

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF AUGUST 1, 2017 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on August 1, 2017, 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
Ellen Frost, Vice Chair
Joe Belcher, Commissioner
Mike Fryar, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Mandy Stone, County Manager; Jon Creighton; Assistant County Manager/Planning Director; Jim Holland, Assistant County Manager/HHS Director; Tim Flora, Finance Director; Mike Frue, Robert Deustch, County Attorney; Kathy Hughes, Clerk to the Board.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman mentioned a recent manhunt in his neighborhood and another in the Mills River Community and the impact of these events on citizens and law enforcement. On behalf of the families in our County, he thanked local and regional law enforcement for their hard work and protection.

PUBLIC COMMENT

Weston Hall spoke about discrimination in the fire departments. He complained about the Skyland Volunteer Fire Department, nepotism and corruption and a hostile work environment. He asked for the Commissioners to investigate these complaints.

Brenda Smith commented on the budget and spending for emergency medical services. She wanted EMS to be supported.

Todd Stimson presented a resolution asking for medical cannabis for all residents in the County and state. He asked that the Board approve the resolution.

Caitlin Breelyn with Citizens for Cannabis presented a resolution that would support HB185 encouraging the state legislators for use of medical cannabis for qualified candidates.

Amanda Crouse spoke for legalizing medical cannabis for residents that are qualified candidates.

Norman Ray spoke in favor of the medical cannabis resolution saying how this could help veterans that suffer from PTSD and opioid addictions.

Timothy Sadler spoke in favor of the medical cannabis resolution. He felt that the cannabis would help stop opioid addiction.

Terry Boyd spoke in favor of medical cannabis for qualified candidates. She said that the opioid deaths have declined in the states that have legal cannabis. She felt that cannabis does not impact brain development.

Tonia Ballard spoke in favor of medical cannabis and told success stories of those with disabilities that have used it to help alleviate their illnesses.

Cindo Williams spoke in favor of medical cannabis for pain management. She spoke about her partner that was in constant pain with no alternatives.

Don Yelton questioned tax credits for solar energy and the possibility of making Buncombe renewable energy. He questioned the amount of energy that the county consumes on an annual basis; the city; the schools and square footage of land area of provide that much energy. He asked what would happen to the solar panels in 30 years.

Jerry Rice thanked the Board for the recent workshops. He wanted the workshops put on television. He asked that the Board not approve the alcohol sales on Sunday.

CONSENT AGENDA

Mike Frue, Senior Staff Attorney, reviewed the resolution added to the agenda, involving the lease of property for Ira B Jones and Asheville High School to ease the permitting for the construction on these two properties.

Commissioner Frost moved to approve the consent agenda as presented. Commissioner Belcher seconded and the motion passed 7-0.

- **Approval of the Minutes of the June 20 Regular Meeting**
- **Resolution Approving Fee Penalty Waiver for Tourism Development Fee (Days Inn & Princess Anne Hotel)**
- **Budget Amendment**
- **Grant Projects Ordinance**

- **Special Projects Ordinance**
- **Resolution Amending the Substance Abuse Policy for Mountain Mobility**
- **Resolution Authorizing Execution of Easement to AB Educational Housing**
- **Resolution Supporting Pedestrian Sidewalk Grant Application with NCDOT for Emma Community**
- **Risk Management Settlement**
- **Resolution Authorizing Execution of Non-Warranty Deed**
- **Release Report**
- **Resolution Authorizing Chairman to Execute Highway Safety Program Grant**
- **Resolution Amending Resolution 16-04-05 Appointing Replacement Review Officers to Review Plats**
- **Reappointing Commissioner Mike Fryar to the Asheville Buncombe Technical Community College Board of Trustees**

GOOD NEWS

- **Congratulations to the Hominy Valley 6 & Under 2017 State Babe Ruth Softball Champions**

Commissioner Belcher noted that this was a repeat championship for Hominy Valley. Commissioners Pressley and Belcher read and presented the certificates to these players and coaches

Coaches were: Alex Franklin; Canaan Roberson; Levi Smith; Adam Hamlin

Players were: Addison Ball; Paisley Clemmons; Rena Conner; Hannah Fish; Emma Fisher; Tenley Franklin; Kenzie Hamlin; Olivia Reese; Braelyn Smith; Amiya Wardlaw; Makena Whitted; Rylie Wise.

COUNTY MANAGER'S REPORT

- **Opioid Response Plan Update**

Lisa Eby, HHS Planner, gave a power point presentation outlining the work done to begin addressing the problem with the resources available within the County.

Jim Holland, Assistant County Manager/HHS Director, spoke about the treatment support projects that were planned including models for treatment support that are being tested through peer support to keep families unified. He said that the state of NC had received \$31 million for treatment of addiction and prevention; those funds will come through Vaya health.

Commissioner Belcher thanked the staff for their work on this very difficult problem and Vice Chair Frost asked for more emphasis on education for citizens.

Mr. Holland said that there would continue to be education on the message of how to treat pain and the danger of opioids.

The Chairman said that he was in favor of getting better information on prescription trends and where they are headed.

Commissioner Belcher asked for a quarterly report on the opioid problem.

NEW BUSINESS

- **Community Child Protection Team & Child Fatality Prevention Team Report**

Jennifer Neilson, Chair of the Child Fatality Prevention Team, reviewed their annual report that is attached to the minutes of this meeting. She talked about the safe sleep campaign that was implemented in an effort to improve infant mortality percentages. They thanked the Board for their help in keeping children safe in the community.

- **Acceptance of Settlement Report; Insolvency Report and Order to Collect**

Keith Miller, Interim Tax Director, explained the settlement and insolvency reports that are attached to the minutes of this meeting. He asked that the Board approve these reports including the order to collect taxes for 2016.

Commissioner Whitesides moved to accept the reports as submitted and approve the order to collect. Commissioner Frost seconded and the motion passed 7-0.

- **Ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises**

Mike Frue, Senior Staff Attorney, explained the ordinance and the legislation that allowed the Board to consider its approval.

Beverly Gottfried said that she owned an event center in the County, had a license to serve alcohol at the center and would ask that this be approved so that she can say yes to guests who are coming in for destination weddings.

Don Yelton suggested that they approve the ordinance.

Jerry Rice said that he was opposed to approving the sale of alcohol. He suggested they be required to carry \$1 million liability policy.

Vice Chair Frost moved to approve the ordinance as submitted.

Commissioner Pressley said that disapproval of this would not hurt anyone. He said that he was opposed to this ordinance and wanted to keep alcohol out of Sunday mornings.

Commissioner Beach-Ferrara said that as a “beer city” the County should be responsible by actively attempting to reduce DUI arrests and promoting the treatment for alcohol abuse.

Commissioner Belcher said that he was opposed to the ordinance and any alcohol sales on Sunday.

Commissioner Whitesides seconded the motion to approve the ordinance. He said that he agreed that families should be responsible, but in fairness to the businesses who compete with the City of Asheville, he felt it should be approved, allowing visitors a right to choose.

The motion passed:

AYES: Chairman Newman; Commissioners Beach-Ferrara; Whitesides, Frost, Fryar

NOES: Commissioners Pressley and Belcher

- **Budget Amendment: Fund 66 Solid Waste Transfer Facility**

- **Solid Waste Capital Project Ordinance**

Jon Creighton, Assistant County Manager/Planning Director, said that a new transfer station had been designed and bid and phase one was in process; phase two was over budget and with some cost cutting measures it still required an additional \$1.5 million to complete the project.

Chairman Newman moved to approve the budget amendment. Commissioner Whitesides seconded the motion and it passed 7-0

BOARD APPOINTMENTS

The Board agreed to ask the Women’s Commission to review the applications for the 4 vacant positions before their made appointments.

Commissioner Whitesides moved to appoint **Shawntell Smart** to the **Juvenile Crime Prevention Council**. Commissioner Jasmine Beach-Ferrara seconded the motion and it passed 7-0.

Commissioner Belcher moved to appoint **Thomas VanSlambrouch** to the **Civic Center Commission**. Commissioner Pressley seconded and the motion passed 7-0.

Commissioner Fryar moved to reappoint **Bryan Moffitt and Amanda Warren** to the **Historic Resources Commission**. Commissioner Whitesides seconded and the motion passed 7-0.

Vice Chair Frost moved to appoint **Kim Mallicoat** to the **Adult Care Home Community Advisory Commission**. Commissioner Whitesides seconded and the motion passed 7-0

Commissioner Belcher moved to appoint **Josh O’Connor** to the **Asheville Buncombe Sports Commission**. Commissioner Pressley seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcement and adjourned the meeting:

- *August 15 - 5 p.m. Regular Meeting Board of Commissioners in Room 326 @ 200 College Street in downtown Asheville*

Vice Chair Frost moved to go into closed session pursuant to GS143-318.a(3)(4)(5). Commissioner Whitesides seconded and the motion passed 7-0.

CLOSED SESSION

Discussion was held concerning a potential economic development incentive for an existing company making a \$55 - \$105 million investment. After lengthy discussion, the board gave consensus to continue to consider the incentive.

The County updated the Board on the possibility of the County entering a lawsuit. No action was taken.

The Board discussed a personnel matter involving a Governing Body employee. No action was taken.

Commissioner Beach-Ferrara moved to return to open session. Commissioner Pressley seconded and the motion passed 7-0.

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Belcher seconded the motion which passed 7-0. The meeting was adjourned at 8:15 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS