

Regular Meeting – March 18, 2013

The Graham County Board of Commissioners met Monday, March 18, 2013 at 5:00 p.m. for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville NC. Commissioners present were: Robert M. Edwards, Billy Holder, Keith Eller, Connie Orr and Raymond Williams.

1. Commissioner Edwards called the meeting to order.
2. Commissioner Edwards gave the Invocation.
3. Commissioner Edwards asks Commissioner Holder to lead the Pledge of Allegiance.
4. Commissioner Edwards asks for approval of the agenda. Commissioner Williams made the motion to approve the agenda. Commissioner Holder seconded this motion. Vote unanimous.
5. Commissioner Edwards asks for approval of the minutes. Commissioner Eller made the motion to approve the Workshop and Regular Meeting – Feb. 18<sup>th</sup>; Emergency Meeting – Feb. 26<sup>th</sup>; and Special Meetings March 4<sup>th</sup> and March 11<sup>th</sup>. Commissioner Holder seconded this motion. Vote unanimous.
6. Commissioner Edwards asks for the finance report. Ms. Rebecca Garland, Finance Officer stated that our cash balance was five million dollars which had dropped a little due to large payouts and further stated that the money for the new transit facility will be coming in which amounts to \$265,000.00. Ms. Garland stated that the tax office has been busy with debt set-offs and garnishments and our tax collections are very good. Ms. Garland stated that our sales tax was still holding at a surplus and she was very thankful to the residents of the county. Ms. Garland stated that the PILT funds will be cut by the state and this will affect our school budget as well as the county budget. Ms. Garland presented the board with a budget analysis of the county departments and stated that everyone was still doing okay but the inmate medical costs was killing the jail budget. Ms. Garland stated that she was not sure that the management company hired to lower these costs was any better than the finance staff and would be watching this closely. Commissioner Edwards stated that this is one item of discussion that was presented by the NCACC as a goal to our legislators. Ms. Garland stated that she was trying to keep the inmates from using certain facilities that tend to take advantage of the county in her opinion to help with these costs.
7. Ms. Garland also stated that she had two budget amendments for approval. Budget Amendment #17 to recognize School ADM funding to upgrade their district surveillance system and Budget Amendment #18 to record the purchase of police, ambulance and emergency management vehicles and associated financing.
8. Ms. Garland also stated that the Medicare allowable rates are changing for 2013 and recommended that the county consider adopting the higher rates. The board had discussion about this issue on the people who did not have supplemental insurance and the fact they would have to pay more out of pocket but also saw the necessity to go with the allowable rates to collect the maximum that Medicare would pay.
9. Ms. Garland also presented the board with purchase options for a KIP that is needed in the mapping department. Ms. Garland discussed several options and the board felt that the best option would be to buy out the leased machine now and purchase a new one if needed at a later date.
10. Commissioner Edwards stated that the board would go into action items for the finance and asks for a motion to approve Budget Amendment #17 and #18. Commissioner Williams made the motion to approve the budget amendments as stated. Commissioner Holder seconded this motion. Vote unanimous.
11. Commissioner Edwards asks about the Medicare rates. Commissioner Holder made the motion to approve the newly presented rates recommended by EMS Management and Consultants, Inc. Commissioner Williams seconded this motion. Vote unanimous.
12. Commissioner Edwards asks about the KIP copy machine for mapping. Commissioner Orr made the motion to buy out the leased machine. Commissioner Williams seconded this motion. Vote unanimous.
13. Ms. Garland stated that she did receive notice of the 911 Funding for Fiscal year 2013-2014 and the county would be losing money each month but it was not as bad as she had anticipated.
14. Ms. Garland also stated that it was time to renew the Maximus Agreement on our indirect cost plan and needed to have board approval along with the chairman's signature. Ms. Garland stated that the cost is \$4,000.00 per year with a return of \$312,000.00 and that is money well spent to have Maximus do our indirect cost report. The board unanimously agreed to the renewal of this contract.
15. Commissioner Edwards asks Wanda Hill, Senior Center Director to speak. Ms. Hill stated that she had a couple of items for approval. Ms. Hill stated that the board needed to award the senior meal bid for July 1, 2013 to June 30, 2014. Clerk Crisp stated that the unopened bids were on

- the chairman's desk. Chairman Edwards asks Commissioner Williams to open the bids. The bids were as follows: 1) Phillips Smoky Mountain Restaurant for \$5.38 per plate; 2) Stanley Cafeteria for \$5.33 per plate; 3) Lynn's Place Restaurant for \$5.50. Commissioner Edwards asks for a motion on the meal bid. Commissioner Orr made the motion to go with the lowest bid of \$5.33 per plate Stanley Cafeteria. Commissioner Williams seconded this motion. Vote unanimous.
16. Ms. Hill stated that she had done a cost analysis to feed the clients who were on a waiting list until the end of June and the cost came in at \$20,411.30 which is the fully allocated costs. Commissioner Williams asks that Ms. Hill check the eligibility of the clients and report back to the commissioners. Commissioner Orr asks how quickly this can be done and Ms. Hill stated that she would have this in one week. The board all agreed to see how many clients met the eligibility requirements before taking any action.
  17. Ms. Hill stated that she needed approval to apply for HCCBG Block Grant for the upcoming fiscal year. Commissioner Williams made the motion to allow Ms. Hill to apply for the grant. Commissioner Orr seconded this motion. Vote unanimous.
  18. Commissioner Edwards asks for public comment. Clerk Crisp stated that no one had signed in for public comment.
  19. Commissioner Edwards stated that the board would now go into the discussion items and asks Clerk Crisp to proceed. Clerk Crisp stated that the board needed to schedule the Board of Equalization and Review sometime in April. The board discussed the meeting day change to April 22, 2013 and decided to hold the Board of E&R the week of April 22, 2013 starting at 9:00 a.m. The board wanted Clerk Crisp to take minutes as the Board of Commissioners Clerk and Ms. Erma Phillips, Tax Assessor will take minutes as the Clerk for the Board of Equalization and Review. Commissioner Orr made the motion to schedule the Board of E&R for April 22, 2013 through April 26, 2013. Commissioner Williams seconded this motion. Vote unanimous.
  20. Commissioner Edwards stated that the board needed to set a date to meet for the budgeting process and wanted to start the budget meetings on Monday, April 29, 2013 at 10:00 a.m. and meet until they are finished. Commissioner Edwards stated that the pay plan would be worked into the new budget and the salary inequities would be addressed as well as reviewing the performance evaluations in determining upcoming raises. The board gave a directive to the county manager to have the pay plan and evaluations ready to be worked into the budget process.
  21. Clerk Crisp gave an update on the floodplain ordinance and stated that Commissioner Holder and Commissioner Eller met with FEMA representatives and they found no problems in the county concerning the floodplain areas. Clerk Crisp stated that Larry Hembree, Floodplain Administrator stated that he had received a phone call from Tim Russo stating everything looked fine and he would report to his superiors for reinstatement. Commissioner Holder stated that the representatives stated they would lift the restrictions shortly but did not give an exact date.
  22. Clerk Crisp stated that the Library Contract needed to be signed if the board was okay with the revisions.
  23. Clerk Crisp gave a monthly report on the CDBG Grant #10-C-2231 for March 2013 on the Senior Center Facility and stated that the project was slightly behind schedule due to bad weather and construction will begin within a couple of weeks and as of now expected to finish on time. Clerk Crisp stated that the report was prepared by Joan Stillwell, Grants Administrator and approved by Greg Cable, County Manager.
  24. Clerk Crisp stated that the Sanitation Personnel needed to take a certification class and our county will be hosting the class on Thursday, March 21, 2013 at the Graham County Community Building and further stated that the host cost would be split with the surrounding counties that would be attending as well. Clerk Crisp stated that Donna Turner with NC SWANA had suggested that all personnel attend this meeting to prevent the county paying for another class next year. Clerk Crisp stated that in order to do this the transfer station would need to be closed on Thursday. Clerk Crisp stated that the county would save money by allowing all personnel to attend.
  25. Clerk Crisp stated that the courthouse has a termite problem and the cost to bore holes to treat would be \$3100.00. Clerk Crisp stated that the mulch placed around the courthouse did contribute to the problem but this could be treated.
  26. Commissioner Edwards recessed the regular meeting and opened the public hearing for acquisition of property.
  27. Commissioner Edwards stated that the board had been looking into the possibility of relocating the Transfer Station to the Bear Creek Property that the county owns. Commissioner Edwards stated that the county did receive a permit to move the station and had McGill and Associates give an estimate to relocate. Commissioner Edwards stated that the main reason for relocation was to own the property where the station is located so that the county could apply for grants and or loans for improvements and equipment. Commissioner Edwards stated that Mr. Herve Cody had met with the county and made an offer of \$450,000.00 to purchase the land that the

station is currently located at. Commissioner Edwards stated that the county currently leases the property from Mr. Cody. Commissioner Edwards asks Ms. Garland about the financing of the property. Ms. Garland stated that the Local Government Commission would approve of this purchase and she recommends that the county purchase the property upfront and the county could do financing later for both properties that the county is proposing to buy. Ms. Garland stated that this is a good investment for the county and she did not feel that there would be any problems with getting approval. Ms. Garland stated that the county has more invested in the property that the station now sits upon and to move would not be cost effective due to the county already having a \$1.8 million dollar investment in the current location. Commissioner Edwards stated that the board would follow through with their purchase of the Sheriff Department Building which is located on the by-pass. Commissioner Edwards stated that the board felt this purchase was in the best interest of the residents and the board was working with USDA to obtain a low interest loan for this purchase. Commissioner Edwards stated that Mr. Cody's offer to sell the properties did the citizens of our county a favor and the board was very appreciative of the offer. Commissioner Williams stated that he would like to see the Bear Creek Property sold. Commissioner Edwards stated that the board would discuss that on another date. Commissioner Edwards asks for public comment. Jacky Ayers stated that he appreciated the county paving the parking lot at the community building and stated that the purchases was a very good deal and he commended the Cody family for allowing the county to purchase the properties. Doug Cable stated that he had the same opinion of Mr. Ayers. Commissioner Williams stated that the location of the sheriff's department was a great location in plain view for all to see and the purchase of these properties was a great idea. Commissioner Edwards stated that the county would be almost rent free after these purchases are made and this was one goal of the board and they were making great strides in making this happen. Commissioner Edwards stated that the Travel and Tourism pays rent and the county rents the dumpster site on Sweetwater and this will be the only properties that are rented. Lisa Russo stated that it is always better to own and the current location of the transfer station was a much more central location. Ms. Russo stated that the county had taken in 9200 pounds of recycling and this was great. Commissioner Holder stated that the county needed to own this property to help with the costs of recycling. Commissioner Williams stated that the county needed to work on the fencing at the dumpster sites and to contact Larry Queen for help if needed. Commissioner Edwards asks for further comment. No further comment was given.

28. Commissioner Edwards closed the public hearing and reopened the regular meeting.
29. Commissioner Edwards asks Clerk Crisp to precede with the discussion items. Clerk Crisp stated that she had an amendment to the personnel policy addressing the pay plan which will be put into place. Clerk Crisp stated that Manager Cable was awaiting approval of the State Personnel Office in Raleigh for the pay plan but the amendment will be for the implementation of the plan and not the actual wage information so it could be approved tonight.
30. Clerk Crisp stated that she had a price from a local vendor to remove the fuel from the tank located at the Fort Hill property for \$600.00 and further stated that the removal of the tank and the tanks at the EMS Base could be moved with county personnel.
31. Clerk Crisp stated that Manager Cable had requested a directive to seek proposals for structural engineer at the Fort Hill property.
32. Clerk Crisp stated that she had a request from the cemetery commission requesting that the cemetery employees be given the twenty five cent raise that all other county employees were given in July 2012 and to make the raise retroactive to July 2012.
33. Clerk Crisp gave a reminder of the meeting date change in April for the workshop and regular meeting.
34. Clerk Crisp stated that she needed approval for the new and reappointments of the HCCBG Committee for Fiscal Year 2013-2014. Commissioner Edwards stated that Tracy Jones name needed to be removed from the Smoky Mountain Mental Health Board due to Manager Cable holding this seat. Clerk Crisp stated that she would make this change and update the board's list.
35. Clerk Crisp stated that she had a request to install curb stops at the DSS and David Hyatt had come up with a solution to build the stops out of wood with a cost of \$15.00 each instead of \$100.00 each for the rubberized stops.
36. Clerk Crisp stated that she had received notice that the Tatham Gap Road would be closed for repairs and a reopen date was undetermined.
37. Clerk Crisp stated that she had a recommendation from Sanitation Director Donnie Orr to close the Sweetwater Dumpster Sites due to the abuse of the site. Clerk Crisp stated that it had taken four hours to clean the garbage up that had been thrown on the ground. The board wanted law enforcement to issue tickets. Commissioner Edwards stated that the issue with garbage would come to manned sites. Lisa Russo who sits on the recycling board stated that people could take things to the thrift stores instead of putting it on the ground beside the dumpsters and she

hoped that the recycling efforts would help. The board discussed putting up cameras to help patrol the sites. Commissioner Edwards stated that something needed to be done and this needed to be stopped. The board's asks that Sheriff Anderson come and speak with them about this issue.

38. Commissioner Edwards stated that the board would now go into action items. Commissioner Edwards asks for approval of the releases and discoveries. Commissioner Williams made the motion to approve the releases and discoveries. Commissioner Holder seconded this motion. Vote unanimous.
39. Commissioner Edwards stated that the board needed more information on the presentation that was given to the board at the workshop session on the Stanley and Stecoah grant proposal requests and tabled this item.
40. Commissioner Edwards asks for a motion to support a visitor study for a cost of around \$440.00. Commissioner Orr stated that the study would be very beneficial to the Travel and Tourism Department. Commissioner Holder made the motion to approve funding for the visitor study. Commissioner Eller seconded this motion. Vote unanimous.
41. Commissioner Edwards stated that Sheriff Anderson had arrived to speak with the board on the dumpster issues. The board spoke with the sheriff on the problems at the dump sites and asks that he assist the county in issuing tickets for people going through the garbage. Sheriff Anderson asks if the county has any laws. Clerk Crisp stated that there is an ordinance about rummaging and scavenging in the garbage. The board asks if the sheriff would have his deputies add this to their patrol. Sheriff Anderson stated that the deputies couldn't issue tickets unless they saw the people actually rummaging. The board wanted this to be put in the paper about the fines that can be given. The Sheriff stated that he would do all that he could to help. The board thanked Sheriff Anderson for his time.
42. Commissioner Edwards stated that the board would go back to the action items. Commissioner Edwards asks the board's pleasure in using the money in the planning budget to develop a new website. Ms. Garland stated that the money was in the budget. Commissioner Eller made the motion to approve the use of the funds for the website at a cost of around \$2000.00. Commissioner Holder seconded this motion. Vote unanimous.
43. Commissioner Edwards asks about the Board of E&R meeting dates. Commissioner Holder made the motion set the week of April 22<sup>nd</sup> through April 26<sup>th</sup> for the Board of E&R to meet. Commissioner Eller seconded this motion. Vote unanimous.
44. Commissioner Edwards asks about the temporary help in the tax office. Clerk Crisp stated that a poll was taken on February 20, 2012 to hire Jolene Weeks as a temporary worker through the revaluation. Commissioner Eller made the motion to approve the poll to hire Ms. Weeks. Commissioner Holder seconded this motion. Vote unanimous.
45. Commissioner Edwards asks for approval to appoint Andy Cable to the South Western Rural Planning Organization TCC Committee. Commissioner Holder made the motion to appoint Andy Cable to the committee. Commissioner Eller seconded this motion. Vote unanimous.
46. Commissioner Edwards asks about the library contract. Commissioner Holder made the motion to approve the library contract. Commissioner Eller seconded this motion. Vote unanimous.
47. Commissioner Edwards about the class for the sanitation personnel. Commissioner Eller made the motion to close the transfer station to allow all the sanitation personnel to attend the certification class and use one of the recycling attendants to stay at the site for any questions. Commissioner Holder seconded this motion. Vote unanimous.
48. Commissioner Edwards asks about the Tri-County request to use the community building for a zumba class. Commissioner Edwards stated that they needed to contact Denise Moody at Graham County Schools because he was sure that there is a program that would allow the use of one of their buildings for this activity.
49. Commissioner Edwards asks about the termite treatment for the courthouse. Commissioner Eller made the motion to allow for the treatment at a cost of \$3100.00. Commissioner Holder seconded this motion. Vote unanimous.
50. Commissioner Edwards asks about Amendment 3 to the personnel policy and pay plan. Commissioner Holder made the motion to approve Amendment 3 to the personnel policy. Commissioner Eller seconded this motion. Vote unanimous.
51. Commissioner Edwards asks about the removal of the tanks at the Fort Hill property and the EMS Building. Commissioner Holder made the motion to allow Robbie Hyde to remove the diesel from the tank at the Fort Hill property and allow county personnel to remove the tanks at the Fort Hill property and at the EMS Facility. Commissioner Eller seconded this motion. Vote unanimous.
52. Commissioner Edwards asks about the cemetery employee raise. Commissioner Eller made the motion to give the cemetery employees the twenty five cent raise that all other county employees received retroactive to July 1, 2012. Commissioner Holder seconded this motion. Vote unanimous.

53. Commissioner Edwards asks about the appointment and reappointment of the HCCBG Committee for 2013 -2014. Commissioner Holder made the motion to approve the appointments and reappointments to the HCCBG Committee. Commissioner Eller seconded this motion. Vote unanimous.
54. Commissioner Edwards read the resolution regarding the purchase of real property from Herve Cody and wife, Claudine Cody and asks for a motion to approve. Commissioner Holder made the motion to approve the resolution. Commissioner Eller seconded this motion. Vote unanimous.
55. Commissioner Edwards asks for a motion to go into closed session under G.S. 143-318311(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. Commissioner Holder seconded this motion. Vote unanimous.
56. Commissioner Eller made the motion to go back into open session. Commissioner Holder seconded this motion. Vote unanimous.
57. Commissioner Eller made the motion to hire a part time custodian to assist in the cleaning of our buildings. Commissioner Holder seconded this motion. Vote unanimous.
58. Commissioner Eller made the motion to adjourn. Commissioner Holder seconded this motion. Vote unanimous.

---

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

---

Keith Eller, Member, Graham County Commissioner

---

Billy Holder, Member, Graham County Commissioner

---

Connie Orr, Member, Graham County Commissioner

---

Raymond Williams. Member, Graham County Commissioner

ATTEST:

---

Kim Crisp, Clerk to the Board