

Explore ASHEVILLE

Buncombe County Tourism Development Authority

Buncombe County Tourism Development Authority A Joint Meeting of the Public Authority and Nonprofit Corporation

Via Zoom Webinar due to the COVID-19 Pandemic/State of Emergency

Excerpts from the Virtual Board Meeting Minutes

Wednesday, September 30, 2020

- Present (Voting):** Himanshu Karvir, Chair; Gary Froeba, Vice Chair; Leah Ashburn, Andrew Celwyn, Brenda Durden, John Luckett, John McKibbon, Kathleen Mosher, James Poole
- Absent (Voting):** None
- Present (Ex-Officio):** Asheville City Councilmember Julie Mayfield
Buncombe County Commissioner Joe Belcher
- Absent (Ex-Officio):** None
- CVB Staff:** Chris Cavanaugh, Marla Tambellini, Dianna Pierce, Jonna Sampson, Daniel Bradley, Carli Adams, Kathryn Dewey, Connie Holliday, Beth McKinney, Tina Porter
- BC Finance:** Don Warn, Buncombe County/BCTDA Fiscal Agent
- Legal Counsel:** Sabrina Rockoff, McGuire, Wood & Bisette
- Online Attendees:** Glenn Cox, Josh Jones, Pat Kappes, Sarah Lowery, Kathi Petersen, Glenn Ramey, Charlie Reed, Dodie Stephens; Explore Asheville Staff Demp Bradford, Asheville-Buncombe Regional Sports Commission Kit Cramer, Asheville Area Chamber of Commerce Angie Arner, Kelsey Ann Bassel, Meghan Jackson, Lauren Jennings, Ashley Keetle, Nick Smart; 360i Jim Muth, Asheville Buncombe Hotel Association Jane Anderson, Asheville Independent Restaurant Association John Ellis, Past BCTDA Board Member Tina Kinsey, Asheville Regional Airport Jackson Tierney, Bob Michel; Asheville Homestay Network Mackenzie Wicker, Asheville Citizen-Times Daniel Walton, Mountain Xpress Jason Sandford, Ashvegas Sunshine Request

Members of the public and additional tourism industry partners registered in advance and attended the online meeting.

Penalties During COVID-19 Revision

Chairman Karvir recused himself from the COVID-19 penalties discussion as his company has properties that would be affected by the board's decision and asked Mr. Cavanaugh to present the recommendation.

Mr. Cavanaugh said that at last month's meeting, the board approved the automatic waiver of all COVID-19 related occupancy tax penalties for the sales months of February through July 2020, with reports and payments due in March through August, provided the property had no late payments or waivers recorded in the three years prior to the start of the pandemic. Mr. Cavanaugh said that after consulting with Mr. Warn and the Buncombe County Tax Office, Explore Asheville staff learned that there is a significant number of properties who have incurred penalties, have not submitted, and/or have had late payments in the past. He presented the following recommendation for the board's consideration:

- Extend the waiver to include late Occupancy Tax reports and remittances for one additional month. This would include the sales months of February through August 2020, due on the 20th day of each month in March through September 2020.
- Include all penalties incurred AND those still to be assessed when late reports are filed.
- Remove the requirement that the property has had no late payments or penalty waivers in the three-year period prior to the start of the pandemic.

Mr. Cavanaugh said Buncombe County and Explore Asheville will communicate this action to all properties to encourage the submission of late reports and payments and inform them of the waiver timeline.

Prior to voting on this recommendation, Vice Chairman Froeba asked for a motion to recuse four board members from the upcoming vote due to a conflict of interest.

Mr. Celwyn moved to recuse Himanshu Karvir, Brenda Durden, John Lockett and James Poole from the upcoming vote regarding the bulk pre-approval of occupancy tax penalties related to COVID-19. Ms. Ashburn seconded the motion. There was no discussion and with Ms. Ashburn, Mr. Celwyn, Mr. McKibbon, Ms. Mosher and Vice Chairman Froeba all in favor via a roll call vote, the motion carried 5-0.

Mr. Cavanaugh said the recommendation before the board is to take action to approve all COVID-19 related penalties in bulk due through September 2020, which will then be presented to the Buncombe County Board of Commissioners for further and final consideration. He reiterated this action and timeline will be communicated to properties and noted it will alleviate the need to review individual requests.

Vice Chairman Froeba made a motion to revise the board's previous action to automatically waive all COVID-19 related penalties incurred, or to be assessed, for late Occupancy Tax reports and remittances for the sales months of February through August 2020, due on the 20th day of each month in March through September 2020. Mr. McKibbon seconded the motion. There was no discussion and with Ms. Ashburn, Mr. Celwyn, Mr. McKibbon, Ms. Mosher and Vice Chairman Froeba all in favor via a roll call vote, the motion carried 5-0.

Respectfully submitted,



Jonna Sampson, Executive Operations Manager