

Regular Meeting – September 3, 2019

The Graham County Board of Commissioners met Tuesday, September 3, 2019 at 5:30 p.m. for their regular monthly meeting in the Graham County Community Building located at 196 Knight Street Robbinsville, NC. Board present: Lynn Cody, Jacob Nelms, Keith Eller and Connie Orr. Board absent: Dale Wiggins. Chairman Wiggins and Manager Garland were attending an ARC meeting in Asheville.

1. Vice-Chairman Cody called the meeting to order.
2. Vice-Chairman Cody asks Commissioner Nelms to give the Invocation.
3. Vice-Chairman Cody asks Commissioner Orr to lead the Pledge of Allegiance.
4. Vice-Chairman Cody asks for changes to the agenda. Clerk Crisp stated that we needed to delete Items #9 and amend Item #10 Attorney Coward will be presenting for Vaya Health instead of Shelly Foreman. Commissioner Orr made the motion to approve the agenda with the stated changes. Commissioner Eller seconded this motion. Vote unanimous.
5. Vice-Chairman Cody asks for approval of the Workshop Session and Regular Meeting Minutes of August 20<sup>th</sup>. Commissioner Eller made the motion to approve the minutes as stated. Commissioner Orr seconded this motion. Vote unanimous.
6. Vice-Chairman Cody asks Wanda Austin with NCDOT to speak. Clerk Crisp stated that Ms. Austin was not present.
7. Vice-Chairman Cody asks Dale Wade and Debbie Reese with the US Census to speak. Ms. Reese stated that she was a partnership specialist for the 2020 Census was proud to join the workforce of over five hundred thousand to count all “once”. Ms. Reese stated that they are here to do a complete count, educate, encourage and engage people to be counted. Ms. Reese stated that the US Census is a pillar of American Democracy and started in the Constitution Article 1 Section 2 Clause 3 that a population head count would be done every ten (10) years. Ms. Reese stated that this is very important to our justice, common welfare, securing just representation, and establishing the number of representatives and electors with the Electoral College. Ms. Reese stated that this is formed for equitable debt distribution to the states and the first count was held in 1790 where Thomas Jefferson who was the 1<sup>st</sup> Director and the count took eighteen months to complete. Ms. Reese stated that today we can do the census online, by mobile telephone or paper. Ms. Reese stated that \$675 million dollars is distributed because of the headcount. Ms. Reese stated that our county has had a shortfall of response in the past and with a complete count committee formed we hope everyone will come together to remove all barriers for this count. Ms. Reese stated that everyone could self-respond and serve as a trusted voice to the community so that others will be confident in completing their census. Ms. Reese stated that our school systems need to educate the children who will in turn educate their parents to be counted. Ms. Reese stated that we are trying to recruit help in Graham County and asks Mr. Dale Wade to present the recruitment.
8. Mr. Wade stated that the 2020 Census is now hiring (\$13.50 in NC; \$14.00 in Towns & Union County plus .58 cents per mile). Mileage is tax-free. All positions are part-time temporary and will continue in waves through fall 2020. Mr. Wade stated that you set your work schedule to fit around any other commitments. Mr. Wade stated that current work is to update the address database that will be used to mail information explaining how to file online. You will use a government issued I-pad with a google map showing addresses in the area and your job is to drive by and visually verify addresses of places where people could live. Mr. Wade stated that you will learn how to do your job during paid training, which is typically done locally, and you will work in the county you live in. Mr. Wade stated that these jobs are a great way to earn extra money while helping your community get an accurate census count, which determines how many federal tax dollars flow to your community (school lunch program, roads, etc.), as well as the number of representatives sent to Congress from your area. Mr. Wade stated that you can apply online at [www.2020Census.gov/jobs](http://www.2020Census.gov/jobs) and once you have created an account on that website, it should take less than 30 minutes to complete the application. No resume is required. You must be at least 18 years old, be a U.S. Citizen, have a valid social security number, email address and not currently be in law enforcement or active military (National Guard is fine). Mr. Wade stated that they are counting people and not interested in anything else you might notice and it is his understanding past mistakes will be ignored as long as any debt to society has been paid. Mr. Wade stated that the sooner you apply, the sooner you will be placed in the applicant pool. Mr. Wade stated that address verification is currently underway, but hiring continues until full staffed and then to fill vacancies.

9. Vice-Chairman Cody recognized Representative Kevin Corbin. Representative Corbin stated that he attended a meeting at the Graham County Schools with Commissioner Orr and she had asked that he stop in. Representative Corbin stated that \$10 million has been placed in the budget for our schools and when the governor signs the budget those funds will be distributed. The board thanked Representative Corbin for his work for Graham County.
10. Vice-Chairman Cody asks Dillon Chase Lancaster to speak. Mr. Lancaster stated that he has been a resident of Graham County since October 2018 and eight months ago, he received a letter from Attorney Coward that he was banned from the courthouse. Mr. Lancaster stated that he had an incident with a deputy Mike Dely concerning his mother. Mr. Lancaster asks what he can do to be unbanned so that he can go to the courthouse without supervision. Mr. Lancaster wanted the facts to show that he did run the deputy to the courthouse because he was doing unlawful things while wearing a badge and he called him out. Mr. Lancaster stated that Mr. Dely has been released of his duties in Graham County. Mr. Lancaster stated that in January, an attempt was made on his life and he went to the magistrate but no charges were filed. Mr. Lancaster stated that charges were then taken on him but was dismissed. Mr. Lancaster stated that he is trying to get custody of his daughter, he has went two times to the magistrates for help, and they would not help him. Mr. Lancaster stated that he has put several applications in at the Sheriff's Department and he is an Army Veteran with an Honorable Discharge. Mr. Lancaster stated that he loved helping people and with his background, he wanted to be in law enforcement. Commissioner Orr asks if Mr. Lancaster wanted to go back into the military. Mr. Lancaster stated that his focus at this time is to get custody of his daughter. Mr. Lancaster asks that the board help him find a job and help him be allowed to go back to the courthouse without security. Vice-Chairman Cody stated that the magistrates work for the Clerk of Court and she is an elected official and the board cannot tell the Sheriff whom to hire. The board asks that Attorney Coward get with Tammy Holloway, Clerk of Court about the banning issue. Commissioner Eller stated that this board did not ban Mr. Lancaster from the courthouse property.
11. Vice-Chairman Cody asks Attorney Coward to speak on Vaya Health. Attorney Coward stated that Shelly Foreman had to be in Jackson County for a presentation and had ask that he present a resolution to the board for their consideration concerning Vaya Health. Attorney Coward stated that legislation has underfunded Vaya and have not supplied sufficient funds for the LME/MCO's and this upcoming budget takes another \$12 million from them which will eventually fall to the counties to fund. Attorney Coward stated that Graham County is a member of Vaya Health and they are responsible for management and oversight of publicly funded mental health, substance abuse disorder and IDD services for over 270,000 Medicaid covered and uninsured individuals across twenty-two western North Carolina counties. Attorney Coward stated that Vaya has already invested \$18.5 million of its Medicaid savings in a broad array of initiatives designed to directly address the needs of the citizens of Graham County including but not limited to expanding Facility Based Crisis and Behavioral Health Urgent Care services, implementing an innovative evidenced based service to support children aging out of the foster care system, distributing opioid overdose reversal kits and increasing provider rates and expanding Medication Assisted Treatment. Attorney Coward stated that state funding for North Carolina's behavioral healthcare system has been inconsistent and inadequate for more than 17 years since mental health reform legislation was passed by the North Carolina General Assembly in 2001 and they have reduced funding for behavioral health services by more than \$458 million statewide over the past four years including more than \$48 million in cuts to single stream funding to Vaya alone while requiring Vaya and other LME/MCO's to continue offering the same level of state funded services as before such reductions. Attorney Coward stated that Vaya did continue this level of care and they have spent down their fund balance to the point where they only have enough funds to operate for 19 days of care. Attorney Coward stated that VAYA is asking all 100 counties to adopt a resolution asking the NC General Assembly to stop cutting Vaya Health's State single stream funding so that such funds can be utilized to strengthen access to health care services for the mental health, intellectual/developmental disabilities, and substance use disorder needs of uninsured and underinsured Graham County citizens and to allow Vaya Health to build up its Medicaid savings so that Vaya can reinvest in services and supports for our communities rather than mandating that such funds be used to replace reduced State funding. Commissioner Orr made the motion to adopt the Resolution in support of funding to meet the Mental Health, Intellectual/Developmental Disabilities, and Substance

Use Disorder service needs of the citizens of Graham County. Commissioner Nelms seconded this motion. Vote unanimous.

12. Vice-Chairman Cody asks Gavin Colvard, Sanitation Director to speak. Clerk Crisp stated that he cancelled due to Manager Garland being unable to attend the meeting.
13. Vice-Chairman Cody asks for the Manager's Report. Clerk Crisp stated that she would be presenting the report for Manager Garland who was attending a meeting in Asheville for an ARC Pre-conference meeting with Olivia Collier, Jim McCleskey and Chairman Dale Wiggins.
14. Clerk Crisp stated that at the last meeting, the board discussed a new phone system and they were leaning toward the Cisco system because we have been using Cisco technology since 2006. Clerk Crisp stated that under the NC General Statutes for procurements, since the system is under \$100,000 we were able to use the informal bidding process and with information technology, we are allowed more flexibility by allowing contracts to be awarded based on the best overall proposal instead of the lowest responsible bidder. Clerk Crisp stated that Manager Garland asks that the board make a final decision tonight with a vote. Commissioner Orr made the motion to go with Cisco for our new phone system. Commissioner Eller seconded this motion. Vote unanimous.
15. Clerk Crisp stated that Manager Garland had found more surplus property and she needs board action to surplus these items.
  - a. Old stove equipment at the Senior Center
  - b. Generac pressure washer 4000 psi
  - c. 10 HP Briggs and Stratton Riding Mower
  - d. Carolina Shop Press 30 ton
  - e. 16 Speed Drill Press
  - f. Carolina Shop Hand 5000 Cherry Picker
  - g. (5) Diving Stands

Commissioner Eller made the motion to surplus the items as stated for the September 21 auction at the Sheriff's Department. Commissioner Orr seconded this motion. Vote unanimous.

16. Clerk Crisp stated that Mr. Hill, our sanitation inspector has strongly recommended grounding our trailers that go to Ballground until such, time that we either get them repaired or replaced. Clerk Crisp stated that the cost that Manager Garland received to repair the trailers was \$20 to \$25 thousand each to fully repair. Clerk Crisp stated that Randy Rogers is in the process of patching one trailer to get in minimal compliance until the board decides the best step. Clerk Crisp stated that Mr. Hill also informed Manager Garland stated that by 2021 the state regulations would be to create a concrete pad with a leachate drain. The board had discussion and agreed to get pricing for new trailers and to poll the board if one needs to be purchased prior to the next meeting.
17. Clerk Crisp stated that Manager Garland is still trying to get a meeting with the USFS about the Fontana Heights dumpsite.
18. Clerk Crisp stated that Manager Garland had the Closed Landfill retested due to the test being slightly above where it needed to be and the test came back again at this reading. Clerk Crisp stated that Municipal Engineering has submitted the report to NCDENR and we are in the wait and see mode with the State. Manager Garland stated that the State may send out an advisory letter and the (100) page inspection report is available in her office for inspection.
19. Clerk Crisp stated that our 911 Open House is scheduled for Friday, September 20 at the 911 Call Center between 10:00 A.M. AND 2:00 P.M. and this has been advertised in the paper.
20. Clerk Crisp stated that Manager Garland had received the road naming specifications from NCDOT for a change in Tapoco Road from Knight Street up Highway 129 after Ronnie Milsap. Manager Garland will be working on a resolution for the board to pass for the next board meeting and a public hearing will need to be scheduled. Clerk Crisp stated that a fee of \$2,000.00 from Graham County to NCDOT would be necessary as an administrative fee as well as three letters of recommendation from business, civic/service organization and indication of family support. Commissioner Orr stated that she would ask to see if the fee could be waived.
21. Clerk Crisp stated that Manager Garland has been invited to be a guest speaker for the EDP Conference October 9<sup>th</sup> and 10<sup>th</sup> in Sanford. Manager Garland stated that Graham County has created partnerships to create better health outcomes and Mike Hawkins, a commissioner from Transylvania County is a board member from NCEDP who has been speaking with Maggie Sauer from the NCDHHS – Office of Rural Health.
22. Clerk Crisp stated that a meeting scheduled with the Duke Endowment representative for the paramedicine grant would be Friday, September 6<sup>th</sup>.

23. Clerk Crisp stated that Beverly Elliott has invited the board to attend the Rural Strong Seminar on September 17<sup>th</sup> at the Haywood Community College. Manager Garland stated that they would be presenting the SBA and USDA Vision for Rural Communities as well as speaking about Opportunity Zones. Commissioner Orr stated that she would be attending this meeting.
24. Clerk Crisp stated that Manager Garland had received some email correspondence last week referring to a federal highway bill that would allow Appalachian States to revert ADHS funding (Corridor K) back to the federal government at which point the feds would re-appropriate for general highway purposes back to the Appalachian states. Manager Garland gave the board an email from ARC representative that said it could be good for NC if TN were to decide to vacate their ADHS funds, which could mean that NC could claim them.
25. Clerk Crisp stated that the Nantahala Health Foundation (part of Dogwood Foundation) is announcing opening of their grant process and this will be a good source for health related grants.
26. Clerk Crisp stated that Manager Garland had listed the dates to remember of the upcoming meetings.
27. Vice-Chairman Cody stated that we would go to the discussion items and asks for approval of the Releases for \$4495.52 and the Discoveries for \$7,887.34. Commissioner Eller made the motion to approve the Releases and Discoveries as stated. Commissioner Orr seconded this motion. Vote unanimous.
28. Vice-Chairman Cody asks Clerk Crisp about the Modular Units for Four Square. Clerk Crisp stated that Four Square are needing to replace their Modular Units behind the Graham County Rescue Squad Building and they need permission from the landowner for this replacement. Graham County funds will not be used for this project. Commissioner Orr made the motion to allow Four Square to replace their modular with new ones on the property as stated. Commissioner Nelms seconded this motion. Vote unanimous.
29. Vice-Chairman Cody asks for approval of the poll that was taken on August 26<sup>th</sup> regarding a Letter of Support for House Bill 655. Commissioner Nelms made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
30. Vice-Chairman Cody stated that the board needed to reappoint Connie Orr to the Region A Advisory Council. Commissioner Eller made the motion to reappoint Commissioner Orr to the Region A Advisory Council. Commissioner Nelms seconded this motion. Vote unanimous.
31. Vice-Chairman asks for new or old business. Commissioner Orr stated that about one year ago she discovered that Graham County has access to Respite Care monies through the Council of Aging for family members of dementia or Alzheimer's and zero dollars were spent in our county. Commissioner Orr notified Sawyers Care and others and to date we have used \$3,370.00 of this state money. Commissioner Orr stated that this has been very helpful for many people and asks that people get the word out about this funding and you can call 828-586-1962 for more information.
32. Vice-Chairman Cody asks for public comment. No public comment was given.
33. Vice-Chairman Cody stated that the board would need to go into closed session under G.S.143-318.11(a) (1) (3) for privileged or confidential information and attorney-client privilege. Commissioner Orr made the motion to go into closed session as stated. Commissioner Nelms seconded this motion. Vote unanimous.
34. Commissioner Nelms made the motion to go back into open session. Commissioner Orr seconded this motion. Vote unanimous.
35. Vice-Chairman Cody asks for further business. No further business was discussed.
36. Commissioner Nelms made the motion to adjourn. Commissioner Orr seconded this motion. Vote unanimous.

Signature page attached!

Signature page for Regular Meeting September 3, 2019

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Dale Wiggins, Chairman, Graham County Board of Commissioners

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Lynn Cody, Vice-Chairman, Graham County Board of Commissioners

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Keith Eller, Member, Graham County Board of Commissioners

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Jacob Nelms, Member, Graham County Board of Commissioners

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Connie Orr, Member, Graham County Board of Commissioners

ATTEST:

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Kim Crisp, Clerk to the Board