

The Graham County Board of Commissioners met Tuesday, November 16, 2021, 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 Connie Orr, Keith Eller, Lynn Cody and Dale Wiggins. Commissioner Nelms was absent. Also, present Manager Jason Marino, Finance Director Becky Garland, Attorney JK Coward and Clerk Kim Crisp.

1. Chair Orr called the meeting to order.
2. Chair Orr asks Commissioner Cody to give the Invocation.
3. Chair Orr led the Pledge of Allegiance.
4. Chair Orr asks for approval or changes to the agenda. Manager Marino asks that Item 6 – NCDOT be deleted and add Item 7A – Skywave. Commissioner Eller made the motion to approve the agenda with the stated changes. Commissioner Cody seconded this motion. Vote unanimous.
5. Chair Orr asks for the approval of the October 19, 2021, Workshop and Regular Meeting Minutes. Commissioner Wiggins made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
6. Chair Orr asks Southwest Commission Executive Director Russ Harris to speak. Director Harris thanked the board for their time and stated that he previously served as the Economic Development Director for five years prior to accepting the Executive Director position. Director Harris presented the board with the 2021 Southwestern Reporting stating their mission is to improve the quality of lives in our seven far west counties and provided services for Economic Development, Area on Agency and Workforce Development. Director Harris stated that they have been working on broadband infrastructure and housing for our area. Director Harris stated that they are currently supporting a broadband grant and partnering with the provider Skywave and to date Graham County has received over \$780,000.00 in grants with \$535,000.00 toward broadband connectivity.
7. Director Harris stated that the Area on Agency program feed over 140,000 nutritious meals to our elderly and they did receive CARES ACT Funding. Director Harris stated that they are currently continuing training such as nursing occupational therapy and civil engineering assist payment to individuals that are training for work. Director Harris stated that they bring in around \$152,000.00 in dues and have managed over \$10,000,000.00 to our counties. Director Harris invites the board to reach out to them for assistance. Commissioner Wiggins congratulated Director Harris on his new position.
8. Chair Orr asks Skywave representative Adam Henson to speak. Mr. Henson thanked the board for their time and stated that Skywave Internet plans to expand coverage to our area and service into Graham County. Mr. Henson stated that Skywave's coverage area is comparable to a spider web which starts at a main point and branches outward. Mr. Henson stated that to begin providing services to the county they will need a location close to downtown Robbinsville where a main hub can be established, and this hub will be connected into fiber backhaul. Mr. Henson stated that the ideal location is located at 40 Fort Hill Lane at the 911 Center where the tower can see the Wachacha and Johanna Bald Towers. Mr. Henson stated that they would need a 20 x 20 square foot piece of property and install a weatherproof box to run power, install a 100-foot tower and construct a box 4 ½ ft by 2 ½ x 3' deep to hold the switch and router. Mr. Henson stated that the section of property will be enclosed by chain link fencing and will protect the equipment from being tampered with and to prevent injury to others. Mr. Henson stated that the fence will be five to six feet tall and made of galvanized, corrosion resistant steel woven into a chain link mesh. Director Henson stated that their electrician and Duke will get together to set up a meter box and run the power and the county will inspect it. Mr. Henson stated that if the county approves the location, they will not interfere with the county's emergency frequencies in any way and will be using frequencies in spectrums outside of the ones that Graham County currently use. Commissioner Eller stated that the 911 Center was built with grant funds and he is unsure that the property can be used from someone else. Commissioner Eller stated that there are other areas outside of the 911 fencing that could be utilized. Mr. Henson stated that the area located on Fort Hill is the ideal location and did not have to be at the 911 Center. Commissioner Wiggins stated that he is sure that a spot can be located up there but did not want the tower inside the 911 fencing due to the heavy amount of fiber that goes into the building. Manager Marino asks that a corner piece be chosen due to the plans for our justice center. Manager Marino stated that the area between Transit and 911 may be an area to look at. Commissioner Wiggins asks about the expansion plans. Mr. Henson stated that once they get

a connectivity to the towers the service can be expanded from that point. Commissioner Wiggins asks that he get with our Maintenance Director Gavin Colvard and flag off an area that would be suitable and the board can see the area prior to approval. Commissioner Wiggins stated that they can use the same type of contract as Swain County since Skywave already has one in place there because there is no reason to reinvent the wheel.

9. Chair Orr asks Manager Marino to give the Manager and Project Manager updates. Manager Marino stated that unofficially the NC budget should be released tonight, and Graham County has been approved for \$5M towards the new Justice Center. Commissioner Wiggins stated that Graham County is well represented in the State, and he is very appreciative.
10. Manager Marino stated that the request for proposals for legal services and request for quotes for environmental services was issued for the CDBG grants but we did not receive enough proposals so it will be issued again and if we do not receive the proper amount the second time, we can use the one that we received. Manager Marino stated that Monica Chevalier, with Withers Ravenel will also solicit for a CDBG Housing Rehab Specialist and the release for conditions and funds letter was received on October 8, 2021. Manager Marino stated that the CDBG-CV grant will help with the community kitchen renovations, workforce training for paramedics, enhancements to the Senior Center for additional food distribution and expand capacity. Director Marino stated that it will also purchase IT equipment for the schools, and they are currently still working with Alice Briggs, with Withers Ravenel on administration and procurement.
11. Manager Marino stated that the funding support for Community led Vaccine Initiative “Take one for the Team” kicked off November 13, 2021, at the high school with a mass vaccination event that concluded with (248) vaccines administered raising approximately \$10,200.00 for our youth sports programs.
12. Manager Marino stated that Martin & Slagle Geosciences, PA will begin replacement of one monitoring well on Monday, November 22, 2021, and the good news was that the well adjacent to the north side of the impound yard has been found barring any potential repairs from damage to the cap they will only have to drill one well.
13. Manager Marino stated that he is waiting on signed contracts from the vendor to finalize and schedule the EagleView High Resolution Arial Imagery and is expected to begin in early December with flight planning and air clearance.
14. Manager Marino stated that our wide format printer in the mapping office has gone down, and a repair will be more than \$3,000.00. Manager Marino stated that they are working with our suppliers to get quotes and looking at option. Manager Marino stated that the printer is more than ten years old and will cost around \$11,000.00 to replace and we will need board approval once we find a printer that will meet our needs. Commissioner Wiggins asks if Reval monies could be used for this purchase and Director Garland stated that they could.
15. Manager Marino gave the project manager reporting and stated that the Moose Branch Project is underway, and contracts have been signed and the project is 12.5% complete.
16. Manager Marino stated new cemetery and recreation buildings are 43% and 44% complete and metal shortages did play a part in the delay.
17. Manager Marino stated that the Election Board renovations project is 55% complete and we did see some delay on the insulation and the administration bathroom has been roughed in.
18. Manager Marino stated that the Middle School Sixth grade addition is at 40% and construction is underway.
19. Manager Marino stated that the Little Snowbird Creek Remediation, Clear and Snag total design is at 99%.
20. Manager Marino stated that the Elementary School Gym Floor condensation expansion repairs project is 65% complete. Commissioner Wiggins asks if the Kid’s Place was reopened. Manager Marino stated that it was opened.
21. Chair Orr asks Finance Director Becky Garland to give the finance reporting. Director Garland stated that the county ended the month with a \$8,330,116.59 cash balance for a positive variance of \$498,945.93. Director Garland stated that we currently have \$2,264,874.27 in our capital projects account; \$114,175.95 in our school capital project account and have a balance of \$266,596.10 in the American Rescue Plan Act Funding.
22. Director Garland stated that our current year tax collections are \$324,484.13; \$11,736.23 for prior years and \$54,866.28 for DMV. Director Garland stated that our year-to-date collections for real is \$2,063,189.12 and or DMV is \$230,949.62 and our tax collection rate is 28.02%. Director Garland stated that we are ahead in collections for real at \$158,000.00 and DMV \$14,500.00.

23. Director Garland stated that our revenues were \$1,163,195.25 and the expenditures was \$1,566,942.94 for a surplus of \$84,718.21.
24. Director Garland stated that our sales tax collection was \$187,138.52 which is below this time last month, but we are ahead \$76,000.00 for our yearly total.
25. Director Garland stated that we have collected a total of \$634,427.52 in past due taxes and commends the tax office for their diligence in collections.
26. Director Garland presented the capital projects expenditures to date which are \$469,069.71 and the breakdown is as follows: Election Board - \$70,911.51; Recreation Building - \$31,095.00; Cemetery Building - \$31,095.00; Middle School County match - \$335,968.20
27. Director Garland stated that our ideal budget remainder is 67% and we are tracking ahead.
28. Director Garland stated that the American Rescue Plan Act reporting has been extended giving the board time to hold public hearings on the best use of the funding. Director Garland asks that the board host a working workshop to have further discussion.
29. Director Garland stated that we will be receiving funding for the Opioid Settlement and is very pleased and further stated that she needed a directive from the board to opt into the settlement which will be distributed over an eighteen-year period. Director Garland stated that the money is to be used for prevention and mitigation that will keep those affected out of the justice system.
30. Director Garland stated that she received a call from Shelly Foreman and has been asked to serve on Region A Partners for Children which will be a zoom quarterly meeting. Commissioner Eller made the motion to appoint Becky Garland to the Region A Partners for Children. Commissioner Wiggins seconded this motion. Vote unanimous.
31. Chair Orr asks for public comment. No public comment.
32. Chair Orr stated that we would now go into the discussion items and asks Manager Marino to continue. Manager Marino asks for approval of the Releases for \$332.09 and the Discoveries for \$1,340.95. Commissioner Eller made the motion to approve as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
33. Manager Marino asks for the appointment of Phillip Boyle, EMS Director and Amy Seay, DSS to the Accident/Safety Committee; Child Fatality Protection Team; HCCBG Committee; SW Aging Leadership Team; and the Transportation Advisory Board. Commissioner Eller made the motion to appoint as stated. Commissioner Cody seconded this motion. Vote unanimous.
34. Manager Marino asks for the appointment of Phillip Boyle, EMS Director to the Floodplain Committee. Commissioner Wiggins made the motion to appoint as stated. Commissioner Cody seconded this motion. Vote unanimous.
35. Manager Marino asks for the appointment of Amy Seay, DSS Director to the JCPC Board, SW Child Development and the Community Child Protection Committee. Commissioner Eller made the motion to appoint as stated. Commissioner Cody seconded this motion. Vote unanimous.
36. Manager Marino asks for the appointment of Aaron Stewart to the Floodplain Committee. Commissioner Eller made the motion to appoint as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
37. Manager Marino asks for a replacement of Randy Collins on the EDC Board. Chair Orr stated that the EDC Board's recommendation is Adrian Nelms. Commissioner Eller made the motion to appoint as stated. Commissioner Cody seconded this motion. Vote unanimous.
38. Chair Orr asks for discussion of the Sheriff / Jail American Rescue Plan Act funding. Commissioner Wiggins stated that he had spoken with Sheriff Crisp and the previous Chief Deputy Dennis Crisp on the premium pay that was given to EMS. Commissioner Wiggins stated that this board needed to have discussion on all the employees that were frontline during the pandemic and EMS were not the only department that was affected. Commissioner Wiggins stated that the Sheriff and Detention Officers, Transit and others dealt one on one with COVID patients and if 911 calls come in and are dropped the Sheriff Department responds prior to EMS. Manager Marino asks that the board hold a working workshop to determine what needs to be done. Director Garland stated that \$266K remain in the account at this time and we will receive the second tranche in 2022. Director Garland stated that the final regulations have not been given to date, but they do have direction on what the county can spend the money on and if the county uses the funds in good faith and keeps proper documentation, we should be fine. Director Garland stated that Transit has their own funding to use. The board had discussion for a possible date on the funding and agreed to a working workshop session on Friday, December 10, 2021, at 9:00 a.m.
39. Manager Marino asks for the reappointment of Dale Wiggins to the Travel and Tourism Board effective December 4, 2021. Commissioner Eller made the motion to appoint as stated. Commissioner Cody seconded this motion. Vote unanimous.

40. Manager Marino asks for approval of the Resolution supporting passage of a NC "Heartbeat Bill". Commissioner Eller made the motion to adopt the resolution as stated. Commissioner Wiggins seconded this motion. Vote unanimous.
41. Manager Marino stated the law was changed concerning retirement in North Carolina to terminate a waiting period and this will become effective December 1, 2021. Manager Marino stated that law enforcement played a role in the stated change to assist with recruitment and retention.
42. Manager Marino stated that the board was presented with a Senior Center Participation Agreement for the Board's approval. Commissioner Wiggins asks that one change be made requiring a negative COVID test prior to entry or re-entry. Commissioner Wiggins made the motion to approve with the stated change. Commissioner Cody seconded this motion. Vote unanimous.
43. Manager Marino asks if the board wanted to make an appointment for the newly structured VAYA Health Board. Commissioner Cody made the motion to appoint Chair Orr ad Commissioner Wiggins to this board. Commissioner Eller seconded this motion. Vote unanimous. Commissioner Wiggins stated that this is a very important board, and we need to have serious discussions on access to service because most people who need the service do not have cars nor driver licenses.
44. Chair Orr asks for new or old business. No new or old business.
45. Chair Orr 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 Wiggins made the motion to go into closed session as stated. Commissioner Eller seconded this motion. Vote unanimous.
46. Chair Orr asks for a motion to go back into open session. Commissioner Wiggins made the motion to go back into open session. Commissioner Eller seconded this motion. Vote unanimous.
47. The board had discussion on possible renovations at the Urgent Care Center with Commissioner Wiggins made the motion requesting more information and to check on the Certificate of Need requirements and to verify with Attorney JK Coward prior to any installation in the CT and MAMMO rooms. Commissioner Eller seconded this motion. Vote unanimous.
48. Chair Orr asks for further discussion. No further discussion.
49. Chair Orr asks for a motion to adjourn. Commissioner Wiggins made the motion to adjourn. Commissioner Eller seconded this motion. Vote unanimous.

Connie Orr, Chair

Keith Eller, Vice-Chairman

Lynn Cody, Member

Jacob Nelms, Member

Dale Wiggins, Member

ATTEST:

Kim Crisp, Clerk to the Board