

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF APRIL 20, 2021 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on April 20, 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
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Vice Chair

Robert Pressley, Commissioner, was absent from the meeting.

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Donald Warn, Finance Director; Jennifer Barnette, Budget Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Vice Chair Whitesides motioned to approve the Consent Agenda, move the **National Therapy Animal Day Proclamation** before **Public Comment**, and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 6-0.

- Approval of April 6, 2021 Briefing Minutes
- Approval of April 6, 2021 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Other Post Employment Benefit (OPEB) Trustee Change Notification
- Ordinance and Order Closing an Unopened Road Named Walnut Place in the Limestone Township of Buncombe County
 - Ordinance
- Budget Amendment to Utilize Remaining HAVA Funding
 - Ordinance
- Budget Amendment for NC USAR Task Force 2 - Equipment Usage Reimbursement
 - Ordinance

PRESENTATIONS

- **National Therapy Animal Day Proclamation**

Commissioner Edwards read and presented the proclamation to Paul Howey of the Fur Kidz Sake program.

PUBLIC COMMENT

The following individuals spoke in favor of the Ordinance Prohibiting Discrimination in Employment and Public Accommodations:

Peyton O'Conner	Adrian Parra	Bernise Lynch	Christine Callaway
Shannon O'Conner	Lauren Merrell	Daisy Marquis	Joe Bowman
Allison Scott	Al Murray	Craig White	Heather Edwards
David Perry	Adam Polaski	Lauren Biehl	Daniel Best
Takira Rose	Ken Brame	Luce Beagle	Grant Millin

The following individuals spoke against the Ordinance Prohibiting Discrimination in Employment and Public Accommodations:

James Fulton	Chelsea Kancsar	David
Roger Frizzell	Janet Burhoe-Jones	Lisa
Karen Hoerner	Lynne McNamee	Michael Woods
Stephanie Parsons	Kristie Sluder	

CLOSED SESSION

Commissioner Sloan moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters for the County of Buncombe vs. Ellen Frost and Wanda Skillington Greene as recorded in Buncombe County Superior Court File #: 19 CVS 5208. Vice Chair Whitesides seconded and the motion passed 6-0. The Board heard the legal update and had discussion regarding the legal matters. No action was taken.

Commissioner Beach-Ferrara moved to go back into open session. Commissioner Edwards seconded and the motion passed 6-0.

NEW BUSINESS

- **Consideration of a Legal Settlement**

Attorney Philip Anderson stated that he had been in negotiations with the attorney of Ellen Frost and recommended approval of a limited release settlement of \$175,000.

Chairman Newman moved to approve the settlement. Commissioner Edwards seconded and the motion passed 6-0.

PRESENTATIONS

- **Agricultural Advisory Board for Farmland Preservation**

David Lee, Board Chair, highlighted the board's importance, successes, and requested support for the local agriculture projects.

- **Land Conservation Advisory Board**

Greg Hutchins, Board Chair, provided an update to their priority focus areas, challenges, and highlighted some of their accomplishments.

- **Financial Quarterly Report**

Don Warn, Finance Director, presented the FY21 Third Quarter Report with an update on revenues and expenditures.

COUNTY MANAGER'S REPORT

Avril Pinder, County Manager, updated the Board on an upcoming public hearing too add the Juneteenth Holiday as a paid County holiday.

OLD BUSINESS

- **Ordinance Prohibiting Discrimination in Employment and Public Accommodations**

Commissioners Beach-Ferrara and Sloan responded to and addressed some of the public dialogue made in reference to the ordinance earlier during the community information session and the meeting. Other Commissioners voiced the support for the ordinance and its importance to the community.

Commissioners Beach-Ferrara moved to approve the ordinance as presented. Commissioner Sloan seconded and the motion passed 6-0.

NEW BUSINESS

- **Asheville-Buncombe United for Youth Network**

Rachael Nygaard, Strategic Partnerships Director, and representatives from United Way of Asheville & Buncombe County presented information on the network that is a multigenerational, cross-sector, cradle to career partnership built on the foundational principle that "Equity and Educational Excellence are Inseparable". The network is constructed from the following:

Vision: ALL children and youth learn, grow and thrive in a vibrant, healthy and connected community.

Mission: To actively identify and remove barriers to opportunity and co-create solutions that support student success.

Bold Community Goal: By 2035, ALL Asheville City and Buncombe County students graduate from high school ready and fully prepared to pursue their goals and dreams.

Commissioners Beach-Ferrara moved to join the partnership and authorize the County Manager to sign the United for Youth Network Partnership Agreement. Commissioner Wells seconded and the motion passed 6-0.

- **Budget Amendment for COVID Vaccination Program**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Edwards seconded and the motion passed 6-0.

- **Budget Amendment for Projected Sales Tax Growth**

Jennifer Barnette, Budget Director, explained the budget amendment.

Commissioner Wells moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Budget Amendment for Project Closure - Solid Waste**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Budget Amendment for Project Closure - Public School ADM Capital**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Budget Amendment for Project Closure - Article 46 Sales Tax Capital**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Budget Amendment for Project Closure - Grants**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Budget Amendment for Project Closure - Public School Capital**

Jennifer Barnette, Budget Director, explained the budget amendment.

Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

- **Resolution/Proclamation Process**

Tim Love, Intergovernmental Relations, delivered an update, initially presented at the April 6th Briefing, of the resolution/proclamation process for those documents that are not considered as normal business. The public-at-large, Commissioners, or County Staff would be able to make a request to have the document considered. The Board acknowledged support for the process.

BOARD APPOINTMENTS

Chairman Newman moved to appoint **Michael Lamb** (Police Chief or designee) to the **Juvenile Crime Prevention Council**. Commissioner Beach-Ferrara seconded and the motion passed 6-0.

Chairman Newman moved to appoint **Krista Flores** (private sector employer) to the **Mountain Area Workforce Development Board**. Commissioner Sloan seconded and the motion passed 6-0.

Chairman Newman moved to appoint, by general consensus of receiving the most votes, **John Noor**, **Anthony Coxie**, and **Michael Fisher** to the **Planning Board**.

Chairman Newman moved to appoint **Sioux Oliva**, and **Darin Waters** to the **Historic Resources Commission**. Commissioner Sloan seconded and the motion passed 6-0.

Chairman Newman moved to reappoint **Martin Moore** to the **Buncombe County Board of Adjustment**. Commissioner Edwards seconded and the motion passed 6-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *April 22 @ 1:30 p.m. - Commissioners' Budget Work Session at 200 College Street, Room 326 in downtown Asheville.*
- *May 4 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *May 4 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville*

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Edwards seconded and the motion passed 6-0. The meeting was adjourned at 8:27 p.m.