



**Executive Committee
June 27, 2018 – 11:00am
Land of Sky Regional Council
339 New Leicester Highway, Suite 140, Asheville, North Carolina 28806**

AGENDA

- 1. Call to Order**
- 2. Consent Agenda**

Consent Agenda items are considered routine and noncontroversial in nature, and are considered and approved by a single motion and vote. If any member of the Executive Committee requests an item be removed from the Consent Agenda for separate consideration and action, that item will be placed under the Business, Updates and Discussion section of the agenda.

 - A. Action Items**
 - (1) May 23, 2018 Executive Committee Meeting Minutes
 - (2) Exempt Employees Pay Deductions Policy
 - (3) Independent Contractor Policy
 - (4) Overtime/Compensatory Time Policy
 - (5) Travel Policy for Non-Exempt Employees
 - (6) Uniform Guidance Conflict of Interest and Gifts Policy
 - (7) Uniform Guidance Procurement Policy
 - (8) Appointment to Senior Tar Heel Legislature
 - B. Informational Items/Updates**
 - (1) Policy Manual/Employee Handbook
 - (2) BBQ and Open House
- 3. Business, Updates and Discussion**
 - A.** Work-Based Learning Coordinator Position
 - B.** Human Resources Coordinator Position
 - C.** Fiscal Year 2017/2018 Budget Amendment #3
 - D.** Fiscal Year 2018/2019 Recommended Budget
 - E.** Ad Hoc Strategic Planning Committee
 - F.** Executive Director Performance Goals Update
- 4. Other Items**
- 5. Adjournment**



AGENDA ITEM SUMMARY

- Item:** May 23, 2018 Executive Committee Meeting Minutes – 2A(1)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Draft May 23, 2018 Executive Committee Meeting Minutes
- Background:** Attached are minutes from the May 23, 2018 Executive Committee meeting. Staff recommends approval of the minutes with appropriate amendments, if needed.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the minutes will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Executive Committee
May 23, 2018**

Minutes

Land of Sky Regional Council's Executive Committee held a meeting on May 23, 2018 at the offices of Land of Sky Regional Council (LOSRC) located in Asheville, NC. Present for the meeting was Immediate Past Chair, George Goosmann (presiding for Chairman Harris), Mike Hawkins, and Patrick Fitzsimmons. Land of Sky staff present included Justin Hembree, Vickie Thomas, LeeAnne Tucker, and Erica Anderson, Deon Lytle and Zia Rifkin (Recording). Legal Counsel for LOSRC, Billy Clarke was also present with a guest, CJ Cody.

Call to Order – George Goosmann called the meeting to order at approximately 11:00am.

Approval of Consent Agenda – The Consent Agenda, including items A. April 25, 2018 Executive Committee meeting minutes; and, B. Inter-Regional Cooperative Resolution Agreement – North Carolina Association of Regional Councils of Government were presented for approval. George Goosmann requested a revision to the minutes to correct the misspelling of his name.

Mike Hawkins moved to approve the minutes as revised. Charles Dickens seconded and the motion carried as all were in favor.

Charles Dickens moved to approve the consent agenda. John Mitchell seconded and the motion carried without further discussion.

New Business, Discussion & Updates

Presentation of Fiscal Year 2018/2019 Budget

Justin Hembree shared that the LOSRC budget process is somewhat different from that of municipalities as the organization is often waiting for funding levels to come in. However, staff are fairly sure of most of the funding levels while assumptions have been made for some of the other funded programs. He reminded the Executive Committee that the first budget amendment (usually in September) becomes the "meat and potatoes" of the budget, once approved. He communicated that the organization's total proposed FY 8/19 budget is \$12,522,101.

Vickie Thomas shared about the \$595,550 reduction to Aging Services funding, which is one program that LOSRC is giving up to outside operations. She also explained that Workforce Development has a number of grants that expire on June 30, 2018 but additional funding may be available in the upcoming fiscal year. For Economic and Community Development (ECD) there is a reduction in funding for one special study but additional special studies will be included in the FY 18/19 budget. She communicated that there is a lot less uncertainty with the FY 18/19 budget compared to a year ago. Vickie Thomas reviewed the sources of revenue for the organization and shared that 56% of the funding that LOSRC receives is federal funds with state grants making up about 16% of the budget. Local Government and required matching funds make up the rest of the projected budget.

Vickie Thomas reviewed each department's projected budget for FY18/19 with preliminary numbers that are fairly certain. She noted that grant #560 in Aging Services is the Senior Community Service Employment Program, which is the program that is transitioning to another agency. Historically, funding has supported one staff and provided work experience wages to program participants. Land of Sky will no longer administer this grant as the funding source is very unstable and funding is low making it difficult to provide adequate services. She noted that several other COG's in the

state are giving up this program too. She shared that the Volunteer programs (Senior Companions and Foster Grandparents) would become three-year grants requiring in-kind contributions. Vickie Thomas noted that the Home and Community Care Block Grant funding would remain in the LOSRC region, directed towards something else. She shared that at this point, the funding levels for the Workforce Development programs are still uncertain. Justin Hembree shared that Workforce funding is based in part on the level of unemployment in the region, which has been at a very low level for some time. The state is also expecting to receive a reduction in Workforce funding due to its low unemployment rate. Vickie Thomas shared about ECD funding, which has many one-time grants or grants that cross fiscal years. For FY 18/19 ECD would not see a significant decrease in funding, except for one special study through the French Broad River MPO. Justin Hembree directed committee members to the last page of the budget packet, which provides a breakdown of the special studies for the upcoming fiscal year and funding sources.

Information only- no action requested at this time.

George Goosmann moved to enter Closed Session to discuss a personnel matter. Charles Dickens seconded and the Executive Committee entered Closed Session.

Closed Session Follow-Up and Adjournment

Upon returning to Open Session, the Executive Committee, by consensus, agreed that communication concerning the Executive Director's performance goals would be sent to the Board of Delegates and Land of Sky staff. Being no further business, Chair Harris adjourned the meeting.



AGENDA ITEM SUMMARY

- Item:** Exempt Employees Pay Deduction Policy – 2A(2)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Exempt Employees Pay Deduction Policy
- Background:** Attached is a recommended policy for the Council regarding pay deductions for exempt employees. The purpose of this policy is to establish that the Council's prohibits improper pay deductions and to outline allowed pay deductions for work absences specified in the Fair Labor Standards Act.
- The policy establishes that it is the Council's policy to comply with the salary requirements of the Fair Labor Standards Act. Under the policy, supervisors, department heads and senior leadership are prohibited from making improper deductions from the salaries of exempt employees.
- NOTE:** Jackie Grant has reviewed this policy.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Exempt Employees Pay Deduction Policy will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Exempt Employees Pay Deductions Policy**

Objective

To establish Land of Sky Regional Council's (LOSRC or the Council) policy prohibiting improper pay deductions and identify permissible pay deductions for work absences specified in the Fair Labor Standards Act (FLSA) to include a reporting procedure for employees who feel that improper deductions have been made; provide for reimbursement to employees for any improper deductions; and reaffirm the Council's good faith commitment to comply with all related provisions contained in the FLSA.

Policy Statement

It is LOSRC's policy to comply with the salary basis requirements of the FLSA. Therefore, the Council prohibits all supervisors, department heads and senior leadership from making improper deductions from the salaries of exempt employees. Employees should be aware of this policy and that LOSRC does not allow deductions that violate the FLSA.

FLSA

The FLSA is a federal law that requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional or outside sales employees. Certain technology-related employees are also exempt. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the FLSA regulations.

Salary Basis Requirement

Being paid on a salary basis means an employee regularly receives a predetermined amount of compensation each pay period. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to the exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If an employer makes deductions from an exempt employee's predetermined salary (i.e., because of operating requirements of the employer), the employee is not paid on a salary basis. If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Permissible Deductions from Pay

Deductions from an exempt employee's pay for work absences are permissible under the following circumstances:

- The employee is absent from work for one or more full days for personal reasons other than sickness or disability

- The employee is absent from work for one or more full days due to sickness or disability if the deduction is made in accordance with the Council's policy or practice of providing compensation for salary lost due to illness
- The employee is absent for personal reasons or because of illness or injury for one or more full days when leave is not used or has been exhausted
- The employee is absent due to a budget-required furlough
- The employee receives an unpaid disciplinary suspension of one or more full days imposed in good faith for workplace conduct rules

In addition, LOSRC is not required to pay the full salary in the first or last week of employment.

Employee Responsibility

LOSRC makes every effort to ensure its employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes happen and are called to the Council's attention, necessary corrections will be made. All employees should review their pay studs when received to make sure they are correct. If an employee believes a mistake has occurred, or if there are any questions, the employee should use the reporting procedure outlined below.

Reporting Procedure

If an employee believes that an improper deduction has been made to her or his salary, this information should be immediately reported to the employee's supervisor and the Finance Department. Any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that an employee was subjected to an improper deduction from pay, she or he will be reimbursed, and the Council will take whatever action is deemed necessary to ensure compliance with the salary basis test in the future.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director



AGENDA ITEM SUMMARY

- Item:** Independent Contractor Policy – 2A(3)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Independent Contractor Policy
- Background:** Attached is a recommended policy for the Council regarding independent contractors. The purpose of this policy is to ensure that the Council complies with all applicable federal and state laws relative to the use of independent contractors.
- In general, the policy outlines that it is the Council's practice to hire full-time and part-time employees for the regular workforce and to hire temporary employees to meet short-term labor needs. The policy notes that, on rare occasions, it may be necessary to consult with experts and engage individuals for specific periods and/or specific assignments to provide short-term expertise. The policy makes clear this should be the exception, not the rule.
- The policy defines the criteria to qualify as an independent contractor and establishes how independent contractors must be paid in order for the Council to remain compliant with federal and state regulations.
- NOTE:** Jackie Grant has yet provide feedback on this policy. This was part of the of information that was sent to Jackie. However, it was pulled from policy examples recommended by the Department of Labor.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Independent Contractor Policy will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Independent Contractor Policy**

Objective

To ensure Land of Sky Regional Council (LOSRC or the Council) complies with all applicable federal and state laws relative to the use of independent contractors.

Policy Statement

It is the practice of LOSRC to hire individuals as full-time and part-time employees for its regular workforce and to meet any short-term labor needs by hiring temporary employees. On rare occasions, in order for the Council to meet objectives, it may be necessary to consult with experts in a particular field and to engage individuals for specific periods and/or specific assignments to provide short-term expertise. The use of such individuals should be the exception and not the rule.

An independent contractor is not intended to be a substitute for a regular or a temporary employee. A LOSRC employee is not eligible to perform work as an independent contractor during the same calendar year in which she or he works as a LOSRC employee.

This policy defines the criteria to qualify as an independent contractor, and sets out how independent contractors must be paid in order for the Council to remain compliant with the Department of Labor (DOL), the Internal Revenue Service (IRS) and other state and federal regulatory agencies. Payments to independent contractors are processed through the Council's accounts payable process, not through the payroll process.

Definitions

Employee – For purposes of this policy, an employee is a worker who is hired through LOSRC recruitment and selection procedures, and is paid under an IRS Form W-2.

Independent Contractor – For purposes of this policy, an independent contractor is an individual who provides services to the Council and is not an employee; namely, a person who is paid under an IRS Form 1099. More specifically, it is a worker who: (a) is engaged in an independently established profession or business, (b) provides a service outside the Council's usual course of business and (c) is free from LOSRC's control or direction when providing services. The criteria for determining whether a worker is an independent contractor or employee is provided below.

Criteria for Identifying Independent Contractors

Federal law and other relevant regulations require LOSRC to properly classify its workers as either employees or independent contractors. Federal regulations identify the steps, documents and processes necessary to ensure proper classification of and subsequent payment to independent contractors.

An independent contractor is an individual who meets all of the following criteria:

- Renders a service to the Council for a specified amount for a specified result
- Is engaged in an independently established profession or business (offers similar services to the general public on a consistent basis)

- Provides service outside of the Council's usual course of business
- Is not currently paid through Council payroll and has not been paid through Council payroll within the current calendar year
- Provides services through a written contract
- Is free from Council control or direction when providing services

Required Procedure – How to Identify and Engage and Independent Contractor

The following procedure is a required component of this policy, and the steps a department head must take in order to properly identify and engage with an independent contractor. At any time during this process, the department head should consult with the Executive Director and/or Finance Director if they need assistance.

Step 1 – The department head sends a Service Provider Questionnaire (Attachment A) to the potential service provider to complete and return with supporting documentation.

Step 2 – The department head then completes the Independent Contractor Determination Checklist (Attachment B) using information provided in the completed Service Provider Questionnaire.

Step 3 – After completion of the Independent Contractor Determination Checklist, the department head meets with the Executive Director and Finance Director to review the Service Provider Questionnaire, Independent Contractor Determination Checklist and relevant federal regulations. Based on this meeting, a determination will be made as to the status of the service provider, employee or independent contractor. If needed, the Executive Director and Finance Director will seek expert counsel to assist in making a final determination.

Step 4 – If it is determined the service provider is an independent contractor, the department head forwards the service provider a proposed contract for services.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director

**ATATCHMENT A
Service Provider Questionnaire**

Cover Letter (Should be placed on LOSRC Letterhead)

Dear Service Provider,

I am sending this information to you as a potential vendor who may provide service to Land of Sky Regional Council. Please complete the service provider questionnaire below, which is required to satisfy federal requirements for engaging an independent contractor. Additional information may be required after submitting your completed questionnaire.

Please return the completed service provider questionnaire by email to:

Name: _____
Title: _____
Email: _____

If Land of Sky Regional Council engages you as an independent contractor, the following must occur prior to the services being performed:

- You will receive a contract for services which must be signed and returned
- Depending on the nature of services provided, you may be required to provide proof of insurance
- Land of Sky Regional Council will issue a purchase order for the services

Upon completion of services, submit your invoice to:

Land of Sky Regional Council
Accounts Payable
339 New Leicester Highway, Suite 140
Asheville, NC 28806

If you have any questions, please contact me.

Sincerely,

Name
Title

Service Provider Questionnaire

Service Provider Information

Name: _____

DBA: _____

Briefly describe the nature of the services you perform.

Are you currently or have you been at any time in the last five years an officer, director or employee of Land of Sky Regional Council? If yes, please explain.

Are you an immediate family member of an officer, director or employee of Land of Sky? If yes, please explain.

Will you require the use of any Land of Sky facilities, equipment or materials to provide your services? If yes, please explain.

Will you require training from Land of Sky Regional Council to provide your services? If yes, please explain.

Is your business located in your home or do you have an office away from your home?

How do you advertise your services? (Check all that apply)

_____ Word of Mouth

_____ Publications

_____ Websites

_____ Other (Explain)

List publication names and web addresses, if applicable.

Did you receive an IRS Form 1099 for performing services last year? If yes, provide the name and contact phone number for your three major customers, other than Land of Sky Regional Council, during the last 12 months.

Percentage wise, how much of your total working time do you expect to devote to all Land of Sky Regional Council business in the next 12 months?

How many hours per week do you expect to devote to all Land of Sky Regional Council Business in the next 12 months?

Service Provider Attestation and Certification

Check one:

_____ I am a citizen of the United States or a permanent resident (green card).

_____ I am a foreign national and understand that payments made to me may be subject applicable tax withholdings.

I am not an officer, director, employee or otherwise affiliated with Land of Sky Regional Council.

I understand that if I accept employment at Land of Sky Regional Council in the future, I will cease to be considered an independent contractor.

If Land of Sky Regional Council hires me as an independent contractor, I understand that I am responsible for taxes, insurance coverage and business expenses, and that I am not eligible for any employer-provided benefits.

Signature: _____ Date: _____

Name: _____ Title: _____

Company Name or DBA: _____

Tax ID Number/SSN: _____

Phone Number: _____ Email: _____

ATATCHMENT B
Independent Contractor Determination Checklist

Service Provider Information

Company Name or DBA: _____

Individual Name: _____

Tax ID Number/SSN: _____

US Citizen or Permanent Resident?

_____ Yes

_____ No

Former Land of Sky employee?

_____ Yes

_____ No

If a former employee, will the individual be performing services in substantially similar capacity or under the similar direction and control as when they were an employee?

_____ Yes (Stop and pay as an employee)

_____ No (Continue)

_____ N/A

Mistakenly classifying an employee as an independent contractor can result in significant fines and penalties. There are 20 factors used by the IRS to determine whether there is enough control over a worker to be an employee. Though these rules are intended only as a guide (the IRS says the importance of each factor depends on the individual circumstances), they should be helpful in determining whether there is enough control to show an employer-employee relationship.

If you answer "Yes" to all of the first four questions, you are probably dealing with an independent contractor. "Yes" to any of questions five through 20 means you are probably dealing with an employee.

Answer yes or no to each of the following questions:

1. **Profit or loss.** Can the worker make a profit or suffer a loss as a result of the work, aside from the money earned from LOSRC? (This should involve real economic risk-not just the risk of not being paid.)

_____ Yes

_____ No

2. **Investment.** Does the worker have an investment in the equipment and facilities used to do the work? (The greater the investment, the more likely independent contractor status.)

_____ Yes

_____ No

3. **Works for more than one firm.** Does the person work for more than one company at a time? (This tends to indicate independent contractor status, but is not conclusive since employees can also work for more than one employer.)

_____ Yes

_____ No

4. **Services offered to the general public.** Does the worker offer services to the general public?

_____ Yes

_____ No

5. **Instructions.** Does LOSRC have the right to give the worker instructions about when, where and how to work? (This shows control over the worker.)

_____ Yes

_____ No

6. Training. Does LOSRC train the worker to do the job in a particular way? (Independent contractors are already trained.)

_____ Yes

_____ No

7. Integration. Are the worker's services so important to LOSRC that they have become a necessary part of the Council's operations? (This may show that the worker is subject to your control.)

_____ Yes

_____ No

8. Services rendered personally. Must the worker provide the services personally, as opposed to delegating tasks to someone else? (This indicates that LOSRC is interested in the methods employed, and not just the results.)

_____ Yes

_____ No

9. Hiring assistants. Does LOSRC hire, supervise, and pay the worker's assistants? (Independent contractors hire and pay their own staff.)

_____ Yes

_____ No

10. Continuing relationship. Is there an ongoing relationship between the worker and LOSRC? (A relationship can be considered ongoing if services are performed frequently, but irregularly.)

_____ Yes

_____ No

11. Work hours. Does LOSRC set the worker's hours? (Independent contractors are masters of their own time.)

_____ Yes

_____ No

12. **Full-time work.** Must the worker spend all of her or his time on LOSRC work? (Independent contractors choose when and where they will work.)

_____ Yes

_____ No

13. **Work done on premises.** Must the individual work on LOSRC premises, or does LOSRC control the route or location where the work must be performed? (Answering no does not by itself mean independent contractor status.)

_____ Yes

_____ No

14. **Sequence.** Does LOSRC have the right to determine the order in which services are performed? (This shows control over the worker)

_____ Yes

_____ No

15. **Reports.** Must the worker give LOSRC reports accounting for her or his actions? (This may show lack of independence)

_____ Yes

_____ No

16. **Pay Schedules.** Does LOSRC pay the worker by hour, week, or month? (Independent contractors are generally paid by the job or commission, although by industry practice, some are paid by the hour.)

_____ Yes

_____ No

17. **Expenses.** Does LOSRC pay the worker's business or travel costs? (This tends to show control.)

_____ Yes

_____ No

18. Tools and materials. Does LOSRC provide the worker with equipment, tools or materials?
(Independent contractors generally supply the materials for the job and use their own tools and equipment.)

_____ Yes

_____ No

19. Right to fire. Can LOSRC fire the worker? (An independent contractor cannot be fired without subjecting you to the risk of breach of contract lawsuit.)

_____ Yes

_____ No

20. Worker's right to quit. Can the worker quit at any time, without incurring liability? (An independent contractor has a legal obligation to complete the contract.)

_____ Yes

_____ No



AGENDA ITEM SUMMARY

- Item:** Overtime/Compensatory Time Policy – 2A(4)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Overtime/Compensatory Time Policy
- Background:** Attached is a recommended policy for the Council regarding overtime and compensatory time. The purpose of this policy is to establish the Council's rules for the compensation of overtime to non-exempt (overtime eligible) employees in accordance with the Fair Labor Standards Act and to reaffirm the Council's good faith to comply with all related provisions of the Fair Labor Standards Act.
- NOTE:** Jackie Grant has reviewed this policy.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Overtime/Compensatory Time Policy will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Overtime/Compensatory Time Policy**

Objective

To establish Land of Sky Regional Council's (LOSRC or the Council) policy for the compensation of overtime to non-exempt (overtime eligible) employees in accordance with the Fair Labor Standards Act (FLSA) and reaffirm the Council's good faith to comply with all related provisions contained in the FLSA.

Policy Statement

LOSRC has established this Overtime/Compensatory Time Policy to comply with applicable federal law governing accrual and use of overtime and compensatory time (comp time). The Council will follow FLSA requirements to determine whether each employee is designated as exempt or non-exempt from earning overtime. In general, employees in executive, administrative and professional jobs are exempt. All other employees are non-exempt.

Overtime, Compensatory Time, Workweek

All overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over 40 in one workweek. Vacation, sick leave, paid holidays and other paid leave does not count toward hours worked. Compensation will take the form of either time and one-half pay or comp time. Comp time is paid time off at the rate of one and one-half hours off for each hour of overtime worked.

LOSRC's workweek begins at 12:00:00midnight on Saturday and ends at 11:59:59 on Friday.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval will be compensated, but may be subject to disciplinary action.

Overtime earned will be paid at the rate of time and one-half on the next regularly scheduled payroll date, unless the employee and her or his supervisor mutually agree **in advance** that overtime will be banked as comp time in lieu of payment. This advance agreement is included as Attachment A. Attachment A should be included with the employee's timesheet record for the workweek during which overtime is worked.

The maximum comp time accumulation is 20 hours. Employees may request and use comp time in the same manner as with other leave requests.

All comp time will be marked as such on official timesheets, both when it is earned and when it is used. The Finance Department will account for compensatory time at the hourly rate the employee is earning at that time.

Requirement to Work Overtime

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director

ATTACHMENT A

Land of Sky Regional Council

Compensatory Time in Lieu of Overtime Instructions

The agreement form must be signed by the employee and supervisor and dated **before** the extra hours are worked.

Attach the completed and signed agreement to the timesheet.

The extra hours must show on the timesheet. Then show the calculation for 1.5 x the number of extra hours in the period.

Comp time in lieu of overtime only applies to hours worked over 40 in a workweek. A workweek runs from 12:00:00midnight on Saturday through 11:59:59pm on Friday.

Compensatory Time Agreement

I understand that my position is covered under the Fair Labor Standards Act (FLSA). I also understand that I am eligible to receive overtime pay at one and one-half times my current rate of pay, **OR**, in lieu thereof, to receive paid time off at the rate of one and one-half hours off for each hour of employment for which overtime compensation is required.

I voluntarily waive my right to overtime pay for compensation of overtime worked in the workweek ending _____ (Date) and elect, in lieu thereof, to receive compensatory time, which time will accrue and be credited to payroll records as compensatory time.

I acknowledge that I may use accrued compensatory time as paid time off in the same manner as other types of leave per LOSRC policies and procedures.

Employee Signature

Date

Supervisor Signature

Date

**THIS FORM MUST BE ATTACHED TO THE TIMESHEET THAT
INCLUDES THE EXTRA HOURS WORKED**



AGENDA ITEM SUMMARY

- Item:** Travel Policy for Non-Exempt Employees – 2A(5)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Travel Policy for Non-Exempt Employees
- Background:** Attached is a recommended policy covering travel for non-exempt employees. The purpose of the policy is to ensure compliance with the Fair Labor Standards Act travel rules for non-exempt employees. The policy states the pay rules that apply to non-exempt employees when traveling on Council business.
- NOTE:** Jackie Grant has reviewed this policy.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Travel Policy for Non-Exempt Employees will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Travel Policy for Non-Exempt Employees**

Objective

To set forth Land of Sky Regional Council's (LOSRC or the Council) policy for compliance with the Fair Labor Standards Act (FLSA) travel rules for non-exempt employees.

Policy Statement

Some non-exempt LOSRC employees are required to travel in the United States. This policy states the pay rules that apply to non-exempt employees when traveling on Council business. Employees in positions classified as non-exempt under the FLSA are eligible for compensation for the time they spend traveling. The compensation an employee receives depends on the kind of travel and whether the travel takes place within normal working hours.

Normal Hours Defined

Normal work hours, for the purposes of this policy, are defined as 8:00am to 5:00pm. This definition applies to normal workdays (Monday through Friday) and to weekends (Saturday and Sunday).

Travel Time Defined

Travel time is defined as including the time the employee arrives at the airport to the time the employee reaches her or his destination. The destination is either a hotel or a worksite (if the employee travels directly from the airport to work). If the employee is traveling home from a worksite, the destination is the airport of final arrival.

If an employee is traveling by air and no flights are available from Asheville Regional Airport, travel between the employee's residence and the airport is considered travel time and is eligible for compensation in accordance with the guidelines below.

Travel time between home and work or between a hotel and a worksite is considered normal commuting time and is not eligible for compensation.

If an employee requests a specific travel itinerary or mode of transportation that is different from the one authorized by the Council, only the estimated travel time associated with the itinerary and mode of transportation authorized by the Council will be eligible for compensation.

Travel Time within Normal Work Hours

Any portion of authorized travel time that takes place within normal work hours (defined as 8:00am to 5:00pm) on any day of the week, including Saturday and Sunday, is treated as work hours. Travel time within normal work hours will be paid at the employee's regular hourly rate and will be factored into overtime calculations, if any.

When an employee travels between two or more time zones, the time zone associated with the point of departure should be used to determine whether the travel falls within normal work hours.

Travel Time Outside of Normal Work Hours

Any portion of authorized travel time that takes place outside of normal work hours is considered to be outside work hour travel time.

When a non-exempt employee is required to travel as a passenger in an automobile, plane or any other mode of transportation outside of normal work hours, she or he will be compensated at one-half of her or his regular hourly rate for that portion of travel time that takes place outside of normal work hours. Unlike work hours, outside travel hours are not factored into overtime calculations.

When an employee travels between two or more time zones, the time zone associated with the point of departure should be used to determine whether the travel falls outside of normal work hours.

Automobile Travel Time

All authorized travel time spent driving an automobile (as the driver, not as a passenger) is treated as work hours, regardless of whether the travel takes place within normal work hours or outside normal work hours. An employee will receive her or his regular hourly rate for all travel time spent as the driver of an automobile. This time will be factored into overtime calculations, if any.

Travel as a passenger in an automobile is not automatically treated as work hours. Travel as a passenger in an automobile is treated the same as all other forms of travel, and compensation depends on whether the travel time takes place within normal work hours.

If an employee drives an automobile as a matter of personal preference when an authorized flight or other travel modes are available, and the travel time by car would exceed that of the authorized mode, only the estimated travel time associated with the authorized mode will be eligible for compensation.

Calculating and Reporting Travel Time

Employees are responsible for accurately tracking, calculating and recording travel time on their timesheets in accordance with this policy.

Meal times should be deducted from all travel time.

If an employee requests a specific travel itinerary or mode that is different from the one authorized, only the estimated travel time associated with the authorized schedule, route and mode of transportation should be reported on the timesheet.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director



AGENDA ITEM SUMMARY

- Item:** Uniform Guidance Conflict of Interest and Gifts Policy – 2A(6)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Uniform Guidance Conflict of Interest and Gifts Policy
- Background:** Attached is a recommended policy related to conflicts of interest and gifts as required by federal law. The purpose of this policy is to establish conflicts of interest and gifts guidelines that meet or exceed the requirements under state law and local policy when expending federal funds.
- NOTE:** This is a model policy drafted by the University of North Carolina School of Government.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Uniform Guidance Conflict of Interest and Gifts Policy will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Uniform Guidance Conflict of Interest and Gifts Policy**

I. Purpose

The purpose of this policy is to establish conflicts of interest guidelines that meet or exceed the requirements under state law and local policy when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects paid for in part or whole by federal funds and required under 2 C.F.R. § 200.318(c)(1).

II. Policy

This policy applies when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects funded in part or whole with federal financial assistance (direct or reimbursed). This policy also applies to any subrecipient of the funds.

The employee responsible for managing the federal financial assistance award shall review the notice of award to identify any additional conflicts of interest prohibitions or requirements associated with the award, and shall notify all employees, officers, and agents, including subrecipients, of the requirements of this policy and any additional prohibitions or requirements.

A. Conflicts of Interest. In addition to the prohibition against self-benefiting from a public contract under G.S. 14-234, no officer, employee, or agent of Land of Sky Regional Council may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

1. the employee, officer, or agent involved in the selection, award, or administration of a contract;
2. any member of his or her immediate family;
3. his or her partner; or
4. an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

B. Gifts. In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officers, employees, and agents of Land of Sky Regional Council are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value valued at less than \$50 which fall into one of the following categories may be accepted:

1. promotional items;
2. honorariums for participation in meetings; or
3. meals furnished at banquets.

Any officer, employee or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor.

III. **Violation**

Employees violating this policy will be subject to discipline up to and including termination. Contractors violating this policy will result in termination of the contract and may not be eligible for future contract awards.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director



AGENDA ITEM SUMMARY

- Item:** Uniform Guidance Procurement Policy – 2A(7)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** Recommended Land of Sky Regional Council Uniform Guidance Procurement Policy
- Background:** Attached is a recommended policy related to procurement procedures as required by federal law. The purpose of this policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods, services and construction or repair projects when federal funds are being expended.
- NOTE:** This is a model policy drafted by the University of North Carolina School of Government.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (the Land of Sky Regional Council Uniform Guidance Procurement Policy will be approved with the approval of the consent agenda).

**Land of Sky Regional Council
Uniform Guidance Procurement Policy**

I. Purpose

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

II. Policy

A. **Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any subrecipient of the funds.

All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.

B. **Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. Land of Sky Regional Council will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should Land of Sky Regional Council have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

C. **Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.

D. **No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.

E. **Contract Requirements.** All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II.

F. **Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.

G. **Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

III. General Procurement Standards and Procedures:

Land of Sky Regional Council shall procure all contracts in accordance with the requirements of this Section of the Policy.

- A. **Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Council should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other agencies who have similar needs to consolidate procurements and services to obtain better pricing.
- B. **Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
- C. **Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- D. **Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
- E. **Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
- F. **Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how to reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and "or equal" must be included in the description.
- G. **Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
- H. **Dividing Contract for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.
- I. **Documentation.** Documentation must be maintained by the Council detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed,

purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.

- J. **Cost Estimate.** For all procurements costing \$150,000 or more, the Council shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.
- K. **Contract Requirements.** The Council must prepare a written contract incorporating the provisions referenced in Section II.C of this Policy.
- L. **Debarment.** No contract shall be awarded to a contractor included on the federally debarred bidder's list.
- M. **Contractor Oversight.** The Council must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.
- N. **Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or equal" products, or other unnecessary requirements that have the effect of restricting competition.
- O. **Geographic Preference.** No contract shall be awarded on the basis of a geographic preference.

IV. Specific Procurement Procedures

The Council shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

- A. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing less than \$3,500** shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. § 200.320(a)) as follows:
 - 1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
 - 2. To the extent practicable, purchases must be distributed among qualified suppliers.
- B. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$3,500 up to \$90,000** shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. § 200.320(b)) as follows:
 - 1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number," so the Council should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
 - 2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
 - 3. Cost or price analysis is not required prior to soliciting bids.

4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
 5. Award the contract to the lowest responsive, responsible bidder.
- C. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:
1. Cost or price analysis is required prior to soliciting bids.
 2. Complete specifications or purchase description must be made available to all bidders.
 3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons."
 4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
 5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
 6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for "sound documented reasons."
- D. **Service Contracts** (except for A/E professional services) **costing \$150,000 and above** may be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. § 200.320(d)) when the "sealed bid" procedure is not appropriate for the particular type of service being sought. The procedures are as follows:
1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an "adequate number" of qualified firms.
 2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
 3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
 4. Consider all responses to the publicized RFP to the maximum extent practical.
 5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
 6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
 7. Award the contract on a fixed-price or cost-reimbursement basis.
- E. **Construction and repair contracts costing less than \$3,500** shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, contracts must be distributed among qualified suppliers.

F. Construction and repair contracts costing \$3,500 up to \$150,000 shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number," so the Council should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
4. Award the contract on a fixed-price or not-to-exceed basis.
5. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.

G. Construction and repair contracts costing \$150,000 up to \$500,000 shall be procured using the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for "sound documented reasons."

H. Construction and repair contracts costing \$500,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the bid in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state

the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons."

4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
 5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
 6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
 7. Award the contract on a firm fixed-price basis.
 8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject and all bids only for "sound documented reasons."
- I. **Construction or repair contracts involving a building costing \$300,000 and above** must comply with the following additional requirements under state law:
1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
 2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
 3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).
- J. **Contracts for Architectural and Engineering Services costing under \$150,000** shall be procured using the state "Mini-Brooks Act" requirements (G.S. 143-64.31) as follows:
1. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
 2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.
 3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Council.
 4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in-state (but not local) firms.
 5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
 6. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.
- K. **Contracts for Architectural and Engineering Services costing \$150,000 or more** shall be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. § 200.320(d)(5)) as follows:
1. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.

2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an "adequate number of qualified sources" (an individual federal grantor agency may issue guidance interpreting "adequate number").
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.
9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
10. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

V. Exceptions

Non-competitive contracts are allowed **only** under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. **Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Council shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the governing board.
- B. **Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.
- C. **Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.
- D. **Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.
- E. **Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

Adopted June 27, 2018 by the Executive Committee of Land of Sky Regional Council.

Larry B. Harris, Chair

Attest:

Justin B. Hembree, Executive Director



AGENDA ITEM SUMMARY

- Item:** Appointment to Senior Tar Heel Legislature – 2A(8)
- Nature of Item:** Executive Committee Action Requested (Consent Agenda Item)
- Attachment(s):** None
- Background:** Each of North Carolina's 100 counties are entitled to one Primary Delegate and one Alternate Delegate to the Senior Tar Heel Legislature (STHL). All delegates must be at least 60 years of age and be residents of their respective counties. The local Area Agency on Aging (AAA) is responsible for the selection of these delegates in our region. AAA staff works closely with our local counties for input and suggestions.
- On June 12, 2018, the Transylvania County Board of Commissioners voted unanimously to recommend Pat Roberts to serve as the County's STHL Primary Delegate.
- Suggested Motion:** Move approval of action items included as part of the consent agenda (Pat Roberts will be appointed as Transylvania County's Senior Tar Heel Legislature Primary Delegate with the approval of the consent agenda).



AGENDA ITEM SUMMARY

- Item:** Policy Manual/Employee Handbook – 2B(1)
- Nature of Item:** Update, Presentation and/or Information (Consent Agenda Item)
- Attachment(s):** Not included with packet (will be presented during meeting)
- Background:** For the past several months, staff and David Hill, Piedmont Triad Regional Council Human Resources Consultant, have been working on a new draft of the Council's Policy Manual/Employee Handbook. Staff will present the latest draft to the Executive Committee during the June 27 meeting. Considering the size and scope of the document, staff recommends the Executive Committee take time to review the proposed draft and consider action during the August 22 Executive Committee meeting.
- Suggested Motion:** No action requested at this time.



AGENDA ITEM SUMMARY

- Item:** BBQ and Open House – 2B(2)
- Nature of Item:** Update, Presentation and/or Information (Consent Agenda Item)
- Attachment(s):** Event Flyer and Invitation
- Background:** The Council's annual BBQ lunch and open house will be held on July 25. Please feel free to invite your fellow elected officials, staff and other people from the community.
- Suggested Motion:** No action requested at this time.

Land of Swine



BARBECUE & OPEN HOUSE

Land of Sky Regional Council invites you to join us for a Barbecue Lunch and Open House. Enjoy BBQ pork, chicken and tofu, sides and sweets. Learn about Land of Sky's services and funding opportunities, explore the office, network and meet our staff. Please visit landofsky.org to register.

Wednesday July 25

Lunch 12 PM

Open House 1-5 PM

LAND_{of}SKY
REGIONAL COUNCIL



AGENDA ITEM SUMMARY

- Item:** Work-Based Learning Coordinator Position – 3A
- Nature of Item:** Executive Committee Action Requested
- Attachment(s):** Work-Based Learning Coordinator Job Description
- Background:** The Mountain Area Workforce Development Board has secured funding that will allow the establishment of new position, Work-Based Learning Coordinator. This position will help to connect work-based learning with employers on a regional basis throughout the Council's four counties. The attached job description provides a detailed summary of the activities and responsibilities of this position.
- David Hill, Piedmont Triad Regional Council Human Resources Consultant, has reviewed the job description and recommends the position be placed in Grade 22 of the Council's Pay and Classification Plan. The minimum salary for Grade 22 is \$39,631, the midpoint salary is \$49,539 and the maximum salary is \$59,447.
- Suggested Motion:** Move to establish the position of Work-Based Learning Coordinator and to classify the position as a Grade 22 in the Council's Pay and Classification Plan.



Work-Based Learning Coordinator Job Description

Department: Mountain Area Workforce Development
Reports to: Regional Business Services Coordinator

General Statement of Duties

The primary purpose of this position is to connect work-based learning with employers on a regional basis throughout the Local Area.

Distinguishing Features of the Class

An employee in this class is to provide service offerings from the Mountain Area Workforce Development Board to the businesses and industries in the region. The work for this position includes connecting work-based learning with employers on a regional basis throughout the four-county Land of Sky region. Work-based learning is a generic term that includes on-the-job training, incumbent worker training, apprenticeships, work experience, and other forms. While all forms of work-based learning are important, special focus will be placed upon incumbent worker training as directed by the Regional Business Services Coordinator. Additional areas of focus for this position include providing collective business engagement services and outreach with multiple workforce partners in the region; marketing services offered by the Mountain Area Workforce Development Board and NCWorks system to employers/businesses and participating in developing, marketing and implementing services to assist employers in the region under the supervision of the Regional Business Services Coordinator.

Duties and Responsibilities

Essential Duties and Tasks

- Reviewing and preparing Local Area Incumbent Worker Training Program grants; prepares program contracts and conducts programmatic and financial monitoring of contracts;
- Maintaining Business Engagement consistent with the sector strategies of the WDB;
- Conducting labor market research/surveying utilizing a variety of sources and reports information to the WDB and workforce community;
- Engaging private-sector employers with collaborative partners to identify workforce, economic development, and education needs;
- Promoting On-the-Job (OJT) training, Apprenticeship, and Work-Based Learning opportunities with businesses in the region;
- Maintaining professional affiliations and professional development by attending training and work groups;
- Maintaining current knowledge of applicable laws, regulations and trends affecting the economy and disseminates this information to customers and workforce board members.
- Ability to effectively utilize the NCWorks Online data management information system for business services.

Additional Job Duties

- Performs related duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

- knowledge of the Workforce Innovation and Opportunity Act (WIOA) including all applicable regulations and procedures; must have the ability to prepare and effectively monitor/evaluate contract documents;
- Possess the ability to identify and lead efforts to address sectors and occupations that align to economic development strategies.
- Requires excellent oral and written communication skills and the ability to plan and lead meetings.
- Proficient with MS Office along with basic computer skills.
- Must also have the ability to plan and organize work efficiently to meet deadlines.

Organization Conformance Standards for all positions:

- Perform quality work within deadlines with or without direct supervision.
- Interact professionally and courteously with other employees, customers and partners.

- Work effectively as a team contributor on all assignments.
- Understand the necessity to efficiently and effectively interact, communicate and coordinate work efforts with other employees and organizations in an effective manner to accomplish common task.
- Function in highly stressful circumstances.
- Maintain a high level of professionalism and to conduct business in an ethical manner at all times.
- Maintain regular and punctual attendance.

Physical Requirements

- Must be able to physically perform the basic life operational functions of standing, walking, fingering, grasping, talking, hearing, and repetitive motions.
- Must be able to perform light work exerting up to 20 pounds of force occasionally and/or up to 10 pounds of force frequently and/or a negligible amount of force occasionally.
- Must possess the visual acuity to perform extensive reading, administrative, and computer work.

Desirable Education and Experience

- Graduation from college or university with a degree in business administration, human resource management, organizational psychology, or public administration, and considerable experience working with private sector businesses; or an equivalent combination of education and experience.

Special Requirements

- Possession of a valid North Carolina driver's license.

Land of Sky Regional Council - 2018



AGENDA ITEM SUMMARY

- Item:** Human Resources Coordinator Position – 3B
- Nature of Item:** Executive Committee Action Requested
- Attachment(s):** Human Resources Coordinator Job Description
- Background:** Based on input provided during the Executive Director's performance evaluation process, staff recommends the establishment of a new position, Human Resources Coordinator. This position will manage the day-to-day human resources functions of the Council. The attached job description provides a detailed summary of the activities and responsibilities of this position.
- David Hill, Piedmont Triad Regional Council Human Resources Consultant, is reviewing the job description to recommend the classification for this position. David will have his review complete prior to the June 27 meeting.
- Suggested Motion:** Move to establish the position of Human Resources Coordinator and to classify the position as recommended by David Hill.

Department: Administration
Reports to: Executive Director

General Statement of Duties

Coordinates the Council's human resources operations to include assistance with policy development and administration, compensation, performance evaluation, benefits, employee communications and relations, employee training and development, safety and risk management, and recruitment, selection and retention. Provides consultation to the Executive Director, department heads and supervisors. Serves as a point of contact for employees.

Distinguishing Features of the Class

An employee in this class oversees the daily operations of the Council's human resources activities. The employee must exercise independent judgement and initiative in planning day-to-day activities and must work in close consultation with the Executive Director, department heads and supervisors. The employee must also have the interpersonal communications skills to address workplace concerns and problems. Work is performed in accordance with statutes relating to regional councils and human resources laws and policies. Employee works in an office setting and is not substantially exposed to adverse environmental conditions. Work is performed under the direction of the Executive Director and is evaluated through conferences, reports and staff relationships and accountabilities.

Duties and Responsibilities

Essential Duties and Tasks

- Provides timely assistance to Executive Director, department heads, supervisors and staff regarding human resource and benefit questions and issues
- Serves as a staff resource for workplace issues
- Maintains employee personnel files to ensure legal compliance
- Coordinates employee benefit eligibility, enrollment and termination
- Prepares employee census information
- Provides written and verbal employment verifications
- Coordinates new hire paperwork, and new hire orientation meetings
- Updates job descriptions as needed
- Coordinates trainings, classes and meetings
- Writes and places employment ads and maintains an applicant tracking database
- Reviews, screens and maintains applications and resumes
- Conducts background checks, including E-Verify, for prospective employees
- Coordinates probationary and annual performance appraisal processes
- Provides research for policies, training, and other human resource issues
- Assists with providing compliance in all areas of human resources

Additional Job Duties

- Performs related duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

- Knowledge of laws, regulations, principles and practices of human resource operations in the public sector
- Ability to exercise sound judgement and discretion in decision making and communicating with department heads and staff
- Ability to establish and maintain effective working relationships with department heads and staff
- Ability to express ideas effectively in oral and written forms and to make effective presentations

Organization Conformance Standards for all positions:

- Perform quality work within deadlines with or without direct supervision
- Interact professionally and courteously with other employees, customers and partners

- Work effectively as a team contributor on all assignments
- Understand the necessity to efficiently and effectively interact, communicate and coordinate work efforts with other employees and organizations in an effective manner to accomplish common tasks
- Function in highly stressful circumstances
- Maintain a high level of professionalism and to conduct business in an ethical manner at all times
- Maintain regular and punctual attendance

Physical Requirements

- Must be able to perform the basic life operational skills of fingering, talking, hearing and repetitive motions
- Must be able to perform sedentary work, exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push or otherwise move objects, including the human body
- Must possess the visual acuity to prepare and analyze data and figures, accounting, to operate a computer and read a computer screen and perform extensive reading at distances close to the eyes

Desirable Education and Experience

- Graduation from a two year college or technical school with a degree in public administration, business, human resources or related field and related public sector experience; or an equivalent combination of education and experience

Special Requirements

- Possession of a valid North Carolina driver's license.

Land of Sky Regional Council - 2018



AGENDA ITEM SUMMARY

- Item:** Fiscal Year 2017/2018 Budget Amendment #3 – 3C
- Nature of Item:** Executive Committee Action Requested
- Attachment(s):** Not included with packet (will be presented during meeting)
- Background:** Staff is working to complete the final budget amendment for the current fiscal year. Final numbers for grant programs, expenditures and revenues will not be known until June 26 or possibly the morning of June 27. Considering the Council's wide array of grant programs and diverse funding streams, this is not unusual for the final budget of a fiscal year.
- Staff will present the proposed budget amendment and cover it in detail during the Executive Committee meeting.
- Suggested Motion:** Move to approve Fiscal Year 2017/2018 Budget Amendment #3.



AGENDA ITEM SUMMARY

- Item:** Fiscal Year 2018/2019 Recommended Budget – 3D
- Nature of Item:** Executive Committee Action Requested
- Attachment(s):** Fiscal Year 2018/2019 Recommended Budget
- Background:** Attached is the recommended budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019. This is the same proposed budget that was presented during the May Executive Committee and Board of Delegates meetings. The recommended Fiscal Year 2018/2019 Budget Ordinance is also attached.
- Suggested Motion:** Move to recommend Board of Delegates approval of the recommended Fiscal Year 2018/2019 Budget.

Land of Sky Regional Council

Revenues & Expenditures

Program Area	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
Area Agency on Aging & Volunteer Services	\$ 5,998,352	\$ 5,402,802	\$ (595,550)	-9.9%
Workforce Development	3,115,298	2,395,193	(720,105)	-23.1%
Economic & Community Development	4,272,857	4,516,893	244,036	5.7%
General Operations	228,006	207,213	(20,793)	-9.1%
Total	\$ 13,614,513	\$ 12,522,101	\$ (1,092,412)	-8.0%

Land of Sky Regional Council

Revenues by Source

Source of Funding	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
Federal	\$ 7,922,142	\$ 7,007,975	\$ (914,167)	-11.5%
State	2,058,422	1,963,249	(95,173)	-4.6%
Local Dues	221,759	221,759	-	0.0%
Local Govt - Contracts & Required Match	2,645,567	2,753,640	108,073	4.1%
Private Grants, Contracts, Sponsors	159,335	103,214	(56,121)	-35.2%
Other	366,421	328,555	(37,866)	-10.3%
In-kind	203,867	143,709	(60,158)	-29.5%
Appropriated Fund Balance	15,000	-	(15,000)	-100.0%
Total	\$ 13,614,513	\$ 12,522,101	\$ (1,092,412)	-8.0%

Area Agency on Aging & Volunteer Services

Revenues & Expenditures

Program	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
501 - Buncombe County Lead Agency	\$ 489,964	\$ 489,964	\$ -	0.0%
505 - Fall Prevention Mission Foundation	801	-	(801)	-100.0%
507 - Medicare Improvements for Patients-10/1-9/30	29,893	9,139	(20,754)	-69.4%
508 - Buncombe County Aging Plan	34,671	34,671	-	0.0%
510 - Aging Planning & Administration	329,880	329,880	-	0.0%
511 - Aging Planning & Administration - State	48,262	48,262	-	0.0%
513 - Health Promotion	31,093	31,317	224	0.7%
514 - Health Assessment	4,961	4,961	-	0.0%
516 - Local Contact Agency for NC Division of Aging	60,000	30,000	(30,000)	-50.0%
520 - Home & Community Care Block Grant (P/T)	2,865,664	2,862,212	(3,452)	-0.1%
521 - Senior Center General Purpose Funding	43,759	43,759	-	0.0%
522 - Project Fan/Heat Relief	5,429	5,429	-	0.0%
530 - Family Caregiver Support	243,558	256,537	12,979	5.3%
531 - Family Caregiver Event	577	577	-	0.0%
533 - Project Care (Contributions)	8,209	8,209	-	0.0%
534 - Project Care (Administration)	101,317	102,814	1,497	1.5%
539 - Admin for Community Living-Fall Prevention	9,970	9,970	-	0.0%
541 - Health Promotion/Disease Prevention-Pilot	18,631	18,631	-	0.0%
545 - Chronic Disease Self-Management	2,092	1,344	(748)	-35.8%
549 - Chronic Disease Self-Mgmt - UNCA	6,940	7,231	291	4.2%
550 - Ombudsman	324,871	339,441	14,570	4.5%
551 - Elder Abuse Prevention	7,249	7,301	52	0.7%
552 - Buncombe County CAC Support	1,000	1,000	-	0.0%
553 - Just Press Play	7,992	7,814	(178)	-2.2%
554 - Ombudsman Event	1,352	2,528	1,176	87.0%
560 - Sr Community Service Employment - NC DHHS	208,851	-	(208,851)	-100.0%
561 - Sr Community Service Employment - Contrib	1,172	1,172	-	0.0%
565 - Sr Community Service Employment - SSA	296,225	-	(296,225)	-100.0%
574 - Fund Raising	2,035	2,200	165	8.1%
586 - Foster Grandparent	379,554	377,779	(1,775)	-0.5%
595 - Senior Companion	370,568	368,660	(1,908)	-0.5%
581 - Senior Companion-HCCBG	61,812	-	(61,812)	-100.0%
Total	\$ 5,998,352	\$ 5,402,802	\$ (595,550)	-9.9%

Workforce Development

Revenues & Expenditures

Program	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
210 - MAWD Administration	\$ 162,878	\$ 180,000	\$ 17,122	10.5%
219 - MAWD Incumbent Worker Program-PY15	9,850	-	(9,850)	-100.0%
220 - MAWD Adult	734,612	660,000	(74,612)	-10.2%
227 - MAWD Enhancement Grant-Planning	30,000	8,000	(22,000)	-73.3%
228 - MAWD Maximize Carolina-Transylvania Co Admin	7,050	7,050	-	0.0%
229 - MAWD Maximize Carolina-Transylvania Co Mfg	70,500	59,964	(10,536)	-14.9%
230 - MAWD Dislocated Worker	583,668	550,000	(33,668)	-5.8%
240 - MAWD Youth - Out of School	522,649	500,000	(22,649)	-4.3%
241 - MAWD Youth - In School	152,396	150,000	(2,396)	-1.6%
247 - MAWD Infrastructure Costs	22,589	22,589	-	0.0%
248 - MAWD Cost-Sharing - Brochures	2,829	2,590	(239)	-8.4%
249 - MAWD Innovation Grant / Upskill WNC	250,000	80,000	(170,000)	-68.0%
254 - MAWD NEG-Adv Mfg Implementation #2	150,000	-	(150,000)	-100.0%
256 - MAWD Career Pathways NEG-Contractor	32,043	-	(32,043)	-100.0%
257 - MAWD Career Pathways NEG-Hospitality	8,275	-	(8,275)	-100.0%
258 - MAWD NEG-Adv Mfg Implementation	64,538	-	(64,538)	-100.0%
259 - MAWD NEG-Hospitality Implementation #1	75,321	-	(75,321)	-100.0%
261 - MAWD Career Pathways NEG-Contractor #2	36,000	-	(36,000)	-100.0%
262 - MAWD Career Pathways NEG-Contractor #3	-	75,000	75,000	100.0%
265 - MAWD Business Services Support - PY16	-	25,000	25,000	100.0%
266 - MAWD Business Services Support - PY17	-	75,000	75,000	100.0%
274 - MAWD Dislocated Worker-Contingency Grant	200,000	-	(200,000)	-100.0%
Total	\$ 3,115,298	\$ 2,395,193	\$ (720,105)	-23.1%

Economic and Community Development

Revenues & Expenditures

Program	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
420 Bunc Co Non-Emergency Medicaid Transportation (NEMT)	\$ 1,016,000	\$ 1,016,000	\$ -	0.0%
427 ARC Local Development District Admin - 1/1/17-12/31/17	82,089	-	(82,089)	-100.0%
435 EDA Planning Grant - 1/1/15-12/31/17	77,883	-	(77,883)	-100.0%
436 EDA Planning Grant - 1/1/18-12/31/20	40,200	107,000	66,800	166.2%
445 Stormwater Inventory 205(j) Grant-Rosman & Hot Springs	26,639	26,639	-	0.0%
446 Mars Hill Parks & Rec Plan	-	4,000	4,000	100.0%
447 Mars Hill Zoning T/A	-	1,000	1,000	100.0%
465 Black Mountain Technical Assistance - GIS/GPS	4,000	4,000	-	0.0%
466 West NGN Broadband	21,969	-	(21,969)	-100.0%
471 Town of Fletcher - GIS	-	2,000	2,000	100.0%
479 ARC T/A - Community Development - 10/1/16-9/30/17	17,510	-	(17,510)	-100.0%
481 ARC Local Development District Admin - 1/1/18-12/31/18	80,048	80,048	-	0.0%
482 ARC T/A - Community Development - 10/1/17-9/30/18	20,625	6,857	(13,768)	-66.8%
483 ARC T/A - Community Development - 10/1/18-9/30/19	-	20,625	20,625	100.0%
484 ARC Local Development District Admin - 1/1/19-12/31/19	-	80,048	80,048	100.0%
492 Biltmore Forest Technical Assistance-GIS/GPS	6,068	-	(6,068)	-100.0%
493 ARC - Broadband	76,000	92,791	16,791	22.1%
494 Hendersonville Downtown Revitalization T/A-10/1/17-9/30/19	12,500	20,000	7,500	60.0%
495 Weaverville Parks & Rec Plan - 10/1/17-4/1/18	9,000	-	(9,000)	-100.0%
496 Transylvania Co Housing T/A - 3/1/17-12/31/18	5,000	2,826	(2,174)	-43.5%
497 Biltmore Forest/Montreat Planning & Zoning	38,394	68,256	29,862	77.8%
624 CFWNC-Agriventures	26,835	6,824	(20,011)	-74.6%
630 CDGB Grant writing	750	-	(750)	-100.0%
648 City of Brevard Technical Assistance - 7/1/16-6/30/18	20,472	-	(20,472)	-100.0%
649 Mars Hill Wastewater Treatment Plant - EDA	8,000	24,500	16,500	206.3%
651 NADO Craft Beverage Chainlette	3,455	-	(3,455)	-100.0%
680 Brownfields Conference Fund-Raising	2,610	2,487	(123)	-4.7%
698 ECD - Rural Utilities Service-Solid Waste - 10/17-9/18	32,475	33,519	1,044	3.2%
699 ECD - Rural Utilities Service-Solid Waste - 10/18-9/19	-	32,475	32,475	100.0%
762 CDBG-Town of Marshall Infrastructure Grant	79,431	52,000	(27,431)	-34.5%
800 Clean Air Campaign	7,281	10,000	2,719	37.3%
810 Congestion Mitigation & Air Quality - 12/17/13-12/31/17	19,834	-	(19,834)	-100.0%
811 Congestion Mitigation & Air Quality - 2/1/18-1/31/20	20,000	37,000	17,000	85.0%
822 DOE Clean Cities Program Support	19,926	19,926	-	0.0%
823 DOE/NETL Clean Cities Coalition Support - 2/1/16-1/31/19	50,398	22,500	(27,898)	-55.4%
826 US DOE SADI-Southeast Alt Fuel Vehicles - 3/17-12/17	2,021	-	(2,021)	-100.0%

Economic and Community Development

Revenues & Expenditures

Program	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
826 Black Mountain EPA Watershed Management Plan	100,000	86,383	(13,617)	-13.6%
830 Mobile Education Center	33,782	34,657	875	2.6%
880 Rivenweek	517	517	-	0.0%
883 PRF - French Broad Stormwater	4,169	4,169	-	0.0%
885 WNC Stormwater Partnership	4,078	-	(4,078)	-100.0%
886 ECD - Rural Utilities Service-Solid Waste - 10/16-9/17	21,744	-	(21,744)	-100.0%
337 WRP - Buncombe Co Fire Districts Energy Assessments	30,000	-	(30,000)	-100.0%
338 WRP - Weatherization Review - Elizabeth City	6,223	1,000	(5,223)	-83.9%
340 WRP - Tobacco Trust Fund - Phase II - 11/1/16-9/30/18	123,393	90,000	(33,393)	-27.1%
341 WRP - Duke Energy Water Projects-NCCF-10/20/16-9/30/18	24,916	18,300	(6,616)	-26.6%
342 WRP - EPA Source Reduction - 10/1/16-9/30/18	53,626	38,000	(15,626)	-29.1%
343 WRP - Energy Assessments - AB Tech	11,945	11,945	-	0.0%
344 WRP - Energy Assessments - Asheville City Schools	10,515	10,515	-	0.0%
345 WRP - City of Durham	8,093	-	(8,093)	-100.0%
346 WRP - NCDEQ-State Energy Program	-	25,000	25,000	100.0%
347 WRP - Energy T/A for USI Program	2,736	2,000	(736)	-26.9%
350 WRP - NCDEQ - Solid Waste Management	50,000	50,000	-	0.0%
353 WRP - City of Asheville-Water Quality	15,000	15,000	-	0.0%
355 WRP - Private Contributions	5,550	3,000	(2,550)	-45.9%
370 WRP - Rural Utilities Service-Solid Waste - 10/17-9/18	54,000	18,000	(36,000)	-66.7%
371 WRP - Rural Utilities Service-Solid Waste - 10/18-9/19	-	50,000	50,000	100.0%
375 WRP - USDA - Rural Energy for America - 4/18-3/20	-	49,348	49,348	100.0%
378 WRP - USDA - Rural Energy for America - 4/16-3/18	38,845	-	(38,845)	-100.0%
379 WRP - Rural Utilities Service-Solid Waste - 10/16-9/17	24,595	-	(24,595)	-100.0%
900 Rural Planning Organization (RPO)	132,969	132,969	-	0.0%
930 Bunc Co Mountain Mobility Administration	297,246	297,246	-	0.0%
933 Bunc Co Transportation RIDE	175,879	175,000	(879)	-0.5%
935 Bunc Co Transportation EDTAP	30,300	25,000	(5,300)	-17.5%
938 Bunc Co Mountain Mobility Administration - RIDE	20,187	20,187	-	0.0%
952 French Broad Metropolitan Planning Organization (MPO)	387,636	385,136	(2,500)	-0.6%
953 French Broad Metropolitan Planning Org-Special Studies	687,500	1,107,500	420,000	61.1%
954 Transportation Demand Management (TDM) Coord	90,000	92,700	2,700	3.0%
Total	\$ 4,272,857	\$ 4,516,893	\$ 244,036	5.7%

General Operations

Revenues & Expenditures

Program	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
403 Leicester Crossing Facility - Debt Service	\$ 145,800	\$ 139,321	\$ (6,479)	-4.4%
410 Local	63,000	64,000	1,000	1.6%
412 Local Fundraising	3,460	3,460	-	0.0%
415 Local Wellness	746	432	(314)	-42.1%
Total	\$ 213,006	\$ 207,213	\$ (5,793)	-2.7%

Indirect Cost Plan	FY 17/18 Amended Budget	Proposed FY 18/19 Budget	Increase/ (Decrease) Amount	Increase/ (Decrease) %
Indirect Cost Contributions	\$ (1,096,304)	\$ (1,092,366)	\$ 3,938	-0.4%
Administration	796,804	780,721	(16,083)	-2.0%
Finance	314,500	311,645	(2,855)	-0.9%
Appropriated Fund Balance	\$ 15,000	\$ -	\$ (15,000)	-100.0%

Member Government Assessments

FY 18/19

Member Government	FY 18/19				FY 17/18		
	Total Dues	Regular Assessment		RPO Match	Total Dues	Regular Assessment	RPO Match
		Amount	Percent				
Buncombe County	\$ 122,804	\$ 118,482	60.71%	\$ 4,322	\$ 122,804	\$ 118,482	\$ 4,322
Henderson County	37,177	37,177	19.05%		37,177	37,177	
Flat Rock	1,558	1,558	0.80%		1,558	1,558	
Fletcher	3,595	3,595	1.84%		3,595	3,595	
Hendersonville	6,572	6,572	3.37%		6,572	6,572	
Laurel Park	1,091	1,091	0.56%		1,091	1,091	
Mills River	0	0	0.00%		0	0	
Madison County	15,114	10,137	5.19%	4,977	15,114	10,137	4,977
Transylvania County	26,690	12,502	6.41%	14,188	26,690	12,502	14,188
Brevard	3,806	3,806	1.95%		3,806	3,806	
Rosman	245	245	0.13%		245	245	
Haywood County	3,107	0	0.00%	3,107	3,107	0	3,107
Totals	\$ 221,759	\$ 195,165	100%	\$ 26,594	\$ 221,759	\$ 195,165	\$ 26,594

Projected Use of Member Government Assessments			
Grant #	Program	Dues	Purpose
410	Local Funding	\$ 14,362	Participation in regional activities not supported by grants
		13,545	Membership dues
		9,750	Council meetings and other LOSRC sponsored events
		5,700	Annual Dinner & Annual Report
		4,000	Holiday bonuses
		4,000	Travel & training
		51,357	
482/483	ARC - LDD Admin	80,048	Match for activities supporting ARC goals
436	EDA - Planning Grant	37,000	Match for regional economic development planning grant
493	ARC - Broadband	7,000	Match for ARC broadband grant
510	Aging - Plan & Admin	19,760	Match for planning programs of Area Agency on Aging
	Regular Assessment	195,165	
900	Rural Planning Org	26,594	Match for DOT funding, allocated per capita
		\$ 221,759	



AGENDA ITEM SUMMARY

- Item:** Ad Hoc Strategic Planning Committee – 3E
- Nature of Item:** Executive Committee Action Requested
- Attachment(s):** None
- Background:** Based on input received from staff during a recent organizational visioning session, several possible program enhancements and project ideas surfaced. Staff feels it would be appropriate to gain input from the Board of Delegates about these enhancements and ideas. In turn, it is suggested that the Executive Committee authorize staff to seek volunteers from the Board of Delegates and, in turn, authorize the Chair to appoint volunteers to an Ad Hoc Strategic Planning Committee.
- Suggested Motion:** Move to authorize staff to seek volunteers from the Board of Delegates and, in turn, authorize the Chair to appoint volunteers to an Ad Hoc Strategic Planning Committee.



AGENDA ITEM SUMMARY

- Item:** Ad Hoc Strategic Planning Committee – 3F
- Nature of Item:** Update, Presentation and/or Information
- Attachment(s):** Not included with packet (will be presented during meeting)
- Background:** The Executive Director will provide an update on activities and accomplishments associated with his performance goals.
- Suggested Motion:** No action suggested at this time.

