

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF APRIL 2, 2024 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on April 2, 2024, 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
Amanda Edwards, Commissioner
Martin Moore, Commissioner
Terri Wells, Commissioner
Al Whitesides, Commissioner
(Absent: Jasmine Beach-Ferrara, Parker Sloan)

Staff present: Avril Pinder, County Manager; Dakisha Wesley, Assistant County Manager; John Hudson, Budget Director; Jennifer Pike, Tax Collector; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Stacey Woody, Interim Clerk, Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Chairman Newman announced that on the regular agenda they would need to remove the incentive program related to short-term rentals due to the absence of the presenter.

Commissioner Moore motioned to approve the Consent Agenda and the remainder of the agenda minus the short-term rental incentive item. Commissioner Edwards seconded and the motion passed 5-0.

- Approval of March 7, 2024 Briefing Meeting Minutes
- Approval of March 7, 2024 Regular Meeting Minutes
- Tax Collection Report
- Execution of Deeds
 - Non-Warranty Deed
 - Map 1
 - Map 2
 - Exhibit A
- Approval of Design Contract for Courthouse Renovations
 - Contract
- Appointment of Deputy Finance Officer
 - Resolution

PUBLIC COMMENT

Chip Craig, Randall Blankenship, Sandra Rogers, Julie Nelson, Cynthia Frazier Michelle Lunsford, Brian Bishop, Jody Schmidt, a resident who did not give their name, and Myron Gottfried expressed their opposition to the short-term rental zoning proposal.

Charles Merkley of FCC Environmental Services wanted to introduce the company and wanted to let Commissioners, residents and staff know the waste service won't change and they are going to hire all local employees.

Brad Spiegel, Nancy Edgerton, Josh Kelly, and Felipe expressed support for the Outdoor Recreation Legacy Grant to preserve Deaverview Mountain.

GOOD NEWS

- **GFOA Distinguished Budget Presentation Award**

John Hudson, Budget Director, recognized the Budget team for receiving the Government Finance Officers Association (GFOA) distinguished Budget Presentation Award for the FY2024 Budget Document. He noted that this is the 28th consecutive year Buncombe County has received the award.

PRESENTATIONS

- **Food Waste Reduction Month Proclamation**

Commissioner Moore read and presented the proclamation to Casi Lohmeyer from Solid Waste. The proclamation was accepted, and appreciation was expressed, as well as an update on upcoming food reduction events.

- **National Health Week Proclamation**

Commissioner Edwards read and presented the proclamation to Public Health Director Dr. Ellis Matheson. The proclamation was accepted, and Commissioners expressed gratitude to Health and Human Services staff. Dr. Ellis thanked the Commissioners for acknowledging the importance and value of public health.

- **Board of Adjustment**

Buncombe County Board of Adjustment chair Andy Ball provided an update to the Commissioners on the purpose of the board, their activities, accomplishments, and trends.

PUBLIC HEARINGS

- **Recovery Housing Grant Application Public Hearing & Consideration**

Victoria Reichard, Behavioral Health Manager, explained the NC Department of Commerce's Rural Economic Development Division (REDD) is administering the Recovery Housing Program (RHP) awarded to the State by the US Department of Housing and Urban Development (HUD) to be treated as a Community Development Block Grant (CDBG). RHP grants of up to \$1,000,000 are available to local governments and funds can be used to develop housing or maintain housing for supporting individuals in recovery from substance use.

She discussed Funding and Eligibility, the Application Process, Public Input and the Proposed Budget. The proposed activity will provide funds to ABCCM to expand Transformation Village by constructing a four story, 64-unit building. Reverend Scott Rogers of ABCCM and Paul New of Land of Sky were in attendance to show support for the collaboration.

The Chairman opened the hearing at 6:10 p.m.

There was no public comment and the hearing closed at 6:11 p.m.

Commissioner Wells moved to adopt the Resolution to Approve the submittal of State CDBG-RHP application, Commissioner Moore seconded and the motion passed 5-0.

- **LOBS 2024 Debt Issuance – Approval of Findings Resolution**

Mason Scott, Assistant Finance Director, provided background and gave updates on the Findings Resolution on the 2024 Limited Obligation Bonds (LOBs) Installment Financing Contract: and discussed the Not-to-exceed amount, Reimbursement, Modifying the 2015 Deed of Trust, and Application to the Local Government Commission (LGC).

The Chairman opened the hearing at 6:14 p.m.

There was no public comment and the hearing closed at 6:15 p.m.

Commissioner Wells moved to adopt the Resolution to Authorizing the Negotiation of an Amendment to and Installment Financing Contract; Providing for Certain Other Related Matters Thereto and Declaring the Intent of the County to Reimburse Itself for Capital Expenditures from Proceeds of Such Related Limited Obligation Bonds, and by consensus the motion passed 5-0.

OLD BUSINESS

- **DFI Coxe Avenue Project Update**

Sarah Odio, Associate Director of Development Finance Initiative (DFI), a program of the School of Government (SOG), gave process and community engagement overviews on the selection of a preferred plan for Coxe Avenue Redevelopment and next steps.

She presented two development options: Option 1 to develop 52 Coxe Avenue only with a total of 130 affordable units; and Option 2 to develop 50-52 Coxe Avenue with a total of 200 affordable units.

There was some discussion and all Commissioners present were in support of Option 2.

Commissioner Edwards moved to proceed with identifying development partners for the preferred Coxe Avenue redevelopment plan. Commissioner Whitesides seconded and the motion passed 5-0.

NEW BUSINESS

- **Resolution Approving the Buncombe County Commissioners' Legislative Agenda for 2024**

Tim Love, Intergovernmental Relations, explained that Buncombe County Commissioners have worked with Governmental Relations Firm Ward & Smith to develop a 2024 Legislative Agenda. He introduced Trafton P. Dinwiddie, Governmental Relations Advisor and Whitney Christensen, Attorney, of Ward & Smith who gave an overview of the Legislative Agenda including appropriations and policy priorities that will be pursued during the 2024 Legislative Session. Commissioners discussed adding a request for reimbursement of the cost of the school merger study.

Commissioner Wells moved to adopt the 2024 Buncombe County Legislative Agenda with the amendment to request the \$300,000 for the school merger study. Chairman Newman seconded and the motion passed 5-0.

- **Approval of FY2024 Audit Contract & Authorization of Decennial Transportation Program Audit**

Mason Scott, Assistant Finance Director, provided background and gave updates on the Fiscal Year 2024 Audit Contract and discussed the Decennial Transportation Program Audit. He asked the Commissioners to accept the Audit Committee recommendations to approve the FY2024 audit contract with Mauldin & Jenkins and authorize County Management to engage with Mauldin & Jenkins for the FY2024 decennial transportation audit.

Commissioner Whitesides moved to Approve the FY2024 audit contract with Mauldin & Jenkins, Commissioner Edwards seconded and the motion passed 5-0.

Commissioner Whitesides moved to authorize County management to engage with Mauldin & Jenkins for completion of the FY2024 decennial transportation audit Commissioner Moore seconded and the motion passed 5-0.

- **Outdoor Recreation Legacy Program (ORLP) Grant - Deaverview**

Allison Dains, Parks & Recreation Director, presented an overview of the Outdoor Recreation Legacy Program Grant (ORLP) to develop Deaverview Mountain as a Buncombe County Public Park. She discussed the property location, status, and the ORLP program and requirements, as well as the program implications and the optional paths forward.

Commissioner Moore moved to proceed with the County as the primary applicant for the grant. Commissioner Wells seconded and the motion passed 5-0.

- **Budget Amendment - Project/Grant Closures**

John Hudson, Budget Director, explained the budget amendment and multiple project/grant closures.

Commissioner Wells moved to approve the budget amendments as presented. Commissioner Edwards seconded and the motion passed 5-0.

- **Budget Amendment - Realize Unanticipated Forfeiture Funds**

John Hudson, Budget Director, explained the budget amendment regarding forfeiture funds.

Chairman Newman moved to approve the budget amendment as presented. Commissioner Moore seconded and the motion passed 5-0.

- ~~Short Term Rental Conversion Incentive Program~~

BOARD APPOINTMENTS

Chairman Newman moved to **reappoint Terri Wells** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Edwards seconded and the motion passed 4-0.

(Commissioner Whitesides was absent for this vote.)

Commissioner Wells moved to **reappoint Suzy Rankin** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Edwards seconded and the motion passed 4-0.

(Commissioner Whitesides was absent for this vote.)

Commissioner Wells moved to **appoint Robert MacDonald and Josh LittleJohn** to the **Environmental & Energy Stewardship Subcommittee**. Commissioner Edwards seconded and the motion passed 4-0. (Commissioner Whitesides was absent for this vote.)

Commissioner Edwards moved to **appoint Elizabeth Stockslager** to the at large position on the **Health & Human Services Board**. Commissioner Moore seconded and the motion passed 4-0.

(Commissioner Whitesides was absent for this vote.)

Chairman Newman moved to **appoint Maia Sloan** to the **Early Childhood & Development Committee**. Commissioner Edwards seconded and the motion passed 4-0. (Commissioner Whitesides was absent for this vote.)

REPORTS ON BOARDS AND COMMISSIONS

ANNOUNCEMENTS

The Chairman made the following announcements:

- *April 16 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *April 16 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *April 23 @ 9 a.m. – Commissioners Budget Work Session at 200 College Street, 1st Floor Conference Room in downtown Asheville.*

CLOSED SESSION

Commissioner Moore moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to discuss matters with legal counsel retained or employed by the public body to receive direction from the Board on these matters, Commissioner Edwards seconded and the motion passed 5-0. The Board had discussion regarding the matters. No action was taken.

Commissioner Edwards moved to go back into open session. Commissioner Whitesides seconded and the motion passed 5-0. Chairman Newman moved to adjourn the meeting.

Commissioner Moore seconded and the motion passed 5-0. The meeting was adjourned at 8:33 p.m.



STACEY WOODY, INTERIM CLERK
BOARD OF COMMISSIONERS



BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS