

MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 16, 2023 AT 5 P.M.

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 16, 2023, 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
Martin Moore, Commissioner
Parker Sloan, Commissioner
Terri Wells, Vice Chair
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; John Hudson, Budget Director; Keith Miller, Tax Assessor; Stoney Blevins, Health & Human Services Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Whitesides motioned to approve the Consent Agenda, remove the **2023 Governor's Volunteer Service Award** from **Good News**, and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 7-0.

- Approval of May 2, 2023 Briefing Meeting Minutes
- Approval of May 2, 2023 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Ordinance Imposing a Temporary Moratorium on Cryptocurrency Mining (Second Reading)
 - Ordinance
- Approval of Construction Contract with RYSE Construction for the 40 Coxe Ave HHS Renovation

PUBLIC COMMENT

Stephanie Phillips expressed support for National World Peace Day.

Debi Smith, Stephen Zubride, and Carol Peterson advocated for the Asheville Buncombe Sports Commission to remain an independent body and not merge with the Tourism Development Authority (TDA).

Andrew Clark expressed support for programming for veterans and the local VA hospital.

Anthony Pena` provided information on Long Covid and its effects.

GOOD NEWS

- ~~**2023 Governor's Volunteer Service Award**~~

PRESENTATIONS

- **Land of Sky Regional Council**

Nathan Ramsey, Executive Director, provided background details about the council and the partnership with the local region. Activities, projects, and accomplishments were highlighted for the council, which is the area agency on aging, workforce development, economic and community development, and transportation resource center.

- **Foster Care Month Proclamation**

Commissioner Sloan read and presented the proclamation. Lizzi Shimer, Health & Human Services, accepted the proclamation and shared gratitude for foster families.

- **Mental Health Awareness Month Proclamation**

Commissioner Beach-Ferrara read and presented the proclamation to Victoria Reichard, Behavioral Health. The proclamation was accepted and Victoria thanked the Commissioners for their support.

- **FY2024 Budget Message**

Avril Pinder, County Manager, presented a detailed overview FY23 Recommended Budget to the Board. A public hearing for the budget will be held at the June 6th meeting and budget adoption will follow or will be considered at a later meeting.

PUBLIC HEARINGS

- **Lake Eden Rezoning Request - ZPH2023-00010**

Shannon Capezzali, Planning, presented the rezoning request, stated that the request was consistent with the comprehensive land use plan and was unanimously approved by the Planning Board. The property would move from R-2 (Residential) to CR (Conference Resort) unaddressed (adjacent to Camp Rockmont), off Lake Eden Road in Black Mountain. The total acreage of the one parcel property is 48.67.

The Chairman opened the hearing at 6:19 p.m.

Attorney Chuck Flournoy, representing the landowner, expressed support for the rezoning request.

The hearing was closed at 6:21 p.m.

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

- **Comprehensive Plan**

Nathan Pennington, Planning Director, and Leigh Anne King, Clarion & Associates, explained the plan process and the reason for plan. A new comprehensive plan will help guide growth, conservation, economic development, and other related elements within the County. Opportunities for public input were provided to the residents of Buncombe County, and those inputs were used to help guide the development of the plan.

The Chairman opened the hearing at 6:45 p.m.

Tim Collins expressed his support for the Clarion & Associates and the comprehensive plan but not for zoning.

Dede Styles stated that comprehensive plan will depend on interpretation.

The following individuals spoke against the comprehensive plan because of mixed-use zoning and infrastructure:

Suzanne Peebles	Jo Taylor	George Handy	Jill Raymond
Susan Feinblatt	Marian Loane	Melissa Heath	Leslie Welker
Margo Mulligan	Carol Foy	Jason Siekel	Nancy Clarke
Bruce Bauehman	Rob Haizlip	Charles Raymond	
Toni Meador	Kelsey Fullbright	William Duane	

The following individuals spoke in support of the comprehensive plan because of equity and affordable housing:

Alan Almeida	Ingrid Johnson	Jonathan Palma	Andrea Golden
Mirian Porras	Jonette Garcia	Rosia	

The hearing was closed at 7:46 p.m.

Commissioner Sloan moved to approve the resolution for the adoption of the comprehensive plan. Commissioner Whitesides seconded the motion and it passed 7-0.

NEW BUSINESS

- **Approval of Rate Adjustment for Purchased Transportation Services Provided under the Transportation Agreement between Buncombe County and the City of Asheville**

William High, Planning, explained that the County provides ADA Complementary Paratransit Services for the City of Asheville and staff proposes increasing the contract billing rate to \$3.20 per shared service mile from \$2.38.

Chairman Newman moved to approve the rate adjustment as presented. Commissioner Moore seconded the motion and it passed 7-0.

- **Approval of FY2024 ART Leicester Highway Transit Extension and Route 170 Funding Request**

William High, Planning, explained the funding request from the City of Asheville. The request is for FY24 (July 1, 2023, through June 30, 2024) with funding in the amount of:

- \$81,027 to support the WE1 route and associated paratransit services; and
- \$91,888 to support the Route 170 route and associated paratransit services

Chairman Newman moved to approve the funding request as presented. Commissioner Edwards seconded and the motion passed 7-0.

- **Commissioner Reports on Boards and Commissions**

The Board of Commissioners look to add this segment of the agenda after Board Appointments within the Order of Business. During this segment, each Commissioner will have three (3) minutes to share with the rest of the Commission about activities/topics from County-appointed boards and commissions that they are members.

Commissioner Edwards moved to add the Commissioner Reports on Boards and Commissions segment. Commissioner Moore seconded the motion and it passed 7-0.

BOARD APPOINTMENTS

Vice Chair Wells moved to appoint **Suzy Rankin** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Moore seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *June 6 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *June 6 @ 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) (5) hear real property negotiation matters with no possible action anticipated following the closed session. Commissioner Edwards seconded and the motion passed 7-0.

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

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

Commissioner Whitesides moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 9:26 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS