

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF NOVEMBER 5, 2019 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on November 5, 2019, 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
Jasmine Beach-Ferrara, Vice Chair
Joe Belcher, Commissioner
Amanda Edwards, Commissioner
Mike Fryar, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Donald Warn, Finance Director; Jennifer Barnette, Budget Director; Jennifer Pike, Tax Collector; Stoney Blevins, Health and Human Services Director; Rachael Nygaard, Strategic Partnership Director; Tim Love, Business Officer; Nathan Pennington, Planning Director; Dane Pederson, Solid Waste Director; Josh O'Conner, Recreation Services Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney; Heather Hockaday, Attorney

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman recognized the upcoming Veterans' Day holiday and asked for a moment of silence for all the men and women that served our Country.

Commissioner Fryar asked for a prayer for the passing of the Waste Pro employee, Cody Gillespie that lost his life on the job.

CONSENT AGENDA

Commissioner Belcher motioned to approve the Consent Agenda as presented and the remainder of the agenda. Commissioner Whitesides seconded and the motion passed 7-0.

- Approval of October 10, 2019 Special Meeting Minutes
- Approval of October 15, 2019 Pre-Meeting Minutes
- Approval of October 15, 2019 Regular Meeting Minutes
- Commercial Donation to Benefit Children in Foster Care
 - More Information
- Resolution Authorizing Temporary Easement in Connection with Lee Walker Heights Redevelopment
 - Resolution
 - Temporary Easement
- Tax Collection Report
- Request to Waive Occupancy Tax Penalty - Hill House Bed & Breakfast
 - More Information
- Budget Amendment - Request to Combine Building Exterior Repair Projects
 - Ordinance
- Budget Amendment - 2019 Byrne Justice Assistance Grant Award
 - Ordinance
 - More Information

PRESENTATIONS

- **Adoption Awareness Proclamation**

Commissioner Edwards read and presented the proclamation to Stoney Blevins, Health and Human Services Director. Mr. Blevins stated the importance of serving the children and adoption. He also introduced some key staff members and adoptive parents.

- **Medicaid Transformation Overview**

Stoney Blevins, Health and Human Services Director, explained some of the components of the overview. One area of change is the sign-up for the health insurance plan through Medicaid Direct, which is fee for service and moving to a pre-paid service. Meetings in the community will be provided to explain the service changes. Matt Cable, Planning Manager, presented a summary of the transportation provided by Land of Sky through Mountain Mobility.

- **Financial Quarterly Report**

Don Warn, Finance Director, presented the first quarter report with the County at 11.9% of budget.

PUBLIC HEARINGS

- **Satta Rezoning Request**

Joshua Freeman, Planning Manager, presented the request, stated that the request was consistent with the comprehensive plan and was unanimously approved by the Planning Board. The area would move from R-2 Residential to CS-Commercial Service at the addresses of 2586 and 2592 Hendersonville Road (US Highway 25).

The Chairman opened the hearing at 5:43 p.m.

Terry Peterson stated that the property was complicated to sell because the zoning is not consistent with surrounding area.

The hearing was closed at 5:45 p.m.

Commissioner Belcher moved to adopt the plan consistency statement. Commissioner Pressley seconded the motion and it passed 7-0.

Commissioner Belcher moved to approve the rezoning request. Commissioner Whitesides seconded the motion and it passed 7-0.

OLD BUSINESS

- **Guidelines for the Funding of Non-Profit Agencies**

Rachael Nygaard, Strategic Partnership Director, stated that a presentation on the guidelines was provided during the previous meeting and the Board would now consider the updated process and refine the resolution on guidance for non-profit funding. The Board discussed the funding across districts and how to provide the most effective way to accomplish district funding.

Vice Chair Beach-Ferrara moved to approve updates to Strategic Partnership Grants Process as presented: (A) Timeline, Budget, Projects & Eligibility and (B) Grant Committee, Review & Criteria. Commissioner Belcher made a friendly amendment with wording to include that the committee will have diverse representation across geographic regions.

Cindy McMann supported updating the process that will create a higher level of equity.

Robin Marell welcomed the accountability and had questions related to some specific details.

Don Yelton suggested that non-profit agencies open their books to the County.

Jerry Rice expressed concerns of agencies being funded on multiple occasions through different County projects or departments.

A few commissioners stated their concerns with the process timeline and the construction of the committee. After explanation from staff and further conversation, understanding of process details was formed.

Commissioner Edwards seconded the motion and it passed 6-1. (NOES-Fryar)

Vice Chair Beach-Ferrara moved to approve the resolution establishing refined guidelines for the funding of non-profit agencies. Commissioner Edwards seconded the motion and it passed 7-0.

NEW BUSINESS

- **Internal Audit Bonus Approval Request**

Trisha Burnett, Internal Audit Director, explained that request was retroactive and used to pay an employee that served in an interim role without adjusted compensation.

Commissioner Pressley moved to approve the request. Commissioner Whitesides seconded the motion and it passed 7-0.

- **ART Leicester Highway Transit Extension**

Matt Cable, Planning Manager, explained that this item was a part of the City of Asheville Transit Master Plan and a request for County funding of \$28,934. The proposed extension is a two mile loop with four additional stops that is being considered as an update to the original plan.

Commissioner Belcher moved to approve the rescinding of funds to support the extension for the period as described. Commissioner Edwards seconded the motion and it passed 7-0.

- **Solar Request for Proposals**

Jeremiah LeRoy, Sustainability Officer, stated that he presented the study of installing solar systems on County facilities during a previous pre-meeting. He informed the Board that additional facility sites were added by AB Tech and the school systems. The solar canopy option is not being considered due to cost effectiveness and the lack of space.

Students and staff from local education institutions expressed their support for the agenda item and provided petition signatures in support as well.

Maeve Goldberg provided 570 signatures.

Spencer Terry provided 218 signatures.

Olivia Steinke provided 56 signatures.

Benjamin Harvey provided 93 signatures.

Tallis Monteiro provided 100 signatures.

Harbin Nedrick provided 104 signatures.

Myra Harvey provided 189 signatures.

Eric Bradford provided 104 signatures.

Will Harlan provided 130 signatures.

Judy Mattox provided 2,293 signatures.

Sally Tims stated her support for clean energy.

Alice Lyons expressed her support and appreciation of the students.

Chole Moore stated support and explained climate crisis information.

Don Yelton questioned the agenda item and stated that false information on solar is being presented to students.

Nate Olkawitz supports the request for proposals and stated that money should not be an issue.

Chairman Newman moved to approved to allow staff to issue the joint RFP for solar construction. Vice Chair Beach-Ferrara seconded the motion and it passed 6-1. (NOES-Fryar)

- **Waste Pro Contract Modifications**

Dane Pedersen, Solid Waste Director, and Chip Gingles, Waste Pro, provided the update on the residential waste collection contract that was presented at the earlier pre-meeting. A citizens' contact analysis of reported questions and issues was consolidated to inform Mr. Pedersen and Waste Pro of areas that need addressing. Some new contract options, such as bear-proof cart leasing and trade-in programs, are being considered to help some customers. Michael Frue, Senior Staff Attorney, provided the specific contract changes and explained the request for proposals details. Commissioners had additional questions and received answers related to the contract modifications.

Commissioner Belcher moved to approve the modifications with the addition of a review of the process on the date of April 1, 2020 and language to include that rebates for residential tonnage will remain at the current rate during the initial term and may be renewed for any renewal terms of the contract.

Terry Finch expressed condolences for the death of the Waste Pro employee and stated that she does not support the contract and it negatively affects County residents.

Don Yelton suggest that the Board get legislation to treat waste trucks like service vehicles for the safety of workers. He also stated that it is too much politics on the Board.

Justin McVeigh supports the bear-proof carts.

Meg Trevidge disapproved of the increase fee to get premium service because it is hard to move the carts.

George Trevidge stated that the bears are smart and find ways to get into regular trash cans.

Sarah Rankie expressed issues with cart transport and putting the carts right by the road.

Commissioner Pressley seconded the motion and it passed 7-0.

BOARD APPOINTMENTS

Commissioner Belcher moved to appoint **Linda Weldon Jesus** and **Amadeo Valdez** to the **Health & Human Services Board**. Commissioner Whitesides seconded and the motion passed 7-0.

Commissioner Pressley moved to reappoint **Andy Ball** and **Dorothy Cordell** to the **County Board of Adjustment**. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Edwards moved to appoint **Paula Elder** and **Sarah Erdahl** to the **Women's Commission**. Commissioner Whitesides seconded and the motion passed 7-0.

PUBLIC COMMENT

Vickie Mead thanked the Board for approving the ART Leicester Highway Transit Extension because it is needed.

Don Yelton stated that the Board need to look closely at the strategic goals as relates to non-profit funding and read the Waste Pro contract thoroughly.

Dasia Harris expressed issues and concerns with the Crossroads Development plan.

Jerry Rice stated issues with Waste Pro making multiple trips in neighborhoods where little trucks are employed. He also stated that it was hard to hear some staff presentations.

Kate Millar stated that the Crossroads Development project is a major issue and too big.

ANNOUNCEMENTS

The Chairman made the following announcements:

- ~~November 15 @ 8:30 a.m. - Strategic Planning Workshop at 200 College Street, 1st Floor Conference Room in downtown Asheville. Canceled~~
- *November 19 @ 3 p.m. - Commissioners' Pre-Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *November 19 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Belcher moved to go into closed session pursuant to NCGS 143-318.11(a) (4) to hear two economic development matters with no possible action anticipated following the closed session. Commissioner Edwards seconded and the motion passed 7-0.

CLOSED SESSION

The Board heard the update and had discussion regarding the previous economic development matters. No action was taken.

Commissioner Pressley moved to go back into open session. Vice Chair Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Edwards moved to adjourn the meeting. Vice Chair Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 9:38 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS