

Regular Meeting – October 2, 2018

The Graham County Board of Commissioners met Tuesday, October 2, 2018 at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC 28771 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 or approval of the agenda. Manager Garland stated that we needed to add Juanita Colvard as 13A and add Juanita Colvard and Becky Garland to closed session under contracts. Commissioner Orr made the motion to approve the amended agenda as stated. Commissioner Williams seconded this motion. Vote unanimous.
5. Chairman Eller asks for approval of the minutes for the September 13th Special Meeting and the September 18th Workshop and Regular Meeting. Commissioner Wiggins made the motion to approve the minutes as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Eller asks for a motion to close the regular meeting and open the public hearing for the 5310 Grant for the Senior Center. Commissioner Williams made the motion to close the regular meeting and open the public hearing as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
7. Chairman Eller asks Wanda Hill, Senior Center Director to speak on the 5310 Grant. Director Hill stated that she is applying for the 5310 Elderly and Disabled Transportation Grant in the amount of \$94,686.00 with a county match of \$9470.00. Director Hill asks for public comment. No public comment was given.
8. Chairman Eller 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. Vote unanimous.
9. Chairman Eller asks for approval to apply for the 5310 Elderly and Disabled Transportation Grant. Commissioner Williams made the motion to approve the resolution and application for the grant as stated. Commissioner Orr seconded this motion. Vote unanimous.
10. Chairman Eller asks for a motion to close the regular meeting and open the public hearing for the Community Transportation 5311 Grant. Commissioner Wiggins made the motion to close the regular meeting and open the public hearing. Commissioner Orr seconded this motion. Vote unanimous.
11. Chairman Eller asks Juanita Colvard, Transit Director to speak. Director Colvard stated that she is applying for the Community Transportation 5311 Grant. Director Colvard stated that this is the 5311 Administrative Grant for a total of \$126,538.00. Director Colvard stated that this grant will be used to pay salaries, fringe benefits, travel, office supplies, and utilities, etc. Director Colvard asks for public comment. No public comment was given.
12. Chairman Eller asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Wiggins made the motion to close the public hearing and reopen the regular meeting. Commissioner Williams seconded this motion. Vote unanimous.
13. Chairman Eller asks for a motion to approve the resolution and application for the CT 5311 Grant as stated. Commissioner Wiggins made the motion to allow Director Colvard to apply for the CT 5311 Grant. Commissioner Orr seconded this motion. Vote unanimous.
14. Chairman Eller asks Juanita Colvard to speak on the Certificate of Need for the Radiology at the Urgent Care / Dialysis Center. Ms. Colvard stated that she was here to notify the board of the conditional approval of the certificate of need. Ms. Colvard stated that we have a 30-day deadline and she will be fast tracking to get this done in time. Ms. Colvard stated that we must have the 3D Mammogram and CT fully operational by January 8, 2019. The board was very pleased with this update and thanked Ms. Colvard for her time and energy spent in getting this pulled together.
15. Chairman Eller asks Wanda Hill, Senior Center Director to speak on the SHIPP Funds. Director Hill stated that we have received SHIPP Funds in the amount of \$2000.00 with no county match. Director Hill stated that she will be implementing My Senior Center in the near future which will be used for the senior citizens to sign up for trips, games, lunch and more. Commissioner Wiggins asks if SHIPP will pay someone to come and help the seniors. Director Hill stated that

she and Keisha Greene had taken the class and they will be doing the work in-house. The board was pleased to hear this information.

16. Chairman Eller asks Tracy Hyde to speak concerning her 911 Address. Ms. Hyde stated that seven or eight years ago her and her grandmothers 911 address was changed to Windy Cove Drive and since the change 911 services are having a hard time finding their homes. Ms. Hyde stated that she and her grandmother are requesting that the 911 address be changed back to the original addresses which are: 2175 Mountain Creek Road and 2179 Mountain Creek Road. Ms. Hyde stated that several times the ambulance has been called to her grandmother's home and a fire truck and they could not locate the residences. Ms. Hyde stated that Duke Power uses the Mountain Creek addresses in their system to find their homes. Commissioner Orr made the motion to change the 911 Addresses from Windy Cove Drive to the old addresses of Mountain Creek Road for safety reasons. Commissioner Wiggins seconded this motion. Vote unanimous. Ms. Hyde thanked the board for allowing the change to be made.
17. Chairman Eller asks for the manager's report. Manager Garland stated that we have been picked as a Hometown Strong community by the Governor's office. We were expecting our meeting to occur in late October-early November, however, they put our meeting on fast forward due to the hurricane aftermath. We had that meeting today. The meeting was designed so that the Governor's staff talks about issues impacting Graham County with county staff. The State brought in 25 State officials including the Secretary of Commerce and deputy secretaries of Natural Resources and DHHS. She included the list of talking points that the staff covered. We had department manager's talking about access to healthcare, issues with Medicaid Transformation, lack of access to broadband, cell service and landline service, addiction, recreational facilities, Corridor K, tourism, and our Brownfield issue at Stanley. By the time we left, I had firm commitments for the Office of Rural Health (DHHS) to come and meet in early November about access to care and Medicaid Transformation and from the Southeast Rural Community Assistance Project, Inc. (SERCAP) who have offered technical support with the brownfield and also with looking at better ways to do solid waste disposal. In addition, she was given the assurance by the deputy secretary at DHHS at the Office of Rural Health, that we will not feel any negative budgetary impacts from the loss of the Medicaid cost settlement for 2 years and that a big reason they want to come is to work with us to learn how to offset the negative impact of the loss of the settlement. They will be coming to visit next week. I likewise had a quiet conversation with Olivia Collier about Corridor K who reiterated the support of the ARC in getting a good highway built. One big takeaway was the degree to which we are partnering with other local governments and nonprofits. I think the State officials were impressed in how well we have been able to leverage talent and money to get so much done, especially in the healthcare arena. Your department managers did a good job in telling their stories. Following this meeting, the Hometown Strong team will take the transcript of the meeting and then work together on a biweekly basis with us to determine how best to proceed.
18. Manager Garland stated that in July, the board unanimously approved to re-pave the county parking lot and the parking lot for the community building. She contacted Beefy Rogers to determine when they would place the paving on the schedule. He said that the projects will be delayed due to the hurricane and all resources were sent east to repair roads, however, he sent a form for a resolution to send back to DOT so that when they are ready to begin the projects, all of the paperwork would be in order. The resolution is attached. Commissioner Williams made the motion to approve the resolution. Commissioner Nelms seconded this motion. Vote unanimous.
19. Manager Garland stated that the NC Rural Center is holding regional policy roundtable discussions (Zero Barriers Regional Policy) during October. One of the roundtables will be located here in Robbinsville on October 9. The roundtable will begin at 9:00 AM and end at 4:00 PM. It will cover healthcare, broadband and small business. The Rural Center will present suggestions of policies that may make a difference, and then they want feedback on what is good, what is bad, and what is missing. They will use feedback to shape specific policy recommendations for the NC General Assembly to consider when it convenes for the 2019 session next January. Commissioner Connie Orr and Commissioner Dale Wiggins would like to attend.
20. Manager Garland stated that she had received the Resolution by Cherokee County regarding Tri-County Community College. The resolution goes through the history, but it defines "administrative area" to include all three counties, and as such, all counties must share in the financial support. Please note that a letter from the Assistant to the President for the NC

Community College system states that Cherokee County is the administrative area of the TCCC. Cherokee County, however, refutes that assertion, which is a legal opinion. They also claim in the resolution that Clay and Graham County's lack of appropriate support has resulted in a strained relationship and placed an unfair financial burden on the taxpayers of Cherokee County. They are requesting legislative action to restore (2) board members each from Graham and Clay Counties. They also want to go with a population formula based on census data from 2010 with a base amount of funding of the Cherokee County allocation for 2019 plus the original Clay County funding, WITH NO MENTION OF THE ALLOCATION GRAHAM COUNTY ALREADY MAKES. This is not an equitable amount of funding for Graham County or Clay County as the population base makes no mention of the sales tax leakage and inequities in tax base. I need to know what if any response Graham County needs to make. I worry that a lack of response to our legislators will indicate that we are ok with this resolution. Commissioner Orr stated that we need to respond to our elected representative. Commissioner Wiggins asks Attorney Coward if another county can legislate any agreement where we have to pay another county. Attorney Coward stated they cannot bind another county into an agreement with the county agreeing. Commissioner Wiggins made the motion to notify whomever that we oppose the resolution. Commissioner Williams seconded this motion. Vote unanimous.

21. Manager Garland stated that the ad campaign has begun for the sales tax referendum. She has ordered 5000 flyers that outline reasons to vote for the referendum and is going to request to have a table at the Stecoah Valley Center fall festival for the County to pass out flyers and do education for the sales tax referendum. She would like it to be a resource table for residents and nonresidents as well, so if she gets permission to be a "vendor" she can educate about the referendum. She also plans to pass out flyers at the polls during One Stop and also on Election Day, as well as make them available in businesses around town. We have placed a billboard ad which will go up toward the end of the week. Attorney Coward stated that he would contact the bar to see about the \$1000.00 contribution for the advertisement.
22. Manager Garland stated that she has received a quote from Logics Software. Manager Garland stated that during budget she spoke about a potential replacement of our finance software package. Our current package while it has been a good package overall has deteriorated in terms of support and keeping up with security issues. Logics Software is cloud based so updates with Microsoft will create less havoc on dependability. On August 15, she had Logics come and do a demonstration with all of the departments and they returned favorable feedback. In addition, the software will include employee self-service and also an automated time keeping system that we can add. She is waiting on that final cost and it can be added later. The cost of the package is \$65,699.00. We paid \$68,000 for Smartfusion in 2012. The annual support will be \$14,040. We are currently paying almost \$20,000 per year in maintenance costs. The software can be paid with our sales tax refund which she estimates to be approximately \$80,000 this year. She has one more item to evaluate this week related to the ACA reporting. The board gave conditional approval during budget to change packages. If she am happy with the ACA she would like approval to move forward. The transition would occur at 12/31 for payroll and probably 6/30/19 for the other aspects of the system unless they can guarantee a clean data transfer. Commissioner Orr made the motion to go with Manager Garland's recommendation and that is Logics Software. Commissioner Wiggins seconded this motion. Vote unanimous.
23. Manager Garland stated that she has included a memo from Edward Cable, the head detention officer, regarding issues with our inmates and ability to house out of county. He has requested the opportunity to bring together officials from surrounding counties and the State regarding the future of the jail and to talk about opportunities to house Federal, misdemeanants, and overflow inmates from other counties. He feels that this would be a good move as you determine next steps for our justice system. She is working on getting the cost of confinement out of county vs. in county. She may need to avail herself of talking with State officials to get a true determination of staffing if we housed fully in-county vs. out of county. In relation to that, she needs to know when and if she can go ahead and release the preliminary report by Heery to other interested stakeholders, such as Judge Coward and the Clerk of Court and how you want to go about re-starting that conversation. Commissioner Wiggins stated that we needed to schedule a public hearing for discussion on a courthouse.
24. Manager Garland stated that she had received a notification from the PILT class action lawsuit. The motion to award attorney fees has been entered. The final settlement will be entered shortly thereafter.

25. Manager Garland asks the board if they made a decision on the Stinnette Tax Appeal. Chairman Eller stated that the value is projected to go to \$99,530.00 in the upcoming revaluation and makes a motion to change the 2018 value to \$99,530.00 from \$116,940.00. Commissioner Williams seconded this motion. Vote unanimous.
26. Manager Garland gave the board some dates to remember for the upcoming meetings. Commissioner Orr stated that she would be attending the TVA meeting. Manager Garland stated that she would be attending the Brookfield meeting on the same day in Asheville.
27. Chairman Eller asks for the discussion items. Manager Garland stated that we have Releases of \$0.42 and Discoveries of \$10,051.59. Commissioner Williams made the motion to approve the releases and discoveries. Commissioner Wiggins seconded this motion. Vote unanimous.
28. Manager Garland stated that we have a request for a NC Permit Application for the Two Wheel Inn Resort. Chairman Eller stated that this is the same paper we signed in the past for the other businesses that state that business is in good standing and is not located near a school. Chairman Eller asks for a motion to approve the application. Commissioner Wiggins made the motion to approve the permit application. Commissioner Nelms seconded this motion. Chairman Eller calls for a vote. Commissioners Eller, Nelms, Orr and Wiggins voted yes. Commissioner Williams voted no. Motion carried four to one.
29. Manager Garland stated that the Election Board had requested that the county courthouse offices be closed to the public on Election Day, November 6th. Commissioner Wiggins made the motion to allow the offices to be closed to the public on this day and staff will be allowed to work in their offices. Commissioner Williams seconded this motion. Vote unanimous.
30. Chairman Eller asks for new or old business. Chairman Eller asks Attorney Coward if we had the property on Ford Street fixed. Attorney Coward stated that they are working on this property and he will get with the property owners.
31. Chairman Eller asks for public comment. No public comment was given.
32. Chairman Eller 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 Williams made the motion to go into closed session as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
33. Commissioner Wiggins made the motion to go back into open session. Commissioner Nelms seconded this motion. Vote unanimous.
34. Chairman Eller asks for a motion to allow DSS Employee Kammie Smith to use 3 ½ days of leave without pay. Commissioner Nelms made the motion to allow the leave without pay due to illness. Commissioner Williams seconded this motion. Vote unanimous.
35. Chairman Eller asks for a motion to adjourn. Commissioner Nelms made the motion to adjourn. Commissioner Williams 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