

Regular Meeting – Monday, May 20, 2013

The Graham County Board of Commissioners met Monday, May 20, 2013 at 5:00 p.m. at the Graham County Community Building located at 196 Knight Street Robbinsville NC for their regular monthly meeting. Commissioners present were: Robert M. Edwards, Billy Holder, Keith Eller and Raymond Williams. Commissioner Connie Orr was absent due to sickness.

1. Commissioner Edwards called the meeting to order.
2. Commissioner Edwards asks Commissioner Williams to give the Invocation.
3. Commissioner Edwards asks for approval of the agenda. Clerk Crisp stated that the board needed to table Item #10 to closed session due to contracts. Commissioner Williams made the motion to approve the agenda with the change. Commissioner Holder seconded this motion. Vote unanimous.
4. Commissioner Edwards asks for approval of the minutes for Workshop and Regular Meeting – April 22nd; Board of Equalization and Review – April 26th and Emergency Meeting – May 1st. Commissioner Holder made the motion to approve the minutes. Commissioner Holder seconded this motion. Vote unanimous.
5. Commissioner Edwards asks Rebecca Garland for the finance report. Ms. Garland stated that she would be presenting the proposed 2013-2014 Budget to the board and asks Manager Cable to speak. Manager Cable stated that the board had exhausted all means to come up with revenues without raising the mil rate but the county had no choice but to go up two cents on the mil. The reason for the increase is due to public safety costs, unfunded mandates handed down by the federal and state governments, the new unemployment surtax and the Affordable Health Care Act. Ms. Garland stated that we face new challenges every day with the government including the possibility of buying school buses for our county schools. Ms. Garland stated that the county had come a long way from when she first came to work. Ms. Garland stated that the state requires that all counties maintain no less than 8% minimum in fund balance but they recommend that you have 28% in fund balance at all times. Ms. Garland stated that the county fund balance was around 22% at this time. Ms. Garland commended the board for making the tough decisions that was needed to due to all the unfunded mandates and shortfalls that the county was facing. Ms. Garland stated that this board is pursuing all back taxes owed to the county and will begin foreclosure immediately. Ms. Garland gave a brief description of the total proposed budget of \$13,418,093.20. Commissioner Edwards stated that the county is still under tax revenue neutral. Ms. Garland stated that was correct and the state asks the commissioner to take the tax base calculated by the expenditures to come up with the required mil rate. Ms. Garland stated that the mil should be (.47) cents according to state recommendations. Ms. Garland stated that the county is being recognized by the Local Government Commission as being committed in making our county solvent. Ms. Garland stated that there are no raises across the board this year but some inequities were fixed on staff that was below the minimum of the pay scale. Mr. Joe Deddo asks if the revaluation would affect us this year. Ms. Garland stated that the revaluation would not come into effect until 2015. Jay Kelly asks if any of the county employees received an increase in pay. Ms. Garland stated that the people who were below their pay grade were given an increase. Commissioner Edwards stated that there are over 300 PUV's in the county that receive a tax break and the county would be auditing these properties to make sure they are in compliance. Commissioner Edwards stated that the county will pursue the top 150 delinquent tax payers and then proceed through the entire list.
6. Commissioner Edwards asks David Dodson to speak. Mr. Dodson stated that he would be presenting a check to the county manager a little later for another recycling grant. Mr. Dodson stated that recycling is fully deployed now and all the sites are open. Mr. Dodson stated that the county is trying to improve the weight of the recyclables because the majority of products are light and this has been a challenge but they are hoping by adding more cardboard to the loads the weight will increase. Mr. Dodson stated that the GREAT Organization paid for a full page ad in the Graham Star and he thanked them for their help. Mr. Dodson stated that Sanitation Director Donnie Orr was a big help and he hopes that in the future the county can build its own recycling center instead of sharing the floor with household garbage. Mr. Dodson thanked Manager Cable and Rebecca Garland for their time in assisting with the project and thanked Donnie Orr for taking on the extra work and coming through with the program. Commissioner Edwards stated that he and Commissioner Holder serve on the recycling board and knows everyone is working very hard on collection costs and there is a possibility of the county closing some of the dumpster sites to be more efficient. Commissioner Edwards thanked Mr. Dodson for his dedication to the recycling efforts.
7. Commissioner Edwards asks Zeyland McKinney to speak. Mr. McKinney stated that he was here on behalf of Conley and Carolyn Shope for a tax appeal. Mr. McKinney asks Bryan Farley, local property appraiser to speak. Mr. Farley stated that his appraisal is based on market of value and

this property is not Lake Front it is Lake View. Mr. Farley stated that the tax office assessment of the property was too high. Mr. Farley stated that the house is only 50% complete and the owners ran out of money so they would not be completing all the levels in the house. Mr. McKinney stated that the house has 6953 square feet living area but only 1877 square feet are heated. Commissioner Williams stated that he believed the house was more than 50% finished. Mr. McKinney stated that the owners would only be utilizing a small portion of the house due to lack of funds. Commissioner Williams stated that the house did have a complex design and shape features. Commissioner Edwards asks what percentage of the house was complete. Mr. Farley stated that 75% of the house was complete. Commissioner Eller asks if the land is included in his appraisal. Mr. Farley stated that the land was included. Commissioner Edwards stated that the board would review the appeal. Commissioner Edwards asks Erma Phillips, Tax Assessor to speak. Ms. Phillips stated that the house is three stories and she did code the house as heated and she can recalculate the square footage. Ms. Phillips stated that the land was valued at \$270,000.00 just like all the other lots. Ms. Phillips stated that the quality of the house needed to be a factor, the shape and design was a factor and being custom built is a factor. Ms. Phillips stated that the original design allowed for an elevator but was later removed. Ms. Phillips asks that the board go and look at the house before they make their decision and also stated that the board had 30 days to give their decision to the homeowner. The board agreed to study this appeal and tabled any decisions for tonight.

8. Commissioner Edwards asks about James Accord. Ms. Phillips stated that the county had problems with the Internet and Email transmission and she did not receive notice of completion from the building inspector's office. Ms. Phillips stated that she had assessed a penalty and further stated that it is the taxpayer's responsibility to list their taxes with the tax office. Ms. Phillips stated that she was not allowed by law to take away the penalty but the board does have the authority to release the penalty due to clerical error. Commissioner Williams told Ms. Phillips to go and get the paper copy as well as the email from the building inspections office. Commissioner Holder made the motion to release the penalties and interest on this property. Commissioner Williams seconded this motion. Vote unanimous.
9. Commissioner Edwards asks for public comment. Clerk Crisp stated that two people were signed in for public comment and presented the names to Commissioner Edwards. Commissioner Edwards asks Joe Deddo to speak. Mr. Deddo stated that he opposed the occupancy tax increase from 3% to 6% and felt that the Travel and Tourism Department could operate on the \$140,000.00 budget that they currently have. Mr. Deddo stated that he had spoken with the Director Tabitha Myler and asks that she look into tourism in the winter months. Mr. Deddo stated that it is up to the business owner to collect the occupancy tax and this is costing him in the long run. Mr. Deddo stated that he felt a few people had agendas of their own that affects everyone and this was not right. Mr. Deddo stated that a new building sounded good but tax and spend is not the way to go. Mr. Deddo stated that there are other ways to raise revenue such as, alcohol tax and impact fees.
10. Commissioner Edwards asks Lisa Russo to speak. Ms. Russo thanked the board for their hard work on the budget but had one question on the decision why the board did not want smoke free parks. Commissioner Edwards stated that there was a motion but a second did not follow. Commissioner Eller stated that his reason was that if a person is outside they should not be told what to do. Ms. Russo stated that she did understand individual rights but felt that the board should hear what the public had to say. Commissioner Edwards stated that the board could not hold a referendum but they would listen to the public's opinions.
11. Commissioner Edwards asks Kristin Shuler to speak. Ms. Shuler stated that she had a survey done in the schools and received 177 surveys back. The results were: 67% don't smoke; 71% don't dip or chew but 52% are exposed. Ms. Shuler stated that she has a child with asthma and secondhand smoke bothers him. Ms. Shuler stated that 28% of the survey was against restricting smoking. Ms. Shuler asks that the board consider a smoking area if they choose not to ban the use. Commissioner Holder stated that the majority doesn't chew but some do and he does and people have the right to choose. Commissioner Edwards stated that the board would discuss this issue further.
12. Commissioner Edwards stated that the board would now go into the discussion items and asks Manager Cable to proceed. Manager Cable stated that he needed approval on the polls that were taken on the Senior Site Change for Soil Compaction testing in the amount of \$1390.00 and the site change for removal of more dirt in the amount of \$2000.00.
13. Manager Cable gave the monthly report on the Senior Center Grant Number 12-C-2417 for April 2013 and stated that the performance schedule was on.
14. Manager Cable gave the monthly report on the Senior Center Grant Number 10-C-2231 for April 2013 and stated that the performance schedule was off due to winter weather but the footers are planned to be poured this week which will allow the project to move forward.

15. Manager Cable stated that the Resolution for Parks and Recreation was not ready and would need to be tabled. The board agreed to table this resolution until the next meeting.
16. Manager Cable stated that the Sheriff had requested a resolution for mutual assistance with other law enforcement agencies and asks the board to pass on the resolution tonight if possible.
17. Manager Cable stated that under new or old business he would need to add the decision concerning the Fort Montgomery Archaeology Proposal. Manager Cable stated that the Eastern Band of Cherokee Indians had requested a letter of support from the county.
18. Commissioner Edwards stated that the board would now go into action items.
19. 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.
20. Commissioner Edwards asks the board's decision on the Fort Montgomery Archaeology Study at Fort Hill. Commissioner Eller made the motion to give a letter of support on the proposed Fort Montgomery Archaeology Study on the Fort Hill property owned by Graham County. Commissioner Holder seconded this motion. Vote unanimous.
21. Commissioner Williams made a motion to accept the monthly reports for Grant Number 12-C-2471 and Grant Number 10-C-2231. Commissioner Eller seconded this motion. Vote unanimous.
22. Commissioner Williams made the motion to approve the resolution for mutual assistance recommended by Sheriff Anderson with other law enforcement agencies. Commissioner Eller seconded this motion. Vote unanimous.
23. Commissioner Edwards asks for 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 made the motion to go into closed session. Commissioner Holder seconded this motion. Vote unanimous.
24. Commissioner Williams made the motion to go back into open session. Commissioner Holder seconded this motion. Vote unanimous.
25. Commissioner Williams made the motion to do In-Rim Foreclosures in the Tax Collectors office. Commissioner Holder seconded this motion. Vote unanimous.
26. Commissioner Williams made the motion to allow DSS to hire a contract Supervisor until that position could be advertised and filled. Commissioner Holder seconded this motion. Commissioner Eller did not vote due to his holding a seat on the DSS Board. Commissioner Edwards calls for a vote. Vote unanimous.
27. Commissioner Holder asks that the board research the septic tank permit fees that are charged just to check and see if a septic tank could be placed on the property. Commissioner Holder stated that some of the time the property will not hold a septic tank but the land owner has to pay a \$300.00 permit fee regardless. The board was in agreement to this request.
28. Commissioner Williams 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