

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
March 8, 2021 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, March 8, 2021 at 4:00 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, and David Guice. Commissioner Teresa McCall was absent due to illness. 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* – Derek McKissock participated remotely.

There were approximately 20 people in the audience, including staff presenters. To maintain social distancing and mass gathering requirements, the conference rooms in the Administration Building were used as overflow space.

CALL TO ORDER

Chairman Jason Chappell presiding declared a quorum was present and called the meeting to order at 4:03 p.m.

WELCOME

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

PUBLIC COMMENT

The comments made by the public represent the individual speaker's opinion or point of view. No attempt was made to vet their statements for accuracy or modify them based on facts.

Barbara Jimines: Ms. Jimines commented on the recent property revaluation and the substantial increase to her property value. She expected a significant tax bill increase at the current tax rate but acknowledged during a recent phone call to the County she learned the Board of Commissioners will be considering lowering the tax rate during its upcoming budget cycle. Ms. Jimines posed several questions: Will the tax rate be reconsidered if market values drop? Were location and community characteristics considered during the valuation process? While she understands there is an appeals process, she was unsure how to provide the information to make her case, especially as a new resident of the community. She was very concerned about how the increase in property tax bills will affect the elderly and disabled, poor, and those on fixed incomes. (Chairman Chappell suggested Ms. Jimines seek assistance from Tax Administration on the appeals process and to get answers on the revaluation methodology.)

Mark Burrows: Mr. Burrows is with Project Empathy, a volunteer group of individuals working with several local organizations to serve as a model of inclusivity, raise awareness and understanding of empathy, work together for a greater sense of belonging and respect, encourage collaboration, innovation, problem-solving, affirm communities, respect differences and support ways to build bridges that connect, and support civic discourse. Project Empathy has been meeting for the last five years looking at ways to bring people together. The group's most recent project was a collaborative effort with *The Transylvania*

Times called “A Time to Listen”. Following Carroll Parker’s comments, Mr. Burrows gave some closing comments.

Carroll Parker: Mr. Parker shared that over the last year, due to the impacts of the pandemic, he learned how much we need community and relationships. He stated that Project Empathy promotes ways for people to come together from across this County. The “Time to Talk About” series had folks with different points of view discussing issues about guns, bikes, and respect for other people. The pandemic prevented in-person gatherings and since many people in the County do not have internet access, the group was unable to use Zoom to connect people. Project Empathy instead reached out to the local newspaper to host three months of articles where individuals answered three important questions. Nearly every respondent shared how grateful they were for their community and the way individuals work to make things better throughout the County. Many noted the positive influence that faith-based groups have on their community and the way that volunteers and volunteer organizations strive to make things better. Mr. Parker stated as we near the end of this pandemic, we need to celebrate and promote the values we have in Transylvania County.

Mark Burrows: Mr. Burrows reported the second question asked in the series was what thing or action would help improve the way we get along. Responses were all over the board. The third question asked what that person was personally doing or willing to do to help make our community a better place. Common to all the responses was the willingness to volunteer and help others across a multitude of themes. Mr. Burrows suggested the Board consider during their upcoming budget process an event like the County’s Sesquicentennial – hosted in conjunction with the City of Brevard and Town of Rosman. It would be an event that brings people together where they can share, find ways to bridge the community, and celebrate post-COVID.

Chairman Chappell read the following comments that were submitted in writing prior to the meeting. They have been summarized by the Clerk to the Board.

Rev. Carter Heyward: Rev. Heyward urged the Board to adopt Mike Hawkins’ “Statement of Unity” resolution and to stand up for truth and for the well-being of American society. By affirming the statement, she stated the Board will be acknowledging several facts that are beyond all dispute according to election officials in all 50 states and more than 60 judges and Justices of Supreme Court, that there was no evidence of widespread voter fraud in the November 2020 election and candidates for all offices won the election fairly and squarely. Rev. Carter stated that beliefs to the contrary provided the excuse for the attack on the US Capitol on January 6. She felt that the Board’s adoption of the statement would contribute to the long-term health of our nation and honor truth in our society.

Glen Weidner: Mr. Weidner strongly urged the Commissioners to ignore or table Mike Hawkins’ proposed resolution as published in *The Transylvania Times* on Monday. He felt Mr. Hawkins was using the resolution as a political ploy. He also felt the current Administration is desperately seeking legitimacy in the eyes of the American people. In addition, Mr. Weidner cited several inconsistencies and falsehoods within the resolution that he felt have been propagated by the mainstream media outlets. Again, he strongly urged the Board not to consider this resolution.

Bruce Watson: Mr. Watson hoped the Board would not vote for a resolution proposed by former County Commissioner Mike Hawkins. The resolution calls for unity and harmony which can only be achieved if all Transylvania County citizens believe the election was fair and that they must congratulate the Biden Administration on their win. Mr. Watson felt the 2020 election was drenched with overt instances of cheating and unethical behavior. He was frightened by the current events occurring across the nation and he urged the Board to stand firm and bold on Mr. Hawkins’ attempt to rewrite history in accordance with the Alinsky’s Democrat playbook.

Susan Lefler: Ms. Lefler urged the Board to adopt the resolution entitled “A Statement of Unity” written by former Commissioner Mike Hawkins. By adopting this resolution, she stated the Board would be offering vital leadership to Transylvania County citizens who may remain confused about the facts concerning the 2020 election. Specifically, this resolution would refute the false narrative that there was widespread fraud in the 2020 election, make a strong public statement condemning the January 6 attack on the nation’s capital building, reinforce that the leadership of our County stands by the most basic premise of democracy which is the peaceful transfer of power, make clear that the leadership of our County condemns all forms of political violence, and remind the residents of this County that Republican and Democratic election officials in every contested state in this country stood by the fairness of their election process and the results. Ms. Lefler stated we cannot continue as a functioning democracy if we do not agree that some sources of information are reliable and others are not, and that the court system and the government must be respected. She stated that the point of a democratic republic is to have an alternative to political violence that allows for orderly ways to solve our differences over policy or political leadership. Again, she urged Commissioners to add the resolution to their agenda for approval.

Bill Page: Mr. Page stated that the County Commission is not a court and that the proposed resolution from former Commissioner Mike Hawkins includes statements as though they are findings of fact determined by a court of law in a final judgment. He pointed out that no court of law has reviewed the evidence nor entered judgment as to the credibility or lack of credibility of evidence regarding the issue of election integrity. He stated Mr. Hawkins objected to the recent passage of a resolution by the Board reaffirming their intent to uphold the Constitution because he viewed it as a policy resolution. Mr. Page stated the policy of the United States is set forth in the Constitution and in the oath of office taken by every elected official.

Lee McMinn: Mr. McMinn stated that on tonight’s agenda are two items, a request from the Sheriff’s Office to approve a grant from the Governor’s Crime Commission and a request from Elections to accept a grant from the Help America Vote Act. He noted that both involve free money dedicated to purchasing sundry items for the Sheriff and Elections. The Sheriff’s request is recommended for approval while the Elections’ request is not being recommended. Mr. McMinn expressed that he did not see any procedural differences between the two and recommended they both be approved. He stated the Board should not be refusing free, no-strings attached money that will help our citizens vote or feel safer in their everyday lives.

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

The following items were approved:

MINUTES

The Board of Commissioners met in regular session on January 25, 2021. The minutes were approved as submitted.

PROCLAMATION DECLARING MARCH AS SOCIAL WORK MONTH IN TRANSYLVANIA COUNTY

Each year, March is celebrated as National Social Work Month. Numerous social workers in the Transylvania County Department of Social Services perform a variety of duties to serve our most vulnerable population. Often, social work is a thankless job, but it is one that could not be more important. Social workers keep children and adults safe and provide support for all ages. Chairman Chappell read aloud the proclamation for the benefit of the public. The Board approved Proclamation #08-2021 Declaring March as Social Work Month in Transylvania County and presented it to Renee Crocker who was present representing the department.

**PROCLAMATION #08-2021
DECLARING MARCH AS SOCIAL WORK MONTH IN TRANSYLVANIA COUNTY**

Whereas, the dedicated social workers of the Transylvania County Department of Social Services work to address and care for the emotional, psychological, economic, and physical needs of the County's residents, especially its most vulnerable; and

Whereas, social workers employ their skillsets and caring attributes to assist clients in navigating life's challenges to become stronger and more resilient through assessments, counseling, encouragement, and by working to refer clients to available community resources; and

Whereas, all children have the right to safe environments and a quality education, and senior citizens deserve dignity and to be free from abuse and neglect; and

Whereas, social workers in the County work to support and protect all citizens, without regard to their circumstance, social status, or background; and

Whereas, social workers are employed in many different organizations within the County, and the Transylvania County Board of Commissioners is proud to recognize the vital contributions of social workers as they meet the needs of residents; and

Whereas, this year's Social Work Month theme, "**Social Workers are Essential**" embodies the heroic contributions of the social work profession to our nation, including the work social workers have done during these times of pandemic, and for being present in times of crisis.

Now, therefore, be it resolved that Transylvania County Board of County Commissioners does hereby proclaim the month of March 2021 as:

SOCIAL WORK MONTH IN TRANSYLVANIA COUNTY

The Board encourages citizens to reflect on the work and service of local social workers and to recognize these professionals for their efforts to help meet the needs of our community's most vulnerable citizens.

This the 8th day of March 2021.

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

AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENT WITH NC DEPARTMENT OF AGRICULTURE AND CONSUMER SCIENCES – COVE CREEK RESTORATION PROJECT

The NC Department of Agriculture and Consumer Sciences Division of Soil and Water Conservation contacted the Transylvania County Soil and Water Conservation District office requesting a partnership to accept pass-through funds from the US Forest Service's Good Neighbor Program for the Cove Creek restoration project. Transylvania County Soil and Water Conservation District office was asked to assist with and oversee the project. The agreement was approved by the Board of Commissioners on January 28, 2019.

The Cove Creek restoration project involves the removal of a low water ford on the Davidson River and replacing it with a bottomless culvert that would support higher water flow and act as an aquatic organism passage. The original construction budget was set at \$215,895 with Transylvania County receiving \$13,150 for administering the project.

There were several bid attempts resulting in an increase in the project budget by the US Forest Service and NC Department of Agriculture and Consumer Sciences. There were six bidders on the project. The US Forest Service and NC Department of Agriculture and Consumer Sciences recommended the County award the project to JW Ledford Grading dba SiteWorx. The Board approved the recommendation and instructed the Manager to execute the contracts for the completion of the project.

PRESENTATIONS/RECOGNITIONS

COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY 2019-2020

Finance Director Jonathan Griffin introduced auditor Kelly Gooderham who presented the County's FY 2019-2020 audit findings via Zoom meeting software. Mr. Griffin asked the Board to submit any questions they have for staff to follow up on post-meeting.

This is a summary of her presentation and the discussion that followed:

Audit Highlights

Martin Starnes issued Transylvania County's Comprehensive Annual Financial Report (CAFR) with a clean unmodified opinion which means the auditor found no material misstatements that led them to believe the financial statements would be misleading to the reader.

General Fund Summary

- Revenues increased \$3.2 million, or approximately 6%, mainly due to an overall increase in the net change of the following two revenue categories:
 - Increase in ad valorem taxes
 - Decrease in sales and services
- Expenditures increased \$6.6 million, or approximately 14%, due to an increase in General Government and Public Safety expenditures

Total Fund Balance-General Fund

- Fund balance decreased roughly \$264,000, slightly less than 1%, which is comparable to the prior year

Fund Balance Position

Available fund balance as defined by the Local Government Commission (LGC) is calculated as follows:

Total Fund Balance
Less non-spendable (not in cash form, not available)

Less stabilization by statute (by law, not available)
Available Fund Balance

This is the calculation utilized as the basis for comparing the County to other units and calculating fund balance percentages.

Total Fund Balance	\$33.5 million
Non-spendable	(\$5 million)
Stabilization by statute	<u>(\$3.9 million)</u>
Available Fund Balance FY 2020	\$24.5 million

The decrease in the Fund Balance from the previous year is roughly \$500,000, or 2%.

There are five classifications of Fund Balance:

- Non-spendable: not in cash form
- Restricted: external restrictions (law, grantors)
- Committed: internal constraints at the highest (Board) level, do not expire, requires Board action to undo
- Assigned: internal constraints, lower level than committed
- Unassigned: no external or internal constraints

Fund Balance Position

General Fund

	2020
Total Fund Balance	\$ 33,513,795
Less:	
Non-spendable	(5,019,685)
Restricted: Stabilization by State Statute	(3,982,071)
Restricted, all other	(531,497)
Committed	(4,727,240)
Assigned	(13,767,414)
Total unassigned Fund Balance	\$ 5,485,888

MARTIN · STARNES
& ASSOCIATES, CPAs, P.A.

Total unassigned fund balance increased \$1.3 million, or 31%, over 2019, mainly due to a decrease in Assigned Fund Balance. Assigned Fund Balance was used to finance Parks and Recreation and Public Safety capital projects.

Unassigned Fund Balance as a percent of the General Fund Expenditures is 8.96%. This is different from the LGC calculation because this calculation excludes all restrictions, commitments, and assignments.

Roughly 8% represents one month's worth of expenditures. Available Fund Balance as a percent of expenditures and transfers out is equal to 40%, or five months of reserve, compared to 50.2%, or six

months of reserve in 2019. Similarly, the internally calculated same percentage was 8.96% for FY 2020 as opposed to 8.44% in 2019. Each equates to just over one month's worth of expenditures.

Top Three Revenues: General Fund

- Comprise 89% of revenues, or \$53.4 million
 - Ad Valorem Taxes 63%
 - Local Option Sales Tax 16%
 - Restricted Intergovernmental Revenues 10%

Property Tax

- Property tax revenues experienced an overall increase of \$7.7 million, or 26%, mainly due to a tax rate increase for the purpose of paying for the school bond

Local Option Sales Tax

- Increased roughly \$566,000, or 6%, which was mainly due to an overall increase in distributions from the State

Restricted Intergovernmental

- Decrease of \$363,000, or 6%, which was mainly due to a decrease in State and federal grants received
- NCDOT capital replacements of \$100,000 occurred in FY 19 that did not occur again in FY 20
- Home and Community Care Block Grant shifted to being an expense through a regional council
- More grants received in FY 20 than in FY 19, just in smaller increments

Top 3 Expenditures: General Fund

- Comprise \$40.3 million of total General Fund expenditures
 - Public Safety 29%
 - Education 27%
 - General Government 17%

Public Safety Expenditures

- Experienced overall increase of \$2 million, or 15%, which was primarily due to increased salaries and benefits, as well as increased use of contracted fire department services

Education

- Excludes related debt service expenses
- Overall expenses increased roughly \$10,000, or less than 1%, which is comparable to the prior year

General Government

- Increased roughly \$3 million, or 48%
 - Capital outlay expenditures due to land acquisition for a new park
 - Other operating expenditures for Administration, such as reclassifying a utility from another location
 - Overall increase in self-insurance expenditures for various items like claims, employee premiums, and administrative costs

Solid Waste Fund

- Cash flow from operations (\$538,820) (cash flow used from operations)
- Total net position \$5 million

- Unrestricted net position \$2.1 million
- Overall change in net position is a decrease of \$375,000

Fire Districts Fund Summary

- Revenues decreased roughly \$900,000, or 25%, over the prior year
- Similar decrease in expenditure of \$1 million, or 29%
- Overall decrease mainly due to the tax rate adjustment for all tax districts to 5.5 cents

This concluded the formal presentation. Chairman Chappell called for comments and questions from the Board.

Chairman Chappell asked how the Ecusta Road Economic Development Project is reflected in the Fund Balance. Mr. Griffin explained that the long-term portion for the Ecusta Road project is reflected as non-spendable fund balance. It is not cash, just like the equity in one's home is not cash, but it is reflected on the balance sheet. There is \$4 million in fund balance that is purely reflective of the money that is owed to the County by the Transylvania Economic Alliance for the County's portion of the construction of the building, aka Sylvan Valley Light Industrial Center. The Manager added that when the County receives revenue from the lease payments, they also go into fund balance per agreement since the intent of the project was to create a revenue stream for future economic development purposes.

Commissioner Guice was appreciative of the level of detail provided to the Board prior to the meeting, but he felt it would have been helpful to have the auditor's presentation in-hand as well. He felt the scaled-down presentation would have assisted him in understanding the full audit better. Commissioner Guice also felt the presentation caused him to have further questions. He requested a hard copy of the auditor's presentation that was shown during this meeting.

Chairman Chappell requested this item continue to the next meeting to give the Board time to review the audit and the presentation and get answers to any questions they may have.

Commissioner Chapman gathered from the presentation that the County's finances are in good shape. He noted that this discussion is going to carry over into the budget process. He asked if the Board had the authority to change the assignments of fund balance. Mr. Griffin responded the assignment of fund balances is specifically a governing board decision.

Commissioner Guice pointed out the County's capital needs are extensive, and he felt it was important to understand the County's finances so that the Board can chart a path forward to pay for those items that are important for local government to best serve the citizens.

Chairman Chappell was appreciative of the cooperation between staff and the auditors. He will place this item on the next agenda for further discussion.

The Manager invited Commissioners to submit in writing to staff any questions they may have so staff can provide answers prior to the next meeting.

TRANSYLVANIA COUNTY SCHOOLS BOND PROJECT UPDATE

Norris Barger, Business Services Director for Transylvania County Schools, introduced Chad Roberson from ClarkNexsen, the Lead Principal on the school bond projects. Mr. Roberson planned to present an update on the bond project and answer questions from the Board.

Mr. Roberson stated that early in this project, a series of goals was established to inform the decision-making process during the design. Safety of the students and facilities was established as the highest priority. The firm created several different options and a variety of 21st century learning environments and worked to inspire creativity and discovery through the different types of spaces that will be created.

The firm is currently in the construction documents phase which is scheduled to be completed by the end of March. While in this phase, the firm is using concepts they had created earlier to help organize the buildings. Mr. Roberson pointed out there are three key terms Commissioners should take away from this presentation: engaging with the students in the classroom or learning environments, challenging them in athletic environments or performing arts areas, and creating spaces like CTE areas.

Mr. Roberson next reviewed the individual projects and the phasing and scope of each.

Brevard High School

Upon notice to proceed, the first phase of the Brevard High School project is expected to commence. This project is scheduled to be completed in the summer of 2023. Mr. Roberson reviewed the various elements of phase one – demolition, relocating offices, new construction, safety, and fire protection, etc. Phase two will begin at the completion of phase one. At the conclusion of phase two, the old CTE building will be torn down and then the project will be complete. The purpose for tearing down the CTE and some other spaces is because they are the lowest quality stock facilities on the campus. With code issues, it is cheaper to tear down and rebuild then remodel.

In response to a question from Commissioner Guice, Mr. Roberson stated that the square footage varies depending on the program needs. The firm has met with staff on numerous occasions to ensure their needs are being met. Currently, there is a lot of extra space being used for storage that is being consolidated into a more economical way to use those floor plans, according to Mr. Roberson.

Rosman Middle & High Schools

Next Mr. Roberson reviewed the phasing and scheduled projects for Rosman Middle and High Schools. Phase two is being split into mini phases to allow for students to be moved into the new space once it is completed and then construction can begin on the old sections from which the students were relocated. At the completion of phase three, the Rosman projects will be complete.

Project Schedule

The project schedule is currently in the 95% construction documents phase which will be submitted to the Department of Insurance and the Department of Public Instruction at the end of March for review. Their review times have extended tremendously. A normal review time of 30-60 days has extended to 8-10 weeks. Once complete, the next phase is the bid period where they will solicit bids for the different bid packages. A bid date has been set for the end of June for both projects. There will be a period at the beginning of July where the Guaranteed Maximum Price (GMP) will be prepared. The notice to proceed date is scheduled for the first of August.

The project schedule references GMP1 if procurement is required of the equipment. Mr. Roberson referenced the volatile market which has required them to prebuy pieces of equipment. If there is a need for GMP1, it would only be for procuring equipment they feel like has a long lead time; otherwise, it could delay the project starting at the appropriate time. If that is the case, the contractor would still bid for that equipment and then the building components and equipment would be assigned to the lowest subcontractor bidder.

Budget

On bid day, they are expecting a GMP of just over \$61 million. The owner is carrying contingency at about 3% for the construction project. There are soft costs associated with the project totaling about \$4.5 million, along with furnitures, fixtures and equipment, and technology equipment and design, totaling \$650,000, for a total project cost of \$68 million.

This concluded the formal presentation. Chairman Chappell called for comments and questions from the Board.

The Board engaged in a lengthy conversation with Mr. Roberson and Mr. Barger. Below is a summary of the Board's questions and the responses from School officials: (using Q&A format)

- Q. Has the overall scope of the project changed since it was first presented to citizens in preparation for the school bond referendum?
- A. When the School System promoted these projects, their top priority was safety. Throughout the process, they took ideas from staff, added some ideal projects, and determined what was feasible in order to achieve the final plans. This caused the project scope to change somewhat, such as adding a media center at Brevard High School through consolidation of spaces. In general terms, however, what was promised to the taxpayers has been accomplished with these plans.
- Q. What will the life expectancy of the renovated and new buildings be once renovations are complete?
- A. The life expectancy is 20-25 years before major renovations would be needed.
- Q. Has the pandemic forced permanent changes in the classroom, such as class size, and will technology play a role in student learning?
- A. There has been a push from the State to return to in-classroom teaching. However, the digital presence with the online learning they created in response to the pandemic will remain in place. They will continue to offer digital learning to students who choose it as their instructional delivery, but face-to-face instruction is very important, especially to those students who need structure and discipline. The learning environment will be different in the future, but the School System remains supportive of the need for in-person learning.
- Q. Will the high cost of materials negatively impact programming or the cost of the project?
- A. The project cost includes contingency. A variety of sources indicates the market should start to stabilize in early summer, but there is no guarantee.
- Q. Explain the upcoming decision by the Board in reference to the GMP.
- A. The Board of Commissioners originally established a capital project ordinance to fund the school bond constructions and seeded it with an initial \$6.2 million which is the equivalent to 10.5 cents in property tax collections. The capital project ordinance does not currently contain enough funds to pay for the entire project, thus the County will need to issue the general obligation bonds in the very near future. If the construction schedule is moved up, those funds would be expended earlier. The County Finance Officer's judgment was that the \$6.2 million would not cover the expenses and thus the Board would need to make an additional allocation of cash to bridge the amount needed.
- Q. What happens if the GMP2 exceeds the total of \$68 million for the two projects combined?
- A. If there is a need for GMP1, the amount is likely to be smaller than anticipated, probably less than \$1 million. So far during this process, they have been working with estimated figures. Vannoy is experienced in this line of work and it is one of the advantages of using the construction-

manager-at-risk (CMAR) process. The figures presented by both the Schools and County are likely to change when the bids come in; however, if the bids come in higher than \$68 million, the School System will regroup to whittle down the cost to \$68 million. If it becomes necessary, there are contingency funds and soft costs that could be allocated to bridge the shortfall. The School System does not want to revert to using those funds, but it is an option. School officials are confident the bids will come in as expected.

The School System has spent just over \$2 million on the project so far for planning and preconstruction work and design. Projects of this nature require a lot of upfront costs, such as insurance, performance bonds, bid bonds, etc. that are reflected in the cash flow analysis. The Board of Commissioners has options, one being to reserve some additional fund balance until the general obligation bonds are issued.

- Q. How will the School System continue communicating information to citizens?
 A. Information has been posted to their website (www.tcsnc.org go to My Department, Business Services, School Construction), to include a history of the projects, the scope of work for each school, along with artists' renderings of the facilities, etc. Local contractors may also review the information on the website and may prequalify for these projects through March 31. The School System will have an extensive article in the newspaper soon. They have erected signs at sporting events with the website information encouraging citizens to check it out for more information. Citizens are also invited to attend Board of Education meetings because this topic is discussed at nearly every meeting. (The County Manager will post the link to the County's website.)
- Q. How will the square footage on the finished product compare to current square footage?
 A. Because they are deep into the construction documents phase, the exact figures were unknown; however, they are very close to the original plans.
- Q. When should the Board of Commissioners expect the GMP1 request?
 A. The contractor will review the documents and begin to identify the pieces and parts that are currently requiring a long lead time. School officials anticipated a request to the Board in April or May.
- Q. Some concerns have been expressed by parents and coaches about not having access to the gym or weight rooms during phases of the Rosman construction. The school recently received a donation of \$25,000 in gym supplies and equipment. Are there any workarounds to ensure those facilities remain open and usable? Is it possible to relocate the equipment to another building for use?
 A. The challenge is maintaining safety because the building is located in the middle of a construction zone. The School System is exploring alternate locations, but space is limited already.
- Q. How many temporary classrooms will be needed?
 A. None. The project started with four phases and up to 12 temporary classrooms, but at this point the project has been scaled to three phases and no temporary classrooms.
- Q. When is the official groundbreaking date expected and when will the projects be completed?
 A. The original groundbreaking date was set for June 2021, but the review by the Department of Insurance has caused a considerable delay. In the meantime, they will be moving forward with some prework, like moving offices. The projects are expected to be completed by the second semester of the next school year if all goes well.

- Q. The Department of Public Instruction is considering mandating classes to be held during the summer months. How does that potential mandate impact the construction schedule?
- A. It should not impact their schedule because the current notice to proceed date is August 1. DPI has not issued the mandate as they are waiting to hear from the State Legislature. The School System had already planned to offer summer school, but if it becomes mandatory, they will adapt accordingly. Nonetheless, the mandate is not anticipated to impact construction.
- Q. Is the School System confident they have the internal resources to manage a project of this size?
- A. Yes. The architect, CMAR, and particularly Vannoy, have been helpful and they have the experience and expertise to see this project through.

There were no further questions or comments. Chairman Chappell thanked presenters for the information they provided during this meeting. He also acknowledged the members of the Board of Education in attendance.

Chairman Chappell called for a 5-minute recess.

CEDAR MOUNTAIN SMALL AREA PLAN UPDATE

Planning and Community Development Director Allen McNeill presented an update to the Board on the work of the Cedar Mountain Small Area Planning Committee. He stated the Small Area Planning Process approved by the Board of Commissioners requires certain sections of the plan to be brought back before the Planning Board and the Board of Commissioners for review prior to seeking input from the community and preparing a final draft plan for consideration. There are two sections being brought forth at this meeting that were developed under the project foundation and the project development sections of the plan process.

At a meeting in November, staff provided Commissioners with a similar update which included a mission and vision statement that were drafted by the Cedar Mountain Small Area Planning Committee. Since that meeting, the Committee has reassessed and amended its mission and vision statements. The new mission and vision statements were shared with the Planning Board last month and they felt it was well-crafted and thus recommended no changes.

The other section is a list of applicable solutions and planning tools that would work to meet the goals as they were presented to the Board of Commissioners in November. There are approximately 19 planning tools in total. The tools range from the appointment of Cedar Mountain residents to the County's various citizen advisory councils to ensure representation of that community to new and amended regulations or ordinances.

Mr. McNeill reviewed some of the planning tools. Here are a few examples:

Category: Community Character and Design

The development and adoption of a form-based code specific to Cedar Mountain, a code that regulates the design of future development.

Category: Economic Development

Facilitate the recruitment of commercial and industrial workforce developers to Cedar Mountain.

Category: Land Use and Development

Amend the existing Community Zoning Ordinance to include the Cedar Mountain planning boundary.

Category: Natural Resources

Review applicable existing county ordinances to determine their effectiveness in a response to the concern Cedar Mountain residents as identified in the Cedar Mountain Small Area Plan survey and public input session, including but not limited to stormwater management, floodplain administration, and erosion control management and investigate additions or changes to these ordinances to achieve the desired goal.

Mr. McNeill reported the Committee is more than halfway through the process. Following this meeting, staff will share any feedback received from this Board with the Committee. Then they will move to the public input stage and work with the public to orchestrate safe public input opportunities, both in person and virtual, to collect feedback on the work the Committee has done. The public input sessions will be followed by the preparation of a draft. The draft plan will be first presented to the Planning Board for review and then to the Board of Commissioners for adoption.

Chairman Chappell inquired about the timeframe needed for finalizing a draft plan for the Board's consideration. Mr. McNeill stated a timeframe for a small area plan can range anywhere between nine months and 24 months depending on how prepared the jurisdiction is to develop a plan, motivation, public feedback, etc. The pandemic has presented challenges with receiving public input and it is the biggest hurdle to completing the draft plan. It is staffs' goal to give the public plenty of opportunity and notice to voice their opinion on the materials that have been prepared. He was confident the public input sessions could be held over the span of a week's time followed by staff drafting a plan in the next few months.

Commissioner Chapman encouraged staff to ensure the public understands exactly what is being proposed. Mr. McNeill stated the draft plan will not be ready for the public input sessions, but staff has been working on sections of the plan that do not require public feedback that can be presented to the community. Staff encouraged community feedback on the plan's goals, solutions, and planning tools.

Chairman Chappell preferred and encouraged staff to bring forth a draft plan within 30-60 days. He understood the limitations resulting from the pandemic but noted this has been an ongoing project for some time.

Commissioner Guice commended staff and the Committee members for time spent working through this process and for keeping the Board up-to-date and informed. He noted he is very supportive of community input because every community is different and should be heard.

C.A.R.E. COALITION PRESENTATION: C.A.R.E. & THE TRANSYLVANIA OPIOID RESPONSE TEAM

Kristen Gentry, Director of the CARE Coalition of Transylvania County, presented to the Board. She noted the Board has already received a very detailed document regarding some of the issues she will be addressing during this meeting. The intent of the presentation is to familiarize the Board on the scope and problem of substance use disorder in Transylvania County and how the CARE Coalition is leading collective community efforts to address it through prevention, harm reduction, treatment, and recovery. She hopes the Board will be encouraged about how they might play a part.

The CARE Coalition consists of 50 active members, made up of 20 community partners and three staff and is supported by Transylvania Public Health. They collaborate with their members and community partners to address substance misuse through evidence-based approaches and programs from primary prevention with kids all the way through recovery.

Ms. Gentry stated it has been proven that substance use disorder most often begins in childhood and adolescence. It is for this reason that their prevention work focuses on youth. To do this, the CARE Coalition aims to limit access and availability of substances, such as alcohol and tobacco, and change

community norms surrounding substance use, and enhance protective factors that make children more resilient against regular or risk use or mental health issues.

The Transylvania Opioid Response Team works to improve harm reduction, treatment, and recovery systems. The Opioid Response Team was founded in 2018. The group completed the UNC School of Government's collective impact process. It allowed this team to reequip non-EMS emergency vehicles with Narcan, a drug that reverses life-threatening opioid overdoses, which resulted in 14 administrations in 2020.

The annual cost of substance use disorder on our nation and County is profound. The cost of substance use disorder in one year in the United States exceeds \$700 billion. Beyond dollars, this nation loses nearly 650,000 lives annually due to alcohol, tobacco, and other drugs. However, in the last few decades, exciting advancements have been made in evidence-based approaches to preventing and treating substance use disorders which are cost-effective, and they place well-deserved value on people's health, well-being, and their lives. The CARE Coalition uses these approaches to reduce the harm and cost of substance use disorders through prevention and treatment.

Next, Jim Hardy, a retired teacher and community member of the Executive Board of the CARE Coalition and the Opioid Response Team presented. He is also co-chairs an initiative to establish a reentry council in this County to support justice-involved individuals to become successful citizens. Mr. Hardy stated that the cost of substance use is staggering, both nationally and locally. He gave a snapshot of substance use in Transylvania County based on actual data collected and an example of the local costs of substance use disorder:

A SNAPSHOT OF SUBSTANCE USE IN TRANSYLVANIA COUNTY:

- 42% of local residents report that their life has been negatively affected by their own or someone else's substance use.
- 22% of residents report excessive drinking, among the highest in the region.
- In 2018-2019, approximately 70% of local children came into DSS custody the result of parental substance use.
- 72% of Transylvania County inmates surveyed in our detention center have SUD⁽¹⁾

1) Study by WCU, "Behavioral Health Among Adults in the Transylvania County Detention Center," preliminary findings 2) Community Health Assessment 2018, 3) Transylvania County DSS

LOCAL COSTS OF SUBSTANCE USE DISORDER: ONE EXAMPLE

350 people cycle in and out of Transylvania County Detention Center
72% of them have SUD
Cost to house one inmate is \$103/day → \$37,712/year/person

Consider the related financial costs for:

- Law enforcement and the courts
- Additional crime to support drug use
- Social services for detainee and family members.
Approximately 70% of local children came into DSS custody as the result of parental substance use in 2018 2019. (3)
- Added burden on schools to deal with troubled students
- Lost wages and taxes

Consider the social costs:

- Spouses without a partner
- Children without a parent
- Endangered public safety and trust
- Fragmented lives and fragmented community

It is estimated that one in eight children grow up in a home destabilized by substance use disorder. The effects are devastating and include delayed social and emotional development, exposure to physical and psychological harm, financial distress, neglect, and violence. Often these children grow up emotionally scarred. Many end up abusing substances themselves and going to jail and prison. Everyone bears the cost of substance use disorder in many ways, yet there is hope. Spending just \$1 on prevention and treatment now is estimated to save \$10 in the long-term.

Next, Anna Windham, CARE Coalition Coordinator, presented. She shared with the Board the many evidence-based practices the CARE Coalition uses in its work. The strategies they use are important and contribute to positive outcomes.

C.A.R.E.'S PREVENTION EFFORTS

• Prevention strategies:

- Advocating for safe prescribing, storage, & disposal.
- Reducing stigma of SUD & raising awareness.
- Reducing youth access to alcohol & drugs.
- Supporting behavioral health efforts.

• Prevention related outcomes:

- Fatal overdose rate has declined, as have overdosed EMS calls.
- Less medication is prescribed, and more people are safely storing or disposing of medication.
- Past 30day use for cannabis, alcohol, and Rx drugs among adolescents has declined.

Every \$1 spent on treatment & recovery saves
\$4 in healthcare & \$7 in criminal justice costs
Every \$1 spent on prevention services saves up to \$10 in long term costs

Ms. Windham stated many people ask how to prevent substance use disorder. The answer is preventing use among young people because that is where substance use disorder begins. The CARE Coalition uses proven strategies designed to limit access and availability of alcohol, provides evidence-based education at local high schools, increases protective factors, decreases risk factors, and works to change cultural norms to discourage youth substance use. These strategies, along with others, have shown to be effective in Transylvania County. Because of this work, the CARE Coalition has seen a decline in the overdose

rate, an increase in individuals practicing safer habits when it comes to the storage of prescription medications, and a decrease in past 30-day use of many of the substances commonly used by youth. The CARE Coalition hopes that through continued community support, they will be able to maintain this important work. The money and efforts they are expending now will prevent many of the problems created by substance use disorder when these children become adults.

Teresa Radford spoke next. She was hired last year to coordinate the federally funded planning grant received by the CARE Coalition. The goal of this grant is to determine how best to address the needs of citizens in Transylvania County who are impacted by substance use disorders, specifically opioids and methamphetamine. They have already conducted a needs assessment to identify the gaps in prevention and treatment, as well as the resources available to close those gaps. Information was gathered from a diverse group of individuals ranging from community agencies, medical personnel, law enforcement, local churches, recovery support groups, women's and homeless shelters, and folks with lived experience. The CARE Coalition would be happy to share that report with the Board of Commissioners upon request.

Their next steps will be to finish the strategic plan that will address the use of these substances at the community level. Once completed, this plan will be used along with community coordination to leverage more resources and obtain additional funding to implement the plan. They will also provide community education on substance and opioid disorders to cultivate political will and reduce stigma. On behalf of the CARE Coalition staff and the members of the Transylvania Opioid Response Team, she thanked the Commissioners for their time and asked them to consider how the Board can play a part in supporting substance use disorder efforts in Transylvania County.

This concluded the formal presentation. Chairman Chappell called for questions and comments from the Board, which are summarized by the Clerk to the Board below (Q&A format).

Q. What kind of advocacy does the CARE Coalition have with the State and federal government in this new era of states legalizing marijuana? How does the effort to legalize marijuana impact the CARE Coalition's work? Does the CARE Coalition feel like it is fighting a losing battle?

A. All the CARE Coalition's funding comes from the federal government from various grant resources. The CARE Coalition is limited in terms of advocacy. One of the things they are starting to work on is identifying smaller State or local policies that they can educate representatives about, but as staff who are essentially paid with federal dollars, they cannot advocate for changes in laws or influence votes on related issues. The CARE Coalition therefore focuses its efforts on information and education. The CARE Coalition believes this is a slow but winnable battle and they will continue to advocate for increased funding for prevention.

Q. Has the pandemic contributed to increased drug and alcohol usage?

A. Yes. The sale of alcohol has increased dramatically since the pandemic started. Some of the funding the CARE Coalition was allocated was directed specifically toward opioids and methamphetamine; however, alcohol kills twice as many people as opioids do and cigarettes kill five times that many. Much of their work is directed toward youth and teaching them responsible ways to take risks. The fact is that teenagers take risks and there is an incredible amount of peer pressure to use tobacco and alcohol.

Q. Does the CARE Coalition collaborate with the DARE Program?

A. Studies have shown that DARE was not an effective program. Evidence shows more success in talking about substance use issues, instead of the DARE's "Just Say No" mantra.

Commissioner Guice pointed out that Transylvania County was one of 10 communities throughout North Carolina that was selected to participate in the two-year opioid project. He serves on that team along with

the County Manager and Sheriff and many other leaders in the community. He pointed out their efforts have demonstrated success and they are well-poised to make many more positive changes in our community. Commissioner Guice felt that at some point the County will need to make investments in this effort if they want to see their work continue and impact positive change in the lives of our youth. While they were not requesting funds today, he was committed to finding ways to assist them in the future.

Commissioners commended the CARE Coalition for the work they are doing in the community.

APPOINTMENTS

REGIONAL COUNCIL ON AGING

Betty Rogge was appointed as the Senior Tar Heel Delegate to the Regional Council on Aging on October 26, 2020 to fill the remaining two months of a vacant term. She should be reappointed to fill a full three-year term.

Chairman Chappell moved to reappoint Betty Rogge to the Regional Council on Aging for a full three-year term, seconded by Commissioner Guice and unanimously approved.

WORKFORCE DEVELOPMENT BOARD

Becky Alderman retired her position as the Director of Community Relations/Advocacy at TVS and therefore resigned her position on the Workforce Development Board. Arleca Chapman Diehl, retired CTE Director of Transylvania County Schools has taken Ms. Alderman's position at TVS.

The appointment to the Workforce Development Board is at the Board's discretion; however, Land of Sky Regional Council Executive Director Nathan Ramsey recommended the appointment of Ms. Diehl based on her qualifications and her representation of a large manufacturing employer in Transylvania County.

Commissioner Dalton nominated and moved to appointed Arleca Chapman Diehl to the Workforce Development Board, seconded by Commissioner Guice and unanimously approved.

OLD BUSINESS

APPROVAL OF COUNTY SEAL AND NATIONAL AND STATE MOTTO FOR BOARD OF COMMISSIONERS' CHAMBERS

At the December 14, 2020 Board of Commissioners' meeting, Commissioners directed staff to work with a vendor to develop a design for placing the County seal and the national and State mottos on the back wall in Commissioners' Chambers.

Assistant County Manager David McNeill, along with the Clerk to the Board and Maintenance staff met with Wayne Brown of Signs and More to discuss the design. Mr. Brown provided a sketch with recommendations. He recommended the seal to be monotone and in two colors. The letters are approximately 12' end to end and the seal is 24" in diameter. All of it is 1" thick HDU. The installed cost is \$850. There are funds reserved for this purpose. Staff sought direction from the Board.

Commissioner Chapman moved to approve the design as presented with funds to come from reserves, seconded by Commissioner Guice. Commissioner Guice preferred Commissioners move back to their seats at the dais in the very near future especially considering that fact that more citizens are being vaccinated. He also felt it created more opportunity for the public to participate in person in the Board meetings. Chairman Chappell agreed and stated that he would work with staff to return operations

back to normal. He was also pleased with the sketch provided by Mr. Brown and supportive of staff moving forward. **The motion was approved unanimously.**

NEW BUSINESS

COVID-19 VACCINE UPDATE

Public Health Director Elaine Russell presented an update to the Board on the COVID-19 vaccine administration in Transylvania County. This is a summary of her presentation:

COVID Vaccine Update

- 15.9% (5,463) of County population 1st dose vaccinated (all NC enrolled provider data)
- First dose percent of population vaccinated based on age group
 - 18-24 1.37%
 - 25-49 7.28%
 - 50-64 7.03%
 - 65-74 39.79%
 - 75+ 39.77%
- 8.4% (2,900) of County population 2nd dose vaccinated (all NC enrolled provider data)
- Second dose percent of population vaccinated by age group
 - 18-24 0.66%
 - 25-49 4.18%
 - 50-64 3.72%
 - 65-74 20.02%
 - 75+ 21.90%
- Transylvania Public Health allocated 2,400 Johnson & Johnson (Janssen) single dose vaccines thanks to advocacy from County and State representatives
- Transylvania Regional Hospital now transferring weekly 100 allocation of Moderna to Health Department
- Agency baseline allocation remains at 300
- Agency allocation for 65+ at 200
- As of this week, Transylvania Public Health has received 3,890 1st doses (includes a 690 Mission transfer); 2,000 2nd doses (includes a 500 Mission transfer); and 2,400 single doses of Janssen
- A full week of vaccine outreach with four clinics
- Move into Group 3 due to slowing appointment booking and rising percentage of 65+ vaccinated
- Tuesday 1,200 Janssen doses; Wednesday 1,200 Janssen doses; Thursday 600 Moderna 1st doses; Friday 400 Moderna 2nd doses
- Collaboration with Transportation Program, DSS, Sheriff's Department, EMS to cover 65+ fragile/homebound through special van trips and home visits
- State began new category on its dashboard to show single dose vaccine metrics which should transfer to the county level charts and data

Ms. Russell's presentation wrapped up following a few questions from Commissioners.

GRANT PROGRAM APPROVAL – GOVERNOR'S CRIME COMMISSION

Finance Director Jonathan Griffin presented this item. Mr. Griffin reminded Commissioners that at their last Board meeting he introduced new procedures on how grants will be handled and managed, particularly those for which there is no local match. He will be testing the new process at this meeting with the two grant requests on the agenda.

In January, the Sheriff's Office was notified that it had received approval to proceed on a grant application submitted to the Governor's Crime Commission in 2018 that is just now being funded. The proposed program is for additional equipment for the Sheriff's Office to include night vision cameras, radios, GPS navigation devices, flashlights and tasers. The grant has a non-supplant provision so it cannot be used to purchase items that have already been budgeted. Acceptance of the grant also commits the County to continue supporting this equipment after it has reached the end of its useful life. The grant award totals \$24,490. Mr. Griffin recommended the Board accept the grant award and approve a budget amendment to record the revenues and expenses into the budget ordinance.

Mr. Griffin walked the Board through an excerpt of a grant approval form that he began using internally and the work associated with each as required by the Finance Department.

Finance Department Impacts	
Revenues from a restricted federal government source	Yes
Revenues from a restricted state government source	No
Program is pass-through	Yes
Program subject to Single Audit Act of 1984	Yes
Financial Activity subject to review by State Auditor/State Treasurer	No
Transactions subject to review by state parent agency	Yes
Grant reconciled on Schedule of State and Federal Awards (SEFA)	Yes
Major program eligible (could be selected to meet 40% audit threshold)	No
Financial transactions will occur in multiple fiscal years	No
Future commitment (adds personnel or replacement equipment)	Yes
Program budget compensates County for business departure time	No

Note: This grant has a non-supplant provision, so the equipment purchases related to this grant will need to be later replaced at a future date in the Sheriff's Office budget and will have to come from local tax resources.

Finance Officer Recommendation	
Recommend accepting funding and amending budget	X
Do not recommend to accept funding and amending budget ordinance	

Being this is a small request for equipment, there is no significant liability to the County. Therefore, Mr. Griffin's recommendation was to accept the funding and amend the budget. He noted that Chief Deputy Eddie Gunter made the Board aware of this grant during his semi-annual report on the Sheriff's Office.

Commissioner Chapman asked about the cost to maintain the equipment. Mr. Griffin stated the most significant part of the program is \$14,000 in tasers which could cost the same plus inflation to replace them at the end of their life cycle which is about three years.

Commissioner Guice pointed out it has been nearly three years since the grant application was submitted. He asked if the Sheriff's Office had purchased any of the equipment requested in the grant application to sustain their operations until the grant was awarded. He assumed there was a necessity for the equipment during the time of application and he was trying to determine if a need still existed.

Mr. Griffin said the specific incident that resulted in the application was the 2017 manhunt that ended in Mills River, so they were looking specifically at equipment that could be used to operate in the Forest for a long period of time. He did not recall any of the equipment appearing in subsequent budget requests. He pointed out the Sheriff's Office has been waiting for award of this grant. As far as he was aware,

there was still need. The financial impact is less than \$25,000 and the time period for reimbursement is a quick turnaround time of no more than 60 days.

Commissioner Chappell stated the Sheriff’s Office was forced into another incident recently that involved an extensive chase and search effort and his Office saw a need for this kind of equipment at that time.

Commissioner Guice moved to accept the funding and amend the budget accordingly, seconded by Commissioner Chapman and unanimously approved.

HAVA – HELP AMERICA VOTE ACT GRANT

Finance Director Jonathan Griffin presented this item. This is a new grant that requires no local match and is covered 100% through the Help America Vote Act (HAVA) grant that the Board of Elections has been offered through the State Board of Elections. The grant was awarded by SL 2020-17 SECTION 11.2.(a) to the State Board of Elections to be used in FY 20-21 and to be timely reimbursed to county boards of elections. The grant authorizes reimbursement-eligible expenditures incurred to improve the administration of federal elections under HAVA Title 1, Section 101.

The proposed expenditures are for additional equipment/supplies for the Election Center to include a fail over hardened pc for election night reporting, equipment for aiding in absentee by mail processing, standalone security cameras for ballot room and storage security, readiness spares (DS200) for ballot tabulation, miscellaneous operating supplies to improve Election Day operations, media equipment/software to generate online training materials, curbside wireless bell notification systems, and additional ADA compliant ballot marking devices to be used as readiness spares/training.

Elections staff recommended the Board accept the grant award and amend the County’s budget. This grant has a non-supplant provision so it cannot be used to purchase items that had already been budgeted. Mr. Griffin provided an accounting of how Elections intends to spend the grant funds. He noted that he did not have this information prior to making his recommendation to deny acceptance of the grant.

County name: Transylvania County

Grant Name (HAVA - Help America Vote Act)

\$	34,869.00	Awarded
\$	33,655.00	Allocated
\$	1,214.00	Remaining

ITEM	NEW/REPLACE/BACKUP	REASON	AMOUNT	LINE ITEM
Web Services				
Vyond Studio service (training/informational videos)	NEW	to make education/training video clips to counteract misinformation	\$ 650.00	101210-520140
			\$ 650.00	101210-520140 Total
Operating Supplies				
SanDisk Cruzer 16 GB (10 pk) x 10	REPLACE	Security requirements for election protocols	\$ 500.00	101210-520560
Canopies (4)	NEW	For early voting curbside areas	\$ 720.00	101210-520560
Walking Tape Measures for precincts (18)	REPLACE	Precinct supplies (for marking required no campaign area)	\$ 810.00	101210-520560
Black Dividers for One Stop Room (4)	NEW	For early voting privacy	\$ 1,600.00	101210-520560
Handheld Scanners for Photo ID (4)	NEW	Portable used during voter registration drives	\$ 225.00	101210-520560
LED Flashlights	REPLACE	Precinct supplies	\$ 150.00	101210-520560
Precinct Printers (5)	REPLACE	Precinct supplies	\$ 500.00	101210-520560
			\$ 4,505.00	101210-520560 Total
Office Furniture and Equipment				
Platform Dolly (flatbed hand truck) 2	NEW	Office use	\$ 200.00	101210-528500
Rolling Cart for OS	NEW	Secure cabinet for early voting	\$ 2,200.00	101210-528500
			\$ 2,400.00	101210-528500 Total
Other Equipment				
Martin Yale 400 Paper Jigger	NEW	For use with paper ballots	\$ 500.00	101210-550060
ES&S ElectionWare Computer	BACKUP	Spare to eliminate a single point of failure	\$ 3,800.00	101210-550060
Touch Screen Digital Kiosk (2) + display software permann	NEW	Kiosks to use for precinct locations, could also be used for county maps when not in use by elections	\$ 5,000.00	101210-550060
ES&S ExpressVote Trainer (1) Spare (1)	BACKUP	Trainer voting equipment for educational use in lobby + a readiness spare for elections	\$ 7,000.00	101210-550060
Security Cameras	NEW	For ballot rooms and storage	\$ 500.00	101210-550060
Print/Elect DS200 Trainer (1) Spare (1)	BACKUP	Trainer voting equipment for educational use in lobby + a readiness spare for elections	\$ 7,000.00	101210-550060
Martin Yale 1812 Autofolder Paper Folding Machine	NEW AND COULD BE USED AS BACKUP FOR TAX OFFICE	For use in mass mailings and absentee ballots	\$ 2,300.00	101210-550060
			\$ 26,100.00	101210-550060 Total
			\$33,655.00	Grand Total

The grant award is for \$34,869. Elections’ proposal is to spend \$33,655 on these items. The main difference between this grant and the award to the Sheriff’s Office in the previous agenda item is that while it is considered pass-through funds from the State Board of Elections (SBOE), Mr. Griffin has been skeptical of the SBOE lately because some of their grant guidance to local boards has been contradictory. In addition, some of the advice from the SBOE attorneys directly contradicted the Budget and Fiscal Control Act which is concerning for him. Mr. Griffin pointed out the grant does not compensate the County for business department time in these purchases. Particularly important, the grant ties the County to future commitments. HAVA grants have been previously used to purchase equipment and the County became responsible for replacing equipment because there was no recurring grant revenue to offset the costs. He noted a substantial equipment replacement recently occurred in this department. Thus, he recommended prior at the time of agenda preparation not to accept the award because of the work involved by Finance to manage the grant and the fact that the equipment may be purchased from other sources when it is determined there is a need.

Finance Department Impacts	
Revenues from a restricted federal government source	Yes
Revenues from a restricted state government source	No
Program is pass-through	Yes
Program subject to Single Audit Act of 1984	Yes
Financial Activity subject to review by State Auditor/State Treasurer	No
Transactions subject to review by state parent agency	Yes
Grant reconciled on Schedule of State and Federal Awards (SEFA)	Yes
Major program eligible (could be selected to meet 40% audit threshold)	Yes
Financial transactions will occur in multiple fiscal years	No
Future commitment (adds personnel or replacement equipment)	Yes
Program budget compensates County for business departure time	No
Non-supplant provisions in grant program	Yes
Finance Officer Recommendation	
Recommend accepting funding and amending budget	
Do not recommend to accept funding and amending budget ordinance	X

Note: SBOE’s previous position regarding COVID-19 funds and County government authority contradicts the Budget and Fiscal Control Act. This introduces elevated risks for which the County retains legal and financial liability. Supplant provisions mean this cannot be used to offset existing budgets – any use of these funds for equipment or supplies logically dictates that future property tax resources will need to be committed to replace any purchases.

Elections Director Jeff Storey gave further explanation of how Elections intends to expend the funds. He explained these are federal dollars distributed to states. The NC Legislature put up a portion of the funding to the State Board of Elections for disbursement to all 100 counties which were allocated based on the voter registration numbers in each county. The State Board of Elections’ guidance was for local departments to focus on security, elections administration, elections improvement, and education items. The items the department is requesting would improve elections, improve the security of local elections, and augment and the existing equipment.

Commissioner Chapman asked for further explanation on why the Finance Director recommended against accepting the funds. Mr. Griffin stated that the guidance from the State Board of Elections to the local departments deliberately contradicted the NC Pandemic Relief Office. The communications from the State Board of Elections contradicts the State Treasurer’s and State Auditor’s guidance on how these programs should work. Their advice has been very different from how finance officers across the State normally manage funding, particularly grant funding.

Mr. Storey added that the funding is already available at the State Board of Elections. They have asked local departments to invoice them for funds expended by local departments based on instruction from the NC Legislature.

Chairman Chappell asked Mr. Storey if any of these requests lessen the Board of Elections' upcoming budget requests for FY 22. Mr. Storey noted there are a few items in the operating supplies category, but they cannot use the funds for items already budgeted for in this fiscal year.

Commissioner Chapman supported the request to accept the funding as a measure of ensuring our elections continue to run smoothly and are secure.

Commissioner Guice also supported acceptance of the grant funds because he did not want to lose the opportunity to purchase these items for this department.

Commissioner Dalton asked whether the department intended to spend the entire award of funds because their expense list is nearly \$1,300 less. Mr. Storey did not anticipate spending the entire amount which leaves some room for contingency based on the cost of items.

Chairman Chappell stated that when the Finance Director expresses concern about compliance with the Budget and Fiscal Control Act, it gives him pause. This position is tasked with protecting the County's finances.

Mr. Storey advised that he will continue to work with the Finance Department and assured the Board of Commissioners the department would not recommend accepting the funds if they felt there was risk to the County.

Commissioner Chapman to approve the request to accept the HAVA grant funds and to amend the budget ordinance to accept the funds, seconded by Commissioner Guice and approved 3 to 1, with Chairman Chappell voting against.

REQUEST FOR MODIFICATIONS TO FORMER COUNTY ADMINISTRATION BUILDING BY THE VETERAN'S HISTORY MUSEUM OF THE CAROLINAS & EXTENSION/MODIFICATION OF USE AGREEMENT

The Manager and Assistant County Manager David McNeill presented this item jointly. They asked the Board to consider requests from the Veterans History Museum of the Carolinas (aka Museum) to modify the building for a certain purpose, renew the user agreement, and discuss their concerns about leaks in the building.

The County contracts with the Museum for use of the old administration building. Mr. McNeill reported that County staff met with Museum officials on February 2 to discuss the replacement of an existing window with a door that would allow access and display of a fully restored military jeep inside the Museum. Museum officials also asked the County to investigate and repair the roof due to leaks and the internal gutters.

After reviewing the project with an engineer, Mr. McNeill stated there would be no major issues with replacing a window with an access door. The work would not increase the footprint of the building so there are no major City regulations that would impact the project. The Museum intends to pay for this improvement at an estimated cost of \$13,761.

Historically, the County has had issues with the roof leaking, especially the lower roof section. County functions that were previously located in this building experienced the same issues. Piper Roofing

inspected the roof and made as many repairs as they possibly could. Roof repairs on flat roofs do not typically last a long time. Mr. McNeill stated if the building continues to be used for some purpose, there will continue to be problems with the roof necessitating potential replacement. Staff performed an inspection of the internal gutters and they are intact, but they have some small holes that need to be patched.

County Maintenance staff continues to provide the general maintenance and respond to repair requests from Museum officials. General maintenance includes service and repair of the HVAC systems serving the building. There are three HVAC units serving the building. Mr. McNeill noted that Commissioners approved the replacement of one HVAC unit serving that building in 2018 at a cost of \$8,725. The two others are R22 units. One unit is no longer functional requiring staff to utilize portable HVAC units in the summer. The other unit is operational but is more than 20 years old and is in poor condition.

County staff provided roof replacement estimates for the Board of Commissioners' consideration. Mr. McNeill noted that the roof replacement will require removal of the HVAC units. The removal of the old HVAC unit serving the area of the building adjacent to the courthouse (lower roof) may be difficult due to the unit's age. If investment is made into replacing the roof, staff suggested replacing the HVAC unit at that time, which will add to the cost. Mr. McNeill pointed out it would be more practical to downsize from three HVAC units to two and replace some internal ductwork to accommodate the new HVAC. Replacing the lower roof section is estimated to cost \$51,000. The upper roof section is estimated for replacement at \$32,000. An additional \$11,000 would be needed to replace the internal gutters at the same time. Mr. McNeill pointed out that construction costs are highly inflated at the moment.

In consideration of the investment required to install the door, the Museum is requesting the Board of Commissioners extend the contract agreement for two years or longer upon expiration of the current agreement which expires June 30, 2021 and modify the notice to terminate clause from 30 days to six months. The contract currently requires payment from the Museum in the amount of \$625 per month to offset some utility expenses.

Staff asked the Board to consider the following:

1. Installation of the access door at the expense of the Museum.
2. Direction on roof replacement.
3. Extension of the contract with consideration of the terms. The agreement will need to be reviewed by the County Attorney with guidance on terms.
 - a. Term of contract currently is two years and can be left the same, extended or decreased in length.
 - b. Term of notice to terminate is currently 30 days. Can be left the same, extended to six months as requested or decreased in length.
 - c. Monthly cost is at \$625. Can be left the same, increased or decreased.

Chairman Chappell asked Commissioners to consider each item separately.

Commissioner Chapman disclosed that he serves on the Board for the Museum, but he has no financial interest that would cause a conflict. He commented that the replacement of the window with an access door is critical to display a donated and fully restored WWII jeep. It cannot be displayed inside the Museum without installing the door. He reiterated that the Museum is willing to pay for the construction work.

Commissioner Chapman requested support of the extension of the use agreement so that the Museum can plan. They would also like consideration of an extension of the termination clause because the Museum

has a lot of inventory that would need to be relocated or returned to the owners. He said the Museum recognized the fact that court operations are a priority and that they would be ready to move, with assistance, should the facility be needed for this purpose.

Commissioner Chapman supported patching the roof as needed to repair the leaks. He did not feel it was necessary to replace the roof and HVAC currently. He did not feel there would be full support for further investment in that building without knowing what its future holds. He emphasized the Museum has a lot of public support and visitation.

Commissioner Guice was unsure if the Board should vote on the items separately because he felt they were all connected. He did not think the Museum would be willing to incur certain expenditures if the Board were not willing to increase the lease term. Commissioner Guice also pointed out that the Board intends to hold a capital planning workshop at its next meeting to review all capital projects, including the Courthouse. Regardless of when the Board decides on a Courthouse, he emphasized the Board is still faced with providing space for court operations to meet short- and mid-term needs. Lastly, Commissioner Guice said he does not support replacing the roof or HVAC units not knowing the future of the building at this time. He expressed support for the Museum, noting he was unsure whether other counties show the same support.

Commissioner Chapman moved to approve the installation of an access door at expense of the Museum and to extend the contract for two years and the termination clause for six months, seconded by Chairman Chappell. Commissioner Dalton asked if the County were forced into a position of moving court operations whether the former County Administration Building would be a viable location for emergency court operations. Commissioner Guice reported that an architect has explored this building on behalf of the County, but it was some time back and he was unsure if it would meet court operations needs today. Chairman Chappell reminded the Board that at the next meeting Commissioners intend to hold a capital workshop to consider these issues further. Commissioner Guice inquired about the going rate for leasing space in downtown. The Manager responded that the County spends \$20,000 annually to lease office space for Probation/Parole. Commissioner Guice asked if the monthly payment from the Museum covers the cost of utilities. The Manager reported the building utilities are combined with the Courthouse, so the payment is a best estimate based on the square footage of that building. Commissioner Guice felt it would be prudent, if the Board approves the request to extend the agreement, to include language in the agreement that benefits the County should the Board decide to do something different with the property or if there is catastrophic failure of the HVAC or roof due to the large expense the County would incur to replace them. Chairman Chappell suggested the Board direct the Manager to ask the County Attorney to review the contract and add specific language regarding these issues. In the meantime, the motion to approve the work and extend the agreement should give the Museum assurances that they can move forward. **Chairman Chappell moved to amend the motion pending final language changes in the use agreement being brought back to the Board of Commissioners at the next meeting, seconded by Commissioner Guice and unanimously approved. The main motion was unanimously approved.**

REQUEST FOR USE OF ADMINISTRATION MULTIPURPOSE CHAMBERS BY BREVARD CITY COUNCIL

Brevard City Council has been using the Multipurpose Chambers at County Administration for the last several months for their regular council meetings because it gave them the ability to use the technology to livestream their meetings and the room is large enough for them to acceptably practice social distancing. The City is working to upgrade the technology in their Council Chambers, but until it is finished, they have requested the continued use of the County's Multipurpose Chambers for their next few meetings on March 15, April 19, and May 17. The Board has given the Manager authority to approve the use of

Multipurpose Chambers for County-related activities. Any other uses by outside agencies must be approved by the Board of Commissioners.

The Manager pointed out that staff is experiencing much more usage of the space because of the ability to use the technology. County staff provides technical support for use of the room. Approval of the City's request should include staff support.

Commissioner Chapman moved to approve the request for the use of Multipurpose Chambers by Brevard City Council for the dates listed above, seconded by Commissioner Guice. Chairman Chappell asked staff to relay to the City of Brevard that the Board intends to return to the dais and reset the room to pre-COVID setup in the very near future. **The motion was unanimously approved.**

PURCHASE OF PROPERTY FOR THE PURPOSE OF A NEW EMS BASE STATION

Transylvania County had an analysis of future growth and EMS base locations completed in 2008. The study recommended bases at two different locations and indicated eventually ceasing use of the existing station in Brevard City limits. This location would meet one of those recommended site specifications. The EMS building is functionally obsolete, and replacement of the EMS building is on the long-range capital plan.

Transylvania County is under contract to purchase property on Morris Road, PIN 8597-31-1079 for a purchase price of \$238,500. A commercial appraisal has been completed for the property along with due diligence including environmental review, soil evaluation and preliminary architectural and engineering evaluation. This site not only meets the study needs that were identified in 2008 but it also provides easy access to the road and an appropriate site distance to alleviate any safety concerns that exist at the current site.

Funds for the purchase are expected to be allocated from the Emergency Services Reserve held in County fund balance for this purpose. The Manager recommended the Board give her authorization to purchase the property, PIN 8597-31-1079 at \$238,500, plus closing costs, with funds to come from reserved funds and to execute the closing documents.

Chairman Chappell was appreciative of all the work and research staff has put into this project because it is very much needed due to the condition of the current EMS base.

Commissioner Guice was supportive of the purchase, but he noted that the study was completed in May 2008. He cited language from the executive summary and felt it would be prudent to conduct an updated study. He recognized the current facility has issues and that a new location is warranted.

Commissioner Dalton moved to authorize the County Manager to purchase the property, PIN 8597-31-1079 at \$238,500, plus closing costs, with funds to come from reserved funds and to execute the closing documents, seconded by Commissioner Guice. Commissioner Chapman inquired about a potential timeline for construction of a new EMS base station. The Manager stated the Board will discuss this project at the next meeting during the capital workshop, but she and the Assistant County Manager feel this project is a top priority for the County and that the Board should make a decision in the very near future because the current EMS station is obsolete. **The motion was approved unanimously.**

FEE SCHEDULE FOR RENTAL OF RECREATION CENTER

The Manager presented this item to the Board. The use of Transylvania County Activity Center is being requested by groups that need practice space for travel teams and other activities. Up to this point, Parks and Recreation has not allowed rental of the facilities because of the resources need to provide the level of State-mandated COVID-19 sanitation and enforcement of State restrictions.

The Transylvania County School System subscribes to the North Carolina School Board Association (NCSBA) policy manual and their legal team represents most public-school systems in North Carolina. On a biannual basis, they receive updates on policy changes and revisions from the NCSAB. These policies are then reviewed by school attorneys. The policy that is impacting the use of school facilities is Policy 5030: Community Use of Facilities, with the change to this policy occurring due to the pandemic. The policy has placed a temporary restriction on the community use of school facilities which shall remain in effect until repealed or until the applicable guidance from NCDHHS is rescinded, whichever occurs first. This policy change has impacted the ability of travel sports teams to rent these facilities. Other than the Activity Center, there are few alternatives for them at this time.

To recoup the additional cleaning and oversight required by the State COVID restrictions, Parks and Recreation would need to increase the pre-COVID facilities use fee for hourly rentals to \$43/hour for the gym or activity room. This includes the normal pre-COVID fee (\$20/hour) for the facility and two part-time staff at just over \$11/hour. Additionally, user groups would need to adhere to a new user agreement while COVID restrictions remain in place. These expenses were not budgeted for and thus the Board must consider whether to approve the rental rate and rental agreement which are different from normal procedures due to State COVID restrictions.

Commissioner Guice inquired about whether to require participants to sign a waiver in order to protect the County from liability. County Attorney Bill Bulfer advised that although a waiver may not be binding, it is better to have users sign a waiver than not. Mr. Bulfer advised that each participating individual should complete a waiver for each activity they participate in, but not for each time they participate. His office had already drafted a waiver that staff can use.

Commissioner Guice was uncomfortable charging fees for user groups at a time when they have been unable to use facilities due to the pandemic. He asked whether federal grants could be used in place of user fees. The Manager stated that the funds are restricted and to date there has not been guidance from the federal government or State on the use of those funds. They have advised states and counties to wait until the final bill passes to receive guidance.

Commissioner Guice moved to approve recommended fee schedule, user agreements and individual releases, seconded by Commissioner Dalton and unanimously approved.

MANAGER'S REPORT

The Manager reported the following:

- Thanks to HCA for donation of vaccine
- Budget process continues
- Capital workshop at next meeting of the Board of Commissioners
- Ecusta Road Connector update-unknown issues extended timeline; expected completion by end of 2021. They found some site conditions that were not known before starting construction that they had to deal with. Required removal and disposal of some hazardous waste which was time consuming and slowed construction. Three items remaining to complete; round about at the terminus on US 64/276, remove existing box culvert on US 64/276 and replace with a 54" reinforced concrete pipe, and to place the final pavement surface and pavement markings.

PUBLIC COMMENT

David Morrow: On behalf of the Museum, Mr. Morrow thanked the Board for approving for their request to install the access door and extending the agreement and termination clause.

COMMISSIONERS' COMMENTS

Commissioner Chapman clarified statements that he made at the last meeting. He sent a letter of support for law enforcement officers to the local newspaper to be published in the opinion section. He felt compelled to do so due to the lack of support law enforcement is experiencing across the country. To him, it was not a political letter, but the newspaper did not print it and informed him they do not publish letters from candidates once they have announced their bid for public office. Commissioner Chapman at the time was unaware of their rule and stated there was also no indication if the rule only applied to candidates or to elected officials as well. Commissioner Chapman pointed out that the newspaper did, however, print praise and accolades for two former County Commissioners who were candidates at the time for their decision to switch their political affiliation and the newspaper printed personal comments from them as well. Commissioner Chapman felt that all candidates and elected officials should be given fair treatment and the same opportunity. He said he does not intend to send any further comments to the newspaper. He then read the letter he had asked to be published which was his statement against those who are anti-law enforcement and anti-American. He was worried about the future of our nation. He thanked all the men and women who put on the uniform and the badge and for protecting our lives and property every day.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Chapman moved to adjourn the meeting at 8:00 p.m., seconded by Commissioner Guice and unanimously carried.**

Jason R. Chappell, Chairman
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan, Clerk to the Board