

Regular Meeting – January 17, 2023

The Graham County Board of Commissioners met Tuesday, January 17, 2023, at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. All board was present. Also, present Finance Director Becky Garland and Clerk Kim Crisp.

1. Chairman Nelms called the meeting to order.
2. Chairman Nelms asks Commissioner Cody to give the Invocation.
3. Chairman Nelms asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Nelms asks for changes to the agenda. Clerk Crisp asks that that we add #5A – Melanie Garuffi with Life Choice Pregnancy Center for WNC; add #7A Commissioner Orr – Sheriff Equipment needs and under new or old business add Ronnie Williams, Recreation Director, and Clerk Kim Crisp. Commissioner Orr made the motion to approve. Commissioner Williams seconded this motion. Vote unanimous.
5. Chairman Nelms asks for a motion to approve December 20th Workshop and Regular Meeting Minutes and the December 13th Special Meeting Minutes. Commissioner Orr made the motion to approve. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Nelms asks Melanie Garuffi to speak. Ms. Garuffi thanked the board for the opportunity to introduce their pregnancy center that is called Life Choice Pregnancy Center of WNC and are presently based in Bryson City. Ms. Garuffi stated they officially opened one year and three months ago and their purpose is to help young families especially those in crisis pregnancy. Ms. Garuffi stated that they offer resources, education, mentoring, peer counseling and support along with parenting classes and maternity classes. Ms. Garuffi stated that by just speaking with them they earn points, and those points are used in the Earned while you Learn Program. Ms. Garuffi stated that after they achieve steps these points are used like money to purchase items that they need. Ms. Garuffi stated that they are very generous and gives diapers, wipes and they can purchase baby swings, highchairs, cribs, changing tables, etc. Ms. Garuffi stated they become a safe haven where their clients have someone to come too during their crisis or situation that they are in. Ms. Garuffi stated their goal is healthy happy families. Ms. Garuffi stated that they are non-profit and their main goal is to provide a safe place for families starting out, a safe place where they can accomplish things. Ms. Garuffi stated that Swain and Graham Counties lead the teen pregnancies in the State. Ms. Garuffi stated that Michelle Shiplet has offered space for them to come to Graham County one day each week and she has chosen Wednesdays from 9:00 a.m. to 1:00 p.m. and are very excited with this expansion. Ms. Garuffi gave each board member a pamphlet with contact information. Chairman Nelms asks that Ms. Garuffi give her personal information to Clerk Crisp and the board all stated that they appreciate the work that they are doing and will be glad to help.
7. Chairman Nelms asks Rebecca Garland to give the finance report. Director Garland stated that as part of her reporting she has our auditors on the phone to give their reporting. Ms. Turner thanked the board for their time and gave the board a brief reporting of the audit findings. Ms. Turner stated that the county did have three findings.
 - a. The first issue was the audit was late due to the new reporting guidelines.
 - b. The second issue was at the Jail where they were not keeping the inmate funds records correctly.
 - c. The third issue was at DSS and dealt with a verification. Director Garland stated a corrective action plan was put in place and the State did approve of the correction plan.
8. Ms. Turner thanked Juanita Colvard, Transit Director for allowing them to meet in the Transit Department. Ms. Turner stated that the audit letter would need to be submitted and she is here anytime if the board needed to speak with her concerning the audit.
9. Director Garland stated that our fund balance is 45% and we are in a very healthy position going into budget. Director Garland stated that the letter to the Local Government Commission is ready if the board would approve and sign for submittal.
10. Director Garland stated that our cash balance for the month was \$10,447,915.01 which is a little under this time last year, but the county has completed and is completing a lot of projects such as the new Cemetery and Recreation Buildings, the renovation of the bathrooms at the administration building and the Election Board renovation.
11. Director Garland stated that our project accounts are:

- a. Capital Projects – NCCMT \$3,112,574.04
- b. School Capital Project – NCCMT \$ 115,943.93
- c. American Rescue Plan Act \$ 903,018.14
- d. SCIF Grant – Courthouse \$ 5,076,983.09

Director Garland stated that our interest to date on these accounts is \$133,358.25.

12. Director Garland stated that our current year tax collections for the month was \$2,685,512.12 for current year; \$9,426.50 for prior year and \$41,226.89 for DMV. Director Garland stated that our year-to-date tax collections is \$5,884,598.47 for real and \$320,994.38 for DMV. Director Garland stated that our tax collection rate is 79.54% and the total levy is \$7,288,700.06.
13. Director Garland stated that our revenues for the month was \$3,947,540.17 and the expenditures and \$1,845,625.48 for a surplus of \$2,101,914.69. Director Garland stated that the revenues to date are \$11,674,331.56 and the expenditures are \$9,985,509.57 for a year-to-date surplus of \$1,688,821.99.
14. Director Garland stated that we have received \$454,343.81 om LATCF funding.
15. Director Garland stated that our sales collection for the month was \$266,739.75. Director Garland stated that our quarter cent sales tax collected since inception is \$919,513.02.
16. Director Garland stated that the tax office continues to work the past due taxes and have collected \$486,605.69.
17. Director Garland stated that our capital projects expenditure reporting is:
 - a. Election Board / Bathroom Renovation \$247,841.57
 - b. Recreation Building \$120,927.71
 - c. Cemetery Building \$118,667.75
 - d. Middle School – County Match \$1,198,613.15
 - e. Total to date \$1,686,050.18
 - f. Total Middle School to date \$4,443,324.59
18. Director Garland stated that our budget is holding at 52% and commends the department heads for their diligence in watching their budgets. Director Garland stated that some departments appear to be running hot but those are all explainable such as the Election Board’s extra expense for the Town of Santeetlah appeals which included attorney fees and extra personnel.
19. Director Garland stated that she did have two budget amendments for the board’s review.
 - a. Budget Amendment # 9 for health department \$71,537.00 for WIC funding and youth mental health funds.
 - b. Budget Amendment #10 for election board to amend for additional expenses for election board due to Santeetlah Appeal and Sheriff Run Off Additional costs for \$48,400.00.

Chairman Nelms asks for approval of the budget amendments as stated. Commissioner Eller made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.

20. Director Garland presented the EMS Billing fees and asks for a motion to adopt the new Medicaid prevailing rates for our EMS billing fees. Commissioner Orr made the motion to approve. Commissioner Williams seconded this motion. Vote unanimous.
21. Director Garland stated that she had a request from the architects for their bill which will be paid through the SCIF account for \$90,625.00. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
22. Director Garland stated that she did have some CDBG contracts but would need to go into closed session for these items.
23. Commissioner Nelms asks for public comment. Commissioner Nelms asks David Artiss to speak. Mr. Artiss stated that he was here to present an alternative option for the location of the new Graham County Justice Center and presented the board with a document and a map of the proposed area. Mr. Artiss stated the purpose of the document is to describe an alternate location for the new Justice Center that should be included in the consideration before a final location is decided. Mr. Artiss stated that the Fort Hill area would leave the existing courthouse vacant and deprive downtown of a significant economic engine for downtown businesses and not one part of the discussion has been on how the increased vehicle traffic on Five Point Road and West Fort Hill Road will be dealt with once a justice center opens off West Fort Hill Road. Mr. Artiss stated that the ideal location is to the north of the existing courthouse fronting on Courthouse Square which could be multi-story structure built on Ford Street with upper level having direct access to Courthouse Square just a few yards from the existing courthouse building. Mr. Artiss stated that the jail would be on the lower levels with access to /from the

integral courthouse building and access from the street via a secure garage. Mr. Artiss stated that there is ample room for the jail and sheriff's office and a vehicle servicing facility if required. Mr. Artiss asks that the board study the proposed location which is vital to our Town.

24. Chairman Nelms asks Commissioner Orr to speak. Commissioner Orr stated that she asked to speak tonight about an incident in her neighborhood that she was not aware of. Commissioner Orr stated that the Sheriff had approached the board with the needs of the department and learned of a drug and theft ring bust within a close distance to her home. Commissioner Orr stated that her ladder had been taken and the thing that concerned her was that the officer's who went in the early hours of the morning for the bust gave the criminals an opportunity to make fun of them and laugh and make jokes over their weapons being held together with zip ties, ropes, and wires and this is highly unacceptable. Commissioner Orr stated that she had a list that the Sheriff had requested and the amount was around \$74-\$75,000.00 and she comes before this board and makes a motion that we purchase these supplies that our sheriff's department needs to keep them safe and we do everything in our power to keep them safe. Commissioner Orr stated that we are in a war and you have to have weapons to fight a war and wanted to purchase these items for the sheriff's department and asks Finance Director Garland to discuss the funding. Director Garland stated that we did have LATCF funding for much needed equipment for our fire departments which is an unrestricted pot of funds and we got \$454,000.00 in October and when she heard of the need, she began to see which pots of money could be available, and found that the board could earmark those funds for public safety and could be a use of this fund to help with our sheriff's department. Director Garland stated that this is her first impression to put the funds to the best use as possible. Director Garland stated that this would be a good source for this money. Chairman Nelms asks for a second. Commissioner Cody seconded this motion. Vote unanimous. Sheriff Hoxit thanked the board for their help, and he very much appreciated it.
25. Chairman Nelms asks for the discussion items. Chairman Nelms asks for approval of the Releases for \$4,821.18 and Discoveries for \$11,453.00. Commissioner Eller made the motion to approve as stated. Commissioner Williams seconded this motion. Vote unanimous.
26. Chairman Nelms asks for a motion to approve the Sanitation Scale House Roof Bid from Kelly Andrews for \$5,000.00. Commissioner Eller made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
27. Chairman Nelms asks Clerk Crisp to present the polls. Clerk Crisp stated that the board had three polls for approval.
 - a. Signed Waiver of representations for Attorney Curriden
 - b. Notice of Closure regarding Urgent Care that was published in the paper.
 - c. Pay Sheriff Attorney yearly fee of \$12,000.00.Clerk Crisp stated that all the polls were unanimous. Commissioner Cody made the motion to approve as stated. Commissioner Orr seconded this motion. Vote unanimous.
28. Chairman Nelms asks for approval of the Audit Letter to be sent to Susan McCullen, NC Department of State Treasurer. Commissioner Eller made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.
29. Chairman Nelms asks for approval on the following boards.
 - a. RDA Board – Pam Shaffer Commissioner Williams made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.
 - b. SW Community Advisory Committee – Keisha Greene. Commissioner Cody made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.
 - c. Transportation Advisory Board – Amy Seay, Ginger Claybon, Wanda Hill, Dennis Myers, Connie Orr, Harold Philips. Commissioner Eller made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
30. Commissioner Orr stated that she did need to add one more board member to the Travel and Tourism Board and the recommendation was Debbie Beasley, Town Alderman. Commissioner Orr made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
31. Chairman Nelms stated that our Senior Center needed approval to apply for a SHIP Grant in the amount of \$11,675.70 with zero county match. Commissioner Cody made the motion to approve. Commissioner Cody seconded this motion.
32. Chairman Nelms stated that the board was invited to the NC Governor's Highway Safety Program Campaign Wednesday, January 18, 2023 at 10:00 a.m.
33. Chairman Nelms stated that we would now go to the discussion items. Chairman Nelms stated that we have a quote for SS Electric for \$85,275.00 for our P and J Ball Field lights. Chairman

Nelms stated that the money is in his budget. Director Garland stated that this budget year and last budget year the money was appropriated for \$52,500.00 to be put in reserve and that money is available, she also stated that we are under the standard allowance and because this is a project that would fall under general services for the county you could pull this from ARPA money. Director Garland stated that you can save the money in reserve for a PARTF Grant match and use the ARPA funds. Chairman Nelms asks for a motion to approve the expenditure. Commissioner Orr made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.

34. Chairman Nelms stated that he would prefer to pull the funds from ARPA because we have more projects that are being done in the fall. Chairman Nelms asks for a motion to approve pulling \$85,275.00 out of ARPA Funds for this expenditure. Commissioner Orr made the motion as stated. Commissioner Eller seconded this motion. Vote unanimous.
35. Clerk Crisp stated that she received a letter from the Nantahala Library Board that Diana McRae had resigned and Franklin Shook, Regional Director recommended Shaun Adams to fill this vacant position. Commissioner Cody asks that the board hold until he can speak with Mr. Shook.
36. Clerk Crisp stated that the vehicle our Grounds Director Harold Millsaps drives needed repairs and the cost is a minimum of \$3577.02 or a maximum of \$5155.97 and she would need a motion to approve this repair. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
37. Clerk Crisp stated that she received a call from NC Forest Service and they have two trailers that can be given to the Graham County Fire Department. Clerk Crisp asks if Commissioner Eller or Commissioner Cody had need of the trailers. Commissioner Eller stated that he did not need the trailers. Commissioner Eller asks Clerk Crisp to tell Frank Cline, thank you for the offer but they did not have need of the trailers at this time.
38. Clerk Crisp stated that we had an incident on January 14th concerning the pool. During a recent storm one of the Duke Energy lines connected with our county poles going into the pool and caused significant damage to the wiring, the newly installed cameras and to the poles themselves. Clerk Crisp stated that it blew the bulbs out of lighting and the covers. Clerk Crisp stated that Duke had redone their poles causing our poles to be in their right of way. Clerk Crisp stated that this is not Duke Energy's fault due to this right of way so she will be sending all the information to the insurance company. Clerk Crisp stated that Duke Energy was installing insulators on their pole to minimize a recurrence.
39. Clerk Crisp stated that the Middle School Open House is scheduled for January 24th and the notice is in the board's packets.
40. Clerk Crisp stated that we received a bad sample on our Stormwater Discharge at the Sanitation Site and we are being required to have monthly samplings. Clerk Crisp stated that Director Colvard was looking at areas to move the metal and/or install a cover over the current area. Clerk Crisp stated that the State has made changes to the sanitation sites and she will inform the board as we go forward of any new developments.
41. Commissioner Orr stated that she had received some funds through Southwest Commission to be given to the Graham County Historical Association and the amount is \$50,000.00. Commissioner Orr stated that the board would need to make a motion and she made the motion to allow these funds to be used as a pass through in the County budget to be given to the Graham County Historical Association for \$50,000.00. Commissioner Eller seconded this motion. Vote unanimous. Director Garland stated that she would need another motion for Budget Amendment to amend to allocate funds to the Graham County Historical Association. Commissioner Orr made the motion as stated. Commissioner Eller seconded this motion. Vote unanimous. Commissioner Orr made the motion to authorize Director Garland to cut the check to the Graham County Historical Association for \$50,000.00. Commissioner Eller seconded this motion. Vote unanimous.
42. Clerk Crisp stated that Project Manager Jason Marino gave copies of his project manager's report, and he did not have any items for discussion at this time.
43. Clerk Crisp stated that she is very excited to see the cemetery and recreation buildings being completed.
44. Chairman Nelms 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 Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.

45. Chairman Nelms asks for a motion to award the Little Snowbird Project to Adams Construction for \$677,012.50. Commissioner Eller made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
46. Chairman Nelms asks for a motion to use Dogwood Trust Funding for Houses 2 and 4 under the CDBG Rehabilitation. Commissioner Orr made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous,
47. Chairman Nelms asks for a motion to use CDBG Grant funds for Houses 25, 28 and 13 under the CDBG Rehabilitation. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
48. Chairman Nelms asks for a motion to write off ambulance bill #162605 for \$2,447.92. Commissioner Williams made the motion as stated. Commissioner Orr seconded this motion. Vote unanimous.
49. Commissioner Orr made the motion to approve the September 20, 2022, Closed Session Minutes. Commissioner Cody seconded this motion. Vote unanimous.
50. Chairman Nelms asks for a motion to continue this meeting to Wednesday, January 18, 2023 and the location for the meeting will be at the DHHS Building located at 191 P and J Road Robbinsville NC. Commissioner Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.

Jacob Nelms, Chairman

Natasha Williams, Vice-Chair

Lynn Cody, Member

Keith Eller, Member

Connie Orr, Member

ATTEST:

Kim Crisp, Clerk to the Board