

Regular Meeting – Tuesday, September 8, 2009

The Graham County Board of County Commissioners met Tuesday, September 8, 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 Snyder moved to amend the agenda with the removal of item #7. Commissioner Odom made the motion to approve the agenda with the removal of item #7. Commissioner Cable seconded this motion. Vote unanimous
3. Commissioner Odom made the motion to approve the minutes for the August 24th continued meeting and the minutes for the special meeting August 24th. Commissioner Cable seconded this motion. Vote unanimous. Commissioner Snyder asks about the minutes from the August 17th regular meeting and the Clerk stated that she was waiting on an attachment to be finished.
4. Commissioner Snyder asks for public comment. Mack Tallant and Jeannie Stewart representatives for Fontana Inc. presented the board with a land use application that the county would have to apply for in order for Fontana Inc. to have a new water treatment plant. See Attached! They told the board that the original site for the new facility was not feasible and TVA had agreed on another location but in order to do this the county would have to apply for the land use application. The board asks several questions as well as the county attorney. The county attorney stated that this application is a requirement from TVA and this does not put the county into any kind of contract with Fontana Inc. The county attorney did make comment on item #7 of the application and stated that he would need clarification on this item before proceeding. Commissioner Trull made the motion depending on the clarification on item #7 to allow the application to be submitted. Commissioner Cable seconded this motion. Commissioner Smith questioned item #9 and Mack Tallant responded that this was just an easement. Commissioner Snyder called for further discussion. Commissioner Snyder called for a vote. Vote unanimous.
5. Manager Lynn Cody presented the finance statements on behalf of the Finance Officer Rebecca Garland. See Attached! He stated that the county needed to remain cautious on their spending.
6. Susie Farley, Election Director was not present to speak so Commissioner Snyder asks Juanita Colvard an Election Board member to present that item for discussion. Juanita stated that the issue was concerning a grant that was a 50 / 50 match that would be used to pave the parking lot at the precinct locations. Juanita stated that the state was mandating the precincts to be in ADA compliance and this grant would assist in this area.
7. Larry Hembree, EMS Interim Director presented the board with a condensed version of the E-Plan for Graham County. See Attached! He stated that the original plan is over 600 pages and could be viewed on a web site. He stated that he has been working with Nancy Johnson at grahamcounty.org to update all the information. Commissioner Smith asks several questions about the E-Plan and establishing the chain of command when working with disasters in the county. Larry gave instances of disasters in the past and the response by the county. Commissioner Smith thanked Larry for the information and stated that she did not know what happens in dealing with disasters and asks James Bud with the Graham Star to publish something about this issue in the paper. Mr. Bud agreed to do an article. Larry also discussed the ambulances and some changes that he was making in the department. Larry also apologized to the board on any misunderstandings on Terry Slaughter's retirement dinner. He stated that no one was invited except for the EMS crew because if he left anyone out, he did not want any hurt feelings. Commissioner Odom thanked Larry for informing the board about thing going on in his department.
8. Commissioner Snyder made a motion to amend the agenda again to include old and new business. Commissioner Odom seconded this motion. Vote unanimous.

9. Commissioner Snyder stated that he had attended the NCACC Conference in Hickory and represented the county as a voting delegate. He stated that a plan was floating around in legislation to consider taking the counties fund balances that were above 8% to help with the state budget. Commissioner Odom stated that they did take Smoky Mountain Mental Health's fund balance. Commissioner Snyder was concerned if that would happen in our county.
10. Commissioner Snyder stated that he had the ethics training class while at Hickory and stated that this will be a required training for all elected board members. The mandate will go into effect in November. He also stated that the county must have a Code of Ethics plan in place by January 11, 2010.
11. Commissioner Snyder asks the board to consider a resolution to accept Fontana Village as a municipality. Commissioner Cable stated that this was tried before but failed because there were not enough residents and petitions would have to be signed and put through to the Election Board. The board asks Juanita Colvard if this was correct. She stated that the resolution would not help or hurt the chances of Fontana Village becoming a municipality because a certain criteria had to be met.
12. Commissioner Snyder asks about the possibility of naming the EMS building after Terry Slaughter. He stated that he had dedicated lots of years and hard work to the building of the establishment.
13. Commissioner Cable asks Manager Cody about the template from the state concerning the spending resolution to protect the counties monies when commissioners lose the election. Manager Cody stated that he had not received the template.
14. Commissioner Smith stated that the board needed to replace Larry Hembree on the 911 Road Naming Board now that he was the Interim EMS Director. He will now serve as the administrator for the 911 board. The manager will check to see if Larry can serve in both positions.
15. Commissioner Smith asks the attorney about the EMS bill from Cherokee County. Attorney Sawyer stated that he had not received any information on this issue yet.
16. Commissioner Smith asks about the flood plain mapping fees and if anyone had responded from the state on who is responsible for this fee being collected. Attorney Sawyer stated that no one in the state would take credit on knowledge of this fee. Clerk Crisp responded that this fee is set up through the Register of Deeds office to be collected and that she would send the information to the attorney this week.
17. Commissioner Smith asks about advertising for people interested in sitting on county boards. Manager Cody stated that he was still working on the template for this ad. Commissioner Smith requested that this be completed soon.
18. Commissioner Odom asks if Fontana Inc. had paid their occupancy tax. Manager Cody stated that the county has not received the monies and Rebecca Garland had sent a certified letter requesting the money.
19. Manager Cody gave the board an update on a security breach in the county manager's office and presented the board with a security system from ADT. The fee is \$1600.00 up front fee and \$43.50 monthly fee. Commissioner Odom made the motion to allow for this system to be installed in the county manager's building. Commissioner Trull seconded this motion. Vote unanimous.
20. Commissioner Odom asks if a meeting had been scheduled with Senator Snow and Representative West. Manager Cody stated that he was waiting on the day to schedule the meeting and would email both men tomorrow. Commissioner Cable stated that he had spoken with both men and they do intend on meeting with us.
21. Commissioner Odom commented on the Swain County contract with Graham County on the ambulance coverage's and stated that Manager Cody had tried numerous times to reach Swain County Manager today with no response. Swain Manager returned the call five minutes before this meeting. Commissioner Odom stated that in response to the comments by Swain Manager they did not respond to the number of calls for Graham County only. See Attached! The board discussed this at length with the agreement that a solution needed to be reached and if not then Swain needs to provide their own services beginning at the first of the year. Commissioner Cable stated that his concerns were mainly for the victims and could our county face legal issues for not responding to the calls. Interim EMS Director Larry Hembree gave the board a brief overview of how our county

- handles the calls with Tennessee and stated that the 911 calls could be rerouted to Swain instead of Graham when placed in the Deal's Gap area.
22. Commissioner Odom praised our Sanitation Department for their hard work in keeping our dumpster sites cleaned and stated that the Brooks Cove area could use four more dumpsters due to the large amount of garbage and the residents were in favor of this suggestion. The board gave the county manager a directive to put four extra dumpsters at the Brooks Cove area. Commissioner Trull asks about the dumpsters and Manager Cody stated these were old dumpsters that were being replaced by the new ones but would suffice at the Brooks Cove area. The one dumpster that is currently there can not hold the amount of garbage being collected mainly from Fontana Inc. The board was informed of the mess that was created by bear in that area and will have the area cleaned up after the snakes den up. Manager Cody stated that he would call and get permission to allow the four extra dumpsters.
 23. Commissioner Odom spoke to the board about the EMS billing letters that were being returned undeliverable and stated that the highway patrol office could assist in getting the correct information. The board is aware that the ambulance drivers are given false information from people trying to avoid paying for the call.
 24. Commissioner Odom stated that Lou Jackson, Health Board Member was not able to serve any longer due to a conflict of meeting times. Commissioner Odom made the motion to appoint Lorena Beasley to this position. Commissioner Trull seconded this motion. Vote unanimous.
 25. Commissioner Odom asks the board about having meetings in different parts of the county so that residents of that community could attend. He stated that he had spoken with Lynn Shields and the board could meet September 29, 2009 at 5:00 p.m. to tour the old school facility and then tour and have the meeting at the Stecoah Fire and Rescue Squad Building. The board discussed other locations for future meetings and agreed to host special meetings once a quarter in different parts of the county. All board was in agreement of these meetings.
 26. Commissioner Smith discussed the Child Support Division being the counties responsibility and stated that a plan needed to be implemented now to be ready for the move by January 1, 2010. Clerk Crisp stated that the Director of Social Services was working on this issue now and she would have the director give the commission board an update on this proposed move.
 27. Commissioner Smith asks if the health department could supply physician services for the inmates as well as dental services. Clerk Crisp stated that she had spoken to Alicia about this in the past but could not remember the exact reason for not being able to provide the service. Clerk Crisp stated that she would report back to the board on this issue.
 28. Commissioner Smith asks about the Ethic Class that is given by the NCACC and Manager Cody stated that the class would be held in Lake Junaluska again but a date had not been set. Commissioner Smith stated that the board needed to go to this class.
 29. Manager Cody stated that a fencing company would be here next Monday to give us a quote for the recycling center.
 30. Manager Cody stated that the county would have to begin a recycling program for all used oil and oil filters and he had been in contact with companies about the costs of the pick ups for these items. Commissioner Odom suggested checking with DENR on companies that provide this service. Commissioner Cable asks the county manager to check with Swain County and see what company they use and also check with service stations in the county.
 31. Commissioner Snyder made the motion to go into closed session under G.S. 143.318A (1) (6) for the purpose of attorney client privilege and personnel. Commissioner Trull seconded this motion. Vote unanimous.
 32. Commissioner Cable made the motion to go back into open session. Commissioner Odom seconded this motion. Vote unanimous.
 33. Commissioner Cable made the motion to hire Tonya Sellers for the custodian position. Commissioner Snyder made the motion to hire Alisa Eller for the custodian position. Commissioner seconded the motion to hire Tonya Sellers. Commissioner Snyder called for a vote. Commissioners Cable, Smith, Odom and Trull voted yes for Tonya Sellers. Commissioner Snyder voted no for Tonya Sellers. First motion carried with a vote of four to one.

34. Commissioner Cable made the motion to start the custodian pay at \$8.50 hour and in 90 days raise to \$9.00 hour. Commissioner Smith seconded this motion. Vote unanimous.
35. Commissioner Cable made the motion to pay the Interim EMS Director \$13.00 per hour and then raise him to the previous directors salary after 90 days. Commissioner Smith seconded this motion. The board discussed Larry's cut in pay to accept this position and thought more money should be given. Commissioner Cable rescinded his motion. Commissioner Smith rescinded her second.
36. Commissioner Cable made the motion to pay the Interim EMS Director \$15.00 per hour for 90 days and then raise him to the previous directors salary. Commissioner Odom seconded this motion. Vote unanimous.
37. Commissioner Smith gave a directive to the county manager to copy all memos, emails or any letters written by him and put in the commissioner's mail boxes.
38. Commissioner Trull asks if the gas pumps had been fixed. Manager Cody stated that the pumps were fixed after a new part was installed.
39. Commissioner Smith asks about the status on the county credit cards. Manager Cody stated that the application had been sent in was waiting for confirmation.
40. Commissioner Cable made the motion to adjourn. Commissioner Trull 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