

The Graham County Board of Commissioners met Tuesday, October 15, 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 members were present. Also, present Interim County Manager/Clerk to the Board Kim Crisp, Finance Director Stacy Carpenter, Project Manager Jason Marino and Attorney JK Coward.

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. Clerk Crisp asks that we add Item 4a: Approval of the minutes and Item 15d. T&T Board replacement. Commissioner Williams made the motion to approve the agenda as stated. Commissioner Orr seconded this motion. Vote unanimous.
5. Chairman Nelms asks for approval of the minutes for Workshop and Regular September 17, 2024. Commissioner Cody made the motion to approve the minutes as stated. Commissioner Eller seconded this motion. Vote unanimous.
6. Chairman Nelms asks for a motion to close the regular meeting and open the public hearing for the CDBG Neighborhood Revitalization Program Grant #17-C-2984 Close-out. Commissioner Eller made the motion as stated. Commissioner Orr seconded this motion. Vote unanimous.
7. Chairman Nelms asks Jason Marino to speak. Project Manager Marino stated that our Withers Ravenel Representative David Gale was here to present the closeout.
8. Mr. Gale stated that this is the closeout hearing for Graham County's FY 2017 Community Development Block Grant (CDBG) Neighborhood Revitalization Program, Grant # 17-C-2984. The purpose of this public hearing is to discuss the program and performance, allow the citizens of the County of Robbinsville an opportunity to make any comments, and closeout the CDBG project.
9. Mr. Gale stated that in early February 2019, the County received \$750,000.00 in U.S. Department of Housing and Urban Development (HUD) CDBG funding from the North Carolina Department of Commerce (DOC) for Grant #17-C-2984.
10. Mr. Gale stated that in June 2024, the County requested additional funds from NC Commerce in the amount of \$71,250.00 and these funds were added to the Rehabilitation of privately owned dwellings budget line item. With these additional funds, the total grant amount received from NC Commerce the County received is \$821,250.00.
11. Mr. Gale stated that the proposed project activities were reconstruction for two (2) single-family homes and rehabilitation repairs for one (1) single-family home. The County was able to assist with the reconstruction of two (2) single-family homes. All the housing activities benefitted low to moderate income (LMI) households directly for 100% benefit to LMI persons.
12. Mr. Gale stated that the program activities are complete, and grant funds are approximately 97% expended. The breakdown of the fundings is \$724,611.89 of the grant funds were spent towards rehabilitation and \$74,976.34 towards administration fees. The final requisitions for funds submitted by the September 19, 2024, expenditure deadline and CDBG closeout documents will be submitted to DOC by the deadline of December 20, 2024.
13. Mr. Gale stated that this was a successful project and remained in compliance with the required federal regulations associated with funding.
14. Mr. Gale asks for questions or comments. No questions or comments from the board or the public.
15. Chairman Nelms asks for a motion to close the public hearing and reopen the regular meeting. Commissioner Eller made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
16. Chairman Nelms asks for a motion to approve the closeout documents as presented. Commissioner Orr made the motion as stated. Commissioner Cody seconded this motion. Vote unanimous.

17. Chairman Nelms asks Honorable Judge Sellers to speak. Judge Sellers thanked the board for allowing her to speak and stated that she is the 43rd District Superior Court Judge over Graham County, Cherokee County, Macon County, Clay County and Swain County. Judge Sellers stated that she is here to discuss issues with the current courthouse in Graham County that must be addressed. Judge Sellers stated that she has others that will speak as well and they are: Judge Roy Wijewickrama, District Attorney Ashley Welch and Clerk of Superior Court Tammy Holloway. Judge Sellers stated that she has been practicing in Graham County since 2007 where she has served as Prosecutor with the DA's Office, and she loves the people of Graham County. Judge Sellers stated that she is a mountain girl raised in Haywood County, and she loves serving our home communities and she is here tonight to help Graham County with the issues of the courthouse. Judge Sellers stated that the current courthouse is not sufficient to hold court, and she does know the history beginning with the letter from Judge Letts regarding his concerns as well. Judge Sellers stated that there are several issues. Judge Sellers stated that it is now time to fish or cut bait and the current courthouse will no longer suffice. Judge Sellers stated that the Clerk has noted issues in the past one being the HVAC system makes it very difficult to hear in the courtroom during trial and the clerk reporter has a difficult time keeping record. Judge Sellers asked that a plan of action be provided to her in writing within 60-days of the receipt of the letter and she can determine next steps. Judge Sellers stated that she is here to help Graham County, and she understands there are issues with the jail as well, but she is more concerned with the courts. Judge Sellers asks Judge Wijewickrama to speak.
18. Judge Wijewickrama stated that he is the Chief 43rd District Court Judge and he is from Waynesville and is happy to speak with the board. Judge Wijewickrama stated that he is statutorily over the district court schedule which includes DSS, traffic, criminal, etc. for all seven western counties and it is a challenge in Graham County due to having one courtroom. Judge Wijewickrama stated that in Swain and Clay there are multiple court rooms so courts can be run at the same time. Judge Wijewickrama stated that it is a disservice to the people of this county and the time has now come for a new building due to safety issues, jury issues with interactions with defendant families and now they must be proactive. Judge Wijewickrama asks that the board consider at least two courtrooms if not three and asks that we allow the judges, clerk of court and the D.A.'s office be involved in the planning and further asks that we plan for seventy-five years or more so that it will stay modern, safe and efficient. Judge Wijewickrama thanked the board for their time.
19. Judge Sellers ask District Attorney Ashley Welch to speak. D.A. Welch stated that she is the elected District Attorney for the seven most western counties. D.A. Welch stated that she comes from Henderson County is very proud to serve her western district. D.A. Welch stated that she is here to offer her support to Judge Sellers, she is not here to tell the commissioners what to do in the county, but she is here to say it is time to do the right thing for Graham County. D.A. Welch stated that it is no longer safe to hold court, not safe for the clerks, not safe for probation and she will not have her people here because now they are not safe. D.A. Welch stated that it is no one's fault but it is now time. D.A. Welch thanked the board for listening for their time.
20. Judge Sellers asks Clerk of Superior Court Tammy Holloway to speak. Clerk Holloway thanked the Judges, D.A.'s, Sheriff Staff, her staff for giving their support and stated that she has been involved in the current courthouse for thirty-one years with her dad serving as Clerk of Superior Court prior to her twenty-four years. Clerk Holloway stated that one juror had to be excused from a trial because he had talked with a witness and the jury is not safe and her staff is not safe, and this needed to be improved with the growth of the court system. Clerk Holloway stated that the cases will continue to expand, and they must do so as well. Clerk Holloway stated that her office has cracks in the floor that are dangerous especially for those that wear high heels, the maintenance has done an amazing job, but our restrooms have no hot water, and the county citizens complain to them about the building. Clerk Holloway stated that the main issue is safety, and they do not feel safe and gave an example of a domestic abuse case and the wife had to walk right in front of her abuser, and this is just not right.
21. Judge Sellers asks Attorney David Wijewickrama to speak. Attorney Wijewickrama stated that he spoke with Attorney Coward before on issues of the jail and courtroom

issues and the state, and county must conduct business in a safe facility and he is here to support and help in the process, he knows that this is challenging for a small county but some citizens must travel hours away to go to court, we have inmates sleeping on the floor and we have had multiple writeups from the state regarding the jail. Attorney Wijewickrama stated that they would like to know the timeline and he offered his assistance to help the board on picking the right plan for our county dollars and looks forward to working with the county.

22. Judge Sellers thanked the board for their time and asks if they have any specific questions that she can answer. Judge Sellers stated that they are all ready, willing and able to help and assist the county.
23. Chairman Nelms thanked everyone for their comments and stated that nothing had been said tonight that they didn't agree with, and they will reach out for assistance as they move forward.
24. Chairman Nelms asks for a motion to enter negotiations with one of the three prospective sights to build the Justice Center. Commissioner Williams made the motion to enter negotiations with Graham County Schools for the property on Knight Street which is the most cost effective and most beneficial site for the taxpayers. Commissioner Orr seconded this motion and stated that this is a very large and challenging project for the county and thanked the Judges, etc. for attending the meeting and offering their assistance. Chairman Nelms called for a vote. Commissioners Nelms, Williams, Orr and Cody voted yes. Commissioner Eller voted no. Motion carried four to one.
25. Chairman Nelms asks Tracy Jones with Reigniting Hope to speak. Ms. Jones thanked the board for their time and stated that they had applied and received their non-profit status to serve the people of Graham County who are active drug users and homeless and offer compassion and show grace with welcoming open arms. Ms. Jones stated that they have supplied meals on Saturdays since February and feed around (125-155) people each week. Ms. Jones stated that they did receive their 501-C3 status and are officially a non-profit corporation. Ms. Jones stated that they are currently collecting items for the victims of Helene and assisting with our homeless population. Ms. Jones stated that we have (53) homeless people in our county, and we have had (57) opioid deaths and their goal is to show compassion and let them know that they are not alone and if they come asking, they will help them without judgement. Ms. Jones stated that they host fundraisers, have donations and are wanting to expand their meals to Sundays. Ms. Jones stated that she is asking to be added to the special appropriations funding request list for the county in the next upcoming fiscal year. Commissioner Eller asks where they are located. Ms. Jones stated that they are in the old Doodlebug Day Care building at 347 Rodney Orr Bypass. Commissioner Cody encouraged them to apply for grants and to let him know if they needed assistance. Commissioner Williams thanked them for their work and further stated that our people do deserve to be treated with compassion and grace. Chairman Nelms asks that they give their information to Clerk Crisp and they will be glad to review for the next fiscal year.
26. Chairman Nelms asks Brittany Holder to speak. Ms. Holder stated that she is here to speak on animal control in the county. Ms. Holder stated that she also has a 501-C3 organization and owns a pet grooming shop. Ms. Holder stated that she has rescued three dogs and five cats and one feral cat and all have been spade and vaccinated. Ms. Holder stated that Valley River Humane Society has been wonderful to work with and the county does have a feral cat problem. Ms. Holder stated that each female cat can have up to (216) babies each year and it takes \$215.00 per cat to be spade and fully vaccinated and not everyone in this county can afford to do that. Ms. Holder stated that the only way to stop this increasing population is to spade these animals and there is no service in this county to assist. Ms. Holder stated that she understands that the county is limited in money, but they help, and Valley River can only take so many animals before you are put on a waiting list, and they will call you back when space is available. Ms. Holder stated that the health department will only address dangerous dogs and there is nothing in the ordinance to assist with the welfare of these animals. Ms. Holder stated that owners are not responsible, and a lot of the animals are neglected and suffer, and the county needs to help. Ms. Holder stated that she needed assistance with funding for a SNIPPET Bus that would come to this county and provide the much-needed services. Ms. Holder stated that the cost is \$11,000.00 for four visits and then is \$3,000.00 per visit after that and they can

- assist up to (60) cats per day or (30) dogs per day. Ms. Holder stated that we have (3000) feral cats in this county, and most are wild and cannot be caught without traps and she needs help. Ms. Holder stated that she has a heart for animals, and she will come back to the meetings because this is important to a lot of people here in this county. Ms. Holder thanked Commissioner Williams for her donations for taking in rescue animals. Ms. Holder asks that the board continue the funding and relationship with Valley River and assist with the SNIPPET Bus and help with the cat sanctuary to take care of the neglected animals. Ms. Holder stated that she would be glad to speak with the board at any time. Commissioner Orr stated that she has a heart for the animals as well and changes needed to be made to the animal ordinance, and they will be working on a path forward and asks what is needed most at this time. Ms. Holder stated that they needed the SNIPPET Bus which is done by Logan's Run to help spade and give vaccinations to the animals. Commissioner Orr stated that she was open to doing that and getting that on a schedule. The board all agreed to add this request to the upcoming budget.
27. Chairman Nelms asks for the project manager's reporting. PM Jason Marino stated that the Justice Center site was chosen tonight so he would be getting in touch with Moseley Architects to let them know so that the design plan can begin.
 28. PM Marino stated that our CDBG Kitchen renovations is reporting 90% complete. PM Marino stated that the storage building was being built in Erwin, Tennessee and was flooded during Helene so the building is being done in Statesville, NC with a six-week delay.
 29. PM Marino stated that our Asbestos/Lead Based Paint remediation in the jail is being readvertised due to the first bids being rejected. PM Marino stated that the re-bid date will be October 23rd.
 30. PM Marino stated that the design is underway for the EMS Base asphalt paving, and he is working with Dockery Engineering.
 31. PM Marino stated that he is currently working on two homes under the Neighborhood Revitalization Demolition and Reconstruction and the bid documents will go out in October potentially.
 32. PM Marino stated that he is currently working on a grant with the school carpentry program to build a home in the Azalea Hills Moose Branch property through our Rural Development Authority.
 33. PM Marino stated that he did receive an estimated cost for the new sanitation building and he is looking for available grants and funding.
 34. Chairman Nelms asks for the finance reporting. Finance Director Stacy Carpenter stated that she had been advised by NCACC and the LGC to change her finance reporting to reflect a more accurate accounting. Director Carpenter stated that she did have one budget amendment for the boards review and/or approval. Director Carpenter stated that Budget Amendment #3 is to recognize additional funding for DSS, Facility Fees and Senate Bill Grant. Commissioner Cody made the motion to approve Budget Amendment #3 as stated. Commissioner Williams seconded this motion. Vote unanimous.
 35. Director Carpenter gave the board an income statement for their review.
 36. Director Carpenter stated that the current year tax collections is \$326,938.38 and the prior year's tax collections is \$11,175.75.
 37. Director Carpenter stated that the sales tax collection for August (paid in October) are: \$319,468.85. Director Carpenter stated that the sales tax set aside for schools is \$56,006.74 and the ¼ cent set aside is \$29,758.06.
 38. Director Carpenter stated that the DMV collections for the month was \$47,427.19.
 39. Chairman Nelms asks for public comment. Jack Gross requested to speak. Mr. Gross stated that he is a retired firefighter from Florida, and he wanted to thank the board and their staff for their professionalism, and for the care that this board shows to our citizens. The board thanked Mr. Gross for the statement.
 40. Chairman Nelms stated that the board would now go to the discussion items. Chairman Nelms asks for approval of the Releases for \$2523.59. Commissioner Williams made the motion to approve. Commissioner Orr seconded this motion. Vote unanimous.
 41. Chairman Nelms asks for approval of leave without pay for Bethany Leonard. Commissioner Orr made the motion to approve as stated. Commissioner Cody seconded this motion. Vote unanimous.

42. Chairman Nelms asks for a motion to appoint Marie Brown to the Travel and Tourism Board in the place of Meredith Jenkins. Commissioner Orr made the motion as stated. Commissioner Williams seconded this motion. Vote unanimous.
43. 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 Cody made the motion to go into closed session as stated. Commissioner Williams seconded this motion. Vote unanimous.
44. Chairman Nelms asks for a motion to go back into open session. Commissioner Williams made the motion as stated. Commissioner Orr seconded this motion. Vote unanimous.
45. Chairman Nelms asks for a motion to adjourn. Commissioner Williams made the motion to adjourn. Commissioner Orr seconded this motion. Vote unanimous.

Jacob Nelms, Chairman, Graham County Commissioner

Natasha Williams, Vice-Chair, Graham County Commissioner

Lynn Cody, Member, Graham County Commissioner

Connie Orr, Member, Graham County Commissioner

Keith Eller Member, Graham County Commissioner

ATTEST:

Kim Crisp, Clerk to the Board