

Regular meeting Monday, December 7, 2009

The Graham County Board of County Commissioners met Monday, December 7, 2009 at 5:00 PM in the Conference Room of the Graham County Community Building located at 196 Knight St., Robbinsville, NC for their monthly meeting. Commissioners present were: Bruce Snyder, Sandra Smith, Billy Cable, Steve Odom and Gene Trull. Commissioner Snyder called the meeting to order.

1. Commissioner Cable gave the invocation.
2. Commissioner Trull made the motion to approve the minutes. Commissioner Cable seconded this motion. Vote unanimous.
3. Commissioner Snyder made the motion to appoint Sandra Smith as the new Chair of the board for the ensuing year. Commissioner Odom seconded this motion. Vote unanimous.
4. Commissioner Cable made the motion to appoint Bruce Snyder as the new Vice-Chair for the ensuing year. Commissioner Odom seconded this motion. Vote unanimous.
5. Commissioner Trull stated for the record that Bruce Snyder had done an excellent job as chair for the previous year and thanked him for his fine job.
6. Commissioner Smith asks for approval of the agenda. Commissioner Cable made the motion to void the first agenda and to accept the second agenda due to the fact that the election of the chair and vice chair was left out of the first agenda. Commissioner Trull seconded this motion. Vote unanimous. Our public present was given a copy of the new agenda as well as press.
7. Commissioner Smith asks for public comment. No public comment was given.
8. Commissioner Smith asks Erma Phillips, Tax Assessor, to present the releases and discoveries. The commissioners questioned one discovery. Ms. Phillips stated why they were listed in the board were in agreement. See attached! Commissioner Trull made the motion to approve the discoveries. Commissioner Cable seconded this motion. Vote unanimous. Ms. Phillips explained the releases to the board and stated that Charles Meeker from the state suggested that the County releases the Western Materials bill at this time due to the fact there was not enough case law to tax this property at this time. Commissioner Odom asks if at a later date the bill could be discovered again. Ms. Phillips stated that yes it could. Commissioner Cable made the motion to approve the releases. Commissioner Odom seconded this motion. Vote unanimous.
9. Commissioner Smith asks for Juanita Colvard to speak concerning the CT 2010 Grant for the Transit Department. The Clerk called Ms. Colvard and her response was that she did not know she was supposed to be there. The Clerk apologized for this error.
10. Commissioner Smith asks for Alicia Parham, health director, to speak on the vaccine fees. See attached! Alicia explained the new state rules regarding charges of immunization shots. She stated that her board of health had met and voted to recommend a 20% administration fee to help with the extra cost. Ms. Parham explains the difference in persons with insurance versus those without. Commissioner Trull asks what the cost used to be. Ms. Parham stated there was no charge prior to this. The commissioners ask several questions to which Ms. Parham answers. Commissioner Cable made the motion to approve the fees. Commissioner Odom seconded this motion. Vote unanimous.
11. Commissioner Smith asks for finance report from Rebecca Garland Finance Officer. Rebecca stated that the County was still tracking ahead. See attached! She stated that the County's tax collection rate was very good compared to the shape that our economy was in. She stated that we are still behind on our sales tax revenue and probably would be from this point on because of article 42 that the state had passed. Ms. Garland's stated that she had to budget amendment's to present the board. The first amendment was a correction on the Sheriff impounds fees. The second amendment was to the election board budget concerning the travel line that was over budgeted. Commissioner Odom made the motion to approve the amendments. Commissioner Cable seconded this motion. Vote unanimous.
12. Ms. Garland also spoke to the board about the CT 2010 Transportation Grant. She stated after some inquiry to the state that the County's match would be 10%. The total purchase of the new van was approximately \$39,448. She stated that she had spoken with the Transit Director Juanita Colvard and the payment of \$3900.00 would not be due until March of 2010. Ms. Garland also stated that she and wanted to have discussed the surplus vans and the recommendation from the state was for the money obtained from the sales to be held in an account to compensate for the 10% match. Commissioner Odom stated that he thought the grant was a zero match but in essence the sale of the surplus vans monies is used to meet the 10% match. Ms. Garland stated that this is correct. Commissioner Cable made the motion to approve the CT 2010 Transportation Grant. Commissioner Trull seconded this motion. Vote unanimous.
13. Ms. Garland also spoke to the board with a request from the Sheriff to use the money from the totaled car and purchase another car Collins August Sales. Commissioner Odom questions the liability of a caller that does not have a police package. Commissioner Cable asks why buy an SUV instead of a smaller car. Commissioner Cable asks if the County could tell the state patrol office to see if they had

any extra cars available. Commissioner Trull stated that the card needed to have the Sheriff's package already included. Rebecca stated that she did have concerns with the additional costs of outfitting the car for police standards. Commissioner Cable made the motion to table this issue until the County could check with the state patrol office. Commissioner Odom stated that the County needed to make a request and ask for a good car. Commissioner Trull seconded the motion. Vote unanimous

14. Commissioner Odom asks Ms. Garland where we stand on the occupancy tax. Ms. Garland stated some of the bigger ones were paid all but one month. Commissioner Odom felt that the County should look closely at the forms to make sure they are paying the full 3%. Ms. Garland stated that she can audit at any time. She also stated that she keeps a spreadsheet of every month and if the totals have an unusual fluctuation then she will check them out. Commissioner Odom stated that we needed to send a notice to persons renting weekend cabins that they are also responsible for occupancy tax. Commissioner Trull agreed that everyone should pay. Commissioner Smith suggested Rebecca go to the real estate offices and get a listing of all rental properties. Commissioner Cable stated his concerns about one location not paying sales tax for items that are sold at that location. Commissioner Cable stated that this was not fire to honest taxpayers. Ms. Garland stated that she would check into this.
15. Commissioner Smith asks for old business. Commissioner Odom stated that he had been talking to Attorney Sawyer about the mutual aid agreement between Graham County and Swain County and that the agreement was no longer valid. Attorney Sawyer stated that he was trying to contact Swain County and get something worked out. Commissioner Trull stated that this needed to be handled quickly. Attorney Sawyer stated that he would follow with a new ordinance after talking with Swain County on how to proceed with a new mutual aid agreement.
16. Commissioner Odom stated that he went to Cherokee County's commissioners meeting and they are in agreement with Graham County on the resolution concerning the excessive spending after commissioners have lost the commissioners race. Attorney Sawyer has presented the board a resolution to be adopted concerning this issue. See attached! Commissioner Cable made the motion to adopt the resolution. Commissioner Odom seconded this motion. Vote unanimous.
17. Commissioner Odom asks if any contact had been made from the state concerning the drainage problem at the Graham County Health Department entrance. Manager Cody stated that he had not received word that that the state is aware of the problem and they blame the designer McGill and Associates. Commissioner Odom asks that Manager Cody stay on top of this issue. Commissioner Trull stated that drainage around the courthouse was also a problem and would cause ice problems this winter. Commissioner Smith asks who is responsible for the area around the courthouse. Manager Cody stated that this city owns this property. Commissioner Odom stated that this needed to be fixed also Commissioner Smith stated that Manager Cody needed to get with the Town to work out a solution. Commissioner Odom stated that the Town of Robbinsville could get grants that would help fix these problems. Commissioner Smith stated we needed set of meeting with the town and they are to you Ald. to talk about mutual problems. Commissioner Cable felt that a representative from the DOT should be present also. Commissioner Smith asks if the meeting can be scheduled after the first of the year. The commissioners issued a directive to Manager Cody talked to the Mayor about a possible meeting.
18. Manager Cody stated that he had received prices for a turkey and ham to be given to each employee of the county as a Christmas gift instead of hosting a Christmas dinner. All board was in favor of the purchase.
19. Commissioner Odom stated that Lavina West was the new public relations liaison and would issue press releases to the paper so that all sides of the story could be heard. He also stated that she accepted Deputy Clerk to assist Clerk Crisp when needed.
20. Commissioner Smith asks if the phone contract had been located. Manager Cody stated that we were still working but that we did have the contracts from the lease to purchase company. Ms. Garland stated that she would look at her old paperwork to see if a copy of the contract was in her old files. Commissioner Trull stated that we could contact the finance company but manager Cody stated that they would only have the lease purchase agreement and not the actual phone contract.
21. Commissioner Smith asks if the box bailer had been moved at the sanitation department. Manager Cody stated that the director was waiting on a piece of equipment to be moved that belonged to the landlord. Commissioner Smith stated we needed to do this as soon as possible.
22. Commissioner Smith asks about the pumps at the pool and if they had been drained. Manager Cody stated that the recreation director was in contact with a company in Franklin to assist him in draining the pumps. Attorney Sawyer stated that all paperwork needed to be kept concerning the pool due to possible damages that may be collected at a later date.
23. Commissioner Smith stated that several boards needed new members. She suggested that manager Cody talked to some of these boards to find out what their needs are and what the commissioners can do to help. Commissioner Cable and Commissioner Snyder stated that they would talk to some people also concerning these boards.

24. Commissioner Smith asks about the state sign to be erected at the Stecoah Dumpster site. Manager Cody stated that the County would have to purchase and put the signs under DOT regulations. Commissioner Cable asks if the state could have the signs printed for us at their costs. He stated that the state used to do this for churches and they are free. Manager Cody stated that he would check into this issue. Commissioner Cable stated that we needed to get three estimates on the signs before placing the order. All board was in agreement.
25. Commissioner Trull asks about the signs for the 911 roads. He understood that the 911 funds would no longer pay for the signs to be made or put up. Ms. Garland stated that was correct and that she was still working on how and why the money for the 911 funds could be used. Manager Cody stated that the signs are very important for our County. Commissioner Odom suggested that we talk to the legislatures and see if they could help us. Attorney Sawyer stated that this may be a subject for resolution on safety issues. All board members were in agreement with Attorney Sawyer drawing up a resolution to oppose restrictions on the use of the 911 funds.
26. Commissioner Smith asks if we had spoken with the Ortivus Company on the new modules for the EMS billing office. Manager Cody stated that Junior Rodgers was working with the company now and that JR had gotten a scanner for that office also.
27. Commissioner Smith asks if the plan was in place for the child support program that will be the counties responsibility in January of 2010. Clerk Crisp stated that the director of social services had assured her that the plan would be in place before she left. The director of social services has given her resignation and will be leaving January 1, 2010.
28. Commissioner Smith asks for new business. Commissioner Snyder stated that he did not previously understand what a consent agenda was until he had attended the Macon County commissioners meeting. He stated that he saw how the consent agenda worked and that the County needed to consider doing this. He suggested that we call Macon County and get a copy of their rules concerning the consent agenda. Commissioner Trull gave a directive to Manager Cody to send for a copy. All board was in agreement.
29. Commissioner Odom stated that he had received a letter from the DOT concerning the new bridge project on Moose Branch Road and the state will be redesigning the bridge. Commissioner Smith stated that they will take more of our property at the pool. Commissioner Odom stated that is correct. Commissioner Odom stated that our bridges were being redesigned due to the hundred year floodplain management program. Commissioner Trull stated that this will be a \$2-\$3 million dollar bridge.
30. Commissioner Odom stated that he would like to approach the state to consider installing safety crosswalks on the Rodney Orr By-pass. He stated that one crosswalk needed to be from Ingles to Duke Energy building and the other one from the Village Shopping Center to the Mexican Restaurant. He stated that no one yields to pedestrians on this bypass and this is very unsafe. All board was in agreement to requesting to crosswalks to be installed on the Rodney Orr bypass.
31. Commissioner Odom stated that the County had several surplus vehicles that needed to be auctioned off. See attached! Commissioner Odom made the motion to surplus two 2002 Dodge Vans, a 2000 Crown Vic, 1996 Chevy Corsica, 1995 Chevy Van and a 1991 Chevy Corsica. Commissioner Snyder seconded this motion. Vote unanimous. Commissioner Smith questions the titles not being listed solely to Graham County Government. She stated that all vehicles need to be in Graham County's name only. All board was in favor. Commissioner Odom made a motion to set the auction day for January 9, 2010 at 9:00 AM at the Graham County Sheriff's Department impound yard and that the auction would be held rain or shine. Commissioner Odom amended his motion to include and that all interested parties may look at the vehicles prior to the auction at 9:00 AM and the auction will begin at 10:00 A.M. and that all vehicles will be sold as is with no warranty of any kind. Commissioner Snyder seconded this motion. The commissioners discussed the need to have the auction in the county parking area but decided to talk with the Sheriff on having a deputy present so that any vehicles impounded would not be disturbed during the auction. Commissioner Smith calls for a vote. Vote unanimous.
32. Commissioner Smith stated that the board needed to review the EMS rates. She stated that some codes have different charges and she felt that the charges should be all the same. Commissioner Cable stated that we had previously discussed this issue in the past. Commissioner Trull stated that Manager Cody needed to speak with the EMS Director Larry Hembree on this issue. The board agreed to table this issue until it could be reviewed further.
33. Commissioner Smith also stated that some older EMS Bills needed to be written off instead of archived. She stated that the board needed to host a workshop to decide which bills to write off and which bills to keep. All board was in agreement.
34. Commissioner Smith stated that she had received a letter from the health department concerning painting of the offices by health department employees. Attorney Sawyer felt this may be a closed session issue and asks that discussion of personnel be held in closed. All board was in agreement.
35. Commissioner Cable made the motion to go into closed session under GS 143-318.11(a)(1)(6) for attorney client privilege information and personnel. Commissioner Odom seconded this motion. Vote

unanimous.

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

37. Commissioner Odom stated that the board needed to develop a Travel and Tourism Board. Attorney Sawyer stated that the county board needed to pass a resolution to form this advisory board. Commissioner Cable made the motion to pass a resolution to develop a Travel and Tourism Advisory Board. The members selected were: Jeannie Stewart, Lynn Shields, Dirk Cody, Randal Phillips and Linda Dunmore. The members will serve a term of one year in an advisory capacity only. The Director of the Travel and Tourism will coordinate all meetings so that all board members are on equal footing. The board will be required to attend all meetings held every two months and if a member misses two consecutive meetings without a legitimate excuse then that board member will be replaced. The Director of Travel and Tourism will communicate the recommendations of the T & T Advisory Board to the County Board of Commissioners. Commissioner Trull seconded this motion. Vote unanimous.

38. Commissioner Cable made the motion to hire Jennifer Gladden and James L. Hyde for the part time 911 Communications / Dispatchers. Commissioner Odom seconded this motion. Vote unanimous.

39. Commissioner Cable made the motion to continue this meeting until Friday, December 18, 2009 at 9:00 a.m. at the Graham County Community Building located at 196 Knight Street Robbinsville NC to meet with a representative from the NCACC to discuss the Greenleaf Foundation. Commissioner Trull seconded this motion. Vote unanimous.

Sandra Smith, Chairman, Graham County Commissioner

Bruce Snyder, 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