the board was saying and he would appreciate if the board could speak directly into the microphones. Commissioner Snyder thanked the gentleman and stated that the board would see to this problem before the next meeting.

Yvette Hooper spoke to the board next on the health department. She stated that she was speaking as a user and not as a board member. She stated that in the old facility patients did not have any privacy and now there is total privacy. She stated "Don't tear down what the people have come to depend on."

7. John Fritts spoke next on behalf of T.I.S. Insurance and gave an update on the counties insurance. He thanked the board for the opportunity to serve their insurance needs and gave a quick overview of the insurances. He stated the enrollments will begin on Tuesday and Wednesday for county employees. He stated that I.D. cards would be available before the July 1 date. He stated that Graham County is important to them and that T.I.S. would service our account to the highest level.

Ed Wooters with the NCACC spoke next and stated that he looked forward to working with T.I.S. and the county on the health insurance. He gave a brief description of the policy and the savings to the county. He also explained that if a doctor is not listed in the book that doctor will fall under the C.A.P.E. program and you will be covered. The board thanked Mr. Wooters for his time and information.

8. Rick Davis spoke next on the Rural Development programs and gave the board information on this. See Attached! He stated that they were working on a grant to help restore the propose museum at the old forest service office. He gave a breakdown of expenses and stated the counties match. He stated that the county would have to commit to this program before the grant could be applied for. Lavina West, a museum board member gave a brief update on the building. The board asks if this museum would be self supported and the answer could not be answered at this time. Commissioner Smith stated her concerns about who would be responsible for the insurance on the building and the contents. The board thanked Mr. Davis for the information.

9. Blair Hyder, Tax Assessor, for the county was present for the decisions on the E&R Appeals. Commissioner Snyder called the Board of Equalization and Review back to order and instructed that Blair would send out letters of the decisions on the appeals. Commissioner Snyder stated that these decisions were made by polling all commissioners. Commissioner Odom made the motion to ratify the decision on the polls that was taken. Commissioner Trull seconded this motion. Vote unanimous.

10. Commissioner Odom made the motion to close the Board of Equalization and Review. Commissioner Trull seconded this motion. Vote unanimous.

11. Commissioner Snyder made the motion to call the regular meeting back to order. Commissioner Odom seconded this motion. Vote unanimous.

12. Commissioner Snyder asks the board for old business. Commissioner Odom asks the county manager for an update on the pool. County Manager Lynn Cody gave the board an update and stated that Jerry Williams Construction should be installing the windows this week. Commissioner Smith directed Mr. Cody to do a daily follow up on the pool. Commissioner Odom stated the same as Commissioner Smith and asked for a daily report until the county was given a response.

13. Commissioner Odom asks about the lighting at dumpster sites. County Manager Cody stated that lights had been installed at the Buffalo site and the county was waiting for permission from the Forest Service to install lighting at the Sawyer Creek site.

14. Commissioner Odom asks for an update on the move to the Health Department for the Building Inspector and the Environmental Specialists. County Manger Cody stated that David Hyatt, Building Inspector was packed and ready to move. J.R. Rodgers, IT Specialists is almost packed but will be the last to move out. The Environmental Specialists are waiting for their Director, Alicia Parham, to give the go ahead for their move. Commissioner Odom stated that at the previous meetings, the move needed to be done by June 30, 2009.

15. Commissioner Odom asks about the new server and tax software for the tax office. The county manager gave a brief update on the server and the software and stated that the server is ordered and will be installed when the county receives it. Commissioner Smith asks if the county already had the software. The County Manger stated that the software has been received and the county was waiting for the server to be installed before installing the new software.

16. Commissioner Odom asks about the Energy Advisory Board and if Johnnie Brooms was willing to serve on that board. The County Manager stated that Ms. Brooms was willing to serve. Josh Carpenter, County Planner stated that he was ready to begin with bi-weekly meetings but stated that the first round of money would go to counties with a population of 35,000 or more. Commissioner Odom stated that the county should still get on board for the next round.

17. Commissioner Odom asks about the Rural Development Board and if the county had received any information on this board. The attorney is still looking into this issue.

18. The board looked at the bids for the cleaning of the county buildings. The commissioners stated that this is general cleaning. Commissioner Smith stated her concerns about the schedule of cleaning. See Attached! After discussion among the board, Commissioner Trull stated that the board needed to table this until we get a breakdown. Commissioner Odom and Smith stated that the breakdown needed to be on a daily basis.

19. The board looked at the courthouse painting bids. See Attached! After discussion among the board, Commissioner Odom made the motion to accept James Beasley's bid since it was the lowest and detailed everything. Commissioner Cable seconded this motion. Commissioner Smith had a question about the chimney cleaning and the county manager stated that Beasley's bid did include the chimney. Commissioner Smith stated okay. Vote unanimous.

20. The board looked at the mowing bids. Commissioner Smith stated that due to the recreation department hiring an assistant, that department could take care of the mowing and the county no longer needed to bid this out. Commissioner Odom seconded this motion. Vote unanimous.

21. The board looked at the sidewalks bid for the pool. See Attached! After discussion among the board, Commissioner Cable made the motion to accept Leon Smith's bid. Commissioner Trull seconded this motion. Vote unanimous.

22. The board looked at the bids for the dumpster site paving. Commissioner Cable stated that we needed to table this bid because one of the sites needed to be moved. Commissioner Snyder asks which site was in question. The Clerk stated that the Meadow Branch Site needed to be moved. Commissioner Snyder stated that this would be tabled. All Board agreed.

23. Commissioner Odom stated that there was a vacancy on the Board of Health. The position was the dentist seat and he felt that a person with medical knowledge needed to serve in this seat. Commissioner Odom made the motion to have Lou Jackson, a registered nurse, serve on this seat. Commissioner Trull seconded this motion. Vote was four (4) accepted and one (1) opposed. Motion carried.

24. Commissioner Snyder announced for new business. Commissioner Smith stated that the county needed to put an ad in the paper explaining the ambulance charges due to confusion by some individuals who were refusing to pay their bill, stating that the EMS personnel did not inform them of the charges. The board gave the county manager a directive to meet with the ambulance personnel and tell them to inform all patients of any and all charges and to have an ad put in the paper. Commissioner Smith also stated that the personnel needed to finish all paperwork before going home from a shift. She also stated that a form needed to be signed and put in their personnel file that this directive was given.

25. Commissioner Odom stated that he had been researching the county boards and the people who sit on these boards. He stated that people could sit on two boards when an oath is given in order to sit on that board. He stated that a letter needed to be given by the attorney to all board members in violation of this to inform them of this violation. The attorney stated that this is a case by case basis and we needed to review all boards. Commissioner Odom made the motion to allow the attorney to notify any individuals who sit on more than two boards who are in violation. Commissioner Trull seconded this motion. Vote unanimous

26. Commissioner Odom stated that he had talked to David Lawrence at the Institute of Government and he suggested that the board pass a resolution stating that any persons appointed to boards that require an oath must present a copy of this oath to the Clerk of the Commissioners. Commissioner Odom made the motion to pass the resolution as stated above. Commissioner Trull seconded this motion. Vote unanimous.

27. Commissioner Odom stated that he had spoken with John Shuler with the Probation Office and John's superior and they both agreed to move to the old county manager's office in the courthouse to help eliminate the cost of rent. The Clerk had spoken with the Sheriff and he was

in agreement. Commissioner Odom made the motion to move the probation office into the old county manager's office. Commissioner Trull seconded this motion. Vote unanimous.

28. Commissioner Snyder asks the County Manager Lynn Cody to present the Counties 2009/2010 proposed budget. The board took a fifteen minute recess before the presentation. Commissioner Snyder called the meeting back to order. Commissioner Odom thanked Jacob Nelms, Environmental Specialist for our county, for helping with the mowing when the county was short handed as well as Commissioner Snyder. Commissioner Snyder also thanked Alicia, Health Director, for allowing Jacob to help us.

29. County Manager, Lynn Cody, ask Rebecca Garland, Finance Officer to give an update on the county finances before his presentation. Rebecca stated that she and Machelie had been making progress on catching up the books and were now working on the April totals. She stated that all expenditures had been stopped except for items that are necessary only. She stated that the projected date for the 2007/2008 and 2008/2009 audits for completion was Jan 31, 2010. She thanked the board for their help and expected great rewards in the years to come for our county.

30. County Manager, Lynn Cody began his budget projection summary assessment required by NC Statute 159-11. See Attached! He presented the board with a slide presentation with the details of the budget. He stated that the board of commissioners dropped the mileage rate from .60 cents per 100 to .58 cents per 100. The board also was able to allow the school their requested funding.

31. Commissioner Snyder asks the board again for a decision on the Heritage Museum. After discussion on costs of the building, insurance responsibilities and other costs and discussion with the finance officer and an insurance agent, Commissioner Odom made the motion to accept the funding of the museum over a two year period. The board presented further concerns so that Commissioner Odom rescinded his motion. Commissioner Odom made a motion to fund the museum with conditions to change if necessary. Commissioner Trull seconded this motion. Vote four (4) accepted, one (1) opposed. The board asked Commissioner Smith about her decision and after further review Commissioner Smith changed her vote to accept. Vote unanimous.

32. Commissioner Snyder made the motion to go into closed session under NC G.S. 143-11a (6) (3) (1). Commissioner Cable seconded this motion. Vote unanimous.

33. Commissioner Cable made the motion to go back into open session. Commissioner Odom seconded this motion. Vote unanimous.

34. No decisions were made in closed session. The board discussed personnel, attorney client privilege and contracts.

34. County Manager Lynn Cody presented the board with a request from Four Square Community asking the board to waive the inspection fees on homes in the county that are getting repaired by them. They stated that they are a non-profit organization. Commissioner Smith asks the county manager about the process of the organization. The county manager stated that persons go to Andrews to apply for help on repairs for their homes. The board asks if the other

counties waived their fees and the county manager stated that Cherokee and Clay counties had waived the fees. Commissioner Smith made the motion to waive the inspection fees. Commissioner Odom seconded this motion. Vote unanimous.

35. Commissioner Odom stated that the board needed to continue this meeting in order to have the budget hearing before July 1, 2009. Commissioner Snyder made the motion to continue this meeting until Friday, June 26, 2009 at 10:00 a.m. in the Graham County Community Building at 196 Knight Street Robbinsville NC. Commissioner Cable seconded this motion. Vote unanimous.