

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF FEBRUARY 2, 2021 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on February 2, 2021, 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
Amanda Edwards, Commissioner
Robert Pressley, Commissioner
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Vice Chair

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Jennifer Barnette, Budget Director; Sharon Burke, Human Resources Director; Jennifer Pike, Tax Collector; Stoney Blevins, Health and Human Services Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman requested a moment of silence to remember former Commissioner Mike Fryar's life and contributions to the County.

CONSENT AGENDA

Commissioner Sloan motioned to approve the Consent Agenda after the addition **Resolution in Support of the NCDOT for the Design of a New Interstate Interchange Along I-26 to Consent Agenda**, moving the **Public Hearing** before **Presentations**, and the remainder of the agenda. Vice Chair Whitesides seconded and the motion passed 7-0.

- Approval of January 12, 2021 Special Meeting Minutes
- Approval of January 19, 2021 Briefing Minutes
- Approval of January 19, 2021 Regular Meeting Minutes
- Approval of Design Contract for Vance Elementary School Renovation Project
- Resolution in Support of the NCDOT for the Design of a New Interstate Interchange Along I-26
 - Resolution
 - Map
- Tax Collection Report
- Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens
 - Resolution
- Request to Waive Occupancy Tax Penalty - Sleep Inn West
 - More Information
- Budget Amendment for COVID Vaccination Program
 - Ordinance

PUBLIC COMMENT

Brooke Heaton stated his disagreement with the proposed sale of the Asheville Primary School and his recommendation of COVID vaccinations for educators.

Don Yelton expressed concerns about the COVID-19 rent subsidy and the One Buncombe Fund.

PRESENTATIONS

- **Red Cross Blood Drive**

Megan Robinson, Red Cross, provided an update of the impact of COVID-19 on collecting blood and the need to increase the blood supply.

- **Board of Adjustment**

Martin Moore, Board Chair, provided an update to the commissioners on the status of board, their important work, and some of their challenges.

- **Planning Board**

Nancy Waldrop, Board Chair, updated the Commissioners on the status and activities of the board. Excitement of an anticipated comprehensive plan was expressed.

PUBLIC HEARINGS

- **Emergency Paid Sick Leave**

Sharon Burke, Human Resources Director, explained the data for the temporary policy recommendation to extend Emergency Sick Leave and COVID Quarantine Leave Policy for the employees who did not use this benefit prior to December 31, 2020 and to provide designated Buncombe County employee's salary continuation, if quarantined, due to a suspected workplace COVID-19 exposure. This policy would be in effect, retroactively, as of January 1, 2021.

The Chairman opened the hearing at 5:21 p.m.

Nigel Smith expressed his support for approval of the policy.

The hearing was closed at 5:22 p.m.

Commissioner Wells moved to approve the ordinance that includes the temporary policy and to provide discretion to the HR Director to grant Quarantine Leave for positions not listed in the policy. Commissioner Edwards seconded the motion and it passed 7-0.

NEW BUSINESS

- **FY2022 Cost of Living Adjustment**

Jennifer Barnette, Budget Director, explained that the Board of Commissioners directed staff to remove the budgeted funds for the expected COLA for FY21. Staff recommended to pay for COLA with FY21 lapsed salary and include future COLA consideration during the budget process.

Chairman Newman moved to approve the COLA of 1.45% for 15 months starting in April 2021 and not apply the COLA to the Commissioners' salary. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- **Budget Amendment for Emergency Rental Assistance**

Jennifer Barnette, Budget Director, explained the budget amendment.

Commissioner Sloan moved to approve the four grant-funded positions. Commissioner Pressley seconded and the motion passed 7-0.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Edwards seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Newman moved to appoint **Donna Bailey** to the **Civic Center Commission**. Commissioner Edwards seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Rebecca Heartz** to the **Home & Community Care Block Grant Advisory Committee**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Vice Chair Whitesides moved to reappoint **Terry Wells, David Lee** and **Edgar Bulluck** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Sloan seconded and the motion passed 7-0.

Commissioner Pressley moved to appoint **Rick Sluder** to the **Mountain Area Workforce Development Board**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *February 16 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *February 16 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

CLOSED SESSION

Vice Chair Whitesides moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters for the following:

- Heaton v. Jack Van Duncan, et al. Buncombe County Superior Court file # 20 CVS 3247
- John Knowles v. Buncombe County, et al. Buncombe County Superior Court file #19 CVS 5050
- Christopher Hunter v. Buncombe County and Jack Van Duncan. Buncombe County Superior Court file #21 CVS 168
- Cameron Lyles v. Buncombe County et al. Buncombe County Superior Court file #20 CVS 3757
- Torres v. Nathan Ball et al; U.S. District Court for the Western District of North Carolina 1:19 CV 94
- Bro T Hesed – El v. Buncombe County; U.S. District Court for the Western District of North Carolina 1:19 CV 285
- Paul A. Valdez-Bey v. Officer Patton et al; U.S. District Court for the Western District of North Carolina 1:19 CV 333
- Judd v. Langford et al.; U.S. District Court for the Western District of North Carolina 1:19-cv-158
- Shine v. City of Asheville et al.; Buncombe Co. Sup. Ct. 20 CVS 4696
- Hyatt and Barrett v. Miller, et al. U.S. District Court for the Western District of North Carolina 1:19 CV 250
- Estate of Pickering vs. Buncombe County HHS. Buncombe County Superior Court file #18 CVS 3971
- Epley-Rogers v. Sherman, et al. Buncombe Co. Sup. Ct. 21 CVS 391

Commissioner Sloan seconded and the motion passed 7-0.

The Board heard the legal update and had discussion regarding the matters. No action was taken.

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

Vice Chair Whitesides moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 7:55 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS