

Regular Meeting – September 15, 2020

The Graham County Board of Commissioners met Tuesday, September 15, 2020 at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street, Robbinsville, NC and by teleconference for their regular monthly meeting. All board was present.

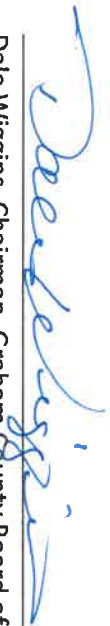
1. Chairman Wiggins called the meeting to order.
2. Chairman Wiggins asks Commissioner Nelms to give the Invocation.
3. Chairman Wiggins asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Wiggins asks for approval of the agenda. Commissioner Orr made the motion to approve the agenda. Commissioner Nelms seconded this motion. Vote unanimous.
5. Chairman Wiggins asks for approval of the August 18th Workshop and Regular Meeting Minutes and the September 1st Special 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 a motion to close the regular meeting and open the public hearing for the Title VI Plan. Commissioner Orr made the motion as stated. Commissioner Cody seconded this motion. Vote unanimous.
7. Chairman Wiggins asks Juanita Colvard, Transit Director to speak. Director Colvard stated that it was time to update the Title VI Plan and she submitted the plan to the Clerk for the Board's review. Director Colvard stated that the Graham County Board of Commissioners must review and adopt this plan. Director Colvard stated that we are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, that no person is excluded from participation of Transit Services, denied the benefits, or otherwise subjected to discrimination under an Graham County Transit Services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.
8. Director Colvard asks for public comment. No public comment.
9. Chairman Wiggins asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Eller made the motion as stated. Commissioner Orr seconded this motion. Vote unanimous.
10. Director Colvard stated that she would need the board to appoint a coordinator for the Title VI Plan. Commissioner Orr made the motion to appoint Juanita Colvard as the coordinator. Commissioner Eller seconded this motion. Vote unanimous.
11. Chairman Wiggins asks Tammy Holloway, Clerk of Superior Court to speak. Ms. Holloway presented the board an Administrative Order Jury Trial Resumption Plan for Graham County by Judge Coward and thanked the board and the administration office for assisting the courts with all the changes due to COVID19. Ms. Holloway stated that with this plan we will be able to hold court in our courtroom, use the Graham County Elementary Gymnasium for the jury selection and have jury deliberations in the Lovelace Building located at 34 Court Street Robbinsville. Ms. Holloway stated that everyone, jurors, court personnel, attorneys, witnesses, parties, and spectators will be screened daily and everyone will be required to wear a mask. Ms. Holloway asks for questions by the board. No questions. Ms. Holloway thanked the board for their time and their continued assistance.
12. Chairman Wiggins asks Wanda Hill, Senior Center Director to speak. Director Hill stated that she was here to seek approval to apply for a \$10,000.00 grant that will assist with the Meals on Wheels program. Director Hill stated that grant is for one year with no match to the county. Chairman Wiggins asks if they will be able to serve more meals. Director Hill stated that they would. Commissioner Orr made the motion to allow Director Hill to apply for the Meals on Wheels grant. Commissioner Nelms seconded this motion. Vote unanimous.
13. Chairman Wiggins asks for a motion to close the regular meeting and open the CDBG-CV Funding public hearing. Commissioner Eller made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
14. Chairman Wiggins asks Manager Garland to speak. Manager Garland stated that this is a Community Development Block Grant Public Hearing. Manager Garland stated that the NC Commerce's Rural Economic Development Division will administer the Community Development Block Grant Coronavirus (CDBG-CV) funds awarded to the State by the U.S. Department of Housing and Urban Development (HUD) to support North Carolina's COVID-19 response efforts. Manager Garland stated that this allocation was authorized by the Coronavirus Aid, Relief, and

- Economic Security Act (CARES Act), which was signed by President Trump on March 27, 2020 to respond to the growing effects of this historic public health crisis. Manager Garland stated that REDD makes available approximately \$27.5 million through awarding grants to non-entitlement communities (incorporated municipalities under 50,000 and counties under 200,000 in population. Manager Garland stated that the program is designed to help a non-entitlement municipality or county to prepare, prevent, or respond to the health and economic impacts of COVID-19. Manager Garland stated that the area of focus is to support families and communities through telehealth support and other public services; protect the most vulnerable and high-risk populations, assist small businesses with economic recovery and address testing, tracing and trends. Commissioner Orr asks if this will assist persons that meet the criteria with their rent or monthly payments. Manager Garland stated that it can help with utilities, employment training, expansion of health care, testing and diagnosis, supplies and materials, food distribution which can enhance the Meals on Wheels program and assist with those that have been quarantined or have needs for other social distancing and for the elderly that are disabled. Manager Garland stated that the grant allows \$900,000.00 in funding with some restrictions for specific activities. Manager Garland stated that she will have a follow up public hearing on September 29th with more specific areas. Manager Garland asks for questions or public comment. Commissioner Orr asks if persons on the list that she was given could apply. Manager Garland stated it can provide up to six months emergency payments to prevent homelessness, utility payments to prevent service disconnection, rent/mortgage payments to prevent eviction and we are encouraged to work with grant consultant to make sure that we expend all monies. Commissioner Orr stated that we could possibly assist with three meals a day for our seniors throughout the county. Manager Garland stated that we would need to expand our equipment such as a walk-in freezer, a generator, etc. Manager Garland stated that a meal's on wheels truck was not allowable but agrees that we need to serve as many people as we can for as long as we can. Commissioner Orr stated that this would require additional employees as well. Commissioner Cody asks what criteria the seniors would have to meet to receive the meals. Manager Garland stated that they must be 60 years and older.
15. Chairman Wiggins asks for further questions or comments. No further questions or comments.
16. Chairman Wiggins asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Orr made the motion as stated. Commissioner Nelms seconded this motion. Vote unanimous.
17. Chairman Wiggins asks for a motion granting Manager Garland permission to apply for the CDBG-CV Grant Funds. Commissioner Cody made the motion as stated. Commissioner Orr seconded this motion. Vote unanimous.
18. Manager Garland stated that she would now give the Finance and Manager's Report. Manager Garland stated that we ended the month with a \$8,323,349.00 cash balance and we are ahead from this time last year. Manager Garland stated that she was able to put \$1,500,000.00 in the Capital Trust Account and we are currently at a \$448,971.91 positive variance.
19. Manager Garland stated that our current year tax collections were \$425,119.83, our prior year \$12,689.75 and our DMV was \$57,601.71 and she was pleased with these numbers. Manager Garland stated that our year to date collection is \$1,225,276.41 for our current year and our year to date DMV is \$110,302.97. Manager Garland stated that our tax collection rate is 17.19%.
20. Manager Garland stated that our revenues were \$1,171,664.91 and our expenditures were \$1,076,416.61 for a surplus of \$95,248.30. Manager Garland stated that our year to date revenues are \$2,523,335.24 and our year to date expenditures are \$1,919,160.52 giving us a \$604,174.72 surplus. Manager Garland stated that this number will not be the bottom line and she will have to shift some line items into this surplus that were June 30 billing.
21. Manager Garland stated that our sales tax collection was \$261,872.22 which is a \$50,000.00 increase from this time last year and was very pleased that people are buying local. Manager Garland stated that our quarter cent collections are up to \$283,000.00 which will help with building a new justice center.
22. Manager Garland stated that past due tax collections are \$628,793.94 and praised the tax office for their diligence in collections.
23. Manager Garland stated that our ideal budget should be 84% and we are at 86% and appreciates all the departments for their continued hard work in keeping our budget healthy.
24. Manager Garland stated that she did have budget amendments for the board's approval.

- a. Budget Amendment #1: to amend to bring forward funds from Duke Endowment for QRV due to delay in delivery due to COVID for \$49,602.00. Commissioner Eller made the motion to approve as stated. Commissioner Orr seconded this motion. Vote unanimous.
 - b. Budget Amendment #2: to record budget amendment for Health Department COVID activities for \$88,238.00. Commissioner Eller made the motion to approve as stated. Commissioner Orr seconded this motion. Vote unanimous.
 - c. Budget Amendment #3: to record additional funding under HB 1043 CARES ACT for \$192,768.00. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
 - d. Budget Amendment #4: to record additional funding for specific uses per funding allocations for \$96,115.00. Commissioner Eller made the motion to approve as stated. Commissioner Nelms seconded this motion. Vote unanimous.
 - e. Budget Amendment #5: to recognize JAG Grant for \$12,136.00. Commissioner Orr made the motion to approve as stated. Commissioner Eller seconded this motion. Vote unanimous.
25. Manager Garland stated that we received an additional allocation of CARES HB 1063 funding in the amount of \$163,822.48 and daily updates are required for these allocations. Manager Garland stated that the General Assembly included language that stated 25% of the total appropriations collected of \$551,160.00 would be allocated to the Towns based on population and under this statute our Towns could have taken \$137,790.00. Manager Garland stated that the allocations were to be for PPE and public safety. Manager Garland stated that the Town of Robbinsville had PPE costs and telecommuting costs of \$1500.00; Santeetlah requested \$4378.00; and the Town of Fontana Dam did not request any allocation. Manager Garland stated that the Towns wrote letters stating that any excess allocations should revert to the County which is appropriate under the Statute. Manager Garland stated that the bad part of the statute states that if any Town mishandles any funds then the County will be held responsible for payback to the federal government. Manager Garland stated that she did establish a reimbursement system, whereby the Towns will provide proof of invoices and reason for expenditure to ensure that they stay within the guidelines. Manager Garland stated that this will allow her to audit the expenditures requested before any reimbursement is made.
26. Manager Garland stated that NACO has issued a letter to US Treasury regarding the capricious way the federal government keeps changing the rules on how the CARES monies can be spent and NACO is concerned that paybacks will be requested due to unclear definitions. Manager Garland stated that the State has also had issues with which monies to spend first FEMA or COVID and she will do her best to utilize our funds in accordance with guidance.
27. Manager Garland gave a RECAP of the CARES ACT Funding that the county has received. Manager Garland stated that we have received a total of \$886,445.12 which is highly restricted and not to be used for revenue replacement or general operations that would have occurred prior to COVID, except public safety, which can be used for their general operations because they are considered front line workers. Manager Garland stated that the HB 1043 funds were used to reimburse the county for the checkpoint costs and to assist in payment of EMS wages and PPE costs. The breakdown of the funding is:
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|----------------------|---|
| a. CARES HB 1043 | \$551,160.00 |
| b. Health Department | \$54,074.00 |
| c. EMS | \$23,510.93 |
| d. Elections | \$54,675.00 |
| e. Senior Center | \$10,783.00 (Families First – used for Transit) |
| f. Senior Center | \$41,440.19 (Meal provision) |
| g. Transit | \$126,666.66 (5310) – ROAP funding lost |
| h. Sheriff JAG Grant | \$12,136.00 (PPE) |
| i. DSS | \$12,000.00 (Foster Care) |
28. Manager Garland stated that NCDOT has issued the environmental assessment on Corridor K and Highway Commissioner Dirk Cody has coordinated with the NCDOT to get their public hearing scheduled for Thursday, October 1, 2020 from 6:00 p.m. to 8:00 p.m. and they will be reaching out to set up a local officials meeting. Manager Garland stated that our public meetings will be scheduled for September 29th in the community room and October 6th in Stecoah at the Stecoah Rescue Squad Building.
29. Manager Garland stated that she has communicated with Amanda Whitaker with Withers Ravenel with concerns about the time that has elapsed on the CDBG Scattered Site Housing

- Grant and she stated that she is still waiting on the final environmental document from NC Commerce. Manager Garland stated that due to COVID they have one person working these grants at Commerce for the State. Manager Garland stated that she requested that Amanda begin the process of getting an extension on the grant because there is no way we can build all the houses within the grant period. Commissioner Orr asks where the administration fee is going. Manager Garland stated that these fees go to Withers Ravenel. Commissioner Orr stated that the board had a list of names, are they using that list, and do they receive \$75,000.00 which is 10% of the \$750,000.00 grant. Manager Garland stated they are using the original list that was previously approved by the board and they do receive the administration fee of 10%. Manager Garland stated that she and Project Manager Jason Marino cannot start the process until they receive the environmental document. Commissioner Orr stated that Project Manager Marino has been a diamond to the county and to the RDA for his help.
30. Manager Garland stated that our 2019 Visitor Impact Statement stated that we had \$5.75 million in payroll from tourism with (290) persons employed and \$1.47 million state tax revenue was generated in Graham County. Manager Garland stated that it showed \$2.11 million in local taxes due to travel generated and travel supported businesses.
31. Manager Garland stated that the Female Veterans Walk is Scheduled for September 17, 2020 and the Charters of Freedom dedications ceremony is in the works.
32. Commissioner Orr asks if any of the other grants that have been awarded to the county has had an administrative fee or did, we receive the entire grant. Manager Garland stated that the CDBG was the only grant with the administration fee and hopes at some point we can have our own administrator so that the monies would go entirely to the projects.
33. Chairman Wiggins asks for public comment. No public comment.
34. Chairman Wiggins stated that we would now go to the discussion items and asks for a motion to approve the Releases in the amount of \$455.23 and the Discoveries in the amount of \$1260.81 with the Utilities Discovery of \$300,328.54. Commissioner Orr made the motion to approve the Releases and Discoveries as stated. Commissioner Eller seconded this motion. Vote unanimous.
35. Chairman Wiggins asks for a motion to adopt the 2020 Legislative Goals Resolution. Commissioner Cody made the motion to approve the goals as presented. Commissioner Orr seconded this motion. Vote unanimous.
36. Chairman Wiggins stated that he would open the bids on a new ambulance. The bids were:
- a. Custom Truck and Body Works Inc. for \$222,321.00
 - b. Southeastern Specialty Vehicles for \$246,317.79
 - c. Atlantic Energy Solutions for \$248,690.00
- Commissioner Eller made the motion to table the decision and give EMS Director Larry Hembre a chance to score the bids. Commissioner Orr seconded this motion. Vote unanimous. Chairman Wiggins stated that the bid can be approved at the September 23rd Continued Meeting.
37. Chairman Wiggins asks for a motion to appoint Valerie Frappe to the Travel and Tourism Board for a one-year term. Commissioner Orr made the motion to approve as stated. Commissioner Nelms seconded this motion. Vote unanimous.
38. Chairman Wiggins asks for a motion to reappoint the Health Advisory Board Members: Karen Anderson, Anthony Ditmore, Jill Raymer, Meggan Smith, Aaron Stewart and Katy Lynch for a three-year period. Commissioner Eller made the motion to reappoint the Health Advisory Board as stated. Commissioner Nelms seconded this motion. Vote unanimous.
39. Chairman Wiggins asks for a motion to reappoint Billy Brown, Pam Shaffer, and Brady Cody to the RDA Board for one-year terms. Commissioner Orr made the motion to reappoint as stated. Commissioner Nelms seconded this motion. Vote unanimous.
40. Chairman Wiggins asks for new or old business. Attorney Coward stated that we needed to release \$38,785.40 taxes held in escrow for the Miller vs. Graham County. Attorney Coward stated that the judge ruled with Graham County on releasing the exact amount of taxes held in escrow. Commissioner Orr made the motion to release the taxes held in escrow as stated. Commissioner Eller seconded this motion. Vote unanimous.
41. Chairman Wiggins stated that the board would now 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.
42. Commissioner Eller made the motion to go back into open session. Commissioner Orr seconded this motion. Vote unanimous.

43. Commissioner Orr made the motion to continue the meeting to September 23rd to discuss the new justice/jail center with HEERY/SLAM . Commissioner Eller 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