

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF MARCH 17, 2020 AT 5 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on March 17, 2020, 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, Commissioner  
Joe Belcher, Commissioner  
Amanda Edwards, Commissioner  
Anthony Penland, Commissioner  
Robert Pressley, Vice Chair  
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; Sharon Burke, Human Resources Director; Stoney Blevins, Health and Human Services Director; Drew Reisinger, Register of Deeds; Taylor Jones, Emergency Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Business Officer; Josh O'Conner, Recreation Services Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

The Chairman requested a moment of silence for the individuals and organizations working together to get through the unique challenge of COVID-19 (coronavirus).

## **CONSENT AGENDA**

Commissioner Whitesides motioned to remove **Asheville Buncombe Regional Sports Commission – FY20 Update** from **Presentations, Occupancy Tax Discussion** and **Consideration of a Local State of Emergency Declaration/COVID-19** from **New Business**, and add **Resolution Designating Deputy Finance Officers** and **Resolution Suspending Certain Policies During Local State of Emergency to New Business**, and approve the Consent Agenda as presented and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 7-0.

- Approval of March 3, 2020 Regular Meeting Minutes
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department
  - Jonathan Scruggs

## **PRESENTATIONS**

- ~~Asheville Buncombe Regional Sports Commission – FY20 Update~~
- **COVID-19 (Coronavirus) Update**

Dr. Mullendore, Physician Director, and Fletcher Love, Preparedness & Security Officer, provided an overview about the activities and considerations as they relate to the coronavirus (COVID-19). Governor Cooper has mandated that all public schools close and restaurants/bars prohibit dine-in access. The County has setup an Emergency Operation Center (EOC).

## **PUBLIC HEARINGS**

- **Resolution Authorizing to Refund Overpayment of Excise Taxes - City of Asheville**

Michael Frue, Senior Staff Attorney, explained the process of the refunding the excise taxes that was inadvertently paid by the City of Asheville in the amount of \$950.00.

The Chairman opened the hearing at 5:22 p.m.

The hearing was closed at 5:23 p.m.

Commissioner Belcher moved to approve the resolution as presented. Vice Chair Pressley seconded the motion and it passed 7-0.

## **COUNTY MANAGER'S REPORT**

Sharon Burke, HR Director, made a presentation and answered questions related to Paid family Leave. She stated that County had done research on the program and is interested in providing the program to the employees. Commissioners were excited to hear about this benefit for County employees and looked forward to discussing the topic at a future meeting.

## OLD BUSINESS

- **MEDIC Franchise Agreement Update**

Taylor Jones, Emergency Services Director, explained that MEDIC agreement will expire at the end of the month and both parties will work towards a convalescent franchise agreement for the future. No action was required by the Board.

## NEW BUSINESS

- **Resolution Designating Deputy Finance Officers**

Don Warn, Finance Director, stated that the resolution will be temporary during the state of emergency declaration and allow for more Finance Department staff sign off on documents.

Commissioner Beach-Ferrara moved to approve the resolution as presented. Commissioner Whitesides seconded the motion and it passed 7-0.

- **Resolution Suspending Certain Policies During Local State of Emergency**

Michael Frue, Senior Staff Attorney, explained that the resolution will temporarily suspend policies for the Tax Department and Register of Deeds to allow for fewer personal interactions.

Commissioner Belcher moved to approve the resolution as presented. Vice Chair Pressley seconded the motion and it passed 7-0.

- **Quarterly Settlements**

Michael Frue, Senior Staff Attorney, presented the report and stated that no action was required.

- **School to Justice Partnership**

Judge Calvin Hill explained that the partnership will implement effective strategies to address student misconduct with the goal of reducing in-school arrests, out-of-school suspensions, expulsions and referrals to the justice system that disproportionately affect youth of color, and students with disabilities. The Chairman and County Manager were asked to sign the agreement in support of the partnership.

- **CliftonLarsonAllen LLP (CLA) Fiscal Year 2020 Audit Contract and Engagement Letter**

Don Warn, Finance Director, stated that CLA issued the contract for the engagement specifies of an audit report due date of October 31, 2020 and price of \$128,295. This is the third year of the contract.

Vice Chair Pressley moved to approve the contract and authorize the Chair to sign the contract and engagement letter. Commissioner Penland seconded the motion and it passed 7-0.

- **Resolution in Support of NCDOT Projects Slated for Construction**

Michael Frue, Senior Staff Attorney, explained the resolution and the criteria for certain projects to be presented for Board support.

Commissioner Belcher moved to approve the resolution as presented. Vice Chair Pressley seconded the motion and it passed 7-0.

- **Resolution Authorizing the Execution of Non-Warranty Deed - 27 Chatham Road**

Michael Frue, Senior Staff Attorney, explained the resolution.

Chairman Newman moved to approve the resolution as presented. Commissioner Whitesides seconded the motion and it passed 7-0.

- ~~Occupancy Tax Discussion~~

- ~~Consideration of a Local State of Emergency Declaration/COVID-19~~

- **Budget Amendment for a Local State of Emergency Declaration/COVID-19**

Jennifer Barnette, Budget Director, explained that \$500,000 amendment will address public health, public safety and general needs in response to COVID-19.

Commissioner Whitesides moved to approve the budget amendment. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

- **Budget Amendment for Dogwood Trust Grant Funding**

Jennifer Barnette, Budget Director, explained that amendment will provide funds for the 2020 Census and to Recreational services.

Commissioner Penland moved to accept the grants. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

Commissioner Edwards moved to approve the budget amendment. Vice Chair Pressley seconded the motion and it passed 7-0.

- **Budget Amendment for Dogwood Trust Grant Community Based Disposal**

Amy Upham, Human Services, explained the needle disposal program will be a pilot collaboration between the County and the Dogwood Trust Foundation with hopes of expanding throughout the community.

Commissioner Penland moved to accept the grant. Commissioner Edwards seconded the motion and it passed 7-0.

Commissioner Whitesides moved to authorize the Interlocal agreement. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

Vice Chair Pressley moved to approve the budget amendment. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

## **BOARD APPOINTMENTS**

**Aaron Griffin, Sr.** was appointed to the **African American Heritage Commission**.

Chairman Newman moved to appoint **Bruce Snelson** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Edwards seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Ruth Summers** to the **Downtown Commission**. Commissioner Whitesides seconded and the motion passed 7-0. **Bryan Moffitt** was appointed to the **Downtown Commission**.

**Robert Turner, April Heesacker** and **Jacob Wiseman** were appointed to the **Land Conservation Advisory Board**.

Chairman Newman moved to appoint **Emily Kite** to the **Historic Resources Commission**. Vice Chair Pressley seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Martha Salyers** to the **Health & Human Service Board**. Commissioner Edwards seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Commissioner Penland** to the **Juvenile Crime Prevention Council**. Commissioner Whitesides seconded and the motion passed 7-0.

## **PUBLIC COMMENT**

Jerry Rice questioned the School to Justice Partnership effectiveness and some teachers' ability to handle students.

## **ANNOUNCEMENTS**

The Chairman made the following announcements:

- *April 7 @ 3 p.m. - Commissioners' Pre-Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *April 7 @ 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 Whitesides seconded and the motion passed 7-0.

## **CLOSED SESSION**

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

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

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Edwards seconded and the motion passed 7-0. The meeting was adjourned at 7:26 p.m.