

Regular Meeting – May 15, 2018

The Graham County Board of Commissioners met Tuesday, May 15, 2018 at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. All board was present.

1. Chairman Eller called the meeting to order.
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 changes to the agenda. Manager Garland stated that we needed to add a TAB Board Appointment for Larry Hembree. Attorney Coward stated that he needed to add the Reid Miller Case to the new business. Commissioner Orr made the motion to approve the agenda with the changes as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
5. Chairman Eller asks for approval of the May 1st Regular Meeting Minutes. Commissioner Williams made the motion to approve the minutes as stated. Commissioner Orr seconded this motion. Vote unanimous.
6. Chairman Eller asks Sophia Paulos, EDC Director to give her monthly report. Ms. Paulos stated a new program with the potential to attract investment capital into low-income areas of North Carolina that need it the most was created by recently passed federal tax legislation known as The Tax Cuts and Jobs Act (H.R.1). North Carolina Opportunity Zones will offer qualified investors certain tax benefits when they invest unrealized capital gains into these areas. Since February of this year, the North Carolina Department of Commerce has been coordinating the state's multi-phase and collaborative approach to identify which areas to nominate for federal certification as official Opportunity Zones. Ms. Paulos along with several other partner organizations in the region, nominated all three census tracts in Graham County for designation as an Opportunity Zone and the Governor's office listened. Last April, the NC Department of Commerce submitted their nominations to the federal treasury for the 25% of low-income census tracts in the state that are eligible for the program and a substantial portion of Graham County was nominated and is expected to be supported in the US Treasury. The Opportunity Zones Program (SEC. 13823) provides tax incentives for qualified investors to re-invest unrealized capital gains into low-income communities throughout the state, and across the country. Investments made by qualified entities known as Opportunity Funds into certified Opportunity Zones will receive three key federal tax incentives to encourage investment in low-income communities including: 1) Temporary tax deferral for capital gains reinvested in an Opportunity Fund; 2) Step-up in basis for capital gains reinvested in an Opportunity Fund; and, 3) Permanent exclusion from taxable income of long-term capital gains. The Town of Robbinsville and the Stanley Site are both included in the opportunity zone.
7. Ms. Paulos was invited to attend the Community Para-medicine conference in Charlotte last week by invitation of Steve Heatherly. Ms. Paulos met with and heard from those with experience directing a program of this nature and it proved to be full of great resources. This event made it clear that a true partnership is required to have a successful community para-medicine program and in addition to our county EMS and Duke Life Point Hospitals, DSS, the Health Department, Urgent Care, Erlanger, the senior division of the Southwestern Commission and the senior center will all prove to be vital partners. Grant resources are available that may provide continued financial support for this program when we get it up and running. Ms. Paulos stated that the community para-medicine leads to improved health and quality of life. Ms. Paulos stated that with the support of Swain Community and Harris Hospitals to stand up this program it will be a success and she thanked the board for continuing to support its development.
8. Ms. Paulos stated that we continue to see development in the quest for affordable high speed internet for all of Graham County's citizens and several weeks ago she met with Keith Conover from the NC Broadband Infrastructure Office. In addition to a thorough review of the data on Graham County resulting from the study done by the Mountain West Partnership we devised the next steps for bringing high speed internet to our citizens. Ms. Paulos stated that she will be working with the mapping department and building inspector's office to identify the owners and locations of vertical assets in Graham County. Ms. Paulos stated that this will be paired with the

data from the study to create an asset and demand map and once this is complete, Mr. Conover and I will host a provider meeting and begin developing projects and requesting funds. In related news, both cell towers should be up within the year.

9. Ms. Paulos stated that we had the pleasure of hosting Congressman Mark Meadows on a visit to the Oak Valley Hardwoods facility and this provided an exceptional opportunity to share with the Congressman just how important timber is to Graham County and the surrounding region. He has pledged to support the local timber industry and Ms. Paulos along with our partners in the Nantahala Pisgah Forest Partnership will continue to communicate with his offices to support a forest plan that will support our local timber families.
10. Ms. Paulos stated that the application for Project Chiron was submitted by hand to the Department of Commerce and an announcement will come on June 21st and once we have permission from the state a formal announcement to this board and our citizens will be made regarding this project.
11. Ms. Paulos stated that EDP NC's International team will be visiting Graham County next week and in addition to speaking with Wehrloom Honey regarding their recent expansion, they will be meeting with her and Randy Collins to explore additional opportunities for agricultural economic development in Graham County.
12. Ms. Paulos stated that she had the distinguished honor of graduating from Leadership North Carolina and was pictured with Steve Moore, National Fundraising Manager for Krispy Kreme and David Fountain, President of North Carolina Duke Energy and she was excited to receive this honor. Ms. Paulos stated that while she received a full scholarship to this program from the William Garrett Fund, she wanted to acknowledge the investment this board made in time and travel for her participation in the program. Leadership NC has meant a lot to her but more importantly, it has meant getting results, gaining access, increasing the scope of our capacity and discovering opportunities for the people of Graham County that can sometimes be hard to find through conventional means. Participation in Leadership NC has already paid for itself in spades and for this reason she is very much looking forward to her continued involvement with Leadership NC. Ms. Paulos has been asked to help design the Economic Development portion of next year's program along with John Coggins from the Rural Center, Michael Ebert of EDP NC and several other classmates they will be responsible for developing (3) days of programming on economic development for the benefit of (55) leaders from across the state. The event will not take place until March 2019 but she is very grateful for the opportunity to stay connected to so many exceptional people.
13. Chairman Eller asks for the finance report. Manager Garland stated that we ended the month of April with a cash balance of \$8,558,667.97 which included paying off the Health Department and EMS Base. Manager Garland stated that by paying off the loan we saved over \$44,000.00 in interest. Manager Garland stated that we are still owed \$311,665.73 from the 911 Board and we are still ahead from this time last year. Manager Garland stated that he have collected \$67,078.77 in current year taxes, \$16,055.23 in prior year taxes and \$46,293.42 in DMV taxes. Manager Garland stated that our tax rate is 96.44% and this is up from last year.
14. Manager Garland stated that our expenditures for the month was \$1,642,764.29 and our revenues was \$599,885.24 giving us a deficit of \$1,042,879.05. Manager Garland stated that our revenues to date are \$12,657,002.38 and our expenditures was \$11,057,487.15 giving us a surplus of \$1,599,515.23.
15. Manager Garland stated that our sales tax collection was \$118,271.95 which is a little lower than this time last year and our estimated tax reversion to the schools is \$89,118.46.
16. Manager Garland stated that our past due tax collections is \$469,158.97 and we have collected \$583,531.61 since 2013 and thanked the tax office for their continued hard work in working the past due taxes.
17. Manager Garland stated that the budget was holding good and our ideal remaining percentage should be 17%. Manager Garland stated that currently we have 28% left in the budget and she will be putting a freeze on spending on May 31st.
18. Manager Garland stated that she had a couple of budget amendments for the board's approval. Budget Amendment #15 for \$142,500.00 to increase funding allocation for May and June to the Graham County Schools and Budget Amendment #16 for \$62,552.00 for the discontinuation of the Transit Grant and to spend down funds from an EMPG Grant Expenditures. Commissioner Orr made the motion to approve the budget amendments as stated. Commissioner Williams seconded this motion. Vote unanimous.

19. Manager Garland stated that Heery and Associates would not be able to meet until 2:00 p.m. on Friday, June 1st to go over the courthouse evaluation.
20. Manager Garland stated that the P&J building received final pay application last week and final funds will be drawn down from the loan. Manager Garland stated that there have been issues with sewer lines backing up and the Town, Gavin Colvard and she spent all morning to determine the issues. Manager Garland stated that she will be working with the Town of Robbinsville to have the sewer line extended and rerouted.
21. Manager Garland stated that there has been a request to subdivide an office in DSS. The board did not want permanent modifications done to the new building. Manager Garland stated that she could purchase a divider to install in the office if necessary.
22. Manager Garland stated that Rose Baugess with DOT sent an email reminder to commissioners to complete their priority rankings by May 30th. Manager Garland had provided worksheets last month to the board and will provide them again if needed. Manager Garland asks that the board complete the rankings and return them to her.
23. Manager Garland stated that the CDBG application deadline has been extended to September 28, 2018. Manager Garland stated that there were problems with the timeline not giving units time to get all of the preliminary work completed in time. Manager Garland stated that she needed to discuss contracts in closed concerning this application and we will need to do an RFQ for the process.
24. Manager Garland gave the Vaya Health Quarterly Finance Report to the board for their review.
25. Manager Garland stated that the budget is still in the works and she will be working diligently on the budget for the next upcoming weeks.
26. Manager Garland stated that the Election Board would like to meet with Chairman Eller and her about their future in the building we currently occupy and a potential move with us to the community building during our transitory period. The board would meet with them.
27. Manager Garland gave the board dates to remember for upcoming meetings in their packets.
28. Manager Garland stated that she received a letter of support for the CT Scan from Erlanger and they were very complimentary to this board. Commissioner Orr asks if the board received anything from Steve Heatherly and Manager Garland replied no. Sophia Paulos stated that they have a policy that they cannot provide letters to counties who are without hospital facilities but the good news is that Steve Heatherly does not oppose the CT Scan for our Urgent Care and he did send an email of non-opposition.
29. Manager Garland asks if any of the board members wish to attend the NCACC Annual Conference in Hickory in August 23rd to August 25th. Commissioner Orr stated that she and Manager Garland would attend this meeting.
30. Manager Garland stated that the county needed to schedule an auction to sell off surplus vehicles and various office supplies. The board agreed to hold the auction on Saturday, June 1, 2018 at 10:00 a.m.
31. Chairman Eller asks for public comment. No one was signed in for public comment. Bill Flannigan, a member in the audience stated that we needed cameras at our dumpster sites and stop some of the destruction that takes place at these sites. The board would discuss these concerns.
32. Chairman Eller asks for the discussion items. Manager Garland stated that we have Releases in the amount of \$503.43 and Discoveries in the amount of \$153.93. Commissioner Williams made the motion to approve the Releases and Discoveries. Commissioner Orr seconded this motion. Vote unanimous.
33. Manager Garland asks if the board wanted to deed the Old Mother Church Cemetery Plots to the Cemetery Commission with the exception of (2) plots that will be kept as a potter's field. Commissioner Williams made the motion to deed the property as stated over to the Cemetery Commission. Commissioner Orr seconded this motion. Vote unanimous.
34. Manager Garland stated that she needed approval for a poll on the Electronic Entry Buttons for the Sheriff's Office. Commissioner Orr made the motion to approve this poll as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
35. Manager Garland stated that the county offices would be closed for Memorial Day Holiday on Monday, May 28th with the exception of the essential services.
36. Manager Garland stated that Clerk Crisp gave the board a calendar of events for the 2019 Schedule of Values for the board's review.
37. Manager Garland asks if any commissioner wanted to hold a seat on a NACO Steering Committee and if they do please let her know by June 13th.

38. Manager Garland reminded the board of a meeting with the CEO of Erlanger on May 22nd from 1:00 p.m. to 2:00 p.m. at the Tri-County Murphy Campus.
39. Manager Garland reminded the board of their Budget Meetings for May 21st, 22nd and 23rd at 9:00 a.m. at the community building.
40. Manager Garland stated that Larry Hembree had been requested to serve on the TAB Board if the board approves. Commissioner Wiggins made the motion to appoint Larry Hembree to the TAB Board. Commissioner Orr seconded this motion. Vote unanimous.
41. Attorney Coward stated that Reid Miller had appealed her back taxation of \$45,000.00 when she was removed from PUV. The first appeal to Raleigh held up the county's assessment so she appealed to the courts. Charles Meeker, an attorney from Raleigh represented the county last Monday and Judge Letts ruled in the county's favor. Attorney Coward stated that the Reid's will have 30 days to appeal to the Court of Appeals and if this happens the money will need to stay in the bank. Attorney Coward stated that he felt confident that Ms. Miller would lose.
42. Chairman Eller asks for new or old business. No new or old business was discussed.
43. Chairman Eller stated that the board would need 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 Wiggins made the motion to go into closed session as stated. Commissioner Orr seconded this motion. Vote unanimous.
44. Commissioner Wiggins made the motion to go back into open session. Commissioner Williams seconded this motion. Vote unanimous.
45. Commissioner Orr made the motion to approve the Audit Contract from Turner & Company for \$49,900.00. Commissioner Wiggins seconded this motion. Vote unanimous.
46. Commissioner Wiggins made the motion to adjourn. Commissioner Nelms seconded this motion. Vote unanimous.

Keith Eller, Chairman, Graham County Board of Commissioners

Connie Orr, Vice-Chairman, Graham County Board of Commissioners

Jacob Nelms, Member, Graham County Board of Commissioners

Dale Wiggins, Member, Graham County Board of Commissioners

Raymond Williams, Member, Graham County Board of Commissioners

ATTEST:

Kim Crisp, Clerk to the Board