

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JUNE 10, 1996

The Henderson County Board of Commissioners met for a special called meeting at 7:00 p.m. in the Commissioners' Conference Room of the Henderson County Office Building. The purpose of the meeting was two-fold:

1. To hear an appeal by WCCA of a decision rendered by this Board of Commissions (made on June 3) of the award of funding through the Home and Community Care Block Grant to the Henderson County Council on Aging for the 1996-1997 Home Delivered Meals program.
2. FY 1996-1997 Budget Work Session (to immediately follow the appeal).

Those present were: Chairman Renee Kumor, Vice-Chair Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Eklund, Commissioner Don Ward, County Manager David E. Nicholson, Assistant County Manager/Staff Attorney Angela M. Skerrett, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn.

Also present were: Asst. Finance Director Dena Garey and Budget Analyst Selena Coffey.

CALL TO ORDER/WELCOME

Chairman Kumor called the meeting to order and welcomed all in attendance.

WCCA APPEAL ON AWARD OF HOME DELIVERED MEALS TO COUNCIL ON AGING

Bill Hudson, Chairman of Western Carolina Community Action (WCCA), read the following statement:

"I am not an attorney or a diplomat. I seek only to educate and not to upset you. I request your indulgence while we present our case. Thank you for scheduling this hearing so promptly. WCCA has been the sole service provider for home delivered meals for the last 10 years. We are staffed to meet all the requirements of H&HS requirements, regulations, and controls. All programs that I'm aware of providing government funding come with directives, requirements, and controls to insure that the objectives of the program are met and that the accountability requirements are met. The Council on Aging program is funded by donors and their requirements are only those that are necessary to meet the donors requirements for accountability. WCCA's home delivered meals program requirements are much more stringent. The clients must meet

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eligibility requirements among other things. To say that the two programs are duplications is like saying that DSS should be ended and their responsibilities and funding should be shifted to the United Way. This is, of course, absurd because we all know that detailed accountability is required and proper staffing is necessary to insure that the well known regulations are met. No problems in handling the grant has surfaced until now because for the first time contract procedures are needed because two agencies are competing for the same service. Let me be more specific. You each have received a thick file. The purpose is to give each of you most of the information that we have gathered during this bidding process. The cover letter states:

On page 2 there is a specific list of deviations listed together with high lighted notes. You may not feel that one or more of these is earth shakers but certainly they suggest that the fair and open requirements leave something to be desired. Page 3 lists a chronological listing of events involved. These are provided to aid the Commissioners in their preparation of bid evaluation procedures and drafting a written appeals process which will hopefully contain means for notifying the supervisory staff when irregularities are observed in the future. Thank You."

Mr. Hudson presented a packet of information on the specifics involved during the consideration of the award of the block grant as seen by WCCA.

David Nicholson then presented a packet of information and a file for each one to assemble the information in:

1. Procedures manual for Community Service providers.
2. List of chronological events.
3. Proposal letter that went out to each vendor/evaluative Criteria.
4. Home & Community Care Block Grant (Steering Committee) Evaluative Criteria for Selection of Service Providers.
5. Copy of advertisement dated April 4 that appeared in the Times News.
6. Minutes from Steering Committee/April 4 meeting.
7. Minutes from Steering Committee/April 22 meeting.
8. Minutes from Steering Committee/April 29 meeting.
9. Minutes from Steering Committee/April 30 meeting.
10. Minutes from Planning for Older Adults Committee/ May 10.
11. Actual bids for both Council on Aging and WCCA.

Mr. Nicholson compared bid sheets (form 4) for both Council on Aging and WCCA. The bottom line was that Henderson County Council on Aging would provide 40,279 meals at a cost of \$2.59 each and WCCA would provide 37,936 meals at a cost of \$2.7499 each. There

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was a difference of 2,343 meals for the amount of funds available through the CDBG. He explained that the County uses the competitive proposals process.

There were questions and discussion from the Board of Commissioners.

Mr. Hudson then had a rebuttal. He stated that there was no evaluation criteria process and no appeals process.

There was more discussion.

There were people in attendance who wished to speak to the issue.

PUBLIC HEARING

Commissioner Ward made the motion for the Board to go into Public Hearing. All voted in favor and the motion carried.

Public Input

1. Marian Lowry - Ms. Lowry is a relatively new member of the Board of Henderson County Council on Aging. She stated that they would have to hire additional people to deliver the increase of meals. They are a non profit organization and therefore can deliver the meals for less cost per meal.

2. Brenda Wilson - Ms. Wilson is nutritionalist for WCCA. She brought up the "conflict of interest" issue. Because Commissioner Eklund serves on the Council on Aging Board, they felt that it was a conflict of interest for him to vote to award funding to the Henderson County Council on Aging.

She stated that their administrative costs weren't necessarily more but that you have to consider the overall program costs.

She also discussed containers they use to carry the meals in and how they must keep the foods/beverage at the right temperature.

There was no-one else who wished to speak.

Commissioner Eklund made the motion to go out of Public Hearing. All voted in favor and the motion carried.

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ACTION

Following Discussion, Chairman Kumor made the motion to continue with the original decision to grant funding through the Community Care Block Grant to the Henderson County Council on Aging for the 1996-1997 Home Delivered Meals Program.

There was discussion on the motion. The County Attorney was asked if this action was a violation of Federal Law. The County Attorney requested a Closed Session to counsel the Board of Commissioners.

CLOSED SESSION

Commissioner Ward made the motion for the Board to go into Closed Session as allowed under NCGS 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

All voted in favor and the motion carried.

Commissioner Ward made the motion for the Board to go out of Closed Session. All voted in favor and the motion carried.

ACTION

Chairman Kumor reminded the Board that there was a motion on the floor. Commissioner Ward called the question. A vote was taken and the motion carried four to one with Commissioner Edney voting nay.

Chairman Kumor called a short recess so the room could be reconfigured for the Budget Work Session.

FY 1996-1997 Budget Work Session

David Nicholson and the Board of Commissioners reviewed revenues. They will begin the next work session with the expenditures.

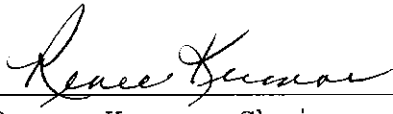
There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Elizabeth W. Corn, Clerk


Renee Kumor, Chairman

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