

**MINUTES OF BOARD OF COUNTY COMMISSIONERS
OF GUILFORD COUNTY
WORK SESSION**

Greensboro, North Carolina
August 5, 2021

The Board of County Commissioners met in a duly noticed Work Session at 4:00PM in the Blue Room located on the first floor of the Old County Courthouse, 301 W. Market St., Greensboro, NC.

PRESENT: Chairman Melvin “Skip” Alston, presiding; Vice Chairman J. Carlvena Foster; Commissioners Mary Beth Murphy, Kay Cashion, Justin Conrad, Alan Perdue, and Carolyn Q. Coleman (in at 5:11PM).

ABSENT: Commissioners Carly Cooke and James Upchurch.

ALSO PRESENT: County Manager Michael Halford; Assistant County Manager Jason Jones; County Attorney Mark Payne; Clerk to Board Robin Keller; Ariane Webb, Deputy Clerk to Board; Heather Skeens, DHHS Director, Dr. Iulia Vann, DHHS Public Health Division Director; Chris Duffy, Deputy Director of Guilford County Board of Elections; Merle Greene, Executive Director of the Association of North Carolina Boards of Health; members of staff and media. Virtual participation was made available to the general public and media.

I. WELCOME AND CALL TO ORDER

Chairman Melvin “Skip” Alston welcomed those present and called the meeting to order at 4:00PM.

II. NEW BUSINESS

A. GUILFORD COUNTY BOARD OF HEALTH ANNUAL TRAINING

DHHS Public Health Division Director, Dr. Iulia Vann, reviewed the legal authority associated with the Board of Health and the associated duties and responsibilities.

Dr. Vann spoke to the North Carolina General Statutes, and the North Carolina Administrative Code. She noted that many of the state laws noting mandated services to be provided by the Department of Public Health and those services that need to be supported by the Department of Public Health. She noted that the training covered today meets the standards for accreditation which establishes the base line for standards for services.

Dr. Vann noted the sources for Public Health Law in North Carolina are North Carolina Public Health Statutes, North Carolina Administrative Code, Federal Law, and other sources, such as, local rules and ordinances.

Dr. Vann discussed what is a local Board of Health and what their authority is. She also discussed in detail what is a Board of Health Rule, which is an action taken by the Board that prohibits the citizens from doing something or requires the citizens to do something. These rules can carry Criminal, Civil and administrative penalties, that are enforceable in court. These rules can be more stringent than the Environmental Management Commission or Commission for Public Health.

Dr. Vann discussed the limitations that these rules must relate to health, must be reasonable, and must not discriminate. These rules also can't be related to the grading, operating, and permitting of food and lodging establishments. She noted some jurisdictions have local rules governing private drinking water wells, on-site wastewater, and mosquito control.

Dr. Vann reviewed the adjudication process. Any community members who feel they have been negatively impacted by one of these rules imposed locally has the right to appeal those decisions and the Board acts as a quasi-legal authority where the Board is acting like a court to the Board of Health.

Dr. Vann reviewed administrative and financial responsibilities of the Board of Health. They can appoint the Health Director, evaluate, promote, and terminate the Health Director. In a Consolidated Human Services agency, the director is hired, fired, and evaluated by the County Manager, not the by the Board.

She noted in CHS structures, Board of Commissioners decide if the staff of the CHS Agency are covered by the State personnel Policy of the local Human Resources policies.

Dr. Vann discussed the financial responsibilities, such as, establishing and approving reasonable fees for certain services and the review and approval of the Health Department budget.

Dr. Vann reviewed the local boards of health terminology and organizational options. She noted the variety of the different structures in North Carolina with the majority of the counties having a typical structure with a Board of Health and a Director that reports to a Board of Health. She noted that there are some slight differences among those that are consolidated, and the state allows for one of 6 different organizational structures. Dr. Vann discussed in detail the powers and duties of the Board of Commissioners as a Consolidated Human Services agency. She went on to review the educational modules that were previously shared with the Board members. She opened the floor for any questions on the materials.

Dr. Vann introduced Merle Green, Executive Director of the Association of North Carolina Boards of Health. She noted that the association exists to advance the high standards of comprehensive public health services for the residents of North Carolina and they are available to work with all 100 counties to work with the various Boards across the state. She noted that the association was created in Greensboro in 1986.

Green reviewed the role of the association and how it can be of service to the Commissioners in their role.

Commissioner Conrad noted that he was on the board during the consolidation, and that prior to consolidation, he served on the Board of Health.

The Board thanked Green for her efforts in the area of the Board of Health.

Commissioner Cashion shared that she wanted to congratulate Merle Green, our former Health Director, as the new Executive Director of the Association of North Carolina Boards of Health.

Chairman Alston questioned if there were any credentialing requirements for this year.

Dr. Vann noted that in a few months, we will discuss other topics, but that in order to meet accreditation, we must have continuous and ongoing training. She noted that the advisory Board is required to meet at least quarterly.

Chairman Alston asked if the statute states how often they meet as the Board of Health and go through training.

Dr. Vann noted the statute does not specify how often the board of health is required to meet; however, the advisory committee needs to meet quarterly.

Chairman Alston stated that we continue to have issues with the advisory committee maintaining quorum.

Dr. Vann noted they have been able to fill vacant spots on the advisory board in the last few months.

B. UPDATE ON STATE AND LOCAL REDISTRICTING PROCESSES

County Attorney Mark Payne spoke to the local redistricting process. He noted that typically, after every 10-year census there is need to redistrict. He noted that there is a 10 percent rule established by the courts that require redistricting if the population increases at least 10 percent.

Payne stated that we are currently looking at a 12 percent population change, which would trigger redistricting.

He noted that the Board of County Commissioners does the redistricting for County districts. The General Assembly also has the authority on their own initiative to redraw the districts.

Payne stated that typically it is the Board of Commissioners that adopts a resolution and designates a Map. He noted that every map that the county considers is a public record and any group that includes a county commissioner to consider maps is a public body.

He stated that while there is no public hearing requirement, it is recommended that the Board receive public input.

Payne reviewed that the supreme court has modified the rules identifying prohibitions for partisan gerrymandering. Payne stated that he recommends equal population, as well as compactness.

Payne noted that there are now tools that we have available for us to more easily modify proposals to move district lines around and validate the guidelines.

Payne shared that he will provide a list of the appropriate lists of criteria for board feedback.

Commissioner Conrad questioned if it is for County Commissioner Districts only.

Commissioner Murphy questioned if the General Assembly has to provide or state their grounds for usurping control.

Payne answered no.

Commissioner Murphy asked if there is an instance to challenge maps created by the General Assembly on maps that they may choose to take.

Payne stated that there were historically several challenges.

Payne stated that one of the things you can use as criteria is protection of incumbency. Citizens in a district have the right to be represented.

Commissioner Foster questioned the time line.

Payne reviewed the timeline and stated that we hope to have the data by late August to early September and that we will have roughly two months to get the data together.

Chris Duffy, Deputy Director of Guilford County Board of Elections, stated that the filing date is December 6th through the 17th.

Commissioner Cashion stated that if there is no decision then a suit would ensue.

Payne noted that all dates are flexible in the eyes of the court. He noted that we will have to build in some of those court considerations.

Commissioner Carolyn Q. Coleman arrived to the meeting at 5:11PM.

Duffey noted that the city's primary is in March with the General election in April.

Chairman Alston questioned the process of maps that come in for us to consider.

Payne noted that we need to insist on a couple of things if people propose maps to us. They should have to identify who is drawing the map and what their interest is. Payne noted that there is more emphasis on transparency. He stated that he would recommend that any maps submitted be placed on the website and available for public inspection.

Commissioner Coleman questioned that if a person sends a map with no information, do we need to make it public.

Payne stated that we will need to make the documents available.

Commissioner Coleman spoke to her experience with “annoyance maps” that were submitted when she worked for the State.

III. OTHER BUSINESS

No other business was discussed.

IV. ADJOURN

There being no further business, the meeting was adjourned by unanimous consent at 5:20PM.

Melvin “Skip” Alston
Chairman

Robin Keller
Clerk to Board