

Regular Meeting – April 21, 2020

The Graham County Board of Commissioners met Tuesday, April 21, 2020 at 5:30 p.m. by teleconference for their regular monthly meeting in Robbinsville, NC. All board was present. Also present was Manager Garland, Health Director Beth Booth, Project Manager Jason Marino, Attorney Coward, Brady Cody, John Colwell, Graham Star Editor Kevin Hensley and Jim Hagar.

1. Chairman Wiggins called the meeting to order.
2. Chairman Wiggins asks Commissioner Nelms to give the Invocation.
3. Chairman Wiggins asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Wiggins asks for changes to the agenda. Manager Garland stated that we needed to delete Item #7 Brady Cody and Item #8 Sophia Paulos. Manager Garland stated that Ms. Paulos sent a copy of her report electronically. Commissioner Orr made the motion to approve the agenda with the requested changes. Commissioner Cody seconded this motion. Vote unanimous.
5. Chairman Wiggins asks for a motion to approve the April 7, 2020 Regular Minutes; March 29, March 31, April 2 and April 6, 2020 Continued Emergency Meeting Minutes. Commissioner Orr made the motion to approve the minutes as stated. Commissioner Eller seconded this motion. Vote unanimous.
6. Chairman Wiggins asks Health Director Beth Booth to give an update on COVID19. Director Booth stated that we now have 6000 cases in North Carolina with zero cases in Graham County as of 5:00 p.m. today. Director Booth stated that we have had 117 tests across the county. Director Booth stated the death rate jumped by 20% over the weekend for the State and Governor Cooper reported today that he would begin to ease restrictions in May via a press conference as well as discuss our school closings.
7. Chairman Wiggins stated that EDC Director Sophia Paulos sent her report in to the board.
8. Chairman Wiggins asks Manager Garland to give the finance and manager's report. Manager Garland stated that our cash balance for the month is \$10,294,762.10. Manager Garland stated that our current year tax collections was \$143,848.23 our prior collection of \$6,250.27 and our DMV collection was \$44,211.22 of which we are tracking ahead from this time last year. Manager Garland stated that she suspects that our tax collections will fall off for the month of March due to COVID19 but our tax collection rate at this time is 93.35%. Manager Garland stated that our total tax collection to date is \$6,758,874.55 and our DMV is \$356,425.18. Manager Garland stated that she is thankful for our healthy fund balance, which allows us to continue providing services through this COVID19 crisis.
9. Manager Garland stated that our Revenues for the month was \$1,012,213.40 and our expenditures was \$1,148,994.53 giving us a deficit of \$136,781.13. Manager Garland stated that our year to date revenues was \$12,484,950.43 and our expenditures was \$9,902,638.52 giving us a surplus of \$2,582,311.91.
10. Manager Garland stated that our sales tax collection for the month was \$185,618.70.
11. Manager Garland stated that our past due tax collections still due are \$347,634.50 but we have collected \$627,047.64.
12. Manager Garland stated that she will begin to dive deep in the budget in the next coming days but currently we are holding at 33% and he is very pleased to see this percentage. Chairman Wiggins stated that the county could be receiving federal dollars to assist the counties during this COVID19 crisis and asks that people email our representatives in support of this funding. Chairman Wiggins stated that Commissioner Orr is one of our NCACC Board of Directors and they are working hard to obtain this funding. Chairman Wiggins stated that the funding will be based on population and the county could receive \$750,000.00 and this will go a long way to make sure that our public safety is taken care of in the event of a COVID19 surge. Commissioner Orr stated that she will be having a conference call with Jim McCuskey who will assist us in this process and this is wonderful news.
13. Manager Garland stated that this past month has been a whirlwind of activity setting up a COVID19 Website, checkpoints, setting up a permitting system where we issued over 1600 work and part-time resident permits, and fielded hundreds of calls per day and emails with questions about the permits and appeals for clemency to enter the county. Manager Garland stated that we have had multiple ZOOM meetings and other virtual meetings to attend related to employment law and fiscal effects of the virus. Manager Garland stated that in addition we have started the process of obtaining FEMA reimbursements for the COVID19 disaster costs, and tried to keep up with numerous Governor's Executive Orders. Manager Garland stated that we have tried to keep up with all the changes as best as possible including the checkpoint changes.

Manager Garland stated that all accommodations are closed, the curfew is still in effect and we are adhering to all of the guidelines as set forth by the Governor. Manager Garland stated that she would be working with Kevin King, Swain County Manager to see if the Southwestern Commission can organize a regional call to review all of the social distancing orders that each county in Region A has implemented and to discuss a potential regional approach to the gradual reopening of the counties.

14. Manager Garland stated that regarding the issue of the checkpoints and the costs, the COVID19 crisis is a FEMA designated national disaster. Manager Garland stated that as soon as the Governor and the President declared the emergency status, EM Director Larry Hembree and she began working with the State Emergency Management to begin the process of working toward reimbursements of all of our costs. Manager Garland stated that they began working to get the registration in place and all of the paperwork in order to make requests for reimbursements of all costs we are incurring to respond to this emergency. Manager Garland stated that this does not just include checkpoints and closures, but includes costs from administration, the health department, and DSS. Manager Garland stated that our staff was given the directive to stand up checkpoints for road closures in a four working day period. Manager Garland stated that this including putting a permitting process in place for the nonresidents, we had to locate a contractor who not only had the supplies (light stands, generators, traffic signage, cones, barriers of (3) varieties and staffing to man the checkpoints), who were experienced in dealing with disaster situations, were FEMA certified and had many years of experience in working with FEMA and getting their costs reimbursed. Manager Garland stated that this certification is vital in defending costs as we submit our requests for reimbursements and we will have a high level of documentation. Manager Garland stated that FEMA requires safety officers and appropriate supervision to comply with OSHA standards. Manager Garland stated that they required staff to bring provisions and fuel for generators, which may seem an easy operation but was actually complicated. Manager Garland stated that the two checkpoints that had to be added because of State mandates, required additional labor because they were riskier portals of entry without good communications and more risk of contentious situations. Manager Garland stated that this dictated having more staff for safety reasons. Manager Garland stated that people are asking how it could have been so expensive, and the calculations are for the \$17,000.00 per week, per checkpoint manpower charges averaged out to being \$16.86 per man hour and this amount included payroll burden costs of the wage, FICA, worker's comp and general liability insurance costs. Manager Garland stated that the whole operation was not cheap and could be have gotten another contractor, probably so, but not within a four day period. Manager Garland stated would we have bid it off in a normal scenario, absolutely, however, in a State of Emergency, FEMA says under 2CFR200, local governments are allowed to make emergency and exigency procurements without a bidding process when the health and safety of the public is at risk and time is of the essence. Manager Garland stated that a bidding process would have taken no less than three weeks to implement. Manager Garland stated that she feels because of our good relations with the State, having stayed out ahead of the situation and having former Congressman Mark Meadows as President Trump's Chief of Staff helps to be more optimistic. Manager Garland stated that in addition, we have been diligent in our documentation and her experience in working with federal agencies helps to fell that optimism. Manager Garland stated that it may take time to see the reimbursement but we have made a real dent in slowing the spread in this county and slowed down the effects to a degree. Manager Garland stated that the checkpoints were a tangible sign that our commissioners and local government were hard at work helping to slow the curve and we could not sustain the cost of the checkpoints over a long period. Manager Garland stated that our staff wear many hats and with this crisis, we are wearing additional ones so our staff would not have been equipped to operate the sites and many would not be physically equipped to operate the sites. Manager Garland stated that some staff have been furloughed due to underlying health conditions and high-risk situations and we are not insured to have staff on major highways in such risky situations. Manager Garland stated that there was no good scenario here and we are bound to be criticized and second guessed but feels that the board of commissioners made the best decisions before and during the process in such a rapidly changing environment where things where changing moment by moment. Manager Garland stated that the staff acted in good faith to accomplish the goal and mission that was set before our staff and with has limited resources but we got it done. Manager Garland stated that our government was efficient, the question of effectiveness will be up for debate by many and mistakes were made by not bringing the full bill to the attention of the commissioners timely enough, although never intentional. Manager Garland stated that we had battle fatigue, multiple priorities, phone calls and emails at a nuclear rate from many sources and we logged many hours of overtime in a short span of two weeks to ensure that we kept the

people safe in a very dangerous and unpredictable time. Manager Garland stated that she met with some department heads to brainstorm on sending a strong message from administration that regardless of the rapid changes we are encountering; our local government staff is here for you. Commissioner Nelms sat in for a few minutes on the meeting as well as Chairman Wiggins calling in to reassure staff that our 24/7 efforts were appreciated. Manager Garland stated that we reviewed many of the Facebook questions and posts to get a sense of the questions and issues raised by the public and we categorized the feedback and found that many of the issues surround the obvious worries of staying well and getting the food, supplies and services to the county that are necessary to sustain our population over the coming months. Manager Garland stated that we formulized an information resource guide for COVID19 that will appear on the Graham Star this week that lists food resources in the County as well as other services and will be posted on Facebook. Manager Garland stated that she is planning daily updates from various department heads that are on the front lines of this crisis so that the public can see what their local government is doing behind the scenes in a less "visible" means to ensure safety and security. Manager Garland stated that she has been working with the faith based community and nonprofits and have been meeting with them for over two weeks to deal with the issue of making sure that people have enough food. Manager Garland stated that she would be working this week to formalize that process where the Senior Center will act as a call center to people to get the help they need. Manager Garland stated that the Baptist Men on a Mission is willing to collaborate with us for volunteer efforts to ensure people are able to access the essentials in this time of need. Manager Garland stated that the best thing we can do as a community is channel our energies toward helping with these efforts. Manager Garland stated that updates would be coming as they move along on redirection of resources towards making positive inroads to getting the mission accomplished in keeping everyone safe, well and fed.

15. Manager Garland stated that we have a good board who tries their best to stay in front of all the rapidly changing developments as well as having a great team of department managers who are committed to providing the highest level of service possible regardless of the situations in which we find ourselves and during our meeting yesterday, we did a quick reassessment of where we are now against pre-COVID19. Manager Garland stated that she acknowledged mistakes made, but also affirmed that the only way that we can ever protect ourselves from making mistakes is by doing nothing in the face of a crisis and the key to long term success is not whether we make mistakes but if we learn from those mistakes. Manager Garland stated that she does sit back and second-guess herself at times but not one person on this team from the commissioners down to the lowest paid person on our payroll who do not take the health and safety of the people seriously. Manager Garland stated that now is not the time to second guess but the time for action and we need people who are serious about beating the invisible enemy to step up and help and together is better. Manager Garland stated that we are #teamgraham!
16. Manager Garland stated that our capital projects reporting and grants are:
 - a. Courthouse – Mr. Marino has met with Duke Energy at Fort Hill site several times during this hectic period and has provided our consultant with the detailed topo map of the site and he is pushing on them daily to finalize the stacking and blocking model of how a justice center could be positioned on our property.
 - b. Recreation and Cemetery Buildings – Mr. Marino stated that the engineering work on the sites is moving slowly but the engineering firm is working hard to get their final plans to us by last next week.
 - c. Paramedicine Program – Manager Garland stated that we have been working in spite of social distancing and the coordinator is working with our standing group she referred to earlier in her report as a community resource. Manager Garland stated that Medic Hyde is doing most of his work via phone and facetime and his patient base is growing. Manager Garland stated that she submitted the first grant report to ARC week before last and will be submitting the mammography report later this week.
17. Manager Garland stated that the NCACC is proposing that counties evaluate whether they need to do interim budgets and whether they should propose to the General Assembly that we go with a September 30 year-end for this fiscal year. Manager Garland stated that an interim budget is not an easy proposition because you fall in revenue, you would not be able to evaluate a new tax rate and we would have less flexibility to respond to the rapidly changing environment. Manager Garland stated that she will be focused on the budget for the next two weeks and she is planning budget levels of 2009-2010. Manager Garland stated that this would be difficult with another 17% rise in retirement and thinks that the county should advocate that the state put off this increase at least for one year.

18. Manager Garland stated that last meeting the board voted to agree to allow NCDOT to apply for BUILD grants from the USDOT and she attached a letter of support that will be sent on behalf of Graham County and asks that the board review.
19. Manager Garland stated that she would confer with Sara Thompson with Southwestern Commission on the \$75 million Rapid Recovery Loan Program.
20. Chairman Wiggins asks for public comment. Clerk Crisp stated that Carol Beasley had public comment. Ms. Beasley stated that the board is doing a great job but asks them not to lift the roadblocks and further stated that people in this county would volunteer to operate these sites. Ms. Beasley stated that we have zero cases in our county now but when the people find out they can enter our county they will be coming from everywhere. Ms. Beasley stated that people would blame the commissioners when their families die and we have many elderly people here. Ms. Beasley stated that our elderly needed to be able to shop in Ingles first. Ms. Beasley stated that she went to Ingles and the parking lot was full of out of state tags. Ms. Beasley stated that we have worked too hard to keep people out to just let them back in. Chairman Wiggins thanked Ms. Beasley for her comments. Ms. Beasley stated that she wanted it on record that she was against the roads being opened back up and she did not want to see her loved ones pass away from this virus.
21. Chairman Wiggins stated that we would go to the discussion items. Commissioner Wiggins asks for approval of the Releases for \$1,896.67 and the Discoveries for \$20,000.83. Commissioner Orr made the motion to approve the releases and discoveries as stated. Commissioner Eller seconded this motion. Vote unanimous.
22. Chairman Wiggins asks for the reappointment of Brian Johnson and Edd Satterfield to the Rural Development Authority for a one-year term. Commissioner Orr made the motion to reappoint Brian Johnson and Edd Satterfield to the RDA board as stated. Commissioner Eller seconded this motion. Vote unanimous.
23. Chairman Wiggins asks that the bids for the bush hog mowing be opened. Clerk Crisp stated that we received one bid from Joe Waldroup and he will mow each of the following cemeteries three times and his bid was:
 - a. Santeetlah Cemetery – \$900.00
 - b. Yellow Creek Lower Cemetery - \$1200.00
 - c. Lone Oak Cemetery - \$450.00
 - d. Old Mother Cemetery - \$375.00
 Commissioner Eller made the motion to approve the bid from Joe Waldroup. Commissioner Orr seconded this motion. Vote unanimous.
24. Chairman Wiggins asks for new or old business. No new or old business discussed.
25. 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 Eller made the motion to go into closed session as stated. Commissioner Orr seconded this motion. Vote unanimous.
26. Chairman Wiggins asks for a motion to go back into open session. Commissioner Orr made the motion to go back into open session. Commissioner Cody seconded this motion. Vote unanimous.
27. Chairman Wiggins made the motion to adjourn and reminded the board that we would start our one meeting per month in May. Commissioner Orr seconded this motion. Vote unanimous.

Dale Wiggins, Chairman

Lynn Cody, Vice-Chairman

Keith Eller, Member

Jacob Nelms, Member

Connie Orr, Member

ATTEST: _____ Kim Crisp, Clerk to the Board