

Regular Meeting – April 16, 2019

The Graham County Board of Commissioners met Tuesday, April 16, 2019 at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. Board present was Dale Wiggins, Keith Eller, Connie Orr and Lynn Cody. Board absent was Jacob Nelms.

1. Chairman Wiggins called the meeting to order.
2. Chairman Wiggins asks Commissioner Cody to give the Invocation.
3. Chairman Wiggins led the Pledge of Allegiance.
4. Chairman Wiggins asks for approval of the agenda. Manager Garland stated that we needed to delete Item #6 Sophia Paulos who is traveling. Commissioner Eller made the motion to approve the agenda with the change as stated. Commissioner Cody seconded this motion. Vote unanimous.
5. Chairman Wiggins asks for approval of the April 2, 2019 Regular Meeting Minutes. Commissioner Eller made the motion to approve the minutes as stated. Commissioner Cody seconded this motion. Vote unanimous.
6. Chairman Wiggins asks for the finance and manager's report. Manager Garland stated that the county ended the month of March with an \$8,912,179.47 cash balance and we are still due monies from the 911 Board and for Transit Vans. Manager Garland stated that we are below from this time last year mostly due to the monies still owed to the county. Manager Garland stated that we have current year tax payments of \$102,306.56 and prior year of \$13,482.86 for a monthly total tax collection of \$115,789.42. Manager Garland stated that we have collected \$36,586.56 in DMV Taxes. Manager Garland stated that our debt set-off is going well and we are receiving payment from this process. Manager Garland stated that our year to date tax collections are \$6,126,794.95 and our DMV \$353,460.16 leaving us with a \$32,558.74 surplus from this time last year. Manager Garland stated that our tax collection rate is 95.23%. Manager Garland stated that our revenues for the month are \$778,353.03 and our expenditures were \$1,343,013.69. Manager Garland stated that she had to pay our note payment on the P&J building but our surplus to date is \$1,956,509.07. Manager Garland stated that she is beginning to watch the budgets closely in order to keep our surplus healthy, which will help us in our construction of a new justice center. Manager Garland stated that we collected \$135,256.17 in sales tax for the month, which is up from this time last year. Manager Garland stated that we have collected \$475,803.43 in past due taxes giving us a total collection of \$617,684.14.
7. Manager Garland stated that we should be at 25% in our budget and we are at 34% and commends the department heads for watching their spending. Manager Garland stated that she would be cutting off purchase orders on May 31.
8. Manager Garland stated that she has Budget Amendment #8 for the board approval. The budget amendment is to recognize additional JCPC discretionary funds for the administrative services for \$400.00; Commissioner Cody made the motion to approve Budget Amendment #8. Commissioner Eller seconded this motion. Vote unanimous.
9. Manager Garland stated that she would now go to the manager's report. Manager Garland stated that legislation was introduced by Senator Lindsey Graham of SC in Congress to place land in trust for the Catawba Indian Nation for gaming purposes within the State of North Carolina. The bill was co-sponsored by Senators Richard Burr and Thom Tillis. Manager Garland stated that Chief Sneed presented the issue at the last Southwestern Commission meeting and underscored the positive economic impacts that the Cherokee Casino has made for Western North Carolina and how another casino in North Carolina will serve to erode these positive impacts to our region. Manager Garland stated that they are asking that each county board in the western seven counties pass a resolution opposing the legislation. Commissioner Eller made the motion to pass a resolution opposing this legislation. Commissioner Cody seconded this motion. Vote unanimous.
10. Manager Garland stated that the county had met with two officials from Federal Highways last Tuesday to go over the results of the public comment period and they received 500 comments from the public not including the environmental stakeholder's comments. Manager Garland stated that 144 of those comments opposed the scenario through Jutts Creek and 10 opposed going through the Trail of Tears option of Long Creek. Manager Garland stated that 115 of the comments supported upgrading the existing roadway and we were informed that there is currently \$211 million in the Appalachian Highway fund. Manager Garland stated that this amount would only take us from Stecoah to Robbinsville. Manager Garland stated that the

representative from Cherokee County stated that he would support using the money from Stecoah to Robbinsville with the following priorities:

- a. Stecoah to Robbinsville
- b. Robbinsville to Topton
- c. Topton to Andrews

Priorities 2 and 3 would have to be state funded with these projects falling into the STIP competition. Manager Garland stated the Federal Highway stated that they want to get the Stecoah to Robbinsville underway as soon as possible without having to do an Environmental Impact Statement but she is unsure how this will be done.

11. Manager Garland stated that we had a quick and positive meeting with Governor Cooper last Friday. Manager Garland stated that the Governor met with Michelle Shiplet and town officials about the revitalization efforts with the town. Manager Garland stated that the Town of Robbinsville was named Downtown Strong a few weeks ago. Manager Garland stated that Juanita Colvard and Claudine Gibson did speak with him on the mammography and the CT suite and he was excited about all of the efforts in making Graham County a stronger, more sustainable community. Manager Garland spoke with Drew Christy, the Governor's Western Aide about our issues with conservation easements and he is happy to meet with us about the problem of our eroding tax base.
12. Manager Garland stated that we were apprised a few days ago that Mainspring (formerly known as Little Tennessee Land Trust) has acquired 500 acres in Graham County. Manager Garland stated that if this land were placed in conservation trust we would lose more tax base.
13. Manager Garland stated that we are having some issues with our lifeguard training. We will need six certified lifeguards and the class is held in Asheville. Manager Garland stated that we are hoping all the lifeguards will be able to attend the required training.
14. Manager Garland stated that EMS Director Larry Hembree received an email from the project consultant on the AT&T tower at Wachacha Bald and according to their consultant; AT&T would have to bear the cost to tear down and reconstruct the tower. Manager Garland stated that the board might want some rent consideration due to the cost of the reconstruct.
15. Manager Garland stated that we re-advertised for the CDBG grant and we only received the one proposal, which was from Withers Ravenel. Manager Garland stated that she has emailed Commerce about this issue because we have to get the environmental study completed by May 13th. Manager Garland stated that she would have to submit a letter to CDBG requesting to use the only firm that proposed. The board wanted to table the decision to hire Withers Ravenel to discuss the proposed costs to administer the grant.
16. Manager Garland stated that the USFS is going to be proposing new user fees. Manager Garland stated that the Swan Cabin is going to be reconstructed and those fees will go from \$25.00 per night to \$50.00 per night to offset construction cost. Manager Garland stated that they would also be proposing new fees for the trails at Tsali from \$2.00 to \$5.00. Commissioner Eller stated that we sent a resolution years ago requesting no increases. Commissioner Eller stated that they are also charging \$5.00 per car for anyone using the Cheoah Beach. Manager Garland stated that she also received an email that the upper Horse Cove Campground will be closed due to water issues.
17. Manager Garland stated that we have located a consultant to come into the county and map the fiber that we actually own. Manager Garland stated that in meeting with Balsam West and reviewing our crude drawings made in the 1990's we do not have a full sense of where our fiber is located. Manager Garland stated that the consultant charges \$1000.00 per day and he estimates that he will be here three days. The board all agreed that we need to know where our fiber is located and gave a directive to Manager Garland to move forward.
18. Manager Garland stated that County Assembly Day is May 8th the day after the county commissioner meeting and stated that she and Commissioner Orr would need to miss the May 7th meeting. Manager Garland stated that it is vital that we attend to discuss our occupancy tax issues and our issues with conservation trusts. The board all agreed that Commissioner Orr and Manager Garland needed to attend this meeting. The board discussed postponing the meeting to another day.
19. Manager Garland stated that we needed to set Budget Workshops. The board all agreed to meet every Friday in May and start at 9:00 a.m.
20. Manager Garland gave the board some dates to remember: April 17th Senior Center Advisory Committee Meeting at 1; 00 p.m.; May 8th County Assembly Day in Raleigh; May 10th Public Employment Law Update in Asheville (admin staff will be attending); May 29 -31 Homegrown Leaders, Cullowhee; May 31 NCDOT Complete Street Workshop in Sylva; June 11-12 NCDHHS

Opioid Misuse and Overdose Summit in Raleigh; June 20th UNC School of Government State Treasurer Conference and June 30th is the budget deadline.

21. Chairman Wiggins asks for public comment. Attorney Coward thanked Graham County for the flowers that was sent at the passing of his mother, Betty Stillwell. Attorney Coward stated that his mother loved flowers. Attorney Coward also thanked Commissioner Orr and Manager Garland for attending the service.
22. Chairman Wiggins stated that the board would now go to the discussion items. Chairman Wiggins asks Commissioner Orr to speak on the Conservation Easements. Commissioner Orr stated that we need to find a way to stop any additional land sales to be dropped from our tax base. Commissioner Orr stated that she has called Representative Corbin to discuss this issue with him. Commissioner Eller stated that we have passed a resolution in the past on this issue as well. Attorney Coward stated that in the conservation easement the tax is not removed from the tax base it is just greatly reduced. Commissioner Orr stated that 117 acres on East Buffalo was put in this easement, which will mean no more logging in this area ever again. Attorney Coward stated that some landowners are giving an easement to the water on the property and not to the land itself and in this case, the tax should not be reduced. Chairman Wiggins stated that there are 1000 acres in Snowbird that is of concern as well and this will have ramifications to the taxpayers eventually. Attorney Coward stated that he would look into the legislation and see if we can argue over the value.
23. Chairman Wiggins stated that we needed to reappoint RDA board members Brian Johnson and Edd Satterfield for one-year terms. Commissioner Orr made the motion to reappoint the two board members as stated. Commissioner Cody seconded this motion. Vote unanimous.
24. Chairman Wiggins stated that we needed to approve the poll for the Budget Amendment of \$12,000.00 for the Duke Energy funds. Commissioner Orr made the motion to approve the poll as stated. Commissioner Eller seconded this motion. Vote unanimous.
25. Chairman Wiggins asks for new or old business. No further business was discussed.
26. Chairman Wiggins 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 Eller seconded this motion. Vote unanimous.
27. Commissioner Orr made the motion to go back into open session. Commissioner Cody seconded this motion. Vote unanimous.
28. Commissioner Eller made the motion to grant leave without pay to Ashley Ford, Wess Hooper and April Morefield. Commissioner Orr seconded this motion. Vote unanimous.
29. Chairman Wiggins asks for a motion to adjourn. Commissioner Orr made the motion to adjourn. Commissioner Cody seconded this motion. Vote unanimous.

Dale Wiggins, Chairman, Graham County Board of Commissioners

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

Keith Eller, Member, Graham County Board of Commissioners

Jacob Nelms, Member, Graham County Board of Commissioners

Connie Orr, Member, Graham County Board of Commissioners

ATTEST:

Kim Crisp, Clerk to the Board