

MINUTES
TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS
September 23, 2019 – REGULAR MEETING

The Board of Commissioners of Transylvania County met in regular session on Monday, September 23, 2019 at 6:00 p.m. in Commissioners Chambers at the County Administration Building, located at 101 S. Broad Street, Brevard, NC.

Commissioners present were Will Cathey, Jason Chappell, Vice-Chairman David Guice, Chairman Mike Hawkins and Page Lemel. Also present were Assistant County Manager David McNeill, County Attorney Misti Bass and Clerk to the Board Trisha Hogan. County Manager Jaime Laughter was invited to participate in a panel discussion in Asheville called *Moving Women Forward in NC: A Conversation with Local Government Managers* this evening, alongside the Asheville City Manager and Buncombe County Manager. Mr. McNeill covered the meeting on her behalf.

Media: *The Transylvania Times* – Derek McKissock

There were approximately 20 people in the audience.

CALL TO ORDER

Chairman Mike Hawkins presiding declared a quorum was present and called the meeting to order at 6:01 p.m.

WELCOME

Chairman Hawkins welcomed everyone to the meeting and thanked the members of the audience for participating in their local government. 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.

Susan Sunflower: Ms. Sunflower called attention to the youth around the world seeking support from adults in their work to fight climate change. They are calling upon local governments to enact laws and policies, to encourage businesses to produce products and practices that work for the climate, for communities to change their cultural approaches, and for individuals to take action. Ms. Sunflower referred to a group called drawdown.org that created a comprehensive plan to reverse global warming. The group listed in a variety of fields the three major factors that would impact our ability to improve the climate. Management of food scraps was number three on the list. Ms. Sunflower pointed out there are several local initiatives working toward this goal. Moving to Conservators facilitated public access compost sites and developed a public poster with food scrap management ideas generated by an essay contest. She mentioned a few other initiatives that are happening here in Transylvania County which she intends to email Commissioners further information about. She stated these are the beginnings of the components that the youth of the world are asking for, but there are other areas that need attention as well. She encouraged the Board of Commissioners to become involved in these initiatives.

Larry Chapman: Mr. Chapman reminded the Board about a presentation from Vance Patterson, founder of Foundation Forward, Inc. a couple of years ago on the Charters of Freedom project. Mr. Patterson was inspired following a visit to the National Archives Museum in Washington, DC which is home to the

Declaration of Independence, Constitution of the United States, and Bill of Rights. These three documents are collectively known as the Charters of Freedom. Mr. Patterson thought that everyone should have an opportunity to see and read these documents; thus, he began working toward his goal to place monuments in all counties across North Carolina. There is no cost to counties. The only obligation is for counties to provide space for the monument. Mr. Chapman recalled that when he served on the Board Commissioners were supportive of accepting the monument and thought that it would have an ideal location at the new Courthouse, but when progress ceased on the new Courthouse project there was no alternate location identified. Mr. Chapman reported that he recently attended a dedication in Polk County (next to Flag Museum). He encouraged Commissioners to visit the monument there. He said the monument is beautiful and has been constructed to last several hundred years. He also encouraged Commissioners to reopen discussion about seeking an appropriate location for a monument in Transylvania County. It will serve as an educational tool for students and adults and should be accessible by all.

AGENDA MODIFICATIONS

There were no agenda modifications from the Board or staff.

Commissioner Cathey moved to approve the agenda, seconded by Commissioner Chappell and unanimously approved.

CONSENT AGENDA

Commissioner Cathey moved to approve the Consent Agenda, seconded by Commissioner Chappell and unanimously approved.

The following items were approved:

MINUTES

The Board of Commissioners met in a regular meeting on March 12, 2019 and following met in closed session in which the minutes were sealed. The minutes were approved as submitted.

DISCOVERY, RELEASE AND MONTHLY SETTLEMENT REPORT

Per NC General Statute § 105-312 (b), it is the duty of the Tax Administrator to 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 NC General Statute § 105-381 (b), it is the duty of the Tax Administrator to 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 August 2019, tax dollars released was \$5,084.37 and refunds totaled \$6,131.04. The Board of Commissioners approved the Discovery, Release and Monthly Settlement Report for August 2019.

ADOPTION OF MEMORANDUM OF TRANSPORTATION AGREEMENT AS COMMUNITY CRISIS SERVICES PLAN

Effective October 1, 2019, NC General Statute § 122C-251 will require all LMEs/MCOs across the State to adopt a community crisis services plan within its catchment area. The local area crisis services plans are tailored to each county in the catchment area taking into consideration available resources and stakeholders. The agreement for consideration defines the County's involuntary commitment plan and identifies the law enforcement officers or entities required to provide custody and transportation of a respondent. The City of Brevard adopted the agreement during a regular meeting on September 16, 2019 as it is the City's duty to provide transportation of a respondent who is a resident of the City or who is taken into custody within their jurisdiction. The Manager worked with Captain Creasman to draft an

agreement that articulates the practice that is currently being followed. The Board of Commissioners adopted the Memorandum of Transportation Agreement as presented.

RESOLUTION IN SUPPORT OF FUNDING TO MEET THE MENTAL HEALTH, INTELLECTUAL/DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE DISORDER SERVICES NEEDS FOR THE VAYA HEALTH CATCHMENT AREA

LMEs/MCOs across the State have started a statewide campaign to urge the NC General Assembly to stop making budget/funding reductions for services for people with behavioral health and intellectual disabilities without Medicaid or insurance. The State budget called for a \$9 million reduction next year, to reoccur the following year. Over the last four years, Vaya Health has experienced a \$48 million reduction in funding.

The State frequently changes the method of accounting for cash-on-hand and community investment. Last year the State used cash-on-hand as a judgment factor for determining funding for the next year. This year they chose community investment. Vaya Health has been noted as one of the best managed LMEs/MCOs in the State and their budget was impacted by a funding reduction of \$9 million. Single stream funding directly impacts those citizens not covered by State dollars or Medicaid. Federal law restricts the use of the LMEs/MCOs' accumulated funds.

During their August meeting, the Vaya Health Board of Directors passed a resolution to send to the NC General Assembly asking them to stop cutting the agency's single-stream funding and to allow them to use their savings to reinvest in services and supports for communities in their catchment area. Vaya Health has requested the counties in their catchment area pass a similar resolution.

Commissioners approved Resolution #29-2019 In Support of Funding to Meet the Mental Health, Intellectual/Developmental Disabilities, and Substance Use Disorder Service Needs of the Vaya Health Catchment Area and instructed the Clerk to the Board to forward a copy to the Vaya Health Board of Directors and our representatives in the NC General Assembly.

RESOLUTION #29-2019

IN SUPPORT OF FUNDING TO MEET THE MENTAL HEALTH, INTELLECTUAL/DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE DISORDER SERVICE NEEDS OF THE VAYA HEALTH CATCHMENT AREA

WHEREAS, the Board of Commissioners of Transylvania County recognizes that, with appropriate services and supports, individuals with mental health and substance use disorders can achieve recovery; and

WHEREAS, the Board further recognizes that individuals with intellectual/ developmental disabilities ("IDD") can live productive lives in the homes and communities of their choice; and

WHEREAS, the amount of resources needed for mental health, substance use disorders and IDD services and supports is increasing due to North Carolina's increasing population; and

WHEREAS, Vaya Health is responsible for management and oversight of publicly-funded mental health, substance use disorder and IDD services for over 270,000 Medicaid-covered, under-insured and uninsured individuals across twenty-two (22) western North Carolina counties (the "Catchment Area"); and

WHEREAS, consistent with the goals of the 1915(b)/(c) Medicaid Waiver expansion, the Board of Directors developed a comprehensive reinvestment plan beginning in SFY 2015-16 as part of a focused effort to reduce unnecessary emergency department admissions, divert people from

incarceration and institutionalization, combat the opioid epidemic, and support county Departments of Social Services; and

WHEREAS, Vaya has already reinvested \$18.5 million of its Medicaid savings in a broad array of initiatives that directly addressed the needs of the Vaya Health Catchment Area, including but not limited to expanding Facility Based Crisis and Behavioral Health Urgent Care services, implementing an innovative evidenced-based service to support children aging out of the foster care system, distributing opioid overdose-reversal kits, increasing provider rates and expanding Medication Assisted Treatment; and

WHEREAS, State funding for North Carolina's behavioral healthcare system has been inconsistent and inadequate for more than 17 years since mental health reform legislation was passed by the North Carolina General Assembly in 2001; and

WHEREAS, the North Carolina General Assembly has reduced State funding for behavioral health services (known as single-stream funding) by more than \$458 million statewide over the past four years, including \$48 million in single-stream funding to Vaya alone, while requiring Vaya to continue offering the same level of State-funded services as before such reductions; and

WHEREAS, if the proposed \$9 million single-stream reduction in the pending State budget is passed into law, the General Assembly will have cut more than \$57 million in single-stream funding from Vaya; and

WHEREAS, despite these significant single-stream funding reductions, Vaya has continued serving the uninsured and underinsured using remaining State funds and Medicaid savings that were intended to be used for implementing its reinvestment plan; and

WHEREAS, such continued reductions have forced Vaya to eliminate, or halt work on, items from its reinvestment plan; and

WHEREAS, the Board of Commissioners shares Vaya's concerns that additional reductions in single-stream funding by the State may increase the need for the allocations from counties in the Catchment Area and place additional strain on local hospitals, Emergency Medical Services, jails, housing, and other social service resources.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Transylvania County does hereby request that the North Carolina General Assembly:

- Stop cutting Vaya Health's State single-stream funding so that such funds can be utilized to strengthen access to healthcare services for the mental health, intellectual/developmental disabilities, and substance use disorder needs of over 270,000 Medicaid-covered, under-insured and uninsured individuals across the Vaya Health 22-county Catchment Area; and
- Allow Vaya Health to build up its Medicaid savings so that Vaya can reinvest in services and supports for our communities rather than mandating that such funds be used to replace previously reduced State funding.

Adopted this 23rd day of September, 2019.

S:// Mike Hawkins, Chair
Transylvania County Board of Commissioners

LETTER OF SUPPORT FOR SMART START GRANT REQUEST

GetSet Transylvania partners have been working on collaborative initiatives that help improve early childhood experiences and outcomes. Transylvania County has been a lead agency in development of GetSet and remains committed to the collaborative and coordinator work that GetSet both promotes and expects.

Smart Start of Transylvania County has submitted a Letter of Intent to Pisgah Health Foundation to bring Family Connects programming to the county using collaborative health partners to provide registered nurse visitation to families in their homes in the first year of a child's life. This program would be open to all families regardless of social or income status. The program has been shown to increase health outcomes and also help families connect to community resources.

Smart Start is requesting \$100,000 in support for year one. Family Connects has already committed to more than \$60,000 of in-kind technical support and training for the first two years through a Blue Cross Blue Shield grant. Family Connects selected Transylvania and Watauga Counties as the two rural communities in the State to invest in and bring their program.

Staff requested the Board to authorize the Chairman to sign a letter of commitment and support for the grant application on behalf of the Board of Commissioners and County government. Commissioners authorized Chairman Hawkins to sign the letter of support.

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE VETERANS DAY CEREMONY

NC Department of Transportation (NCDOT) Special Event Guidelines stipulates that counties shall pass an ordinance declaring a road closure for a special event. The purpose is so NCDOT can review for conflicts and concerns, and is neither approving nor denying the event. The Clerk has submitted the special use permit application to the City of Brevard to close a portion of Main Street on November 11 for the Veterans Day Ceremony at the Courthouse Gazebo. Commissioners approved "An Ordinance Declaring a Road Closure for the Veterans Day Ceremony" and instructed the Clerk to send the document along with the cover letter to the NCDOT Highway Division 14 office.

Ordinance No. 30-2019

An Ordinance Declaring a Road Closure for the Veterans Day Ceremony

WHEREAS, the Transylvania County Board of Commissioners acknowledges a long tradition of honoring our veterans; and

WHEREAS, the Transylvania County Board of Commissioners established a Veterans Day Committee to plan an annual ceremony at the Courthouse Gazebo on Main Street between Broad and Gaston Streets; and

WHEREAS, the Transylvania County Board of Commissioners acknowledges it requires additional time both prior to and following the event for set up and removal of signs and equipment and one hour for the ceremony;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Transylvania County pursuant to the authority granted by NCGS 20-169 that they do hereby declare a temporary road closure during the date and times set forth below on the following described portion of a State Highway System route:

Date: Monday, November 11, 2019
Times: 10:30 a.m. – 12:30 p.m.

09/23/2019

Location Description: Main Street (E Main St/US 276 N/US-276 S) between Broad and Gaston Streets in downtown Brevard (in front of the Transylvania County Courthouse)

This ordinance to become effective when signs are erected giving notice of the limits and times of the ceremony and implementation of adequate traffic controls to protect participants and to guide vehicles around the event route.

Adopted this 23rd day of September, 2019.

S: // Mike Hawkins, Chair
Transylvania County Board of Commissioners

APPOINTMENTS

NURSING AND ADULT CARE HOME ADVISORY COMMITTEE

In 2017, the Federal Long Term Care Ombudsman Program modified the Ombudsman Program guidelines. One of the changes affected how volunteers are appointed to the Nursing and Adult Care Homes Advisory Committees. Applicants must complete a training program with the Regional Ombudsman prior to being appointed. Two applicants have completed this process. Regional Ombudsman Carol Allison requested their appointment to the Nursing and Adult Care Home Advisory Committee.

Commissioner Chappell moved to appoint Karleen Booth and Ben Lamm to the Nursing and Adult Care Home Advisory Committee for an initial term of one-year, seconded by Commissioner Lemel. Commissioner Lemel was impressed that these two applicants had completed the necessary training to become certified in this program. They will make excellent additions to this committee because they understand their job and are ready to do the work required. **The motion was unanimously approved.**

PLANNING BOARD

Steve Woodsmall resigned from the Planning Board in July. The Clerk to the Board advertised for the vacancy on the County website and in *The Transylvania Times*. There are several applications on file for the Board's consideration. Section 16-22 (b) of the ordinance establishing the Planning Board states that there shall be a quorum of four members for the purpose of taking any official action. Staff recommended Commissioners fill the vacancy on the Planning Board.

Commissioner Guice nominated and moved to appoint Beecher Allison to the Planning Board, seconded by Commissioner Chappell. There were no other nominations. Commissioner Lemel commented on Mr. Allison's background and felt he would be a nice addition to the Planning Board. **The motion was unanimously approved.**

TRANSYLVANIA NATURAL RESOURCES COUNCIL

The terms of Peter Chaveas, Mark Tooley, Davis Whitfield-Cargile and Kent Wilcox expire at the end of September. Only Peter Chaveas and Mark Tooley are not eligible for reappointment. Both Davis Whitfield-Cargile and Kent Wilcox are eligible and willing to serve another term. There are two applications on file to fill the two upcoming openings.

Commissioner Cathey moved to reappoint Davis Whitfield-Cargile and Kent Wilcox to another term on the Transylvania Natural Resources Council, seconded by Commissioner Guice and unanimously approved.

Commissioner Chappell moved to appoint Elizabeth Reshower and Stephanie Adams to the Transylvania Natural Resources Council, seconded by Commissioner Guice. Commissioners Chappell and Lemel commented on the applicants' qualifications and felt they would be tremendous assets to this council. **The motion was unanimously approved.**

NEW BUSINESS

FIRST QUARTER FY 2020 BUDGET AMENDMENTS

Finance Director Jonathan Griffin presented this item. The Finance Director provides, on at least a quarterly basis, an overview and summary of amendments made to the budget ordinance after its adoption by the Board of Commissioners.

For the months of July through September 2019, the first quarter of the year, there have been only eight amendments to the budget. This is significantly lower than in prior years, as the Finance Office had asked that budget amendments be limited, where possible, in order to ease the transition from CSI's SmartFusion to Tyler Technologies' Munis. Finance is pleased by the actions of other County departments to limit this where possible.

The Board of Commissioners set a budget for Transylvania County totaling \$65,838,245 effective July 1, 2019. Of that, \$63,919,039 were current appropriations and \$1,919,206 were appropriations carried forward from the FY 2019 budget to continue funding for ongoing projects and operating expenditures.

Mr. Griffin presented four budget amendments for approval:

#7 recognizes and appropriates additional revenues from the WIC program to be spent on additional marketing efforts to promote the WIC program. This amendment increases revenues and expenditures in the FY 2020 Budget Ordinance by \$11,774. These are pass-through State funds and have no real impact to the County's net position.

#10 appropriates \$194,400 from the general fund balance to begin repair work. During April 2019, the County experienced a major hail event in downtown Brevard that seriously damaged the HVAC systems and roofs of several buildings in the downtown County campus. These damages came at a significant financial cost. While the actual cost value of repairs and replacements was \$173,400, staff suggested some contingency for the repairs. The study concerning costs was concluded in June 2019, but staff has found that costs continue to escalate. There was a difference between insurance claims revenues received and spent during FY 2019 totaling \$194,400 which was added to the assigned fund balance for emergency maintenance needs at year's end. The repairs will be funded from this appropriation.

#11 is a request to carry forward an appropriation for a project within the Solid Waste Fund. This project was initially budgeted for last year, but was not commenced prior to June 30, 2019. This would have been originally carried forward in the FY 2020 Budget Ordinance like other projects, but was not included due to a miscommunication between Finance and the Solid Waste department for which the Finance Department bears responsibility. This is a planned \$37,185 refurbishment of the exterior of the Woodruff Waste Management Building, replacing gutters, windows and additional exterior painting.

#14 carries forward an appropriation made in FY 2019. Due to turnover in Administration and Planning and Community Development, staff was unable to execute a call for physical capital projects at various community centers. The County spent \$6,000 to continue the practice of paying for internet equipment and services at the community centers, but the rest earmarked for facility improvements totaling \$44,000 was unspent. Staff requested that it be expended in FY 2020 as a combined grant program of funds from both fiscal years.

Commissioner Cathey moved to approve the budget amendments, seconded by Commissioner Chappell and unanimously approved.

MANAGER'S REPORT

Assistant County Manager David McNeill reported the following on behalf of County Manager Jaime Laughter:

- Kudos to landfill staff from State Inspector Lee Hill for having a clean site visit and for the hard work and dedication of staff
- Invitation to the public to join County staff and Engaging Local Government Leaders (ELGL) to learn about how the economic history and natural resources shape the culture of Transylvania County; Wednesday, September 25 from 12:00 p.m.-1:30 p.m. at the Transylvania County Board of Elections Building (150 South Gaston Street, Brevard, NC 28712); mini-conference with panelists City Councilman Mac Morrow, Transylvania Economic Alliance Executive Director Josh Hallingse, Sycamore Cycles owner Wes Dickson, and retired Assistant Forest Supervisor with Dupont State Recreational Forest Bruce MacDonald; event is part of a national week of events known as the #ELGLRoadtrip; participants can register at <https://elgl.org/event/reshaping-county-culture-due-to-changing-economic-factors/>; \$10 to cover the cost of lunch
- GetSet Transylvania toolkits launched last week. Like the GetSet Transylvania Facebook page for updates and check out www.getset-tc.org for weekly blog updates. Commissioner Lemel had a toolkit with her for the public to view.

PUBLIC COMMENT

There were no comments from the public.

COMMISSIONERS' COMMENTS

Commissioner Cathey thanked the members of the audience for attending the meeting this evening.

Chairman Hawkins explained the reason for the shorter meeting agenda was due to the Manager's not being able to attend and the fact that there were some complex items targeted for this meeting, but which are not yet ready for approval, one of those being the school construction contracts.

ADJOURNMENT

There being no further business to come before the Board, **Commissioner Cathey moved to adjourn the meeting at 6:35 p.m., seconded by Commissioner Chappell and unanimously carried.**

Mike Hawkins, Chair
Transylvania County Board of Commissioners

ATTEST:

Trisha M. Hogan
Clerk to the Board