

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
October 25, 2021 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, October 25, 2021 at 6:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Larry Chapman, Chairman Jason Chappell, Vice-Chairman Jake Dalton, David Guice, and Teresa McCall. Also present were County Manager Jaime Laughter and Clerk to the Board Trisha Hogan. County Attorney Bill Bulfer participated remotely via Zoom meeting software.

Media: *The Transylvania Times* – Alex Perri participated remotely.
Brevard Newsbeat – Dan DeWitt

There were approximately 10 people in the audience, including staff presenters.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 6:00 p.m.

WELCOME

Chairman Chappell welcomed everyone to the meeting participating both in-person and remotely. He introduced the Commissioners and staff in attendance.

PUBLIC COMMENT

There were no public comments.

AGENDA MODIFICATIONS

There were no agenda modifications.

Commissioner Guice moved to approve the agenda as submitted, seconded by Commissioner Chapman, and unanimously approved.

CONSENT AGENDA

Commissioner McCall moved to approve the Consent Agenda, seconded by Commissioner Chapman, and unanimously approved.

The Board approved the following items:

DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORT

Per N.C.G.S. § 105-312 (b), the Tax Administrator must see that all property not properly listed during the regular listing period be listed, assessed, and taxed. The Tax Administrator shall file such reports of discoveries with the Board of Commissioners. Per N.C.G.S. § 105-381 (b), the Tax Administrator must provide a monthly report to the Board of Commissioners of the actions taken by the Tax Administrator on requests for release or refund, which shall be recorded in the minutes. For September 2021, tax dollars

released totaled \$3,427.14, and \$988.53 in refunds were issued. The Board approved the Discovery, Release, and Monthly Settlement Report for September 2021 as submitted.

REQUEST FOR OUT-OF-STATE TRAVEL

The Region III International Institute of Municipal Clerks Annual Conference will be held in Huntsville, Alabama February 1- 4, 2022. In 2019, the NC Association of County Clerks approved an amendment to its bylaws to include sending its president to the Region III IIMC Conference to ensure North Carolina has representation. As current President of the NC Association of County Clerks, Trisha Hogan will represent the Association at this conference. The Association will reimburse all expenses including lodging, travel, and food. The Board approved the request for out-of-state travel as submitted.

PROCLAMATION – VETERANS DAY 2021

In 2009, the Board of Commissioners established a Veterans Day Committee that is responsible for developing a program to honor the veterans of our community on Veterans Day. Commissioners and County staff will be working alongside the Veterans History Museum of the Carolinas on the event planning. The Board of Commissioners has traditionally approved a proclamation honoring Veterans Day. The proclamation will be presented and read at the Veterans Day Ceremony on Thursday, November 11 at the Courthouse Gazebo. The Board approved Proclamation 32-2021 Veterans Day 2021. Commissioner Chapman read aloud the proclamation for the benefit of the public.

PROCLAMATION # 32-2021 VETERANS DAY 2021

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original 13 States, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, we owe a great debt to those who have served in defense of this nation; and

WHEREAS, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

WHEREAS, for many, that sacrifice had ended in permanent injury or death, yet their spirit remains in continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; and

WHEREAS, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy;

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commissioners of Transylvania County does hereby call upon the citizenry of Transylvania County to participate in services and to observe the eleventh hour of the eleventh day of the eleventh month with expressions of gratitude to all veterans and to further extend this gratitude to the families of the deceased veterans and to solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us re-consecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

This the 25th day of October 2021.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

RESOLUTION ALLOWING RETIRING OFFICER TO PURCHASE SERVICE HANDGUN

Chief Deputy Eddie Gunter will retire from the Sheriff's Office effective November 1, 2021 with 29 years and five months of service. N.C.G.S. § 20-187.2 allows the governing board to award to a retiring member the service gun of the retiring member. Sheriff David Mahoney requested the Commissioners approve a resolution allowing Chief Deputy Eddie Gunter to purchase his service handgun for the price of \$1.00 upon his retirement. The Board approved Resolution #33-2021 Allowing a Retiring Officer to Purchase His Service Handgun.

**RESOLUTION # 33-2021
ALLOWING A RETIRING OFFICER TO PURCHASE HIS SERVICE HANDGUN**

WHEREAS, NC General Statute § 20-187.2 provides that the governing body of a local law enforcement agency may, in its discretion, award to a retiring member the service handgun of the retiring member; and

WHEREAS, Jack Edward "Eddie" Gunter began his career with the Transylvania County Sheriff's Office as a Deputy Sheriff in May 1992, was promoted to Investigator in August 1996, and then as Chief Deputy where he has served since December 2006; and

WHEREAS, Eddie Gunter will retire from the Transylvania County Sheriff's Office effective November 1, 2021 with 29 years and five months of service to Transylvania County;

NOW, THEREFORE, BE IT RESOLVED by the Transylvania County Board of Commissioners to allow Eddie Gunter to purchase his service handgun in accordance with the provisions of NC General Statute § 20-187.2 for the purchase price of \$1.00.

This the 25th day of October, 2021.

S://Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

PRESENTATIONS/RECOGNITIONS

COVID-19 UPDATE

Public Health Director Elaine Russell gave an update to the Board on the status of the COVID-19 pandemic and the vaccine program in Transylvania County. This is a summary of her presentation:

- In Transylvania County:
 - 51% fully vaccinated (17,532)
 - 53% partially vaccinated (18,147)
- Last week, FDA, CDC, and NCDHHS added booster shot recommendations for people who received Moderna and Johnson & Johnson vaccines
- Boosters are now recommended for:
 - People in high-risk groups fully vaccinated with Pfizer or Moderna for 6+ months:
 - ages 65+
 - ages 18+ who live in long-term care settings
 - ages 18+ who have underlying medical conditions

- ages 18+ who work or live in high-risk settings (first responders, education staff, other essential workers, schools, correctional facilities, etc.)
 - All people ages 18+ vaccinated with Johnson & Johnson for 2+ months
- Eligible people may choose to receive a booster of the same vaccine or a different approved vaccine (“mix and match” dosing)
- Transylvania Public Health will offer Moderna boosters for eligible individuals at the Library on October 28 from 1:00 p.m.-4:30 p.m. by appointment only; call Health Department or schedule online; approximately 200 boosters are available
- Agency currently providing COVID-19 vaccines in-office:
 - Single doses of Johnson & Johnson for ages 18+
 - 1st and 2nd doses of Pfizer for ages 12+
 - 1st and 2nd doses of Moderna for ages 18+
 - Additional doses of Pfizer and Moderna for immunocompromised people
 - Pfizer booster for eligible individuals
 - Moderna booster (½-dose) for eligible individuals (starting November 1)
 - Johnson & Johnson booster for eligible individuals (starting November 1)
- In Transylvania County
 - 25 new cases were reported in the past seven days; the number of cases is decreasing
 - 20% (5) of the 73 are 0-17 years of age
 - 12% (3) of the 73 are 0-11 years of age

This concluded Ms. Russell’s report. Chairman Chappell called for comments and questions from Commissioners.

Commissioner Chapman asked if Ms. Russell had received an official directive from the State or federal government regarding mandating mask-wearing and vaccines. Ms. Russell reported no and noted that she has received the same information as the County Manager. She anticipated more information being released to the local level in the coming days and she will share it at that time.

Commissioner McCall emphasized these comments are not directed toward Ms. Russell and her staff because she was very appreciative of the work they do. She pointed out that the data shows that only eight of the new positive cases over the last week were between the ages of 0 and 17. While she felt one positive case was one too many, she questioned at what point the schools begin to change criteria and protocols for mask-wearing. Families and their children are attending sporting events, shopping, spending time with others, etc. without masks, yet they are being told they are not safe at school without a mask. She was concerned that this behavior only teaches hypocrisy because the same people forcing students to wear masks are not wearing masks in public. Commissioner McCall stated that at no time in life is there no risk and at some point, society must accept this virus as an acceptable risk because it is not going away. In addition, decision-makers continue to ignore natural immunity or antibodies from those who have recovered from COVID which a year ago was touted as necessary for getting us toward herd immunity. This tells her the decision-makers have no plans to move this country out of the pandemic. She was concerned that the pandemic protocols are threatening people’s livelihoods which is not acceptable. Furthermore, the State and federal government have made this situation divisive and forced citizens to do things against their will when they should be telling people the truth about what they can do to protect themselves. Commissioner McCall was very thankful for the nurses and healthcare professionals who have worked every day over the last year with no thought given to their own lives. She felt it was shameful for the government to force them to take a vaccine or fire them when they have been working through the pandemic since the beginning and when no vaccines were available at the time.

Commissioner Chapman inquired about the number of hospitalizations. Ms. Russell reported there have been 149 total hospitalizations to date.

Commissioner Guice commented that there remain many people in the community who are sick and hospitalized. He felt the County's case numbers are low because we followed certain precautions.

Ms. Russell thanked the Board for their support of Public Health. Commissioners thanked Ms. Russell for her continued updates and for being willing to respond to their questions at a moment's notice.

RECOGNITION OF TRANSYLVANIA COUNTY EMPLOYEE VETERANS

Veterans Day is Thursday, November 11. Staff felt it was fitting and appropriate to recognize those County employees who served in the US Military and their continued public service in local government.

VETERANS DAY <i>Honoring all who served</i>			
Department	Employee	Branch	Rank
Animal Services	Sara Laboe	US Army & National Guard	E-5 Sergeant
Board of Elections	Michael "Jeff" Storey Wesley "Dean" Galloway	US Air Force	Staff Sergeant
EMS		US Marine Corps	Sergeant
EMS	Joseph Hall	US Air Force	Senior Airman E-6 Petty Officer 1st Class
EMS	Larry Miller	US Navy	
EMS	Edward Orrell	US Army	Sergeant
EMS	Shannon Ropp	US Air Force	Airman 1st Class
Facilities			
Engineering	Larry Reece	US Army	E-4
Sheriff	Christopher Clark	US Marine Corps	Corporal
Sheriff	Ralph Davenport	US Air Force	Sgt 1st Class
Sheriff	Hampton "Rick" Lasater	US Army	Captain

VETERANS DAY <i>Honoring all who served</i>			
Department	Employee	Branch	Rank
Sheriff	Jonathan "Kris" McCall	US Army	
Sheriff	Henry "Hank" Moffitt	US Army	
Sheriff	Erin Owen	US Air Force	E-5
Sheriff	William "Anthony" Worley	US Marine Corps	Corporal
Sheriff	James Roubion	US Marine Corps	
Social Services	Tracy Justice	US Army	
Social Services	Sherrri Stearns	US Navy	E-5
Solid Waste	Jim Cox	US Navy	E-6
Solid Waste	Adam Poe	US Navy	E-2
Tax Administration	Chazney West	US Air Force	E-5 Staff Sergeant
Veterans Services	Frank Pearsall	US Marine Corps	Master Sergeant

Staff also recognized County Commissioner Larry Chapman for his service in the US Marine Corps achieving the rank of Colonel. Commissioner Chapman extended an invitation to the public to celebrate and attend an event honoring the Marine Corps' birthday on November 10 at the American Legion.

TRANSYLVANIA COUNTY TOURISM DEVELOPMENT AUTHORITY ANNUAL REPORT

Clark Lovelace, Executive Director of the Transylvania County Tourism Development Authority (TCTDA) presented an annual report to the Board with a focus on FY 2021 and what is to come in FY 2022. This is a summary of his presentation:

The TCTDA is a nine-member board comprised of owners/operators of accommodations, citizens interested in tourism-related activities, and representatives from the Chamber of Commerce, City of Brevard, and Transylvania County. The TCTDA also has a support team of four staff and Market Connections which serves as its marketing partner agency.

Historic Metrics

Tourism-related activities were very high over the last year. Occupancy tax nearly doubled from the previous year. The last three months of the year were incredibly low because of the pandemic but still represented overall growth from year-to-year. Tourism was growing at a higher rate than ever before the pandemic, but when the pandemic hit, outdoor recreation activities became more popular. Transylvania County is a rural county with many outdoor opportunities and thus attracted folks wanting to escape the pandemic. Transylvania County does not experience a lot of corporate travel and did not experience losses in those areas like Mecklenburg or Wake Counties did. The bulk of the increase in visitors is represented in short-term rental activity which more than doubled from the previous year. Occupancy taxes bring in an incredible amount of revenue growing by three and a half times over nine years. As the number of visitors grows, so does the impact on our economy from the tourism industry. The tourism industry generates \$130 million in revenue and 1,000 jobs which results in tax savings for citizens.

Marketing & Advertising

100% of the occupancy tax revenues must be spent on the tourism industry. The State of North Carolina mandates that two-thirds of those dollars must be spent directly on marketing and promoting. The remaining one-third can be spent on other tourism-related expenditures. The TCTDA's priorities continue to be building its brand, bringing in visitors when they are needed, converting day-trippers into overnight visitors, urging responsible visitation, and providing the latest possible travel information to visitors. The TCTDA markets through a targeted print and digital advertising, television, display marketing, radio, social media, and special promotions. Their marketing campaign has been effective at increasing visitation.

Public Relations

Public relations are an important part of any marketing campaign. At times, the TCTDA is not directly involved in a marketing effort but may provide photos or other information to support it or set up a visit. The TCTDA is also seeking those with a strong media presence to help spread the word. For instance, Ch8sing Waterfalls, a hiking group of Black women from Atlanta, visited Brevard and Transylvania County for a social media takeover on the TCTDA's Instagram @ExploreBrevardNC. This allows the TCTDA to expand its promotional markets.

Digital & Collateral

Their digital and collateral statistics have gone up with the exception of the Adventure Guide. They distributed fewer guides because of the pandemic. The Pisgah Ranger Station and Dupont Visitors Center, places where they give away the most guides, were shut down for more than half the year.

Explore Responsibly

Their Explore Responsibly messaging was created with the pandemic in mind. They expanded on the message of taking care of public lands with being respectful of local businesses and the community as a whole when visiting.

Brevard/Transylvania Visitor Center

The Visitor Center saw fewer visitors this past year than in previous years, but the staff and volunteers continued supporting tourism. Running the Visitor Center during a pandemic was challenging resulting in modifications to its operations. The Visitor Center is currently open fewer hours than normal due to ongoing challenges with staffing volunteers. Despite the challenges, they added services, such as a Fixit Bike Repair Station and White Squirrel Institute.

Partner Services

This is an area that is not necessarily directly marketing and promotion. The TCTDA supports tourism partners as part of their role. These areas are supplemented by the TCTDA to make these opportunities happen. The purpose is to enable opportunities for their tourism partners that they may not be able to have otherwise, e.g., co-op campaigns, sweepstakes, and events calendars.

Grants & Partnership Funding

There are three primary areas where the TCTDA provides local support dollars. The first is through the Tourism Grant Program where the TCTDA grants up to \$3,000 for events, typically, but also for projects or initiatives that either increase overnight visitation or enhance the experience of the visitor. The mission of Transylvania Always Initiative is to be a leader in the effort to take care of Transylvania County's natural resources and thus provide substantial dollars to many local organizations. Projects funded through Destination Infrastructure must make a substantial impact on the tourism infrastructure of our destination. These are important to ensure that visitation is sustainable. The TCTDA has provided grants for projects as small as \$750 to support the French Broad River Fest to \$10,000 to support debris removal on the French Broad River in partnership with Transylvania County Government. They also supported the expansion of parking and addition of kiosks at the Black Mountain Trailhead in the Pisgah National Forest through a \$30,000 grant of funds. The TCTDA provided almost \$200,000 in support over the past year for projects that fell into one of these three categories.

Transylvania Always

Some other initiatives and efforts fall under the Transylvania Always program. The TCTDA was inspired by the "Leave No Trace" concept to create the "Leave It Better" campaign which describes appropriate behavior on public lands and includes the creation of clean-up crews. The TCTDA hired a firm to develop a French Broad River Strategic Master Plan that is set to be complete by the end of the year. The TCTDA will share those findings in early 2022. The purpose of the plan is to define enhancements and ways to improve the blue way; determine where attention is needed; and then pledge dollars to support the river. The Be Waterfall Wise campaign focused on safety around waterfalls.

Transylvania Tomorrow

Transylvania Tomorrow was created in partnership with the Brevard/Transylvania Chamber of Commerce, Heart of Brevard, Transylvania Economic Alliance, and Blue Ridge Community College Small Business Center to provide small but meaningful grants to help businesses at a time when they had no or limited customers. As the year progressed, they heard from some businesses that were concerned about the lean winter months when they were still experiencing reduced business due to the pandemic. The program awarded a total of \$250,000 to 111 small businesses throughout Transylvania County.

Looking Forward

The TCTDA has done great work and tourism continues to grow. They are excited about the work they have done and the work that lies ahead, including the French Broad River Blueway Plan, continuing to address litter in the community, bike rack stations, the development of the Ecusta Trail, continued support of our public lands, a safe, effective and attractive roundabout at the entrance to the Pisgah National Forest, and so much more. Tourism must continue to grow in a way that benefits our tourism partners and the community as a whole. Finding the right balance has become more important than ever. The TDTDA pledged to focus on that balance as they shape the future of tourism in Transylvania County.

Mr. Lovelace concluded the formal presentation. Chairman Chappell opened the floor for comments and questions from Commissioners.

Commissioner Chapman asked how we ensure that short-term vacation rental owners are paying occupancy tax. Mr. Lovelace reported that the larger short-term rental companies, like Airbnb and VRBO, collect the occupancy taxes from the properties registered under them and pay counties in a lump sum. Unfortunately, there is no data submitted with the payments. The TCTDA contracted with a firm called AirDNA to determine short-term data analytics to help them understand how many short-term rentals there are in Transylvania County. Otherwise, there is no one enforcing occupancy tax payments.

Following further comments, Commissioners thanked Mr. Lovelace and the staff and members of the TCTDA for their work and continued success in promoting tourism and related activities in Transylvania County.

APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

A position on the Board of Equalization and Review has been vacant for some time and the Clerk to the Board has advertised on numerous occasions. The Clerk advertised again in August with an October 15 deadline and received one application from Jackson Tate. Besides the basic qualifications to serve on a citizen advisory council (Transylvania County citizen/resident, 18 years old, etc.), applicants for the Board of Equalization and Review must own property in Transylvania County. The staff has confirmed that Mr. Tate is a Transylvania County property owner and thus recommends his appointment to fill the vacancy.

Commissioner Chapman moved to appoint Jackson Tate to fill the vacancy on the Board of Equalization and Review, seconded by Commissioner Guice and unanimously approved.

JOINT HISTORIC PRESERVATION COMMITTEE

A position on the Joint Historic Preservation Commission has been vacant for some time and the Clerk to the Board has advertised on numerous occasions. The Clerk advertised again in August with an October 15 deadline and received one application from GERALYN CONNELL. The applicant must reside in the Pisgah Forest area. Ms. Connell qualifies to serve in this position and thus staff recommends her appointment to fill the vacancy.

Commissioner McCall moved to appoint GERALYN CONNELL to fill the vacancy on the Joint Historic Preservation Commission, seconded by Commissioner Chapman and unanimously approved.

OLD BUSINESS

TRANSYLVANIA COUNTY EMS AND PUBLIC HEALTH CLINIC COVID-19 HEALTH PLAN

Budget and Management Analyst Kate Hayes presented this item to the Board. As previously presented to the Board of Commissioners in September 2021, OSHA's Emergency Temporary Standard (ETS) became effective on June 21, but many local governments did not create policies of their own as it was publicized as applying to employees in healthcare. It also extends to local government employees who provide healthcare services such as the Health Department clinic as well as EMS personnel. It extends to employees who work in those settings, including Maintenance and Housekeeping personnel. It is the staff's understanding that the ETS does not extend to the remainder of the Health Department located within the same building.

The ETS requires that Transylvania County create a plan specific to the emergency responders and health department employees covered under the standard that includes procedures to minimize the risk of transmission of COVID-19. The County Operations Director, Health Director, EMS Director, Human Resources Director, and additional staff have coordinated the creation of this draft plan.

The Emergency Temporary Standard makes it mandatory for all employees in the healthcare settings listed above to wear a facemask when indoors or in a vehicle with another person. The County must provide FDA-approved masks for these employees. The County must provide respirators to employees if aerosol-generating procedures are taking place. The ETS also requires employees to be screened before beginning their workday or shift. Employees covered under the ETS will self-monitor at home before reporting to work following the Sample Employee Covid-19 Health Screening Questionnaire. For employees within ETS areas, infection protocols follow the CDC guidelines.

The standard also requires that covered employees be compensated if they test positive or are placed in quarantine due to a workplace's close contact. Sick and vacation leave can be used to satisfy this requirement, but Transylvania County will have to provide leave to covered employees who do not have their own (two weeks at the full rate of pay, then two-thirds' rate of pay for the third week). The County will also have to provide reasonable time for an employee covered by the ETS to receive the vaccination. The recommended time includes four hours for the vaccine administration and up to 16 hours for side effects if this time coincides with regularly scheduled work.

The final piece of the Emergency Temporary Standard involves reporting procedures and additional record-keeping requirements in the form of a COVID-19 log for all positive cases regardless of if it work-related. Work-related positive cases will be recordable on OSHA form 300.

There is no financial impact at this time, as the staff believes the current supply of masks and personal protective equipment (PPE) will be sufficient for the employees covered under the ETS. If the Board adopts a higher standard than is minimally required, ARPA funding can potentially be utilized.

Staff recommended the Board of Commissioners adopt the Transylvania County EMS and Public Health Clinic COVID-19 Plan as presented or with modifications. Additionally, staff requested the Board give guidance on additional leave provisions extended to all County employees. Options are included below:

1. Adopt the COVID-19 plan for healthcare employees and require employees to utilize their accrued paid sick leave for medical removal from work and/or for vaccination;
2. Adopt the COVID-19 plan for healthcare employees and provide up to two weeks of additional paid leave for medical removal and/or vaccination; or
3. Adopt the COVID-19 plan for healthcare employees and extend up to two weeks of additional leave to all employees. To qualify for leave, an employee must be removed from the workplace

by Transylvania Public Health after testing positive for COVID-19 or being suspected of having COVID-19. Leave will not be carried over after one year from adoption. If an employee resides outside of Transylvania County, the employee will have to provide documentation of a positive test result or suspected case of COVID-19 from that jurisdiction's Public Health department.

Benefits will be administered retroactively for employees covered under the ETS to comply with the intent of the standard. If the Board of Commissioners extends leave to all employees, it will take effect on the date of adoption and will not be extended retroactively.

The Manager added that the options ensure equity for all employees. The previous COVID-19 sick leave provided to employees was also extended to their dependents. This leave policy, if approved, would be more stringent and apply only to employees. The previous COVID-19 sick leave period expired at the end of the last fiscal year.

The Manager pointed out that a press release from President Biden indicates this mandate will apply to employers with over 100 employees, and organizations that receive Medicaid and Medicare, and will be enforced by OSHA. The mandate is expected to take effect soon. Staff is conducting preplanning to determine how the mandate will impact operations (weekly testing, clearing employees for work, documenting vaccinated employees, losing employees who refuse to vaccinate or test, etc.).

For equity purposes, the Manager recommended the Board consider implementing option 3. Across the board, Transylvania County employees continued to provide services throughout the pandemic shut down. She recognized that there are various levels of risk for different employees, but all employees had some level of risk while serving the public.

Commissioners were supportive of the Manager's recommendation and after discussion, **Commissioner McCall moved to adopt the Transylvania County EMS and Public Health Clinic COVID-19 Plan and to include option 3 which would extend up to two weeks of additional leave to all employees, seconded by Commissioner Guice and unanimously approved.**

Commissioner Chapman suggested contacting our state legislators to seek their advocacy on behalf of counties due to the impact these mandates will have on the financial viability of local governments in North Carolina.

NEW BUSINESS

POSITION RECLASSIFICATION – TRANSPORTATION DRIVER

Transportation Planner April Alm presented this item to the Board. For FY 2021 and FY 2022, The Board of Commissioners budgeted two part-time driver positions for the new fixed-route system. Staff experienced a low application rate before the route's installation in January. The County hired two part-time employees in February 2021 and neither of them remains employed with the County. The staff has continued recruiting efforts, but the application rate remains low.

Ms. Alm requested to combine the two part-time drivers into one full-time driver position. She felt that offering an employment package with full-time benefits would attract more qualified applicants and improve the retention rate. The reclassification would require no additional dollars for the current budget year. However, retaining this position after FY 2022 will require additional monies for personnel.

Commissioner Chapman moved to reclassify the two part-time driver positions into one full-time driver position, seconded by Commissioner McCall and unanimously approved.

BUDGET AMENDMENTS

Finance Director Jonathan Griffin presented the budget amendments to the Board for approval. He stated that many of the budget amendments address policies and changes the Board has already approved, and others are based on the needs of governmental accounting.

Carryforwards (Reappropriation of Projects Ongoing at 6/30/2021)

Capital Projects (General Fund)

- HVAC replacements at the Community Services Building and County Courthouse with remaining contracted expenditures of \$128,762, including repairs to Community Services Building units related to the ongoing roof replacement project.
- The upper and lower roof replacements for the Community Services Building with remaining expenditures of \$362,015.
- The Cove Creek AOP – a joint project between Transylvania County Soil and Water Conservation and the North Carolina Division of Agriculture and Consumer Services to construct a bridge in the Pisgah National Forest at the Cove Creek Campground, totaling \$242,895.
- The final installment payment of the contracted \$1.2 million Communications radio system upgrade benefitting the County radio system, totaling \$55,864.
- A replacement vehicle in the County Administration fleet was ordered but not delivered due to supply chain issues until September 2021.

The total expenditures on capital outlay authorized in prior years estimated to be completed in FY 2022 in the General Fund will be \$865,536.

Continuing Grants (General Fund)

The Public Health Department has certain grants that were awarded, but not obligated as of June 30. This amendment reappropriates them in FY 2022 to continue the NC Department of Health and Human Services or federally sponsored programs. The largest of these is the COVID-19 testing/tracing/equipment/materials agreements with NCDHHS, the second largest is the federal award for CARA (Comprehensive Addiction and Recovery Act) which was extended through the end of the calendar year.

Operating Expenditures (General Fund)

Carryforwards for operating expenditures are unusual for the County, but this budget amendment is driven by supply chain issues and receipts for County departments that came late in the year, primarily a product of supply chain issues that have caused supply and material orders that were not delivered until after July 1.

- The primary budget impacts fell on the Tax Administration, New Adventure, and Emergency Management. The total supply and material purchases delivered after July 1 totaled \$17,205.
- Additionally, the Tourism Development Authority appropriated resources to Soil & Water Conservation which were unused at year-end for river cleanup, so this rolls forward that operating expenditure.
- The New Adventure/Child Development department received an \$8,000 donation from Lake Toxaway Charities on June 1 which was not enough time to plan and budget for this use thus rolling those funds forward.

Capital Projects (Solid Waste Fund)

The Solid Waste Fund, representing the County's enterprise activities, had a similar number of projects that were ongoing on June 30. The primary project in progress with expenditures after July 1 is the

renovations at the Woodruff facility to replace the scales, improve traffic patterns and add new retaining walls.

Restricted Resources Allocated/Awarded After July 1

Social Services

On August 9, NCDHHS allocated a supplemental CARES Act grant to the Social Services Department. The funds were distributed on a per capita basis statewide, and the purpose was to meet any prevention, preparation, and response to needs of child welfare agencies. The supplemental amount awarded to the County was \$6,980.

Public Health

On August 6, NCDHHS issued a new agreement with local health departments to create additional positions related to COVID-19 response in public schools. As agreed to on September 13, the County is using these dollars for a contract with the NC Public Health Alliance for temporary staffing which does not represent FTE changes for the County government.

Board Of Elections

On March 8, 2021, the Board of Commissioners adjusted the Board of Elections' budget to reflect a supplemental grant from the State Board of Elections. The Board of Elections did not spend down the entirety of the grant in FY 2021, so this is reappropriating the total expected revenues and expenses remaining. The original grant award was \$34,000.

Social Services

On September 10, NCDHHS issued a supplemental appropriation to the Links program (an assistance program for young adults between the ages of 18 to 26). This is a base allocation of \$15,310 plus an additional \$30,620 to be paid to participants in the County's program, for a total payment to the clients of \$40,930.

Appropriations Of Assigned Fund Balance

Courthouse Assigned Fund Balance

At the same meeting, the Board of Commissioners approved the FY 2022 budget, they also acted on a proposed agenda item to carry out a temporary plan to expand courthouse operations to the Board of Elections' large conference room. This amendment is necessary to carry out the action items from that meeting. The primary source of expenditures is an upgrade of a part-time position at the Sheriff's Office to staff a second courtroom operating at the Transylvania County Board of Elections building conference room and a supplemental/mobile metal detector.

Summary

The General Fund's total appropriations will increase from \$69,136,425 to \$70,370,111. The only amendment that represents new spending is the use of the assigned fund balance for court operations. The Solid Waste Fund's total appropriations will increase from \$4,117,920 to \$4,482,803. No amendment represents new spending.

Commissioner Guice moved to approve the 1st Quarter Report and the budget amendments as presented, seconded by Commissioner McCall and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- 100 Counties Prepared initiative kicked off the 2nd week of October with its first task force meeting (The Manager played a video that highlighted the initiative.)

- The initiative aims to equip county commissioners statewide with the tools they need to effectively lead during emergencies
- The Task Force will develop training on how to prepare, respond, and lead during emergencies and will focus on the role of county commissioners in these situations
- Transylvania County is proud to have County Commissioner Teresa McCall serving on this task force and she shared with them the County staff's feedback on emergency management activities
- For more information on the task force and its work, visit www.100countiesprepared.com
- Citizens have raised concerns about the turnaround for well and septic permits through Environmental Health Permits. This is a statewide issue due to the lack of certified applicants. The certification process is statutory and is a lengthy process. The Manager drafted a response letter to the real estate community that will go out tomorrow. The letter will emphasize there are alternate permit pathways in the private sector. The Health Department created a handout to help guide the public through those options. The Manager invites the real estate community to support advocacy at the State level to alleviate the statewide challenges for certified applicants, including additional contracting options and consideration of the certification process.
- Kudos to Jared Mull, Parks and Recreation Director. He has been elected as the president-elect for 2022 for the NC Recreation Professional Association. His term as president will begin in 2023.
- Waiting on the OSHA mandate to be issued. Staff is conducting the preplanning based on the limited information released thus far to prepare the County for compliance as an employer. The staff is working on determining the logistics and cost for a weekly testing program to meet the expected requirements. The Manager will keep the Commissioners informed about this issue.
- The County had to close a convenience site and halt transit activities due to staffing issues. Challenges with COVID and recruitment are impacting services. If anyone is looking for employment with great benefits and an opportunity to help the community, the Manager encouraged them to apply for a position with Transylvania County
- The North Carolina General Assembly has produced maps of the new legislative districts. There will be a public comment period and the Manager encouraged the Commissioners and the public to share input. New maps may prove to be challenging for our community and thus advocacy will be important to keep those new district lines from having an adverse impact on Transylvania County.
- There are six more days to Halloween and five more to Halloweenfest which will be held downtown. GetSet Transylvania will have a booth there and she encouraged everyone to stop by.
- As everyone starts turning attention and planning for Thanksgiving and Christmas, consider adding a foster child or senior citizen to your list to shop for and share the holiday love. Contact the Department of Social Services for more information about sponsorship opportunities.

PUBLIC COMMENT

There were no public comments.

COMMISSIONERS' COMMENTS

Commissioner Chapman shared that he visited the Register of Deeds and was impressed with the passport office operations.

Commissioner McCall said she felt honored to serve on the 100 Counties Prepared Task Force. She is excited to see the final product and how it will benefit Transylvania County during emergencies. Commissioner McCall also congratulated Norris Barger on his retirement as the Finance Director for

Transylvania County Schools. He takes with him a lot of knowledge from his many years of service, and thus he will be missed. He was Finance Director when she served on the Board of Education.

Chairman Chappell thanked the Carolina Panthers Foundation for a \$50,000 grant split between Rosman High School and Pisgah High School to help with equipment replacements and upgrades due to the flooding.

Chairman Chappell moved to enter into closed session per N.C.G.S § 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and per N.C.G.S. § 143-318.11 (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, following a 10-minute recess, seconded by Commissioner McCall and unanimously approved.

CLOSED SESSION

Per N.C.G.S § 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Per N.C.G.S. § 143-318.11 (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. The closed session was entered at 7:45 p.m. Present were Chairman Chappell, Commissioners Chapman, Dalton, Guice, and McCall, County Attorney Jaime Laughter, County Attorney Bill Bulfer, and Clerk to the Board Trisha Hogan.

Commissioners consulted with the County Attorney on a privileged matter, discussed a potential economic development project, and directed staff on how to proceed.

Chairman Chappell moved to leave the closed session, seconded by Commissioner Guice and unanimously approved.

OPEN SESSION

Chairman Chappell moved to seal the minutes of the closed sessions until such time that opening the minutes does not frustrate the purpose of the closed sessions, seconded by Commissioner Dalton and unanimously approved.

ADJOURNMENT

There being no further business to come before the Board, **Chairman Chappell moved to adjourn the meeting at 8:45 p.m., seconded by Commissioner Dalton and unanimously approved.**

ATTEST:

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

Trisha M. Hogan, Clerk to the Board