

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF NOVEMBER 7, 2017 AT 5 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on November 7, 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; Jim Holland, Assistant County Manager/HHS Director; Tim Flora, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

The Chairman acknowledged Veterans Day and Armistice Day on its 99<sup>th</sup> anniversary of the end of World War I. He thanked Commissioners Fryar and Whitesides, both having served in the Navy, for their service to our Country and asked for a moment of silence in thanks to all our veterans. He also wished Billy Graham a happy 99<sup>th</sup> birthday.

## **PUBLIC COMMENT**

An Enka High School student spoke in favor of the 100 percent renewable energy resolution that the Board had considered at the last meeting.

Kate Rogers from Owen High School; Alex Barnes from Asheville High School; Julie Close from Reynolds High School; Harmon Cook from Erwin Middle School; Denise Hysthine from TC Roberson High School; Elizabeth Lane from TC Roberson High School; Zachery Hudspeth from TC Roberson High School; Dan Smith from UNC Asheville; Ryan Worth from Warren Wilson College and Elizabeth Curle from UNCA spoke in favor of renewable energy and the County's resolution.

Lisa Baldwin complained about being ignored and wanted an investigation into the current County Manager. She complained about the Department of Social Services and that her records request had gone without response.

Daniel Breem spoke about the FBI investigation and scandals dealing with County employees.

Don Yelton asked that the County's checkbook be put on the website so the public could monitor County finances.

Kathy Holt spoke in favor of renewable energy.

Lee Moss spoke in favor of renewable energy and safe water and air.

Mike Morgan spoke in favor of Mandy Stone and felt she should be treated better.

Katherine Forshem spoke in support of renewable energy offering support and information to the Commissioners.

Susanne Park spoke in favor of renewable energy and youth empowerment

Jamie Vergent; Jonathan Russo; Ben Chaco; Danielle Holt; and Paul Ruback spoke in favor of renewable energy.

Jerry Rice commented on the public's rights to speak during a meeting asking that the public be treated with kindness. He thanked the Board for putting information on line before the meeting.

## **CONSENT AGENDA**

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

- **Approval of Minutes of October 17, 2017 Regular Meeting**
- **Release Report**
- **Grant Project Ordinance**
- **Budget Amendment: HHS Viral Hepatitis Prevention Program**
- **Resolution Selecting Special Legal Counsel to Investigate and Take Legal Action Regarding the Manufacture, Marketing, Sale, and Distribution of Opioid Products in the County**
- **Resolution Awarding Service Firearm to Retiring Deputies**

- **Acceptance of Vaya Health Financial Quarterly Report**

## **GOOD NEWS**

- **Proclamation of November as Adoption Awareness Month**

Commissioner Belcher read the proclamation and presented it to Angie Garner with Health and Human Services. She said that adoption was not just for foster families but for extended families and others in the community.

- **Congratulations to Rasheeda McDaniels**

Commissioner Beach-Ferrara presented a certificate of appreciation to Rasheeda McDaniels for her community work and for receiving the “Becoming We: Strengthening Our Roots” award. This event was a celebration of leaders of color and allies that are doing innovative work to address the critical challenges facing communities of color in Asheville and Western North Carolina. Rasheeda was celebrated for her role as an ally for black and brown communities.

## **PUBLIC HEARINGS**

- **County Personnel Ordinance Amendment**

Mike Frue, Senior Staff Attorney, said that this amendment would clarify the definition of salary as it relates to the distribution of longevity for County staff

The Chairman opened the public hearing at 6:20 p.m. and closed the hearing at 6:21 p.m. Commissioner Frost moved to approve the ordinance as amended. Commissioner Whitesides seconded and the motion passed 7-0.

## **COUNTY MANAGER’S REPORT**

- **Report: County’s Financial Health**

Tim Flora, Finance Director, presented a power point presentation that is attached to the minutes of this meeting.

Commissioner Beach-Ferrara thanked Mr. Flora for his report and ongoing work.

Commissioner Belcher thanked him for making finances easier to understand and providing improved access to information.

## **NEW BUSINESS**

- **Conservation Easement Funding Request**

Debbie Truempy, County Zoning Administrator, presented the conservation easement request for the Martin Farm. The funding for this easement would come from a project that was funded but would not be completed. The request was for \$35,000 for the preservation of 44 acres. The family will donate the value of the easement and are only asking for the transaction costs.

Commissioner Frost moved to approve this request. Commissioner Whitesides seconded.

Don Yelton said that vacant land was very valuable but the tax on vacant land should be less than other land that had been developed.

Jerry Rice questioned the amount of money spent on conservation and suggested that a new way be found to conserve property

The motion to approve the funding of the easement passed 7-0.

- **Resolution Amending the Rules & Procedures for the Board of County Commissioners**

Mike Frue, Senior Staff Attorney, said that this requested change would allow any 3 members of the Board to add an item to the agenda. The current rule allows the Chairman and/or any three members to add an item.

Commissioner Belcher moved to approve the amendment saying that in light of the events of the last few months there should be more openness among the Board and Chairman. He said that with 7 members

it should take 3 members to add an item without allowing the Chairman to put something on with his authority alone. Commissioner Pressley seconded the motion.

Mike Morgan said that he wanted any one commissioner to be allowed to add something to the agenda and then have it voted up or down

Don Yelton said that requiring three to agree is pure politics and it should be any two Commissioners with everything able to be debated in the public.

Dan Breeme was very angry and complained about the money that the Commissioners and staff were paid.

Lisa Baldwin wanted any Commissioner to be allowed to put something on the agenda and wanted to add the state law to the policy manual.

Jerry Rice wanted anyone to be able to put something on the agenda. He suggested public comment be the last item of business. He thanked the Board for the transparency actions that had been taken.

Commissioner Fryar said that he was in favor of requiring three to put an item on the agenda. Commissioner Pressley agreed that this was a good amendment to the policy.

Vice Chair Frost said that this policy change was a good idea with greater transparency moving forward.

Commissioner Whitesides said that he talks to lots of citizens and never asks them what district they live in. He represents all the people of the County not just the district that elected him. He felt that having three commissioners required to bring an item forward was the best idea.

The motion passed 6-1 as follows:

AYES: Vice Chair Frost; Commissioners Fryar, Pressley, Belcher, Beach-Ferrara and Whitesides

NOES: Chairman Newman

- **Tax Department Reorganization**

Tim Flora, Finance Director, gave a power point attached to the minutes of this meeting. He recommended that the Tax Director position be divided into two positions. Tax Collector and Tax Assessor appointing Jennifer Pike and Keith Miller respectively.

Keith Miller, Interim Tax Director, thanked the Board for allowing him to work in the interim Tax Director role and stated that he felt the department was in a good place. He bragged on the staff that served the citizens including their work to prevent foreclosures when possible.

Jennifer Pike, Collections Manager, thanked the Board for the opportunity to step into the position. She looked forward to working with a seasoned staff that loved the community.

Commissioner Belcher moved to appoint Jennifer Pike as Tax Collector and approve the job classifications for this position.

Commissioner Whitesides seconded the motion.

Jerry Rice questioned why the Tax Collector position was no longer an elected position.

Vice Chair Frost moved to appoint Keith Miller as Tax Assessor and approve the job classification for this position. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

## **RESOLUTION ACCEPTING OFFER TO PURCHASE COUNTY PROPERTY**

Mike Frue, Senior Staff Attorney, said that the County had received an offer to purchase property on Lexington Avenue in the amount of \$613,305. The bid must be advertised in the newspaper for upset bids.

Vice Chair Frost moved to approve the resolution as presented. Commissioner Whitesides seconded the motion and it passed 7-0.

## **BOARD APPOINTMENTS**

Vice Chair Frost moved to appoint **Jennifer Partlow** to the **Health and Human Services Board** serving in the position of optometrist. Commissioner Whitesides seconded and the motion passed 7-0.

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

## ANNOUNCEMENTS

The Chairman made the following announcement:

- *November 9 -- 6 to 8 p.m. Opioid Town Hall hosted by District 2 Commissioners @ Black Mountain Library p.m.*
- *November 10 – County Offices will be closed for Veterans Day*
- *November 14 @ 12:30 p.m. Commission Workshop @ 200 College Street, First Floor Conference Room in downtown Asheville*
- *November 15 @ 7 p.m. – East Asheville Library Location Options Meeting @ St. John's Episcopal Church, 290 Old aw Creek Road*
- *November 16 – 6 to 8 p.m. Opioid Town Hall hosted by District 2 Commissioners @ Weaverville Town Hall, 30 S Main Street in Weaverville*
- *November 21 @ 5 p.m. Board of Commissioners Regular Meeting @ 200 College Street, Room 326 in downtown Asheville*

Vice Chair Frost moved to adjourn the meeting. Commissioner Whitesides seconded the motion and it passed 7-0. The meeting was adjourned at 7:50 p.m.

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KATHY HUGHES, CLERK  
BOARD OF COMMISSIONERS

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BROWNIE NEWMAN, CHAIRMAN  
BOARD OF COMMISSIONERS