

The Graham County Board of Commissioners met Tuesday, December 19, 2023, for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville, NC. All board was present. Also present Interim County Manager/Clerk to the Board Kim Crisp, Attorney J.K. Coward, and Finance Director Stacy Carpenter.

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 approval of the agenda. Commissioner Williams made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
5. Chairman Nelms asks for approval of the November 29th Continued Meeting and the November 21st Workshop and Regular Meetings. Commissioner Orr made the motion to approve as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Nelms asks for the election of the Chair and Vice-Chair for 2024. Commissioner Cody made the motion to leave the Chairman as is which is Jacob Nelms. Commissioner Orr seconded this motion. Vote unanimous.
7. Commissioner Orr made the motion to keep the Vice-Chair as is which is Natasha Williams. Commissioner Eller seconded this motion. Vote unanimous.
8. Chairman Nelms asks for a motion to close the regular meeting and open the public hearing for the Opioid Settlement Strategic Plan Annual Meeting. Commissioner Orr made the motion as stated. Commissioner Cody seconded this motion. Vote unanimous.
9. Chairman Nelms asks Stacy Carpenter; Donna Stephens and Bethany Leonard to speak. Bethany Leonard gave the presentation. Ms. Leonard stated that they are here to discuss the Opioid Settlement Plan for the money that has been distributed to the states per litigation agreements where Graham County is set to receive \$2,144,392.00 during 2024-2038 which is over an eighteen-year period. Ms. Leonard stated that the companies that the funds will be coming from are Allergan, Walmart, Teva, Walgreens, CVS, Mallinckrodt, J&J/Jansen, and Distributers. Ms. Leonard stated that in 2021 they began gathering information on the needs of our community and finding ways to help in the recovery. Ms. Leonard stated that they began using shared strategy with other agencies such as the HIGHTS/Community Linkage to Care; Post Overdose Response Team; Group Opioid Use Disorder Counseling and training; Harm Reduction Services and Community Campaign and Community Conversations.
10. Ms. Leonard stated that through large and small group discussions during planning work sessions, the shared vision for positive change is “Changing family patterns to support future generations where kids can imagine better, empty jails, no foster care, happy and healthy families free from overdose with support across the lifespan from an integrated system of services and the community.” Ms. Leonard stated that agencies are looking to connect people to resources from safe and trusted persons, a place of less stigma with more education to help face the strengths and challenges to ensure that they live the best way that they can. Ms. Leonard stated that just one opportunity can change someone’s life. Ms. Leonard stated that the challenges that most face are transportation, and they need recruitment to assist. Ms. Leonard stated that throughout this process they have seen some strengths that are helping such as Narcan/Naloxone-people are using it; the community programs such as Celebrate Recovery, Grace Place/Five Points, G.R.E.A.T. and more. Ms. Leonard presented the proposed settlement budget with the proposed investments and additional county considerations. Ms. Leonard stated that our critical issues still in need of attention, strategy and related investment is transitional housing; residential/family treatment; substance use and mental health services; funds for the non-Medicaid population and domestic violence classes/support for offenders. Ms. Leonard asks for public comment. Russ Harris Executive Director for Southwestern Commission stated kudos for Graham County. Director Harris stated that they have been working with the seven western counties on a regional plan for the counties that do not have a plan. Director Harris stated that they are looking at the critical needs together as a region to have more funding leverage and further stated that he would like to get with Ms. Leonard on the plan that has been presented. Chairman Nelms asks for further public comment. No further comment.
11. Chairman Nelms asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
12. Chairman Nelms stated that there are no decisions for tonight regarding the public hearing.
13. Chairman Nelms asks Jack Horton, NCACC representative to speak. Mr. Horton thanked the board for their time and gave a quick history of his experience with county government. Mr. Horton stated that the NCACC is glad to partner with Graham County by providing two project coordinators to assist in the finance office. Mr. Horton stated that these gentlemen are top notch, both have master’s degrees and graduated from Franklin High School. Mr.

Horton stated that they have hit the ground running and are assisting with the Solid Waste Plan and grant reporting. Mr. Horton gave a congratulations to Bethany Leonard on the presentation and stated that was one of the best presentations he has seen across the state which has taken a lot of time and hard work. Mr. Horton stated that he has been involved in the Reval process in the past and the manager did a great job of explaining the process. Mr. Horton stated that the NCACC can also offer assistance for a board retreat on board leadership which is very worthwhile in attending. Mr. Horton stated that they have experts in tax, finance, personnel if needed and an outreach for county managers. Mr. Horton stated that they have a vast array of knowledge for the counties to use and they can help with recruitment as well. Mr. Horton stated that they would not tell the counties who to hire but would tell them who was qualified to be hired. Mr. Horton presented the county with a Map Book of all 100 counties which contains a lot of good information. Commissioner Orr stated that she was glad to have the assistance of the NCACC and very excited with the new services that will bring much needed resources to our county.

14. Chairman Nelms asks Tracy Jones to speak. Ms. Jones stated that she was here asking for a support letter to ask legislation to do something for our children that are left in homes of drug addiction. Ms. Jones stated that her nephew was left alone with his dad, her brother, who was deceased, all night and this is wrong. Ms. Jones stated that her brother was given a fatal dose of fentanyl, and someone needed to be held accountable for his death and held responsible for leaving a child alone with a dead person. Ms. Jones stated that the one place a child should feel safe is at home. Chairman Nelms asks for a motion to write a letter of support for Caleb's Law. Commissioner Orr made the motion to approve. Commissioner Williams seconded this motion. Vote unanimous.
15. Chairman Nelms asks Russ Harris and Josh Carpenter to speak on the small business development plan and policy. Josh Carpenter stated that he has been working with Commissioner Orr on a policy for the EDC that addresses small business. Mr. Carpenter stated that the previous policies were more centered around larger businesses, and they realized that some smaller businesses needed help with business strategy. Mr. Carpenter stated that the policy will condense to fit the smaller businesses that often are overlooked because of their size. Mr. Carpenter stated that the board would still need to approve the assistance and they would need to do it on a case-by-case basis. Commissioner Orr stated that the other policies that we currently have are made for large counties and Graham County small businesses need help and asks that the board look over the new proposed policy. Chairman Nelms stated that the board would review the policy. Commissioner Orr requests that the board go ahead and approve the \$2,000.00 grant that was submitted several years ago but was tabled due to a previous board decision. Commissioner Orr stated that the EDC Board lost good board members because of this decision and asks that this board accept this grant funding today. Commissioner Orr made the motion to award \$2,000.00 to Sandy Collins under the EDC Incentive Program. Commissioner Cody seconded this motion. Vote unanimous. Mr. Carpenter stated that the newly proposed policy will be electronic, and no one will be asked to submit paper applications.
16. Chairman Nelms asks Melissa Crisp, Senior Center Deputy Director to speak. Ms. Crisp stated that she is here to request permission to apply for a Senior Center AAA Policy in the amount of \$14,791.00 where \$11,093.00 would come from the state and 25% match of \$3,698.00 will come from the county. Commissioner Cody made the motion to allow for the grant as stated. Commissioner Williams seconded this motion. Vote unanimous.
17. Chairman Nelms asks Gavin Colvard, Sanitation Director to speak. Director Colvard stated that they will begin closing sites after the first of the year and he needed clarification for charging of bagged garbage from small contractors and the Town's. The board had discussion and agreed that the actual cost to dispose of the garbage will be what they are charged which is around \$35.00 per ton. The board wanted the exact disposal cost to take the garbage to Ballground GA, not mileage or fuel just the actual disposal cost. Commissioner Eller made the motion to charge only the actual disposal cost to any business that brings bagged household garbage only. Commissioner Orr seconded this motion. Vote unanimous.
18. Commissioner Cody made the motion to charge the municipalities in Graham County the actual cost of disposal which is around \$35.00 per ton and to make sure that the charge is the exact cost of disposal plus the \$2.00 tax that is imposed. Commissioner Williams seconded this motion. Vote unanimous.
19. Director Colvard stated that he has been working on a schedule to have the staggered site openings with 10-hour shifts which will require no extra personnel, or stagger sites with a 12-hour shift which will require additional staff. Commissioner Orr stated that we need to see how it will work and determine which days may be best for each site. Commissioner Cody asks if additional help will be needed in the yard. Director Colvard stated that he did not believe so, but they can discuss as the plan gets executed. The board all agreed.
20. Chairman Nelms asks Commissioner Orr to give the Urgent Care update. Commissioner Orr stated that they are getting very close to the renovation completion of the new x-ray room and the county will need to hire someone to do the testing of the equipment. Commissioner

Orr stated that Ms. Colvard did find someone willing to do the training and who would train the person to take over the position full-time.

21. Chairman Nelms asks for the project manager's report. PM Marino stated that the design for the Justice Center is underway, and reporting is 19% complete and Moseley provided a presentation of cost reduction options for the board's review.
22. PM Marino stated that the Little Snowbird Bank Remediation and Clear and Snag is 99% complete and they are awaiting final close out invoices for submission to NRCS.
23. PM Marino stated that the design is underway for the Senior Center Kitchen Expansion and the timeline is set for a January 2024 bid.
24. PM Marino stated that the Notice of Award was issued to WNC Contracting for CDBG Homes and they are currently finalizing insurance and bonding requirements to formulate a construction schedule and issue a notice to proceed.
25. PM Marino stated that construction is underway on the Grace Place/Five Point Kitchen Center, and they are 75% complete.
26. PM Marino stated that the Big Oaks Stadium Project design contract was awarded to LS3P and work immediately began on the AIA Contract and meeting schedule.
27. PM Marino stated that the scope of work for the Clerk of Court's office may need more discussion and he will await direction before proceeding.
28. PM Marino stated that the project to replace the sanitation shed budget is included for the board's review.
29. PM Marino stated that the estimated cost for the EMS paving is attached for further review was well.
30. PM Marino presented the board with three cost estimates for the Justice Center for the board's review and stated that the savings are very minimal if you leave the sheriff's department out of the scope of work. The board agreed to review and discuss later.
31. PM Marino thanked the board for the employee Christmas gift and stated it was very much appreciated.
32. Chairman Nelms asks for the Finance Report. Stacy Carpenter, Finance Director stated that the county has a cash balance of \$6,022,105.13 which is below this time last year by \$2,749,298.70.
33. Director Carpenter stated that our special account balances are:
 - a. Capital Projected NCCMT \$3,332,215.75
 - b. School Capital Project NCCMT \$ 121,260.68
 - c. American Rescue Plan Act UCBI \$ 851,262.18
 - d. SCIF Grant Courthouse NCCMT \$5,012,328.36Director Carpenter stated that we gained \$45,047.20 in interest for the month of November.
34. Director Carpenter stated that our current year tax collection is \$1,595,663.86 and our prior year was \$21,439.44. Director Carpenter stated that our DMV collection was \$44,787.05.
35. Director Carpenter stated that our year-to-date tax collection is \$3,769,110.24 and our DMV is \$281,313.22 and our tax collection rate is 25.11%.
36. Director Carpenter stated that our revenues for the month were \$2,039,256.13 and our expenditures were \$1,779,509.45 for a surplus of \$259,746.68. Director Carpenter stated that our revenues to date are \$7,372,374.41 and our expenditures are \$9,523,226.26 for a deficit of \$2,150,851.85.
37. Director Carpenter stated that our sales tax collection was \$276,339.24 which is still trending ahead from this time last year.
38. Director Carpenter stated that our back tax collections total is \$437,565.05 and the tax office continues to work hard on all collections.
39. Director Carpenter stated that the American Rescue Plan sent a final rule and asks that the counties officially accept and approve. Commissioner Cody made the motion to accept and approve as stated. Commissioner Orr seconded this motion. Vote unanimous.
40. Director Carpenter stated that she received a bill from Davenport for June 2022 to December 2023 for \$31,517.49 and would need board approval to pay. Commissioner Orr made the motion to pay Davenport. Commissioner Cody seconded this motion. Vote unanimous.
41. Director Carpenter stated that she would be drafting a Resolution to Reimburse for the Schools Big Oaks Stadium.
42. Director Carpenter stated that she did have a budget amendment for consideration. Budget Amendment #12 to move monies in between lines in the Environmental Salaries to Environmental Contract Services for \$10,000.00. Commissioner Orr made the motion to approve Budget Amendment #12 as presented. Commissioner Eller seconded this motion. Vote unanimous.
43. Director Carpenter stated that she had received the required information from the Fire Departments and is ready to pay the departments the rest of their LATCF funds. Commissioner Eller made the motion to give the remainder of the money to the departments with equal parts excluding Snowbird Fire Department. Commissioner Orr seconded this motion. Vote unanimous.

44. Director Carpenter stated that she received a request from the Register of Deeds Kimberly Lequire to revisit her budget on the salary amounts. The board all agreed to table this discussion to budget.
45. Chairman Nelms asks for public comment. Commissioner Cody stated that the Haize Brown Cemetery was donated to the cemetery commission and the donors requested that the plots be handled by the Stecoah Rescue Squad and the money for the plots be given to them. Commissioner Cody stated that he will be having a Board of Directors meeting on December 4th and would let the board know their decision to accept the request.
46. Chairman Nelms asks for approval of the Releases for \$2602.00 and the Discoveries for \$1247.20. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
47. Chairman Nelms asks for approval of the 12/14 poll for the employee gift. Commissioner Orr made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
48. Chairman Nelms opened the bids for the surplus vehicles:
 - a. Equinox vin 1560 Ringwood Motors \$3150.00; Jessica Blevins \$3201.00
 - b. Equinox vin 3447 Ringwood Motors \$2250.00; Jessica Blevins \$2201.00
 - c. Ford Freestyle Melissa Blevins \$1250.00Commissioner Eller made the motion to award the Freestyle to Melissa Blevins. Commissioner Orr seconded the motion. Vote unanimous.
Commissioner Eller made the motion to award Equinox 1560 to Jessica Blevins. Commissioner Cody seconded the motion. Vote unanimous.
Commissioner Eller made the motion to award the Equinox 3447 to Ringwood Motors. Commissioner Cody seconded this motion. Vote unanimous.
49. Chairman Nelms asks for approval of the updated Conflict of Interest Policy. Commissioner Orr made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
50. 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 Cody seconded this motion. Vote unanimous.
51. Chairman Nelms asks for a motion to go back into open session. Commissioner Orr made the motion as stated. Commissioner Eller seconded this motion. Vote unanimous.
52. Chairman Nelms stated that no decisions were made in closed session.
53. Chairman Nelms asks for a motion to adjourn. Commissioner Orr made the motion as stated. Commissioner Eller seconded this motion. Vote unanimous.

Jacob Nelms, Chairman, Graham County Commissioner

Natasha Williams, Vice-Chair, Graham County Commissioner

Lynn Cody, Member, Graham County Commissioner

Connie Orr, Member, Graham County Commissioner

Keith Eller, Member, Graham County Commissioner

ATTEST:

Kim Crisp, Clerk to the Board