

BOARD OF COMMISSIONERS

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**COUNTY MANAGER**

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101 South Broad Street
 Brevard, NC 28712

Transylvania County Board of Health

To improve and protect the health of all people in Transylvania County

August 8, 2023 – Regular Meeting
Community Services Building First Floor Large Meeting Room
 6:00 pm

MINUTES

I. Call to Order

Quorum was reached with 5 members present.

Dr. Lamm called the meeting to order at 6:00 pm.

Members Present	Wiley Sim Cozart, III, Dawn Kauffman, Dr. Ben Lamm, Chairman, Teesie Stanton, Elizabeth Privette
Members Absent	Teresa McCall, Vice-Chairwoman, Christina Mahoney, Sandra McNeill
Staff Members Present	Elaine Russell, Health Director / Secretary to the Board Laura Petit, Business Officer Jim Boyer, Environmental Health Supervisor Tara Rybka, Community Health Coordinator & PIO Sabrina Griffin, Clinical Planner/Evaluator Laura Rinehart, WIC Director Heather Bradley, Personal Health Director Alisa Corn, Administrative Services Supervisor Beth Hyatt, Healthy Communities Coordinator Cheyanne Gilbert, Preparedness & Accreditation Coordinator
Others Present	

Welcome, Announcements, and Public Comment/Public Hearing

II. Agenda Modifications

None.

III. Consent Agenda

- A. Approval of Agenda
- B. Minutes – June 13, 2023

The agenda and minutes from June 13, 2023, were approved with a motion from Dr. Cozart and second by Ms. Kauffman. Approval was unanimous.

IV. Administrative or Committee Reports

A. Health Director's Report

The Social District Public Comment CARE Coalition is attached to the meeting minutes. (See Attachment #1)

1. The agency is fully staffed with the July 17th hiring of Cheyanne Gilbert for the Accreditation/Preparedness Coordinator. She joins the agency from Transylvania County Communications Department. She has embraced her new job and is actively working throughout the agency to pull together the accreditation evidence due for submission November 1st.
2. WIC returned to in-person services on August 1st. Program staff will analyze service utilization and confer with other WNC counties to compare successes and challenges. An update will be provided to the BOH later in the calendar year when utilization data is more complete.
3. Staff from the CARE Coalition (Celia Richmond and Jermois Morris) presented prepared remarks at the August 7, 2023, City of Brevard public hearing on the city's proposed Social District. The CARE Coalition cannot lobby for a particular outcome or decision. However, the Coalition can educate in relation to policy, data, and protective factors related to youth alcohol and substance exposure in the county. The prepared remarks are provided for your reference.
4. A federal meeting occurred on June 15, 2023, at which time the omicron subvariant XBB.1.5 was selected for the new single-strain COVID shot. It is the most immune-evasive strain of the virus to date. Roll-out of the vaccine has been deferred at the federal level until October. The agency continues to analyze what the appropriate service footprint is for providing the vaccine. The cost of the vaccine purchase is significant (\$121.60 – 123.02 per dose) and was not included in the agency's development of the FY23-24 budget. The agency is strongly considering a role as the safety net provider of the vaccine through the State's Vaccines for Children Program (VFC) and the State's proposed bridge program for the indigent. Although the VFC does requires the agency to hold private supply vaccine for all offerings in the VFC program. Those interested in the vaccine that did not qualify for either safety net caveat would be referred to the private market which has a far more robust insurance billing capacity than the Health Department. The National Counsel of Aging funding awarded to the agency has been determined ineligible for flu or COVID vaccine purchase. The funds can be used to cover staff time, marketing, and transportation costs associated with receiving the vaccines.

V. Old Business

VI. New Business

A. Bad Debt Memo

The Department of Public Health Bad Debt policy identifies the process for handling aging accounts with no payment activity greater than 180 days. Pursuant to this policy, it is my recommendation to write off bad debts totaling \$121.20 for the time period 07/01/2022 to 12/31/2022.

Account balances less than \$50 (Bad Debt): \$58.20

Balances greater than \$50 (NC Debt Setoff): \$63.00

If this recommendation is approved by the Board of Health, it will be submitted to the Transylvania County Board of Commissioners for consideration and approval. If approved, eligible debts greater than \$50 will be forwarded to the North Carolina Tax Debt Setoff program.

A motion was made by Dr. Cozart to submit the bad debts to the Transylvania County Board of Commissioners for consideration and approval. The motion was seconded by Ms. Kauffman with unanimous approval.

B. Policy Update Briefing

Session Law 2023-90 (House Bill 628) approved July 10, 2023, provided for changes related to the fees associated with on-site wastewater private permitting options. The effective date of the fee changes per the new law is September 1, 2023.

Private Permitting Option	Completeness Review	Fees Allowed
(a2) IP/CA	Yes – within 5 days	IP: up to 100% CA: up to 40% IP+CA: up to 40%
EOP	No	Up to \$35
AOWE	No	Up to \$35

The EOP and AOWE have previously required a review of the associated paperwork to verify all of the required documents have been completed and are included in the submission package. Under the new law, the documents are simply assigned a permit number and filed.

The recommendation to the BOH is to adopt the new fee parameters and adjust the agency Environmental Health Fee Schedule accordingly. The recommendation will be passed to the Board of Commissioners for final approval.

A motion was made by Dr. Cozart to submit the new fee parameters to the Transylvania County Board of Commissioners for consideration and approval. The motion was seconded by Ms. Stanton with unanimous approval.

C. Epidemiology Update

The PowerPoint slide presentation for the Epi Updates is attached to the meeting minutes. (See Attachment #2)

There was discussion regarding the nine-banded armadillo's presence in our county and risk of exposure to leprosy. Leprosy is curable with antibiotics.

Ms. Russell also emphasized the risks in travelling outside the United States for medical procedures.

D. Tobacco 21 Resolution

The Tobacco 21 Resolution BOH is attached to the meeting minutes. (See Attachment #3)

The Tobacco 21 Resolution TCS is attached to the meeting minutes. (See Attachment #4)

The TCS SHAC Support Letter for Tobacco 21 Resolution is attached to the meeting minutes. (See Attachment # 5)

On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product – including cigarettes, cigars, and e-cigarettes – to anyone under 21. Across the nation, all but nine states have aligned their state legislation with the Tobacco 21 federal directive. The nine states include: Arkansas, Arizona, Kansas, Missouri, Montana, North Carolina, South Carolina, Wisconsin, and West Virginia.

Transylvania Public Health is seeking Board of Health support for a resolution to encourage updating the North Carolina law for obtaining tobacco products from 18 to 21. The support of local Boards of Health and county leadership entities will help encourage the updating and alignment process in the North Carolina General Assembly. On June 19, 2023, the Transylvania School Health Advisory Committee (SHAC) presented the resolution to the Transylvania County Board of Education, where it passed unanimously. The signed SHAC letter of support and the signed resolution by the Board of Education are attached for review/reference.

Federal law, known as the Synar Amendment, now requires states to annually inspect a random sample of tobacco retailers to determine what percentage are selling to youth under age 21. If the percentage of underage sales goes above 20%, the state may be forced to forfeit millions of federal Substance Abuse Prevention and Treatment block grant monies that fund prevention, treatment, and recovery initiatives. Federal funding of this nature is essential for the continued work of the CARE Coalition. Recent high violation rates in North Carolina have sounded the alarm to focus on reducing sales to youth.

The Tobacco 21 proposed law will protect kids from vaping and nicotine addiction by establishing a tobacco permitting system and raising the age limit from 18 to 21. It also does the following:

- Applies to all tobacco products.
- Requires retailer permit.
- Requires ID checks.
- Imposes minimal penalties for purchasers under 21.
- Holds retailers responsible for violations.

- Requires signage.
- Requires employee training.
- Prohibits internet sales to people under 21.
- Allows local government authority.
- Provides enough time for the state to implement and to educate retailers about the new law.

Ninety-five percent of nicotine users start before the age of 21. In 2019, 27.3% of high school students in NC report tobacco use. E-cigarette use has significantly increased among youth since 2011.

To put the numbers in perspective, as of 2017, 10.7% of NC middle school students use tobacco products. These students would fill 1,527 buses stretching thirteen miles long. 28.8% of NC high school students use tobacco products. These students would fill 5,574 buses, stretching forty-five miles long.

Also, in the same year (2017) 17% of high school students were using e-cigarettes, and 23% said they would use them next year. This growth has continued and will become worse if we do not work to stop it.

The CARE Coalition and the agency's Healthy Communities Coordinator Beth Hyatt have worked diligently to support youth tobacco prevention and protective measures throughout the community in recent years. Policy advocacy as presented in this briefing further supports their work to uplift and help the youth of our community. A copy of the proposed resolution for BOH signature has been included in the materials.

A motion was made by Dr. Cozart to approve the proposed resolution. The motion was seconded by Ms. Kauffman with unanimous approval.

VII. Public Comment or Public Hearing

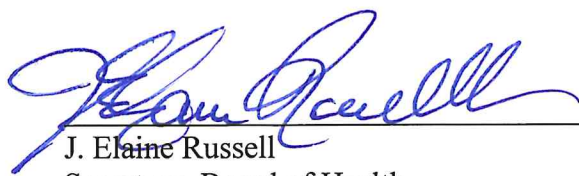
None

VIII. Adjournment

Dr. Cozart made a motion to adjourn the meeting with a second by Ms. Kauffman.

There was unanimous approval and the meeting concluded at 7:10 p.m.

Respectfully Submitted:



J. Elaine Russell
Secretary, Board of Health

October 10, 2023

Date



Dr. Ben Lamm
Chair, Board of Health

October 10, 2023

Approved Date

Attachment 1. The Social District Public Comment CARE Coalition (Double-Click to see entire file.)

Good evening. My name is Jermois Morris, and I am a project coordinator with the CARE Coalition of Transylvania County.

The CARE Coalition is a grassroots community group with people from multiple sectors that works to reduce substance misuse and underage drinking in Transylvania County. We approach these issues from a public health perspective, so we focus on overall health, safety, and well-being related to substance use for everyone in Transylvania County.

Because the law that allows social districts in North Carolina is rather new, we don't yet have solid data on the long-term impact of policies like these. At this point, the public health, financial, and social costs, benefits, and risks are largely unknown.

- For instance, Pilot Mountain has seen an increase in law enforcement calls for disruptive behaviors, and North Carolina ALE had received reports of people drinking alcohol out of trash cans after hours, but many other communities have not reported problems.
- We have seen anecdotal reports showing increased youth access to alcohol in Surry County and Union County.
- Many communities report increased business revenue and downtown foot traffic, but these increases may or may not offset the enforcement costs and health impacts of expanded access to alcohol.


Until we have better data, we must rely on what we **do** know about safe alcohol use.

- We know that additional alcohol outlets, increased hours, and price discounts negatively impact health.
- We know that exposure to alcohol consumption increases youth drinking behaviors, and that people in recovery can be particularly sensitive to increased promotion and normalization of drinking.
- And we know that increased alcohol consumption has high social costs – totaling about 10 billion dollars per year for local communities across North Carolina – in terms of lost productivity, healthcare costs, criminal justice expenses, and motor vehicle crash costs.

To address these concerns, the CARE Coalition continues its work to support “protective factors” like policies and practices that promote healthy social norms and reduce access and availability of alcohol specifically for minors, but also for people in recovery and those who struggle with alcohol consumption.

My CARE Coalition colleague will share some recommendations based on best practices that we know can help address some of these public health risks.


Attachment 2. Epi Updates (Double-Click to see entire file.)



**TRANSYLVANIA
PUBLIC
HEALTH** EVERYDAY.
EVERYWHERE.
EVERYONE.

Epi Updates


Presented to Transylvania County Board of Health
August 8, 2023



1

COVID-19 Update

- Key indicators are increasing nationally (hospital admissions, emergency department visits, test positivity, wastewater levels)
- Current recommendations based on low hospitalization rates
- Vaccines:
 - Pfizer, Moderna, Novavax planning to deliver single-strain vaccines in September targeted to omicron subvariant XBB.1.5
 - Uptake expected to be modest; messaging needed around annual doses
 - US government has started phasing out vaccine distribution in preparation for transition to commercialization and new version



2

Attachment 3. The Tobacco 21 Resolution BOH (Double-Click to see entire file.)

Protecting Our Kids from Vaping and Nicotine Addiction

Tobacco 21

WHEREAS, one of every five deaths in North Carolina is associated with cigarette smoking,¹ and for each death, 30 more people are sick or live with a disability²; and

WHEREAS, 95% of tobacco users start before the age of 21³; and

WHEREAS, as of 2019, 27.3% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011⁴; and

WHEREAS, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction⁵; and

WHEREAS, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (81%), and that student e-cigarette use is a somewhat or high priority issue for their school administration (80%)⁶; and

WHEREAS, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21⁷; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (41 states, as of September 2022) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18⁸; and

WHEREAS, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

WHEREAS, North Carolina is one of only 10 states in the country that do not require tobacco retailers to obtain a license or permit⁹; and

WHEREAS, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts

Attachment 4. The Tobacco 21 Resolution TCS (Double-Click to see entire file.)

Protecting Our Kids from Vaping and Nicotine Addiction

Tobacco 21

WHEREAS, one of every five deaths in North Carolina is associated with cigarette smoking,¹ and for each death, 30 more people are sick or live with a disability²; and

WHEREAS, 95% of tobacco users start before the age of 21³; and

WHEREAS, as of 2019, 77.3% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011⁴; and

WHEREAS, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction⁵; and

WHEREAS, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (91%), and that student e-cigarette use is a somewhat or high priority issue for their school administration (90%)⁶; and

WHEREAS, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21⁷; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (41 states, as of September 2022) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18⁸; and

WHEREAS, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

WHEREAS, North Carolina is one of only 10 states in the country that do not require tobacco retailers to obtain a license or permit⁹; and

WHEREAS, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts

Attachment 5. The TCS SHAC Support Letter for Tobacco 21 Resolution

To: Transylvania County Board of Education
From: SHAC-School Health Advisory Council
Subject: Letter of Support for Resolution for Raising Tobacco Legal Age to 21

On behalf of SHAC, we are writing to express our support to raise the statewide minimum age to buy all tobacco products, including e-cigarettes and vaping devices, from 18 to 21. By passing this resolution, we are sending a message to NC that we value our young people in prevention of starting down a path that often leads to nicotine addiction, disease, and ultimately, premature death.

SHAC promotes the goal of protecting every child so they can reach their fullest potential in a safe supportive environment. As a school system, we must encourage youth in their efforts to make healthy choices and maintain healthy lifestyles, free from danger of substance abuse, including nicotine. Nicotine, along with other substances, has been shown to be harmful to a youth's brain, potentially disrupting the formation of brain circuits that control attention, learning, and susceptibility to addiction. In addition, nicotine can cause chemical changes that affect mood, depression, anxiety which are mental health issues already a problem for teens.

Efforts to reduce the use of e-cigarettes is important to our community. Adolescent smoking rates were steadily decreasing but now adolescents' use of e-cigarettes, nicotine vapor devices, hookahs and small cigars has increased dramatically, threatening to completely erase a decade of progress in protecting our youth. In fact, 2019 data shows that 27.3% of high school students in NC reported tobacco use.

Raising the age to 21 to purchase tobacco products in NC will help keep e-cigarettes and other tobacco out of our schools, where younger teens often obtain tobacco products from older classmates who can purchase legally.

Forty-one states have increased their minimum tobacco sales age to 21 to match federal law. NC is one of nine that have yet to match federal law.

Please join us in supporting the Resolution!

Signed:

Missy Ellenberger

Missy Ellenberger
Transylvania County Schools, SHAC Chair

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