

Special Meeting - October 13, 2009

The Graham County Board of County Commissioners met Tuesday, October 13, 2009 at 9:00 a.m. in the Conference Room at the Graham County Community Building at 196 Knight Street Robbinsville, NC 28771 for a special meeting with Senator John Snow and Representative Roger West to ask for help on issues for Graham County. Also present were: Sandy Zimmerman with Congressman Shuler's office. John Mitchell with Senator Richard Burr's office, Bobby Smith, Town of Robbinsville Alderman, Representative with McGill & Associates and Rebecca Garland, Graham County Finance Officer. Board members present were: Bruce Snyder, Sandra Smith, Billy Cable, Steve Odom and Gene Trull. Also present were: County Manager Lynn Cody and Clerk Kim Crisp.

Commissioner Snyder called the meeting to order. Commissioner Cable gave the invocation.

Commissioner Snyder thanked everyone for coming and meeting with us and asks that everyone introduce themselves. After everyone introduced themselves, Commissioner Snyder asks Commissioner Odom to begin with questions that he may have.

Commissioner Odom stated that he had concerns about the flu shots and stated that the larger counties had received their shots before Graham County received theirs and asks that this issue be looked into and checks to see why that our county can not receive the vaccines in the same timely manner of other counties. Senator Snow stated that he was not aware of these vaccines being late but he would follow up with the Health Department Director's to see where the problem lay.

Commissioner Odom also stated that he had concerns about the DMV Mobile that provides services to our county. He stated that they only come to our county once a month and he felt that Graham County deserved more service and the same accessibility that everyone else in the state has. He stated that our elderly have a hard time driving to other counties to renew their licenses if they miss the one visit per month. He stated that our county had passed a resolution requesting that the State allow the DMV Mobile to come to our county once a week. Representative West stated that the original plan was for the mobile to come to Graham County once a week but due to the budget crunch the state had to lessen the time. Senator Snow stated that they would check into this issue.

Commissioner Odom also asks about the imbalance in the monies paid by TVA for the dams in North Carolina versus Georgia. He stated that the Georgia Dams were much smaller and didn't generate as much power as the North Carolina Dams do. He stated that Graham County has Fontana Dam which is the largest hydro-electric dam east of the Mississippi and the seventh largest in the United States and our county as well as Swain County was getting the short end of the stick. Senator Snow stated that he would contact the TVA Liaison Penny Grace to look into this matter. He stated that there was no reason that Georgia should be getting more monies than North Carolina. Senator Snow requested that Rebecca Garland send all the paperwork to his office and he would pursue the matter from there. Commissioner Smith stated that TVA needed to look at the depth of the dams as well as the acreage. Commissioner Odom stated that TVA needed to compare how much electricity Fontana contributed to the power grid versus the installations in Georgia. Representative West also stated that Georgia tried to take land from North Carolina through the Supreme Court. Commissioner Cable stated that he had questioned TVA before on a watershed ordinance and they denied knowing of anything, but he knows for a fact an advisory board was established over a watershed ordinance and for discussing issues on water. He stated that we needed to respond to this and not deny our people the right to know what is going on. Everyone should have equal representation Senator Snow stated. He stated that we could trust him to take care of our interest.

Commissioner Odom stated that the last issue that he had was over a spending issue that occurred in 2006 after the General Election in which the incumbents lost and proceeded to spend two and a half million dollars in twenty eight days. He stated that this was originally brought up by Commissioner Cable but he would like to comment as well. Commissioner Odom stated that the money that was spent was from an Alcoa lawsuit and these monies will never be obtained again. He stated that it was not right for commissioners to spend every dime of money that the county has before leaving office and that the

following board had to use drastic measures just to make payroll because of what the out going commissioners did. He stated that he had talked with other counties and they are in the same agreement concerning this issue. Commissioner Trull felt that this was done out of spite. Commissioner Cable stated that this was not a Democrat or Republican issue but a moral one and he has also spoken with other counties and they will get on board with us on this matter. He stated that we needed to push state law to prevent this happening ever again. The taxpayers are the ones who will end up having to pay in the long run. Representative West stated that we needed to talk to the NCACC and get them on board. Manager Cody stated that he had spoken with them already and they are in the process of developing a template for a state wide resolution. Commissioner Cable stated that this resolution will stop all unnecessary spending. Representative West agreed. Commissioner Snyder stated that he had talked to several commissioners when he attended the NCACC Conference in Hickory and some had similar situations happen in their counties and agreed to the resolution. Commissioner Trull stated that a five member board would have a harder time overspending than a three member board. Commissioner Odom stated that the State Treasurer's office requires counties to maintain a fund balance of no less than 8%. Senator Snow stated that he and Representative West would gladly sponsor this issue if the NCACC was in full agreement. Representative West stated that he hoped that we could attach this to another bill to get passed in short session because if not then the wait would be until the long session which is held in 2011. Senator Snow stated that they would look for a bill to attach too. He stated that he would call the NCACC and ask for their input and then find a bill drafter to pursue. Senator Snow asks the county to write a letter with the issues, fax and email copies to his and Representative West's office with the resolution that was passed. Commissioner Odom stated that we should not expend above and beyond emergency situations only and this is a matter of simply protecting the interest of our taxpayers. Commissioner Cable stated that this measure is to prevent the excessive spending in the future.

Commissioner Odom also ask about the Stecoah Valley Center using a school bus to transport kids to and from after school program. Senator Snow and Representative West both stated that legislation had already passed for this issue to be complete and it was okay for the school to provide an activity bus to transport the kids to the Stecoah Valley Center. The actual bill gave the school permission to transport these kids. The commissioners were under the impression that due to liability reasons the school could not transport these kids. Senator Snow stated that this was for a daily activity bus use. Representative West stated that he would look the bill up and report back to the board on this issue. Sandy Zimmerman with Congressman Shuler's office requested a copy on this bill also.

Commissioner Smith stated that she had one issue concerning the Floodplain Mapping that was not correctly done in Graham County. She stated that a stream study was not done on all streams and the choice whether to accept or decline was taken from us because of the flood insurance. If we said no then no one could receive flood insurance and if we said yes then the set backs takes place and people can not use their land. One person went to Washington to get a variance to permit them to build on their land. She stated that this same situation happened in California and they are having the same problems that we are. She stated that the government is taking people's land and will again with the Watershed Ordinance that they want us to pass. She stated that something had to be done. The commissioners all agreed that every piece of property has different issues and most people could not afford to have the studies done that the state and federal government requires to get their land out of the flood plain. Sandy Zimmerman stated that Congressman Shuler's office was still working on this issue. Commissioner Smith stated that our mountains are different than others across the state and we the government should check them out before making rules. Commissioner Trull stated that the land owner is in a lose option either way. Property owners are in a no win situation. Representative West stated that yet another ordinance would be going through, Slope Ordinance, and this one is stricter than the other two combined. He stated that one size does not fit all and Senator Snow stated that the representatives did not need to get involved in the slope ordinance and he was opposed. Representative West stated that we needed to be passionate about our land because Graham County did not have much land to begin with.

Commissioner Cable spoke briefly again on the spending issue and then ask about the lottery money and why was it not going to our education system like it was originally intended. He stated that taking our schools money is wrong. Senator Snow stated that the lottery is given to the schools. The

breakdown is given to administration of the lottery, paying the prizes out and the profit goes to school construction. The reason this end of the state does not see this money is because we only get about thirty five percent of the pot. He stated that the state distributes the money per student basis and this is unfair to the small counties in the west. Senator Snow stated that he has fought hard for our teachers to keep their positions.

Commissioner Cable also spoke on the health care issue and wanted to know if our tax dollars will be used to pay for abortions. Senator Snow stated that he opposed to the health care bill but he did not vote on this issue but Congressman Shuler and Senator Burr does. Their representatives stated that they will not vote for this bill.

Commissioner Trull asks a simple question, he stated that we just needed a little money for the museum that the county wishes to have. The county has tried to work with the Forest Service on obtaining their old building but those plans fell through. Senator Snow stated that the federal government should just give the county the land and building.

Commissioner Snyder stated that he would like to see Fontana Village become incorporated. He stated that he felt this would be good for the village. Representative West stated that he had been working on this issue and they fail to meet the criteria in becoming incorporated. He stated that his office was still looking into this issue and has a bill in the house now to allow an exemption due to size but this would not be easy to get around but that it could happen. The board asks Bobby Smith, Town Alderman if it helps to be incorporated in obtaining grants. Bobby Smith stated that yes it did help to obtain grants although he was not happy about the grant process right now. He stated that the town was having a hard time getting the grants through. Senator Snow asks that Bobby Smith send a copy of the grants to his office and he would make sure they were submitted correctly. A representative with McGill and Associates was present also and stated that the grants were written up correctly. Senator Snow and Representative West both ask that they get in contact with their offices by letter and they would find out what the problems were and the reason why the grants were not being approved. Bobby Smith stated that tourism was causing an overload on the Town's water and sewer systems and they needed the grant to go through. He stated that this is a hazard waiting to happen and he was sure that Fontana Village was facing the same situations that the Town of Robbinsville was. Bobby Smith stated that tourism and recreation is our future and we needed help with these.

Senator Snow requested that the county send a letter concerning the issue of the imbalance of monies given by TVA to North Carolina versus Georgia, and a letter explaining why the county wants to pass a bill on restricting spending in a commissioner election year. Representative West requested the letters be copied to him.

County Manager Cody asks if there were any budget cuts coming up that the county did not know about. Senator Snow and Representative West both stated that no new cuts have been made other than the ones that the counties know of.

Senator Snow spoke briefly on the Transportation Tax and stated that the county could opt out of this tax. He felt this tax was designed to aid larger cities in their transportation systems but he stated that the choice would be for each county to decide.

Manager Cody asks if the sales tax revenue distribution could be revised because the way the tax distribution stands now, all smaller counties will not be receiving very much due to the fact the distribution is done by population level ratio. Senator Snow asks for this to be put in writing and sent to the respective offices also.

Manager Cody asks about the 911 Fund and if the state could make these funds more flexible for the counties to use. Senator Snow stated that the telephone companies keep lobbyists in Washington for this fund so that they will be able to recoup the monies instead of the counties. He stated that he knew of this problem and he would gather further information on this issue. He stated that a letter needed to be sent to the respective offices on this issue also.

Manager Cody thanked Senator Snow and Representative West for coming and speaking with us along with the representatives from Senator Burr and Congressman Shuler's office.

Commissioner Smith asks if the about the Governor going to Asia to bring back jobs. Senator Snow stated that he was worried about that because this country success is judged on what we make and right now we as a country do not make a lot of products anymore. He stated that our textile has been taken overseas as well as our car industry and this is very frightening because our country is in a terrible recession and the worst is yet to come. Senator Snow stated that we are very lucky to have Stanley Furniture. Commissioner Cable thanked everyone for attending. Commissioner Snyder expressed his thanks to everyone and announced the meeting adjourned.

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Bruce Snyder, Chairman, Graham County Commissioner

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Sandra Smith, Vice-Chairman, Graham County Commissioner

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Billy Cable, Member, Graham County Commissioner

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Steve Odom, Member, Graham County Commissioner

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Eugene Trull, Member, Graham County Commissioner

ATTEST:

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Kim Crisp, Clerk to the Board