

Regular Meeting – Monday, September 21, 2009

The Graham County Board of County Commissioners met Monday, September 21, 2009 at 5:00 p.m. in the Conference Room of the Graham County Community Building at 196 Knight Street Robbinsville, NC. Present were: Commissioners 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 amend and approve the agenda with the deletion of number 5, Claudine Gibson. Commissioner Odom seconded this motion. Vote unanimous.
3. Commissioner Odom made the motion to approve the minutes August 17th, 31st and September 8th, 14th. Commissioner Cable seconded this motion. Vote unanimous.
4. Commissioner Snyder called for Public Comment. No public comment was given.
5. Commissioner Snyder asks Erma Phillips to present the Releases and Discoveries for the Tax Office. Ms. Phillips gave the board members a copy the releases and discoveries for approval. See Attached! Commissioner Cable questioned one item. Commissioner Snyder asks about the utilities. Commissioner Smith asks for clarification on the abbreviation of B/P. Ms. Phillips explained that the abbreviation stands for business / personal. Commissioner Cable made the motion to approve the releases and discoveries. Commissioner Trull seconded this motion. Vote unanimous.
6. Ms. Phillips also presented the board with a request for exemption from the Meadow Branch Fire Department. She stated that the department didn't file for an exemption in time. Commissioner Trull made the motion to approve the exemption. Commissioner Odom seconded this motion. Attorney David Sawyer stated that the board should receive a letter requesting the exemption from the Meadow Branch Fire Department before approving the exemption. Commissioners Trull and Odom rescinded their motion.
7. Commissioner Odom questions Ms. Phillips on the tax office computer and asks her suggestions on how often Graham County needed to have a revaluation. Ms. Phillips explained how the revaluation works and recommended that the board consider having a revaluation every four (4) years. The board discussed this at length on how this would or wouldn't help the county. Ms. Phillips also informed the board that the tax cards will be on the WEB soon. This will assist lawyers, real estate agents and the general public in finding information needed on tax issues. She stated that the public could not access the records for any changes; they could only look up tax bills. Commissioner Smith stated that this has been a long time coming and will save time for everyone needing information on tax cards.
8. Commissioner Snyder asks for old business. Commissioner Odom stated that he felt the county had given Swain County more than enough time to step up to the plate regarding payment for the services that we provide to the Deals Gap area. He stated that they did not take us seriously and fails to grasp the financial burden that providing these services causes to the tax payers of the county. Commissioner Smith made a motion to give Swain County notice that as of January 1, 2010, Graham County will no longer provide emergency services to the Deals Gap area. Commissioner Odom seconded this motion. Vote unanimous. Commissioner Trull asks if this would include the sanitation services also. Commissioner Odom stated that at this time Swain County was paid up until October 2009 and the county signed a contract for (5) five years with an increase of 5% each year. County Manager Cody stated that the contract had approximately three years left. Commissioner Snyder stated that people would not be happy with us not responding when we are closer to the calls. Commissioner Cable felt this was a humanity issue and he would not be held responsible for someone's life. The commissioner discussed the issue at length. The board all agreed that the Volunteer Rescue Squads and Fire Departments within our county were not a part of this decision. Commissioner Snyder called for a vote. Commissioner Trull, Smith and Odom were in favor.

Commissioner Cable and Snyder were opposed. Motion carried in favor three to one.

9. Commissioner Odom made a motion to give Swain County a thirty day notice effective November 1, 2009 that Graham County will longer provide sanitation services to the Deals Gap area. The commissioners discussed this issue on cost savings and taking care of our own county for a change. Commissioner Trull seconded this motion. Vote unanimous.
10. Commissioner Odom stated that Swain County Manager Kevin King stated that Swain County was losing money by transporting Graham County residents from Swain County to area hospitals. Commissioner Odom stated that he disagreed and found his comments to be very deceptive in nature. Commissioner Odom made the motion to contact the Administrator of Swain county Hospital and advise them to contact Graham County for transports on any routine NON-EMERGENCY patients who are residents of our county from their hospital to other medical facilities. Commissioner Smith seconded this motion. Commissioner Trull stated that the motion needed to include all Graham County patients and not just Graham County residents. Commissioner Odom amended his motion to include all Graham County patients instead of just Graham County residents. Commissioner Smith amended her second to include the same. Commissioner Snyder called for a vote. Vote unanimous.
11. Commissioner Smith asks if the cardboard press had been moved onto Graham County lease property. Manager Cody stated that he had instructed the Sanitation Director, Donnie Orr to make sure this was taken care of.
12. Commissioner Smith asks about the fencing for the sanitation department and if the county had put notice in the paper for advertisement. She stated that the county needed to run an advertisement in the papers to prevent people from complaining that we did not give our locals a chance to bid any work that was being done in the county. Manager Cody stated that he would put the notice in immediately.
13. Commissioner Smith asks attorney Sawyer about the Land Use Application for Fontana Water Project. Attorney Sawyer spoke on the land use application for Fontana Water Project and stated that the application could be submitted at this time. See Attached!
14. Commissioner Smith asks about the ambulance bill concerning the transport by our ambulance from an eating establishment in Cherokee County. Manager Cody stated that Cherokee County was meeting tonight for their regular meeting and the Cherokee County Manager would contact our office with their decision.
15. Commissioner Smith discussed the EMS Billing Office and the need to send the girls to a training class. The board was in agreement to send the girls to the training. See Attached! The board also discussed having an integrity check done on their system at a cost of \$198.00. The board was all in agreement of this also. Commissioner Smith stated that Caldwell County had increased their collections by two million when they performed this check on their system. Commissioner Snyder stated that we needed to have a policy and procedure on requirements to attend training for the county departments. Commissioner Cable stated that they need to go to school to maintain and keep their job.
16. Commissioner Snyder asks for new business. Commissioner Odom stated that he had received an anonymous letter in the mail by cowards who refuse to sign their name and if someone doesn't have the nerve to speak to his face then they should be ashamed to write an anonymous letter. He stated that the comments made were about him, his business and his wife as indirect threats and he takes those seriously. He stated that his wife was the majority stockholder and legal owner of the business and she has retained an attorney concerning the letter and will prosecute if needed.
17. Commissioner Odom asks the board about sponsoring the 2009 Christmas Parade and made a motion to appoint Lavina West to oversee the parade as a volunteer. The cost to the county will be the three plaques that are awarded for 1st, 2nd and 3rd place winners on best float. Commissioner Cable seconded this motion. Vote unanimous.
18. The commissioners also discussed the nativity scene for the courthouse lawn and did not want Santa Claus to be in the scene. All board was in agreement.

19. Commissioner Odom made a motion to honor Lynn Cody at the Commissioner Meeting to be held on September 29, 2009 in Stecoah for his many years of commitment and service to the Stecoah Fire Department and Rescue Squad. Commissioner Trull seconded this motion. Vote unanimous.
20. Commissioner Odom made a motion to hire someone in the tax office. Attorney Sawyer stated that this was personnel and should wait till closed for further discussion.
21. Commissioner Odom made a motion to pass a resolution requesting that the NC General Assembly to exclude the Appalachian Development Highway System Funding from the NCDOT Equity Formula. See Attached! Commissioner Cable seconded this motion. Vote unanimous.
22. Commissioner Odom asks Manager Cody on the process of prioritizing computer repairs. He stated that he had been receiving complaints from various departments that their repairs were not being completed on a timely manner. Manager Cody stated that the process was to fill out a repair request but some departments just called for the repairs and it was hard for him to keep track and follow through if he was not aware of a problem. Manager Cody stated that he would write a directive to all department heads with the correct protocol for repairs. All were in agreement of this directive.
23. Commissioner Cable stated that he had received a call from an individual who works on heat systems and would like to receive some county work. The commissioners briefly discussed who works on the units at this time and discussed some repairs that are needed to be made. Commissioner Smith gave a directive to Manager Cody to look into these concerns. All board was in agreement.
24. Manager Cody presented the board with a 2010 Census Partner Resolution. See Attached! Commissioner Smith, Manager Cody and Clerk Crisp attended a meeting with a census representative at the Town Hall. The county was informed that a true count as much as possible needed to be done so that we could receive extra funding. Commissioner Smith made a motion to adopt the resolution to partner with the U.S. Census Bureau for the 2010 Census. Commissioner Odom seconded this motion. Vote unanimous.
25. Manager Cody informed the board that our current insurance carrier is sponsoring a class on the new FMLA (family medical leave act) laws in Tennessee and that he, Machel and Kim would be attending the meeting. The class will also give 3 (three) hours credit for continuing education. The class is free of charge. All commissioners were in agreement for the office to attend the meeting.
26. Commissioner Snyder asks the board if we could recognize John Hicks, a kid who is an Eagle Scout, on his accomplishments. He stated that John was a great kid. He asks if we could present a County Flag to him at a commissioner meeting sometime. Commissioner Smith also stated that the county needed to have the flags on display at the commissioner meetings. All board was in agreement of both requests.
27. Commissioner Trull informs the board that a high school senior project is being done on a memorial for the last surrender of the Civil War East of the Mississippi. He stated that the surrender was done where the school administration building is located. He stated that historical markers were going to be installed and a shelter for the marker to protect against the weather elements as well as a sign on the road identifying the marker.
28. Clerk Crisp asks the board about giving the sanitation workers a Hepatitis B Vaccine due to the exposure of blood and other potentially infectious materials in the garbage collection. The cost for the shots will be a total of \$720.00 this includes three shots per person for six employees. Commissioner Smith stated that this needed to be mandatory. All board was in agreement to the shots.
29. Clerk Crisp also asks the board about appointing an ADA County Officer. The board questioned if we already had an officer.
30. Clerk Crisp informed the board about Eddie Adams, Duke Energy Representative calling on the T-1 lines that are no longer used. Mr. Adams stated that the county is being charged for these lines even though the county no longer occupies the building and that the lines needed to be disconnected.

Manager Cody stated that he would follow up on this issue and have the lines disconnected.

31. Commissioner Snyder made the motion to go into closed session under G.S. 143-318.11(a) (1) (2) (6) disclosure of privilege information, attorney client privilege and personnel. Commissioner Trull seconded this motion. Vote unanimous.
32. Commissioner Odom made the motion to go back into open session. Commissioner Cable seconded this motion. Vote unanimous.
33. Commissioner Snyder made a motion to support and co-sponsor the Restore the Partnership Act of 2009, HR3332, a bill to establish the National Commissioner on Intergovernmental Relations. Commissioner Odom seconded this motion. Vote unanimous.
34. Commissioner Odom made the motion to hire Alisa Eller to the custodian position. Commissioner Trull seconded this motion. Vote unanimous.
35. Commissioner Odom made the motion to appoint David Hyatt the counties ADA Officer. Commissioner Trull seconded this motion. Vote unanimous.
36. Commissioner Odom made the motion to hire Rena Williams for the tax office at a rate of \$9.00 per hour with the understanding that the job could be eliminated next budget year if the county was in a financial crisis. Commissioner Cable seconded this motion. Commissioner Snyder called for a vote. Commissioners Odom, Cable and Smith voted in favor of the motion. Commissioners Snyder and Trull were opposed. Motion carried three to one.
37. Commissioner Odom made the motion to adjourn. Commissioner Cable 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