

Regular Meeting – February 15, 2022

The Graham County Board of Commissioners met Tuesday, February 15, 2022, at 5:30 p.m. for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville, NC. Board present Connie Orr, Keith Eller, Jacob Nelms and Dale Wiggins. Board absent Lynn Cody. Also present, County Manager Jason Marino, Finance Director Becky Garland, Attorney JK Coward and Clerk Kim Crisp.

1. Chair Orr called the meeting to order.
2. Chair Orr asks Commissioner Nelms to give the Invocation.
3. Chair Orr led the Pledge of Allegiance.
4. Chair Orr asks for approval or changes to the agenda. Manager Marino asks that the board allow for a special closed session at 6:30 p.m. to consult with our attorney. Chair Orr asks for a motion with the requested change. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
5. Chair Orr asks for approval of the December 21, 2021, Workshop & Regular Minutes; December 10, 2021, and January 2, 2022, Special Meetings and January 10, 2022, Emergency Meeting. Commissioner Nelms made the motion to approve the minutes as stated. Commissioner Eller seconded this motion. Vote unanimous.
6. Chair Orr asks Emmie Cornell with Mainspring. Ms. Cornell stated that she is with Mainspring Conservation Trust originally known as the Land Trust for the Little Tennessee (LTLT) which started in 1997 with a group of visionaries meeting to discuss the impact that growth could have on the mountains, streams, and ancient farmlands. Ms. Cornell stated that the nonprofit originally focused on promoting conservation and stewardship of private lands, first in the upper Little Tennessee Watershed, then expanding into the Tuckasegee and Hiwassee watersheds. Ms. Cornell stated that in 2012 the LTLT merged with the Little Tennessee Watershed Association broadening its mission to incorporate stream restoration and monitoring water quality while building an education program designed to help both youth and adults understand this unique and significant region. Ms. Cornell stated that in 2016, LTLT changed its name to Mainspring Conservation Trust to reflect what the organization has grown to be: the motivating force for conservation in the heart of the Southern Blue Ridge and continues its mission to conserve the water, forests, farms and heritage of the Little Tennessee and Hiwassee River basins. Ms. Cornell stated that they are dedicated to three core initiatives in the heart of the Southern Blue Ridge: conserve the land, restore the water, and connect the people to these valuable resources. Ms. Cornell stated that their vision is clean water flowing through a healthy, rural landscape and a vibrant, sustainable economy within a well-functioning ecosystem. Ms. Cornell stated that they work toward this vision in many ways, from more traditional conservation methods like conservation easements, to programs that teach kids about the importance of cool, clear water, to transforming contaminated brownfield sites into green community spaces. Ms. Cornell stated that Graham County was not a focus area, but they are excited to work here in this beautiful county. Ms. Cornell stated that they work closely with the Tribe and there are several projects that are open to the public for volunteers. Ms. Cornell stated that the projects in Graham County are mostly easements that are indefinitely, but some are estate holds and the landowners volunteer and try to be good stewards of the property. Ms. Cornell stated that they will speak up for clean water and good land management. Ms. Cornell stated that she lives in Franklin but would love to partner with our county on outreach efforts and build on the tourism of our natural destination. Ms. Cornell asks for questions. No questions.
7. Chair Orr asks Wanda Hill, Senior Center Director to speak. Director Hill stated that she was here to obtain permission to apply for the extra 2022-2023 HCCBG Block Grant for \$5,238.00 for a county match of \$582.00. Commissioner Eller made the motion to approve the request. Commissioner Nelms seconded this motion. Vote unanimous.
8. Director Hill asks permission to apply for the American Rescue Plan Act funds related to COVID-19 pandemic for \$32,453.09 which will be a two-year grant. Commissioner Eller made the motion as requested. Commissioner Nelms seconded this motion. Vote unanimous. Director Hill thanked the board.
9. Chair Orr asks Interim EM/EMS Director Brian Stevens to give the board an update on EMS. Director Stevens stated that the shift change is going very well, and the shift supervisors have been well received by the crew members. Director Stevens stated that he was notified about a F-350 EM Truck that is suited as a quick response vehicle being available for the shift captains to use. Director Stevens stated that a new truck is on a two year back log and we do have a lease option through Fleet Management Enterprises but his concern with a lease is the mileage. Director Stevens stated that he has a quote for Ford Explorer with a forty-week lead time of \$44,500.00 or we can purchase a low mileage SUV for around \$35,000.00 not including the cost to upfit. Commissioner Nelms asks if the \$42,500.00 is the total price for the vehicle with the upfitting. Director Stevens stated that yes, but he would need to install a climate control box to house the drugs. Commissioner Wiggins asks if we had received a grant to purchase the last EM truck. Commissioner Eller stated that we did, and they use that truck to haul the generator.

Commissioner Nelms asks if there are funds for this purchase. Finance Director Garland stated that there were funds available, and she agrees with Director Stevens on the vehicle with the low mileage with complete outfitting. The board gave Director Stevens the directive to proceed with the purchase. All board agreed.

10. Chair Orr asks for public comment. No public comment.
11. Chair Orr asks Manager Marino for the managers' report. Manager Marino stated that we have submitted all the documents to the NC OSBM State Capital and Infrastructure Fund for the \$5M grant for the new Justice Center. Manager Marino stated that the next step is the State providing a contract for signature possibly by next week.
12. Manager Marino stated that he and Commissioner Wiggins met with the USFS on the Crossover Project and the Forest Plan to get an update on the specifics regarding the transportation aspect. Manager Marino stated that the roads or prisms could be the biggest controversy with an estimated (11) miles of temporary roads within about 16,000 acres will be needed with only approximately (3) miles of that being new roads and the area proposed includes about 1,300 acres of management and harvest. Manager Marino stated that there have been questions raised about old growth in some stands that the USFS has selected for management and harvest by environmentalist conservationist groups that the USFS is disputing so they are not ready to drop those areas out of the plan yet. Director Marino stated that a March field review of specific areas will be scheduled with county officials to attend and the USFS expects a spring/late spring release of the environmental analysis for notice and comment and will be open for (45) days. Manager Marino stated that the Crossover Roads Project could take around (10) years to implement. Commissioner Wiggins stated that the USFS has made the objections very complicated to complete. Bob Wehr, a member of the audience, stated that it is time to make an objective very clearly spelled out and we need to form groups and invite our fellow counties to make an impact statement. Mr. Wehr stated that that plan is very convoluted, and he would love to help and be proactive and he intends to ask for ELK and for off-road trails as well because it is done in other forest lands, and it can be done here. Chair Orr stated that the board would not accept any more of our lands being put into wilderness. Commissioner Wiggins stated that more is on the map, and it appears that the USFS chose their options and did not take the counties nor the special interests groups opinions or suggestions. Commissioner Wiggins stated that lots of places are being named roadless areas and the USFS has been doing this for years and designing this for years and did not consider input from any other source. Manager Marino stated that 66,400 acres are designated as wilderness and 265,000 acres as old growth which adds up an additional 25% of our lands. Chair Orr stated that she has been receiving a lot of negative feedback. Commissioner Eller stated that the board agreed to leave the Snowbird area in a study area but now it has been moved into a stricter designation. The board discussed the areas of the 65,000 acres that are in the Pisgah and Nantahala Forests with Snowbird having 7,500 acres; Joyce Kilmer and Slickrock having 6,000 acres and Yellow Hammer having 3,000 acres. Commissioner Nelms stated that we needed to object to any further designations of wilderness and note that they are not doing timber harvest and note that they are being creative in naming areas other things except wilderness with the intent to turn that area in wilderness as well. Commissioner Wiggins stated that they put another half mile into wilderness in the Santeetlah area and have put regulations that no timber harvest can be seen from any view site which is basically the whole county when you are on the Cherohala Skyway but are calling it a buffer that started in 1997 and now everything has become more complicated and stricter. Commissioner Wiggins stated that in the Crossover Project there might be 1300 acres that will be harvested in Graham County, and they designated over 2400 acres of old growth designation. Chair Orr asks how many miles of new roads were listed in the Crossover Project and Commissioner Wiggins stated that they will do management on three miles of new roads.
13. Manager Marino stated that we are currently in procurement on the CDBG-NR grant and are accepting proposals from a second solicitation. Manager Marino stated that Monica Chevalier, with Withers Ravenel, has solicited for a CDBG Housing Rehab Specialist.
14. Manager Marino stated that the CDBG-CV grant will help with the community kitchen renovations, workforce training for paramedics, enhancements to the senior center for additional food distribution and expand capacity and allow for IT equipment for the schools. Manager Marino stated that they are currently working with Alice Briggs, with Withers Ravenel on administration and procurement and a conference call is scheduled this Thursday.
15. Chair Orr stated that the board needed to go into closed session to speak with the county attorney's and asks for a motion to go into closed session under G.S. 143.318.11(a)(1)(3) privileged or confidential information, attorney client privilege. Commissioner Nelms made the motion as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
16. Chair Orr asks for a motion to go back into open session. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
17. Manager Marino stated that Representative Gillespie would like to extend an invitation to attend a meeting on Monday, February 21, 2022, with DMV Officials to discuss DMV operations in our district and how to improve service for residents. Manager Marino stated that this will

give the board an opportunity to meet and discuss any concerns and ideas with DMV Representatives.

18. Manager Marino stated that there was a kick-off meeting for EagleView High Resolution Arial Imagery and currently they have captured 95% of the county. Manager Marino stated that the 5% remaining is for one touch-up flight due to areas that was snow covered.
19. Manager Marino stated that he has restarted our safety committee facility walk through.
20. Manager Marino asks that the board consider changing the Adverse Weather Policy for mandatory closing to allow employees to take comp time first then a choice between sick and annual leave. The board had discussion. Chair Orr stated that the in the mandatory closings the employee can chose their choice of leave including comp time. Commissioner Wiggins made the motion to allow the change to the Adverse Weather Policy regarding mandatory closings leave usage to allow the employee to decide which leave to use including comp time. Commissioner Nelms seconded this motion. Vote unanimous.
21. Manager Marino stated that our maintenance department currently maintains (18) buildings some of which include an area with several buildings and will soon be adding two additional buildings and he is requesting that one additional employee be hired to maintain and support the facility expansion with HVAC knowledge to create and maintain a comprehensive preventative maintenance program for all facilities HVAC and refrigeration.
22. Manager Marino stated that our IT Department has created a new web page and presented the board with a presentation. The board was pleased with the layout and agreed to move forward. Manager Marino stated that in the past the web page was outsourced but we now have brought that work in house, and it should be completed within the next couple of weeks. Commissioner Wiggins stated that Graham County will be 150 years old this year and he would like to see that included on the page. The board all agreed.
23. Manager Marino gave an update on the capital projects stating that the RDA Moose Branch Subdivision Project is 85% complete and asks that the board drive by and see the progress.
24. Manager Marino stated that the Cemetery Building is at 63% complete and has had delays due to metal shortages. Manager Marino stated that the Recreation Building is at 65% and the delays again were caused by shortages of materials.
25. Manager Marino stated that Board of Elections Renovations is 80% complete and we are obtaining quotes on cabinetry.
26. Manager Marino stated that we have completed the RFQ to solicit for A&E Firm Qualifications and will convene a selection committee to review and make the recommendation to the board. Manager Marino stated that we are currently working with NC OSBM on the \$5M grant to go towards the new Justice Center. Chair Orr stated that this is by court order and will be the challenge of the century of finding the financial means to pay for this project.
27. Manager Marino stated that the 6th Grade Middle School Project is 56% complete and construction is underway.
28. Manager Marino stated that the Little Snowbird Creek Bank Remediation and the Little Snowbird Clear and Snag requested extensions which were received, and we are at 66% complete. Director Garland stated that the hold-up has been the Corp of Engineers due to the work being performed in the creek.
29. Chair Orr asks Finance Director Becky Garland to give the financial reporting. Director Garland stated that IT saved the county \$10,000.00 by taking over the website and to give perspective Travel and Tourism paid \$12,000.00 to have their webpage redone.
30. Director Garland stated that we have a cash balance of \$11,366,438.66 for the month end and is very pleased to report this is the highest cash balance ever for her tenure.
31. Director Garland stated that she will be transferring money to our capital projects accounts but currently we have \$2,264,934.13 in our Capital Projects Account; \$114,177.86 in our School Capital Projects Account and \$266,596.10 in our American Rescue Plan Act funds.
32. Director Garland stated that our year-to-date tax collection is \$5,768,495.28 and our DMV was \$323,084.83 for a positive variance of \$72,635.00 for real and \$14,949.88 for DMV. Director Garland stated that our collection rate is 92.7% and commends the tax office for their diligence in collections.
33. Director Garland stated that our revenues for the month is \$1,947,091.51 and our expenditures are \$1,400,045.68 for a surplus of \$547,045.83. Director Garland stated that our year-to-date revenues are \$11,038,644.91 and our expenditures are \$8,807,158.70 for a surplus of \$2,231,486.21 and we are ahead \$36,000.00 in revenues from this time last year and this is after the capital projects, so she commends the board for their diligence in growing our county.
34. Director Garland stated that our sales tax collection for the month was \$283,236.95 which is the highest ever and we have a 14% increase over last years collections. Director Garland stated that we have collected \$642,704.42 in the quarter cent sales tax since inception, and she will be transferring \$53,148.60 to our capital projects account.
35. Director Garland stated that our budget should be at 42% and we are holding at 48%.
36. Director Garland stated that she has three Budget Amendments for the board's approval.
 - a. Budget Amendment #10 to amend to recognize the HDC Grant for the Senior Center in the amount of \$12,963.00.

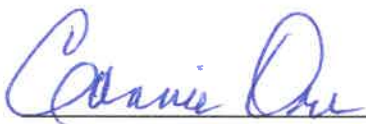
- b. Budget Amendment #11 to amend to recognize new sheriff grant-no match required in the amount of \$25,000.00 for the Sheriff's Department – Governor's Crime Commission Grant.
- c. Budget Amendment #12 to amend for ARPA transactions and mid-year budget review for several departments in the amount of the \$353,500.00.

Commissioner Eller made the motion to approve the budget amendments as stated.

Commissioner Wiggins seconded this motion. Vote unanimous.

- 37. Director Garland stated that she received a letter of appreciation for her service on the 5-5-5 Committee and stated that we are on the brink of receiving \$750 million to which our state is entitled under the national deals to address the Opioid epidemic from the mountains to the coast.
- 38. Director Garland stated that Vaya Health has \$13 million in expendable funds and they are working hard to get help here in our county.
- 39. Director Garland stated that the audit is almost complete and thanked the board for their patience. Director Garland stated that 23 out of 100 counties have submitted their audits so she did not feel quite so behind. Director Garland stated that she would need a motion to override the December 31, 2021, deadline for budget submission to the state. Commissioner Wiggins made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
- 40. Director Garland stated that the reporting requirements changed regarding our Rep Payees at DSS and the finance office will be cutting the checks for these accounts. Director Garland stated that she has new signature cards for the board to sign.
- 41. Director Garland stated that despite COVID illness among staff and shortage of staff finance has met all guidelines for January 31st and she is very anxious to add our new staff member March 14th. Commissioner Wiggins thanked Director Garland for sitting on the 5-5-5 committee and he is grateful that our state but especially our county will be receiving these funds. Chair Orr agreed and thanked Director Garland for her work.
- 42. Chair Orr stated that we would now go to the discussion items. Manager Marino stated that we need to remove (8) trees behind the community building and he would like to table this decision until he received one more quote. The board agreed.
- 43. Manager Marino asks for approval of the Releases \$54,656.06 and the Discoveries \$131.91. Commissioner Wiggins made the motion to approve the releases and discoveries as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 44. Manager Marino asks if the board would allow our EDC to become a 501-C3. Commissioner Eller made the motion to approve the request. Commissioner Nelms seconded this motion. Vote unanimous.
- 45. Manager Marino asks for discussion on the Forest Service Plan. Commissioner Wiggins stated that that the board would be scheduling a meeting to talk about the options with the forest service on the changes that are being made.
- 46. Manager Marino asks for a motion to allow finance to transfer the funds (blue book value) into the Transit budget for the two 2016 Pathfinders that we put into the county fleet. Commissioner Wiggins made the motion to transfer the funds as requested. Commissioner Eller seconded this motion. Vote unanimous.
- 47. Manager Marino asks for a motion to approve the poll on the new EMS employees recommended by EMS Director Brian Stevens. Commissioner Wiggins made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 48. Manager Marino asks for a motion to approve the poll for the new sanitation employees as recommended by Director Gavin Colvard. Commissioner Wiggins made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 49. Manager Marino asks for a motion to approve the CSBG Funding packet for Four Square. Commissioner Wiggins made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
- 50. Manager Marino asks for a motion to approve the poll for Budget Amendment 10 and 11 for the Senior and Sheriff Grant January 28th. Commissioner Wiggins made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 51. Manager Marino asks for a motion to approve the poll for copier(s) lease with Toshiba. Commissioner Wiggins made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 52. Manager Marino asks for a motion to appoint Adrian Nelms to the Southwestern Child Commission Board. Commissioner Wiggins made the motion as stated. Commissioner Eller seconded this motion. Vote unanimous.
- 53. Manager Marino asks for the board to appoint a Library Board Member. Commissioner Eller made the motion to appoint Joy Stewart. Commissioner Wiggins seconded this motion. Vote unanimous.
- 54. Manager Marino asks for a motion to approve the poll instructing Attorney Coward to consult with another attorney on pending litigation. Commissioner Wiggins made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.

55. Chair Orr asks for a motion to go into closed session under G.S. 143.318.11(a)(1)(3)(5)(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 Wiggins seconded this motion. Vote unanimous.
56. Chair Orr asks for a motion to go back into open session. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
57. Chair Orr asks for a motion to amend Section 1-5 Responsibility of the County Commissioners of the personnel policy to include EM Director per North Carolina General Statutes 166A-19.1 The governing body of each county which establishes an emergency management agency pursuant to this authorization shall appoint a coordinator who will have a direct responsibility for the organization, administration, and operation of the county program and will be subject to the direction and guidance of such governing body. Chair Orr stated that the County Commissioners will make and confirm appointments that are required by law for the EM Coordinator for Graham County. Commissioner Eller made the motion to approve the change as stated placing the EM Coordinator under the direct control of the County Commissioners. Commissioner Nelms seconded this motion. Vote unanimous.
58. Chair Orr asks for a motion to appoint Brian Stevens as the Emergency Management Coordinator who will oversee the duties of Emergency Management Services, to direct and coordinate plans and programs in accordance with the policies and standards set by the County, consistent with federal and State laws and regulations for Emergency Management and Emergency Management Services and to hire all Emergency Management Services employees with the prior approval of the County Commissioners. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
59. Chair Orr asks for a motion to approve the land lease with HG Holdings as presented by Attorney Billy Clark. Commissioner Eller made the motion to approve as stated. Commissioner Nelms seconded this motion. Vote unanimous.
60. Chair Orr asks for the salary increases for Jerry Monroe, Tajuana Ledwell, Abraham Husmillo, and Michael Collins. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
61. Chair Orr asks for a motion to adjourn. Commissioner Wiggins made the motion to adjourn. Commissioner Nelms seconded this motion. Vote unanimous.



Connie Orr, Chair



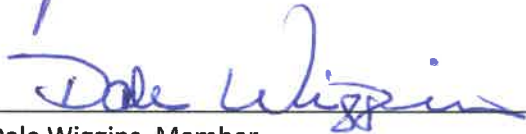
Keith Eller, Vice-Chairman



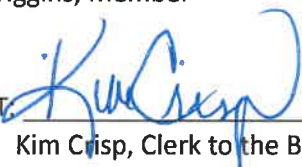
Lynn Cody, Member



Jacob Nelms, Member



Dale Wiggins, Member

ATTEST 

Kim Crisp, Clerk to the Board