

DRAFT MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
FRIDAY, MAY 8, 2020**

The Henderson County Board of Commissioners met for an Emergency Meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville, NC.

Those present were: Commissioner Mike Edney, Chairman Grady Hawkins, Commissioner Rebecca McCall, Commissioner Charlie Messer, Vice-Chairman William Lapsley, County Manager Steve Wyatt, and Assistant County Manager Amy Brantley.

Also present were: Sheriff Lowell Griffin and Chief Deputy Vanesa Gilbert.

Also present via the community room were: Attorney Russ Burrell, Director of Business and Community Development John Mitchell, Public Health Director Steve Smith, PIO Kathy Finotti (AV Room) – videotaping, and Clerk to the Board Teresa Wilson (electronically).

CALL TO ORDER/WELCOME

Chairman Hawkins called the meeting to order and welcomed all in attendance. The Board of Commissioners will consider business connected with the current Henderson County State of Emergency and consideration of termination of the County State of Emergency pursuant to Article II of Chapter 76 of the Henderson County Code.

INVOCATION

The invocation was provided by County Manager Steve Wyatt.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Chairman Grady Hawkins.

SENATOR CHUCK EDWARDS

Senator Chuck Edwards stated the nation is in unprecedented times. Leaders are in an unusual situation and must make hard decisions. Senator Edwards has reviewed the data and asked citizens to take the pandemic seriously. Because citizens have complied, it has made a difference in the curve. We need to work now on getting our people back to work as many are struggling. We must determine how to open the County.

The General Assembly passed a \$1.6m COVID 19 relief package to get our people back to work, help our schools, and to assist in public health measures.

SHERIFF LOWELL GRIFFIN

Sheriff Griffin thanked Henderson County for their assistance in flattening the curve. People are making sacrifices, and he commends local leaders as we emerge from this crisis. As we begin reopening, for many it is not a minute too soon. As businesses reopen, we must be vigilant, as he has discussed this with the local police and District Attorney Greg Newman. Businesses must continue to practice safety with regard to capacity for social distancing, screening, hand sanitizer, and daily sanitization. Working together we will emerge from this pandemic strong and healthy.

VE DAY

Chairman Hawkins noted that today, May 8 marks the 75th anniversary of the end of World War II in Europe, otherwise known as Victory in Europe, or VE, Day. The date traditionally commemorates the end of a conflict in which tens of millions of lives were lost and the course of history changed forever.

DATE APPROVED:

CONSIDERATION OF TERMINATION OF THE COUNTY STATE OF EMERGENCY PURSUANT TO ARTICLE II OF CHAPTER 76 OF THE HENDERSON COUNTY CODE.

Commissioner McCall stated two months ago, health officials informed the Board that they expected over 2000 cases of COVID 19 in Henderson County with over 500 in the hospitals and 200 deaths. The numbers have not been proved, possibly because we listened. People are out and about, but the numbers are down. However, numbers are rising in four facilities, confined environments of the most vulnerable people. Many have been A-symptomatic, and many have recovered. We are in a downward trend. In the general public, as of yesterday, there have been 30 cases with 1 death. It is time to open the County. The Governor's Order at 5:00 p.m. today allows retail to open at 50% capacity. It is sad we cannot go back to church. The stimulus money is not enough as unemployment is heavy. Self employed small businesses are struggling. We must however focus on the positive. Yesterday was the National Day of Prayer.

Thanks to the twenty-two members of the Recovery Task Force Team for providing guidelines to reopen Henderson County. Hopefully salons and gyms will be allowed to open by May 22, 2020, but we must wait to see what the Governor does.

The Recovery Task Force Team's Informational Guidelines can be found on the Henderson County website: hendersoncountync.gov

Commissioner Messer thanked everyone who stepped up during this time. Small businesses are struggling. We need to reopen our County.

Commissioner Lapsley stated the purpose of today's emergency meeting of the County Commission is to review the status of our community's efforts to control the impact of this now well-known COVID 19 virus. Commissioner Lapsley felt it was appropriate to first go over again how we got to this point in the pandemic. In January & February the national news reported that the US should be on alert to have a plan on how to deal with this virus if & when it hit us. On March 2 this Board asked for background information & guidance from our local County Health Department Director and our professional medical staff at our County hospital – Pardee. We were told at that time that based upon epidemiological studies from reputable institutions, if the virus spread to our community, we could expect to see 500 hospitalizations & potentially as many as 200 deaths. This would clearly overwhelm our health systems. Obviously, the Commissioners asked our professionals what we could and should do to lower these numbers! We were told that it would take drastic measures to slow down the spread of the virus and thus lower the hospitalizations & consequently the mortality. On March 10 Governor Cooper issued his initial Executive Order declaring a State of Emergency related to dealing with this issue. On March 13 Henderson County issued its initial Proclamation of a State of Emergency. The original focus of the Governor and the Commissioners was in eliminating mass gatherings. That is exactly what the medical experts told us we needed to do. Subsequent to that direction the Governor's advisors and our local medical advisors recommended that further and more restrictive measures were needed on businesses to curtail the impact on our citizens. On March 27 first by the Commissioners and then by Governor Cooper we both took actions based totally on projections of the potential impact on our citizens. So here we are 6 weeks later with firm data as to the impact on our community:

- First - we have had 211 citizens (11.4%) that have tested positive for the virus out of 1,850 total tests conducted. Out of this total we know that 84.8 % (179) of the citizens were directly associated with four of our long-term care facilities (30 staff and 149 residents). So that leaves 32 citizens from the general population (0.2 % of the estimated 117,000 citizens of our County).
- Second - the testing to date has focused on only those citizens that have exhibited the expected symptoms associated with a severe case of the virus. Obviously, there are many more citizens that have contracted the virus but have had very little to none of the symptoms.

- Third – We have had a total of 18 hospitalizations as compared to the projected 500 we were told to expect at the start. The maximum number of patients with COVID 19 in the hospital on a single day was 8 on April 12.
- Fourth – We have had a total of 21 deaths in our community that have been tagged as being caused by this virus, but we know that all these fatalities were to seniors in age and residents in several of our long-term care facilities. We know these residents all had underlying health conditions so to tag them as a casualty of COVID 19 seems to be a stretch to me. This is far below the estimate of 200 which was presented at the start.
- Clearly our community problem is in these limited number of long-term care facilities and not in the general population.
- The 21 deaths are certainly something that the Commission has been concerned about and has directed County Health Dept. staff and others to assist the management at these facilities to control the situation.
- These deaths raise a question as to what is the normal mortality number in Henderson County considering an absence of this virus? We were surprised to learn that these 21 deaths in the month of April were well with the normal average of approximately 125 across the entire county. So, this virus situation did not cause a “spike” in mortality.

In summary, it appears to Commissioner Lapsley that the actual impact has been much less on our community than was originally projected. Yes, Commissioner Lapsley thinks the actions that this Commission and the Governor took over the past 6 weeks were correct based on what we knew at the start, but now we have more actual information on our local situation and we should make some correction to the plan of attack. The first step is for the Commission to remove its State of Emergency Proclamation, which he hopes this Board will do this morning. In anticipation of that decision this Board has requested on two (2) occasions that the Governor grant local County governments the authority to determine the sequence of reopening those businesses that have been closed or significantly impacted by the restrictions previously enacted. The Governor denied our first request of April 14 and we have no reason to believe he will change his mind regarding the second request sent to him Monday of this week. So, it is clear that the citizens of Henderson County and the business owners of Henderson County are lumped in with all 100 counties of our state and we must follow the Governor’s directive. Our recently County appointed Recovery Task Force worked hard to develop a set of guidelines for our local business community to follow should the Governor grant us the ability to reopen. These guidelines are available for all to see and reference when the time comes. This Board’s concern is that the doors will remain closed for at least 2 more weeks and that such a prolonged shutdown is not warranted in our county based on our actual experience.

To Our Business Community:

This Board has followed the impact of the COVID 19 virus in our community very closely for the past 6 weeks. We feel very confident that you are prepared to protect the safety of your employees & your customers. We have done all that we can to get us back to normal. We continue to be under the control of Governor Cooper’s Executive Order.

To Governor Cooper:

We appreciate all the guidance that you and your advisors have provided to us at the beginning of this crisis. Now that we have had 6 weeks of actual experience it is clear that the impact on each county is somewhat different. We feel that the elected leadership in each county should be delegated the responsibility to determine how and on what time schedule that should be done. This Commission and our citizens have continued to follow your direction – we respectfully and in the strongest terms request that you reconsider your most recent Executive Order to continue these restrictions until May 22.

Commissioner Edney noted none of this Board are doctors by profession, and we have relied on

professionals since day one. They air on the side on caution and continue to do so. The Governor has absolute authority and we are at his mercy. We must take steps to support the State as best we can, while we can require more strict measures, but not less.

County Manager Steve Wyatt stated we will continue to review adjustments to follow the Governor as businesses are phased in and take the necessary precautions. Forced collection of taxes has been suspended.

Steve Smith stated he and health providers are in agreement with the termination of the State of Emergency.

Commissioner Edney made the motion to adopt the Proclamation Terminating the Local State of Emergency pursuant to Article II of Chapter 76 of the Henderson County Code effective immediately. All voted in favor and the motion carried.

PROCLAMATION TERMINATING LOCAL STATE OF EMERGENCY

Pursuant to Article II of Chapter 76 of the Henderson County Code, the Board of Commissioners of Henderson County (the “Board”) hereby proclaims:

1. On March 14, 2020, a Proclamation of State of Emergency for Henderson County (the “March 14 Proclamation”) regarding Coronavirus Disease 2019 (“COVID19”) was issued.
2. On March 18, 2020, the March 14 Proclamation was ratified and affirmed by the Board of Commissioners.
3. The March 14 Proclamation was supplemented by the Board on March 27, 2020.
4. The March 14 Proclamation was amended and supplemented again by the Board on March 31, 2020.
5. The Board has determined that there is not a continued need for a local state of emergency in light of the Governor’s continued proclamation of a state-wide state of emergency.
6. The Board hereby terminates the March 14 Proclamation as supplemented and amended, and all of the restrictions and orders therein. The sole remaining restrictions related to the COVID19 emergency are those imposed by the Governor.
7. This proclamation is effective immediately.

Proclaimed this the 8th day of May, 2020, at 9:55 a.m.

ADJOURN

Chairman Hawkins made the motion to adjourn at 9:55a.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Grady H. Hawkins, Chairman