

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 3, 2022 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 3, 2022, 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, Vice Chair
Robert Pressley, Commissioner
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Commissioner

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; Stoney Blevins, Health & Human Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Taylor Jones, Emergency Services Director; Stacie Saunders, Public Health Director; Allison Dains, Park & Recreation Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Beach-Ferrara motioned to approve the Consent Agenda, with a change to the April 19, 2022 Regular Meeting Minutes under the **New Business** item: **Salary Increase for BCSO Detention Officers**, and the remainder of the agenda.

Commissioner Sloan seconded and the motion passed 7-0.

- Approval of April 19, 2022 Briefing Meeting Minutes
- Approval of April 19, 2022 Regular Meeting Minutes
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department - Kevin Calhoun
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Resolution Appointing Deputy Finance Officer - John Hudson
 - Resolution
- Tax Collection Report
- Approval of Transportation Agreement between Buncombe County and the City of Asheville
 - Agreement
- Budget Amendment for Project Development Financing (PDF) Woodfin - General Fund Subsidy
 - Ordinance

PUBLIC COMMENT

David Nutter, and Wes Wright expressed their support for the affordable housing and open-space bonds.

Don Yelton questioned the affordable housing and open-space bond projects, and County's accountability.

Katie Dann expressed support for the detention center employees, pay increases for educators and detention center employees.

Jenny Wilds, Gabrielle Price, and Matt Barker expressed issues with the construction of the Dollar General in Swannanoa and invited them to view the project.

Adeline Wolf thanked the Board for consideration of the Mountain Housing Opportunities' project proposal for COVID Recovery Funding.

PRESENTATIONS

- **Greater Asheville Regional Airport Authority - Annual Report**

Lew Bleiweis, Executive Director, provide an update of the past year's activities and highlighted the community connections, construction projects, and community impact.

- **National Nurses Week Proclamation**

Commissioner Beach-Ferrara read and presented the proclamation. Ellis Matheson, Health & Human Services, accepted the proclamation and recognized the great work that nurses contribute to the community.

- **Foster Care Month Proclamation**

Vice Chair Edwards read and presented the proclamation. Lizzi Shimer, Health & Human Services, accepted the proclamation and shared gratitude for foster parents.

- **Financial Quarterly Report**

Don Warn, Finance Director, presented the FY22 Third Quarter Financial Report with an update on revenues and expenditures.

PUBLIC HEARINGS

- **Preliminary Resolution for the Issuance of the 2022 Limited Obligation Bonds (LOBs) for County and Public School Capital Projects**

Don Warn, Finance Director, explained that the County intends to issue LOBs to fund capital projects and public school capital projects taking advantage of the low interest rate environment by issuing refinancing bonds. The refinancing of the outstanding LOBs will save the County funds in debt service over the next 15 years.

The Chairman opened the hearing at 5:46 p.m.

The hearing was closed at 5:47 p.m.

Commissioner Sloan moved to approve the resolution authorizing the issuance of the 2022 Limited Obligation Bonds (LOBs) for County and Public School Capital Projects as presented. Commissioner Whitesides seconded the motion and it passed 7-0.

COUNTY MANAGER'S REPORT

Avril Pinder, County Manager, introduced the new Park & Recreation Director, Allison Dains, and announced that start of Early Voting.

NEW BUSINESS

- **Approval of COVID Recovery Funding**

Rachael Nygaard, Strategic Partnerships Director, explained the three project proposals that were recommended by Affordable Housing Subcommittee and the Early Childhood Education & Development Committee.

Commissioner Pressley moved to approve the COVID Recovery Fund Award in the grant amount of \$3,201,546 for Buncombe Partnership for Children. Commissioner Whitesides seconded and the motion passed 7-0.

Commissioner Sloan moved to approve the COVID Recovery Fund Award (with May 13th deadline) in the grant amount of \$718,616 for Mountain Housing Opportunities and \$935,286 for Asheville Housing Authority. Vice Chair Edwards seconded and the motion passed 7-0.

- **Resolution of Intent to Apply to the Local Government Commission for Approval of Bonds, Resolution Authorizing the Application to the Local Government Commission for Approval of the County's General Obligation Debt, and Resolution Making Certain Statements of Fact**

Don Warn, Finance Director, explained the intention to pursue a referendum to issue General Obligation bonds for (1) acquisition and improvement of land or interests therein for conservation and protection of natural resources and preservation of farmland, including but not limited to, the development of greenways and trails for recreation purposes; and (2) to pay the capital costs of housing for the benefit of persons of low or moderate income, including construction of related infrastructure improvements and the acquisition of related land and rights-of-way in the amounts of \$30 million and \$40 million respectively.

Commissioner Wells moved to approve the Resolution of Intent to Apply to the Local Government Commission for Approval of Bonds as presented. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Wells moved to approve the Resolution Making Certain Statements of Fact as presented. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Wells moved to approve the Resolution Authorizing the Application to the Local Government Commission for Approval of the County's General Obligation Debt as presented. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- **Ordinance Amending Certain Provisions of the County's Farmland Preservation Program to Comply with Session Law 2021-78**

Brandon Freeman, Staff Attorney, explained the ordinance amendment aligns with North Carolina General Assembly's refinement of the requirements to be certified as qualifying farmland and clarified that the required proximity buffer from the boundary line of any farm enrolled in a Voluntary Agricultural District or an Enhanced Voluntary Agricultural District is 1/2 mile.

Commissioner Wells moved to allow time for subject matter experts to review the amendment for accuracy and delay the approval of the ordinance. Chairman Newman seconded and the motion passed 7-0.

- **Ordinance Amending the Enforcement Provisions of Certain County Ordinances to Comply with Session Law 2021-138**

Brandon Freeman, Staff Attorney, presented to the Board on the North Carolina General Assembly's change to criminal penalties for certain local ordinance violations and the removal of the legal presumption that local ordinance violations constituted misdemeanor offenses and required local governments to specify which violations of its ordinances constitute misdemeanor offenses and provided new defenses for persons charged with criminal violations of local ordinances. This was the required introduction meeting and enactment will occur at a subsequent meeting.

- **Budget Amendment for Adjustments for Economic Growth - Occupancy Tax and Special Districts Tax**

Jennifer Barnette, Budget Director, explained the budget amendments. Commissioner Pressley moved to approve the budget amendments as presented. Vice Chair Edwards seconded and the motion passed 7-0.

- **Budget Amendment for Public School ADM Fund Adjustment for Growth**

Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Edwards moved to approve the budget amendment as presented. Commissioner Whitesides seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Commissioner Beach-Ferrara moved to appoint **D. Tyrell McGirt** (Parks & Recreation representative) to the **Juvenile Crime Prevention Council**. Commissioner Sloan seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *May 10 @ 11 a.m. - Commissioners' Budget Work Session at 200 College Street, Room 326 in downtown Asheville.*
- *May 19 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *May 19 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Sloan seconded and the motion passed 7-0. The meeting was adjourned at 6:40 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS