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of Tri-Cities Tennessee / Virginia

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Meet the hardest workers in the COVID economy:

Food City's Abingdon distribution center faced unprecedented challenges and came out on top



SPECIAL SECTION:
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ON THE COVER

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Correction: In the May 2020 issue of *The Business Journal*, Virginia Deputy Secretary of Commerce and Trade Cassidy Rasnick was referred to as Cassidy Crasnick. *The Business Journal* regrets the error.

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The 2020 Healthcare Heroes Luncheon will be held Friday, August 28 at the Carnegie Hotel in Johnson City.

Regionalism and reopening



During a First Friday Breakfast at King University several months before the COVID-19 crisis erupted, NETWORKS Sullivan Partnership CEO Clay Walker, always quick with a witty remark, was beginning his presentation by riffing on people he recognized in the crowd. When he spotted me, he said, “I see Scott Robertson is here from *The Business Journal*. Hey Scott, I’ve got an idea. Why don’t you

write something about regionalism?”

Thanks, Clay. Don’t mind if I do.

I mention Walker’s playful jest because in the three months since the COVID-19 crisis began to turn the country upside down, we’ve barely mentioned regionalism in these pages, despite the fact that part of our mission since our founding in 1988 has been to promote regionalism in business and economic development. But that near-silence doesn’t mean we haven’t noticed what’s been happening.

It has appeared, at least to me, that what all the major players in regionalism had been saying about “it has to come from the grassroots to be successful” has been coming true. Before the crisis, those major players had been plenty active. The Northeast Tennessee Regional Economic Partnership and NETWORKS Sullivan Partnership were in serious merger discussions. A group of mayors had begun work on a plan to create a regional economic development partnership under the auspices of the First Tennessee Development District Foundation. And the private sector leaders who had ignited the current round of discussions two years ago appeared to be moving toward announcing a strategy of their own. But, during the crisis, I believe regionalism took even more important steps forward.

So, in late May I called Bank of Tennessee founder Bill Greene, the only man I’m aware of who truly knows all the players in the private sector effort and all the long-time politicians on the public side, and a man who’s lived in this region almost all of his 80-plus years. I wanted to get his read on the current landscape.

We met at Greene’s home, since he is social distancing, and spent an afternoon talking about a wide range of subjects. When we came to current-day regionalism, we turned out to be in lock-step.

“The people of this region, during this crisis, have shown a desire for regionalism,” Greene told me. “They’ve done it in a lot of ways. And they’ve done it while the CEOs and the mayors have been having to pay most of their attention to other things. The mayors have had to put the vast majority of their attention on their communities – which was completely the right thing. The CEOs had to put most of their attention to running their companies.

“But the people have showed us that all of us are smarter than any one of us,” Greene continued. “You saw that happen with that RegionAHEAD effort where people donated their money to help small business. It wasn’t sustainable, but that’s not the point. It was all the people who stepped up. Another example: The United Ways across the region worked together to help each other with food security for children. And I’ll tell you another one: businesses and colleges worked together to make personal protective equipment for COVID-19.”

The one common denominator of all those efforts? Nobody demanded their money or effort benefit only their own community, city or county. Every community had its own efforts, of course, as they should have, but the efforts Greene mentioned benefitted the entire region, and they received support from the entire region.

Next, we discussed leadership. The private sector has always had more financial resources to back regional economic and community development efforts, and with the state and local governments looking down the barrel of massive revenue shortages, I didn’t believe the point was even worth arguing.

But Greene surprised me somewhat by saying regionalism needs the public sector to have a significant leadership role moving forward, even if it’s not as a funding mechanism. “Let’s just get on with a program – a regional public-private partnership with noteworthy leadership from both,” he said. “The private sector would like to have the public sector very involved.

“This crisis has given us a chance to get a huge jump on the competition,” he explained. “This is the perfect time for us to be flexible, for us all to get our program together and get our strategy together. The whole country and most of the world has hit pause, and we can be the first ones out of the gate. Imagine being in a horse race and starting with a two-length lead on the field,” Greene said. “We can do that, but we have to get going, and we have to do it now.”



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April home sales in region down 17.9 percent; sales price up 14.9 percent

In April 2020, home sales were down by 17.9 percent in northeast Tennessee. However, home prices increased by almost an equal percentage.

According to the Northeast Tennessee Association of Realtors (NETAR), 543 residential sales closed for the month. That figure was down 118 for the same month last year and 25 from March, 2020. The average sales price of \$195,291 represented a \$25,398 (or 14.9 percent) improvement from last April. So far this year, 2,099 existing home sales have closed, 99 fewer than during the first four months of 2019.

“April’s sales decline is a big number for a market accustomed to record-level sales, but there is more to the housing market story than that number,” said NETAR 2020 President Kristi Bailey. “Because closings usually take about 30 to 45 days, April is the first full month we see the effects delivered by the health crisis. May and June may deliver more shocks, but real estate has not shut down. A little over \$106 million worth of real estate was sold locally during April, and sellers accepted 681 new contracts. That is only 33 fewer than April last year. One issue causing such percentages in our real estate market is an already low inventory. Some sellers have held back on listing properties during this time, and buyers are just waiting to grab up homes when they come on the market because the interest rates are at historic lows, causing part of the problem. We have more pending sales awaiting closing than there was April a year ago. Most housing economists think sales will rebound in the third and fourth quarters,” she said.

Single-family sales accounted for 501 closings in

April, down 116 from April last year. The average sales price was \$200,067. That is a \$26,648 (15.4 percent) increase from last year.

Forty-two condominium/townhome resales closed last month, down two from last year. The average sales price of \$138,327 was up 14.8 percent – a \$17,868 gain for sellers.

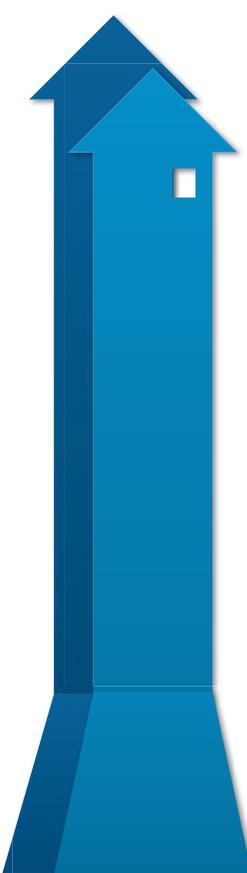
At the end of April, the local housing market had 3.4 months of inventory. Active listings were 25 percent lower than last year, and 601 new listings came on the market.

Sales closed in April also spent less time on the market. The average for a single-family resale was 109 days down from 132 days last year. For the townhome/condo segment, it was 90 days down from 157 in April the previous year.

There were 688 new contracts (pending sales) at the end of the month – down from 718 in March and 872 April last year. The 12-month trend is 15.6 percent higher. Pending sales are a leading indicator of housing activity

based on signed contracts for existing single-family homes, condominium, and townhome resales in the area monitored by the NETAR Trends Report. Since resales go under contract 30 to 60 days before the sale is closed, pending sales typically lead existing-home sales by about two months.

NETAR’s Trends Report reflects housing market conditions in Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi, and Washington counties in northeast Tennessee and Scott, Lee, Wise, and Washington counties in southwest Virginia. It also includes market data from the region’s primary city markets.



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Scores of fast-moving selectors serve as reminders of what “zoom” meant before teleconferencing. PHOTOS BY EARL NEIKIRK

The DC, United

How Food City pulled together around its Abingdon distribution center to handle the unprecedented challenge of the COVID-19 crisis

by Scott Robertson

While many of the region’s businesses were deciding whether to find ways for their employees to work from home during mid to late March, grocery stores did not have that option. Business boomed, and because everyone has to eat, grocery stores became the most essential of all retail businesses. Unfortunately, the increase in demand did not arrive in an orderly fashion.

Nowhere was the crazy-quilt of surges and product runs more instantly or intensely felt than at grocery distribution centers (DCs) like the K-VA-T Food Stores (Food City) center in Abingdon, Va.

When *The Business Journal* first asked to visit the Food City DC on March 17, we were politely but firmly told it wasn’t a good time. When the company allowed the *Journal* to tour the facility on May 12, we learned why that had been the case.

“March 11 was D-Day for us,” explained Shane Estep, assistant director of distribution. “We came in that morning and these guys saw a pretty significant uptick in the average case count for our stores. So, it actually hit our stores on Tuesday the 10th and all of a sudden within the next few days we started seeing stores literally ordering over double their normal case count. And then it went insane. We had supervisors in this building, for instance, work 26-27 hours straight. We had associates working 14, 15 hours. They’d go home for a nap and come back in and start another 14- or 15-hour shift. We did that for about five or six days and then we started having mass hirings.”

To understand why it would not have been advisable, or even safe, to be in the DC in mid-March, one must first understand the 520,000-square-foot beehive of activity the DC represents. More

than 100 power jacks and forklifts buzz in and out of the long aisles at speeds that, for a newcomer, take some getting used to. The drivers are, “on an engineered labor standard, so they get paid by the second,” Estep said. “The faster they go, the more they get paid.”

Now, add to that whirlwind of activity the fact that around St. Patrick’s Day, the DC was adding scores of new employees. “In the middle of all of our mass hirings, Steve Smith (Food City president and CEO) went and got hold of all of our retail operators – our VPs and our DMs – they put together a force of 95-plus store associates who had never worked DC but were willing to come here,” Estep said. “They spent five weeks with us on average. We trained them up in a hurry. We didn’t care how fast they picked. We just needed them to be able to pick accurately. I don’t know what we would have done without that initiative from Steve. And for our folks here to see that commitment from our company to give us almost 100 store people to help us, it was a morale boost.”

“It’s a busy, busy place and you want people to be safe and know what to do,” said Greg Johnson, dry warehouse manager. “So, we were constantly training. We had people who hadn’t been here that long themselves training the newest people. That was so complicated, trying to train that many people. It was almost like riding a bucking bronco every day, just trying to stay on its back.

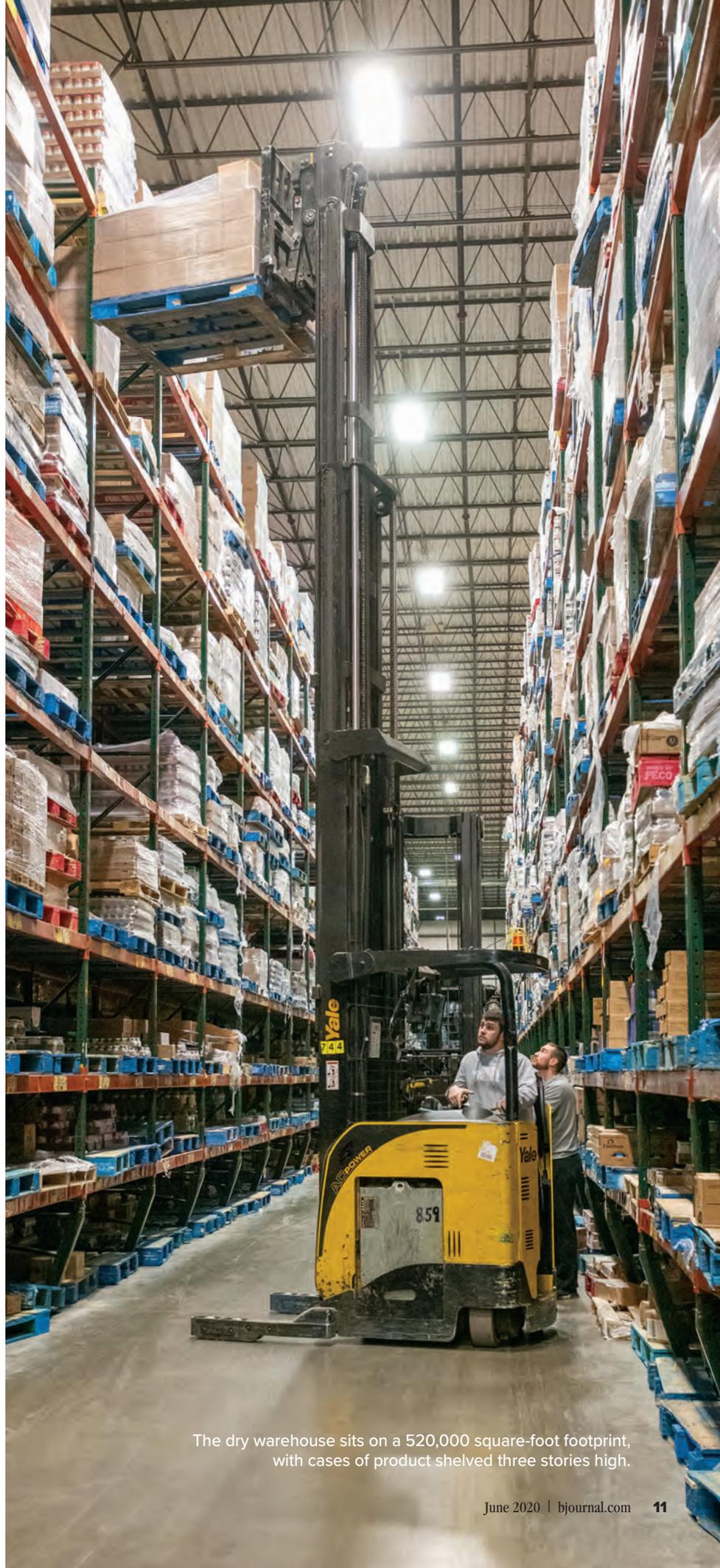
“It was an incredible thing to see 180 people – and that’s just selectors, not forklift drivers – trying to train. That was as challenging as anything we did, but we were very fortunate our HR people did a good job of screening folks and we’ve had incredible success. They haven’t had any major accidents and they’ve continued to improve.”

Even with the added manpower, some employees still worked 100-hour weeks, said Tony Waugh, dry warehouse assistant manager. “We were basically working double shifts all the time. These guys were scheduled to work four days a week and a lot of them were working double shifts six or seven days a week.”

Food City management brought in the culinary department to feed the DC staff every day, Johnson said. “The company took care of our folks like nobody can explain, so that was a blessing to us. It went on for weeks, and it was not just burgers and fries.”

Unprecedented demand

The increased staffing was driven by demand surges unlike anything seen before, Johnson said. “The first thing we had a run on was



SEE UNITED, 12

The dry warehouse sits on a 520,000 square-foot footprint, with cases of product shelved three stories high.



A lonely pallet of paper towels awaits distribution to a Food City store.

UNITED, CONTINUED

disinfectants, and then it was paper products and then canned foods and pastas. We had one employee tell us his wife was in a store and saw a guy going down the aisle with a buggy, taking his arm in the canned vegetables and just raking stuff into the buggy. He didn't care what he got. He just got a lot of it.

"Then, about a week and a half after all that chaos, it switched over our perishable department. Beef, poultry and dairy products started selling off the shelves fast. Once all that got filled, they cancelled schools, and then the frozen products out of our freezer warehouse started flying off the racks. Then it circled back around.

"Every building has experienced something with perishables. You know, we've had runs on milk. We've had runs on water. Produce has taken a major hit during some weeks through this with receiving. It's been interesting to say the least.

"Normal store orders coming out of this building had been about 1,300 cases," Johnson explained. "As we got deeper into this, we got to the point where stores were ordering 12,000 – 13,000 cases on one order. We're talking about eight or 10 trucks of product. When we fill a store up, you're probably looking at around a 10,000 – 12,000 case range. We had stores ordering that much. That tells you just how empty some of those stores were. It's amazing to see a store turn over 12 or 13,000 cases in a day."

Supply chain management became an almost non-stop process. Strategies had to be altered and modified every day, and often multiple times per day.

"We have daily discussions," Estep said. "Daily, we get on a couple of phone calls with procurement. Steve Smith is on there all the way down through the chain of command and we talk about what happened yesterday, what's coming, what the news is saying, what we need to do today. There were some days early in this thing when we were literally changing delivery schedules a couple of times a day. We were constantly looking at the number of deliveries the stores got.

"Then, when some products stopped coming in, we started talking about what stores were going to get which products and which stores weren't. Just the scope of sales volume across the company changed. Stores that had been leading the company in sales all of a sudden weren't. Stores that had never gotten close to that mark all of a sudden were leading the company."

With so many unpredictable factors, the strategies went back to basics, Estep said. "We would start calls out by saying, 'how much can the DC push out today?' and depending on staff, we would give them a number. We'd say, 'This is how many people we have and this is what they're picking per hour right now. So, at the end of the day, we can push out this many cases.' From that, our operators – our DMs and VPs on the retail side – would start making decisions on which stores would get deliveries that day. It was the first time in the history of our company we'd ever



Shane Estep, assistant director of distribution, left, and Greg Johnson, dry warehouse manager

had to do that, and we did it for more than 40 days.”

The current situation

The runs on product have died down now and store volumes are returning to levels nearer normal, though some manufacturers have decided against producing certain product lines for the foreseeable future. The new challenge is simply dealing with out-of-stock items. For instance, in a DC with literally tons of some items, we walked by a nearly empty area with only a single palette of paper towels.

“Our stores truly have what we got,” Johnson said. “What’s coming down the highway from manufacturers and carriers to our buildings has kind of stabilized, but we are still waiting for that day when we come in and we are actually receiving product that’s still out. It’s gradually happening. Every day our stores get a little fuller with the stuff we haven’t had for the past two months.”

The problem items that are still hardest to bring in on a reliable basis? “It’s still disinfectants,” Johnson said. “It’s still paper. It’s still a little on the canned goods. The third phase of this – they just destroyed canned goods. I mean everything. Even odd items that don’t normally move that well – they just bought everything.”

Food City’s procurement staff has expanded the number of brands the store sells in order to keep shelves stocked. Customers may not recognize a new brand of toilet paper or paper towel, for instance, but they know they need toilet paper, so nobody’s complaining too much.

“The big battle outside this building right now is what’s going on with meat, especially poultry and beef,” Johnson said. “That’s the big challenge. It’s the new battlefield. You know, we can’t talk a whole lot about our buying strategy, but I can tell you that the folks we have in that area of our company who are looking for and buying meat products have just done a tremendous job of finding something these customers can use to put in those meat cases. You can see that with our competitors. It may not be the type of poultry you’ve bought for the last five years, but there is going to be poultry in that case.”

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Special Section: Higher Education 2020

Unprecedented challenges, but surprisingly
strong fall enrollment projections

After spring break 2020, almost every college and university in America switched from on-campus delivery of classes to online coursework. Students were, in most cases, allowed to watch recordings of individual class meetings if they were unable to attend “in person” via Zoom or other online platform, creating “asynchronous learning experiences.”

In that spirit, *The Business Journal* held an asynchronous panel discussion among the presidents (and chancellor) of the region’s four-year colleges and universities in late May. Each administrator was asked, via phone or Zoom, the same questions regarding

the effects of the COVID crisis on their spring and summer terms, and their planning for fall 2020 and beyond. The administrators who took part were Dr. Bill Greer, president of Milligan University; Dr. Donna Henry, chancellor of the University of Virginia – Wise; Dr. Scott Hummel, president of Tusculum University; Dr. Brian Noland, president of East Tennessee State University; Dr. John Wells, president of Emory & Henry College; and Dr. Alexander Whitaker, president of King University. In this, the first of a two-part series, we focus on one question. What do we actually know about fall 2020?



The Business Journal: What has been the process you've used to plan for fall 2020 and what can you say right now about fall term?

Dr. Bill Greer, president, Milligan University: We have every intention of returning to face-to-face learning. Milligan is an institution that's very keen on the concept of community of faculty, staff and students, so it's very important for us to get back together, but we want to get back together in a way that people have confidence about, and that there is a safe and healthy environment.

So, since this began, we have had a response team. Initially we met every day. As we have settled into this new normal, if you will, that has slowed a bit, but we still meet a couple of times a week and send out weekly updates. That team of people is made up of my cabinet as well as our campus nurse, our dean of students and our director of property and risk management.

We are now expanding that group and dividing into five planning teams that are about to begin their work in earnest. The response team had been working already, but we felt the need to divide into smaller groups to engage more faculty, staff and students in those planning groups. So, we have an academic and instructional technology planning group. We have a campus life group. We have an athletics group. We have a health and safety group and we have a residence and dining team.

All of these planning teams will be addressing various aspects of what it looks like to come back together under the circumstances that we're in today and maintain some flexibility because circumstances can change. One thing we have learned about this pandemic is when you make a decision in the morning, you may have to remake it in the afternoon because of changing circumstances. It's slowed a bit, but as we see more and more places reopening and returning to normal, I expect we'll have that need to be flexible again.

So, those teams will be addressing all the various protocols, all the things we need to be considering in order to bring the community back safely and productively. We'll be looking at everything from density of residential facilities to how we go about feeding our campus to public and group activities – whether it's theater productions, concerts or chapel services, how many people should be in a classroom at a time, how the schedule needs to be varied in order to be able to thin it out a bit so there's a safer number of people together at a time, how we need to go about maybe providing a mixture of in-person and online support to facilitate that. There are a million details, and I don't even know what they all are. But, there is a lot of guidance out there, from regional organizations and agencies – whether it's education consortia or the

CDC or the State Department of Health and the governor's office – all of those will be considered as we decide what steps to take.

Dr. Donna Henry, chancellor, University of Virginia – Wise: Shortly after the governor announced the state of emergency, most institutions across the Commonwealth decided to transition to virtual learning environments and sent all of our students home, or didn't bring them back from spring break, as was our case. The Council of Presidents of Virginia, which is all the presidents of public higher ed, plus several community

college presidents, began meeting through conference calls on Zoom just really to share with each other what we were doing and how we were cooperating, getting some feedback and just trying to benefit from each others' knowledge across higher education. That group has continued to meet, and then the governor convened his COVID -19 Education Workgroup, and that group has been meeting every other week and the goal for that group is to help the secretary of education and the governor have a seamless plan from pre-K through higher ed. It's really a policy level group that is working on recommendations that affect systemic issues – everything from the digital divide and how that impacts education to food insecurity to mental health and the other impacts of COVID. There is also a higher education working group that is a component of that who is working together to make some recommendations to the governor with a plan the governor will outline for schools and how we can proceed with instruction, with some gating criteria which I expect to be similar to his phased plan. So, what are the gates we need to be able to get through to reopen schools, bring students back, and then, I suspect each institution, since we're all so different, will develop our own plans. The governor hopes to have that guidance out within the next two weeks.

We have had our own internal working group that's led by our provost, really looking at the academic calendar. We have a group looking at housing and what housing will look like and what facilities, planning and cleaning will look like. We have ordered PPE for the fall semester.

Our goal is to bring students back this fall. That working group is planning to get their information to me this week and then we hope to dovetail that with the guidance from the governor. I suspect a lot of his guidance, and really what we're relying on is, when we bring students back to campus, we need to ensure that we can track symptoms, that we can do testing and that we have access to testing, and that additionally, if we have students who test positive, we'll need to work on tracing so we can be



Dr. Bill Greer



Dr. Donna Henry

sure we have some best practices. So the working groups are working pretty closely with the Virginia Department of Health for those resources, and then higher education is working with the governor to come up with a plan, particularly for the testing piece.

Dr. Scott Hummel, president, Tusculum University:

I think a lot of universities were initially looking at how they were scheduling fall term. Would they have a delayed start? Would they start online and then go to face-to-face? A lot of thought was put into scheduling that fall term. I actually think that because any potential resurgence of the virus is not likely to happen on schedule, I think – and this is where input comes in – I think it will be a better approach to actually start on time, have protocols and procedures in place to reduce the chance of a spread, and if there is a positive here and there, how do we handle that? How do we mitigate that? How do we then keep going, while keeping people safe?

That’s really been our focus: our protocols and procedures for students coming into a safe environment, keeping it as safe as possible, and then mitigating that risk if there is a positive, because frankly there is quite likely to be a positive. It would



Dr. Scott Hummel

be hard to imagine, and I think it would be a little bit fairy tale to think that we’re not going to have a positive at all. There’s no way we can keep everybody completely from it.

This is a very complex process. Unlike many businesses in which you only have two factors to consider: your employees and the customers you may come in contact with, universities have to have protocols and procedures in place for our employees, so our employees have worked as much remotely as possible and we will continue actually going forward. If faculty and staff can work remotely, we’re going to encourage that. That’s one thing on the employee side.

The other thing is related to students, certainly to athletics and events. If we end up planning to have athletics, we may end up having fewer games. We may be forced to spread people out when they come to those games. If we’re facing a potential resurgence, we may not allow fans. So, we actually have a process that’s not just how we’re going to do, but how we’re going to adapt. How will we adapt to a positive test? How will we adapt if we have multiple of those? And we may have to

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HIGHER EDUCATION, CONTINUED

change protocols and procedures in light of changing circumstances. So, we will go into it with protections for our athletic events. We're already going into it with protections for practices and locker rooms and gyms. We're already going to go into it with protections for the classroom.

We're already going to go into it with protections for the dorms. For example, in the dorms, we're going to try to spread students out as much as possible. We plan to have students in single rooms as much as possible, or, if we have a room where we had people tripled, now we're doubled or even singled. Whereas normally for efficiency's sake you want as many students in as few dorm rooms as possible, for this we're prone to spread students out, and actually set aside some space in our residential areas – and we may not need to use it – but if we do, we would set aside space for quarantine area. So, let's say someone comes in contact with someone who tests positive. We're going to want them to quarantine to another area that we already have designated, get them tested as quickly as possible, use the fast testing, so that if they get a negative test they can come back out. Then that space would be available for others who might then have to go back into quarantine.

So, to establish all these things, we have established a task force chaired by Doug Jones (VP, athletics and university initiatives). He is involving people across the university in the areas in which they interact. So, in the classroom and interactive space, involving our academic VP and provost as well as other faculty, in athletics, involving coaches, in the cafeteria, student affairs. So, really, we're getting a very broad range of input that is being managed through this task force that is bringing forth very specific recommendations for very specific procedures and protocols for our campus and our environment. This is all being informed by broader CDC and state guidelines. But those are broad, general guidelines. We're having to make decisions not just for a university setting, but for our setting. That requires this task force working across the university.

Dr. Brian Noland, president, East Tennessee State University: As we look toward the fall, there are a lot of things for which we have planning certainty, but there are unlimited things for which we have planning uncertainty.

It is our hope and intent to bring students back to campus in the fall. We have a committee that has been meeting for the better part of a month reviewing other institutional actions, CDC recommendations and evolving best practices that would allow us to safely return students, faculty and staff for the fall back on campus. The hope is to have students in residence halls.



Dr. Brian Noland



Dr. John Wells

The hope is to have students on grounds. The hope is to do so in a manner that puts safety first. So how do we socially distance a 200-student classroom? We're working through it.

We also have the unique variable of the University School on campus and if you can tell me how we socially distance a kindergarten class, I'd like to know because we haven't figured that one out yet.

So, there are implications here for athletics, for the Martin Center. Every single aspect of the institution is touched. I think you're going to see East Tennessee State University be on-grounds, but with some courses hybrid. Our larger courses may be partially online, partially on-grounds. We have a significant number of programs in the health sciences, so you have the need for those students to work through their clinicals into rotations and all of the experiential learning associated therein. Likewise, for our teacher candidates from the Clemmer College of Education, in order for them to graduate, they have to be in the local K-12 system.

So, there's a whole lot of unknowns as we have about another week before I receive preliminary recommendations from our committee. I'll review those recommendations. Our hope is to bring some of those employees back on campus in June and then be in a position to respond as

conditions in the fall respond.

We may start the semester a little early. We may end the semester a little early. I can't altogether speculate on what that report will give me, but I have a decent sense of the theme.

At this point we are right within the enrollment projections we had originally set for fall semester. Our summer term enrollment is essentially flat. Undergraduate enrollment is up 80, graduate students down about 60. I feel that if we are able to open, that enrollment will be within the projected ranges pre-COVID. But a lot of that is predicated on our ability to reopen. For now, enrollment-wise, I feel pretty good about the numbers.

Dr. John Wells, president, Emory & Henry College: Our first two sessions of summer are online. We are hoping to have a seated, or at least partially-seated session for our third session of summer term, but we're certainly waiting for directives from the governor about what he intends to allow. It would, if we were able to have a seated or multi-modal delivery in that third summer session, give us some time to perfect our protocols headed into the fall.

But we're like everybody else. We're having to wait and be students of this virus to learn as much as we can about it and to see how it plays out. We want to put the health of our students

and our workers ahead of everything.

But that is our goal right now, to have that third session at least partially seated. We'd like to have that opportunity to do a beta test to make sure our protocols and procedures are properly in place for the fall. It would be really helpful.

We are using the administration, the staff and the faculty in planning for the fall term. We have a COVID team meeting three times a week, trying to anticipate everything we can. We have broken it down – because really when you look at the logistics, it is a massive logistical undertaking to really provide a safe space for students, faculty and staff – we have broken it down into subcategories and have subcommittees looking into those. Most of the cabinet sits on that COVID team, so they're hearing the planning as it's taking place.

I'm a strong believer in trying to blur those boundaries so the administration is being part of the planning process and the execution of that planning. Sometimes things get lost between a standing committee and the administrative structure. So, if you can intermingle them, so much the better. Everyone's using the same nomenclature and shares the same outcomes.

Ahead of the COVID virus, Emory & Henry was significantly



Dr. Alexander Whitaker

ahead in its deposits. We were looking really good for the fall. When we made the decision to go off-campus in mid-March, people began taking a wait and see approach. But in the last few weeks, those deposits are beginning to pick back up.

We're closing up the gap with transfer students, and there are a lot of students who are saying they want to stay closer to home. We are seeing that phenomenon. So, students who were going to another college here in Virginia, and even one who was going to a nationally-known liberal arts institution in Ohio, are coming back here, wanting to be closer to home.

Dr. Alexander “Whit” Whitaker, president, King University: We will be returning to campus August 24. People will start coming back to campus two weeks before that. We're looking at the whole list of things we have to do to return.

Philosophically, there are a couple of ways to approach these problems. One is to say, 'let's write down all the potential things that could happen and come up with a comprehensive plan for each one.' I have read that some schools are doing that, and God

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28 VARSITY SPORTS



HIGHER EDUCATION, CONTINUED

bless them for having the resources and the staff that can put together 25 or 30 different contingency plans. I don't think that's particularly helpful or prudent.

I think it's much better to make sure your toolbox is ready for any contingencies, so you focus on the most likely things that could happen, but you have enough nimbleness and flexibility you can respond because you have the right tools in your toolbox to do so.

So, some of the things we're looking at are the gateway to coming back on campus: how do you make sure people are well when they get here? How do you keep them well through good behavior in terms of distancing and how do you space them out in the dining hall? How do we arrange our chairs in our classes? What things are just too dangerous to do? For example, choral practice in a really close room is probably not a smart thing to do right now. All these things we're looking at.

We've gone through every single class we'll be teaching in the fall to see where they're scheduled and what the population is likely to be so we can decide which classrooms will work and which won't. Can we use technology to help reduce the population? We have set aside one whole floor of one residence hall for potential isolation or quarantine use so we have the ability, if we have a sick student or students, or someone who may have been exposed out of the

population, to ensure we hope they can continue their studies right there in their room until they get released.

One of the complicating factors not everyone has thought about is, not only do we have to respond to the county, the state and the federal government, but we also have to respond to our accrediting body. We have to respond to the NCAA and to our athletic conference and we have to be responsive to the strictures that will be in place in the cities and states where we would be playing sports. The layers of regulation and consideration we have to give to every single question are considerable.

The other philosophical approach is: we don't make hard and fast decisions until we have to. Right now, we do not have the knowledge to make certain decisions. We do not know, for instance, the degree to which we will have testing available, the kind of testing it will be, how long the results will take to come back, and whether we can administer tests ourselves. We just don't know if treatment will change the nature of the disease. We don't know a vaccine schedule. So, a lot of things will become clearer as we get to the fall that will dictate how we handle students. **B**

Next month: the extent of the financial hit from COVID-19 and how much relief CARES Act funding is providing, plus a look forward to admissions at a time when high school seniors have missed extra-curricular activities and standardized testing.

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Virginia Highlands Community College to prioritize CTCs for fall on-campus work

by Scott Robertson

Virginia Highlands will enter the fall semester with a greater than normal number of online courses, but plans to offer several course sections utilizing on-campus instruction. Dr. Adam Hutchinson, VHCC president, said, “Obviously, the No. 1 goal is to keep our students, faculty and community safe. So, we’ll follow CDC guidelines and comport with executive orders from the governor’s office, but within the flexibility that offers to us, we would like to be able to offer – and our plan is to offer – some face-to-face instruction with priority on those career and technical education courses (CTCs) that really demand in-person instruction.”

“We know there is a significant population that doesn’t need to come to campus for instruction and under the circumstances, would prefer to not come to campus,” Hutchinson said. “So, we will continue to offer,

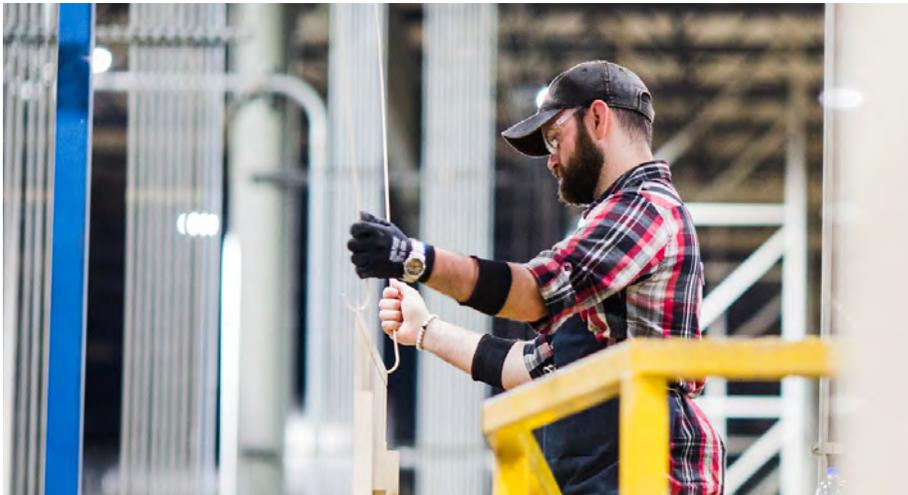


Adam Hutchinson

as we have this summer, a high percentage of online coursework.”

The programs that are most likely to meet on campus are nursing, diesel and welding, Hutchinson said. “You really can’t master the art of welding virtually. So, we’ll have some specialized lab time and we’ll follow CDC protocols as far as classroom instruction, but from what we have learned thus far is a student under a welding hood in a welding booth 10 feet or more away from another student is probably in a pretty safe position, considering he’s wearing a thicker mask than you or I would be wearing at Home Depot.”

Hutchinson said students have responded positively to the plans. “What we expect in the fall is actually equal to or greater than enrollment.”



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Patricia Tymon
Assistant Professor of English



Lee administration issues guidance for higher education reopening in Tennessee

Tennessee Governor Bill Lee announced May 28 the publication of access guidelines for higher education institutions in Tennessee. The guidelines opened with a disclaimer. “Ultimately, decisions related to instruction in Fall 2020 are solely the purview of the governing boards and presidents; this document provides a set of safeguarding protocols for colleges and universities based on the current recommendations of the CDC and OSHA. Nothing in this document should be construed to stipulate or require campuses to reopen in the Fall; rather, it is an advisory document for those that do choose to reopen for on-campus instruction.”

Among the recommendations for faculty and staff protection were daily screenings and no-touch temperature checks, the institution of flexible work hours including online advising and consultation for students, making accommodations for those over the age of 65 or with underlying medical conditions via institutional policy, recommending wearing face coverings and offering PPE for staff and faculty,



Bill Lee

particularly janitorial staff.

Among the recommendations for student protection were daily screening and no-touch temperature checks, altering on-campus residence policies to maximize student distancing, encouraging all on-campus students to remain on campus, limiting the number of off-campus visitors allowed on campus, and contact tracing and isolation of anyone who has come in contact with an individual who has tested positive for the coronavirus.

Institutions were recommended to implement a phased re-opening and to consider shortening the fall term. In addition, institutions were advised of the potential benefits of discontinuing the use of drinking fountains, limiting access to elevators, and limiting events and social activities except where proper social distancing measures can be maintained.

The full recommendations can be found at tn.gov/governor/covid-19/economic-recovery/higher-education-guidelines. 



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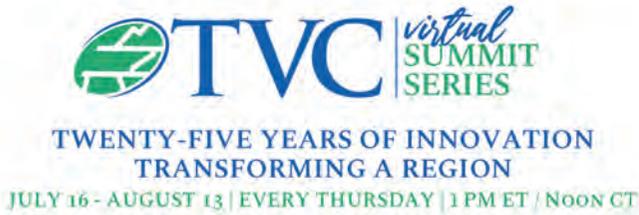
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TVC Summit, originally slated for Milligan University campus, goes online

by Scott Robertson



As large summer conferences remain in doubt amidst continued social distancing recommendations from public health officials, the Tennessee Valley Corridor announced May 7 it is shifting its Annual Summit and 25th anniversary celebration to a series of special online events this summer.

Originally scheduled to be held July 15-16 at Milligan University, the Corridor's Annual Summit will instead convene participants online for a series of weekly Summit sessions beginning Thursday, July 16 for five consecutive weeks. Each session will highlight many of the same speakers, topics and organizations,

but the new virtual format aims to maximize participation during the continued COVID-19 crisis. More details and information on how to participate in the Virtual Summit sessions will be announced soon and available at bjournal.com.

"We will still feature the same outstanding line-up of keynote speakers, expert panels, and highlighted Summit sponsors, but will do so in a series of 90-minute long Summit sessions over five consecutive weeks," said Bill Tindal, TVC Board Chair and Site Manager of the Y-12 National Security Complex. "We regret not being with our hosts Congressman Phil Roe and Dr. Bill Greer at Milligan, but we look forward to featuring them at our first session on July 16."

In addition to Milligan University, Summit sponsors representing northeast Tennessee include Bristol Tennessee Essential Services, East Tennessee State University, Eastman, Nuclear Fuel Services, Tri-Cities Airport and *The Business Journal of Tri-Cities TN/VA*.

Look for details on the virtual summit events in the July issue of *The Business Journal* and online at bjournal.com. 

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Ballad Health calls in Ensemble to fine-tune revenue cycle management

by Scott Robertson

Ballad Health and Ensemble Health Partners announced May 7 a partnership that will bring up to 500 new jobs to the region in the next five years. Around 1,100 Ballad employees in the areas of revenue cycle management will become employees of Ensemble, which has committed to building (or occupying an existing property to house) a service hub in which to expand.

Ensemble will assist Ballad in its transition to the EPIC electronic health records system through October, and will train the 1,100 former Ballad employees to better handle revenue cycle management, with Ballad as their primary customer.

Ensemble, which employs around 5,000 and has hubs in Ohio and North Carolina, is in the process of discussing options for the location of the hub with economic developers from Tennessee and Virginia.

The primary benefit for Ballad in the arrangement is the expected across the board improvement in revenue cycle performance, said Alan Levine, Ballad chairman and CEO. “There’s something to be said, with something in an area that’s as technical as revenue cycle for having somebody for whom that’s what they do every day from start to finish. This is what Ensemble does. They are experts in how to have a highly productive revenue cycle function.”

That cycle begins with the first person who greets patients when they walk in the door and begin providing data, Levine said. “The revenue cycle starts when you register a patient. It involves physician documentation throughout the hospitalization, making sure that you’re capturing all of the data so that you can assemble the charges, calculate what’s the patient portion versus the insurance, get the authorizations, and get the bill out the door.

“Done properly, your patients will know what to expect, and then you’re making sure the processes within the hospital – and this goes all the way into the patient care units – you’re making sure this process supports what you told the patients on the front end, so when the patient leaves and they get a bill, it’s everything they expect. It’s transparent. It’s understandable. They know who to call and what the process is, and you have consistency in that process.”

Levine readily admits it has been a problem area for Ballad in the past. “Our revenue cycle functions literally have not evolved. We have the same revenue cycle processes that we had 20 years ago, basically.”

With Ballad transitioning from Siemens Soarian to the EPIC system between now and October, this was the perfect time to strengthen the bonds between Ballad and Ensemble, the nation’s leading expert on EPIC transitions, Levine said. “A lot of systems, when they have gone live on EPIC, had major cash flow hits after they converted. All of that stuff I mentioned earlier, typically when you convert to a new IT system, there are a lot of nuances that can affect your cash flow. Some of the best health systems in the country see this happening.”

Ensemble, Levine said, has the experience of having led several

successful EPIC transitions. “You want to have a partner who already knows all the different places your revenue cycle is going to be impacted by the conversion, and you want to get ahead of those things so you minimize the experience.

“We looked at Ensemble’s success rate – the hospitals where they had been involved versus regular EPIC conversions without them. Whereas the trend line for hospitals that converted without them all showed a dip in revenue, the systems they advised or where they were managing the revenue cycle, those systems saw no change; in fact, there was an improvement.”

As for the 1,100 employees who will shift to Ensemble’s payroll, Levine said there will be significant benefits. “Part of that is, they will not just be serving Ballad. Their universe will have grown dramatically. So, it’s added job security, their benefits program is actually better, and their incentive programs are better.”

The benefit to Ballad comes through the improved training that the people who handle their revenue cycle functions will have. “Ensemble knows where the weak points are and how to work through those.”

That improvement in institutional knowledge will improve Ballad’s balance sheet by increasing the efficiency of the company’s efforts to collect from insurance companies. “We’re leaving a lot of money on the table with the third-party payors because of the way they are extremely sophisticated about the way they do down-coding, the way they will prior-authorize something and then deny it after we provide the service. So, a lot of this is designed around using Ensemble’s expertise to help us improve our documentation and improve our engagement with the insurance carriers so we properly collect what we’re owed.”

Ensemble will pass the direct costs back through to Ballad, Levine said, but then Ensemble will be incentivized to help Ballad improve its performance based on metrics from patient satisfaction to denial rates to compliance with documentation standards.

“Ensemble has full-time in-house analytics, so they’re looking at insurance company behavior,” Levine said. “If an insurance company starts doing denials for a certain type of procedure, typically they don’t tell us they’re going to do that. They just do it, and we don’t know until we’ve already lost tons of revenue. Ensemble has visibility to almost all of that. So early on, they can come back to us and say, ‘you need to make sure you’re capturing these datapoints in the upstream documentation or you’re going to get denied at the tail end.’”

Levine declined to state what a net benefit to Ballad might be in terms of either dollars or percentages over the course of the deal with Ensemble. “It’s hard to predict right now, because I don’t even know what our volumes are going to be. Once we get a new normal on what volumes are, then we can start making projections as to what the dollars are going to be.” **BJ**

JCDA offers Cantler role as interim executive director

Separation from NeTREP creates questions regarding role and responsibilities

by Dave Ongie



Dianna Cantler

As the Johnson City Development Authority (JCDA) continues to transition into a standalone entity from its previous status as part of the Northeast Tennessee Regional Economic Partnership (NETREP), board

members met virtually May 28 to discuss the possibility of hiring Dianna Cantler as executive director. By the end of the meeting, the board had voted unanimously to extend Cantler an offer to become the interim executive director while work continues to solidify the responsibilities and expectations attached to the permanent role. Cantler previously served as the JCDA director of development.

At the outset of the meeting, board member Tembra Aldridge told the board that Johnson City staff attorney Sunny Sandos had consulted with Steve Willis, the city's director of human resources, and the two shared the opinion that the JCDA was not required to follow the city's policy in regards to advertising and filling its executive director position.

"We are free, basically, to go ahead and make a hire," Aldridge said. "We don't necessarily have to follow the rules at all."

Joe Wise, who represents the city commission on the JCDA board, followed up by sharing his communication with Willis on the matter. Wise stressed that what he heard didn't directly contradict what Aldridge was told, but instead was a case of getting "slightly different answers to slightly different questions."

"What was said to me is that it would be highly recommended to go through an open process," Wise said. "It wasn't a requirement."

As the meeting progressed, concerns arose about the cumbersome nature of the job description for the executive director position, which was reviewed previously by the board during a meeting earlier in the month. Board member Hank Carr echoed those concerns, and cautioned against rushing into an important decision with

much left to be determined in relation to the direction of the JCDA moving forward.

"We may have exactly the right team in place today, but I think we owe it to ourselves to finish things correctly," Carr said. "For me, I believe the interim title is the right solution."

Carr made a motion to hire Cantler on an interim basis that would not extend past Nov. 30. He said his motivation for limiting the interim period was to provide a deadline for the board to establish a clear mission as well as a plan to monitor and measure the performance of the executive director. [B](#)



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Local Business Recovery Fund grants awarded

by Scott Robertson

Officials representing several Chambers of Commerce in the region as well as the Northeast Tennessee Regional Economic Partnership and NETWORKS Sullivan Partnership distributed the first round of grant checks from the Local Business Recovery Fund May 29 – June 4. The first grants to regional businesses struggling from the economic fallout of the response to the COVID-19 pandemic were announced May 21. The grant awards total \$98,650 with \$56,000 going to Virginia companies and \$42,650 going to companies in Northeast Tennessee. In all, 22 businesses were awarded grants.

“In less than a month, we received 217 grant applications from various businesses and organizations through our RegionAHEAD.com application process,” says Andy Dietrich, the organizer of the Local Business Recovery Fund Drive. “Our thanks go out to every person and organization who have made donations thus far. As we have said from the beginning, the number of businesses that we can help is directly correlated to how much we receive in donations. Individuals and companies can still donate. Go to RegionAHEAD.com to do so.”

“I was extremely proud of the work of our allocations committee,” says Beth Rhinehart, president and CEO of the Bristol Chamber of Commerce. “The group took great care in reviewing every allocation in a spirit of fairness and where grant dollars could do the most good in helping the business survive and their impact on the region.”

Local businesses and sole proprietorships that are locally operated are eligible to apply for a grant in Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi and Washington Counties in Tennessee and Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise Counties along with the independent cities of Bristol and Norton in Virginia. Grants are intended for businesses involved in arts, entertainment or recreation, accommodation and food services, retail trade, or the manufacturing sectors.

BrightRidge has been the largest single contributor to the fund, providing two separate tranches of \$50,000. The utility drew praise for allowing the funds to be used throughout the region, not just in its own service area. Jeff Dykes, BrightRidge CEO, says, “Small businesses are the backbone supporting our communities. These locally owned businesses are being significantly impacted by the restrictions which had to be implemented to get the virus under control. The Board and management of BrightRidge believes investing in these businesses to help them get through this stressful time is a part of serving our community. Economic Development is not only bringing new business to our region but also supporting those businesses already here. BrightRidge’s hope is others will see the need of the small businessperson in our area and support the RegionAHEAD initiative.”

The Local Business Recovery Fund intends to have a second review of grant applications and make additional awards during the month of June. Potential donors and small business owners wishing to apply for a grant can learn more about the fund at RegionAHEAD.com. 



Cutline: (L-R) Andy Dietrich of Champion Chevrolet; Tonya Triplett, Abingdon community development coordinator; Jeff Taylor, president and CEO, Greene County Partnership; owner Catherine Elliott; Jayne Duehring, Abingdon director of tourism; and Northeast Tennessee Regional Economic Partnership CEO Mitch Miller at the check presentation for Catering by Catherine, May 29 in Abingdon, Va. PHOTO BY EARL NEIKIRK

Grants to Virginia companies:

- Crisp Family Coach - Tazewell
- Abingdon Vineyards - Abingdon
- High Tides Tanning LLC - Marion
- Play Date dba Play Now - Abingdon
- Salon Bristol - Bristol
- The Gallery/Barr Photographic - Abingdon
- Wise Lumber & Supply - Wise
- Advantage Supply Center - Abingdon
- Catering By Catherine - Abingdon
- Homeslice Cafe & Catering - Abingdon
- Paul’s Fan Company - Big Rock
- Trailhead Lodging - Bluefield
- Universal Crane & Construction - Big Rock

Grants to Tennessee companies:

- Best Uniform Center - Kingsport
- Express AV LLC - Bristol
- Hair Additions, - Johnson City
- Jump TN LLC - Greeneville
- Pine Street Hospitality - Johnson City
- Appalachian Light & Production - Telford
- Nolichucky Gorge Campground - Erwin
- Union Street Taproom - Erwin
- We Run Events LLC - Bristol

Investment in clinical pharmacists allows SoFHA to elevate patient care



Even the best primary care physicians are on a tight schedule, which can sometimes make a routine appointment feel like a whirlwind experience for a patient.

When a doctor makes a diagnosis and prescribes a new medication, there often isn't time to explain how the new medicine works and what side effects the patient may experience. So a doctor may often leave the exam room brimming with confidence, leaving behind a patient harboring uncertainties about whether they want or even need to take the new medication.

This lack of clear communication can lead to a disconnect between the doctor and patient, and that disconnect has the potential to lead to serious medical consequences.

According to Dr. David Moulton, director of quality for State of Franklin Healthcare Associates, a doctor who assumes his or her patients are taking their medications as prescribed has a 50-50 chance of being right.

"The assumption is correct 50 percent of the time, and you can't predict which 50 percent are not going to take the medication," Moulton said.

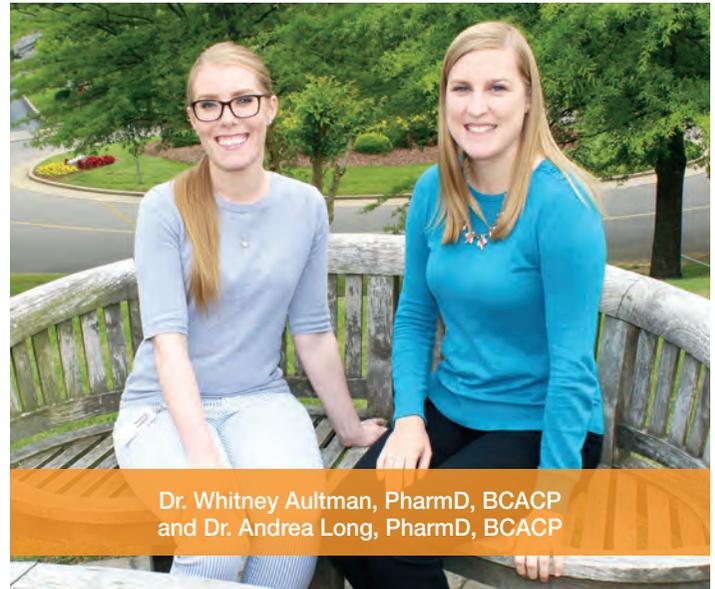
With that in mind, SoFHA has made the significant investment of adding clinical pharmacists to the team of professionals responsible for patient care. This was done with the goal of eliminating problems that can arise when patients either aren't taking medications prescribed to them or taking those medications in an irregular manner.

In addition to a traditional four-year pharmacy program, clinical pharmacists have the added experience that comes with a two-year residency, which includes hands-on work with patients in a hospital or clinical setting. That valuable layer of training provides clinical pharmacists with a unique skill set that allows them to assess how medications are working and address concerns patients may have about a particular drug.

SoFHA brought its first clinical pharmacist on board in 2007 when Dr. Rick Hess began working with patients at Johnson City Internal Medicine Clinic, SoFHA's largest adult clinic. Hess specializes in treating diabetes, which is prevalent in our area. Hess is Board Certified in Advanced Diabetes Management, a Certified Diabetes Educator, and Certified Insulin Pump Trainer.

At the time, SoFHA was in the process of establishing a culture that emphasized building teams to care for patients. Traditionally, patient care was a linear relationship between a patient, a nurse and a doctor. But SoFHA began to reimagine that model as one where several professionals with specialized areas of expertise were all able to feed useful information to the doctor, and Hess emerged as a very valuable spoke in a wheel that includes nurses, social workers, case managers and dietitians.

As the data began reflecting the positive impact Hess was having on patient care, demand for his services increased, and more clinical pharmacists were added to keep pace with that demand. At first, clinical pharmacists operated out of a nationally recognized diabetes clinic and focused primarily on managing that particular disease state. But moving clinical pharmacists into a shared appointment model and allowing them to consult with patients about more general concerns



Dr. Whitney Aultman, PharmD, BCACP
and Dr. Andrea Long, PharmD, BCACP

about medications has paid huge dividends. Inserting a clinical pharmacist into a traditional doctor's visit has helped fill a major gap that existed previously. While primary care physicians and nurses are forced to multitask, a clinical pharmacist can lock in on the medication piece of the puzzle and address problems and concerns that often go undetected if a clinical pharmacist is not involved in the process.

"When you put those three things together, you get what we call a shared medical visit where you really can start to understand their disease state, the medicines they're taking, and, if they're having problems, how to adjust the medicines," Moulton said. "If you don't have all those components, and they are having problems, how are you going to choose how to change their medical regimen and predict that they're going to do well?"

Generally, a clinical pharmacist will meet with a patient for 15 to 20 minutes before the doctor comes into the exam room. When the doctor arrives, he or she will be armed with valuable information from the clinical pharmacist that paints a more complete picture of the patient's current health.

"I would say 50 percent of the time they have found something of significance that leads to a more honest discussion with the patient," Moulton said.

Predictably, this investment in clinical pharmacists has allowed SoFHA to stand out from the crowd when it comes to medication adherence, a crucial and demanding metric put in place by insurance providers. Last year SoFHA received 5 out of 5 stars from all three Medicare Advantage Plans for medication adherence for diabetes and hypertension medications and received two 5-star ratings and one 4-star rating for medication adherence for cholesterol medications.

SoFHA prides itself in developing, nurturing and refining a culture of preventative medicine and ownership of patient health, and this substantial investment in clinical pharmacists represents another substantial step forward for the provider group. 

New Peoples Bankshares lays off 25-30

Honaker, Va.-based New Peoples Bank announced in May it has laid off 12 percent of its workforce, which according to data collected for the 2019 Book of Lists represents 25-30 employees. The company said in a release that New Peoples Bankshares would realize a pre-tax savings of around \$1.59 million from the move. That figure would be somewhat offset by one-time costs including severance and assistance for health insurance of an estimated \$358,000.

“The company believes that while such changes are difficult, especially given the close relationships with team members and their service to the bank and its customers, they are necessary to achieve the long-term goals of the company and the bank, and to proactively address operational challenges during the current COVID-19 pandemic and in a changing financial services industry,” the release said.

“While we are excited to move forward, we also want to focus on thanking our employees for their dedicated service to the bank and our customers,” said Todd Asbury, president and CEO. “The restructuring announced today is part of an overall plan to position the Bank competitively within the ranks of high-performing community banks in the southeast; improving our customer experience, the financial performance of the institution and ultimately the return to shareholders. We deeply appreciate the support of all our stakeholders during the

planning and implementation of these investments to position the bank for the future.”

New Peoples Bankshares year-over-year first quarter earnings dropped 89 percent from 2019 to 2020. The bank’s total assets have declined over the previous 12 months.

Bristol, Va., city council selects Hard Rock, United Co., and Par Ventures to run casino



The citizens of Bristol must still approve the location of a casino within their city limits in a Nov. 3 referendum, but if they do, the city plans to move forward with Hard Rock International

as its operator. The city council voted unanimously in favor of Hard Rock at its May 26 meeting. In a press release following the meeting, Hard Rock said, “Between today and November 3, we will work hard so that Bristol, Virginia voters are fully-informed on this project and understand the significant ways in which it will benefit our community.”

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IF YOU NEED HELP.

You can apply for a special grant from the fund. Small businesses and sole proprietorships in the arts, entertainment and recreation, accommodations and foodservice, retail trade and small manufacturers.

The fund is for businesses located in Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi and Washington Counties in Tennessee and Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise Counties along with the independent cities of Bristol and Norton in Virginia.

HOW DO YOU APPLY FOR A GRANT?

Go to **RegionAHEAD.com** and complete your grant application and submit it for review.

WHO WILL REVIEW MY GRANT APPLICATION?

An Allocation Committee, made up of regional economic development, bank and CPA officials will review every grant application to determine which businesses will receive a monetary grant. Funds will be disbursed beginning in May.

Donate To The Fund. Apply For A Business Grant Today At RegionAHEAD.com



The law firm of Baker Donelson has elected 15 new shareholders, including **R. Andrew Hutchinson** of the firm's Johnson City office. A member of the firm's Labor & Employment Group, Hutchinson concentrates his practice in the areas of labor and employment law and commercial litigation. He advises employers on a wide range of employment-related and general business topics and has experience in mediating, arbitrating and litigating claims based on the Civil Rights Acts, FMLA, ADA, ERISA and state-specific employment laws. Additionally, Hutchinson has worked extensively with banks and special servicers in wide-ranging commercial mortgage-backed security matters including foreclosure, receiverships, defense of borrower litigation and guarantor recovery.



Andrew Hutchinson

Hutchinson has been named a Rising Star by Mid-South Super Lawyers and has twice been a recipient of the Legal Aid of East Tennessee Pro Bono Attorney of the Year Award. A graduate of the University of Memphis Cecil C. Humphries School of Law, he is a member of the American and Washington County Bar Associations and serves on the Federal Practice Section Executive Council of the Tennessee Bar Association.

Steven H. Trent, managing shareholder of Baker Donelson's Tri-Cities office, said "Drew exemplifies the standard of superior client service that our Firm continually strives for and has shown

himself to be a driven leader who contributes meaningfully to the Firm and his community. We're proud to congratulate him as part of an impressive group of attorneys from across Baker Donelson who have been elected as our newest shareholders."

F. Brad Denardo, chairman, president, and CEO of National Bank, is pleased to welcome **Philip P. Deel** as vice president and commercial loan officer at the Bank's Abingdon, Va., office.



Philip Deel

A native of Clintwood, Virginia, Deel brings 20 years of banking experience in the greater Abingdon area and east Tennessee to his new position. Deel is a graduate of Radford University's College of Business and Economics and currently attends the Virginia Bankers Association's School of Bank Management.

Denardo said, "Philip is a dedicated community banker and we are very fortunate to have him join us. His focus on relationship building and the individual financial needs of his clients makes him a great fit for National Bank. He will be a real asset to our customers and to the community."

Deel is a board member of the Johnston Memorial Hospital Foundation, a member of the Washington County Chamber of Commerce, and was a former volunteer with the Everfi financial literacy program in Washington County. He currently resides in Abingdon with his daughter, Lindsay. 

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PPP Loan forgiveness and the ongoing quest for clarity

by Tommy Greer

The PPP Loan Forgiveness Application that will be submitted to lenders is finally out and can be found online. This application has four parts with only 1 and 2 required to be submitted to the lender:

- (1) the PPP Loan Forgiveness Calculation Form;
- (2) PPP Schedule A;
- (3) the PPP Schedule A Worksheet; and
- (4) the (optional) PPP Borrower Demographic Information Form.

The application also includes a page of certifications to sign and four and a half pages of instructions providing some clarity, but some significant questions still remain. Below are some highlights.

Payroll costs incurred and/or paid

1. The borrower with a bi-weekly (or more frequent) payroll cycle may elect to use for payroll costs only, an alternative eight-week period, that more aligns with their payroll schedule – Alternative Payroll Covered Period (APCP). This period begins on the first day of the first payroll cycle after loans funds are disbursed.

2. Payroll costs paid or incurred during covered period or APCP are clearly eligible for forgiveness

3. Payroll costs incurred during the last pay period are included if paid on or before the next regular payroll date even if that is beyond the eight-week period

4. Payroll costs can include pay to employees who are not working

5. Payroll costs can also include payments to furloughed employees; bonuses; or hazard pay

6. Total amount of cash compensation eligible for forgiveness for any individual employee cannot exceed \$15,385

7. Owner-employees (corporations) cash compensation includes employer retirement and health care payments made on their behalf capped at the lesser of \$15,385 or 2019 cash compensation and

8. No additional forgiveness is provided for retirement or health insurance contributions for self-employed individuals, including Schedule C filers and general partners, as such expenses are paid out of their net self-employment income.

Nonpayroll Costs

Eligible nonpayroll cost must be paid or incurred during the Covered Period and paid on or before the next regular billing date, even if the billing date is after the Covered Period.

FTE calculation clarified

SBA has clarified that a full-time equivalency (FTE) employee will be calculated based on a 40-hour workweek. Borrowers are allowed a simplified calculation method option if they choose, to assign 1.0 to employees who work 40 hours or more and 0.5 to employees who work fewer than 40 hours. FTE reduction exceptions exist for situations in which an employee declines a borrower's good-faith, written offer to rehire, and for employees

(a) that voluntarily quit, (b) were fired for cause, or (c) voluntarily requested a reduction in hours. If the employee declined the borrower's offer to rehire, the borrower is to inform the applicable state unemployment insurance office of such employee's rejected offer of reemployment within 30 days of the employee's rejection of the offer.

Wage Reduction Rule

For the wage reduction calculation, the SBA has clarified that borrowers should compare the average annualized wages (not the total paid wages) or hourly rate of the relevant employee in the first quarter of 2020 against those paid in the covered payroll period or alternative covered payroll period. Any employee that made more than \$100,000 on an annualized basis during "any single pay period" in 2019 is excluded from this calculation.

Certifications and Documentation

There is a full page of certifications and documentation requiring the borrower to certify, among other things, that (a) funds were used to pay costs that are eligible for forgiveness, (b) the loan was used for authorized purposes, and (c) the information and supporting documents are true and complete in all material respects. Borrowers will be required to maintain documentation, including documentation supporting the necessity of their loan request and eligibility for six years after the loan is forgiven or repaid in full.

Paycheck Protection Program Flexibility Act

Just as this was going to press, the U.S House of Representatives passed a bill titled the Paycheck Protection Program Flexibility Act, which:

- extends the time in which businesses must use the funds from eight weeks to 24 weeks
- amends the 75/25 rule for how much businesses must spend on payroll versus non-payroll costs in order to attain full forgiveness to 60/40
- pushes back the deadline to rehire workers from June 30 to Dec. 31, 2020
- extends the two-year term for the loans to five years.

The Trump administration has stated it supports expanding the eight-week period, but the Senate version of the bill as currently written only extends the period to 16 weeks versus the House bill's 24. There's current word on overruling IRS's stance that expenses paid with PPP funds are nondeductible.

The Senate still must pass its bill, and any differences between that bill and the House Paycheck Protection Program Flexibility Act must be reconciled in joint committee before heading to the White House for the president's signature.

In conclusion, it does seem everyone, except the IRS, is working together to try to make the PPP more borrower friendly.

Tommy Greer is a partner at Blackburn, Childers & Steagall, PLC.

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