

## Regular Meeting – November 15, 2022

The Graham County Board of Commissioners met Tuesday, November 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. All board was present.

1. Chair Orr called the meeting to order.
2. Chair Orr asks Commissioner Wiggins to give the Invocation.
3. Chair Orr led the Pledge of Allegiance.
4. Chair Orr asks for changes to the agenda. Manager Marino asks that we add Health Director Beth Booth as Item 6A to present the Opioid Settlement Fund Needs Assessment Presentation. Clerk Crisp asks that the date be changed to November 15, 2022, instead of October 18, 2022. Commissioner Nelms made the motion to approve as stated. Commissioner Cody seconded this motion. Vote unanimous.
5. Chair Orr asks for approval of the Workshop and Regular Meeting Minutes for October 18, 2022. Commissioner Eller made the motion to approve. Commissioner Wiggins seconded. Vote unanimous.
6. Chair Orr asks Darlene Lovingood to speak. Ms. Lovingood thanked the board for their time and stated that she is here representing Yuletide Ministries Christmas for kids. Ms. Lovingood stated that she had given her paperwork to Finance Director Becky Garland concerning the non-profit and stated that they anticipate 143 – 200 kids this year and they spend around \$250-\$300 per kid and they need help. Ms. Lovingood stated that they have asked the churches, and most have been wonderful, but the money is short this year and they are requesting an appropriation of \$10,000.00 from the county. Commissioner Nelms asks if this is a non-profit organization. Ms. Lovingood stated that it was. Director Garland asks that Ms. Lovingood send over her financial reporting for last year. The board asks that the paperwork be given to Director Garland, and they would make their decision.
7. Chair Orr asks Beth Booth, Health Director to speak. Director Booth stated that they have wrapped up their 18-month opioid needs assessment of the Dogwood Trust Opioid Settlement Planning Grant. Director Booth stated they are about halfway through the process, and she will be giving the board an update on exactly where we are at. Director Booth stated that she would present the substance abuse needs finding, the gaps, and the responses of the people. Director Booth stated they are not looking for solutions yet, that is what the strategic planning process is for, and they are simply looking for observations and what you see when you read this information. Director Booth stated Dr. Bayla Ostrach was here to answer any questions as they are the ones to work through the data assessment. Director Booth stated this is the Governor's orders that they open the planning process for discussion and will present you the findings. Director Booth stated that this has been presented to the Substance Use Coalition and will give you their responses as well. Director Booth stated January 2023 is when the Strategic Planning Process begins, we will assembly a team to help in the process made up of board members, health advisory board members, substance abuse coalition members, and general community leaders. Director Booth stated there will be one strategic planning outline as a result of this, January to May the process begins, May to June is when the report will be released and presented to the board. Director Booth stated Exhibit C is the requirement Strategic Planning Process that everyone that chooses Option B must partake in and they will choose between Option A or B after the planning is completed. Director Booth stated in Exhibit B, you must do the strategic planning process and Exhibit A is the larger initiatives. Director Booth stated your MOUD – medication assisted therapy is in-patient treatment that people receive, early intervention such as NARCAN distribution, post-over dose response team, the Rim services exchanges, criminal justice diversion program which we already do to a certain extent, preexisting drugs, reentry programs can be listed in Exhibit A which are listed as large ticket items. Director Booth stated Exhibit B is the smaller ticket items prevention activities, addressing the needs of criminal justice involved persons, addressing the need of pregnant or parent and their families so it's a little broader. Director Booth stated that this is the needs assessment process. Director Booth stated the recruitment was with flyers, substance abuse coalition partners, EBCI and Grace Place. Director Booth stated the sampling was opportunistic which means they went out and sought and some responded by survey, some by interview and some did both. Director Booth stated they received 30 surveys and 12 interviews which were more intensive and sit-downs. Director Booth stated that the data was descriptive interviews and was transcribed by a third-party company. Director Booth stated the interviews were split somewhat even between men and woman and some of the interviews and one half of the surveys were members that are enrolled in Eastern Band Cherokee Indians (EBCI). Director Booth stated the age range was 18-64 but the average age was 45 for interviews and the

average age for the surveys was 54. Director Booth stated these are people that are in active use or early to longtime recovery. Director Booth stated 2/3 of the interviews lived in Graham County their whole lives, the average time lived in the county is one to sixty-four years with the average time being greater than twenty years. Director Booth stated 67-73% of the interviews and surveys was diagnosed with a substance abuse disorder, and the most common is a stimulant which is methamphetamine. Director Booth stated that is nearly two times as common in a substance abuse disorder. Director Booth stated that question was asked when they considered that they had a problem and the answer ranged from as soon as someone starts using, when their children were taken away or when they are judged by people and some, when they become involved with law enforcement. Director Booth stated one-third received positive messages about substance abuse while growing up, which tells you that it is normalized. Director Booth stated one interviewee was twenty-six years old when she learned that it was not okay to be high, which shows that it is normalized in a lot of households, and they don't see it as an issue while they are growing up. Director Booth stated the vast majority tried to access at least one form of treatment, it was very specific in access or tried to access because a lot of people immediately go, who was successful but there are many ways to define success. Director Booth stated it can mean did they complete their treatment or are they in recovery so rather than define success they did access. Director Booth stated that they found it impressive that while they have only been at this for two years with the Recovery to Work and the Community Linkage to Care with Bethany Leonard and Clint Jones, they both made the list at 17% and 13%, which shows that they are doing great things. Director Booth stated where people are going to access services with one-third going out of county to the emergency department, 20% tried the Balsam Center, 17% went to ADAC and 7% went to Meridian. Director Booth stated that Meridian is the ACS counterpart, and we have Appalachian Community Services here and Meridian provides health care outside of Graham County. Director Booth stated one of twelve EBCI members tried to access Oconaluftee Substance Use Treatment Center and nice members tried to access any form. Director Booth stated that half of the respondents stated that the access was easy and over half stated that they had a good experience. Director Booth stated one-third stated that they were not able to access any type of source and nearly one third reported that they had bad experiences. Director Booth stated ten to twenty of the respondents stated that confidentiality was not maintained when they tried to access services. Director Booth stated that Stigma and Judgement is a big thing and over half stated that it did affect their access to treatment and was almost always a problem when they tried to access education opportunities. Director Booth stated they felt like people look at them, judge them and are not accepted and they feel that it affects their access to services. Director Booth stated in housing, one-half are currently homeless, close to one-third are staying with family and friends, more than one half had been homeless in the past. Director Booth stated half of them agreed that lack of housing has been or could be a barrier to their treatment and recovery. Director Booth stated 42-60% lacked transportation or had access to employment, and they felt stigma did affect their employment opportunities. Director Booth stated that half admitted that cost or lack of insurance created barriers to treatment and recovery and one half had past trauma or abuse could have interfered with them having access to treatment. Director Booth stated they feel like they give up on the treatment because it has been so long and if you have not received treatment by now, they feel they will not get the treatment. Director Booth stated that one third stated that law enforcement posed barriers to their treatment and recovery. Director Booth stated that two thirds stated that their families are their social support and one half stated people they considered to be family but felt that they did not have enough support from their families when they were seeking treatment and recovery services. Director Booth stated that in the substance abuse coalition feedback that there are substance use disorder services and the needs that we have right now and they noted that we need substance use treatment nearby, inpatient treatment available locally, harm reduction programs increased, low barrier affordable housing which is a need everywhere but it is needed here as well and more option for money for treatment, there are federal funding for treatment options but there needs to be more than that. Director Booth stated they also needed more access to health insurance and a list of recovery minded employers, this is a big thing, you may have employers needing help but they may not be willing to hire someone with a substance use history or a criminal background so there is a need for employers that will assist this person in their sobriety and recovery. Director Booth stated stigma reduction is a big thing, there needs to be some education with employers around stigma. Director Booth asks for questions.

8. Commissioner Wiggins stated that this is a real problem, unfortunately, I don't know the solution because some people want to throw these people away, they are somebody's child, somebody's father, mother and I believe that we need to do whatever we can to help them break that cycle of addiction and help them get back into society. Commissioner Wiggins stated that it will take everybody getting involved to be willing, from a Christian perspective, we need

to love these people, help them, and forgive them. Commissioner Wiggins stated that people make mistakes in their life and if you spend all your time beating them down it makes it harder for them to stop. Commissioner Wiggins stated we need to do what we can when we can.

9. Commissioner Nelms stated that 83% of these people tried and the vast majority want help so it's a plan that is needed to get them help. Commissioner Nelms asks if all these services are available in Graham County. Bethany Leonard stated yes, this is what they do, and they will send someone for assessment and if they need detox, they find them the resources. Ms. Leonard stated that people are very vulnerable at this time.
10. Chair Orr asks the number of different entities that participated in this survey and have we reached out to every group to have them at the same table. Director Booth stated that is the goal during the strategic plan in January. Chair Orr stated that is the place to start for a path forward. Chair Orr asks how people are doing with the Balsam Center, are they finding beds? Director Booth stated that the last time that she spoke with Appalachian Community Services they had a few beds left at the Balsam Center and they are keeping them longer because they are having trouble placing them. Director Booth stated originally, they were at a transition, they are holding them much longer which requires more social workers. Chair Orr asks how many days? Director Booth stated around seven to fourteen days was the last update where they usually only hold them for 72 hours. Ms. Leonard stated that she and Clinton Jones are utilizing every avenue to place these people in because at the Balsam Center you only see a doctor every three days, so the social workers keep trying to find them a place to go, some have been sent to the emergency room. Chair Orr asks what the turnaround time is in getting them to the center. Ms. Leonard stated that they have to hold for 72 hours but a lot of time, the patient will check themselves out and if they do not have enough beds, they are not getting the same treatment as the emergency room treatment because you are evaluated then they try and find a facility for them to go to. Ms. Leonard stated that may be okay for some, but one person sat in the emergency room for twelve days, so they were already detoxed and there was no need to place that individual. Chair Orr asks what is the solution? Ms. Leonard stated that it would be great if there were more resources here in Graham County such as transitional housing, rehab centers, because a lot of people do not want to leave here so it would be better to have places closer to us. Chair Orr asks about the nearest step down? Ms. Leonard stated that we are seeing less staff in hospitals and ideally this is a problem because there is not enough staff. Chair Orr asks if the twelve-step program is a better approach. Ms. Leonard stated that moving people to the other places inside the different programs because it takes 90 days to form a habit and if you only receive care for two weeks, that is not long enough to break the habit. Ms. Leonard stated that stigma, judgement, and housing is a barrier to treatment here and if you don't have the support or a place to go, after you come out of treatment you go back into the same environment, and this does not work. Commissioner Nelms asks to define homeless. Ms. Leonard stated that it means all things together, no home, not living with others, living in a camper with no heat or water, sleeping in tents, content moving around between family and friends are considered homeless.
11. Director Booth asks for questions on the transportation barriers. Commissioner Wiggins stated our local Transit can take some of these folks to work and to their appointments and if people need a ride to an appointment, it seems to me that Appalachian Community Services should coordinate the trips with transit and have dedicated space to ride. Commissioner Wiggins stated that he did not know how to accomplish that, but Appalachian should work with Transit regarding treatment, doctor appointments, therapy and have it coordinated for those who do not have cars or driver's license. Director Booth stated that Bethany Leonard and Clint Jones clients do utilize transportation. Commissioner Wiggins stated that he did interact with some that went to COPSTONE, and it took over one month to get an appointment and when you ask questions, you do not always get answers so there needed to be help with the intake and the transportation piece. Ms. Leonard stated that clients don't use transit a lot, there are only nine vehicles, and they can't always have those nine running and it is the client's responsibility to make the appointment, be up and ready when the bus gets there, schedule appointments at least three days ahead of time, no childcare, etc. Ms. Leonard stated that transit is great to work with, but they are limited, some of the clients do not have internet or services at their house and this has to be done in-person with Appalachian and agrees that when they get home from treatment, they need this communication but that is not the case. Ms. Leonard stated that those are things that they are working with and there are many issues to overcome. Commissioner Cody stated so many businesses that are willing to and have worked with people to get them full time employment for the past two years, has only seen 1% employed from substance abuse that have stayed. Commissioner Cody stated after the process of one or two paychecks, they are gone, back doing the same thing they were doing, they will clean themselves up and come back but it is the individual that has to make that decision, we can't make the decision for them. Commissioner Cody stated that we can throw all kinds of dollars,

programs or whatever we have to do at them, but they have to make that decision, they have to make that determination that they want to clean themselves up and follow what they need to do, I mean what else can you do with them. Commissioner Cody stated that we can do whatever we can do, provide transportation, and provide them a job but at the end of the time it is that individual, they have to make that determination if they want to succeed or if they want to throw their life away. Commissioner Cody stated that it is a revolving door and some of these cases where the 33% are at the emergency rooms, it's a revolving door, its usually the same ones, over and over and over. Commissioner Cody stated that is where you have the reoccurring is where that individual has given up, we can throw dollars, we can throw help, we can hug them, and we can pray for them, but they have to make that decision. Commissioner Cody stated businesses have opened their doors up for these people, but they have shut the doors on these businesses, that is what is causing it. Director Booth stated they have found that in some businesses it was a corporate issue, when you run background checks, some employers are more flexible with that kind of thing than other employers and there is not a lot that can be done about that, those are just the rules. Director Booth stated that is one of the big things that they ran into, just dealing with corporate with some of our employees, but some of our smaller local businesses were amicable and very open in working with us but corporate is one area that is not flexible. Commissioner Cody stated that the federal government gives money to help assist these people to come in that had bad backgrounds and they were able to work with them and set guidelines and have previously worked with Meridian and other organizations to be able to help some of these people get employment but like I said 1% is what will stay.

12. Chair Orr asks what barriers they have seen presently in the treatment. Director Booth stated that if the person wants treatment, law enforcement did not get that referral. Director Booth stated they usually get the referrals through their probation officer which goes back to stigma. Director Booth stated that the biggest thing is the stigma piece, they were labeled, their vehicle is targeted, and their person is targeted because they are labeled with that behavior. Director Booth stated that try to go to work and their license has been revoked. Chair Orr stated that law enforcement doesn't have anything to do with the revocation of the license, there could be a breakdown in the system and that is why the law enforcement needed to be at the table. Director Booth stated that Clint Jones has been doing ride along with the deputies Ms. Leonard stated that the last slide shows more employers are beginning to work with us on getting help for these open positions and if they see a problem, the business owner will contact her or Clint Jones for intervention and this has been helping some with their behaviors, etc. Ms. Leonard stated that it is ultimately their decision to change but it helps knowing someone cares enough about them to check on them and their progress. Ms. Leonard stated that they continue to support the clients, offer assistance in getting along with other coworkers in authority and other situations because they feel that no one is there for them, and the next step is getting them employment.
13. Director Booth asks for further questions. No further questions.
14. Chair Orr asks Brandy Adams to speak. Ms. Adams stated that he was here to fulfill a duty that was given to her from her Lord and Savior Jesus Christ. Ms. Adams stated she would not back down from the commitment that she made between the Lord and herself, false information was given to the CEO of AMCHC and in return she lost her job. Ms. Adams asks that the Ella pill be removed from our county and asks that the board hold the people accountable responsible for the loss of her job. Ms. Adams stated holding people accountable for their actions does not mean that we hate them, but when you go out of your way not once, not twice but three times to make sure that contact was made, gross misconduct has taken place. Ms. Adams stated it is a requirement by the State of North Carolina to give any and all education to the public about Family Planning Services when funded by a grant, it is a requirement. Ms. Adams stated when she went to the health department on August 9, 2022, she was doing just that, inquiring, and gaining knowledge about the Ella pill to do her job as a Certified Peer Support Specialist more effectively. Ms. Adams stated those contacts were made and the grant requirements were breached as well as her civil rights. Ms. Adams stated that she wanted to take the time to state the truth on her behalf, I am not against family planning services but when family planning services start taking babies lives, my support changes. Ms. Adams stated she is against any type of pill that takes a life of an unborn child. Ms. Adams stated that she has never said that RU486 is being given in Graham County, RU486 is an abortion drug that is given when a baby is already attached to the womb and is growing. Ms. Adams stated her opinion based on her research and the help of other surrounding counties on how Ella works led to this conclusion. Ms. Adams stated Ella thins the uterine lining, so the fertilized egg has nowhere to attach and grow because the Ella pill starves the uterus of a hormone called progesterone. Ms. Adams stated when the hormone is lacking the uterus goes weak therefore forcing a miscarriage. Ms. Adams stated something that is forced is not an option, it is made to take place. Ms. Adams stated the health department stated that a pregnancy test is given right away when a patient comes seeking Ella

and if that test is negative, they proceed with allowing the pill to be taken but if the test is positive, they will not provide Ella. Ms. Adams asks if the Ella pill is good for only five days, then how is a pregnancy test going to be accurate, when medical science says that it cannot be accurate until ten days or after. Ms. Adams stated Ella keeps the baby from ever attaching. Ms. Adams stated that Ella keeps the baby from ever attaching, and in the end forcing a miscarriage or an abortion. Ms. Adams stated there are women who cannot naturally produce enough progesterone to carry a baby to term and have to take injections to build up the natural hormone she is missing that is needed to carry a baby to term. Ms. Adams stated that shows what the pill does and hides under the emergency contraceptive label and anything that forces a life to end is wrong and is flat out murder. Ms. Adams stated the Ella pill was used in a study by the FDA and was given to eighteen women as a medication to thin the uterine lining to make it easier for the baby to be discharged and another pill was given to start the contractions causing the baby in the second trimester to be aborted. Ms. Adams stated in the second trimester of a baby, all of its organs are formed and can in some cases survive outside of the womb if it is given a chance. Ms. Adams stated just like the Ella pill the baby is forced from the womb, Ella takes any chance, any chance that this baby can give to survive. Ms. Adams stated that we need to be the voice for those babies that don't have a chance yet because life is precious. Ms. Adams stated beliefs were mentioned several times by the health department staff and that beliefs are not meant to take away this pill and it was going to be a good service to this community. Ms. Adams stated in the words of Ronald Reagan, if we ever forget that we are a nation under God then we will be a nation gone under. Ms. Adams stated her beliefs guide every decision that she makes because of the holy word right here in this Bible. Ms. Adams stated if this Bible says if it is wrong it is wrong and if it says it is right then it is right. Ms. Adams stated it controls any and all decisions that I make. Ms. Adams stated that she will never budge nor will she back down because some people disagree, I will stand on what the word of God says, period and she will fight for that. Ms. Adams stated when we are at our lowest point or when a life changing event happens we must not make any decisions based on feelings or emotions and those decisions can be good or bad and some lifechanging that can affect us physically, mentally and spiritually for the rest of our lives and I am asking you tonight to please not let Graham County be responsible for handing over a life changing pill and be responsible for a decision a woman may make, that she may regret the rest of her life. Ms. Adams stated that a split changing decision can change a persons whole entire life. Ms. Adams stated that we have forgotten what this county was founded on, men who have fought and died for us to be free, we are a country founded on God and we are getting further and further away from that is why we are in the shape that we are in as a nation and why Graham County is being faced with such a pill called Ella. Ms. Adams stated she will stand bold and unashamed tonight professing that she is a born-again Christian, washed in the blood of Jesus and on my way to Heaven. Ms. Adams stated that she has a right to ask questions in this county without the fear of losing her job because she is Christian. Ms. Adams stated her daughter had to have a shot for middle school that was required and now I cannot even go down to our local health department where I have always sought services for the fear of false accusations stated once I left, that is not fair. Ms. Adams stated you are the front line for Graham County, you were elected by us people, to be our voice and shield against wicked things outside working its way into our county, things are not taken over all in one grab, Satan is very patient and is very sneaky, and he takes over little by little. Ms. Adams stated people in the room have come together to be united to stand against this pill, please hear our voice and hear us without a biased ear and eyes and see the truth for what it truly is. Ms. Adams stated that Graham County has the opportunity to be a leader and not a follower to surrounding counties. Ms. Adams stated she is asking Graham County to vote against this Ella pill because grant money cannot be used to supply it and am also asking Graham County to set a resolution in place so that no county funds in the future could ever be used to supply such needs. Ms. Adams stated that she is asking Graham County to take disciplinary action against the person or people responsible for the loss of her job, I appreciate the opportunity to stand before you today and am praying with my whole heart that this board takes a stand and does the right thing based on Gods Holy Word.

15. Commissioner Eller asks that he be allowed to speak and further stated that right now they are not in session as the health board because the vice-chair adjourned the board the health meeting and if they act as the health board now, they would be illegal. Commissioner Eller stated they will be having a health board meeting this coming Monday, November 21<sup>st</sup> at 5:00 p.m. Ms. Adams asks if the Ella pill will be voted on then. Commissioner Eller stated that they will go with what they decide then. Commissioner Eller apologized for the blow up that this caused by adjourning the meeting instead of continuing the meeting. Chair Orr stated that they made an honest mistake and asks that the board allow for a ten-minute break.
16. Chair Orr called the meeting back to order. Chair Orr stated that they would now go to public comment and asks Misty Shope to speak. Ms. Shope stated that she would wait for the health

board meeting on Monday night but suggests that the minutes for the board of health be available online and under events there were no meeting announced on the website, it was in the Graham Star but other than that there was no notice. Commissioner Eller apologized for that, late yesterday or this morning he found out that he had adjourned that meeting by accident. Ms. Shope stated that board of health minutes and agenda should be available on-line. Chair Orr stated that she agreed with her. Attorney Coward stated that they can be posted once they are approved. Ms. Shope stated that they have not been on there for years whether they were approved or not. Clerk Crisp stated that it is the board of health website and not our county website. Attorney Coward stated that Lorita Eller takes those minutes. Ms. Shope stated that a new website would be nice. Clerk Crisp stated that when the board of commissioners became the board of health, she began taking those minutes, the health advisory board, Lorita Eller takes, I send the approved signed minutes back to the health department, I do not post them and have left that up to the health department to put on their website, I cannot get all of the minutes on our web page but she will mention that to Health Director Beth Booth and have them put on their page. Manager Marino stated that although they have their own website it is linked to the Graham County page which has just been done so potentially, they may not have gotten to that portion yet. Chair Orr thanked Misty Shope for paying attention and caring.

17. Chair Orr asks Kaitlyn Breiten to speak. Ms. Breiten stated that she was a nurse practitioner here in the community and was at the health board meeting last Monday and got to share some facts about the emergency contraceptive being on the table and wanted to answer any questions on the primary concern of the medication in question. Ms. Breiten stated Ella is the medication that we have been talking about that is an emergency contraceptive that keeps ovulation from occurring, so when there are sperm present in the body, the body tries to rid the sperm before we ovulate, the egg has to meet the sperm in order to have an embryo. Ms. Breiten stated that this information is in the medication box printed in 2010 that says, it may work to stop implantation to the uterus and that is all that is says, it may. Ms. Breiten stated some say that language says something different, but the studies show and there are a lot of studies, and we are not the first people to have this concern. Ms. Breiten stated we are not the first people to worry if we accidentally terminate a pregnancy where otherwise we would not terminate a pregnancy. Ms. Breiten stated this is the best evidence that we have, concerning the thinning of the lining of the uterus, when we take Ella and it delays ovulation, we see a corresponding delay in the naturalization in the lining of the uterus. Ms. Breiten stated it makes sense, as the egg gets ready to ovulate, the uterus thickens to get ready for implantation, the ovulation in the uterus does the same thing so if we give Ella at the time of ovulation or after there is no effect on the lining of the uterus so the concern that it is thinned and then the pregnancy occurs and the pregnancy cannot implant is misguided. Ms. Breiten stated that this is really hard to study, we cannot get people pregnant and then terminate a pregnancy, so this gets very complicated which is why this is a complex issue that somehow, we have gotten to the point to where we are asking people who do not have a lot of information about this. Ms. Breiten stated it is so complex, for people to understand. Ms. Breiten stated that the next information for the board to understand they took lining from a fertile uterus and created a cellular matrix model and created a lining of the uterus outside the body and they put flastisis in the lining which is what happens when the uterus sperm enters, takes a few days then begins to multiply and this is what causes the implant inside the uterus and what they find is that when this cellular matrix endometrium is treated with placebo and when it is treated with Ella we have the exact same rate of implantation so that speaks strongly on the effect that Ella has on the endometrium, it does not affect implantation. Ms. Breiten stated even when they see a slight thinning of the lining of the uterus, does that thinning result in a pregnancy not implanting and that is what that study shows up. Ms. Breiten stated that the other interesting thing found in that study has to do with RU486 which is female GYN called ametherprozene or methy and there are countries that use methy as contraception and when they did the study with Methoprene they find that the elastosis is still attached so that is why the medication, the abortion pill that everyone worries about and why Ella is considered emergency contraceptive. Ms. Breiten stated that the third point that she wanted to make as far as the health of Graham County and the women of Graham County and why is it important for this medication to be available. Ms. Breiten stated that the health department never handed it out before, so okay, so this is why it is important, it works better than Plan B, better for women over 165 lbs. and it works better for longer, works for five days as opposed to three days. Ms. Breiten stated that what that accomplishes is people who do not want to get pregnant, don't get pregnant when they use medication. Ms. Breiten stated we are putting barriers up so what would happen if the health department could not subscribe Ella, the health department would have to refer to another provider that does prescribe Ella, taking hours or even days because all medical facilities are really booked up so its an emergency contraceptive, for an emergency that stops the sperm before you ovulate and if we are throwing up barriers left and right you get past the five days and you are outside the

window of conception then we are the cause for this unplanned pregnancy and 61% of those who have unplanned pregnancies seek termination and that is very black and white that is something that you can prevent.

18. Chair Orr asks Claudine Gibson to speak. Ms. Gibson thanked the board for listening to them as they gain more information and would like to say thank you to Kaitlyn who has done more research because in her thing the other day, she said there was no research and there was and the actual research that she has cited, I have read that as well. Ms. Gibson stated there are multiple different researches that state what she said and there is no difference with the Ella pill and the Placebo, she read that study but there are also studies that show some women did get pregnant and of those women that got pregnant a percent of those had miscarriages, a percent of those at a topical pregnancy, a percent of those was pregnant or became pregnant and had an abortion and some of those women that had live births. Ms. Gibson stated that there were zero in that study showing that there were no abnormalities with the baby that were born or detected, so there are multiple studies. Ms. Gibson stated that the reason there are multiple studies and multiple controversy is because of what this pill is supposed to do versus what it can do. Ms. Gibson stated nobody is denying that fact that this is helping when you ovulate but that is the question here for this pill and what makes it so controversial. Ms. Gibson stated if you catch this before you ovulate then it can act as an emergency contraception but if you have ovulated during that time you can become pregnant and when you do, according to FDA or what she just told you is that it thins the lining to prevent the attachment of the egg, again, it depends on when you believe conception begins. Ms. Gibson stated that do you believe it is when you are fertilized when it is attached, it is a controversy and we are all faced with that. Ms. Gibson stated her thought and her belief on that is why did we want to even administer something in Graham County that is so controversial. Ms. Gibson stated if it is administered at the health department and if we don't handle that appropriately we open Graham County up for lawsuit after lawsuit after lawsuit, this is a pill that is so controversial it needs to be in more of a private setting between a doctor, not an FNP, even though the law would allow it, the nurse to distribute that, I am not questioning what the law allows, but that can be so controversial and it does and it does have the adverse potential side effects between a doctor in a private setting and then it is on them if they wanted to do it. Ms. Gibson stated that the application plainly says the Plan B one step and the Ella pill can be paid for through the Title 10 Women's Health Funds and when you go to the actual application itself it says that emergency contraceptives must be offered, you can offer the one step which is not heavily dosed as the ulipristal acetate, the Ella pill that contains the ulipristal acetate and the ulipristal acetate is a cousin to the RU486 and it is the abortion pill and it is in there for a reason, so people don't need to kid themselves. Ms. Gibson stated it was there for a reason and we can disguise it, we can hide it, we can say that this one does and this one doesn't but the settings are there and it is in the FDA and it is there and one of the other things that I pulled up under the FDA site, it is under the [FDA/gov/consumer](https://www.fda.gov/consumer) site and goes into what is it, it is a pill that blocks the hormone progesterone. Ms. Gibson stated it prevents pregnancy after a birth control failure or unprotected sex. Ms. Gibson stated it works mainly by stopping or delaying the ovaries from releasing an egg, it may also work by changing the lining of the womb, the uterus, and may affect attachment or implantation. Ms. Gibson stated FDA is out there and you have to look for a lot of this stuff but its there and it is controversial. Ms. Gibson stated that she thinks if we don't stay on top of things medically enough to offer such a controversial drug as this, it is more of a setting for a private practice, we are there to do basic family planning services and we need to stick with that. Ms. Gibson stated there's a lot of fighting going along with this, everybody has their own beliefs, on this stuff, but it is there for a reason, it is controversial, and it has been. Ms. Gibson stated pro-life has been fighting this for a long time, family planning loves it for obvious reasons, it does what it wants them to do, but if you don't take that prior to ovulation or if you ovulate at the wrong time and you get pregnant there are risks that are associated with that and that's what makes this drug so controversial. Ms. Gibson thinks that this is something that Graham County doesn't need to tie their hands to, don't think that this is something that we need to be a part of, I think that we are better than that, I think that this board needs to be on the front line, like Brandy said about protecting Graham County's interest and I think that you have a responsibility for that and that's between you and whoever you believe in. Ms. Gibson stated that she believes that you all are Christian people that all profess to know God and if we do, outside people don't look at things the way that we do, and I am not knocking them, but they don't. Ms. Gibson stated we are unique in Graham County and that is why I have never wanted to live anywhere else but in Graham County, I love our way of life, I love our way of thinking and I love our God, he is our God, and we have a duty and I think that we have to realize that God is not a part of confusion. Ms. Gibson stated this has generated a mass of confusion but the mere fact that Brandy went up there in August to seek counseling and guidance and information on this drug and lost her job within forty five minutes, when the

guidelines under Title 10 plainly says you are required under that grant, required, to seek, promote, orientate, public awareness and communication with this Title 10 funds and that alone was broken big time whether she was there personally or on the job either way Title 10 requires it and Graham County is liable for that, you are liable for those actions that were taken regardless of what was said, when you have three phone records that show there was communication made and it was to Appalachian on that day, three, phone records don't lie. Ms. Gibson stated one was less than a two-minute call and one was an eleven-minute call and the third one was when Brandy had lost her job, I am speculating on what that call was about, but it was to let them know that Brandy lost her job. Ms. Gibson stated she doesn't know that, and she was not part of that conversation but none the less I'm her mother and I can speculate on that. Ms. Gibson asks why was this such a concern, all five of you allege that you didn't know about the Ella drug being offered up there, was it being hid, was someone worried that Brandy was going to spill the beans, I don't know, I was not a part of that, but she lost her job as a result of it and that peer support, that orientation, all those things that she went to do was part of her job and somehow between her fact finding and then her going back to work in forty five minutes, her job was gone. Ms. Gibson stated that it would not take a lot of science to figure that out, but I am asking this board, and I know that you have to make the decision as the health board, but the same members of the county commissioners are the same members of the health board, and I am asking you to rescind and pull out of the Ella pill. Ms. Gibson stated that you can pull it out of the application, do an amendment on that and do a resolution that no pill like that will be given in Graham County unless the board is explained, she is really troubled that such a controversial pill has been at the health department, and nobody knew about it and you as a health board should have been told that. Ms. Gibson stated you should have been told that and her personal thought on this, when we had that meeting the other night, I told you and I want you all to understand the health director sit there, I told you all that this pill could be paid through women's health funds that are built into that grant, and I am the one that told you that you did not have to offer Ella, you do have to offer Plan B but you do not have to offer the Ella pill to be in compliance with that grant. Ms. Gibson stated that her question she would be asking if she had a seat up there is why I was not told that and why does my tax dollars have to be used to educate an attorney when you have an employee there that she should have known because she was the one applying for the money. Ms. Gibson stated that she would have come with her ducks in a row and if you were questioning that, I would want to know, are we going to lose our grant funding if we don't offer that, where do we stand, were you informed in closed session because you was not in open and if you wasn't, I would be asking why, and if I had to ask why because I wasn't informed in closed, then I would be thinking that was designed to keep me in the dark. Ms. Gibson stated that you all are the governing board, the commissioners are the governing board on that health board, and you do have a right to know, and you have a right to be informed so that you can make the best decision for the people in this community. Ms. Gibson thanked the board for their time.

19. Chair Orr asks Dr. Jill Raymer to speak. Dr. Raymer stated that she sits on the health advisory board and is well aware regarding this situation, first of all, as far as our Appalachian employee being discharged, an investigation should occur on that matter, because when she heard about it she did some personal investigation, also because I feel that it is problematic if we have a peer support person that is concerned regarding her Christian beliefs and wanting to find out information just asking for information she was terminated. Commissioner Cody stated that he did not think that she should be talking about personnel. Dr. Raymer stated, got it. Dr. Raymer stated that the investigation should go all the way to Appalachian because I do not believe that was what happened to her. Dr. Raymer stated that secondly the emergency contraception, what is the definition of emergency contraception. Dr. Raymer stated that you guys have had plenty of this but personally I am and have studied multiple and multiple sessions in school regarding fertilization and ovulation, hormones and all that stuff and she still does not know it all. Dr. Raymer stated it is very piece mill but what she does is go to people who she trusts, now granted some of us are not to trusting of the FDA lately, but the FDA, the National Institute of Health, and the American College of OB/GYN has determined that pregnancy occurs at implantation. Dr. Raymer stated now believe her, they have sat through board committees, just like this, they have religious people on their job just like we are, and she has to decide when it occurs or when it doesn't. Dr. Raymer stated when do you make the decision that now going that counties say that fertilization is when pregnancy occurs, not implantation. Dr. Raymer stated do we have that in writing, if the county decides for the nation, literally our women will have a franchise in our county because we will be a religious board rather than a county board and have decided that pregnancy occurs at fertilization and when do we go as far as to say pregnancy occurs when sperm enters the uterus because those sperm are hot and we don't want to kill them, my gosh that would be horrible and wouldn't we be going to that step because that step will absolutely occur or do we say no contraception ever. Dr. Raymer stated

the reality is that hormonal contraception does the same exact thing as this emergency contraception, it is not an abortion pill, this is emergency contraception because you forgot to take a pill, got a little amorous with your husband and the condom slipped. Dr. Raymer stated you do not want this pregnancy and you decided you needed to prevent the pregnancy because this is the prevention of implantation of the pregnancy but now, I am going to have someone in the county tell me that I can't do that. Dr. Raymer stated so now I have to travel somewhere else, or I can go down to the public FQHC that has to go by federal guidelines, we can administer that drug for them, and we can give it to them but not send them to the health department, you guys have an obligation to pay for that visit. Dr. Raymer stated that she would gladly take the county money to do that but it is considered still an emergency contraception, Ella is considered the current standard of care, why did it not come up because the FDA, the National Institute of Health, Institute of OB/GYN tells you that this is what you do when a patient is three days post intercourse and they need contraception and if they weigh over 165 lbs. and that is why it was not mentioned and it is in the policy and is our current, thank you because we now have new medications, standard of care. Dr. Raymer stated and that is why it is not "oh my gosh, look at this new pill that we got that causes abortion, no it does not, it is emergency contraception". Dr. Raymer stated that is what they have told us and that is the base of implantation, and it is not appropriate for a county board to be able to make those medical decisions, this is a medical decision between a provider and that patient, she gets to choose whether she takes that medicine or not. Dr. Raymer stated it should not be a county making that decision it is a standard here and it is a standard of medical care that she should be given the opportunity to decide and until the United States decide that pregnancy occurs at fertilization rather than implantation and right now who knows where it is actually at but that is what the board has said that it is, I am not saying it, I may have a totally different opinion but I cannot push my opinion on my patient, I have to give them an informative assessment and tell them how we think it works and how it helps but you cannot randomize control because you disagree with something that is their standards, we cannot tell twenty women here is your envelope and we are going to see if you are pregnant or not and give them the pill, you cannot do that, we have to do procedural studies and those kinds of things. Dr. Raymer stated that is the best that we have so now, I have a board of three different national committees telling me what is appropriate and what is not and now I have to inform my patients and that is what she is going to do. Dr. Raymer stated that she also thinks that it is super inappropriate for a county commissioner to sit on our board of health, our board of health in this county should only be done by health professional representatives and not this board, you should not be in charge of this county's health and it is ridiculous to be standing here time after time after time arguing the same point over and over again and trying to explain medical terminology that I shouldn't have to explain to my nurses at my health department or the standard of care that is involved in the health department. Dr. Raymer stated that you guys should be totally off the health board and that is her opinion and thank you very much.

20. Chair Orr asks if there are any more comments. Ricky Gibson stated that he had something that he wanted to say. Mr. Gibson stated these two gals right here are not from here and I think that we all can agree on that, and they do not have any business coming from somewhere else, telling you that you don't need to be sitting on the health board or making any other decisions for them. Mr. Gibson stated they are not from here; they do not live like we do and don't think that they need to be an influence in anybody's decision on what is going on here.
21. Chair Orr asks Manager Marino for the manager and project managers report. Manager Marino stated that there are no new decisions on the forest plan objections and USFS quoted that it is taking them longer to go through the review and as soon as it is finished, they will send a response to all interested persons.
22. Manager Marino gave the CDBG grants updates with CDBG-NR procurement is complete for surveying, environmental and legal service and is complete for the housing rehab specialist. Manager Marino stated that they are scheduled for a meeting this week and income verification and final applications are being completed. Manager Marino stated that the attorney has completed the title work and the on-site visits will take place after the onboarding call.
23. Manager Marino stated that the CDBG-CV Senior Center grant was approved for the RFQ, and we will be putting an ad in the papers this week. Manager Marino stated that Grace Place has been trying to procure contractors for their expansion and has had to advertise twice and the third round of bids is underway.
24. Manager Marino stated that the Graham County Closed Landfill Water Quality Monitoring wells have all been installed and sampled and this has been submitted to the State.
25. Manager Marino stated that the Economic Development Representative Josh Carpenter has provided an update that he has been meeting with individual businesses to discuss their needs and businesses are considering Graham County as a location. Manager Marino stated that Mr. Carpenter stated that he keeps an updated inventory of available sites and buildings than can

- potentially promote economic development in the county, the labor force has increased, as a result the unemployment rate decreased from 7% to 5.3% percent in the county since January.
26. Manager Marino stated that the Town of Robbinsville has invited the commissioners to a Wreath Laying on November 16<sup>th</sup> at 10:00 a.m. at the Chief Junaluska Gravesite, there will be a meet and greet afterward at the community building at 10:00 a.m.
  27. Manager Marino stated that NCDOT sent an invitation for the commissioners to attend the Wayne Carringer Boulevard dedication ceremony on Friday, November 18<sup>th</sup> at 10:00 a.m. at the Robbinsville High School.
  28. Manager Marino stated that the Charters of Freedom Setting is requesting to change the white setting and replace with a high quality gloss black setting due to potential white paint and caulk failing at no cost to the county and provided an example for the board to review. The board agreed to the change.
  29. Manager Marino gave the project manager's update. Manager Marino stated that the RDA Moose Branch Subdivision Project is 99% complete and they are currently completing legal processing of plat and final invoice.
  30. Manager Marino stated that the Cemetery building is 75% complete and electrical and data rough-in is underway.
  31. Manager Marino stated that the Recreation building is 65% complete and the total estimated cost remaining is \$132,000.00.
  32. Manager Marino stated the community building restrooms for phase 1 is complete and they will be at 70% of phase 2. Manager Marino stated that after the women's is completed, they will begin construction on the men.
  33. Manager Marino stated that the estimated remaining costs for the projects is \$220,000.00 and asks for a motion to proceed. Commissioner Nelms made the motion to proceed as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
  34. Manager Marino stated that Moseley Architects has been selected as the Architectural/engineering design firm for the Justice Center Building and they are currently in contract negotiations to reach agreement/contract to design the new facility.
  35. Manager Marino stated that the Middle School 6<sup>th</sup> Grade Addition is 95% complete and the estimated completion costs is \$76,550.00.
  36. Manager Marino stated that the Little Snowbird Creek Remediation and Clear & Snag Project is moving forward.
  37. Manager Marino stated that the pool resurfacing is 100%.
  38. Manager Marino stated that NCDOT will begin crack sealing, asphalt surface treatment and fog seal on the DHHS and EMS Base parking lots and are set to begin in Spring 2023.
  39. Chair Orr asks Finance Director Becky Garland to give the monthly finance reporting. Director Garland stated that we ended the month with a \$8,049,524.58 cash balance which is below \$280,592.01 this time last month but we have had large capital projects.
  40. Director Garland stated that our special account balances as of October 31, 2022, are:
    - a. Capital Projects – NCCMT \$2,930,998.26
    - b. School Capital Project – NCCMT \$115,225.90
    - c. American Rescue Plan Act - \$902,721.33
    - d. SCIF Grant – Courthouse \$5,045,546.46
  41. Director Garland stated our earned interest year to date is \$78,688.77.
  42. Director Garland stated that our tax collection for the month is \$380,157.65 for current year; \$9,471.40 for prior year and \$52,405.58 for DMV. Manager Garland stated that our year-to-date collection is \$2,053,231.61 for real and \$238,600.39 for DMV. Manager Garland stated that tax collection rate is 27.25%.
  43. Director Garland stated that revenues for the month was \$1,928,540.69 and the expenditures was \$1,641,794.418 for a surplus of \$286,746.21 and our year-to-date revenues is \$5,888,747.84 and our expenditures is \$6,698,041.22 for a year-to-date deficit of \$809,293.38.
  44. Director Garland stated that sales tax collection was \$266,066.18 which is very healthy.
  45. Director Garland stated that the past due tax collections for years 2015 to 2021 is \$395,865.27 and the tax office continues to work diligently in their collections.
  46. Director Garland stated that our year-to-date expenditures for capital projects is:
    - a. Election Board / Bathroom Renovation \$207,226.03
    - b. Recreation Building \$89,525.26
    - c. Cemetery Building \$95,430.41
    - d. Middle School – County Match \$1,108,228.34Total to date: \$1,500,470.04  
Total Middle School to date: \$4,022,404.59
  47. Director Garland stated that our ideal remaining percentage on our budget is 66% and we are at 67%.

48. Director Garland stated that she did have Budget Amendment #7 to amend to recognize additional COVID revenues, dental grant and expenditures approved by Board of Health and additional costs associated with program revenue changes and carryover funds for LIAWAP funds allowed to be spent in the current fiscal year for \$175,985.00. Commissioner Wiggins made the motion to approve Budget Amendment #7. Commissioner Nelms seconded this motion. Vote unanimous.
49. Director Garland stated just for the board's information she was taking experts for guidance out of the local assistance and tribal consistency fund for a frame of reference, Graham County received an additional \$2 million dollars through the ARPA funding for counties who rely on PILT dollars. Director Garland stated that the formula is based on employment rate, poverty rate and federally owned acreage. Director Garland stated we received the first tranche the other day, basically, this is a general revenue enhancement program and they looked at all the challenges we have like ours, and Commissioner Orr can attest that they have done a lot of walking around Washington D.C. Chair Orr stated that she was delighted to see these numbers come in and we had very useful discussions with a lot of our legislators and a lot of support from Southwest Commission. Director Garland stated yes and NACO which is the National Association of County Commissioners that we were working with and were very much at the table. Director Garland stated that we can treat these funds as local revenue funds, it is basically unrestricted except for one thing, we cannot lobby with it, so we could not use it for travel for any federal or state issues. Director Garland stated that because it is federal money if it goes over \$750,000.00 in expenditures this money is subject to single audit and is subject to all the things regarding procurement. Director Garland stated that she would be glad to send the whole packet to the board. Chair Orr gave a special thanks to Commissioner Cody for sending this information to the admin office. Commissioner Cody stated that he would like to comment on these funds since they are general funds money, he is asking the board to consider giving some to the Fire Departments, they have been limited to a minimum amount of money to provide services to the county and asks that they contribute some of these funds to the fire departments. Chair Orr stated that they would be glad to work with them on this to see if this is an eligible expenditure. Director Garland stated that this is a great opportunity for our county and the money is in the general fund but will be kept to the side to show where and how much of the funds was absorbed.
50. Director Garland stated that they did receive another good bit of news regarding a sanitation grant. Director Gavin Colvard found the grant which would purchase a truck. Director Garland stated that they submitted the grant and rated low on the scale of emissions to be eligible but the State gave the okay to put in for the grant. Director Garland stated that this can be used to replace the big trucks and the amount is \$186,000.00 per truck with a 15% match. Director Garland asks permission to accept this grant pending investigation on what is feasible to Graham County. Commissioner Wiggins made the motion. Commissioner Cody seconded this motion. Vote unanimous.
51. Director Garland stated that we did get the half of a million Dogwood Trust Grant for our CDBG projects and this will open more opportunities for the people who were earmarked for housing and hopes that extra will be available to assist with more.
52. Director Garland stated that we are doing our indirect cost plan and we normally use Maximus, and it is time to renew our contract. The cost is \$4800.00 for three years and asks if the board would agree. Commissioner Eller made the motion to approve. Commissioner Nelms seconded this motion. Vote unanimous.
53. Chair Orr asks for the discussion items. Manager Marino asks for approval of the Releases \$1,998.53 and the Discoveries of \$4,538.51. Commissioner Nelms made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
54. Manager Marino asks for a motion to amend the Travel and Tourism By-Laws to allow for nine board members. Commissioner Cody made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
55. Manager Marino stated that the Extension Office Annual Dinner will be held Thursday, December 1, 2022 at 6:00 p.m. at the Methodist Church and the board is invited to attend.
56. Manager Marino asks for approval of the poll for Attorney Dale Curriden. Commissioner Wiggins made the motion as stated. Commissioner Cody seconded this motion. Vote unanimous.
57. Manager Marino asks for approval of the poll for Stecoah Valley Gymnasium Repairs \$10,000.00. Commissioner Wiggins made the motion to approve as stated. Commissioner Cody seconded this motion. Vote unanimous.
58. Manager Marino asks if the board wanted consideration on a Resolution Supporting the Extension of Deer Gun Hunting Season. Chair Orr stated that Clay County Commissioners had spoken to her concerning this resolution. The board had discussion and tabled for further investigation.

59. Manager Marino asks if the board had a possible board member applicant at the request of Representative Karl Gillespie for Commission on Indigent Defense Services or NC Criminal Justice Education and Training Standards Commission. The board all agreed to table for further information.
60. Manager Marino asks if the board would consider allowing Scott Hooper to drive the county vehicle home due to his being called in nights and weekends. The board wanted further information and tabled the discussion.
61. Manager Marino asks for the reappointment or replacement of Meredith Jenkins on the T&T board. Commissioner Wiggins made the motion to reappointed. Commissioner Eller seconded this motion. Vote unanimous.
62. Manager Marino asks for the reappointment or replacement of Billy Brown on the T&T Board. Commissioner Wiggins made the motion to reappoint. Commissioner Eller seconded this motion. Vote unanimous.
63. Chair Orr asks for new or old business. Clerk Crisp stated that she had a request from Brad Hoxit the upcoming Sheriff to allow Jerry Crisp to keep his weapon as a retirement gift in lieu of a plaque for his years of service. Commissioner Eller made the motion to surplus the weapon for Jerry Crisp as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
64. 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 as stated. Commissioner Nelms seconded this motion. Vote unanimous.
65. Chair Orr asks for a motion to go back into open session. Commissioner Eller made the motion as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
66. Chair Orr asks for a motion to approve the Atlas Geographic Data Inc proposal for our GIS Tax Parcel Maintenance. Commissioner Cody made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
67. Chair Orr asks for a motion to approve the EMS Repairs and directed Director Garland to do a budget amendment for \$6500.00. Commissioner Wiggins made the motion to approve. Commissioner Eller seconded this motion. Vote unanimous.
68. Chair Orr asks for a motion to adjourn. Commissioner Wiggins made the motion to adjourn. Commissioner Cody seconded this motion. Vote unanimous.

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Connie Orr, Chair

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Keith Eller, Vice-Chairman

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Lynn Cody, Member

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Jacob Nelms, Member

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Dale Wiggins, Member

ATTEST: \_\_\_\_\_  
Kim Crisp, Clerk to the Board