

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

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

Parker Sloan, 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; Sharon Burke, Human Resources Director; Jennifer Pike, Tax Collector; Keith Miller, Tax Assessor; Stoney Blevins, Health & Human Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Dane Pederson, Solid Waste Director; Lamar Joyner, Clerk to the Board; Curt Euler, Staff Attorney; Brandon Freeman, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Vice Chair Whitesides motioned to approve the Consent Agenda, add the **Resolution Amending the Number of Members to the Ad Hoc Reappraisal Committee to Board Appointments**, and the remainder of the agenda. Commissioner Wells seconded and the motion passed 6-0.

- Approval of October 19, 2021 Special Meeting Minutes
- Approval of October 19, 2021 Briefing Minutes
- Approval of October 19, 2021 Regular Meeting Minutes
- Tax Collection Report
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Resolution Approving a Petition for Road Addition Processed by NC Department of Transportation
 - Resolution
 - More Information

PUBLIC COMMENT

Kari Smith and Shannon Watkins expressed support for keeping the Oakley Library open and provided its many benefits.

Lance Jones represented some County EMS staff and shared support the budget amendment for positions and funding for the department.

PRESENTATIONS

- **Audit Committee**

Kendra Ferguson, Chair, explained that the purpose of the committee was to provide oversight for the financial reporting process, management's systems of internal controls, and the performance of internal and external audit functions. Accomplishments and challenges were outlined, with the major concern being staff turnover.

PUBLIC HEARINGS

- **Personnel Ordinance Update**

Rafael Baptista, Strategy & Innovation Director, explained that the reason for the public hearing was for the proposed updates to the Personnel Ordinance. These updates include: moving Health and Human Services employees from the State Personnel System to the County Personnel System, updates to the Cost of Living Adjustment, removal of four policies from the Ordinances and updating our on-call compensation language within the ordinance.

The Chairman opened the hearing at 6:02 p.m.

The hearing was closed at 6:03 p.m.

Commissioner Edwards moved to approve the Resolution Placing Local Employees Who Service the Integrated HHS Agency Under the Personnel Ordinance as presented. Commissioner Beach-Ferrara seconded the motion and it passed 6-0.

Commissioner Beach-Ferrara moved to approve the Ordinance Amendment as presented. Vice Chair Whitesides seconded the motion and it passed 6-0.

Commissioner Pressley moved to approve the Resolution Approving the Buncombe County Conflict of Interest Policy for Employees as presented. Commissioner Edwards seconded the motion and it passed 6-0.

COUNTY MANAGER'S REPORT

Avril Pinder, County Manager, introduced the new Chief Equity & Human Rights Officer, Rachael Edens.

Chris Austin, Safety Officer, provided a Safety Update with the new Alertus system.

Caroline Long, HR Recruiter, provide information of the County Job Fair to be held on November 6th, 10 a.m. – 3 p.m. at 40 Coxe Avenue (HHS Building).

OLD BUSINESS

- **Library Facilities Study Status Update**

Jim Blanton, Library Director, provided a timeline of events up to the present and requested guidance on how to move forward with community input sessions and study recommendations. The Commissioners gave feedback and asked that certain priorities be fulfilled.

Chairman Newman moved to direct the County Manager to maintain current library facilities and presence in the existing libraries, including the Black Mountain Library, Swannanoa, Oakley, and Weaverville; maintain the Downtown Library at its current location rather than constructing a new library at Coxe Avenue, encourage the exploration of opportunities to enhance the facilities and services at these locations, and although that the direction is to focus in the near term on maintaining and improving the libraries in their current locations, the Commission is open to considering, in the future, new library projects on a case-by-case basis if they have the support within the neighborhood that are served by the existing libraries. Wells seconded the motion and it passed 6-0.

NEW BUSINESS

- **Resolution for Appointing Tax Assessor**

Keith Miller, Tax Assessor, explained that the appointment was a statutory requirement and requested that the term be approved for four years.

Commissioner Pressley moved to approve the resolution as presented. Commissioner Wells seconded the motion and it passed 6-0.

- **Resolution for Appointing Tax Collector**

Jennifer Pike, Tax Collector, explained that the appointment was a statutory requirement and requested that the term be approved for four years.

Commissioner Edwards moved to approve the resolution as presented. Commissioner Wells seconded the motion and it passed 6-0.

- **Approval Power Purchase Agreement with Duke Energy**

Kristy Smith, Solid Waste Manager, explained that the County Landfill has been producing renewable electricity from landfill gas since 2011, under a Power Purchase Agreement (PPA) with Duke Energy. The PPA expires 11/21/2021 and a new 3-year power purchase agreement with Duke Energy is recommended in order to continue producing renewable electricity for our community.

Commissioner Wells moved to approve the 3-year power purchase agreement with Duke Energy. Chairman Newman seconded the motion and it passed 6-0.

- **Budget Amendment for Positions and Funding for Emergency Services Response**

Jennifer Barnette, Budget Director, explained the budget amendment.

Commissioner Edwards moved to approve the budget amendment as presented. Commissioner Beach-Ferrara seconded and the motion passed 6-0.

Vice Chair Whitesides moved to approve the positions. Commissioner Edwards seconded and the motion passed 6-0.

- **Budget Amendment for School Capital Fund Commission Recommended School Year 2023 Projects**

Jennifer Barnette, Budget Director, explained the budget amendment.

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

- **Approval of Trust for Public Lands Feasibility Study Letter**

Chairman Newman explained that the letter was discussed and received information from the Affordable Housing Committee. The Affordable Housing Committee and Environmental & Energy Stewardship Subcommittee support the letter. The feasibility study may show a need for investing in bonds for land and water conservation. The letter would not obligate the County to any projects in the future but support the study with consideration of the information discovered by the study.

Commissioner Wells moved to approve the letter, with the addition of affordable housing wording. Commissioner Edwards seconded the motion and it passed 6-0.

BOARD APPOINTMENTS

- **Resolution Amending the Number of Members to the Ad Hoc Reappraisal Committee**

Chairman Newman moved to approve the resolution as presented. Commissioner Wells seconded the motion and it passed 6-0.

Chairman Newman moved to appoint **Jonathan Hunter** (Real Estate professional), **Bobbette Mays** (at-large), **Dewayne McAfee** (at-large), **Ori Baber** (at-large) and **Melanie Pitrolo** (at-large) to the **Ad Hoc Reappraisal Committee**. Commissioner Wells seconded and the motion passed 6-0

Commissioner Beach-Ferrara moved to appoint **Lance Crawford**, and reappoint **Jennifer Teague** and **Timea Jones** to the **Homeless Initiative Advisory Committee**. Vice Chair Whitesides seconded and the motion passed 6-0.

Vice Chair Whitesides moved to reappoint **Aaron Griffin, Sr.**, **Lynn Smith** and **Catherine Mitchell** to the **African American Heritage Commission**. Commissioner Edwards seconded and the motion passed 6-0.

Commissioner Pressley moved to reappoint **Josh Holmes** (alternate) to the **County Board of Adjustment**. Commissioner Edwards seconded and the motion passed 6-0.

Commissioner Edwards moved to reappoint **Gail Lazaras** to the **Historic Resources Commission**. Commissioner Wells seconded and the motion passed 6-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

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

CLOSED SESSION

Commissioner Beach-Ferrara moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters with no possible action anticipated following the closed session. Vice Chair Whitesides seconded and the motion passed 6-0.

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

Vice Chair Whitesides moved to go back into open session. Commissioner Wells seconded and the motion passed 6-0.

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Edwards seconded and the motion passed 6-0. The meeting was adjourned at 7:18 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS