

Regular Meeting – January 23, 2014

The Graham County Board of Commissioners met Thursday, January 23, 2014 at 5:00 p.m. for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville, NC 28771. All board was present.

1. Chairman Edwards called the meeting to order.
2. Chairman Edwards asks Commissioner Williams to give the Invocation.
3. Chairman Edwards asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Edwards asks for approval of the agenda. Commissioner Edwards asks that the Transfer Station Purchase be transferred to the top of the Discussion Items; Delete Item #7 due to the commissioners review; move Item #8 to Item #5A and allow for a phone call to Teresa Garland on Item #9 due her being involved in another meeting. Chairman Edwards asks for these changes to be made and further asks that the board excuse him after these items are discussed due to his illness. Commissioner Holder made the motion to approve the agenda with the changes as stated and to excuse Chairman Edwards after the discussion of the Transfer Station Purchase. Commissioner Williams seconded this motion. Vote unanimous.
5. Chairman Edwards asks for approval of the minutes from the Regular and Workshop Meeting – December 16, 2013; the Special Meeting of January 6, 2014 which was recessed due to inclement weather and the Special Meeting of January 13, 2014. Commissioner Williams made the motion to approve the minutes as stated. Commissioner Orr seconded this motion. Vote unanimous.
6. Chairman Edwards asks Sheriff Anderson, Jerry Crisp and Annette Carver to speak. Sheriff Anderson thanked the board and apologized for missing the previous meetings that he was scheduled for in the past weeks. Sheriff Anderson stated that the charge on the credit card was for an undercover officer that needed emergency repairs to his vehicle that was stationed in Hayesville, NC and who had paid for the repairs out of his pocket. Sheriff Anderson stated that Commissioner Williams is the one that said to take the credit card and pay the undercover officer back. Chairman Edwards stated that he wanted to clarify the purpose of this meeting and told Sheriff Anderson that this board understands and respects him as an elected official and his office but the county board is responsible for the funding and the operation of the budget. Chairman Edwards stated that the board of commissioners do not hire or fire any of the sheriff's employees. Chairman Edwards further stated that all county employees must abide by the fiscal control act and NC General Statute 159. Chairman Edwards stated that our finance officer is bound by law as well as the board of commissioners and could be removed from office if they did not comply with the state and federal laws. Chairman Edwards stated that they are here to offer assistance and wanted clear communication between the sheriff's department and the administration office. Chairman Edwards stated that this issue is pre-auditing on any type of expenditure and no one on this board is trying to tell you what to spend your money on but you have to do a pre-audit first. Chairman Edwards stated that this board will be sending a letter to the Sheriff with the concerns which will be a public record. Chairman Edwards stated that no one on this board is against you but the liability is on the commissioners to make sure that the law is followed. Chairman Edwards stated that there are lots of rumors going around and this board will not tolerate rumor but will write down specific questions. Sheriff Anderson thanked the board.
7. Chairman Edwards asks Jerry Crisp to speak. Mr. Crisp thanked the board for their time to listen to the concerns that the sheriff's department has on the budget. Mr. Crisp stated that he had knowledge of the statutes and he stated that each department is given a budget ordinance and it was up to the departments to review and keep accountability on what should be paid. Mr. Crisp stated that he and the finance officer has had discussions in the past on the state and federal laws that apply to the sheriff's budget and asks the board for specific questions that they may have. Commissioner Edwards stated that the board will be sending their questions in writing and pre-auditing is part of this letter and he understands liability concerning paying bills that have not been pre-audited. Mr. Crisp stated that there are bills that are paid each month from their budget and the receipts are not matching up to the invoices and have asked many times for copies of the invoices to check the totals. Ms. Rebecca Garland stated that her door and office is always open but there are only two staff members that take care of the county and any time the sheriff's departments staff wants to come and pull invoices they are welcome but she doesn't have the time to do that for them. Mr. Crisp stated that he has been asking for the revenues for over two years and still has not received this request. Mr. Crisp stated that he would like to see if the sheriff's department was receiving the forest service money and the last time he asked he was told that this money went into the general fund and this money is needed for equipment. Ms. Garland stated that the money is a reimbursement. Commissioner Williams stated that the money has to be used for law enforcement purposes only. Mr. Crisp asks about

the drug money and stated that this money could not be used for expenditures. Ms. Garland stated that these monies stay in a restricted account and is only used when the Sheriff or yourself requests the use of the money. Mr. Crisp stated that he was not aware there was a problem with a shortage on the budget and learned about it from the papers. Ms. Garland stated that the sheriff's department has access to their budget every day and she doesn't have time to micromanage every department which is why the new system was installed. Ms. Garland stated that she looks at the bottom line and she takes her job very seriously which required her to take an oath on the state and federal levels. Ms. Garland stated that your invoices will not match up on items such as fuel because a blanket purchase order is in place for all departments. Ms. Garland stated that the reason she is strict is to protect the employees of personal liability if they purchase any items without pre-auditing. Mr. Crisp stated that the sheriff's department needed to see what they have. Ms. Garland stated that the system would be updated so that the revenues will be obtainable by each department but she had just finished implementing the new payroll system. Ms. Garland stated that this was explained in the meetings held with the department heads on Phase 1 and Phase 2 but no one from the sheriff's department attended. Commissioner Williams stated that the forest service money is meant for the sheriff's department to buy equipment and it needs to go to that department. Ms. Garland stated that it does go to the sheriff's department. There was more discussion on purchasing with Manager Greg Cable stating that the staff can call any one of us with the administration at any time to get a verbal pre-authorization and in cases of emergency we are available 24 hours per day by phone. Manager Cable stated that every expenditure must to be pre-audited and that was the biggest issue concerning this departmental budget. Mr. Crisp thanked the board for listening and asks that he be able to obtain the revenues that are used for the sheriff's budget. Ms. Garland stated that the system is new and her office is working on the implementation of the revenues where all departments will have access but she is a staff of two and is doing the best that she can as to all requests. Commissioner Williams stated that he appreciated all that the sheriff's department does and he asks that Manager Cable find a grant that will build our county a new jail. Mr. Crisp stated that we have 37 people in jail at this time and it is costing the county \$1160.00 per day to house these inmates. The board congratulated the Sheriff and his staff on the "drug bust" and thanked them for coming.

8. Commissioner Edwards asks for the finance report. Ms. Garland stated that the county ended the month with \$5.67 million dollars in the bank and the tax collections were coming in very well. Ms. Garland stated that the sales tax was down which is disappointing. The board asks about the PILT monies. Ms. Garland stated at this time we are receiving the payments but the future did not look good on the PILT payments. Manager Cable stated that the monies will pass budget this year but was unsure of the upcoming years. Ms. Garland stated that most of the departments were in good shape and the ideal remaining amount is 46%.
9. Ms. Garland stated that she had some budget amendments for approval. The budget amendments are as follows:
  - a. Budget Amendment #4: To recognize expenditure approved by the BOC to extend pavement from the new Senior Center to the Transit Facility for \$9500.00
  - b. Budget Amendment #5: To incorporate county portion of Senior Center CDBG project for \$125,000.00
  - c. Budget Amendment #6: To record commencement of the CDBG Scattered Site project for 2013-2014 grant cycle for \$220,000.00
  - d. Budget Amendment #7: To shift expenditures in public buildings to cover cost of HVAC system replacement in the courthouse – Probation Office for \$5000.00
  - e. Budget Amendment #8: To recognize final draw from NCDENR grant and additional costs and revenue from recycling projected to year ended June 30, 2014 for \$12,500.00
  - f. Budget Amendment #9: To recognize Rural Center Grant for recreational and educational equipment for 4H Program for \$14,000.00

Chairman Edwards asks for a motion to approve the budget amendments as stated.

Commissioner Orr made the motion to approve the budget amendments. Commissioner Holder seconded this motion. Vote unanimous.

10. Chairman Edwards asks Teresa Garland, Planner for the Town of Robbinsville to speak. Ms. Garland stated that she had two items for the board. The first was to request the use of the community building every Thursday night from February to April to host live country/western dance classes. Ms. Garland asks that the county sponsor this as an in-kind donation for a wellness event. Commissioner Williams made the motion to allow for the in-kind donation to the Town on hosting county/western dance classes. Commissioner Orr seconded this motion. Vote unanimous.
11. Ms. Teresa Garland stated that the second request is for a donation to the Heritage Festival. Ms. Garland stated that the committee was short on the funds and requests \$2000.00 from the county. Bobby Smith, Town Alderman spoke briefly on the festival and stated that a lot of

families could not afford to take their children on vacation and this was their vacation. Mr. Smith stated that the county and the town benefited from this festival. Commissioner Orr made the motion to give \$2000.00 to the Heritage Festival. Commissioner Williams seconded this motion. Vote unanimous.

12. Mr. Smith also requested that a commissioner be appointed to the Heritage Festival Board. Commissioner Williams made the motion to appoint Commissioner Orr to the Heritage Festival Board. Commissioner Holder seconded this motion. Vote unanimous.
13. Chairman Edwards asks for public comment. Clerk Crisp stated that no one was signed in for public comment.
14. Chairman Edwards stated that the board would now go into the discussion items and asks Manager Cable to proceed. Manager Cable stated that the board had received notification that the Cody family wanted to sell the Transfer Station property at the agreed upon price of \$450,000.00 with the purchase of the Old Wachovia Bank building at the same time. Manager Cable stated that he needed permission to proceed with the purchase in order to file application with USDA and other loan offices to get the best finance options available. Manager Cable stated that USDA had the better interest rates at this time but application must be made prior to the purchase. Manager Cable stated that with the purchase of the transfer station the county would be able to apply for grant funding. Commissioner Orr stated that the purchase for the Old Wachovia Bank building was previously approved and asks Clerk Crisp for clarification. Clerk Crisp stated that was correct and further stated that this motion was for the Transfer Station only. Commissioner Orr made the motion to approve the purchase of the Transfer Station pending submission of the application for purchase to USDA, the other loan institutions and the Local Government Commission. Commissioner Eller seconded this motion. Vote unanimous. Commissioner Eller asks what time frame the board was looking at on the approval of the application. Ms. Garland stated that it usually takes a couple of months.
15. Chairman Edwards stated that he needed to be excused due to sickness. Commissioner Williams asks that the board excuse Chairman Edwards and look over the remaining agenda, take care of closed session items and continue the meeting to Friday, January 24, 2014 at 2:00 p.m. All board was agreeable.
16. Commissioner Orr made the motion to go into closed session under G.S. 143-318.11(a) (1) (3) (6) for privileged or confidential information, attorney-client privilege, personnel and contracts. Commissioner Williams seconded this motion. Vote unanimous.
17. Commissioner Orr made the motion to go back into open session. Commissioner Williams seconded this motion. Vote unanimous.
18. Commissioner Williams made the motion to approve Larry Hembree's recommendation on moving personnel within his department which is:
  - a. Hire Charlie Smith as a full-time paramedic.
  - b. Hire Bob Keber as a permanent part-time EMT.
  - c. Hire Barry Adams as a part-time EMT / Driver.Commissioner Eller seconded this motion. Vote unanimous.
19. Commissioner Williams made the motion to continue this meeting to Friday, January 24, 2014 at 2:00 p.m. at the regular meeting place. Commissioner Orr seconded this motion. Vote unanimous.

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Robert M. (Mike) Edwards, Chairman, Graham County Commissioner

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Billy Holder, Vice-Chairman, Graham County Commissioner

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Keith Eller, Member, Graham County Commissioner

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Connie Orr, Member, Graham County Commissioner

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Raymond Williams, Member, Graham County Commissioner

ATTEST:

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Kim Crisp, Clerk to the Board