

Regular Session – May 19, 2020

The Graham County Board of Commissioners met Tuesday, May 19, 2020 at 5:30 p.m. in the Graham County Community Building and by GOTOMEETING in Robbinsville, NC for their regular monthly meeting. All board was present. Also, present Attorney Jay Coward, Manager Rebecca Garland, Attorney Emily Montoya, Residents Jim Hagar, John Colwell and Brady Cody.

1. Chairman Wiggins called the meeting to order.
2. Chairman Wiggins asks Commissioner Cody 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 Sophia Paulos and add approval of the May 13, 2020 Special Meeting Minutes to Item #5. Commissioner Orr made the motion to approve the agenda with the stated changes. Commissioner Eller seconded this motion. Vote unanimous.
5. Chairman Wiggins asks for approval of the Regular Meeting Minutes April 21; Continued Emergency Meeting Minutes April 15, April 22, April 29, May 6; Board of E&R Minutes April 28; and Special Meeting Minutes April 17, May 11 and May 13. Commissioner Eller made the motion to approve the minutes as stated. Commissioner Orr seconded this motion. Vote unanimous.
6. Chairman Wiggins asks Brady Cody with the Prosperity Committee to speak. Mr. Cody stated that he was here on behalf of the Prosperity Committee who are requesting that alcohol be added to the upcoming general election ballot to allow their voices to be heard on the matter. Mr. Cody stated that the last time he spoke with the board both sides at the Town of Robbinsville agreed to put the vote to the county at large and everyone wants and is asking for the vote here and unless something has changed in the last couple of weeks this should make for a pretty easy decision for the board. Mr. Cody stated that he is proud of everyone involved on this issue who could set aside their differences over substance and he acknowledges that there are differences but all has agreed the board should vote yes and allow Graham County the right to have their voices heard on the matter which is a great representation of democracy. Mr. Cody stated that when two sides disagree on something, you let the people decide and trust their decision. Mr. Cody stated the same people that we trust to serve on a jury who listens to arguments on both sides and makes a decision is the same trust we use to elect county officials sitting on this board and he sees no reason to doubt their judgement now. Mr. Cody stated that if the last eight weeks have taught us anything it is that we should never take for granted our freedom to make choices. Mr. Cody stated that there is no freedom greater than the one that we are talking about today, the right to vote. Mr. Cody stated that Lyndon B. Johnson put it best when he said the right to vote is the basic right of which all others are meaningless if people, as individuals have control over their own destiny's. Mr. Cody stated that the committee is asking the board to set aside their personal opinions and any outside pressures and put the trust in their constituents, the citizens of Graham County to control their own destinies. Mr. Cody stated that if one of those citizens even one of those board members sitting in the boardroom asks why I should not be allowed to vote, what you are going to say. Mr. Cody stated that he spent a long time thinking about this and frankly, he does not know a good answer, he hopes this board has better luck. Mr. Cody stated that he appreciated the board's time this evening and will answer any questions that the board may have. The board did not have any questions for Mr. Cody.
7. Chairman Wiggins asks if the board is ready to make a decision on this matter today. Commissioner Eller stated that he was ready to settle the matter and made the motion to not put this matter on a ballot. Commissioner Orr seconded this motion. Vote unanimous. Chairman Wiggins stated that the board had unanimously decided not to take any action on the issue of alcohol.
8. Chairman Wiggins asks Manager Garland to give the finance and manager's report. Manager Garland stated that the county ended the month with a \$9,169,989.60 cash balance, which is ahead \$161,008.26 from this time last year.

9. Manager Garland stated that the current year tax collections is \$47,112.20, which is down by \$10,000.00 due to the COVID-19 Pandemic. Manager Garland stated that the prior year tax collection was \$4,475.95 and the DMV was \$47,161.54.
10. Manager Garland stated that our year to date tax collections was \$6,891,878.72 and our DMV yearly is \$449,903.19. Manager Garland stated that our tax collection rate is 95.008%, which is ahead from this time last year.
11. Manager Garland stated that our revenues was \$749,591.68 and our expenditures was \$1,307,601.42 for a deficit of \$558,009.74. Manager Garland stated that the county is down \$100,000.00 in revenue due to COVID-19. Manager Garland stated that our revenues to date is \$13,644,614.29 and our expenditures \$12,522,870.29 for a surplus of \$1,121,744.00.
12. Manager Garland stated that we collected \$157,383.20 in sales tax, which we are still running ahead at \$123,000.00.
13. Manager Garland stated that she is working toward a very conservative budget and she will be transferring another \$78,000.00 to the Capital Project Fund making our balance over \$2 million.
14. Chairman Wiggins asks when the sales tax loss is anticipated. Manager Garland stated that we would see a difference in June of a decline. Commissioner Orr stated that she is pleasantly surprised by March collections and stated that with the sales at Ingles, Dollar Store and Family Dollar we should not see a drastic decline.
15. Manager Garland stated that our budget is doing well, an ideal percentage at this time would be 17% and we are holding at 24% and she was very pleased to see this number. Manager Garland stated that some budgets are running hot but some had extra expenditures due to COVID-19.
16. Manager Garland stated that she would be making the school bond payment and the school debt payment in June and this will show on next month's budget reporting.
17. Manager Garland stated that the board had approved Budget Amendment #17 to amend to recognize COVID-19 CARES Act Funding for: Health Department \$54,074.00; EMS - \$23,511.00 and General Government \$387,338.00 for a total of \$464,923.00. Manager Garland stated that the Sheriff's Office had applied for a Justice Grant for \$12,318.37 bringing the total restricted funds to \$497,000.00.
18. Manager Garland stated that she did have a budget amendment for the board's approval. Budget Amendment #18 to amend to recognize supplant correction due to timber receipts placing county schools in a supplant position for Low Wealth and Small Schools Funding for \$86,734.00. Commissioner Orr made the motion to approve Budget Amendment #18 as stated. Commissioner Eller seconded this motion. Vote unanimous.
19. Manager Garland stated earlier that because of House Bill 1043 Graham County will be receiving a total of \$387,388.00 in funding from the State and these funds are restricted as to use for COVID-19 expenditures for the following:
  - a. Public Health expenditures including the cost of EMS response during the pandemic.
  - b. COVID testing costs and public health costs.
  - c. Costs of personal protective equipment to public safety personnel, child welfare workers and public health workers.
  - d. Expenses for public safety measures undertaken in response to COVID-19.
  - e. Payroll expenses for public safety, public health, health care, human services and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
  - f. Expenses for food delivery to residents who are part of vulnerable populations including an additional \$20,000.00 from the Area Agency on Aging.
  - g. Economic support to businesses to include grants to small businesses to reimburse costs of business interruptions.

Manager Garland stated that she would be submitting our plan to the State by June 1 on how we will utilize these funds by December 30, 2020. Manager Garland asks that the board review the plan and she will make any changes necessary.

20. Manager Garland stated that the Graham County Sheriff Office is applying for a grant for \$12,318.37 for COVID-19 emergency supplemental funding with no match through the Governor's Crime Commission and this will help pay for PPE equipment and inmate medical needs. Manager Garland stated that the board would need to approve Chairman Wiggins as the authorizing official of the grant and she will serve as the financial manager. Commissioner Cody made the motion to appoint Chairman Wiggins as the authorizing official of the grant and apply for the grant as stated. Commissioner Nelms seconded this motion. Vote unanimous.

21. Manager Garland stated that the House of Representatives passed the HEROES ACT (Health and Economic Recovery Omnibus Emergency Solutions Act) on May 15, 2020, which includes direct support for local governments. Manager Garland stated that the first CARES act fell short of supporting the devastating revenue impacts that county governments are facing in the economic collapse due to COVID. Manager Garland stated that the HEROES Act would provide \$187.5 billion in direct funding to local governments. Manager Garland stated that the bill faces strong opposition by the Senate claiming that local governments should not be subsidized for failing to appropriately manage their money. Manager Garland stated that in addition, a bipartisan bill was introduced called the State and Municipal Assistance for Recovery and Transition (SMART) Act to provide \$500 billion to states, local and tribal governments with a funding formula based on the following: 1/3 based on population, 1/3 based on infection rates and 1/3 based on revenue losses.
22. Manager Garland discussed the capital projects and public buildings. Manager Garland stated that we had a HVAC system go down at the DHHS building leaving us two more of the old unit left to replace. Manager Garland stated that the cost to replace is \$8,000.00 and Project Manager Marino has reached out to three engineering firms for an assessment of the layout of the HVAC design for review in the budget meetings. Manager Garland stated that she would need board approval to pay the \$8,000.00. Commissioner Orr made the motion to replace the HVAC unit at the DHHS building. Commissioner Eller seconded this motion. Vote unanimous.
23. Manager Garland asks Mr. Marino to speak with the board. Mr. Marino stated that our projects are ongoing even through COVID-19 but some were put on hold. Mr. Marino stated that he is working on the specs for the Board of Elections renovations and he will get this out to bid as a priority.
24. Mr. Marino stated that he is getting the plans in place on the Cemetery and Recreation Buildings and these plans will go out to bid. Mr. Marino stated that Withers Ravenel did a good piece of work on the civil plans and we have decided to use a metal building structure from the ground up and the contractor will be responsible for the entire building.
25. Mr. Marino stated that he has been working on the new Justice Center as well with HEERY and they are getting the breakdown of the number of offices needed and if the building will fit in the area that has been proposed. Mr. Marino stated that he would be checking on the easements, sewer connections, etc. as well. Mr. Marino stated that he would meet with Tammy Holloway on the size needed for a typical courtroom and the space that she is required to have.
26. Chairman Wiggins asks about the Duke property and stated that we may be able to obtain a little of this area for parking. The board discussed additional parking below the EMS base as well. Commissioner Eller stated that the building would need to be multi-story to allow for stacked parking. The board discussed installing a pipe in the branch below the EMS base and asks that Mr. Marino check out the details for this request. Commissioner Nelms stated that he would check his files to see if he had any information available on this site as well.
27. Mr. Marino stated that he obtained quotes for the P&J Building HVAC systems and found that we have zoning issues and this will continue to wear the systems out and asks if the board would like him to pursue fixing this issue. The board all agreed and gave a directive to get this priced and repaired.
28. Mr. Marino stated that the Welcome sign at Topton had been hit by a vehicle and he has obtained quotes for the repair. Mr. Marino stated that this will be paid by the insurance of the driver and will not cost the county any monies.
29. Mr. Marino stated that he is still in the process of installing COVID-19 Plexiglas shields in our county buildings and eight locations have been assessed at this time. Mr. Marino stated that they are placing markings for 6 feet apart and supplying gloves and masks.
30. Commissioner Orr thanked Mr. Marino for accepting a seat on the RDA Board. Mr. Marino stated that he has been reviewing information on the new project and would go and look at the property.
31. Manager Garland stated that the Graham County Schools received the School Building Grant and the county match is \$4,781.25 and asks permission to set up a separate bank account to hold the monies while School Finance Officer Lester Green makes requests for the money. Commissioner Orr made the motion to allow a separate bank account be used for these funds and to pay the county match of \$4,781.25. Commissioner Eller seconded this motion. Vote unanimous.

32. Manager Garland stated that Sanitation Director Colvard has begun specking out front load garbage trucks and we will be required to do competitive bids. The board discussed the trucks and they will assist in the reviewing the specs prior to the bid process.
33. Manager Garland stated that she is working on the budget and we will be having challenges with this budget due to COVID-19 and other issues. Manager Garland stated that the county has approximately \$1.2 million in fund balance that we had accumulated as rainy day funds above the recommended 35% that the Local Government Commission recommends and this has been being used due to the COVID-19 but the county is anticipating funds to be received from the State to assist with these costs.
34. Manager Garland stated that she received a letter last week from Sarah Thompson with Southwestern Commission requesting that we join a consortium to utilize \$600,000.00 in HUD funding their HOMES program, which is a low-income housing fund. Manager Garland stated that the local match would be funded so there is no county match requirement. Manager Garland stated that the funding can be used for the following activities:
  - a. Rehabilitation activities
  - b. Homebuyer assistance (down payments/closing costs)
  - c. Development of for sale housing and low income rental housing
  - d. Rental assistance
  - e. Reasonable expenses for development of low-income housing, including site acquisition, improvement, or demolition of dilapidated housing.

Manager Garland stated that the consortium will be comprised of members of each of the governing bodies of the Town and County Governments located in Region A. Manager Garland stated that in order to join the consortium, Graham County needs to pass a resolution that states we approve of Haywood County acting as the lead entity with the Southwestern Commission acting as the Administrative Agent. Commissioner Orr made the motion to adopt the resolution as stated. Commissioner Nelms seconded this motion. Vote unanimous.

35. Manager Garland stated that the Opioid workgroup has had two meetings via ZOOM and have gone over the AG proposal as well as National Counsel Proposals for split of funding awarded. Manager Garland stated that she has been a vocal proponent of keeping the funding at the local level, which is the position of the NCACC. Manager Garland stated that she would send the board updates of the meetings.
36. Chairman Wiggins asks for public comment. Clerk Crisp stated that John Colwell was signed in for public comment. Chairman Wiggins asks Mr. Colwell to speak. Mr. Colwell thanked the board for their time and stated that he is a member of the group REV'D UP and he has been concerned with the economic development of the Town and County. Mr. Colwell stated that their group has made progress on Main Street and Downtown Robbinsville and he would like to assist the county in any way that he can. Mr. Colwell stated that he feels the people involved in REV'D UP would be glad to help the county but he specifically is offering himself to help. Mr. Colwell stated that the virus has hurt our visitors and tourism and we need to get our economy vital again. Mr. Colwell asks that they contact him and he will be happy to help in any way. Commissioner Orr stated that she appreciated his offer.
37. Chairman Wiggins stated that the board would now go to the discussion items. Chairman Wiggins asks for a motion to approve the poll on the payment to Graham Land Company. Commissioner Eller made the motion to approve the poll as stated. Commissioner Orr seconded this motion. Vote unanimous.
38. Chairman Wiggins opened the bids for the Ultrasound to be placed at Urgent Care. Chairman Wiggins stated that we received two bids.
  - a. Siemens Healthineers - \$57,748.00 with an addendum for probes for a total of \$72,000.00
  - b. GE Healthcare - \$97,154.28 with an addendum for probes for a total of \$122,594.28.Juanita Colvard requests that the board hold on a decision until the two bids could be compared. Commissioner Eller asks if this decision needs to be made prior to the June regular meeting. The board agreed to continue this meeting to 4:30 p.m. on May 26<sup>th</sup> where they would review the proposals.
39. Chairman Wiggins asks for new or old business. Commissioner Eller asks if the Town had given any thought to the Septic Receiving Station because the board needs to repair the system in order for the men to be able to empty septic tanks. Manager Garland will reach out to Mayor Hooper.

40. 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 Cody seconded this motion. Vote unanimous.
41. Chairman Wiggins asks for a motion to go back into open session. Commissioner Cody made the motion to go back into open session. Commissioner Orr seconded this motion. Vote unanimous.
42. Clerk Crisp asks which vendor the board wanted to use for the Welcome sign at Topton. The board agreed to use the one that can get the project finished first.
43. Chairman Wiggins asks for a motion to continue this meeting to Tuesday, May 26, 2020 at 4:30 p.m. Commissioner Orr made the motion to continue as stated. Commissioner Cody seconded this motion. Vote unanimous.

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Dale Wiggins, Chairman

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Lynn Cody, Vice-Chairman

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Keith Eller, Member

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Jacob Nelms, Member

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Connie Orr, Member

ATTEST: \_\_\_\_\_  
Kim Crisp, Clerk to the Board