

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF OCTOBER 3, 2017 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on October 3, 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; Tim Flora, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman mentioned recent loss of life due to local car accidents and the mass shooting in Las Vegas. In memory of these lives he asked for a moment of silence.

PUBLIC COMMENT

Tom Wienken expressed concern about the effects of the proposed development off Overlook Road in south Asheville. He was concerned about a stream in the area that would be disturbed by multiple housing units that could ruin his property.

Carter Webb, President of Oak Forest Community located across from the proposed project on Overlook Road, spoke in opposition to the 98 lots on this property. He said that the construction would take 5 years to complete.

Jerry Rice was concerned about the Enka ballfields that were located on an old, contaminated landfill and near other property that was filled in flood way. He wanted more discussion of this project and more information about the money spent on the project.

Lisa Baldwin spoke about the Enka ballfields project and the funding of the project. She referred to a letter from the Southern Environmental Law Center that is attached to the minutes of this meeting.

Kermit Tolley with Medical Emergency Transport gave an update on their franchise proposal stating that they have turned in required paperwork and are still waiting on an approval for their proposal. He gave a history of the companies work in the County and asked that he be able to respond to emergencies in the County.

A lady from community questioned the audit report.

Steven Campbell from Fairview spoke in support of the new ambulance franchise for Medic.

Amos Johnson spoke in support of the ambulance transport and how they took care of his daughter during a fatal accident. He wanted the closest ambulance to be able to respond.

Resident of Haywood County spoke in support of Medic and asked that they be granted a franchise for operation in the County.

Sharon Tolley spoke in favor of Medic stating they had been in the County for 32 years and wanted to keep their ambulance service going. She invited the Commissioners to visit their operation and asked to have their franchise included in an upcoming agenda to be able to take County calls again. The closest ambulance should be able to answer a call anywhere in the County.

CONSENT AGENDA

At the request of Commissioner Belcher, Jon Creighton gave an update on the progress of the Enka Ball Fields project. He said that the fields were almost ready and construction of the dugouts would begin soon making the facility ready for their first major tournament in July of 2018. He said that this was a brownfield and that the state had signed off on the construction. The Chairman said that the environmental concerns were legitimate; however, the concerns had been settled with the state and the organizations raising questions have had those satisfactorily answered. Commissioner Belcher said that the Tourism Development Authority had given a \$2 million grant for this project.

Mike Frue, Senior Staff Attorney, explained the Memorandum of Understanding with Asheville Buncombe Technical Community College stating that it would cover the resolution of maintenance issues covered with the use of tax funds that were authorized.

Vice Chair Frost moved to approve the consent agenda. Commissioner Whitesides seconded and the motion passed 7-0.

- **Approval of Minutes of September 19, 2017 Regular Meeting**
- **Resolution Authorizing the Chairman to Execute a Memorandum of Understanding with AB Tech**
- **Resolution Approving Pyrotechnic Experts for Fireworks Displays**
- **Release Report**
- **Grant Project Ordinance**
- **Capital Project Ordinance – Workday Project**
- **Capital Project Ordinance – Enka Ball Fields**

GOOD NEWS

- **Certificate of Appreciation to the ARC of Buncombe County**

Commissioner Whitesides read the certificate of appreciation for the ARC's 60th anniversary and presented the certificate to Linda McDaniel and Oscar Wong with the ARC. Ms. McDaniel thanked everyone for the recognition.

- **Proclamation of Domestic Violence Prevention Month**

Vice Chair Frost read the proclamation and thanked representatives of the Family Justice Center for their work. April Burgess Johnson mentioned the Domestic Violence vigil that was held during October every year to acknowledge those that lost their lives to domestic violence.

COUNTY MANAGER'S REPORT

Julie Klipp Nicholson, Director of the Family Justice Center, gave a power point that is attached to the minutes of this meeting that outlined the success of the Center during the past year. She said that they have had a 50% increase in intake and realization of service availability.

Van Duncan, Sheriff, said that making the FJC a reality was a long process but the survivors that come to the center can find justice being served. They continue to look at ways to improve the process.

April Burgess Johnson, Helpmate Director, said that the extraordinary leadership within the County had made this an exciting time to serve. She told the story of a Mother and daughter living in emotional and physical abuse who came to the Family Justice Center and create a new life.

Ms. Nicholson told about the Still Standing campaign that was created to draw attention to the Family Justice Center. Commissioner Belcher said that this center is reducing the stress in finding help by bringing the help to one place.

NEW BUSINESS

- **Audit Committee Recommendations**

Larry Harris, Audit Committee Chair, said that these recommendations were presented to the Audit Committee to create new reporting structure. He said that the changes were significant and would take some time to fully implement.

Commissioner Whitesides, member of the Audit Committee, said that the governmental organization is catching up with the ways that banking had handled audits years ago.

Terri Orange, Internal Auditor, detailed the changes that are part of a power point attached to the minutes of this meeting. She said that the implementation of these controls would take education of staff including elected officials. The Committee recommended amendment the charter and resolution creating the Audit Committee and adopting the internal control framework.

Commissioner Whitesides recommended that Commissioner Pressley be added to the committee.

Vice Chair Frost moved to approve the resolution. Commissioner Whitesides seconded.

Jerry Rice said he was concerned about restructuring with the former County Manager under investigation. He said they were red flags and he wanted to know why previous auditors did not find the problems. He wondered what the audit committee had been doing in the past.

The motion passed 7-0.

Commissioner Beach-Ferrara moved to adopt the charter as amended. Commissioner Belcher seconded and the motion passed 7-0

Commissioner Beach-Ferrara moved to adopt the internal control standards and send a message that there was a strong commitment to assess and address risk by being proactive partners in this process. Vice Chair Frost seconded stating that this was a good move toward transparency and improved management style.

Commissioner Fryar agreed that this was a good move forward.

The motion passed 7-0.

Commissioner Whitesides moved to appoint Commissioner Pressley to the Audit Committee. Vice Chair Frost seconded and the motion passed 7-0.

- **Early Learning Partnership**

Vice Chair Frost said that the County was addressing the need for expanded pre-kindergarten services in the County with work at Johnston Elementary and Eliada Homes and with a new solution involving the creation of 12 spots in an early learning partnership across multiple agencies. Commissioner Belcher said that this type commitment can make a difference in more communities with more partnerships like this one.

Rachel Nygaard, Director of Strategic Partnerships, said that this access expansion would provide funding to support 12 pre-k openings at Christine Avery Learning Center in partnership with Asheville City Schools and the faith community. She asked the Board to approve the budget amendment to fund this partnership.

Jerry Rice was concerned that there was nothing in the sustainability plan about this and he felt that former Governor Hunt could not sustain a pre-K system and the County should do more research before funding anything. He was not happy with teachers that were in the existing school system and wanted the education system fixed instead of starting pre-schools. He wanted TDA, Chamber of Commerce and room tax dollars being spent on the kids.

Van Duncan thanked the Board for being a champion for children. He said that the first five years is so essential to their future. This has been a need for a long time and this move is exciting.

Commissioner Frost moved to approve the budget amendment. Commissioner Belcher seconded and the motion assed 7-0.

- **County Personnel Policy Changes**

Lisa Eby, HR Director for the County, said that a pay review was underway and the changes reflected today were a result of the County Manager's request. She said that more changes would be presented in April after the workday software was implemented enabling more accessibility to county data. The changes have been discussed with management team before being presented in their current form. She reviewed the changed as outlined in a power point attached to the minutes of this meeting.

Commissioner Belcher asked that adequate notice be given to employees who are being required to submit a retirement letter. Ms. Eby said that the County would be talking with effected employees directly going over these personnel ordinance changes.

Vice Chair Frost moved to approve the changes that she felt reflected transparency. Commissioner Whitesides seconded the motion.

Commissioner Fryar spoke in favor of the changes as presented.

Chairman Newman thanked staff for the changes and their positive effect on the staff. He asked that the information on salaries be disclosed on the web. The County Manager said that this has been built and will be posted on the web later this week. Commissioner Pressley and Belcher agreed that the changes were positive move forward.

The motion passed 7-0.

ANNOUNCEMENTS

The Chairman and Commissioners wished Commissioner Fryar a happy birthday on October 4. The Chairman made the following announcement and adjourned the meeting:

- *October 10 – 12:30 p.m. Commissioners' Workshop @ 200 College Street, First Floor Conference Room.*
- *October 17 – 5 p.m. Commissioners' next regular meeting here at 200 College Street*

Vice Chair Frost moved to adjourn the meeting. Commissioner Beach-Ferrara seconded the motion which passed 7-0. The meeting was adjourned at 7 p.m.

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS