

The Graham County Board of Commissioners met Tuesday, July 16, 2024, at 5:30 p.m. in the Graham County Community Building located at 196 Knight Street Robbinsville, NC for their regular monthly meeting. All board was present. Also, present Interim County Manager/Clerk to the Board Kim Crisp, Finance Director Stacy Carpenter and Project Manager Jason Marino.

1. Chairman Nelms called the meeting to order.
2. Chairman Nelms asks Commissioner Cody to give the Invocation.
3. Chairman Nelms asks Commissioner Orr to lead the Pledge of Allegiance.
4. Chairman Nelms asks for approval of the agenda. Manager Crisp asks that we add 5a. John Colwell; 11a. Public Comment and 12k. for new or old business. Commissioner Orr made the motion to approve. Commissioner Williams seconded this motion. Vote unanimous.
5. Chairman Nelms asks for approval of the minutes for: Board of E&R June 3rd; Budget Meetings May 13th, May 15th; Workshop Session May 21st & June 18th; Regular Meetings May 21st & June 18th; Budget Meetings June 3rd, June 10th, June 12th; Continued Meeting June 11th & June 27th Commissioner Eller made the motion to approve as stated. Commissioner Williams seconded this motion. Vote unanimous.
6. Chairman Nelms asks John Colwell to speak. Mr. Colwell stated that he was here regarding The Hut and wanted to ask which of the two sites was chosen for the placement of The Hut. Mr. Colwell stated that the property on Rodney Orr Bypass was the most logical site, it has more room and crafters could have access to use the building. Mr. Colwell stated that the county could donate a portion of the building to bring in new business and he is asking that the board make a commitment today. Mr. Colwell stated that some local business could donate the money to move the building to this location and use this as a tax write-off. Mr. Colwell stated that the area in front of the Urgent Care would be another good location. Commissioner Eller stated that this is being leased to Advent Health and they would not allow for the use of this property. Chairman Nelms stated that even if you gave them the use of the property, they would need half of the parking lot to put the structure pieces while it was being built back. Ms. Colwell stated that they needed a decision to be made or First Baptist Church would be tearing the building down. Commissioner Orr, a member of Travel and Tourism stated that their board did not say the property could not be used, they just needed assurance that the building would be reconstructed, and someone needed to be responsible for seeing it through. Daniel Allison, Travel and Tourism Director, stated that they needed a written plan to show how the building would be reconstructed with a successful completion. Commissioner Orr stated that she would be happy to support the project, but they need a plan of completion. Mabelle Crisp, a member of the audience, stated that the property being discussed was not donated to Travel and Tourism, in fact, they purchased the Godfrey property, and the original plan was to put up a caboose for a Travel and Tourism Office. Director Allison stated that the T&T board will review the plan and will be willing to work with the project, but they asked to see the plan first. Mr. Scott Hatch stated that he may have caused some of the confusion to some extent, he has volunteered one to two months of his season to move this building and now they are asking him to develop a plan that will take fifty hours of his time for something that may or may not work. Mr. Hatch stated that he will comply and jump through the hoops, but he is willing to take the equivalent of \$30k out of his pocket so he doesn't want them to waste his time, he just needs to know if they are good to go or does he have to jump through more hoops. Chairman Nelms stated that the plan to put the Hut at the Urgent Care is a no. Commissioner Orr asks for a scope of work, are you putting the building on a foundation, who pays the power bill and who is responsible for the upkeep. Commissioner Orr stated that she did not see a reason why they can't get the building completed with the plan in place. Chairman Nelms asks if Rev'd Up will take the maintenance. Mr. Colwell stated that they can give the tax write offs for people to do the work but if they rent the building out, you can use those funds for the maintenance and upkeep. Chairman Nelms stated that the board needed assurances and obligations that the building will be put up in its entirety. Director Allison stated that the project is doable, but they need an instrument to determine that the Travel and Tourism Authority would be held harmless and who will be responsible for making sure that the building is reconstructed and completed. Director Allison stated that they needed a time frame for completion so that the property is not left in pieces. Commissioner Orr stated that this is the plan that was asked to be presented, a path of success for The Hut.
7. Chairman Nelms asks Josh Carpenter, Director, EDC Mountain West Partnership through Southwestern Commission and has been contracting with Graham County for their EDC services. Director Carpenter stated that he works to bring businesses into the county and to assist with retention. Director Carpenter gave a small presentation showing his support and recruitment which does include the Stanley Furniture site and hopes that this site will bring new jobs with higher wages. Director Carpenter stated that he will sit down with the business owners to discuss their workforce needs and hopefully offer incentives to the businesses and help promote them to either come to our county or to retain employees. Director Carpenter stated that he

met with members of the EDC Board and approved a small program that will allow businesses to apply online for incentive funding. Director Carpenter stated that there were (12) applicants that reached out; (7) of those applied for funding and (4) of those applicants were recommended for funding and he is very excited to bring this to the board. Director Carpenter stated that the total investment for those four is \$107,670.00; (11) new jobs and (19) jobs that will be retained which is impressive. Director Carpenter stated that a new hotel is coming with an average salary of \$44,000.00 per year; a new restaurant; and they are assisting with upgrades and repairs to Fontana Water Project with ARC Funding of \$700,000.00. Director Carpenter stated that the total investments of the new businesses is \$40 million and (75) new jobs. Director Carpenter stated that he is still marketing for textile that could potentially bring (225) jobs to the county which is a great project. Director Carpenter stated that their goal is to keep adding capacity to our workforce. The board thanked Josh Carpenter for his work. Scott Hatch stated that was a lot of information and he knows of many small businesses that have these issues and it is good to know that Director Carpenter is working with Graham County to promote job opportunities. Mr. Hatch stated that we have a dump at the old Stanley Furniture site, and this needed some curb appeal to market this property. Commissioner Williams stated that the county did not own the property it is privately owned. Commissioner Orr stated that we are trying to do just exactly what has been said and we will focus on our community and coordinate with our partners. Mr. Hatch stated that he would be glad to sit on a committee. Rance Adams asks if the Stanley Plant is still for sale. Josh Carpenter stated that they are working on a possible sell, lease, but as of now there is an odd arrangement that has now been put to the side so yes, it is on the market for \$2.8 million. Mr. Hatch stated that the board needed to offer one million for the property which sounds reasonable. Commissioner Orr thanked the men for their comments and stated that there are some challenges with the property, but it is for sale. Josh Carpenter stated that he is limited on what can be discussed at this time, but they are trying to gather resources for job creations, and this is a great opportunity.

8. Chairman Nelms asks Samuel Farley to speak. Mr. Farley stated that he provides a trash pickup service in Graham County, and he only hauls household garbage to the transfer station which causes less pickup for the county. Mr. Farley stated that he pays the State of North Carolina 7% of his earnings per month and pays taxes at the end of the year and believes in paying his fair share on bills but feels that his haul to the transfer station should be free. Mr. Farley stated that his service helps the elderly in our county that are unable to take their own trash off and he asks that the board work with him on the fees. Mr. Farley stated that the county did not charge for a while and now they are charging. The board had discussion, and all agreed that the sanitation ordinance would be worked on, and a fee schedule will be determined for all residents. Commissioner Eller made the motion to stop billing Farley's due to his service hauling only bagged household garbage. Commissioner Cody seconded this motion. Vote unanimous.
9. Chairman Nelms asks Chase Lancaster to speak. Mr. Lancaster was not present.
10. Chairman Nelms asks Gavin Colvard to speak. Director Colvard stated that the board needed to give direction on how to proceed with the dump sites, do they want us to move forward on the Bear Creek site. Commissioner Cody stated that he would like to see us move forward with the Bear Creek Site. Interim Manager Crisp stated that she would need to get the fencing repaired prior to installation of the building. Interim Manager Crisp asks that the board redo the ordinance and follow the ordinance. Attorney Coward stated that the board can discard the old ordinance and type a new ordinance reflecting the changes that the board decides. Commissioner Orr stated that it was important to our elderly for the cans to be put back instead of paying to have their trash removed. Commissioner Orr stated that she is grateful to the Farley's for their service and encourages residents to use this service. Carissa Cable stated that commercial garbage should have a fee but not residential. Commissioner Cody stated that they needed to work on reopening the Bear Creek site and have a rotating schedule then move onto the Snowbird site and set this one up on a rotation with Bear Creek. Director Colvard stated that the plans are to open three days a week at each site and be closed on Sunday. Commissioner Williams stated that we needed to use our ordinance to punish the wrong doers and follow up on the punishment because once two or more people receive tickets the other people will be less likely to abuse the sites. JJ Odom stated that redoing the ordinance would be great because it has not been updated since 2003 and that is a problem. Interim Manager Crisp stated that the board can implement a fee in the ordinance that will stand because an ordinance is law. Commissioner Orr made the motion to start with Bear Creek and after that site is complete, they can begin on the other site. Commissioner Williams seconded the motion. Vote unanimous. Vote called. Chairman Nelms voted no. Commissioners Williams, Orr, Eller and Cody voted yes. Motion carried four to one on moving forward with the Bear Creek Site reopening.
11. Chairman Nelms asks Jason Marino to give the Project Manager's reporting. PM Marino stated that the architects provided their evaluation of the three additional sites during the workshop session in June and the board is still reviewing these findings.
12. PM Marino gave a reporting on our CDBG projects.
 - a. Senior Center Kitchen Expansion – construction is underway with 52% complete; site work is continuing, and the interior installation has begun.

- b. 708 Mountain Creek – construction is underway with 63% complete: Interior work on drywall finishing, trim and interior door installation and painting.
 - c. 297 Cotton Tail – construction is underway with 43% complete: rough in on interior with drywall finishing, trim and interior door installation and painting.
 - d. Big Oaks Football Stadium – design is underway with 20% complete; current design plans, questions and comments have been provided to the school for review and comments.
 - e. Jail remediation of Asbestos and Lead-Based paint – currently working with Fleetwood Daniels on development and finalizing a scope of work.
 - f. EMS Base Asphalt Paving – currently working with Dockery Engineering on scope of work.
 - g. Smith Howell Roof Replacement – received two quotes with Cox and Son Roofing the apparent low responsive bidder at \$20,950.00 using Architectural Asphalt Shingles with limited lifetime warranty. Awaiting award of project by Board.
 - h. Sanitation shed – estimated cost has been included in the capital outlay projects; is identified as a priority; will seek grants and funding.
 - i. Clerk of Court Office Flooring – scope of work presented to Board, awaiting direction.
13. Chairman Nelms asks for a motion to accept the bid from Cox and Sons for the roof replacement on the Smith Howell Building. Commissioner Williams made the motion to accept the bid as stated. Commissioner Orr seconded this motion. Vote unanimous.
 14. Chairman Nelms asks for the finance reporting. Finance Director Stacy Carpenter presented the board a finance report. Director Carpenter stated that we ended the month with an unrestricted funds account balance of \$4,500,518.95 and a restricted funds account balance of \$12,731,436.45. Director Carpenter stated that our current year tax collections for the month is \$123,831.85 and our prior year tax collections was \$44,247.27. Director Carpenter stated that our sales tax collection rate is 97.19%. Director Carpenter stated that our DMV collections was \$167,940.19.
 15. Director Carpenter stated that our sales tax collections excluding the ¼ cent sales tax for May 2024 which is paid in July 2024 was \$257,316.71 and the total collected for February, March, April and May is \$1,000,521.79
 16. Director Carpenter stated that our ¼ cent sales tax collection for May 2024 was \$25,045.93 and the balance since inception is \$1,360,705.12.
 17. Director Carpenter stated that she is continuing to work with the CPAs on the audit, grants maintenance and making the final adjustments to the FY 22/23 budget.
 18. Director Carpenter stated that she does have a budget amendment for review and approval. Budget Amendment #30 for final year clean up. Commissioner Orr made the motion to approve Budget Amendment #30 as presented. Commissioner Williams seconded this motion. Vote unanimous.
 19. Chairman Nelms asks for public comment. Machel Crisp stated that she was signed in for public comment. Ms. Crisp stated that she submitted a public records request May 2nd and has received no response and would like to know what the delay is now that the staff has completed the budget. Ms. Crisp stated that she has waited two months now and wants an answer. Stacy Carpenter Finance Director stated that she deferred the request to Attorney Coward to let her know what she could legally send. Director Carpenter stated that they did start the new budget, but she is trying to close the past year budget and get the audit completed so she is very busy. Ms. Crisp stated that the reports is just a click away and the request would take less than thirty minutes. Ms. Crisp stated that she asked Kim Crisp for items as well. Manager Crisp stated that the minutes were on the web, and she emailed Ms. Crisp some other paperwork that was requested. Ms. Crisp stated that she wants all the revenues and expenditures and the bank reconciliations for each account.
 20. Chairman Nelms asks for approval of the Releases \$7560.59 and Discoveries \$8061.60. Commissioner Orr made the motion to approve. Commissioner Cody seconded this motion. Vote unanimous.
 21. Chairman Nelms asks for approval of the bid for the cameras, the board received three quotes TP Teknologies \$13,508.44: Connection \$14,979.74 and Brooks Network Services \$18,385.50. Commissioner Orr made the motion to accept the lowest quote. Commissioner Williams seconded this motion. Vote unanimous.
 22. Chairman Nelms asks for a motion to write off the Town of Robbinsville Sanitation fees for 2023 for \$14,561.20. Commissioner Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
 23. Chairman Nelms reminded the board of the Board of Health meeting August 6th at 6:00 p.m.
 24. Chairman Nelms reminded the board of the SW Commission Annual Dinner July 22 at 5:30 p.m.
 25. Chairman Nelms asks for a motion to appoint a NCACC Voting Delegate. Commissioner Cody made the motion to appoint Chairman Nelms. Commissioner Orr seconded this motion. Vote unanimous.
 26. Chairman Nelms asks that the board review the Legislative Goals. All board agreed with the goals.

27. Chairman Nelms reminded the board of the open house for Urgent Care August 6th from 4:00-6:00.
28. Chairman Nelms stated that Advent Health had requested someone from the county attend the August 19th Public Hearing in Asheville. The board all agreed that Commissioner Orr and Manager Crisp can attend.
29. Chairman Nelms asks for a motion to surplus the following vehicles: 2015 Dodge Charger; 2013 Dodge Charger; 2013 Ford Taurus Interceptor; 2016 Ford Interceptor and 2014 Dodge Caravan. Commissioner Williams made the motion to surplus the vehicles as stated. Commissioner Orr seconded this motion. Vote unanimous.
30. Chairman Nelms asks for new or old business. Chairman Nelms stated that the Sheriff's budget is way under what is necessary due to the new laws regarding hiring of certified officers. Cody George, Chief Deputy, stated that without the proposed raise increases they will lose staff, and they are no longer able to hire anyone who is not certified. Mr. George stated that he has run the numbers, and they are short \$92 to \$100 thousand dollars. Commissioner Orr asks if we pay for the training. Mr. George stated that we do at this time but with the new law they cannot come to work here unless they are already certified. Mr. George stated that we have been a training ground for years and he must advocate for our deputies. Finance Director Carpenter stated that she has been looking at the budget and the cost difference is \$72,670.00. Director Carpenter stated that the board chose not to raise taxes to fund these extras that were asked for. Director Carpenter stated that the Sheriff can spend his money at his discretion and felt that he needed to be creative to accomplish the goals. Commissioner Williams stated that departments such as EMS can self-sustain with very little tax dollars but there are not many ways for the sheriff to gain revenue. Chairman Nelms stated that the problems needed to be addressed. Commissioner Cody stated that our sales tax was budgeted low so we may have extra money there to use. Commissioner Williams stated that she will not agree to raise taxes, but the departments needed to see if adjustments could be made in their budgets to accommodate the increase of wages. Commissioner Cody stated that we may be fine until year end but then we must fix the shortfalls and increasing taxes is one of the only ways to gain revenue. Commissioner Eller stated that we have spent that much on sanitation with all the changes.
31. Manager Crisp asks permission for our pool staff to hold a back-to-school bash pool party for all our rescue squad and fire department volunteers free of charge. The board all agreed.
32. Chairman Nelms 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 as stated. Commissioner Williams seconded this motion. Vote unanimous.
33. Chairman Nelms asks for a motion to go back into open session. Commissioner Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
34. Chairman Nelms asks for a motion to adjourn. Commissioner Orr made the motion to adjourn. Commissioner Cody seconded this motion. Vote unanimous.

Jacob Nelms, Chairman

Natasha Williams, Vice-Chair

Lynn Cody, Member

Keith Eller, Member

Connie Orr, Member

ATTEST:

Kim Crisp, Clerk to the Board