

The Graham County Board of Commissioners met Tuesday, October 18, 2016 at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. All commissioners was present.

1. Chairman Nelms called the meeting to order.
2. Chairman Nelms asks Commissioner Williams to give the Invocation.
3. Chairman Nelms asks that he be added to closed session and then asks for a motion to approve the agenda with the change. Commissioner Williams made the motion to approve the agenda with the change. Commissioner Orr seconded this motion. Vote unanimous.
4. Chairman Nelms asks for approval of the minutes for the Regular Meeting on October 4th and the Special Meeting on October 11th. Commissioner Orr made the motion to approve the minutes as stated. Commissioner Williams seconded this motion. Vote unanimous.
5. Chairman Nelms asks for a motion to close the regular meeting and open a public hearing for 5311 CT Administrative Grant for Fiscal Year 2018 Grant. Commissioner Eller made the motion to close the regular meeting and open a public hearing. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Nelms asks Juanita Colvard, Transit Director to speak. Ms. Colvard stated that she is applying for the 5311 CT Administrative Grant for Fiscal Year 2018 for \$151,713.00 with a county match of \$22,758.00. Ms. Colvard stated that this grant will be used for administration expenditures such as salaries, fringes, electric bills, water/sewer bills, office supplies, drug testing supplies, employee development etc.
7. Ms. Colvard asks for public comment or any questions about the grant. No public comment was given.
8. Chairman Nelms asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Eller made the motion to close the public hearing and reopen the regular meeting. Commissioner Orr seconded this motion. Vote unanimous.
9. Commissioner Eller made the motion to adopt the resolution and apply for the 5311 CT Administrative Grant for Fiscal Year 2018. Commissioner Orr seconded this motion. Vote unanimous.
10. Chairman Nelms asks for a motion to close the regular meeting and open a public hearing for a 5310 Consolidated Call for Capital Project Grant for Fiscal Year 2018 and for the 5310 Mobility Manager and the Elderly and Disabled Grant for Fiscal Year 2018. Commissioner Williams made the motion to close the regular meeting and open the public hearing as stated. Commissioner Orr seconded this motion. Vote unanimous.
11. Chairman Nelms asks Juanita Colvard to speak. Ms. Colvard stated that she wants to apply for a 5310 EDTAP grant to provide services for the Elderly and Disabled for Fiscal Year 2018. She stated this operating grant will provide transportation services for 65 and older and the disabled. She stated the amount is \$41,860.00 with a county match of \$20,930.00. She also stated she wanted to apply for a Mobility Manager to coordinate services between Graham and Swain transit. She stated that grant amount is \$60,113.00 with 80% Federal monies, 10% State monies and 10% local monies to be divided between Graham and Swain Transit. Ms. Colvard asks for public comment or any questions about the grants. No public comment was given.
12. Chairman Nelms asks Senior Center Director Wanda Hill to speak. Ms. Hill stated that she wants to apply for a 5310 Consolidated Call for Capital Projects Grant and the grant amount she is requesting is \$49,997.00 with a \$5,000 match. This grant is for the purpose of providing transportation services to the elderly and disabled. She stated 90% is funded with Federal and State monies with a 10% local match.
13. Ms. Hill asks for public comment. No public comment was given.
14. Chairman Nelms asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Williams made the motion to close the public hearing and reopen the regular meeting. Commissioner Orr seconded this motion. Vote unanimous.
15. Chairman Nelms asks for a motion to adopt a resolution and apply for the 5310 Mobility Manager Grant for Fiscal Year 2018 and the 5310 Elderly and disabled operating grant. Commissioner Williams made a motion to adopt the resolutions and apply for the 5310 Mobility Manager for the Elderly and Disabled Fiscal Year 2018 and the 5310 Eldery and Disabled operating grant. Commissioner Orr seconded this motion. Vote unanimous.
16. Chairman Nelms asks for a motion to adopt a resolution and apply for the 5310 Consolidated Call for Capital Projects Grant Fiscal Year 2018. Commissioner Williams made the motion to adopt a resolution and apply for and the 5310 Consolidated Call for Capital Projects Grant Fiscal Year 2018. Commissioner Orr seconded this motion. Vote unanimous.

17. Chairman Nelms asks if the board will accept the monument gift from Foundation Forward Inc. Charters of Freedom. Commissioner Orr made the motion to accept the gift. Commissioner Cody seconded this motion. Vote unanimous.
18. Chairman Nelms asks Robin Turner to speak concerning his PUV Appeal. Mr. Turner stated that he was here today to contest or appeal his roll out of his PUV Plan. Mr. Turner stated that Blair Bishop wrote the plan and he is present as well. Mr. Turner stated that we have two issues. The first issue is that I received notice from Erma Phillips that he has been rolled out of the PUV because I had not logged enough timber. Mr. Bishop stated that the plan was followed and conditions were on the seven springs section of the property and the loggers was not interested in taking the timber out of this area. Mr. Bishop presented the board with a map showing the two pieces of property in question. Mr. Bishop stated that he had spoken with T&S Hardwoods about the property and they were not interested in cutting the upper property which would have to be logged without equipment. Mr. Bishop stated that the plan calls for crop tree management and this is being done. Mr. Bishop stated that the property owner wanted to protect the seven springs on the property and to do select harvest. Mr. Turner stated that the board had originally given him a deadline of 2017 to commence logging and is not sure why he was rolled out this year. Mr. Bishop stated that Mr. Turner intends to harvest firewood from the property. Chairman Nelms stated that the loggers was under the impression that they would be allowed to cut 250 thousand feet of timber and they were only allowed 109 thousand feet of timber. Mr. Bishop stated that the reason the quantity was not reached was due to the loggers did not want to log the area that the landowner didn't want machinery on that property. Mr. Bishop stated that their target is not about volume generation but working with the objectives of the plan and the landowner will balance his PUV with his personal objectives and this may be a different approach to traditional logging. Mr. Bishop stated that he hoped to move forward in that area with firewood or a small log or two.
19. Chairman Nelms asks Misty Hembree to speak. Ms. Hembree stated that she was here to present the 911 Building Plan and asks Architect Scott Donald to speak. Mr. Donald presented the plans to the commissioners for their approval and discussed all the areas of the building. Commissioner Orr made the motion to approve the design. Commissioner Williams seconded this motion. Vote unanimous.
20. Chairman Nelms asks for the finance report. Ms. Garland stated that the county ended the month of September with a cash balance of \$5,625,332.59 which is down from last month due to payouts of the QZAB and big projects but we are still up from this time last year. Ms. Garland stated that our tax collections was \$288,747.35 for real and \$46,856.13 for DMV which is up from this time last year. Ms. Garland stated that our revenues was \$858,524.48 and our expenditures was \$1,174,928.34 giving us a deficit of \$316,403.86 but again we made some large payments in the month of September. Ms. Garland stated that we have a year to date surplus of \$170,996.50. Ms. Garland stated that our sales tax collections was \$158,416.49 which is ahead of this time last year. Ms. Garland stated that the tax office is being diligent in collecting the back taxes and we have collected \$556,630.50 since July 1, 2013.
21. Ms. Garland stated that our budget should be around 75% but we are holding at 79% and she was very pleased with this reporting. Ms. Garland stated that she had received the financial reporting from Smoky Mountain LME (name change to Vaya) has a cash balance of \$118,000.00 as of June 2016. Ms. Garland stated that our audit was going well and we are 70% complete as of last Friday and to date no violations have been found.
22. Chairman Nelms asks for public comment. Manager Edwards stated that no one had signed in for public comment.
23. Chairman Nelms asks for the manager's report. Commissioner Williams stated that we needed to adopt a resolution requesting that Vaya help more of our people in WNC like they are supposed to and there is no reason that they should have such a high cash balance. Manager Edwards stated that he would be meeting with Shelly Forman and he can provide further information. Rebecca Garland stated that she would be attending the next meeting as well.
24. Manager Edwards stated that the board needed to consider a location for the maintenance building and the money has been allocated in the budget.
25. Manager Edwards stated that he had spoken with Kevin King and his board has been in touch with Swain County Hospital and everything has been stalled at this time and further stated that Mr. King would get back in touch with him.
26. Manager Edwards stated that we have been very fortunate to have Juanita Colvard and Claudine Gibson's hard work on the Dialysis Center because we now have a provider for our center and the timeline is by 2018. Manager Edwards stated that our Urgent Care Center is also very much alive and we will continue to move forward.
27. Manager Edwards stated that we have sent out bids for the Stecoah Valley Center roof project.
28. Manager Edwards stated that is was requested by Steve Odom that we adopt a resolution concerning the lack of services by Frontier and asks if the board wanted to consider this request.

29. Manager Edwards stated that we obtained the process for land sales of county land by Attorney Coward.
30. Manager Edwards stated that Brian Johnson with the Town of Robbinsville had come by the office to update the board that they will be hosting a Hometown Holidays and Parade on December 10th.
31. Manager Edwards stated that the building inspections office had flooded and we are working with the insurance company on these repairs.
32. Manager Edwards stated we had received a Jail Inspection Report and the issues was corrected that day and he wanted to let this be known.
33. Manager Edwards stated that the problem trees had been removed at the P&J Building and they did a great job. Manager Edwards stated that we had also sent in a repair ticket to Duke Energy for the lights in the parking area.
34. Manager Edwards stated that he attended a successful High Flow Event meeting in Asheville and our waters are considered the most desirable for kayaking. Manager Edwards stated that Sophia Paulos would be bringing a more detailed report next month.
35. Manager Edward stated that we are meeting with a representative from the school, Bear Creek Church and the Bear Creek Homeowner's Association concerning the possible shooting range on our property at Bear Creek. Manager Edwards stated that our kids no longer have a place to practice and we need to work out an agreement for our kids.
36. Manager Edwards requests that someone be named as our point of contact concerning any press releases and asks that the board consider this request.
37. Manager Edwards stated that we will be studying our policy procedures and practices and as recommended by Missy Spainhour we will formulate a flow chart so that all employees will know and understand whom they are allowed to speak with. Manager Edwards stated that our policy did not outline a clear understanding of this.
38. Manager Edwards stated that the concession stand at the Stanley Ballfield needed a new roof and he asks if he needs to bid this out or receive quotes. Commissioner Williams made the motion to repair the roof on the Stanley Ballfield Concession Stand. Commissioner Orr seconded this motion. Vote unanimous.
39. Manager Edwards stated that we would now go into the discussion items and asks for a motion to approve the Discoveries of \$11,091.25. Commissioner Williams made the motion to approve the discoveries. Commissioner Eller seconded this motion. Vote unanimous.
40. Manager Edwards stated that the board needed to reappoint or replace Marlene Carver on the Health Board. Commissioner Eller stated that the board had placed Samantha Cody in a RN seat and this needed to be fixed and further made the motion to appoint Samantha Cody to the public seat currently held by Marlene Carver and to appoint Meagan Smith to the RN seat. Commissioner Orr seconded this motion. Vote unanimous. The board felt that since Ms. Carver contracts work with the health department this creates a conflict of interest.
41. Manager Edwards stated that the board needed to replace Bobbie Carpenter, Glenda Odom and Jean Perkins on the Southwest Community Advisory Committee LLC due to their resignation. Commissioner Eller made the motion to appoint Sharon Edwards in Bobbie Carpenter's place. Commissioner Cody seconded this motion. Vote unanimous.
42. Commissioner Cody stated that these women have volunteered for this board for years and he would like for them to be given a plaque. Commissioner Williams made the motion to purchase plaques for all three of the women. Commissioner Orr seconded this motion. Vote unanimous.
43. Manager Edwards stated that we needed to replace Glenda Odom. Commissioner Orr made the motion to appoint Commissioner Williams in this position. Commissioner Eller seconded this motion. Vote unanimous.
44. Manager Edwards stated that we needed to replace Jean Perkins. Commissioner Orr made the motion to appoint Dewayne Cable. Commissioner Williams seconded this motion. Vote unanimous.
45. Manager Edwards stated that the board needed to replace Bobbie Carpenter and Nancy Norcross on the Senior Tar Heel Delegation. Commissioner Cody made the motion to appoint Connie Orr as the Senior Tar Heel Delegate and Sharon Edwards as the Alternate for the Senior Tar Heel Delegate. Commissioner Williams seconded this motion. Vote unanimous.
46. Commissioner Williams made the motion to replace Bobbie Carpenter with Sharon Edwards for the Senior Center Advisory Board. Commissioner Orr seconded this motion. Vote unanimous.
47. Commissioner Williams made the motion to replace Bobbie Carpenter with Sharon Edwards for the Southwest Region A Aging Advisory. Commissioner Orr seconded this motion. Vote unanimous.
48. Commissioner Orr made the motion to table the Interlocal Agreement so that Attorney Coward can make the necessary changes. Commissioner Eller seconded this motion. Vote unanimous.
49. Manager Edwards stated that the board needed to open the bids for the repair of the Vehicle Maintenance Roof. Chairman Nelms opened the bids and they are as follows: Matt Edwards -

\$5,500.00; Noah Williams - \$6,000.00; Robbinsville Custom Molding - \$3,195.00. Commissioner Williams made the motion to take the lowest bid. Commissioner Orr seconded this motion. Vote unanimous.

50. Manager Edwards asks the board if they wanted to adopt a resolution concerning the Rocky Mountain Elk Foundation. The board had discussion and Commissioner Cody made the motion to table this resolution for fact finding. Commissioner Orr seconded this motion. Vote unanimous.
51. Joyce Cooper, a member in the audience asks to speak concerning the resolution. Ms. Cooper stated that she is with the Rocky Mountain Elk Foundation and wanted to clear up a misinformation that the elk were eating the astro-turf at the Cherokee High School, they are in fact eating the trees surrounding the field. Ms. Cooper stated that citizens in Haywood County think that the elk is a nuisance and they do not want them in their county so the elk were going to be darted. Ms. Cooper also stated that they would love to see the elk brought to Graham County and the Elk Foundation will assist in anyway. Ms. Cooper stated that the foundation had purchased land in Maggie Valley to locate elk to that area as well.
52. Manager Edward asks Wanda Hill, Senior Center Director to speak on the discussion about a senior center van. Ms. Hill stated that she is receiving an extra \$14,000.00 per year since she has become a Senior Center of Excellence and would like the board to consider allowing her to buy a van for the center that could travel out of North Carolina. Ms. Hill stated that the seniors would like to go to Cades Cove, shopping, see the Omish Country in Tennessee and other trips. Ms. Hill stated that she is looking to a fifteen passenger van and it is not handicap accessible. Commissioner Orr asks Finance Officer Rebecca Garland if this is possible. Ms. Garland stated that we needed to hold on any further financing at this time due to our heavy debt on the purchase of the building which has to be approved by the Local Government Commission. Commissioner Orr made the motion to table this until we receive full notice from the LGC on our financing. Commissioner Cody seconded this motion. Vote unanimous.
53. Manager Edwards asks for new or old business. No new or old business was discussed.
54. Chairman Nelms asks for a motion to go into closed session under G.S. 143-318.11(a)(1)(3)(5)(6) for privileged or confidential information, attorney-client privilege, personnel and contracts. Commissioner Orr made the motion to go into closed session as stated. Commissioner Cody seconded this motion. Vote unanimous.
55. Commissioner Orr made the motion to go back into open session. Commissioner Eller seconded this motion. Vote unanimous.
56. Commissioner Eller made the motion to remove Lorena Beasley from the health board due to her term expiration as according to NC law. Commissioner Williams seconded this motion. Vote unanimous.
57. Commissioner Orr made the motion to appoint Kerry Rogers to the health board in the Dental position which was held by Lorena Beasley. Commissioner Eller seconded this motion. Vote unanimous.
58. Commissioner Orr made the motion to go forward with Missy Spainhour's recommendations concerning our policies and further stated that these policies will govern all county employees with the addition of the employees under the NC State Personnel Act. Commissioner Cody seconded this motion. Vote unanimous.
59. Commissioner Eller made the motion to adopt the resolution regarding the elk relocation to our county and wanted the following language added to the resolution. "**NOW, THEREFORE,** The Graham County Board of Commissioners hereby request that the elk that is designated to be killed should be relocated by the North Carolina Wildlife Resource Commission to Graham County's Natural Balds. Commissioner Orr seconded this motion. Vote unanimous.
60. The board gave a directive to the county manager to develop a vendor list and a procurement policy.
61. Manager Edwards reminded the board that they will be having a meeting on October 29th concerning the gun range.
62. The board tabled any decision concerning Robin Turner's PUV tax appeal.
63. Manager Edwards stated that he has been speaking with Mr. Jim Grey with the Ruffed Grouse Association and he had informed us that Mark Meadows is asking if there is any possibility of working with the forest service on timber harvest, animal habitat and wilderness.
64. Commissioner Williams made the motion to adjourn the meeting. Commissioner Orr seconded this motion. Vote unanimous.

Signature page for October 18, 2016

Jacob Nelms, Chairman, Graham County Commissioner

Keith Eller, 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