

Clay County Commissioners

Minutes

Thursday, December 7, 2017

Vice Chairman Penland called the Clay County Board of Commissioners meeting to order at 7:00PM. Those present where: Robert Cline Penland, Vice-Chairman, Randy Nichols, Commissioner, Ed Roach, Commissioner, Dr. Rob Peck, Commissioner, Mark Pullium, County Manager, Merinda Woody, County Attorney, the press and general public. Chairman, Clay Logan was absent.

Items 1 and 2 - Prayer and Pledge – Commissioner Ed Roach led the group in prayer and the Pledge of Allegiance to the Flag of the United States of America.

Vice-Chairman, Penland turned the floor over to County Manager Mark Pullium for the purpose of installing officers for the Board of Commissioners. Manager Pullium opened the floor to nominations for Chairman of the Board of Commissioners. Commissioner Randy Nichols nominated Commissioner Robert Penland for Chairman of the Board. The vote was unanimous 4-0 to elect Commissioner Penland as the Chairman. Manager Pullium opened the floor to nominations for Vice-Chairman of the Board of Commissioners. Commissioner Randy Nichols nominated Commissioner Dr. Rob Peck for Vice Chairman. The vote was unanimous 4-0 to elect Commissioner Dr. Rob Peck as the Vice Chairman.

Commissioner Randy Nichols offered congratulations to the newly elected incoming officers and offered some words of encouragement and support to them.

Chairman Penland took the opportunity to say today is Pearl Harbor Day and thanked all the veterans for their service to our country. Many gave their lives who without them and their sacrifices on our behalf we would not be here today.

Chairman Penland noted good news regarding the County's Audit which shows an increase in fund balance of \$229,000 for FY 2017. This is good news.

Chairman Penland also noted the number of new home permits for Clay County as of December 7, 2017 stood at 44 new homes. This is also some good news as home building in the County is

beginning to move in a more positive direction. The highest level in a couple of years. If trend continues, the county will be at the highest level since 2009.

Chairman Penland stated the importance of these meetings and indicated that moving forward the purpose of these meetings is to conduct the business of Clay County and it was the desire of the Board to do so in an orderly fashion. To make the meetings orderly and efficient as possible is our goal. To that end, the Board of Commissioners will be fact checking public comments to assure that pertinent information is correctly and fairly presented. Chairman Penland then turned the floor over to Vice Chairman Dr. Rob Peck.

Vice Chairman Dr. Rob Peck stated the Board of Commissioners has allowed public comment and that even though the Board or members of the Board of Commissioners don't always reply to those comments, they do listen. Vice Chair Dr. Rob Peck indicated that moving forward the Board of Commissioners will only allow comments for items that are on the agenda. He further stated that we certainly do appreciate your comments but we want to maintain a respectful meeting; and, so, moving forward we ask the members of the public to keep their comments to those items being considered by the Board of Commissioners and that are listed on the agenda. The Public Comment portion of the Board of Commissioner's meeting is meant to be constructive.

Vice Chairman Dr. Rob Peck spoke in regard to some fact checking related to previous public comments from a prior Board of Commissioners meeting. The first fact checking related to contributions to the Clay County Chamber of Commerce. Vice Chairman Dr. Rob Peck stated that the comment stated the County doesn't provide hardly any support to the Chamber of Commerce. Vice Chairman, Peck indicted that this statement was false. In support of his conclusion, he stated that Clay County had indeed provided over \$14,000 during the past three years from county funds. Another fact checking was presented by Vice Chairman Peck related to a question as to why County owned generators shouldn't be used for non-county, non-emergency events. He stated the answer is really very simple. The subject generators were acquired by federal homeland security grants. If the generators were used by anything other than emergency operations, the County could be paying that money back to the federal government. At the conclusion of his comments related to fact checking, Vice Chairman Peck said the Board welcomes your input and public comments. He further stated that the Board is just requesting a level of respect toward the Board of Commissioners and stated the Board will do the same for members of the Public.

Item 3- Public Comment

There were no public comments.

Chairman Penland noted that an item of business that needed Board action had come to light since the agenda had been set. Accordingly, the agenda needed to be amended and Chairman Penland recognized Manager Pullium to share the item with the Board. Manager Pullium stated that the Tax Office had submitted a request to offer extensions for All Business Property Listing

Forms from January 31, 2018 to February 28, 2018. Manager Pullium suggested that this item be added as Item 8 A since it was a matter of taxation. Upon motion by Commissioner Ed Roach and second by Commissioner Randy Nichols the request to amend the agenda by adding item 8A passed unanimously 4-0.

Item 4– Minutes

Upon motion by Vice Chair Peck, seconded by Commissioner Randy Nichols, the minutes were approved unanimously 4-0.

Item 5 – 2018 Holiday Schedule

Upon motion by Commissioner Randy Nichols, seconded by Vice Chair Peck, the 2018 County Holidays and the 2018 Transfer Station Holidays were established and approved unanimously 4-0.

Item 6 – Consideration of Resolution regarding application for Building Reuse funds related to Kula Love, LLC which operates a Health Resort in Brasstown

Chairman Penland turned the floor over to Manager Pullium for the purpose of reading a proposed resolution regarding the proposed grant application for Kula Love, LLC. Manager Pullium read the resolution aloud at this time. Commissioner Ed Roach indicated he had some questions and was not sure what all this request involved. Commissioner Roach noted the resolution called for a Tavern, Wellness Center and an Art Gallery. Commissioner Roach indicated he would like to get a little more information before committing County Money or somebody's tax dollars to this. Commissioner Roach noted the company has been in operation for fifteen years in Atlanta but it currently employs one employee. He further noted the business plan indicates that it will create five new jobs over the next three years. Commissioner Roach indicated he did not currently understand the business. Commissioner Randy Nichols made a motion to table this resolution indicating that he too would like to get more educated on this resolution before moving it forward. Vice Chairman Dr. Rob Peck agreed with Commissioner Roach and would like to get more information. Commissioner Ed Roach seconded the motion to table the resolution until such time as the members of the Commission have an opportunity to get more information regarding the details of this particular proposal. The motion carried unanimously. 4-0

Item 7 – Other Post Employment Health Benefits also known as OPEB related to Retiree Health Insurance

Chairman Robert Penland called upon Manager Pullium to present information to the Board of Commissioners. Manager Pullium indicated the need to proceed with care regarding this important matter as it has the potential to impact the current retirees as well as those who may retire from Clay County in the future. Manager Pullium stated his reason for bringing this matter to the Board of Commissioners at this time was as a result of reviewing the audited

financial statements of the County which have been recently completed. In that review, Manager Pullium noted the unfunded liability for the retiree health benefit plan was approaching \$1.3 million. Further, a trend analysis of the last six years shows the liability has grown substantially over the course of that time by a total of about \$908,000. Due to the health insurance market place and the inflationary rise in medical care cost this liability is spiraling out of control and has the potential to impact the County's fiscal solvency, if left unchecked. Manager Pullium indicated that Clay County Board of Commissioners adopted a Retiree Health Plan in 1998 by resolution. Manager Pullium also indicated the Commissioners at the time treated the plan as a pay as you go plan. However, there was no funding set aside to account for the actual true cost to fund this type of plan and basically the plan is unfunded. Manager Pullium explained that the current plan is a defined benefit plan because the benefit is defined. In short, the retirees will be given health insurance from the day of their retirement until they reach age 65 or become Medicare eligible or become disabled and receive disability type benefits. Manager Pullium indicated that he did not have a solution to this topic but did believe it deserves careful study to look into ways that this may be addressed moving forward. Manager Pullium said he would like to put together a team to review this topic in search of solutions that will work here.

Chairman Penland said he did not want to see our retirees hurt financially. He did share his agreement that the County needs to be studying this matter carefully with an eye towards developing a working solution. Chairman Penland stated that employees and retirees have signed up with the County to receive these benefits. And, he wants the County to do get ahead of this before the cost is too expensive for the County to continue these benefits. Further, Chairman Penland indicated his desire for a retiree to participate in the team of individuals who Manager Pullium convenes to look into this topic.

Chairman Penland called for a motion to look into forming a team to look into the matter of retiree health insurance, Commissioner Randy Nichols made a motion to do so, seconded by Commissioner Ed Roach. The motion carried unanimously by a vote of 4-0.

Item 8 – Approval of Refunding Tax Payments

Upon motion by Commissioner Ed Roach, seconded by Vice Chair Dr. Rob Peck, to approve refunds for taxes as presented. The motion carried by unanimous vote 4-0.

Item 8 A - Request to offer extensions for All Business Property Listing Forms from January 31, 2018 to February 28, 2018

Commissioner Randy Nichols made a motion to grant extensions for All Business Property Listing Forms from January 31, 2018 to February 28, 2018, seconded by Vice Chair Dr. Rob Peck. The motion carried by unanimous vote of 4-0.

Item 9 – Approval of Budget Amendments

Vice Chairman Dr. Rob Peck made a motion to approve budget amendments as presented, seconded by Commissioner Randy Nichols, there was no discussion and the motion passed unanimously. 4-0.

Item 9 - Old Business

- A. Manager Pullium presented information regarding the financing of Police Cars for the Clay County Sheriff's Office. There were two respondent bids received and the lowest bid was United Community Bank with the next lowest bid being received from Nantahala Bank and Trust. The financing terms submitted from United Community Bank was 2.49% interest for a term of five years. The purpose of the financing award was to purchase three 2017 Dodge Chargers for use in the Sheriff's Office.

Commissioner Randy Nichols made a motion to award the bid to United Community Bank for the financing of three 2017 Dodge Chargers for use by the Clay County Sheriff's Office as presented, seconded by Commissioner Ed Roach. The motion carried unanimously. 4-0.

- B. Manager Pullium presented information related to the needs of children in Clay County through the Hinton Center. Manager Pullium indicated there were approximately 400 children in the County who needed to be provided Christmas funds. The County Manager suggested making a donation to the Hinton Center for the children of Clay County in the amount of \$1,000. Commissioner Randy Nichols made a motion to donate \$1,000 to the Hinton Center for the Christmas Care fund for Clay County children. Seconded by Commissioner Dr. Rob Peck. Chairman Penland related a story of a young girl in Clay County who said all she wanted for Christmas was clean sheets. Chairman Penland said if Clay County loses charity, then we lose everything. He went on to say that he thought it was great to help these kids. The motion passed unanimously by a vote of 4-0.
- C. Manager Pullium presented a request regarding the practice of making a donation to the Clay County Christmas Parade. The amount of the request for the Christmas Parade totaled \$300. Vice Chairman Dr. Rob Peck stated he would make a donation to the Christmas Parade from personal funds for this purpose.

Item 10 – Closed Session

A motion was made to enter into a closed session for legal items related to delinquent property tax collection and potential foreclosures, and two items of personnel made by Vice Chairman

Dr. Rob Peck, seconded by Commissioner Randy Nichols. The motion carried unanimously 4-0. The time was 7:45 pm.

The Commission reconvened open session at 9:00 pm; being no further business, upon motion by Commissioner Randy Nichols to adjourn the meeting seconded by Dr. Rob Peck, the motion carried unanimously.

Chairman, Robert Cline Penland

Vice Chairman, Dr. Rob Peck

Commissioner, Clay Logan

Commissioner, Ed Roach

Commissioner, Randy Nichols

Attested: Clerk to Board