

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF DECEMBER 7, 2021 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on December 7, 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; Donald Warn, Finance Director; Jennifer Barnette, Budget Director; Stacie Saunders, Public Health Director; Taylor Jones, Emergency Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Sloan motioned to approve the Consent Agenda, add the **Humanitarian Awards – Health & Human Services to Good News**, and the remainder of the agenda. Vice Chair Whitesides seconded and the motion passed 7-0.

- Approval of November 16, 2021 Briefing Minutes
- Approval of November 16, 2021 Regular Meeting Minutes
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department - Anthony Gould
- Tax Collection Report
- Acceptance of Ambulance Donation from Skyland Fire
- Approval of Architectural Services Agreement with PFA Architects for the Backup 911 Dispatch Center to be located at 35 Woodfin Street
 - Agreement
- Approval of Interlocal 911 Emergency Dispatch Agreements - Towns of Weaverville and Woodfin
 - Weaverville Agreement Resolution
 - Agreement
 - Woodfin Agreement Resolution
 - Agreement
- Resolution Authorizing the Execution of an Interlocal Agreement with the Town of Montreat for Building Inspection Services
 - Resolution
 - Agreement
- Budget Amendment for FY2021 Edward Byrne Memorial Justice Assistance Grant (JAG)
 - Ordinance
 - Memorandum of Understanding
- Budget Amendment for Library - Duomi Living Trust
 - Ordinance
- Budget Amendment for Library - Flowstate Community Arts Initiative
 - Ordinances
- Budget Amendment for Library - Emergency Connectivity Fund Program
 - Ordinance
- Budget Amendment for Additional Vaya Child and Family Funding
 - Ordinance

CLOSED SESSION

Commissioner Edwards 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. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

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 Beach-Ferrara seconded and the motion passed 7-0.

PUBLIC COMMENT

Grant Millin requested the meeting be virtual and questioned crime reporting.

Cory Wilharm expressed support for keeping the Oakley Library open and questioned using the Ramada Inn as a low-barrier shelter.

Kari Smith and expressed support for keeping the Oakley Library open.

Elizabeth McDavid questioned using the Ramada Inn as a low-barrier shelter and stated the need for more housing.

Laura Timmerman stated her disapproval of the mask mandate.

GOOD NEWS

- **Land of Sky Regional Council - Robert Parrish Sr. Intergovernmental Relations Award (County Manager Avril Pinder)**

Commissioner Wells recognized and congratulated County Manager Avril Pinder's honor.

- **Humanitarian Awards – Health & Human Services**

Avril Pinder, County Manager, acknowledged and recognized the Health & Human Service employees' achievement.

PRESENTATIONS

- **School Capital Fund Commission**

Max Queen, Chair, provided details of the work of the commission and highlighted some of the projects and accomplishments. The commission collaboration of the two school systems and the County has been informative and successful.

PUBLIC HEARINGS

- **Local Fiscal Recovery Fund - Economic Development Allocations**

Tim Love, Intergovernmental Relations, explained the economic development appropriations. The appropriations include: \$50,000 to Asheville Area Arts Council for Creative Sector Recovery Grant Program; \$375,000 to Eagle Market Streets Development Corporation for Community Equity Fund; and \$1,250,000 to Self Help Ventures Fund for Mountain Community Capital Fund. Each of these projects are intended to create and retain jobs in response to substantial negative economic impacts from the pandemic. These projects were approved by the Buncombe County Board of Commissioners at its November 16th meeting for funding with American Rescue Plan Local Fiscal Recovery Funding.

The Chairman opened the hearing at 6:23 p.m.

Stephanie Swepson-Twitty and Katie Cornell expressed their support for the allocations

The hearing was closed at 6:25 p.m.

Commissioner Wells moved to approve the Asheville Area Arts Council for Creative Sector Recovery Grant Program allocation as presented. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

Vice Chair Whitesides moved to approve the Eagle Market Streets Development Corporation for Community Equity Fund allocation as presented. Commissioner Wells seconded the motion and it passed 7-0.

Commissioner Wells moved to approve the Self Help Ventures Fund for Mountain Community Capital Fund allocation as presented. Commissioner Edwards seconded the motion and it passed 7-0.

COUNTY MANAGER'S REPORT

Avril Pinder, County Manager, Avril Pinder, County Manager, announced the upcoming Budget Retreat and the schedule for the Festival of Lights.

OLD BUSINESS

- **Resolution Approving the Memorandum of Agreement (MOA) between the State of NC and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation**

Michael Frue, Senior Staff Attorney, and Commissioner Beach-Ferrara detailed the resolution and the allocation.

Commissioner Wells moved to approve the resolution as presented. Commissioner Edwards seconded and the motion passed 7-0.

- **Affirming the Extension of the Face Covering Requirement**

Chairman Newman explained that the extension was based on the recommendation from the Public Health Director, Stacie Saunders due to the upcoming holidays, rising cases, new variant uncertainty.

Vice Chair Whitesides moved to affirm the Extension of the Face Covering Requirement. Commissioner Beach-Ferrara seconded and the motion passed 6-1. (NOES-Pressley)

NEW BUSINESS

- **Selection of Vice Chair**

Vice Chair Whitesides nominated and moved to elect Commissioner Edwards as vice chair. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

- **FY22 Affordable Housing Services Program Reallocation**

Matt Cable, Planning Manager, explained the reallocation of \$128,500 in FY22 Affordable Housing Services Program funds to support Tenant Based Rental Assistance programs operated by the ARC of Buncombe County, Eblen Charities, and Eliada Homes.

Commissioner Edwards moved to approve the reallocation. Commissioner Wells seconded and the motion passed 7-0.

- **Approval of COVID Premium Pay Policy**

Heather Parkinson, Strategy and Innovation, explained that In September 2021, the BOC approved \$1,040,000 in ARPA funding for COVID premium pay for Buncombe County employees who met certain criteria. Since then, staff has been awaiting further guidance from the Federal Government on eligibility requirements for COVID premium pay. Unfortunately, specific Federal guidance has not been provided; however preliminary guidance has provided staff with enough information to proceed with allocating funds to employees. This payment is intended to reward County employees who worked in high-risk, public facing positions during the first 12 months of the pandemic (March 10, 2020-March 10, 2021), prior to a time when vaccines were available to reduce the risk of infection.

Commissioner Beach-Ferrara moved to approve the COVID Premium Pay Policy. Commissioner Wells seconded and the motion passed 7-0.

- **Budget Amendment for Community Development Staffing and County-Owned Property Feasibility Studies**

Chairman Newman explained the budget amendment.

Commissioner Sloan moved to approve the budget amendment as presented. Commissioner Wells seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Newman moved to reappoint **Mary Adami, Paula Garber**, and appoint **Zoe Tate** to the **Adult Care Home Community Advisory Committee**. Vice Chair Edwards seconded and the motion passed 7-0

Chairman Newman moved to appoint **Jasmine Beach-Ferrara**, and reappoint **Dakisha Wesley** to the **Vaya Health Board**. Commissioner Whitesides seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *December 9 @ 12 p.m. - Commissioners' Budget Retreat at A-B Tech, 9 Genevieve Circle, Asheville, NC 28801.*
- *January 4 @ 5 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *January 4 @ 12 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Pressley moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 6:58 p.m.