

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 7, 2024 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 7, 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
Parker Sloan, Vice Chair
Terri Wells, Commissioner
Al Whitesides, Commissioner

Jasmine Beach-Ferrara, Commissioner (absent)

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Melissa Moore, Finance Director; John Hudson, Budget Director; Sharon Burke, Human Resources Director; Jennifer Pike, Tax Collector; Rachael Sawyer, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Dane Pederson, Solid Waste Director; Stacey Woody, Interim Clerk to the Board, Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

Commissioner Whitesides motioned to approve the Consent Agenda and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 6-0.

CONSENT AGENDA

- Resolution Approving Pyrotechnic Experts for Firework Displays
 - Resolution
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Office - Joseph Pierce
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Office - Aaron Lawson
- Tax Collection Report
- Transfer of Two Surplus Parcels to the NC Department of Transportation
 - Map 1
 - Agreement for Entry Parcel - 031
 - Deed for Highway Right of Way - Parcel 031
 - Non-Warranty Deed - Parcel 031
 - Map 2
 - Agreement for Entry Parcel - 102
 - Deed for Highway Right of Way - Parcel 102
 - Non-Warranty Deed - Parcel 102
 - Resolution
- Resolution Supporting NC DOT NC-63 Turning Lane Project
 - Resolution
- Budget Amendment - State Accreditation Priority Grant
 - Ordinance
- Fund 327 - CAPE Language Access Plan Grant
 - Ordinance
- Fund 335 Buncombe County Schools Request for Lottery Project Submission Approval
 - Applications
- Fund 224 - Conservation Easements
 - Maps
 - Ordinance

PUBLIC COMMENT

There was no public comment.

PRESENTATIONS

- **Air Quality Awareness Week Proclamation**

Commissioner Moore read and presented the proclamation to Ashley Featherstone, Asheville-Buncombe Air Quality Agency Director, who was joined by Asheville-Buncombe Air Quality Board member Garry Whisnant, who is a Buncombe County appointee. The proclamation was accepted, and appreciation was expressed.

- **Older Americans Month Proclamation**

Commissioner Sloan read and presented the proclamation to Billie Breeden, Age-Friendly Coordinator and Alison Banzhoff, Social Work Program Manager for Buncombe County. The proclamation was accepted, and gratitude was expressed. Billie Breeden thanked the Commissioners and announced several upcoming events.

- **Financial Quarterly Report - FY24 Third Quarter**

Melissa Moore, Finance Director, presented the FY24 Third Quarter Report with an update on general fund budget to actual revenues and expenditures, the solid waste enterprise fund budget to actual revenues and expenditures, county capital projects, and a summary of investments.

PUBLIC HEARINGS

- **Fire Service District Line Modification**

Ryan Cole, Assistant Director of Emergency Services, gave an explanation regarding the proposed boundary change between Reems Creek Fire Protection & Ambulance and Rescue Service District (herein "RCFPARSD") and the Woodfin Fire Protection & Ambulance and Resue Service District (herein "WFPARSD").

The Fire Marshal recommends the proposed boundary changes due to the NC Insurance Rating and the parcels of property located in the RCFPARSD and serviced by the Reems Creek Volunteer Fire Department which is over 5-mile fire district. The same parcels if served by Woodfin Fire Department would be under the 5-mile fire district limit providing improved response times and insurance ratings through the NC Department of Insurance.

The public hearing opened at 5:47 p.m.

There was no public comment.

The public hearing closed at 5:48 p.m.

Commissioner Moore made a motion to approve the resolution. Commissioner Wells seconded, and the motion passed 6-0.

COUNTY MANAGER'S REPORT

County Manager Pinder announced upcoming Strategic Plan Community Input meetings to seek resident input on priorities and trends for the next five years in Buncombe County.

Taylor Jones, EMS Director, gave a brief update on our Urban Search and Rescue team which was deployed to Texas to help with rescue due to flooding.

NEW BUSINESS

- **Solid Waste Franchise Agreement - First Reading**

Dane Pedersen, Solid Waste Director, answered questions asked by the Commissioners at the April 16th Briefing and provided a timeline for the Solid Waste Franchise contract including the status of the negotiation, measures that will be in place to ensure accountability, and specific transition deadlines. He also covered rates, contract changes. Solid Waste Staff recommends approval of the Solid Waste Franchise Contract with FCC Environmental, LLC. A second reading will be held for the franchise agreement on May 21, 2024.

- **Clean Water Fund Awards**

Jennifer Harrison, Agriculture and Land Resources Director, provided an overview of the three eligible applications for funding, and the Energy and Environmental Stewardship Subcommittee recommendations to fund the Town of Black Mountain at \$75,000 and Riverlink at \$25,000. The recommended projects will be completed by June 2025.

Commissioner Sloan made a motion to approve the allocations to the Town of Black Mountain and Riverlink. Commissioner Wells seconded, and the motion passed 6-0.

- **Cryptocurrency Mining Moratorium: One Year Extension**

Nate Pennington, Planning Director, requested the Commissioners extend the moratorium on Cryptocurrency Mining for one year due to give staff and the Planning board time to bring back a reasonable set of regulations with this industry and land use.

Commissioner Sloan made a motion to adopt the Ordinance as written. Commissioner Whitesides seconded, and the motion passed 6-0.

- **Fund 327 - Barnardsville Bridge Replacement Grant**

Jennifer Harrison, Agriculture and Land Resources Director, went over the Objectives and Requests, and provided a map showing the stream migration and the impacted area. She discussed Funding Sources, Current Project Status, next steps and requested actions. She gave a project overview which included DOT agreement and property maps.

Commissioner Wells made a motion to approve the Budget Amendment for the Barnardsville Bridge Replacement Grant, approve the agreement with DOT for the passthrough funding, and adopt the resolution to receive ARPA funding. Commissioner Whitesides seconded, and the motion passed 6-0.

- **Fund ISF 100: Increase Revenue and Expenses, Transfer for Ambulance**

John Hudson, Budget Director, explained the two budget amendments: Internal Service Fund: Realize Revenue, Estimate for Expenditures, and Transfer for Ambulance Remount and Repair.

Commissioner Moore made a motion to approve the budget amendments. The motion was passed by consensus, 6-0.

- **Resolution to Support Sustainable Procurement for Buncombe County Government**

Jeremiah LeRoy, Sustainability Officer, explained that the resolution was brought to the Commissioners through the Environmental and Energy Stewardship Subcommittee. In conjunction with the proclamation of April as Less Plastic Buncombe month, the resolution encourages the County's

departments efforts to reduce consumption of single use plastics in County operations. It also encourages County staff to makes efforts, where financially feasible, to make sustainable purchasing choices.

Commissioner Sloan moved to adopt the resolution. Commissioner Edwards seconded and the motion passed 6-0.

- **Appointment Clerk to the Board of Commissioners**

Sharon Burke, Human Resources Director, discussed the search for the Clerk to the Board and the appointment of Sarah Gross effective as of May 28, 2024.

Commissioner Edwards moved to adopt the resolution. Commissioner Wells seconded and the motion passed 6-0.

BOARD APPOINTMENTS

Commissioner Moore moved to **reappoint Carol Steen** to the **Early Childhood Education and Development Fund Committee**. Commissioner Edwards seconded and the motion passed 6-0.

Commissioner Edwards moved to **reappoint Cathy Kiser-Ray and Ray Hemachandra** to the **Strategic Partnership Grants Committee**. Commissioner Wells seconded and the motion passed 6-0.

Commissioner Wells moved to **appoint Erica Boyd** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Edwards seconded and the motion passed 6-0.

Commissioner Wells moved to **appoint Stagg Newman and Lang Hornthal** to the **Land Conservation Advisory Board**. Commissioner Moore seconded and the motion passed 6-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *May 9 @ 9 a.m. - Commissioners' Budget Work Session at 200 College Street, 1st Floor Conference Room, in downtown Asheville.*
- *May 21 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *May 21 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

CLOSED SESSION

Commissioner Moore moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to discuss two legal matters with legal counsel retained or employed by the public body to receive direction from the Board on these matters, Commissioner Wells seconded and the motion passed 6-0. The Board had discussion regarding the matters. No action was taken.

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

Chairman Newman moved to adjourn the meeting. Commissioner Whitesides seconded and the motion passed 6-0. The meeting was adjourned at 7:35 p.m.

STACEY WOODY, INTERIM CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS