

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MARCH 21, 2017 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on March 21, 2017, in the Commission Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 5 p.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

Brownie Newman, Chairman
Ellen Frost, Vice Chair
Joe Belcher, Commissioner
Mike Fryar, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager; HHS Director; Jon Creighton; Assistant County Manager/Planning Director; Tim Flora, Finance Director; Robert Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

PLEDGE OF ALLEGIANCE

Scouts from Troop 53 helped to lead the pledge.

INVOCATION

The Chairman asked for a moment of silence for the situation surrounding the opioid crisis for those affected and addicted.

The Chairman read the ethics reminder confirming that no one had any conflicts with any item on the agenda of this meeting.

PUBLIC COMMENT

Joyce Utley spoke for underrepresented students. She said that many students are not treated equally. She had worked as a diversity coordinator at AB Tech and cared about equity for students.

Jerry Rice said that nonprofits should not be funded and he complained about the funding for the school system. He felt that special kids were not taken care of adequately and that that the schools should be held accountable.

CONSENT AGENDA

Vice Chair Frost moved to approve the consent agenda as presented. Commissioner Belcher seconded and the motion passed 7-0.

- **Approval of the Minutes of the March 7, 2017 Meeting**
- **Ordinance Amending Chapter 54 "Parks and Recreation" of the Code of Ordinances**
- **Approval of Naming of Unnamed Creek "Gibson Creek"**
- **Resolution Awarding Service Firearm to a Retiring Deputy with the Sheriff's Department (Sweezy)**
- **Resolution Awarding Service Firearm to a Retiring Deputy with the Sheriff's Department (Michalove)**
- **Coats Civil Penalties for Violation of the Watershed and Flood Plain Ordinances**
- **Solid Waste Capital Projects Ordinance**

NEW BUSINESS

- **Opioids Update**

Jim Holland, Health and Human Services, recognized the folks that had worked on this effort including Sonya Greck, Mission Health; Blake Fagan, Physician; Roger Banks, EMS; Sheriff Van Duncan; Tammy Shook, DSS Division Director; and Craig Martin from VAYA Health. Mr. Holland gave a power point presentation that is attached to the minutes of this meeting that included updated data on the impact of the use of opioids; a media campaign along with what they were asking the County to do.

Vice Chair Frost questioned why physicians continued to prescribe these drugs. Sonya Greck with Mission Health said that physicians were told they had an obligation to address pain management and now there has been a shift from that kind of thinking. She said that there are different strategies that are used in pain management and withdrawal.

Dr. Blake Fagan said that physicians and dentists are being educated about how to appropriately prescribe these drugs and it is a big cultural change for older physicians. Yaya Health will take the lead in educating the medical community in the region. He said that one of the areas of education will be with MAHEC and all their education programs.

Mr. Holland said there is a model from across the country that allows a paramedic to follow up with someone who almost died to try and get them into a rehab services. He requested the County fund the addition of community paramedics that would be able to follow up. The cost would be \$95,000 for each position. He also suggested holding town hall forums on this issue and have commissioners join these forums. Mr. Holland said that they were proposing, for FY18, a media saturation program with an emphasis on resources and he asked for \$100,000.

Commissioner Belcher suggested using billboards in specific places. Mr. Holland said that a multipronged approach through prevention and intervention.

Roger Banks, EMS Supervisor, said that the impact of overdose calls is the lives we are losing. He said that the toll on the lives effected are on the crews that deal with the deaths from overdose. He said that in the last two months there had been 88 responses for overdose calls and in all of calendar year 2015 there were 70.

Mr. Holland said there were 154 babies born to addicted mothers in 2015. They are trying to keep mothers together through the delivery by building facilities to house these families together. They have secured the 14 beds and want to put that into the budget in a facility that will be ready in September. He asked the Board to fund a model that says foster care payments will follow the child and mother. This would require a state level policy change including making mothers eligible for Medicaid for long-term treatment. He summarized the request to include: \$300,000 for three paramedics in a pilot study for one year to follow up with overdoses; \$100,000 media campaign; \$355,000 for the rehab facilities; \$55,000 for peer support.

Vice Chair Frost moved to direct that this be included in the FY18 budget. Commissioner Whitesides seconded the motion.

Commissioner Beach-Ferrara moved to amend the motion to bring back a budget amendment on April 4 to cover a portion of three paramedic positions in the FY17 budget with the remainder in the FY18 budget and to hold the 14 beds for mother/babies housing and to budget the media campaign funding. Commissioner Belcher seconded this amendment.

Commissioner Belcher asked to have updates on this regularly.

Phyllis Utley thanked the Board for the information.

A veteran spoke about using drugs that were prescribed instead of getting needed treatment.

Jerry Rice said he felt the Board was too emotional and too shallow in their thinking. The hospital should be putting up money as well. He said that the doctors are to blame and the taxpayers should not be paying for the mistakes of the doctors. Hospitals should be doing the advertising.

The motion as amended passed 7-0.

- **Five Year Strategic Plan on Homelessness**

April Burgess-Johnson, Chair of the Homelessness Initiative Advisory Committee, gave a power point presentation outlining the history and the five year strategic plan to prevent and end homelessness in the County. They have created a five year strategic plan focusing on housing, case management, safety, health care, education, employment, transportation, and diversion.

Ms. Burgess-Johnson asked that the Board adopt the strategic plan.

Michael Woodson with the Rescue Mission said education and jobs are the key to prevention of homelessness. He said that 78 percent of those at the rescue mission are working or going to school.

Commissioner Belcher moved to support the plan as presented. Vice Chair Frost seconded and the motion passed 7-0.

- **School Capital Fund Commission Project Approval**

Tim Flora, Finance Director, presented the School Capital Fund Commission's recommendation for school capital projects that were included in a budget amendment attached to the minutes of this meeting. He asked that the Board approve the School Capital Fund Commission recommendations for FY18 and FY 19.

Greg Isreal said that all the requests for maintenance are needed and he felt comfortable with doing these projects.

Vice Chair Frost moved to approve the recommendations as presented. Commissioner Whitesides seconded.

Jerry Rice said that spending the money should be about need and not want. He questioned the amount of money spent on schools.

Phyllis Utley spoke about a racial equity institute that she was a part of recently.

Dr. Bobby Short thanked the Board for the consideration of the need and letting them be a part of the process.

The motion passed 7-0.

- **Lighting Ordinance Review**

Commissioner Pressley said that as a new Commissioner he was not here in 2012 when the lighting ordinance was passed and he was concerned about some of the requirements in the ordinance. He asked for some clarification on the lighting recommendations.

Jon Creighton, Planning Director, said that everything prior to passing the ordinance was grandfathered. Dusk to dawn lighting was not; all new construction has to comply with the ordinance. Duke Energy is currently changing street lights to LED and shielded. He said that the ordinance was complaint driven and if someone complained it will be changed on the dusk to dawn only. Duke was changing out about 10,000 dusk to dawn lights.

Commissioner Belcher said that he did not understand the ordinance, felt it was too subjective and had a problem with it being complaint driven. He wondered if reducing lighting reduced security and if that would be a liability for the County.

Commissioner Fryar said that this ordinance was costing businesses money and reducing security based on the implementation of the ordinance. He said that the Planning Board's recommendation was not followed in 2012 but a special interest group's recommendation.

Commissioner Fryar moved to send this back to the Planning Board. Commissioner Belcher seconded the motion. Vice Chair Frost said that Gene Bell with the Housing Authority said he was comfortable with the lighting.

Bernard Aurgurie said that this is a simple ordinance and he does not know of any complaints. The City's ordinance had already been implemented with no complaints and that the Sheriff's Department was in favor of the lighting. He said that the number one complaint from the City was dusk to dawn security lights.

Rich Wash lives on a dirt road in the Weaverville area; he said that if a neighbor had a light, he would want it shielded.

Dominic Lestener was in favor of a strong ordinance. He felt that light could be a trespasser and he wanted security but not trespassing light and he endorsed the light shields.

Elizabeth Pace talked about a terrible bright light that shines all night and how it could disrupt someone's life.

Ken Braine said that the County's ordinance helped him work out a light pollution problem allowing him protection and he was in favor of it.

Commissioner Pressley said that he could not believe that law enforcement did not want more light. He felt that darker was not safer.

The Chairman said that this is a good discussion but he felt that the ordinance was good and he would want it to continue as it is.

The motion failed as follows:

AYES: Commissioners Fryar, Pressley and Belcher

NOES: Chairman Newman; Vice Chair Frost; Commissioner Beach-Ferrara; Commissioner Whitesides

Vice Chair Frost moved to go into closed session pursuant to 143-318-11a3. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

CLOSED SESSION

The County Attorney presented examples of litigation by counties to recover local government costs associated with the opioid addiction, and discussed various legal issues which might arise in the course of such litigation. The County Attorney will continue to monitor what is occurring in this area of law and report to the Board periodically. No action was taken.

Vice Chair Frost moved to return to open session. Commissioner Belcher seconded and the motion assed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcement and adjourned the meeting:

- *April 4 -- 5 p.m. Regular Meeting Board of Commissioners in Room 326 @ 200 College Street in downtown Asheville*

Vice Chair Frost moved to adjourn the meeting. Commissioner Whitesides seconded and the motion passed 7-0. The meeting was adjourned at 9 p.m.

