

**Communications from
12/2/21 – 12/9/21**



Clark Lovelace <clark@brevardncchamber.org>

Fwd: follow up Items (Pay Information Included)

1 message

Layton Parker <laytonparker@gmail.com>

Thu, Dec 2, 2021 at 1:52 PM

To: clark <clark@explorebrevard.com>

Layton

Begin forwarded message:

From: Kate Hayes <kate.hayes@transylvaniacounty.org>
Date: December 2, 2021 at 12:25:31 PM EST
To: "Layton Parker (TCT)" <layton@explorebrevard.com>
Cc: Sheila Cozart <Sheila.Coziert@transylvaniacounty.org>
Subject: RE: follow up Items (Pay Information Included)

Hi Layton,

As I mentioned on the phone, Sheila and I have calculated where each of the TCTDA individuals would be in the salary ranges we received from our consultant. I'll break out the ranges for the positions and try to explain our methodology to get to the final answer. There are a lot of competing factors and while we understand your need to be able to recruit a qualified individual, we do have to be consistent with our compensation plan to be equitable to other county employees. I know it won't be a deciding factor for everyone, but we can also talk through any questions you might have about benefits as well. If employees choose to participate in our employee health screening, there is no cost for employee only health insurance.

Corey will be in a salary grade 109. The range for that grade is \$31,857.63 - \$49,379.33 based on a 37.5 hour workweek. It requires a High School degree and 4 years of experience. Counting her degree, time with the TDA and time with SAFE as related experience, she would come in at \$33,813 (\$17.34/hour).

MJ would be in a salary grade 111. The range for that grade is \$35,123.04 - \$54,440.71 based on a 37.5 hour workweek. It requires a Bachelor's degree and 1 year of experience. Counting MJ's degree and experience with the TDA, she would come in at \$35,821.50 (\$18.37/hour).

Clark would be in a salary grade 119. The range for that grade is \$55,352.24 - \$85,795.98 as an exempt position. It requires a Bachelor's degree and 4 years of experience. We were able to count some of Clark's experience at the Oldfield, 75% of his experience at the Greystone and the entirety of his experience at the TDA for a total of 16 years of experience. This would put Clark at \$67,529.74.

Please let me know if you have questions moving forward or if you would like to set up a time to talk to Sheila or myself.

Hope you have a good weekend,

Kate

From: Layton Parker <laytonparker@gmail.com>
Sent: Wednesday, December 1, 2021 7:56 PM
To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
Cc: Layton Parker (TCT) <layton@explorebrevard.com>; David Gulce <David.Gulce@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Shella Cozart <Shella.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark <clark@explorebrevard.com>
Subject: Re: follow up Items

Some people who received this message don't often get email from laytonparker@gmail.com. Learn why this is important

Thank you Jonathan!

I can tell your team has put a lot of effort in the research in the proposed policy and implementation plan if the board chooses to integrate into the county personnel plan. I appreciate you expediting getting it to us for review.

In essence of time, I think it would be best for us (Clark and me) to do a thorough review of your research and recommendations so we can accurately describe the options to the board. It will also be beneficial to integrate the missing pieces prior to that presentation and explanation as well.

In the meeting tomorrow, I will plan to let them know we received this preliminary information and hope to receive a finalized version very soon so we can present it to them for review and future decisions.

Thank you very much for so much support.

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On Dec 1, 2021, at 6:17 PM, Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org> wrote:

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Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

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To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
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Brevard/Transylvania Chamber of Commerce Mail - Fwd: follow up items (Pay Information Included)

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- Yes, I agree it is no longer feasible to do anything before the full meeting because we are too close to 12/2.

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m: 828-556-1564

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I will follow up with the County Attorney to see if we are on track for those to go forward at the 12/13 for the BOCC meeting.

Jonathan Griffin

Finance Director

Transylvania County

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m: 828-556-1564

From: Layton Parker (TCT) <layton@explorebrevard.com>
Sent: Wednesday, November 10, 2021 3:45 PM
To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
Cc: David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>
Subject: Re: follow up Items

Thank you for the updates Jonathan,

I am looking forward to getting the updates and information following the report from Catapult. I have let contacts with Chamber know that we are continuing to work on a solution for the new structure and will continue to communicate with them as soon as we have more information and direction. In response to some of your points in the email below:

- We will plan to present reports or recommendations received by the County regarding development of a integrated county personnel plan to the board on the 5th or if information is provided prior to that meeting, we can arrange smaller meetings with the task force or other representatives to keep the process moving and allow for as much understanding as possible for the Board members to consider to allow expedited, yet informed decisions to help all organizations get this wrapped up soon.
- I am asking Clark and the other staff members to provide their resumes to Kate Hayes to assist with that review process
- Plan B - We have not discussed any additional options following the Chamber's desire to pursue their own director and request for the TDA to provide its own staffing. Our primary plan still remains to either initiate the County Personnel plan following the information the County plans to provide soon or "Plan B" would be to continue to evaluate other versions of hybrid structures where other Counties and TDAs work together for staffing needs. I briefly reviewed the RFP template and would be happy to assist with developing a version of that but I am unaware of any nonprofit support agencies in our County that may be interested or qualified to partner with. I would be interested in hearing more if anyone has suggestions.
- Resolution and by-law revisions - As we finalize the structure, I expect several revisions needed to implement. Do you have any current drafts of any revisions you know of already that would be needed based on the due diligence process we have all completed so far regarding our resolutions, by-laws or statutes?

Thanks again for your detailed guidance as we get closer to a solution.

Layton

On November 8, 2021 4:55 PM Jonathan Griffin
<jonathan.griffin@transylvaniaco

nty.org> wrote:

Hi Layton,

Touching base on what I am aware of as we move towards a conclusion on the Authority's restructuring:

- We expect to have the HR consultant's report back from Catapult and in hand within a week or two
- The second Board of Commissioners meeting for this month has been cancelled
- The Authority will have its next meeting on Dec 5th
- The earliest we can put the revisions to the establishing resolution and by-laws of the Authority and authorize creation of County staff TDA positions would be December 13th, 2021 (the BOCC meeting)
- I have not heard back from you about whether or not there is a plan B for a support services contract

I believe I mentioned this in passing at the Authority's October meeting, but I think the smoothest path forward is that we organize smaller meetings with individual or small groups of the Board of Directors to put the information in front of the BOD before a full review at the Authority's Dec 5 meeting. Since we do have at least an informal deadline from the Chamber, it seems that we can make a good faith effort to at least formalize a decision by the end of the calendar year.

I expect at this point we need each member of the board of directors familiar with the following items (the "Plan A" from our earlier emails) before 12/5:

- The salary ranges, job descriptions and benefit structure under the County's formal plans
- The human resources policies for the County which would be followed by the Authority
- The budget amendments (either through a reduction in expenses elsewhere, or an appropriation of fund balance) necessary to implement it

There are two items we can work on while we wait for that Catapult package to come back:

- Since you moved during the Authority's October meeting to offer future County staff positions to the three employees of the Chamber, can you instruct your selected individuals to submit resumes/curriculum vitae to Kate Hayes?
 - The County evaluates relevant skills, experience and academic background to determine base pay, so we can start getting some numbers together
- I asked Brian to use a template to draft a potential RFP for the Authority to contract

5/20/22, 4:23 PM

Brevard/Transylvania Chamber of Commerce Mail - Fwd: follow up Items (Pay Information Included)

with a new nonprofit entity for support services – please review and let me know if you would like us to release this document to solicit options for a Plan B.

Looking forward to stitching this up, let me know what you think!

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

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<TDA Slideshow pt2 - Staffing.pdf>

<County Travel Policy - v2021.pdf>

<Personnel Policy v2021.pdf>

<Transylvania County Employee Benefits FY 2022.pdf>

<Marketing Specialist Job Description_CLEAN v2.docx>

<Outreach Specialist Job Description_CLEAN v2.docx>

<Tourism Development Director Job Description_CLEAN v2.docx>



Clark Lovelace <clark@brevardncchamber.org>

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1 message

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Hi Layton,

I believe Kate may have already discussed this with you but I heard from her that we had final numbers, so I've updated the packet accordingly. This will be the same information that will go on the agenda for Board of Commissioners consideration.

Jonathan Griffin

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I believe I mentioned this in passing at the Authority's October meeting, but I think the smoothest path forward is that we organize smaller meetings with individual or small groups of the Board of Directors to put the information in front of the BOD before a full review at the Authority's Dec 5 meeting. Since we do have at least an informal deadline from the Chamber, it seems that we can make a good faith effort to at least formalize a decision by the end of the calendar year.

I expect at this point we need each member of the board of directors familiar with the following items (the "Plan A" from our earlier emails) before 12/5:

- The salary ranges, job descriptions and benefit structure under the County's formal plans
- The human resources policies for the County which would be followed by the Authority
- The budget amendments (either through a reduction in expenses elsewhere, or an appropriation of fund balance) necessary to implement it

There are two items we can work on while we wait for that Catapult package to come back:

- Since you moved during the Authority's October meeting to offer future County staff positions to the three employees of the Chamber, can you instruct your selected individuals to submit resumes/curriculum vitae to Kate Hayes?
 - The County evaluates relevant skills, experience and academic background to determine base pay, so we can start getting some numbers together
- I asked Brian to use a template to draft a potential RFP for the Authority to contract with a new nonprofit entity for support services – please review and let me know if you would like us to release this document to solicit options for a Plan B.

Looking forward to stitching this up, let me know what you think!

Jonathan Griffin

5/20/22, 4:27 PM

Brevard/Transylvania Chamber of Commerce Mail - RE: follow up Items

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

<TDA Slideshow pt2 - Staffing.pdf>

<County Travel Policy - v2021.pdf>

<Personnel Policy v2021.pdf>

<Transylvania County Employee Benefits FY 2022.pdf>

<Marketing Specialist Job Description_CLEAN v2.docx>

<Outreach Specialist Job Description_CLEAN v2.docx>

<Tourism Development Director Job Description_CLEAN v2.docx>

 **TDA Slideshow pt2 - Staffing v-12-2-21.pdf**
255K



TRANSYLVANIA
— COUNTY —
NORTH CAROLINA

**COUNTY GOVERNMENT & THE
TOURISM DEVELOPMENT AUTHORITY**

12/02/2021

Quick Recap

- TCTDA is a legally independent entity subject to the oversight and will of the Board of Commissioners
 - Based on August 23rd, 2021 decision – staff are working with the County Attorney on updates to the language of the County resolution
 - Board of Commissioners determined that the Authority could choose between Plan A (a County staffing model) or Plan B (Board oversees work of a nonprofit agency)
 - The County Commissioners are not supportive of independent staffing policies for the Authority.
 - Rewrites to Resolution will be consistent with the options previously endorsed by the Board of Commissioners.

During this process, the County Attorney has determined a more significant re-write of the County resolution is necessary:

1.) The Tourism Authority resolution was drafted initially in 1986, and the environment of local government law has changed significantly since that time.

Importantly – the County appears to have erred by establishing a Tourism Authority in the 80's – the first two occupancy tax statutes for Transylvania County did not authorize the creation of the TCTDA.

2.) The resolution was drafted back when the Board of County Commissioners still had spending authority over occupancy tax dollars – It wasn't until 2005 that the TDA was able to authorize expenditures on its own. This relationship should have been updated and spelled out more significantly at that point to clarify responsibilities.

3.) The current statutes place more restrictions on the relationship between the County and the Authority than the current documents address, ex; the Authority can adopt rules of procedures for its meetings, but is not explicitly authorized to adopt other documents, so nearly all the content of the by-laws document is beyond the Tourism Authority's jurisdiction, as required by law. The statute limits the Authority to decision making on its meeting procedures and its fiscal control act powers.

After S.L. 2005-88, the Authority Board of Directors became one of the only appointed entities for the County where the appointees are at risk of exposing themselves to criminal and civil liability – 159-181 of the fiscal control act outlines violations of the act are a misdemeanor, with a fine of up to \$1,000 and a civil liability of any expenditures inappropriately authorized.

What the Commissioners can choose to control:

Other Counties have defined the following in their resolutions:

- ☐ Compensation for Tourism Board of Directors
- ☐ Number of members (and appointing authority)
- ☐ Length of terms (longer or shorter as needed)
- ☐ Levels of authority over personnel, contracting
- ☐ Require use of County ledger (ex: County accounting software)
- ☐ Requiring reporting standards (types of revenue/expense reports)
- ☐ Requiring submission/review of TDA budget ordinance to Commission prior to adoption
- ☐ Aligning selection of attorneys/legal representation

While the Tourism Authority is a public authority under the fiscal control act, and specifically empowered to carry out budgetary duties independent of the County, the legal separation is less distinct elsewhere.

More generally, the Board of Directors are exclusively accountable to the County Commissioners – the Commissioners has the option under statute to pay the Board of Directors for the work they perform carrying out the Authority's affairs and may remove directors without cause.

“Two Hats” 159-25

- ❑ **County finance officer must be:**
 - ❑ **159-25a1 – Responsible for the accounting**
 - ❑ **159-25a2 – Responsible for disbursements**
 - ❑ **159-25a3 – Responsible for filing financial reports**
 - ❑ **159-25a4 – Responsibility for and supervision of cash handling**
 - ❑ **159-25a6 – Responsibility for investment and custody of idle funds**
 - ❑ **159-28 – Role in budgetary accounting (the pre-audit)**

- ❑ **S.L. 2005-88 requires that the County Finance Officer undertake these duties.**

These duties cannot be outsourced and extend, as discussed previously, to extend to subsidiary entities. The County Finance Officer, per statute, would be responsible for 159-25 duties even if the Tourism Authority were a completely independent entity of the County and all financial activity was handled outside of the County Finance Office.

The intent of the statute is to enhance Commissioner oversight over Tourism Authorities by placing County staff across all entities accountable to the County Commissioners.

Part One: Resolution Updates for “Plan A”

- ❑ The County will amend the “resolution establishing the Transylvania County Tourism Development Authority” to specify that the TCTDA may request that County staff serve the TCTDA board, pursuant to county policies.
- ❑ Creation of 3 positions, job descriptions in compliance with County policy
- ❑ Resolution will be written for the future - “Plan A” always an option

Members may serve no more than two consecutive terms. The members shall elect a chair, who shall serve for a term of two years. The Authority shall meet at the call of the chair and shall adopt rules of procedure to govern its meetings. The finance officer for Buncombe County shall be the ex officio finance officer of the Authority.

(b) The Tourism Development Authority may contract with any person, firm, or agency to advise and assist it in the promotion of travel, tourism, and conventions and may recommend to the board of county commissioners that county staff be employed for this advice and assistance. Any county staff employed under this Part shall be hired and supervised by the Tourism Development Authority, which shall pay the salaries and expenses of this staff.

Resolution language for “Plan A” will match the authorizing language for the Buncombe County Tourism Development Authority:

Proposed language (still being reviewed by attorneys)

PERSONNEL: The Authority may, in its discretion, recommend to the Board of County Commissioners that county staff be employed for the purpose of advising it in its duties related to promoting tourism in Transylvania County,

1. The Authority’s ability to fire is subject to the limitations of federal and state laws and regulations, constitutional limitations and the Transylvania County Personnel Policy.
2. The Authority’s ability to compensate or provide benefits is subject to the Transylvania County Personnel Policy and determinations made by the County Human Resources Department.
3. The Authority may employ up to three full time equivalent positions, as calculated by the County Human Resources department. The classification and description of these positions shall be determined by the Board of County Commissioners. Any change in the number of positions overseen by the Authority shall occur only with prior approval of the Board of County Commissioners.

Part Two: “Plan A” – the Policies

■ Provided is a copy of

- The County Personnel Policy (without modifications to add Tourism – just imagine that Tourism will show up wherever you see Soil & water and Elections)
- A copy of the County Travel Policy
- A benefit summary for the County's benefits

For amendments to the TDA Budget, the following will be employer-side costs necessary to implement “Plan A”

Average Share of Health/Dental Insurance Policy is \$12,500 per year for BlueCross

BlueShield Health per FTE

12% of gross wages required to be remitted to LGERS (pension system)

Average \$20 for assorted insurance policies

Assume an approximate \$60,000 will need to be spent on employee benefits for 3 FTE on top of gross salaries/wages for County policies.

Many exemptions to federal labor laws exist for small private businesses, but explicitly apply to governments without regard to size – for example while small businesses are exempted from the health insurance requirements of the Affordable Care Act, small governments are not.

Part Two: Catapult Analysis

- The County was able to identify a consultant to help us with this.
 - Catapult did a market study of the pay ranges (providing a recommended midpoint)
 - The County will present the following grades and ranges to the BOCC at its next meeting.
 - The County did request some changes to be made to the Initial drafts, which included a reduction in necessary experience for some positions (ex: changing a 7 to 10 years of relevant experience required to a more standard 5 years)

Some of the experience and education requirements initially suggested would have been unfair to potential applicants.

Part Two: Ranges

Positions, grades and ranges that will go to the County Commissioners on 12/13

Title/Classification	Grade / Workweek	Minimum	Maximum
Tourism Development Director	119 – FLSA Exempt	\$55,352	\$85,795
Class: Program Specialist. Functional Title: Marketing Specialist	111	\$35,123	\$54,440
Class: Administrative Asst. Functional Title: Outreach Specialist	109	\$31,857	\$49,379

Rec'd 12/2 at 12:42 PM

Part Two – Salary Offers

- ❑ The County Human Resources Department will assist by calculating a salary offer consistent with the compensation plan adopted by the Board of Commissioners
- ❑ The hiring range is a factor of the minimum of a given range, plus an allowance for education and experience above the minimum for a position.
 - ❑ In this case, if the position required a Bachelor's degree and four years of experience – an individual would need a Bachelor's degree and five years of experience to go above the minimum pay grade
 - ❑ Education and experience are calculated on a 1 to 1 ratio (Ex. An Associate's degree would equal 2 years of experience)

If the Board of Directors would like to discuss specific salary offers that can be made for staff pursuant to the County policy, a closed session is necessary.

“(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session”

The legal motion wording would be “motion to enter into closed session, pursuant to North Carolina General Statute 143 – 318.1, section A, Part 6 for the purposes of evaluating conditions of initial employment for a prospective public officer or employee”.

As noted previously, the prior closed session for the Tourism Authority Board in February 2021 was not done in compliance with North Carolina procedures. For the closed session procedure to be correct, the following items need to happen:

- The wording of the motion to enter into closed session has to be correct
- The wording of the motion in the minutes needs to match
- Minutes have to be taken and released as soon as the purpose has been satisfied (in this case, an amended 12/2 meeting minutes would need to be published with the closed session discussion included as soon as the TDA Board has decided Plan A or Plan B)

Part Two – County Cost

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- ❑ The County is currently under contract to determine an indirect cost of the Tourism Authority's financial operations under the current relationship
 - ❑ If A is selected, the County will invoice for \$122,326 monthly for the first fiscal year:
 - ❑ If B is selected, the County will begin invoicing about \$30,000 of indirect costs for the current financial management.
 - The County's in progress cost allocation plan will include a payables/services/insurance only calculation – likely in the neighborhood of \$30,000 (the indirect cost of financials for Transylvania County Schools).

\$122,326 is the current indirect cost of the Transylvania County Board of Elections, another quasi-independent agency with three FTE that has exclusive oversight of its staff. We would adjust the \$122,326 once we had been able to submit a staffed TDA through the cost allocation process.

\$30,000 is the roughly calculated indirect costs of Transylvania County Schools, which has a similar financial relationship with the County (more money, fewer transactions, than TDA)

The 'cost allocation' process is a federal grantmaking calculation where you pro-rate various expenses (e.g. a payroll technicians gross salary is pro-rated across departments based on the proportional number of direct deposits/payroll checks, the Human Resources Director is pro-rated based off of FTE count across departments, the Purchasing Officer is allocated based on the number of purchase orders). This is a federal calculation the County is required to contract out annually by its mandatory participation in the DSS system.

Part Three: Interlocal Agreement

- ❑ Staff will recommend to the County Commissioners to begin negotiating a three-year interlocal agreement between Authority, County, Chamber.
- ❑ The Tourism Authority likely cannot contract longer than one year.
 - ❑ NC GS 159-28 requires that sufficient resources are available prior to incurring an obligation – in this case, because the Authority does not control its receipts, it cannot guarantee that it has resources after 6/30.
 - ❑ If not enough \$\$\$ to pay out a contract over term – NC GS 159-181 applies
 - ❑ This is like how Transylvania County Schools can only enter multi-year contracts with Board of Commissioners approval
- ❑ Recommendation will be that the three part agreement will cover:
 - ❑ Real estate for administrative purposes
 - ❑ Real estate and operational costs for the visitor's center
 - ❑ Commitment to ensure there are sufficient resources for the agreement

Plan “B”

12

☐ **Recommendation to Layton on 11/8**

- ☐ **Sample RFQ document to solicit proposals for a nonprofit partner agency for support services. RFQ document included a similar scope of work to the current Chamber contract.**
- ☐ **A future contract with another agency will need to be a similar interlocal agreement with the County Commissioners approval (multiple years)**

Plan “B”

- ▣ RFQ format would allow the Board of Directors to assess organizations for their capacity to assist the Board in carrying out its fiduciary duties to expend occupancy tax resources.
- ▣ Negotiations will be necessary to ensure that the relationship doesn't have any of the issues that have previously been identified with the Chamber contract. The TDA cannot gain a controlling interest in an organization under “Plan B”.

Conclusion

14

- ☐ Questions?
- ☐ Comments?
- ☐ Follow up research items?



Clark Lovelace <clark@brevardncchamber.org>

Fwd: follow up items

1 message

Clark Lovelace <clark@brevardncchamber.org>

Thu, Dec 2, 2021 at 2:21 PM

To: "Layton Parker (TCT)" <layton@explorebrevard.com>

BTW - one of the many things to discuss is that this puts Corey and MJ's jobs into different categories. It has Corey as an administrative assistant. Having all of this shown at the commissioners meeting would be problematic. We can talk later, but I wanted to point that out.

Clark E. Lovelace

Executive Director

Brevard/Transylvania Chamber of Commerce

Transylvania County Tourism Development Authority

175 East Main St., Brevard NC, 28712

Chamber: 828-883-3700, brevardncchamber.orgTCTDA: 828-884-8900 / 800-848-4523, explorebrevard.com

----- Forwarded message -----

From: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>

Date: Thu, Dec 2, 2021 at 1:59 PM

Subject: RE: follow up items

To: Layton Parker (TCT) <layton@explorebrevard.com>

Cc: David Guice <David.Guice@transylvaniacounty.org>, Jaime Laughter <jaime.laughter@transylvaniacounty.org>,

Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>, Kate Hayes <kate.hayes@transylvaniacounty.org>, clark <clark@explorebrevard.com>

Hi Layton,

I believe Kate may have already discussed this with you but I heard from her that we had final numbers, so I've updated the packet accordingly. This will be the same information that will go on the agenda for Board of Commissioners consideration.

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564







Clark Lovelace <clark@brevardncchamber.org>

Re: TDA Staffing Structure

1 message

Layton Parker (TCT) <layton@explorebrevard.com>

Mon, Dec 6, 2021 at 1:17 PM

Reply-To: "Layton Parker (TCT)" <layton@explorebrevard.com>

To: "Millonzi, Kara Anne" <Millonzi@sog.unc.edu>, Clark Lovelace <clark@brevardncchamber.org>

Good afternoon Kara!

It has been a while since we had a conversation regarding Transylvania County TDA staffing options. We have been working with our County to consider integrating with a personnel plan with them and also continuing discussions with our local Chamber of commerce. The County Finance officer suggested we continue to explore back up options as we review the potential solutions in case the current considerations are not approved by the board. As we continue to review all of the recent information we have received from these partners, I had one somewhat simple question I thought you may be able to help with:

Is it legal and compliant with statute for a TDA to execute an agreement (following fiscal control procedures and review) with an individual to fulfill a contract of services to support functions such as administration, internal marketing, tourism partner support, etc. and issue a 1099 to that individual and ensure all other related requirements such as liability insurance and workers compensation are followed?

Not to over simplify the potential option, but it seems like it may be a good back up option that would be less responsibility for the board and the finance department of the county and it would also reduce liability that comes along with being an employer for both the TDA and the County. It would allow for flexibility with changes to the scope of work, terms or any other element with the agreement that either party desired to be changed.

Thank you for your input to this question so we can make sure the board has as much information and options as possible to make the most effective long term decision regarding our staff and services needed.

Layton Parker
Chairman
Transylvania County TDA
(828) 329-2991

On May 27, 2021 3:11 PM Millonzi, Kara Anne <millonzi@sog.unc.edu> wrote:

Sounds good. Best, Kara

From: Clark Lovelace <clark@brevardncchamber.org>
Date: Thursday, May 27, 2021 at 3:11 PM
To: Millonzi, Kara Anne <Millonzi@sog.unc.edu>
Cc: Layton Parker (TCT) <layton@explorebrevard.com>
Subject: Re: TDA Staffing Structure

Thanks for responding.....I understand how busy things must be right now. Next Friday, 6/4, at 10:30am works for both of us. Let's connect via Zoom.

Clark Lovelace is inviting you to a scheduled Zoom meeting.

Topic: TCT Organizational Structure Options

Time: Jun 4, 2021 10:30 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81779336688?pwd=WU0wVVNBcDc4L29lRks5QmtGVnBXUT09>

Meeting ID: 817 7933 6688

Passcode: 164001

One tap mobile

+13017158592,,81779336688#,,,*164001# US (Washington DC)

+13126266799,,81779336688#,,,*164001# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 817 7933 6688

Passcode: 164001

Find your local number: <https://us02web.zoom.us/j/81779336688?pwd=WU0wVVNBcDc4L29lRks5QmtGVnBXUT09>

Clark E. Lovelace

Executive Director

Brevard/Transylvania Chamber of Commerce

Transylvania County Tourism Development Authority

175 East Main St., Brevard NC, 28712

Chamber: 828-883-3700, brevardncchamber.org

TCTDA: 828-884-8900 / 800-648-4523, explorebrevard.com



On Thu, May 27, 2021 at 2:01 PM Millonzi, Kara Anne <Millonzi@sog.unc.edu> wrote:

Hi Clark – I apologize for my delay. I am swamped right now responding to American Rescue Plan Act funding questions. I'm happy to set up a time to talk. Unfortunately, it looks like it will have to be late next week. I could talk on Friday, June 4 between 9 and 12. Does a time slot on that day work for you? Best, Kara

Kara A. Millonzi

Robert W. Bradshaw Jr. Distinguished Professor of Public Law and Government

Faculty Lead, Lead for North Carolina

UNC Chapel Hill School of Government

millionzi@sog.unc.edu

919-962-0051

From: Clark Lovelace <clark@brevardncchamber.org>
Date: Wednesday, May 26, 2021 at 10:07 AM
To: Millonzi, Kara Anne <Millonzi@sog.unc.edu>
Cc: Layton Parker (TCT) <layton@explorebrevard.com>
Subject: Fwd: TDA Staffing Structure

Just checking back in to see if we can connect some time in the near future. Let me know.
Thanks.

Clark E. Lovelace

Executive Director

Brevard/Transylvania Chamber of Commerce

Transylvania County Tourism Development Authority

175 East Main St., Brevard NC, 28712

Chamber: 828-883-3700, brevardncchamber.org

TCTDA: 828-884-8900 / 800-648-4523, explorebrevard.com



----- Forwarded message -----
From: Clark Lovelace <clark@brevardncchamber.org>
Date: Wed, May 19, 2021 at 2:48 PM
Subject: Re: TDA Staffing Structure
To: Badgett, Rebecca <rbadgett@sog.unc.edu>
Cc: Millonzi, Kara Anne <Millonzi@sog.unc.edu>

Thank you, Rebecca, for sharing the information and introducing me to Kara.

Kara, I would love to speak with you some time within the next week. As covered in the email conversation, we are exploring our options with regard to the staffing structure of our TDA. We currently contract with the local Chamber of Commerce to fulfill all of our administrative and operational needs. I, for example, work for the Chamber, but serve as the executive director of both the Chamber and the TDA, reporting to two separate boards. With the growth of occupancy taxes and breadth of all that the TDA is doing as the need for managing the destination continues to grow, the organization needs more than 50% of a director. We're trying to determine what options are available to us. Our County Manager and County Finance Director shared some preliminary information framing us similar to the Sheriff's Department as a component unit with us likely needing to convert to becoming more directly under the County as opposed to becoming a 501(c)(6). They also expressed that since our TDA is more than 50% of the total staff of the Chamber that the TDA may be considered the "controlling entity" and our current structure may not be appropriate.

So, I'm looking for guidance on all of this. I know these are complicated issues sometimes with unclear answers, but it seems that you are likely to have some helpful information. I have pockets here and there on most days. Perhaps if you could give me a timeframe or two we could find a time in common. Thanks so much for your help.

Clark E. Lovelace

Executive Director

Brevard/Transylvania Chamber of Commerce

Transylvania County Tourism Development Authority

175 East Main St., Brevard NC, 28712

Chamber: 828-883-3700, brevardncchamber.org

TCTDA: 828-884-8900 / 800-648-4523, explorebrevard.com



On Tue, May 11, 2021 at 2:48 PM Badgett, Rebecca <rbadgett@sog.unc.edu> wrote:

Hi Kara,

This morning I spoke with Mr. Lovelace, the director of the Transylvania County TDA. He has a few questions regarding what authority the TDA has to operate independent of direct county oversight. Based on our conversation, I think you are likely the faculty member who can best address his specific questions. I'll let you two connect from here.

Mr. Lovelace, per our conversation, below are a few blog posts that offer some initial guidance.

5/20/22, 4:29 PM

Brevard/Transylvania Chamber of Commerce Mail - Re: TDA Staffing Structure

<https://canons.sog.unc.edu/may-a-tourism-development-authority-tda-borrow-money/>

<https://canons.sog.unc.edu/finance-officer-fidelity-bonds-when-are-multiple-bonds-required/>

<https://canons.sog.unc.edu/tdas-eligible-for-ppps/>

Thanks!

Rebecca

From: Clark Lovelace <clark@brevardncchamber.org>
Sent: Monday, May 10, 2021 11:59 AM
To: Badgett, Rebecca <rbadgett@sog.unc.edu>
Subject: TDA Staffing Structure

Rebecca,

I obtained your name from Chris Cavanaugh, who I know in various ways, including his helping our TDA with a strategic plan a couple of years ago. We are currently considering available options regarding the staffing structure of our TDA. We're currently working with a contract for service with our local Chamber of Commerce (my role is director of both). Do you have some time this week to talk? If so, let me know of a window or two and I'll hopefully be able to set a specific time.

Thanks in advance for your help.

Clark E. Lovelace

Executive Director

Brevard/Transylvania Chamber of Commerce

Transylvania County Tourism Development Authority

175 East Main St., Brevard NC, 28712

Chamber: 828-883-3700, brevardncchamber.org

TCTDA: 828-884-8900 / 800-648-4523, explorebrevard.com





Clark Lovelace <clark@brevardncchamber.org>

Re: TDA Staffing Structure

1 message

Clark Lovelace <clark@brevardncchamber.org>
To: "Layton Parker (TCT)" <layton@explorebrevard.com>

Mon, Dec 6, 2021 at 1:50 PM

Thanks. BTW, I just left another message for Chris and asked him to call me as soon as he could, even if into the evening. I'll let you know as soon as I hear back.

Clark E. Lovelace
Executive Director
Brevard/Transylvania Chamber of Commerce
Transylvania County Tourism Development Authority
175 East Main St., Brevard NC, 28712
Chamber: 828-883-3700, brevardncchamber.org
TCTDA: 828-884-8900 / 800-648-4523, explorebrevard.com



On Mon, Dec 6, 2021 at 1:18 PM Layton Parker (TCT) <layton@explorebrevard.com> wrote:
Good afternoon Kara!

It has been a while since we had a conversation regarding Transylvania County TDA staffing options. We have been working with our County to consider integrating with a personnel plan with them and also continuing discussions with our local Chamber of commerce. The County Finance officer suggested we continue to explore back up options as we review the potential solutions in case the current considerations are not approved by the board. As we continue to review all of the recent information we have received from these partners, I had one somewhat simple question I thought you may be able to help with:

Is it legal and compliant with statute for a TDA to execute an agreement (following fiscal control procedures and review) with an individual to fulfill a contract of services to support functions such as administration, internal marketing, tourism partner support, etc. and issue a 1099 to that individual and ensure all other related requirements such as liability insurance and workers compensation are followed?

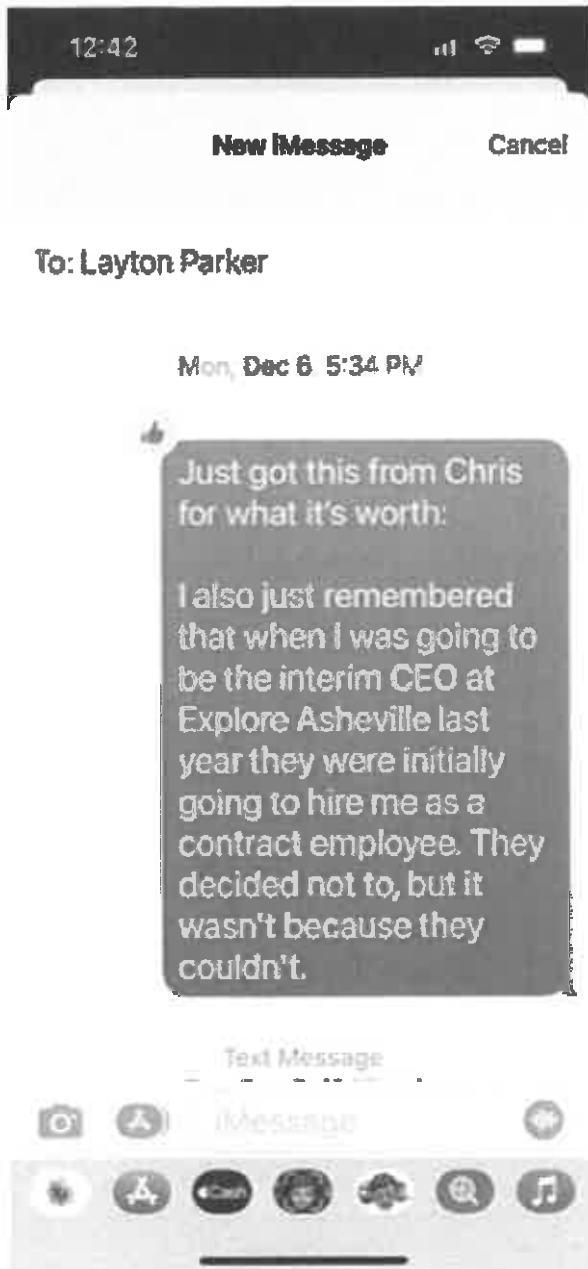
Not to over simplify the potential option, but it seems like it may be a good back up option that would be less responsibility for the board and the finance department of the county and it would also reduce liability that comes along with being an employer for both the TDA and the County. It would allow for flexibility with changes to the scope of work, terms or any other element with the agreement that either party desired to be changed.

Thank you for your input to this question so we can make sure the board has as much information and options as possible to make the most effective long term decision regarding our staff and services needed.

Layton Parker
Chairman
Transylvania County TDA
(828) 329-2991

On May 27, 2021 3:11 PM Millonzi, Kara Anne <millonzi@sog.unc.edu> wrote:

Sounds good. Best, Kara





Clark Lovelace <clark@brevardncchamber.org>

RE: follow up items

1 message

Layton Parker (TCT) <layton@explorebrevard.com>
Reply-To: "Layton Parker (TCT)" <layton@explorebrevard.com>
To: clark <clark@explorebrevard.com>

Tue, Dec 7, 2021 at 10:13 AM

Draft of email to Jonathan:

Thank you for the updated information Kate and Jonathan,

I realize the presentation to the Commissioners would still be for preliminary consideration and the information would then be finalized as a proposal to the TDA board to consider a full integration with the County Personnel plan. One of the primary concerns the TDA board has and has communicated would be a reduction of salary for the existing personnel serving in the similar job positions with the Chamber of Commerce that would potentially transition to the TDA board employment through the County plan. As we all know, following the analysis and feedback from Catapult and the process of fitting the new job descriptions in the County personnel plan through the HR department, the proposed salary levels are below the existing levels received by those potential employees. Our board can continue conversations with Sheila and her department for full information regarding salary and benefits, but in the meantime we are concerned about these possible compensation levels being presented at the Commissioners meeting and revealed to those staff members before the board is able to continue the consideration of this option.

Do you think the information could be presented to the County Commissioners for an overview of how the integration would work and other details but not disclose the actual salaries at this time?

We are planning to present the information during the pre-briefing meetings to individual board members over the next 3-4 weeks for consideration and our discussion on January 6th. Per Jonathan's recommendation, we are also continuing consideration for a back up plan if this option is not approved by the board.

Thank you for your continued assistance and understanding of the sensitivity of the process and presentation of information.

On December 2, 2021 1:59 PM Jonathan Griffin <jonathan.griffin@transylvaniacounty.org> wrote:

Hi Layton,

I believe Kate may have already discussed this with you but I heard from her that we had final numbers, so I've updated the packet accordingly. This will be the same information that will go on the agenda for Board of Commissioners consideration.

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564



Clark Lovelace <clark@brevardncchamber.org>

RE: follow up items

1 message

Layton Parker (TCT) <layton@explorebrevard.com>

Tue, Dec 7, 2021 at 12:09 PM

Reply-To: "Layton Parker (TCT)" <layton@explorebrevard.com>

To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>

Cc: David Guice <David.Guice@transylvaniacounty.org>, Jaime Laughter <jaime.laughter@transylvaniacounty.org>, Sheila Cozart <Sheila.Coziert@transylvaniacounty.org>, Kate Hayes <kate.hayes@transylvaniacounty.org>, clark <clark@explorebrevard.com>

Thank you for the updated information Kate and Jonathan,

I realize the presentation to the Commissioners would still be for preliminary consideration and the information would then be finalized as a proposal to the TDA board to consider a full integration with the County Personnel plan. **The primary concern of the TDA board as communicated in the past for this plan's consideration was a reduction of salary for the existing personnel serving in the similar job positions with the Chamber of Commerce that would potentially transition to the TDA board employment through the County plan would make this option not viable.**

As we all know, following the analysis and feedback from Catapult and the process of fitting the new job descriptions in the County personnel plan through the HR department, the proposed salary levels are **below the existing levels** received by those potential employees and would create extremely challenging recruitment for the current Chamber employees or other possible candidates. Our board can continue conversations with Sheila and her department for full information regarding salary and benefits, but in the meantime we are concerned about these possible compensation levels being presented at the Commissioners meeting and revealed to those staff members before the board is able to continue the consideration of this option.

We would prefer that the information being presented to the County Commissioners to provide an overview of how the integration would work and other details but not disclose the actual salary ranges and classifications at this time by removing slide 8 due to sensitivity and reaction when the existing employees in those similar positions see a pay reduction and reclassification of their job descriptions prior to this being an approved option to implement.

We are planning to present the information during the pre-briefing meetings to individual board members over the next 3-4 weeks for consideration and our discussion on January 6th. Per Jonathan's recommendation, we are also continuing consideration for a back up plan if this option is likely not to be approved by the board.

Thank you for your continued assistance and understanding of the sensitivity of the process and presentation of information.

Layton

On December 2, 2021 1:59 PM Jonathan Griffin <jonathan.griffin@transylvaniacounty.org> wrote:

Hi Layton,

I believe Kate may have already discussed this with you but I heard from her that we had final numbers, so I've updated the packet accordingly. This will be the same information that will go on the agenda for Board of Commissioners consideration.

Jonathan Griffin

Finance Director

Transylvania County



Clark Lovelace <clark@brevardncchamber.org>

RE: follow up items

1 message

Jaime Laughter <jaime.laughter@transylvaniacounty.org>

Wed, Dec 8, 2021 at 9:10 AM

To: "Layton Parker (TCT)" <layton@explorebrevard.com>, Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>

Cc: David Guice <David.Guice@transylvaniacounty.org>, Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>, Kate Hayes <kate.hayes@transylvaniacounty.org>, clark <clark@explorebrevard.com>

Layton,

Thank you for the feedback. The BOC will need to consider adding the positions and the classifications into our existing public employment system. The presentation will have the broad pay ranges and classifications so that commissioners know what they are approving, but will not include how each employee falls in the pay range based on qualifications. We do know that the existing employee salaries fall within those ranges so the knowledge of the actual coming in less on this option would be up to when you speak with them individually. We certainly understand the sensitivity there and staff will not be presenting anything specific to individuals, but rather as if these were just new positions being added into the county system that would then be advertised for hiring.

As TCT discusses their recommendation between the two structures, let us know if you need additional information!

Jaime

From: Layton Parker (TCT) <layton@explorebrevard.com>**Sent:** Tuesday, December 7, 2021 12:10 PM**To:** Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>**Cc:** David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>;

Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark

<clark@explorebrevard.com>

Subject: RE: follow up items

Thank you for the updated information Kate and Jonathan,

I realize the presentation to the Commissioners would still be for preliminary consideration and the information would then be finalized as a proposal to the TDA board to consider a full integration with the County Personnel plan. The primary concern of the TDA board as communicated in the past for this plan's consideration was a reduction of salary for the existing personnel serving in the similar job positions with the Chamber of Commerce that would potentially transition to the TDA board employment through the County plan would make this option not viable.



Clark Lovelace <clark@brevardnccchamber.org>

Draft for Structure options

1 message

Layton Parker <layton@explorebrevard.com>
 Reply-To: Layton Parker <layton@explorebrevard.com>
 To: clark <clark@explorebrevard.com>

Thu, Dec 9, 2021 at 2:51 PM

TDA Staffing Structure Options

As of December 9, 2021

First of all, the intent of this email is to comprehensively describe the current status of options for consideration by the Transylvania County Tourism Development Authority (TCTDA) to continue discussions for a potential partnership with Transylvania County to provide staffing and HR functions for the TCTDA with the **primary objective of providing a dedicated Executive Director of the TCTDA, an Outreach specialist and a Marketing Specialist to assist the Board of Directors with fulfillment of the function and mission of the TCTDA.**

Quick Recap of steps taken to date:

(intended to be a brief summary of steps and does not provide a full comprehensive history)

1. Suggestion from the existing shared director of the Chamber of Commerce / TDA during a strategic planning session to consider providing a dedicated Executive Director of the TDA due to substantial growth in occupancy tax collection, desired sustainability efforts to protect our County resources impacted by tourism, strategic planning Tourism related initiatives and the simple concept that one director cannot effectively serve the needs of both the TDA and Chamber of Commerce.
2. Research and Conversations with the Chamber of Commerce administration, Transylvania County administration (Commissioners, Finance Officer, County Manager, HR administration), NC School of Government, Legal Counsel, Tourism Industry Consultants and neighboring TDA administration for potential options to implement to achieve the desired primary objective described above.
3. Chamber of Commerce – following similar guidance provided by the shared Executive director and consideration of their Executive Committee, also informed the TCTDA that they desired to seek a dedicated Executive Director for the Chamber of Commerce but would like to continue a relationship with the TCTDA related to the visitor center and office space.
4. County manager / Finance Officer – provided information to the TCTDA for potential structures early in this process and presented the information to County Commissioners with recommendations.
5. County Commissioners – accepted the information and recommendation from the Finance officer and County manager to consider an integration of a County Personnel plan by the TCTDA and did not support the TCTDA becoming a completely autonomous independent employer to achieve the primary objective.
6. County HR – consulted with Catapult consulting to evaluate the potential job positions and how they would be classified and integrate within the existing County Personnel plan in regards to criteria of job description, classifications, salary plan ranges and then quantitatively evaluated the personnel currently serving in those similar positions with the Chamber of Commerce related to experience, education and qualifications to determine where those specific individuals would fall within the criteria described. This information was shared with the TCTDA on December 2, 2021.

Current Options for all related parties to consider for a solution at this time:

COUNTY PERSONNEL PLAN

The potential structure of a full integration of the County Personnel plan by the TCTDA has been provided and is planned to be presented to the County Commissioners for consideration. The PowerPoint presentation provided by the Finance officer on December 2 provides the details of the potential structure. In addition to those details, the following specific salary levels for the existing personnel that would be considered for these positions were provided as well:

Current Job Title	County Job Classification	Current Salary + bonus	County Salary / Wage for specific Individual (37.5 hour week)	Pay Grade Minimum	Pay Grade Maximum
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Executive Director	Tourism Development Director	\$77,000 + \$4,000	67,529 (13,471 reduction)	55,352	85,795
Marketing Specialist	Program Specialist	\$37,000 + \$1,500	35,821 (2,679 reduction)	35,123	54,440
Outreach Specialist	Administrative Assistant	\$38,000 + \$1,500	33,813 (5,687 reduction)	31,857	49,379

The main challenge with this proposed structure is the pay reduction for the existing personnel being considered for employment by the TCTDA. Our board was under the impression that County HR would determine the wage ranges and the TCTDA board would have discretion of where the specific ranges fell within those parameters. The specific wages offered for all three potential employees are lower than what they are currently being paid and the board had communicated this would be a requirement to consider this structure as an option. I have scheduled a meeting with Sheila to learn more about the process of quantifying the specific levels and see if there is any room for negotiation so the board can continue consideration of this plan.

Some of you may be able to assist with recommendations of similar situations where the County Commissioners or other departments have experienced when the parameters have prevented a competitive offering in current market conditions to attract qualified candidates and how they overcame with adjustments to the ranges or where candidates fell within the range. We can all agree that the personnel in those current positions are extremely competent and skilled and we would not want to lose any of them and replacement versus retention would be very challenging and undesirable for all parties involved. During these "great resignation" staffing market conditions, I am sure other County departments have experienced similar circumstances for support and even high-level leadership positions and a description of the solution they implemented to overcome those challenges would be helpful for this decision for the TCTDA to continue consideration of this option. I have had conversations with all continuing board members to keep them up to date of the options available.

CHAMBER PARTNERSHIP

Based on the current circumstances and the desired long-term objectives of both organizations, a restructuring of the existing arrangement with the Chamber presents several challenges of fiscal control, separations of leadership within one organization for two entities and alignment of scope of services versus specific personnel direction but as we continue to wait for the Chamber to provide information regarding the future real estate partnership, we will revisit possible solutions for a contract of services for consideration as a back up plan if the alternative options do not work out.

3rd PARTY INTEGRATION

Neighboring county structures have been referenced and described as hybrid versions of the County Personnel plan integration. Some have outsourced the HR functions and the County has processed the payroll function only. Others have outsourced both functions with oversight from the County finance officer. Even though the 100% autonomous independent structure was not preferred by the County Commissioners, there still could be potential versions of this plan to allow the challenge of salary levels below current staff to be overcome. Jackson County has been referenced several times. Based on my understanding, the Executive director and the Marketing specialist salary levels were below County Plan options. The County Commissioners were in favor of allowing the outsourcing of payroll and HR which allowed the Executive director to receive a salary of \$79,150, an incentive of \$10,000 and a retention of \$5,000 for a total compensation of \$94,150. The marketing specialist was able to receive a salary of \$43,509 salary and \$2,500 incentive for a total compensation of \$46,009. I believe continued conversations for a structure like this that is approved by the County Commissioners is still a viable option with oversight from the finance officer.

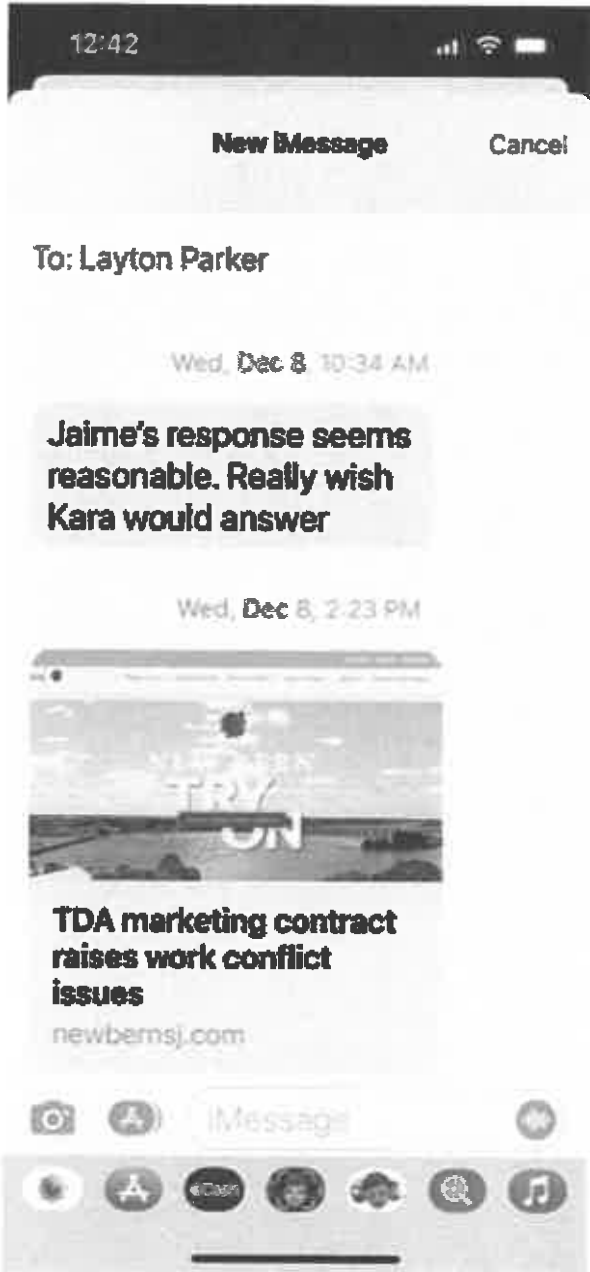
INDEPENDENT CONTRACTOR

The final option that may be a consideration is utilizing independent contractor agreements. I know other TDAs have executed agreements with Directors and or support positions using an agreement and issuing a 1099 for those services provided. This is often used when there is a need for an interim director. I have reached out to Kara with the NC School of Government for more information to see if this is even an option that would be compliant with State statute and fiscal control policy but in theory it could be a simple financial process with disbursements made directly to the independent contractor and their own requirement for employment taxes, insurance and other risk and liabilities associated with being

an employer. I am least familiar with this option but thought it would be worth bringing up to see what your thoughts are related to consideration.

BOTTOM LINE

- We currently have very competent personnel fulfilling the Chamber's contract for services agreement.
- We need a dedicated director and staff.
- The Chamber desires a dedicated director.
- We do not want to lose these employees over the transition process or wage reductions.
- We do not want to have to recruit, retrain and rely on new personnel for these crucial roles for the TDA.
- We want to make the best long-term decision and be as cooperative as possible with the Chamber and the County.
- We want to consider all options that are available and agree upon that option with our partners, but the options we have available at this time have been limited due to parameters beyond the control of the TDA and we hope that reasonable consideration can be granted to each viable option.





Clark Lovelace <clark@brevardncchamber.org>

RECORDS Fwd: RE: follow up Items (Pay Information Included)

1 message

Layton Parker <layton@explorebrevard.com>
Reply-To: Layton Parker <layton@explorebrevard.com>
To: clark <clark@explorebrevard.com>

Wed, Mar 30, 2022 at 3:57 PM

----- Original Message -----

From: "Layton Parker (TCT)" <layton@explorebrevard.com>
To: Kate Hayes <kate.hayes@transylvaniacounty.org>
Cc: Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>
Date: December 8, 2021 3:40 PM
Subject: RE: follow up Items (Pay Information Included)

Thanks again Kate.

Sheila, do you mind if we do schedule a time to discuss this process since the final applicable salary ranges would fall below their current salaries even if the ranges are acceptable?

I am fairly flexible if you could arrange a call or meeting.

Thanks again,

Layton Parker
828-329-2991

On December 2, 2021 12:25 PM Kate Hayes <kate.hayes@transylvaniacounty.org> wrote:

Hi Layton,

As I mentioned on the phone, Sheila and I have calculated where each of the TCTDA individuals would be in the salary ranges we received from our consultant. I'll break out the ranges for the positions and try to explain our methodology to get to the final answer. There are a lot of competing factors and while we understand your need to be able to recruit a qualified individual, we do have to be consistent with our compensation plan to be equitable to other county employees. I know it won't be a deciding factor for everyone, but we can also talk through any questions you might have about benefits as well. If employees choose to participate in our employee health screening, there is no cost for employee only health insurance.

Corey will be in a salary grade 109. The range for that grade is \$31,857.63 - \$49,379.33 based on a 37.5 hour workweek. It requires a High School degree and 4 years of experience. Counting her degree, time with the TDA and time with SAFE as related experience, she would come in at \$33,813 (\$17.34/hour).

MJ would be in a salary grade 111. The range for that grade is \$35,123.04 - \$54,440.71 based on a 37.5 hour workweek. It requires a Bachelor's degree and 1 year of experience. Counting MJ's degree and experience with the TDA, she would come in at \$35,821.50 (\$18.37/hour).

Clark would be in a salary grade 119. The range for that grade is \$55,352.24 - \$85,795.98 as an exempt position. It requires a Bachelor's degree and 4 years of experience. We were able to count some of Clark's experience at the Oldfield, 75% of his experience at the Greystone and the entirety of his experience at the TDA for a total of 16 years of experience. This would put Clark at \$67,529.74.

Please let me know if you have questions moving forward or if you would like to set up a time to talk to Sheila or myself.

Hope you have a good weekend,

Kate

From: Layton Parker <laytonparker@gmail.com>
Sent: Wednesday, December 1, 2021 7:56 PM
To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
Cc: Layton Parker (TCT) <layton@explorebrevard.com>; David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark <clark@explorebrevard.com>
Subject: Re: follow up items

Some people who received this message don't often get email from laytonparker@gmail.com.
Learn why this is important

Thank you Jonathan!

I can tell your team has put a lot of effort in the research in the proposed policy and implementation plan if the board chooses to integrate into the county personnel plan. I appreciate you expediting getting it to us for review.

In essence of time, I think it would be best for us (Clark and me) to do a thorough review of your research and recommendations so we can accurately describe the options to the board. It will also be beneficial to integrate the missing pieces prior to that presentation and explanation as well.

In the meeting tomorrow, I will plan to let them know we received this preliminary information and hope to receive a finalized version very soon so we can present it to them for review and future decisions.

Thank you very much for so much support.

Layton

On Dec 1, 2021, at 6:17 PM, Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org> wrote:

Hi Layton,

We twiddled our thumbs most of the afternoon waiting to hear back from Naomi.

The incomplete slide is slide 8, which encompasses the ranges into which each position will be slotted.

In the notes field I summarized the sequence of events, but we got the first draft back on 10/24, did a zoom call for feedback on 10/29 and I checked with Sheila at 5 and we still haven't received the final recommendation yet. We may get them tomorrow AM before the day starts and be able to jot those in quickly.

Most slides have explanatory notes or additional context as necessary and cover the three items.

1. The employment language for the County resolution
2. Addition of job classifications, amendments to personnel plan
3. Proposal to proceed to negotiating a three year agreement btwn County, Authority and Chamber

The rest of the attachments are the still draft job descriptions and the policies that would apply.

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

From: Layton Parker (TCT) <layton@explorebrevard.com>

Sent: Wednesday, December 1, 2021 12:09 PM

To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>

Cc: David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Sheila Cozart <Shella.Coziert@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark <clark@explorebrevard.com>

Subject: RE: follow up items

Jonathan,

I was thinking it may be best to give a general update to the board tomorrow and then follow up with the smaller pre-briefing type meetings you suggested for the following reasons:

1. Gives you more time to present a complete presentation without urgency for tomorrow
2. Sensitive information such as salary parameters would be presented to individual board members versus for the first time to current staff filling those positions
3. Immediate feedback from board members for questions, comments and then opportunity for a full board discussion at the next board meeting

If you want to provide to me and Clark for review now, that would be fine or you can finalize it and I can arrange the pre-briefing meetings following you getting the full information to us.

Thanks again for the extra effort to get the information together.

On November 30, 2021 6:34 PM Jonathan Griffin
<jonathan.griffin@transylvaniacounty.org> wrote:

Hi Layton,

I see Clark has already distributed the agenda packet for Thursday's meeting. I was hoping that I would be able to submit all of the details for Plan A today, but unfortunately Sheila, Kate and I ran into some last second stumbling blocks and were unable to complete our work.

The presentation is mostly finished, with about two or three data points that are outstanding. My hope is that we will be able to submit it to you tomorrow, for you to distribute as you see fit.

If you are uncomfortable distributing the information with that little time for review from the Board, I certainly understand.

Jonathan

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

From: Jonathan Griffin
Sent: Friday, November 19, 2021 3:45 PM
To: Layton Parker (TCT) <layton@explorebrevard.com>
Cc: David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark <clark@explorebrevard.com>
Subject: RE: follow up items

Hi Layton,

- We would draft and release a document, give it a time period and receive response. We could likely also craft an RFQ for something of this nature – which would involve less a specific price tag and more a general assessment of an organization's ability to be an entity that supports the TDA board as it carries out its duties.
- OK – I have not personally received any communication from the Chamber, or seen anything that would suggest that the end-of-calendar year request was that flexible. As I shared with you previously, my primary concern is that we will still be trying to get a plane in the air but have run out of runway. If you are confident that the Chamber's position has changed and they are willing to ride out all the way to 6/30, that satisfies me.
- Yes, I agree it is no longer feasible to do anything before the full meeting because we are too close to 12/2.

Jonathan Griffin
Finance Director
Transylvania County
p: 828-884-1931
m: 828-556-1564

From: Layton Parker (TCT) <layton@explorebrevard.com>
Sent: Wednesday, November 17, 2021 11:21 AM
To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
Cc: David Gulce <David.Gulce@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Sheila Cozart <Sheila.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>; clark <clark@explorebrevard.com>
Subject: RE: follow up items

Kate has received the resumes and is working on the review.

- RFP - Can you describe the process we would follow if we did want to issue one to see if any organizations are interested to review and see if it that is an option before we decide as a board want to issue one?

- **Chamber deadline-** With all the needed information to make a decision for the staffing structure of the TDA, having a hard date mandated creates an urgency that is not necessary. The Chamber is continuing to explore the best structure for their own director and staff and a plans to present a proposal back to the TDA for the visitor center and office space. Neither organization wants to rush this decision nor the transition steps necessary so I am confident we can all find a timeline that meets the needs of all organizations without creating steps necessary to expedite being proactive due to a date only. The delivery from their executive board at our joint meeting clarified their desire to pursue their own director and referenced a date but they are willing to work with us on that timeline to allow for the most effective long term structure of both organizations. We are covered through the end of the current contract date and I believe we could even do another short term agreement if all organizations are continuing to work towards the final goal but that is my opinion only at this point.
- **Pre-meeting briefings -** With Thanksgiving next week and the full board meeting scheduled on December 2, I feel that facilitating meetings prior to that may be challenging to make sure every board member is included and I also feel the information available to provide to them regarding options with the County personnel plan or informing them of a potential RFP would be limited at this point until we hear more from you regarding the Catapult Analysis. We would not have the expectation for the County to be 100% prepared to answer every question following that analysis by the meeting on December 2. I suggest we continue to do our best to have much more detail for the board to consider and possible pre-meetings prior to our meeting in January.

On November 15, 2021 12:48 PM Jonathan Griffin
<jonathan.griffin@transylvaniacounty.org> wrote:

Thanks for the follow up and directing them to Kate.

- **On presentation:** We'll present it whatever way you prefer, it is only a suggestion that we try for pre-meeting briefings. I do anticipate an overview of the County's HR policies, the Catapult analysis concerning salary ranges and FLSA and finalized pay and benefits will make for a long question and could generate questions that are difficult to answer on the spot.
- I don't know that it will be possible to find an organization that can slot in for the administrative component quite the same way that the Chamber served in this role without soliciting via RFP, but for the purposes of facilitating Plan B, we copied in the scope of work from the Chamber agreement, but the rest is boilerplate language. Up to you whether or not you want it issued – my view is that we need to be

proactive, as you and I have previously discussed if the Chamber were to

My last conversation on the resolution update was on 9/30, so I don't have any updates on that front aside from I know there was going to add the hire/fire language to the resolution so that it was possible, and then some clean up on top of that on issues like we have previously discussed (like the Robert's Rules issue that doesn't match best practice for local governments or how TCTDA has governed its meetings). Generally, the resolution needs to define the TCTDA directors and their powers and responsibilities, while the by-laws are the procedures and processes about how those powers and responsibilities are exercised.

I will follow up with the County Attorney to see if we are on track for those to go forward at the 12/13 for the BOCC meeting.

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

From: Layton Parker (TCT)
<layton@explorebrevard.com>
Sent: Wednesday, November 10, 2021 3:45 PM
To: Jonathan Griffin <Jonathan.Griffin@transylvaniacounty.org>
Cc: David Guice <David.Guice@transylvaniacounty.org>; Jaime Laughter <jaime.laughter@transylvaniacounty.org>; Shella Cozart <Shella.Cozart@transylvaniacounty.org>; Kate Hayes <kate.hayes@transylvaniacounty.org>
Subject: Re: follow up items

Thank you for the updates Jonathan,

I am looking forward to getting the updates and information following the report from Catapult. I have let contacts with Chamber know that we are continuing to work on a solution for the new structure and will continue to communicate with them as soon as we have more information and direction. In response to some of your points in the email below:

- We will plan to present reports or recommendations received by the County regarding development of a integrated county personnel plan to the board on the 5th or if information is provided prior to that

meeting, we can arrange smaller meetings with the task force or other representatives to keep the process moving and allow for as much understanding as possible for the Board members to consider to allow expedited, yet informed decisions to help all organizations get this wrapped up soon.

- I am asking Clark and the other staff members to provide their resumes to Kate Hayes to assist with that review process
- Plan B - We have not discussed any additional options following the Chamber's desire to pursue their own director and request for the TDA to provide its own staffing. Our primary plan still remains to either initiate the County Personnel plan following the information the County plans to provide soon or "Plan B" would be to continue to evaluate other versions of hybrid structures where other Counties and TDAs work together for staffing needs. I briefly reviewed the RFP template and would be happy to assist with developing a version of that but I am unaware of any nonprofit support agencies in our County that may be interested or qualified to partner with. I would be interested in hearing more if anyone has suggestions.
- Resolution and by-law revisions - As we finalize the structure, I expect several revisions needed to implement. Do you have any current drafts of any revisions you know of already that would be needed based on the due diligence process we have all completed so far regarding our resolutions, by-laws or statutes?

Thanks again for your detailed guidance as we get closer to a solution.

Layton

On November 8, 2021 4:55 PM
Jonathan Griffin <jonathan.griffin@transylvaniaco

unity.org> wrote:

Hi Layton,

Touching base on what I am aware of as we move towards a conclusion on the Authority's restructuring:

- We expect to have the HR consultant's report back from

Catapult and in hand within a week or two

- The second Board of Commissioners meeting for this month has been cancelled
- The Authority will have its next meeting on Dec 5th
- The earliest we can put the revisions to the establishing resolution and by-laws of the Authority and authorize creation of County staff TDA positions would be December 13th, 2021 (the BOCC meeting)
- I have not heard back from you about whether or not there is a plan B for a support services contract

I believe I mentioned this in passing at the Authority's October meeting, but I think the smoothest path forward is that we organize smaller meetings with individual or small groups of the Board of Directors to put the information in front of the BOD before a full review at the Authority's Dec 5 meeting. Since we do have at least an informal deadline from the Chamber, it seems that we can make a good faith effort to at least formalize a decision by the end of the calendar year.

I expect at this point we need each member of the board of directors familiar with the following items (the "Plan A" from our earlier emails) before 12/5:

- The salary ranges, job descriptions and benefit structure under the County's formal plans
- The human resources policies for the County which would be followed by the Authority
- The budget amendments (either through a reduction in expenses elsewhere, or an appropriation of fund balance) necessary to implement it

There are two items we can work on while we wait for that Catapult package to come back:

- Since you moved during the Authority's October meeting to offer future County staff positions to the three employees of the Chamber, can you instruct your selected individuals to submit resumes/curriculum vitae to Kate Hayes?
 - The County evaluates relevant skills, experience and academic background to determine base pay, so we can start getting some numbers together
- I asked Brian to use a template to draft a potential RFP for the Authority to contract with a new nonprofit entity for support services – please review and let me know if you would like us to release this document to solicit options for a Plan B.

Looking forward to stitching this up,
let me know what you think!

Jonathan Griffin

Finance Director

Transylvania County

p: 828-884-1931

m: 828-556-1564

<TDA Slideshow pt2 - Staffing.pdf>

<County Travel Policy - v2021.pdf>

<Personnel Policy v2021.pdf>

<Transylvania County Employee Benefits FY 2022.pdf>

<Marketing Specialist Job Description_CLEAN v2.docx>

<Outreach Specialist Job Description_CLEAN v2.docx>

<Tourism Development Director Job Description_CLEAN v2.docx>



Clark Lovelace <clark@brevardncchamber.org>

RECORDS Fwd: Call regarding TDA staffing structure proposal

1 message

Layton Parker <layton@explorebrevard.com>
Reply-To: Layton Parker <layton@explorebrevard.com>
To: clark <clark@explorebrevard.com>

Wed, Mar 30, 2022 at 3:58 PM

----- Original Message -----

From: Layton Parker <layton@explorebrevard.com>
To: "jason.chappell@transylvaniacounty.org" <jason.chappell@transylvaniacounty.org>
Date: December 8, 2021 3:47 PM
Subject: Call regarding TDA staffing structure proposal

Hello Jason,

Could we schedule a call to discuss the upcoming County Personnel plan integration proposal for the potential TDA staff that is on the agenda for Monday?

I am fairly flexible this week if you can arrange at time at your convenience.

Thank you,
Layton Parker
828-329-2991

