

The Graham County Board of Commissioners met Monday, August 18, 2014 at 5:00 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. Commissioners present were: Keith Eller, Billy Holder, Lynn Cody and Raymond Williams. Commissioner Connie Orr joined the meeting by teleconference.

1. Chairman Eller called the meeting to order.
2. Chairman Eller asks Commissioner Williams to give the Invocation.
3. Chairman Eller asks Commissioner Cody to lead the Pledge of Allegiance.
4. Chairman Eller asks for approval of the agenda. Manager Cable stated that we needed to strike through Item #13 because it is listed twice and we need to move the School Bond Refinancing which is listed under Item #14 to Item #7 so that Finance Officer Rebecca Garland can present this proposal. Commissioner Williams made the motion to approve the agenda with the changes as stated. Commissioner Holder seconded this motion. Vote unanimous.
5. Chairman Eller asks for approval of the Regular and Workshop Meeting minutes for July 21st. Commissioner Holder made the motion to approve the minutes as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Eller asks Zeyland McKinney to speak on the Conley Shop Tax Appeal. Mr. McKinney said hello to the board and stated that he was here to point out the agreement that was made from the last appeal. Mr. McKinney stated that at the time of the agreement the house was 90% complete and the agreement which included Charles Meeker with the Department of Revenue was for: Land Value \$270,000.00 and House Value \$604,870.00. Mr. McKinney stated that he did not know where the tax office got their figures due to the values having dropped drastically from the last revaluation to the current revaluation. Chairman Eller stated that the last appeal was based on a 50% completion. Mr. McKinney stated that the order was agreed upon with the Property Tax Commission. Mr. McKinney stated that the house beside of this one is up for sell at an asking price of \$390,000.00 and they can't sell it. Mr. McKinney stated that one level in this house is livable and the other two floors are non-heated and he felt that the value should reflect that. Chairman Eller stated that the board would make a decision within 30 days and they would inform the Tax Assessor, Erma Phillips of their decision and she will let the owners know in writing.
7. Chairman Eller asks Rebecca Garland, Finance Officer, to speak. Ms. Garland stated that the county finished the month of July with \$5.10 million which is up \$1 million from this time last year. Ms. Garland stated that the county has an \$800 thousand dollar surplus which is great. Ms. Garland stated that the taxes were coming in and we are still ahead on the DMV funds. Ms. Garland stated that we lost tax base due to some conservation easements which will reflect in a loss of tax revenue but we have rebounded on our sales tax for the first time in four months and our back taxes are still being collected. Ms. Garland stated that the departments should have 91% left in their budget and the majority of the departments are on line and the ones that are running close have a reason. Commissioner Williams asks if the Homeland Security could not be asked to assist with the funding of the Sheriff's Department because we patrol their lands and dams. Ms. Garland stated that the funding that is received from Homeland Security is for the Emergency Management. Commissioner Williams asks that a letter be written with a request for funding. Manager Cable stated that the county has been working with the sheriff's department on acquiring grants but some of the requests have to be asked for by deputies and not the grant writer. Manager Cable stated the county is working to obtain money through the Governor's Highway Safety Program.
8. Ms. Garland stated that she has Budget Amendment #3 for approval to amend to realign department supplies and uniforms for the Sheriff and Sanitation departments.
9. Ms. Garland also stated that she would need the board to sign new signature cards for the new Soil and Water Conservation bank account.
10. Ms. Garland stated that she would need to amend the Declaration Resolution on the financing for the purchase of the new properties at 400 Snowbird Road and 300 Rodney Orr By-Pass.
11. Ms. Garland stated that she was able to obtain refinancing for the school bond at a rate of 2.2% which will save the county around \$113,000.00 on the remainder of the bond if the board would like to go forward on the refinancing. Commissioner Cody made the motion to refinance the school bond at the fixed rate of 2.2% through Carter Bank and Trust. Commissioner Williams seconded this motion. Vote unanimous.
12. Ms. Garland stated that she would need three resolutions approved for the refinancing obligations and those are:
 - a. Resolution of the Board of Commissioners making certain statements of fact concerning proposed bond issue. Commissioner Williams made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
 - b. Resolution on the Bond Order authorizing the issuance of not to exceed \$2,340,000 general obligation refunding bonds of the County of Graham, North Carolina.

Commissioner Cody made the motion to approve. Commissioner Holder seconded this motion. Vote unanimous.

- c. Resolution on General Obligation refunding bond with Carter Bank and Trust at 2.2%. Commissioner Holder made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
13. Ms. Garland asks the board to excuse her due to her son having surgery and not doing so well. The board approved Ms. Garland leaving the meeting.
14. Chairman Eller asks for public comment. Manager Cable stated that one person had signed in for public comment. Chairman Eller asks Joe Deddo to speak.
15. Mr. Joe Deddo thanked the board for serving as our commissioners and stated that he was here to state his concern on the “fracking” issue. Mr. Deddo stated that he was not as knowledgeable as he would like to be on this issue at the present time but he has enough common sense from God to realize that there has to be something that we are not being told about the chemicals that are being used. Mr. Deddo stated that if you are forcing something into the earth then some or all of something will come back up and he doesn’t think that this would be good for our environment, trout farming, water or tourism. Mr. Deddo stated that he realizes that we cannot stop “fracking” but we could impose fees of \$1,000,000.00 for every resident that allows “fracking” on their land. Mr. Deddo stated that this issue is like the issues of weapons of mass destruction, we lose lots of our men and billions of dollars but corporate greed does not care and he feels that this is what is leading the “fracking” in WNC. Mr. Deddo stated that our country has enough gas and oil but yet they send ours overseas for corporate greed and this is not right. Mr. Deddo stated that we needed to hit them where it hurts the most and that is in their pocketbooks.
16. Mr. Deddo stated that his second issue was on Occupancy Tax and asks the board not to raise the rate but to enforce payment from all the renters and businesses in the county. Mr. Deddo stated that there are lots of folks not paying for renting their homes and he would like to see the exact number of people who rent their homes out.
17. Mr. Deddo stated that his third issue was on the recycling program. Mr. Deddo stated that he knew of a man that worked very hard on obtaining the grants for this program and was concerned that we were compiling all the recycling together when they would bring higher prices separated and wasn’t it illegal to put recycling with household waste. Chairman Eller stated that our refuse goes to Georgia and they do not have the same restrictions as North Carolina. Mr. Deddo stated that he took his recyclables to Swain County because he was closer to them. Commissioner Williams stated that the more he hears about “fracking” the more he is against it. Mr. Deddo thanked the board for their time.
18. Manager Cable asks Erma Phillips, Tax Assessor for any further comments on the Conley Shope property. Ms. Phillips stated that the agreed upon price in 2013 was for 50% completion of the house and she is required to go by the schedule of values from the 2010 revaluation. Commissioner Williams stated that this house did have a lot of concrete. Ms. Phillips stated that stack rock has also been added to the house and she used a 90% completion on the house for the 2014 tax bill. Manager Cable stated that he had seen the home and it is massive and agreed with Ms. Phillips that it was custom built which adds more value to the home.
19. Chairman Eller asks Manager Cable to present the discussion items.
20. Manager Cable stated that he needed approval on the two polls
 - a. Transfer of employee from DSS to Health Department
 - b. Survey on Stanley propertyCommissioner Williams made the motion to approve the polls. Commissioner Williams seconded this motion. Vote unanimous.
21. Manager Cable asks if the board was ready to adopt the Schedule of Values as presented by Erma Phillips, Tax Assessor. Commissioner Cody made the motion to approve. Commissioner Williams seconded this motion. Chairman Eller calls for a vote. Commissioners Eller, Cody and Williams voted yes. Commissioner Holder voted no. Motion carried three to one.
22. Manager Cable presented the CDBG Monthly Performance Status Report for the 12-C-2417 grant and stated that the close out was being worked on at this time. Commissioner Williams made the motion to approve the reporting. Commissioner Holder seconded this motion. Vote unanimous.
23. Manager Cable asks for approval on the Releases and Discoveries. Commissioner Williams made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
24. Manager Cable stated that it is time to submit our goals to the NCACC and asks that one topic be considered. This topic is “adverse possession” and the need to have this removed from NC Law because in our opinions this is just a legal way to steal land. Manager Cable stated that people will take ownership of someone else’s land after a certain period of time if they openly use it and this is happening in Graham County and the county is losing tax revenue on the land that is being taken by the forest service. Commissioner Holder stated that if someone uses your land for twenty years and you don’t say anything then you might deserve to lose it.

25. Chairman Eller stated that it was now time to close the regular meeting and open the public hearing for the acquisition of property. Commissioner Williams made the motion. Commissioner Holder seconded this motion. Vote unanimous.
26. Chairman Eller asks Rebecca Garland to present the data on the property. Ms. Garland stated that we are seeking to purchase 4.74 acres of land with buildings located at 400 Snowbird Road for the price of \$450,00.00 and to purchase 1.83 acres of land with building located at 300 Rodney Orr By-Pass for the price of \$581,649.90. Ms. Garland stated that the board will be seeking funding for the \$450,000.00 purchase from USDA and private financing for the \$581,649.90.
27. Chairman Eller asks for public comment. Joe Deddo stated that he was in favor of this transaction. Doug Cable stated that the board needed to get it done. No further comment was given.
28. Commissioner Williams made the motion to close the public hearing and reopen the regular meeting. Commissioner Holder seconded this motion. Vote unanimous.
29. Commissioner Holder made the motion to purchase the property located at 400 Snowbird Road with financing by USDA and to purchase the property located at 300 Rodney Orr By-Pass with financing from other sources. Commissioner Williams seconded this motion. Vote unanimous.
30. Chairman Eller stated that the board would need to approve Budget Amendment #3. Commissioner Williams made the motion to approve. Commissioner Holder seconded this motion. Vote unanimous.
31. Manager Cable stated that we would need to hold an Information Meeting on Friday, August 22, 2014 and asks what time the board would like to meet. The board all agreed to meet at 11:00 a.m.
32. Manager Cable stated that he would need to get the board's input on the NCACC goals before September 1st.
33. Manager Cable stated that he needed a board replacement for the SW Region A Aging Advisory Board. Commissioner Williams made the motion to appoint Chairman Eller to this board. Commissioner Holder seconded this motion. Vote unanimous.
34. Manager Cable stated that he needed the reappointment of Commissioner Williams on the SW Region A Advisory Board. Commissioner Eller made the motion to reappoint Commissioner Williams to this board. Commissioner Cody seconded this motion. Vote unanimous.
35. Manager Cable stated that he needed the reappointment of Kim Crisp and Alicia Parham to the SW Region Advisory Council as alternates. Commissioner Cody made the motion to reappoint. Commissioner Williams seconded this motion. Vote unanimous.
36. Manager Cable stated that he needed the reappointment of Nancy Norcross to the SWNC Senior Tar Heel Delegation. Commissioner Williams made the motion to approve. Commissioner Holder seconded this motion. Vote unanimous.
37. Manager Cable stated that a NC Rural Assembly Day would be held on Thursday, October 30th and asks that EDC Director Andy Cable be allowed to attend. Commissioner Williams made the motion to allow Andy Cable or Manager Cable to attend this meeting. Commissioner Holder seconded this motion. Vote unanimous.
38. Manager Cable asks for new or old business. Commissioner Williams stated that our new patrol cars are the sharpest and nicest in WNC and he would like to really stress that these cars be taken care of.
39. Commissioner Williams addressed Betty Carver and stated that the county is trying to get more funds for rebuilding homes. Ms. Carver stated that her home is not going to make it much longer. The board discussed the Youth Ministry Home Program to help with fixing the home.
40. Manager Cable asks the board's decision on the NCDOT Road Project Allocations. Commissioner Holder made the motion to designate the points to the second entrance of the High School. Commissioner Cody seconded this motion. Vote unanimous.
41. Chairman Eller stated that he needed a motion to go into closed session under G. S. 143-318.11(a) (1) (6) for privileged or confidential information, personnel and contracts. Commissioner Holder made the motion to go into closed session. Commissioner Williams seconded this motion. Vote unanimous.
42. Commissioner Williams made the motion to go back into open session. Commissioner Cody seconded this motion. Vote unanimous.
43. Commissioner Holder made the motion to allow Chairman Eller to take care of the repairs for the Yukon. Commissioner Williams seconded this motion. Vote unanimous.
44. Commissioner Williams made the motion to hire Terry Slaughter as a part time EMS Worker. Commissioner Cody seconded this motion. Vote unanimous.
45. Manager Cable asks permission to take RFP's for fencing at the Transfer Station. Commissioner Williams made the motion to allow for the request for proposals. Commissioner Cody seconded this motion. Vote unanimous.
46. Commissioner Cody made the motion to adjourn. Commissioner Williams seconded this motion. Vote unanimous.

Signature page attached!

Signature page for the August 18, 2014 Regular Meeting

Keith Eller, Chairman, Graham County Commissioner

Billy Holder, Vice-Chairman, Graham County Commissioner

Lynn Cody, Member, Graham County Commissioner

Connie Orr, Member, Graham County Commissioner

Raymond Williams, Member, Graham County Commissioner

ATTEST:

Kim Crisp, Clerk to the Board