

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 4, 2021 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 4, 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; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Vice Chair Whitesides motioned to approve the Consent Agenda, add the **Pro Bono Celebration Day Proclamation to Presentations**, and the remainder of the agenda. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- Approval of April 20, 2021 Special Meeting Minutes
- Approval of April 20, 2021 Briefing Minutes
- Approval of April 20, 2021 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Tax Collection Report
- Approval of Pre-Construction Services Contract with James R. Vannoy Construction for A-B Tech Deferred Maintenance Projects
- Approval of Architectural Services Contract with Novus Architects for A-B Tech Deferred Maintenance Projects
- Approval of Partnership for Pre-K Facility at Avery's Creek Elementary School
 - Agreement
- Approval of Additional Environmental Health Onsite Wastewater & Wells Position
- Resolution Authorizing the Execution of an Interlocal Agreement with Town of Black Mountain for Building Inspection Services
 - Resolution
 - Agreement
- Resolution Authorizing Amendment to Ground Lease Agreement with DEP, LLC to Design, Install & Maintain a Solar Photovoltaic Power Array on the Old County Landfill Property
 - Resolution
 - Agreement
- Budget Amendment for Methodist Home for Children
 - Ordinance

PUBLIC COMMENT

Don Yelton questioned the recent activities involving the Vance Monument and Juneteenth paid holiday.

James Fulton stated that the non-discrimination ordinance was not needed.

Lara Lustig expressed support for Teacher Appreciation Week and questioned the closing process for the Asheville Primary School.

Grant Millin stated that the Vance Monument Joint Task Force lacked transparency and disability is not being considered in the equity program.

Rachael Bliss expressed support for the Juneteenth paid holiday and questioned the transparency in the economic development process.

Shifra Ahlers questioned the activities of the Asheville City Schools administration.

PRESENTATIONS

- **National Nurses Week Proclamation**

Commissioner Edwards read and presented the proclamation to Ellis Vaughan, Public Health.

- **Pro Bono Celebration Day Proclamation**

Commissioner Beach-Ferrara read the proclamation.

- **A-B Tech Board of Trustees**

Dr. John Gossett, A-B Tech President, provided an update to the commissioners on the activities and accomplishments of the agency. Appreciation of the partnership with the County was expressed.

- **Mountain Community Capital Fund**

Lynn Smith, Board Chair, provided an update and explained the purpose of the committee is to provide loans to small business owners whose main weakness is lack of collateral. The committee's accomplishments, finances, and impact were highlighted.

PUBLIC HEARINGS

- **Juneteenth - Additional County Holiday**

Sharon Burke, Human Resources Director, explained that requests and suggestions were made to consider adding the Juneteenth holiday. The Buncombe County Equity & Inclusion workgroup researched the holiday and found that it was in alignment with the Buncombe County Strategic Plan. The holiday would be observed the Friday on or before June 19th as a County-paid holiday annually.

The Chairman opened the hearing at 6:00 p.m.

The hearing was closed at 6:01 p.m.

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

- **Adoption of 160D – BC Code of Ordinances Integration**

Nathan Pennington, Planning Director, and Brandon Freeman, County Attorney, explained that Chapter 160D ("160D") is the culmination of years of work to significantly recodify and modernize city and county development regulations (enabling legislation).

The Chairman opened the hearing at 6:11 p.m.

The hearing was closed at 6:12 p.m.

Commissioner Sloan moved to approve ordinance with the attached 160D text amendments as submitted. Commissioner Pressley seconded the motion and it passed 7-0.

- **Brown Rezoning Request**

Nathan Pennington, Planning Director, presented the down-zoning request, stated that the request was consistent with the comprehensive plan and was unanimously approved by the Planning Board. The property would move from R-1 Residential to R-LD Low-Density Residential at the address of 7 Chalmers Way in Swannanoa. The total acreage of the property is 4.59.

The Chairman opened the hearing at 6:16 p.m.

The hearing was closed at 6:17 p.m.

Chairman Newman moved to adopt the plan consistency statement. Commissioner Sloan seconded the motion and it passed 7-0.

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

NEW BUSINESS

- **Letter of Commitment for Public Financing of Mountain Housing Opportunities Low-Income Housing Tax Credit Program Project Application**

Matt Cable, Planning Manager, summarized the project proposals and funding requests for the FY22 Affordable Housing Services Program that Mountain Housing Opportunities (MHO) submitted for Lakeshore Villas and Pentland Place.

Vice Chair Whitesides moved to authorize staff and the Chairman to negotiate project loan terms and send Letters of Commitment for \$800,000 in funding to support the two Mountain Housing Opportunities LIHTC Program applications to the North Carolina Housing Finance Agency. Commissioner Edwards seconded and the motion passed 6-0.

- **Budget Amendment for Occupancy Tax Fund Adjustment for Growth**

Jennifer Barnette, Budget Director, explained the budget amendment.

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

ANNOUNCEMENTS

The Chairman made the following announcements:

- *May 11 @ 1:30 p.m. - Commissioners' Budget Work Session at 200 College Street, Room 326 in downtown Asheville.*
- *May 18 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *May 18 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville*

Vice Chair Whitesides moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters and NCGS 143-318.11(a) (5) to hear contract or lease matters with no possible action anticipated following the closed session. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

CLOSED SESSION

The Board heard the update and had discussion regarding the previously mentioned legal matters and contract or lease matters. No action was taken.

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

Vice Chair Whitesides moved to adjourn the meeting. Commissioner Wells seconded and the motion passed 7-0.

The meeting was adjourned at 6:55 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS