

Regular Meeting – September 15, 2015

The Graham County Board of Commissioners met Tuesday, September 15, 2015 at 5:30 p.m. for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville, NC 28771. All board was present.

1. Chairman Eller called the meeting to order and reminded the board of the State Government Ethics Act.
2. Chairman Eller asks Commissioner Williams to give the Invocation.
3. Chairman Eller asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Eller asks for approval of the agenda. Clerk Crisp stated that we needed to add the Town of Robbinsville as Item #14a and Commissioner Raymond Williams requested that he be added as well as Item #10A. Commissioner Williams made the motion to approve. Commissioner Nelms seconded this motion. Vote unanimous.
5. Chairman Eller asks for approval of the September 1st Regular Meeting and the September 3rd Continued Meeting Minutes. Commissioner Nelms made the motion to approve the minutes as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Eller stated that we needed to recess the regular meeting and open a public hearing for the 2015 North Carolina Department of Environment and Natural Resources (DENR) Community Development Block – Infrastructure Grant (CDBG-I). Commissioner Williams made the motion to recess the regular meeting and open the public hearing as stated. Commissioner Nelms seconded this motion. Vote unanimous.
7. Chairman Eller asks Joan Stillwell to speak. Ms. Stillwell stated that she is the Project Manager of Grant Administrator's Inc. and is present to discuss the purpose of the public hearing for the County of Graham's CDBG-I funding application. Ms. Stillwell stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Ms. Stillwell also stated that the public hearing must cover the County's community development needs, development of the proposed activities, and a review of program compliance before the submission of the County's CDBG-I funding application to the state of the North Carolina. The County proposes requesting funding from NCDENR'S CDBG-I program for Old Sweetwater Sewer Extension for LMI Housing Rehabilitation. The purpose of the CDBG-I grant program is:
 - a. To improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.
 - b. To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
 - c. To perform eligible activities.
 - d. To minimize displacement, and
 - e. Provide displacement assistance as necessary.

For the fiscal year of the CDBG-I funding available is expected to be \$26 million dollars, split in two grand rounds of \$13 million dollars each the maximum available grant \$2.0 million over a 3 year period. Applications for funding are received September 30, 2015.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund two activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can provide a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

1. Water:
 - a. Projects that resolve water loss in distribution systems.
 - b. Projects that extend public water to areas with contaminated wells.
 - c. Projects that extend water lines to areas with dry wells.
 - d. Projects that assist with low water pressure in public water systems.
 - e. Projects that regionalize two or more water systems.
 - f. Projects that rehabilitate or replace a water treatment plant.
2. Wastewater:
 - a. Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.

- b. Projects that extend public sewer to areas with failed septic tanks.
- c. Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The County is seeking an amount in CDBG-I funds not to exceed \$2,000,000.00 for Old Sweetwater Sewer Extension for LMI Housing Rehabilitation. The purpose of the County's request is to extend public sewer by installing approximately 11,800 linear feet of 8-inch diameter sewer line to provide public sewer service to serve (4) possibly (5) LMI housing rehabilitation projects (*depending on the balance of the USDA funds after the fourth house is complete*) on Old Sweetwater Road in Graham County. The selected addresses are as follows: 156 Old Sweetwater Road, Robbinsville, NC; 455 Old Sweetwater Road, Robbinsville, NC; 1366 Old Sweetwater Road, Robbinsville, NC; the remaining (1) to (2) homes will be chosen from the following addresses: 196 Old Sweetwater Road, Robbinsville, NC; 842 Old Sweetwater Road, Robbinsville, NC; 836 Old Sweetwater Road, Robbinsville, NC; 846 Old Sweetwater Road, Robbinsville, NC; 1255 Old Sweetwater Road, Robbinsville, NC; and 1262 Old Sweetwater Road, Robbinsville, NC. All of these homes are owner occupied, single family and low-income homeowners. Only one and possibly two may be selected from this list, however, all will be served by the proposed sewer project. The LMI homes are being rehabilitated through a USDA Housing Preservation Grant and the proposed Sewer Extension project to serve these homes are through Housing and Community Development Act of 1974, as Amended; for an Infrastructure Grant.

The project proposed by the County of Graham County was identified in Town of Robbinsville's Asset Management and Capital Projects Plan 2015. Informal community meetings were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the County of Graham has been determined to have an Income survey area of 74.07%. The project area includes area between the sewer connections close to the Robbinsville High School on Sweetwater Road to 1366 Old Sweetwater Road, Robbinsville, N.C.

The range of activities covered by the CDBG-I funds for the Old Sweetwater Sewer Extension for LMI Housing Rehabilitation includes:

- a. Construction.
- b. Environmental Review
- c. Engineering Design
- d. Construction Administration and observation
- e. Legal activities
- f. Surveying
- g. Grant Administration

If County of Graham is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- a. American with Disabilities Act/Section 504 Survey
- b. Davis-Bacon & Related Labor Acts
- c. Adoption/Submittal of a Citizen's Participation Plan
- d. Adoption/Submittal of an Equal Opportunity Plan
- e. Adoption/Submittal of a Fair Housing Plan
- f. Adoption/Submittal of a Language Access Plan
- g. Adoption/Submittal of a Relocation Assistance Plan
- h. Adoption/Submittal of a Section 3 Plan
- i. Excess Force Provision

The State of North Carolina requires that the if the County of Graham receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. No displacement and relocation will occur as a result of the proposed CDBG grant activity.

In the past, the County has applied for and received for the following completed CDBG project:

1. List Name of Projects:
 - a. 2009 CDBG Scattered Site Housing
 - b. 2010 CDBG Senior Center Facility
 - c. 2012 CDBG Scattered Site Housing

The County will submit its CDBG-I application for the Old Sweetwater Sewer Extension for LMI Housing Rehabilitation on September 30, 2015. The CDBG-I application will be available for review during normal business hours at 12 N. Main Street, Robbinsville, NC. Additional information is available from 8:30 a.m. – 5:00 p.m. by contacting Kim Crisp, 12 N. Main Street, Robbinsville, NC 28771 or by phone (828) 479-7961 or e-mail kim.crisp@grahamcounty.org Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by September 25, 2015 and written complaints and/or grievances will be sent by the County within 10 business days, where practicable.

Ms. Stillwell asks for public comment. No public comment was given.

8. Commissioner Williams made the motion to close the public hearing and reopen the regular meeting. Commissioner Nelms seconded this motion. Vote unanimous.
9. Commissioner Nelms made the motion to submit the application for the 2015 North Carolina Department of Environment and Natural Resources (DENR) Community Development Block – Infrastructure Grant (CDBG-I). Commissioner Cody seconded this motion. Vote unanimous.
10. Chairman Eller asks Commissioner Williams to speak. Commissioner Williams stated that he wanted to clear up something that was printed in the Graham Star. Commissioner Williams stated that neither he nor this board micromanages the county offices and he didn't like the article in the paper about the board of commissioners. Commissioner Williams asks three department heads that were attending the meeting if he or this board tried to micromanage their office and all three stated no. Commissioner Williams stated that he was one of five but he wanted to publically state that he did not micromanage. Commissioner Williams stated that he loved Graham County and this board is doing the best that they can and didn't appreciate being put down in the paper.
11. Chairman Eller asks if the board is ready to adopt the Graham County Comprehensive Plan. Commissioner Cody made the motion to adopt the plan with the changes as noted in the Workshop Session at the suggestion of Ryan Sherby. Commissioner Williams seconded this motion. Vote unanimous.
12. Chairman Eller asks Andy Cable to speak. Andy Cable, EDC Director stated that he was here to give the board updates on the economic development in the county. Mr. Cable stated that the contract was sent to us by McGill & Associates on the new recreation park. Mr. Cable stated that Terry James had agreed to do the topo map for \$5,000.00 and this money will be deducted from McGill and Associates bid. Mr. Cable asks that the board begin to think of what they would like the park to be named and suggested that Stanley be a part of said name since they are the ones who gave us the land for the park.

The second update is the project that he, the school and the community college is working on. This project will be a training facility for students who may not fit the college scene but has potential to be a business owner and this class will allow the students to become certified entrepreneurs. Mr. Cable stated that this could be designed for students who have a great idea but no means to make the design possible. Mr. Cable stated that the county would possibly match the project with the construction of the building while Tri-County would supply the teachers and Graham County Schools would supply the land. Mr. Cable would like to receive some of the Golden Leaf money to start this project and encourages the board to be thinking of three projects that they want to submit to Golden Leaf before October. The board wanted some more research done to the projects prior to submission. The board tabled this issue to the next meeting.

The third update is the operations of Wehrloom Honey. Mr. Cable stated that they have applied for a building reuse grant to expand their kitchen and they would be responsible for a 5% match. Mr. Cable stated that the county would not have any money invested in this upgrade. Mr. Cable stated that the expansion will allow for two more employees to be hired.

The fourth update is the NRA Shooting Range. Mr. Cable stated that a NRA Representative would be coming to the county to look at the site on Bear Creek. Mr. Cable stated that there is not a deadline to this grant and stated that Andy Lynn had been very helpful in obtaining this grant. Mr. Cable did request that the county take a track hoe to the property and clear out the site where the driveway will be prior to their visit. The board directed Clerk Crisp to contact Donnie Orr and get this done.

The fifth update is the Internet Connection to Tapoco. Mr. Cable stated that the GREAT Organization had been very helpful with this project and this should be completed by the first quarter in 2016.

The sixth update is the \$40,000.00 that was received by Duke Energy for the building reuse at Oak Valley Hardwood. Mr. Cable stated that Oak Valley would receive \$30,000.00 at first due to their employment numbers and once they hire a total of (21) employees they can receive the remaining \$10,000.00.

The seventh update is the Point of Presence. Mr. Cable asks that the rent that is collected at this location be earmarked for economic development. Mr. Cable stated that the Point of Presence has the capability to hold up to 12 customers and this could be good revenue coming into the county. Mr. Cable stated that those funds would need to be restricted to EDC Programs.

The eighth update is a Revolving Loan Fund Account. Mr. Cable stated that he has talked to Mark Sorrels about this issue and the possibility of using some of the Stanley / Golden Leaf money to begin a revolving loan account program for small businesses that needed assistance. Mr. Cable has been talking to Jeff Morrison who could consult with us for a fee on setting up this program. Mr. Cable stated that he would develop the scope and then Mr. Morrison would walk him through the steps. Mr. Cable stated the only thing that this will be used for would be EDC Small Business Loans. Mr. Cable stated that the larger loans are run through Southwest Commission. Ryan Sherby, Executive Director with Southwest Commission stated that their loans start at \$50,000.00 and go up to \$250,000.00 and are non-traditional loans because they did not compete with the local banks in the area. Mr. Cable stated that Burke County has a similar program that they use and it has a 99% success rate to date.

The ninth update is the unemployment data. Mr. Cable stated that he has received our unemployment numbers and they didn't match up to the number of jobs available so he would be trying to identify where Commerce came up with those numbers. Mr. Cable stated that a Job Fair will be held in Graham County in the upcoming months. Commissioner Orr stated that they needed to identify the workforce of our county and not of the region.

13. Chairman Eller asks Rebecca Garland for the finance report. Ms. Garland stated that the county ended the month of August with a \$4,923,888.11 cash balance which is a little lower than this time last year but once the financing of the Transfer Station comes through our cash balance will be around \$5,000,000.00. Ms. Garland stated that the property tax collection was a little lower due to Brookfield not paying their taxes early. Ms. Garland stated that we had a surplus this month of \$101,000.00 giving us a year to date surplus of \$266,000.00. Ms. Garland stated that our sales tax had jumped back up giving the county a positive of \$16,000.00 and further stated that this shows that we had a better summer than last year. Ms. Garland stated that we have a healthy balance on our Travel and Tourism Budget and this is due to good accommodation partners. Ms. Garland stated that the budget was holding steady and the departments were doing well. Ms. Garland stated that she did have three budget amendments for the board's approval and those are:
 - a. Budget Amendment 1 – move monies set aside in contingency for capital outlay into the departments.
 - b. Budget Amendment 2 – amend to recognize expenditures approved by the BOC for equipment purchased out of the AE&P Fund for the Register of Deeds.
 - c. Budget Amendment 3 – amend to recognize Sheriff Revenue on vehicle seized by NCDOT for taxes.

Commissioner Orr made the motion to approve the budget amendments as stated. Commissioner Williams seconded this motion. Vote unanimous.

14. Ms. Garland stated that the cardiac monitors have been ordered and wanted to know if the board wanted to pay cash or finance. Ms. Garland stated that she can get a good finance rate for a four year repayment term. Commissioner Williams made the motion to go with the lowest finance cost for a period of four years. Commissioner Orr seconded this motion. Vote unanimous.
15. Ms. Garland stated that the Environmental Health Department needed a color printer and further stated that she felt a lease of a bizhub would be best due to the high cost of toners for a desktop laser printer. Ms. Garland stated that she could get a small bizhub for around \$263.00 per month. Commissioner Orr made the motion to allow for the lease of a bizhub for the Environmental Health Department. Commissioner Williams seconded this motion. Vote unanimous.
16. Ms. Garland stated that she had a bit of good news concerning our Medicaid EMS Cost Report. Ms. Garland stated that we received \$81,000.00 which was more than she originally budgeted. Ms. Garland stated that the Hold Harmless money has not been received to date but was hopeful a settlement could be reached by the state on how to formulate the money. Ms. Garland stated that she is in contact with our Health Director Alicia Parham and would report later when she had the final numbers.
17. Chairman Eller asks Juanita Colvard, Transit Director to speak. Ms. Colvard stated that she no longer had to hold a public hearing on the ROAP Grant but did need to give a reporting to the board. Ms. Colvard stated that the Rural Operating Assistance Program (ROAP) is a state funded public Transportation Division. ROAP consolidates the Elderly and Disabled Transportation Assistance Program (EDTAP), the Employment Transportation Assistance Program (EMPL) and the Rural General Public (RGP) Transportation Program into a single application. Ms. Colvard stated that ROAP funds are allocated to each county by formula. Ms. Colvard stated that the funds are to be used for the operating cost of trips, but not for administrative or capital costs. Ms. Colvard stated that the deadline for the application is October 19, 2015. Ms. Colvard stated that she had received an increase of \$5,000.00 and would need Clerk Crisp and Rebecca Garland to sign off on the application. Commissioner Williams made the motion to accept the 2016 Fiscal Year ROAP Grant funding. Commissioner Orr seconded this motion. Vote unanimous.
18. Juanita Colvard and Claudine Gibson reported that they had been awarded the money for the feasibility study on an Urgent Care Center and this is the first step in securing grant monies for this project. Ms. Colvard thanked JR Rodgers and Taylor Carringer for their help and thanked the commissioners, the clerk and the finance officer for their help as well. Ms. Gibson asks if Andy Cable was referring to the same pot of money that they are planning to use because that money was set aside for Urgent Care. Ms. Garland stated that this is two pots of money and Dan Gerlach had confirmed this. Ms. Gibson stated that they now have a timeline on getting the study done and if it is not met then we are required to return the money. Commissioner Nelms asks how much time they had. Ms. Colvard stated that they had two months which would include public hearings to get the input from the public and they are working on this now. Ms. Gibson stated that the study would determine if an Urgent Care Center will be sustainable and asks that the board hold onto the million dollar Golden Leaf money until we see if this will move forward.
19. Chairman Eller asks Bobby Smith, Town of Robbinsville Alderman to speak. Mr. Smith commended Juanita Colvard and Claudine Gibson for their work on seeing if we can sustain an Urgent Care Center that we so desperately need. Mr. Smith gave the board a drawing of the proposed Downtown Pavilion and stated that a couple of months ago the Town had asked if possible funding could be given by the County for this project. Mr. Smith stated that the Town was limited on the grants that they could apply for but the county did have better access to the grants that they need. Mr. Smith stated that the Town was needing around \$100,000.00 to complete this project and asks that the board have Andy Cable try to find these funds for this use. Chairman Eller suggested that Randy Collins, Ag Director may also be able to help. Mr. Smith stated that the Town would like to have a joint meeting with the County on the projects that are taking place. The commissioner board agreed to a joint meeting with the Town. Commissioner Orr stated that this is a good start towards the revitalization of the Town.
20. Chairman Eller asks for public comment. No public comment was given.
21. Chairman Eller stated that we would now go into the discussion items and asks Clerk Crisp to proceed. Ms. Crisp stated that before we begin the list there was one more item of discussion for Joan Stillwell. Ms. Stillwell presented the board with a list of addresses for potential projects that could be done with the CDBG Funds. Ms. Stillwell stated that we needed to choose two of the homes for a starting point and asks the board for permission to proceed. Commissioner Orr made the motion to allow Joan Stillwell to proceed using the addresses that was presented to the board. Commissioner Williams seconded this motion. Vote unanimous.

22. Ms. Stillwell also requested that the board schedule a special meeting to approve the minutes from tonight so that she can send them with the application. The board agreed to hold a special meeting on Monday, September 21, 2015 at 5:30 p.m.
23. Attorney Cody asks if the board is tearing down the upper plant and what is this being cited for. The board stated that this is where the new DSS Facility will be.
24. Clerk Crisp stated that she needed approval on the Releases in the amount of \$112.39 and there were no discoveries. Commissioner Williams made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.
25. Clerk Crisp stated that the board needed to give the final award for the Removal of Asbestos Containing Material and Demolition of the Upper Plant to Graham Land Company. Commissioner Orr made the motion to release the final award. Commissioner Nelms seconded this motion. Vote unanimous.
26. Clerk Crisp asks if the board would be giving a donation to Yuletide Helpers. Clerk Crisp stated that they are not a 501-C3. Commissioner Williams made the motion to give \$5,000.00 to Yuletide Helpers. Commissioner Nelms seconded this motion. Vote unanimous.
27. Clerk Crisp asks that the board be studying as to where the new 911 Center would be located. Ms. Crisp stated that the county is responsible for a shovel ready site. Clerk Crisp did ask that the county be careful about putting the site close to the archeological site. Rebecca Garland stated that one part of the Fort Hill property had the potential for artifacts and if we get too close then a Phase II would have to be implemented prior to any movement of dirt and further stated that this could be expensive. The board agreed to study this request.
28. Clerk Crisp stated that she needed a motion to accept the Engineering Services of McGill and Associates for the Recreation Park. Commissioner Williams made the motion to accept the contract. Commissioner Orr seconded this motion. Vote unanimous.
29. Clerk Crisp stated that the sheriff cars should be here this Friday and the other cars had been ordered.
30. Clerk Crisp stated that we needed to submit three projects to Golden Leaf for funding by October. The board stated that this would need discussion.
31. Clerk Crisp stated that she had some items that needed to be surplus and asks permission to run these items in the paper for sealed bid. Commissioner Orr made the motion to allow this done. Commissioner Nelms seconded this motion. Vote unanimous.
32. Clerk Crisp stated that the roof needed to be repaired at the Library and asks which type of roof the commissioners wanted: Shingles or Metal. The board wanted two bids given for each type of roofing. Clerk Crisp stated that she would get with our building inspector David Hyatt and get the ad in the paper.
33. Clerk Crisp stated that she was having the decking repaired at the building inspections office by county personnel.
34. Clerk Crisp stated that she has planned the appreciation meeting on October 20th for the Fire and Rescue Squad Volunteers, the EMS Staff and the Dispatchers. Clerk Crisp stated that she would like to use our staff to prepare the food. The board was in agreement.
35. Rebecca Garland stated that she had received a check for gate fees in the amount of \$584.80 and Recreation Director Jason Sawyer had suggested this money be split by the teams. The board wanted the money put in the budget to offset the cost of the new helmets and pants that was ordered.
36. Clerk Crisp stated that the fencing would be taking place at the tennis courts to separate the third court from the first two and that the lights had been repaired. Commissioner Williams asks that we contact Sheriff Millsaps and ask that his staff turn the lights off at night when the courts are empty. Clerk Crisp stated that she would take care of this request.
37. Clerk Crisp stated that there is a tree that is a concern at the playground and asks the board if they wish for this to be bid out. The board tabled this request until the commissioners could see where the tree is located.
38. Commissioner Williams stated that the board needed to sell the surplus vehicles and wanted this to be done and further stated that he wants the ambulance that is at the Sheriff's Department to be in this auction as well. The board was in agreement to this request.
39. Clerk Crisp stated that we did need a planning committee for the new 911 Center. Commissioner Nelms stated that we can use the original members and change the department heads. The board was agreeable to this suggestion.
40. Chairman Eller asks for a motion to go into closed session under G.S. 143.318.11 (a) (1) (3) (6) for privileged or confidential information, attorney-client privilege, personnel and contracts.

Commissioner Orr made the motion to go into closed session as stated. Commissioner Williams seconded this motion. Vote unanimous.

41. Commissioner Orr made the motion to go back into open session. Commissioner Nelms seconded this motion. Vote unanimous.
42. Commissioner Orr made the motion to raise Tajuana Ledwell, Tax Collector's pay to \$17.75. Commissioner Williams seconded this motion. Vote unanimous.
43. Commissioner Orr made the motion to honor the raises that was promised by outgoing DSS Director Tracy Jones to Michelle Jones, Molly Lunsford and Kamie Friedrich. Commissioner Williams seconded this motion. Vote unanimous.
44. Commissioner Orr made the motion to allow the raise for Emily Greene as a Detention Officer to \$10.00 per hour. Commissioner Williams seconded this motion. Chairman Eller calls for a vote. Commissioner Eller, Nelms, Orr and Williams voted yes. Commissioner Cody voted no. Motion carried four to one.
45. Commissioner Nelms made the motion to adjourn. Commissioner Williams seconded this motion. Vote unanimous.

Keith Eller, Chairman, Graham County Commissioner

Jacob Nelms, Vice-Chairman, Graham County Commissioner

Lynn Cody, Member, Graham County Commissioner

Connie Orr, Member, Graham County Commissioner

Raymond Williams, Member, Graham County Commissioner

ATTEST:

Kim Crisp, Clerk to the Board