

Regular Meeting – February 17, 2014

The Graham County Board of Commissioners met Monday, February 17, 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 commissioners were 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. Clerk Crisp stated the DSS Director Claudie Burchfield needed to be moved from closed session to Item #8A. Chairman Edwards asks for approval of the agenda with the noted change. Commissioner Williams made the motion to approve the agenda. Commissioner Eller seconded this motion. Vote unanimous.
5. Chairman Edwards asks for approval of the Regular and Workshop Meeting Minutes –January 23<sup>rd</sup>; Continued Meeting –January 24<sup>th</sup>; and the Special Meeting – February 4<sup>th</sup>. Commissioner Holder made the motion to approve the minutes as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Edwards asks Rebecca Garland, Finance Officer to give the Finance Report. Ms. Garland stated that the audit was accepted by the Local Government Commission. Ms. Garland stated that there was one unit letter due to the RDA not completing their audits and the need to put controls into place due to their being a body politic. Ms. Garland stated that the RDA was not aware that an audit had to be done which was why one had never been done for this authority. Ms. Garland stated that the county has a \$5,369,000.00 or a (24%) fund balance which is much higher that it has ever been in the past.
7. Ms. Garland stated that the county ended the month with a \$6.2 million dollar cash balance which is the highest since 2009. Ms. Garland stated that the tax collections are coming along well and the DMV collections was running ahead due to the new system in place by the state. Ms. Garland stated that the tax office is still working diligently on collecting the back taxes through debt setoff, garnishments and foreclosures and has been very successful so far in those collections. Ms. Garland stated that the sales tax for the month of December was running ahead and commended the local citizens for buying local.
8. Ms. Garland stated that most departments were staying within budget but she was monitoring those with shortfall projections in case budget amendments would need to be made. Ms. Garland stated that we now have license to allow the commissioner's access to Smart Fusion so that they can monitor the budget offsite. Ms. Garland stated that the new payroll system was converted but they are working parallel with the old system to make sure that the conversion was a success. Commissioner Orr asks if the county was saving money. Ms. Garland stated that the only cost was the \$25.00 Direct Deposit Fee. The board was pleased with this money savings.
9. Ms. Garland stated that she had one Budget Amendment #10 for approval which is to recognize allocation of \$2,000.00 for the Heritage Festival per Board approval at the January 2014 BOC meeting. Commissioner Orr made the motion to approve Budget Amendment #10. Commissioner Williams seconded this motion. Vote unanimous.
10. Ms. Garland also presented the board with the new Medicare 2014 Allowable Amounts to charge for our ambulance services. Ms. Garland stated that she would need approval of the new rates after the board had a chance to review them. Commissioner Holder asks if the county goes by the suggested rates. Ms. Garland stated that the county did use the suggested rates due to reimbursements. Commissioner Eller made the motion to go with the new Medicare 2014 Allowable Amounts. Commissioner Williams seconded this motion. Vote unanimous.
11. Chairman Edwards asks Brandon Wilson with the Veteran's Office to speak. Mr. Wilson thanked the board for the opportunity to speak and thanked the County Manager's office and staff for assisting him when he comes to Graham County to work. Mr. Wilson also thanked Commissioner Connie Orr and Harold Phillips for being advocates for our local veterans. Mr. Wilson stated that the local county veteran's received \$3.92 million dollars (not all tangible) in 2012 and this money is being spent here in the county. Mr. Wilson stated that he will be giving a VA Benefits Seminar on Saturday, March 1, 2014 at 1:00 p.m. to 3:00 p.m. at the Senior Community Building located on 113 Moose Branch Road to update the local veterans on any updates of benefits that they may be entitled to. Mr. Wilson stated that someone who was turned away 20 year ago could now be eligible for benefits and encouraged everyone to tell our veterans about this seminar. Mr. Wilson stated that we need to support our local veterans because it is the right thing to do. Commissioner Orr thanked Mr. Wilson for his hard work and stated that she had received a phone call from other county veteran needing services and Mr. Wilson helped them this past weekend and she was very grateful to him for doing that. The board thanked Mr. Wilson for his work and stated that he has their full support.

12. Chairman Edwards asks Joan Stillwell to speak. Ms. Stillwell stated that the county was still operating under the last plan for the CDBG Scattered Site Housing and the board needed to adopt new policies for the new 2012 CDBG Scattered Site Housing Grant. Those policies are:
  - a. Code of Conduct/Hatch Act Policy Community Development Program
  - b. Residential Anti-displacement and Relocation Assistance Plan & Certification
  - c. Optional Coverage Relocation Plan Community Development Program
  - d. Optional Coverage Relocation Plan Resolution

Commissioner Holder made the motion to approve the new policies for the 2012 CDBG Scattered Site Housing Grant. Commissioner Orr seconded this motion. Vote unanimous.

13. Chairman Edwards asks Claudie Burchfield, DSS Director to speak. Clerk Crisp stated that Ms. Burchfield was not present at this time. Chairman Edwards stated that the county would move forward until such time that Ms. Burchfield arrives.
14. Chairman Edwards asks for public comment. Clerk Crisp stated that no one was signed up for public comment.
15. Chairman Edwards asks Manager Cable to present the discussion items. Manager Cable gave the monthly reporting for the CDBG 10-C-2231 and 12-C-2417 and stated that all was on schedule and the Senior Center staff was in the process of moving into the new facility. Manager Cable asks that the board do a walk through to view any repairs that may need to be done. Chairman Edwards asks that the board meet on Wednesday, February 19, 2014 at 10:00 a.m. for the walk through at the new Senior Citizens Facility. All board was in agreement to the walk through.
16. Chairman Edwards recognized Claudie Burchfield, DSS Director. Ms. Burchfield stated that the DSS Board at their February 10<sup>th</sup> meeting had requested that she ask permission by the Board of Commissioners to develop a building committee for the purpose of building a new DSS Building. Ms. Burchfield stated that a new facility is needed and her 1571 Direct Cost would help with the payment of the facility. Ms. Burchfield stated that grant funding is drying up and now was the time to get the plan together to seek funding for a new facility. Ms. Burchfield stated that the building committee would gather the information and present to the commissioners. Chairman Edwards asks who the committee will be composed with. Ms. Burchfield stated that this had not been discussed as yet but would assume persons like Juanita Colvard, Andy Cable and David Hyatt would be names to consider. Manager Cable stated that he was currently working on a future capital project and has some very preliminary plans in place. Ms. Burchfield stated that they could explore all this out with the committee but we needed a place to start. Commissioner Williams stated that he would like to see the committee formed for this facility as well as for a new jail at the same time and Andy Cable, Planner and Manager Cable needed to be on this board. Commissioner Williams stated that this would be two separate facilities but could be the same board. Manager Cable stated that there are needs in the county for adequate facilities. Ms. Burchfield stated that she could only speak for the DSS Board concerning their facility.
17. Commissioner Williams made the motion to establish a Capital Projects Committee. Commissioner Eller seconded this motion. Vote unanimous. Commissioner Edwards volunteered to sit on this board. Commissioner Williams made a motion to allow the DSS Board to pick their committee and present the names to the board of commissioners and the Sheriff and Jail pick their committee with Manager Cable, Andy Cable and Commissioner Edwards sitting on both boards. Chairman Edwards asks for a second. No second was given. Motion failed due to lack of a second. The discussion was that the DSS board picks their own committee without the pre-named members that was selected. The board discussed the Capital Projects Committee and stated that they needed to be the one that the DSS Board would present the suggestions to. Commissioner Williams withdrew his motion.
18. Commissioner Eller made the motion to allow the DSS Board to pick their committee. Commissioner Orr seconded this motion. Vote unanimous.
19. Commissioner Williams made the motion to allow the Capital Projects Committee be the over arching board for all capital projects in the county. Commissioner Orr seconded this motion. Vote unanimous. Commissioner Holder stated that the bottom line is money and where is it coming from.
20. Commissioner Holder stated that the people of this county should decide by bond referendum if they want a new jail built. Commissioner Williams stated that this needed to be on the ballot this year. Commissioner Holder stated that if the people have to foot the bill then they need to decide if they want to or not. Commissioner Williams asks that Manager Cable get the information to the board by the next meeting on having this place on the ballot. The board discussed the jail with Chuck Stewart, Chief Jailor and he stated that we have 32 inmates at the present time and the average cost for inmates alone is \$15,000.00 per month. Mr. Stewart stated that we have an eight (8) bed jail and the rest has to be sent to other counties. Commissioner Williams stated that if we built a new jail we could house federal inmates as a way to bring in revenue. Commissioner Holder stated that we needed a bond referendum. Juanita Colvard, Election Board Member stated that this could be put on the ballot by the fall

election and possibly by the spring election if the information is obtained. The board directed Manager Cable to look into a possible bond referendum.

21. Chuck Stewart, Chief Jailor also stated that he needed his credit card for transports due to his staff being the lowest paid employees in the county and they could not afford to stay with commitments and pay for their own food then wait two weeks for a check. Mr. Stewart stated that he uses the card for traveling expenses only and the one time that the Sheriff used the card was to feed the SBI and other personnel that were assisting in the drug operation roundup. The board thanked Mr. Stewart for his work and stated that the issue of the credit card is pre-auditing only and was never meant as punishment for his department. Chairman Edwards asks that the board address this later. The board was in agreement to this request.
22. Chairman Edwards asks Manager Cable to continue with the discussion items. Manager Cable stated that he needed approval for the releases and discoveries. Commissioner Williams made the motion to approve the releases and discoveries. Commissioner Holder seconded this motion. Vote unanimous.
23. Manager Cable stated that he needed approval of the Addendum to the Personnel Policy on Condition of Employment. Commissioner Holder made the motion to approve the addendum. Commissioner Eller seconded this motion. Chairman Edwards calls for a vote. Commissioners Edwards, Holder, Eller and Orr voted yes. Commissioner Williams voted no. Motion carried four to one.
24. Manager Cable asks Clerk Crisp to explain the Agreement with the Town of Robbinsville at the Wastewater Treatment Facility. Clerk Crisp stated that she had spoken with the Town and explained the non-hazardous waste mentioned in the contract was clarifying the waste that comes out of the treatment facility and did not include waste going into the facility. Clerk Crisp stated that the Town should be reviewing the agreement at their next meeting.
25. Manager Cable stated that he has a Proclamation declaring Graham County a Purple Heart County which was requested by a veteran for the board's review and/or approval. Commissioner Williams made the motion to approve the proclamation. Commissioner Orr seconded this motion. Vote unanimous.
26. Manager Cable stated that he also had a request for a letter of support for a new Veteran's Counseling Center to be built in Asheville which will support and provide services to our veterans both locally and in the western region. Commissioner Orr stated that she was able to help a veteran by using the pamphlet that was given to the Veteran's Office. Commissioner Orr made the motion to write the letter of support for the new Veteran's Counseling Center to be built in Asheville. Commissioner Holder seconded this motion. Vote unanimous.
27. Manager Cable stated that he needed approval on the polls that was taken. Chairman Edwards stated that the board would entertain the polls separately. The polls were:
  - a. Senior Building – shelves for \$1403.28 using general purpose funds. Commissioner Eller made the motion to approve. Commissioner Holder seconded this motion. Vote unanimous.
  - b. Reid Miller Appeal – Denied request on PUV Status. Commissioner Eller made the motion to approve. Commissioner Holder seconded this motion. Vote unanimous.
  - c. Credit Card removal from the Jail. Commissioner Eller made the motion to approve. Commissioner Holder seconded this motion. Chairman Edwards calls for a vote. Commissioners Edwards, Holder, Eller and Orr voted yes. Commissioner Williams voted no. Motion carried four to one.
28. Manager Cable gave an update on the Massey Branch Ramp Improvements and stated that the US Forest Service had revisited the design and it is close to the original design. Commissioner Orr asks if the ramp would be lower. Manager Cable stated that the ramp would have the same pitch but there would be more room to back and have better access to the sides. Manager Cable asks for further comment. No further comment was given. Manager Cable stated that he would call Lauren Stull with the US Forest Service and tell her that the board did not have comment.
29. Manager Cable stated that the board needed to replace Donald Crisp, a member on the Health Board, due to his declining health. Manager Cable stated that the appointment would be to fulfill his remaining term. Chairman Edwards asks for recommendations. Clerk Crisp stated that Melba Millsaps had been recommended. Commissioner Orr stated that she would like to recommend Dirk Cody. Commissioner Orr made the motion to appoint Dirk Cody to the Health Board to fill out the remaining term of Donald Crisp. Commissioner Holder seconded this motion. Vote unanimous.
30. Manager Cable stated that he needed to get approval on the appointments and reappointments of the Transportation Advisory Board. Those recommended are: Marlene Vinsson, Macon County Transportation; Commissioner Connie Orr, Ginger Claybon, Realtor; Wanda Hill, Senior Center; Harold Phillips, Veteran; Dennis Myers, I.O.I.; Peggy Hyde, DSS and Alicia Parham, DHHS. Commissioner Eller made the motion to appoint and reappoint the recommended names. Commissioner Holder seconded this motion. Vote unanimous.

31. Manager Cable stated that he was still reviewing the occupancy tax resolution and the board would have to create a District G in order to collect the second 3%. Manager Cable stated that finance officer would be required to keep two separate books and insure that all monies from District G would be spent in that district only. The board had discussion on this issue and wanted the Travel and Tourism Board to be part of the conversation. Commissioner Williams stated that the county needed to leave it as is. The board tabled this for more discussion.
32. Manager Cable stated that the Senior Center staff has moved into their new location and he was ready to turn the keys over to the Veteran's. Harold Phillips thanked the board and stated that the veteran's sincerely appreciated giving them a new home. Commissioner Orr stated that maybe in the future a bedroom could be made out of one of the offices to qualify for grants. Chairman Edwards asks if the veteran's representatives would have an office at the new location. Commissioner Orr stated that Brandon Wilson requested that he keep the office in town because he was using the Register of Deeds quite often. Harold Phillips stated that the veteran's seminar would be held at the new location.
33. Manager Cable stated that the board would have to hold a Public Hearing for our property purchases in the near future. Manager Cable stated that he would let the board know as quickly as possible of the date for the public hearing.
34. Commissioner Williams stated that he had talked to Larry Queen and Kenny McKeldrey about the fencing at the dumpster sites and they would be getting a price for the repairs to the fencing. Commissioner Williams stated that something needed to be done now. Manager Cable stated that he had previously spoken to Larry Queen and he was waiting for the weather to break.
35. Clerk Crisp stated that she needed the board to appoint a legislative liaison for 2014-2015. Commissioner Orr made the motion to appoint Commissioner Edwards as the legislative liaison. Commissioner Williams seconded this motion. Vote unanimous.
36. Clerk Crisp stated that Greg Cable needed to be reappointed as the Legislative Voting Delegate. Commissioner Williams made the motion to reappoint Greg Cable. Chairman Edwards stated that he would be able to vote unless an emergency came up that he could not attend. Commissioner Williams withdrew his motion.
37. Clerk Crisp stated that Greg Cable needed to be reappointed to the Region A Partnership for Children board. Commissioner Orr made the motion to reappoint Greg Cable to the Region A Partnership for Children board. Commissioner Williams seconded this motion. Vote unanimous.
38. Clerk Crisp stated now that Commissioner Orr was back from medical leave she would take her board seats back and the commissioners appointed as the Interim Board Member would not be needed. Commissioner Orr thanked her fellow board members for filling in for her.
39. Chairman Edwards stated that he wanted the board to consider the request from the finance office of hiring someone to assist in their office. Chairman Edwards stated that our finance officer had several big projects coming up and there is a need for another staff member.
40. Chairman Edwards stated that the board would now 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 Eller made the motion to go into closed session as stated. Commissioner Holder seconded this motion. Vote unanimous.
41. Commissioner Orr made the motion to go back into open session. Commissioner Holder seconded this motion. Vote unanimous.
42. Chairman Edwards presented a letter from the county commissioners to Sheriff Anderson which is a public record that requests answers to some concerns that the board has with expenditures not being pre-audited from him and/or his department. Chairman Edwards stated that the board would await a return letter from the Sheriff.
43. Commissioner Williams asks Chuck Stewart, Chief Jailor to speak. Mr. Stewart stated that his staff is one of the lowest paid in the county and he is doing the best job that he can with all expenditures in his department. Mr. Stewart stated that the removal of the credit card from the jail was putting a hardship on him and his employees and asks that the board reconsider this action and reinstall the credit card. Ms. Rebecca Garland stated that Mr. Stewart had always complied with the pre-auditing and she would not have a problem with the reinstatement of the credit card as long as the employees understand their liability. Ms. Garland stated that whoever Mr. Stewart wanted to designate as the persons in charge of the credit card she would bring them in and educate them on signing off employees for the use of the credit card. Ms. Garland stated that Mr. Stewart runs things great and the controls put in place are to protect the employees. Commissioner Williams made the motion to give the credit card back to the jail with the conditions that Becky puts the procedures in place and the employees sign off on paper that they understand the controls that are put in place. Commissioner Eller seconded this motion. Vote unanimous.
44. Commissioner Orr made the motion to go back into closed session under G.S. 143-318.11(a) (6) for personnel. Commissioner Williams seconded this motion. Vote unanimous.

45. Commissioner Orr made the motion to go back into open session. Commissioner Williams seconded this motion. Vote unanimous.
46. Commissioner Eller made the motion to hire Chris Adams as a full time dispatcher. Commissioner Holder seconded this motion. Vote unanimous.
47. The board gave a directive to the Finance Officer, Rebecca Garland to develop a job description for the possible new hire of an assistant in the finance office.
48. The board all agreed that they needed to attend the Corridor K meeting scheduled with NCDOT on Tuesday, February 18, 2014 at 1:00 p.m. to 3:00 p.m. at the Graham County Community Building. Commissioner Williams made the motion to continue this meeting to Tuesday, February 18<sup>th</sup> at 1:00 p.m. to attend the meeting with NCDOT District 14. 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