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David Moxley, Vice Chairman  
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Frank Zachary, Commissioner*



*Ed Powell, County Attorney  
Lisa Hughes, County Manager  
Tanya Gentry, Clerk to the Board*

## **COUNTY MANAGER'S REPORT**

### **July 19, 2024**

#### ***Vacancy Report***

This week we still have 14 vacancies. Human Services continues to have a significant number of vacancies this week, with 9, 7 of which are in the Social Services Division. Two of the vacancies are in the Sheriff's Office and 1 in Emergency Services. The Tax Assessor's Office has 1 vacancy. Thirteen of these positions have been vacant over 30 days, with 9 of them being in Human Services. Eight of them have been vacant over 100 days.

#### ***Solid Waste***

The transition continues to go well. We did have some sites close early last weekend, but believe that was due to being closed on July 4<sup>th</sup> and people brought their trash on July 5<sup>th</sup>, before the sites could be dumped again. Staff continues to monitor the sites and the landfill to monitor the transition and to identify areas to improve efficiencies. Citizens have been dumping mattresses, metals and furniture in the dumpsters at the schools. We previously had these issues and the schools installed fences around the dumpsters. Triad Recycling has been advised to not empty those dumpsters with the items that are not allowed to be dumped. We have also received complaints from staff about the smell of the water from the well that goes into the building at the Landfill. We are having the water tested.

#### ***Uniforms***

We changed uniform vendors from Cintas to Unifirst in FY2024 due to the quality of service being provided by Cintas. Unifirst is not better. We are moving towards purchasing uniforms for staff as most were not using the laundering service provided by the vendor.

#### ***Legislative Goals***

It's time to start thinking about Legislative Goals to submit to the NCACC. This is another opportunity to advocate for the needs of counties. The submission process will kick-off this month. Please be thinking about what you would like to submit. In the past, the Board has submitted an average of 4-6 goals. The goals will be in any of the following areas: Agriculture, Environment, General Government, Health and Human Services, Justice and Public Safety, Public Education and/or Tax and Finance. Legislative Goals are due in August and will be discussed during the August 5 Board meeting. Goals that were previously submitted must be re-submitted to be considered again. Exhibit A contains the 2023-2024 Legislative Priorities.

This is the link to the legislative goals section on the NCACC website for more information about the process and previous goals <https://www.ncacc.org/county-advocacy/current-legislative-goals/>

### ***SB 166***

Senate Bill 166 passed in the final day of the Short Session and Governor Cooper vetoed it on July 5. This bill contains several changes to building code regulations that will impact counties. It is anticipated that the General Assembly may override the Governor's veto when they return later this month for a few days. Exhibit B contains the noted changes.

### ***Delinquent Tax Liens***

The Machinery Act requires counties to advertise delinquent real property tax liens in local newspapers every spring. The General Assembly per SL 2024-25, sect. 22(a) now added that counties will be required to "post notice of the lien in a conspicuous manner at the parcel to be advertised" as of 2025. This means that staff will be required to have signs made and posted at those properties, taking them away from their other job responsibilities and an additional cost to counties.

### ***Conferences and Trainings***

The Upcoming Dates section below includes several Conferences and meetings that require pre-registration. As a County, we try to be good stewards of County funds and take advantage of early bird registrations, when registration fees are at their lowest point. Most of these registrations, as well as hotel registrations, have cancellation dates to receive full refunds or partial refunds. If these cancellation dates are not met, the registration fees and / or hotel fees are not-refundable.

Attending Conferences and Trainings is beneficial to employees and Commissioners, however, we all need to be cognizant of the costs involved and the commitments to attend once registered.

Please note the early bird registrations in the Upcoming Dates below and ask Tanya about cancellation dates in the event you register and are later not able to attend. Tanya is the point of contact for the Commissioners to register for Conferences and Trainings.

### ***Upcoming Dates***

The NCACC Annual Conference will be held **August 8-10** in Forsyth County, with the special event on August 7<sup>th</sup> pertaining to the use of Opioid Settlement Funds. Please let Tanya know if you are interested in attending the Conference and/or the August 7<sup>th</sup> special event. Registration is required for the special event as well as the Conference. This is the link for the NCACC Annual Conference webpage <https://www.ncacc.org/events-training/annual-conference/>



# NCACC Legislative Agenda 2023-2024 Biennium

## Top Priority Goals

- Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.
- Seek additional revenue sources to address statewide public school and community college capital needs and ensure methods used to distribute school capital funding considers the needs of both low-wealth and growing counties. Revisions to the Needs-Based Public School Capital Fund that will allow for more access to counties and allow for faster school construction to include allowing projects that have not previously been awarded a grant to commence and remain eligible for future grant application periods.
- Support expansion of Medicaid as well as related funding and operational flexibility for counties to expand county workforce and necessary infrastructure.

## Legislative Priorities

### Environment

- Seek legislation to provide additional resources for preventative storm damage maintenance, such as stream clearing, and increase recurring funding to the state's Coastal Storm Damage Mitigation Fund.
- Seek legislation for clean water funds throughout the state and to hold chemical manufacturers producing emerging contaminants such as PFOA, PFOS, and other PFAS chemicals, and coal ash producers financially responsible for cleanup and mitigation of pollutants.

### General Government

- Seek legislation to grow North Carolina's statewide economy through state investments, including technical assistance, public infrastructure funding, increased competitive incentives, state economic development grant programs and coordinated efforts with county economic development services.

### Health and Human Services

- Seek additional funding and preserve block grant allocations to increase access to high quality childcare, early childhood education, child welfare services, adult protective services and guardianship, including:
  - Women's and Children's Health Services Block Grant funding to local health departments for critical services like maternal health, child health and women's health services to address unfavorable infant mortality rates;
  - Home & Community Care Block Grant; Senior Center General Purpose Funds; Social Services and Human Services Block Grants; TANF; and emergency childcare funding to ensure the safety and stability of our childcare system.
- Seek legislation that restores State Funding of Accreditation of Local Health Departments.

### Justice and Public Safety

- Seek legislation to increase the amount paid to county jails by the state to the full cost reimbursement for housing sentenced inmates.

### Tax and Finance

- Seek legislation that preserves existing local revenue by providing just compensation to counties for property acquired by the state and removed from the ad valorem tax base.
- Seek legislation which will repeal NCGS 105-275(45) which mandates that counties must exclude eighty percent (80%) of the appraised value of a solar energy electric system from property taxation. If repeal of NCGS 105-275(45) is not feasible, then seek legislation which will require that the State of North Carolina provide funding to any county which is forced to lose tax revenue due to NCGS 105-275(45) in an amount equal to the lost tax revenue to said county.
- Seek legislation allowing counties to include specific language on the sales tax referendum ballot designating how the proposed proceeds will be spent and to spend the proceeds of any newly enacted article 43 transit tax for all types of transportation expenditures.
- Seek legislation to give counties flexibility with use of occupancy taxes.



# NCACC Legislative Agenda 2023-2024 Biennium

## Additional County Advocacy Goals

### Agriculture

- Support efforts to change grants and loan award criteria to more closely match the USDA Rural Development aid requirements.
- Support legislation to protect farming operations from frivolous nuisance lawsuits.
- Support regulations and economic policies that promote small family farms.

### Environment

- Support funding for a comprehensive approach to mitigate harmful and invasive species.
- Support additional funding to assist local governments in managing recycling and solid waste including: scrap tires, manufactured homes, and electronics.
- Support legislation amending NCGS §90A-53 to shorten the work experience in the field of environmental health practice necessary to receive a certificate as a Registered Environmental Health Specialists from two years to one year.

### General Government

- Support increased state funding and additional funding streams for existing and new transportation construction and maintenance needs (including roads, rails, and multi-modal transportation, secondary roads and litter pickup), and support legislation to ensure that the Strategic Transportation Investments (STI) funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded.
- Support legislation allowing public bodies to provide emergency meeting notices by electronic means in addition to notice through newspaper with general circulation within the county.
- Support legislation allowing counties flexibility in holding remote board meetings, allowing contemporaneous, virtual public hearings, in order to expeditiously conduct county business during locally declared emergencies.

### Health and Human Services

- Support expansion of Medicaid as well as related funding and operational flexibility for counties to expand county workforce and necessary infrastructure.
- Support Medicaid reimbursement for Community Paramedic services and transport services to mental health and substance abuse facilities.
- Support legislation to increase the number of state funded county Veteran Services Officers to at least one per county.
- Support legislation for hold harmless provisions and staggered payment plans to control/cap the liability to counties under the Medicaid and NCHC overpayment recoupment plan, which holds counties financially responsible for the erroneous issuance of Medicaid benefits and Medicaid claim payments resulting when the county DSS takes any action that requires payment of Medicaid claims for an ineligible individual.
- Support legislation to expand the Good Samaritan protection of covered offenses in NCGS §90-96.2(c3) to include all opioid and drug offenses to encourage reporting of drug overdoses and reduce overdose deaths and work to create required treatment options for overdose victims covered by limited immunity.
- Support legislation that promotes opioid and other substance use prevention, intervention, harm reduction, treatment and recovery initiatives.

### Justice and Public Safety

- Support legislation that promotes recruitment and retention of both first responders and detention officers in jails, including but not limited to workforce development, pay scale adjustments and/ or studies, and appropriate levels of training and certification standards for these increasingly hard to staff positions.
- Support legislation to streamline and expedite the state response to emergency recovery.
- Support legislation treating all misdemeanor charges uniformly by removing statutorily imposed compliance defenses to local ordinance violations.
- Support efforts to provide greater flexibility to local governments in expenditures of 911 surcharge funds and ensure adequate funding for next-gen technology.



# NCACC Legislative Agenda 2023-2024 Biennium

## Additional County Advocacy Goals (Continued)

### Justice and Public Safety (Continued)

- Support legislation to restore state funding to cover the cost of facilities and utilities for state justice employees who manage and operate state probation and parole juvenile services, and provide funding for public defender offices in county-owned or leased facilities.

### Public Education

- Support legislation to provide exceptions to the K-3 class size mandate including but not limited to lack of school facility space and availability of qualified teachers.
- Support legislation that promotes education attainment and career and college readiness by increasing funding for apprenticeship and internship programs, trade certification, and workforce development programs, as well as increased student support services in public schools with a focus on dropout prevention and an increase in the dropout age.
- Support increased funding to aid counties in implementing school security measures.
- Support school calendar policy that promotes optimal student outcomes and best meets the needs of local communities.
- Support funding to provide all public school students with an excellent education, including investments to assist communities in eliminating achievement disparities including:
  - Expanding teaching assistant allotments to fund assistants in all K-3 classrooms.
  - Provide full state funding for state mandated exceptional student services.

## Federal Goals

- Support additional flexibility and an extension in the deadline for spending American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (SLFRF).
- Support efforts to promote food system resiliency, such as ways to strengthen North Carolina's Food System and increase access to affordable, healthy food options.
- Support increased funding for disaster preparation, assistance and mitigation; legislation or policy changes that expedite and expand county use of federal disaster assistance funds; legislation or policy changes to streamline and expedite the FEMA individual assistance process; and legislation to review and update flood maps more frequently in counties experiencing high rates of population growth and counties prone to flooding.
- Support funding for behavioral health programs and services to address the opioid and substance abuse epidemic and support flexibility for counties to use funds for prevention and recovery.
- Support funding and legislation to expand high-speed broadband access.
- Support measures to reduce the number of people with mental illness in county jails and legislation that would allow individuals in custody to continue receiving Medicaid and other federal health benefits until they are convicted, sentenced, and incarcerated.
- Support funds for health, human and economic services programs including Temporary Assistance for Needy Families, Food and Nutrition Services and federal block grants.
- Support increased funding and flexibility in services for older Americans and veterans.
- Support additional funding for Payment In Lieu of Taxes (PILT), agricultural, conservation, workforce, economic development, and Infrastructure programs that help counties meet public needs.
- Support strong regulations and enforcement along with funding assistance or reimbursement to state and local governments when a federal agency, such as the EPA, regulates emerging contaminants and other discharges into drinking water sources.
- Oppose unfunded mandates and changes in eligibility for federal programs that shift costs to counties.
- Reauthorize the Workforce Innovation and Opportunity Act (WIOA) and increase funding for Title I programs.

## Notable Activity- SB166

With the General Assembly adjourned after a flurry of [late June activity](#), it has been relatively quiet in the halls of the General Assembly the last few weeks.

However, [Senate Bill 166 Bldg. Code Regulatory Reform](#) passed in the final day of session; it was vetoed by Governor Cooper on July 5. The bill contains several changes to state building codes impacting local governments. It's unclear when, or if, legislators will return to Raleigh to override the governor's veto. NCACC urges you to review the provisions in the bill listed below and share concerns with your legislators.

## Action Item

[Senate Bill 166 2024 Bldg. Code Regulatory Reform](#) – The bill amends various development regulations, the North Carolina Building Code, and various environmental and environmental health regulations. Highlights of the bill:

- It requires all local health departments to contract with the North Carolina Department of Health and Human Services (NCDHHS) for the provision of environmental health services and directs the agreement to include quality assurance requirements. Additionally, the bill requires any registered environmental health specialist, registered environmental health specialist intern, or registered environmental health associate contracted to work for a local health department without a contract with NCDHHS is not entitled to the defense or liability protections currently provided by the attorney general as prescribed by statute, nor would they be entitled to defense or liability protections for enforcing a local onsite wastewater rule, regardless of contract status. In the event of a judgment against, or settlement on behalf of, a registered environmental health specialist, registered environmental health specialist intern, or registered environmental health associate, this bill requires that NCDHHS and the local health department would each be required to pay half of the

judgment or settlement, unless NCDHHS in its sole discretion agrees otherwise.

- It prohibits unrestricted right of entry as a condition to development approvals.
- It clarifies that landscaping around dwellings or within common areas, or streetlight fixtures within common areas, are not public safety issues for which local governments may withhold building permits or certificates of occupancy for public safety issues. It requires developers to submit to the local government a signed affidavit detailing the reasons why the required site improvements related to landscaping and streetlights are not complete, the expected date of completion and compliance, and a statement to complete the required improvements.
- It summarizes residential plan review fees reimbursement when local governments fail to perform reviews within certain timeframes. If a local government fails to conduct the initial residential building plan review within 20 business days after submission, requires local governments to refund 10% of building application fees for each business day it fails to conduct the review for up to 10 business days.
- It clarifies that local governments reviewing designs for which a seal is required may not make administrative decisions based on the appropriateness of the scope of work covered by seals of designs. Local governments can continue to review those plans, drawings, specifications, reports, or other work that requires a seal for all other state and local compliance issues.
- It makes various changes to onsite wastewater statutes, including allowing private compliance inspectors to inspect onsite wastewater systems.