

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

BE IT REMEMBERED: That the Board of Commissioners met in regular session on December 5, 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; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman noted that this was the last meeting of the year and a special time of year. He asked for a moment of silence in this special season.

GOOD NEWS

- **Energy Savers Service Group Students**

Brad Rouse and a group of student volunteers (Emma Holstein, Adam Stewart, Helena Cullen, Eric Min, Scotty Anderson, Connor Hovendon, Jake Sim, and Jose Gonzalez) from Asheville School representing the energy saver network, shared their work of assessing and repairing area homes to help save energy and reduce power bills. They install LED lighting, water saving shower heads, water heaters, weather stripping, seal connections and repair windows at no cost to the clients who are referred from ABCCM, Eblen and other charities. The Pastor from Piney Mountain Methodist Church said that his congregation had also volunteered with the energy saving project.

The Chairman said that this is an exciting part of working to meet clean energy goals. Vice Chair Frost and Commissioner Belcher thanked them for their work.

- **Outstanding Work – James Young & Nick Edmonds**

Chip Gingles, Solid Waste Manager, introduced Nick Edmonds, Landfill Equipment Operator, who recently passed all course work to become certified in landfill operations and received his MOLO (Manager of Landfill Operations). Mr. Gingles also introduced James Yount, Landfill Equipment Operator, who took first place in a recent statewide dozer competition and third in the national competition. The County Manager presented these two men with \$1,000 performance bonuses for outstanding work.

PUBLIC COMMENT

Jamie Frederick asked about the resolution that was on the agenda regarding renewable sustainability. She wanted goals for renewal energy to be adopted as originally presented. She was disappointed in the resolution as written and wanted actions for renewable. *The Chairman noted that the Board held a work session before the meeting and an amendment had been made to the resolution involving renewable energy. The Board would consider each goal separately.*

Ed Jamron has a company that builds solar panels and LED systems to save energy and he offered his services to the County.

Ann Seamon lost her son to opioid addiction and thanked Commissioners Fryar and Frost for hosting town halls in the County. She spoke about the opioid emergency and the outstanding support network that were assets in the community.

Pete Thompson commended the commissioners for working together and caring about their neighbors in the field of energy and others. He spoke in favor of clean energy.

Lisa Baldwin spoke about amending the proposal to put public comment at beginning and end of the meeting. She wanted an investigation into the increase in removal of children from their families. She questioned the amount of funding spent on children in DSS care. *Commissioner Beach-Ferrara directed everyone to the last report on DSS services in the County as a resource that addresses what Ms. Baldwin just said that was inaccurate. Jim Holland, HHS*

Director, said that Health and Human Services was a State supervised system and audited by that system. He said that he would follow up with Ms. Baldwin.

Daniel Reilly said that he was denied help at Health and Human Services when he reported mold in his rental house. He also spoke about a child protective service issue.

CONSENT AGENDA

Sheriff Duncan addressed an item on the consent agenda regarding a body scanner for the Detention Center that would be paid from inmate welfare funds.

Commissioner Belcher moved to approve this budget amendment as presented. Commissioner Pressley seconded.

Vice Chair Frost moved to amend the motion to use money from the general fund to purchase this equipment and not inmate welfare funds. Commissioner Beach-Ferrara seconded. The motion to amend failed as follows:

AYES: Chairman Newman, Commissioners Belcher, Fryar, Whitesides and Pressley

NOES: Commissioner Beach-Ferrara and Vice Chair Frost.

The original motion to approve the budget amendment as presented passed 7-0.

Diane Price explained the Capital Projects Ordinance regarding paying cash vs financing saying that the County was trying to pay off debt and not add any additional debt at this time.

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

- **Adoption of the Minutes of November 21, 2017 Regular Meeting**
- **Release Report**
- **Special Projects Ordinance**
- **Capital Projects Ordinance - Cash vs. Financing**
- **Capital Projects Ordinance - Vehicle Funding**
- **Capital Projects Ordinance - Enka Library Renovations**
- **Capital Projects Ordinance - Project Closures**
- **Budget Amendments**
 - **Pay & Classification Study**
 - **Security Officer**
- **Capital Improvement Policy**
- **Resolution Authorizing the Acceptance of Applications and Approval of Housing Projects for the Affordable Housing Services Program**
 - **Exhibit A**
- **Resolution Authorizing the Execution of an Interlocal Agreement with the City of Asheville Allowing the County to Conduct Building Inspections for the AB Tech Community College Capital Improvement Project**
 - **Interlocal Agreement**
- **Resolution to Approve the Bonding of County Officials**

PUBLIC HEARINGS

- **Rezoning Request for Muse/Kirkpatrick – CS to R-3**

Debbie Truempy, Zoning Administrator, explained the requested zoning change from CS to R-3 to allow a mobile home park in R-3. She said that the Planning Board and staff recommended approval finding the request consistent with the Land Use Plan, reasonable and in the public interest.

The Chairman opened the public hearing at 6:01 p.m.

No comment were taken. The hearing was closed at 6:02 p.m.

Vice Chair Frost moved to approve the rezoning as requested finding it consistent with the Land Use Plan and reasonable and in the public interest. Commissioner Whitesides seconded and the motion passed 7-0.

- **County Personnel Ordinance Change – Voluntary Shared Leave Program**

Lisa Eby, HR Director, explained the changes involving the voluntary shared leave. The Chairman opened the public hearing at 6:04 p.m.

Don Yelton clarified who could accept donated leave.

The hearing was closed at 6:05 p.m.

Commissioner Newman moved to approve the ordinance as presented. Commissioner Pressley seconded and the motion passed 7-0.

COUNTY MANAGER'S REPORT

- **Small Farms Report**

Megan Baker, Small Farms Extension Agent, gave a power point presentation (that is attached to the minutes) on the small farms program in the County. She thanked the Board for supporting small farms in the County. County farms range in size from ¼ acre to 150 acres and grow everything from mushrooms to industrial hemp. She talked about how she helps small farms get grant funds and write business plans. She invited everyone to the Friends of Ag Breakfast.

- **County Personnel Reorganization/Structure Changes**

The County Manager presented the plan to complete the 1.5 percent pay increase for the County's lowest paid employees that was originally instructed to be given in 2016. The increase would be given to employees making below \$45,000, median household income. She said these employees were a very important part of the County's workforce. The plan to offset this cost would come from recurring savings resulting from senior leadership cuts and eliminated dual roles. She said that since July 1, 2017, \$828,760 in savings had come from the County's leadership reductions. Vice Chair Frost, Commissioner Belcher, Fryar, Whitesides, Pressley and Beach-Ferrara thanked the Manager for her work to represent the County and its employees correctly.

NEW BUSINESS

- **Resolution Appointing Library Board of Trustees for the Asheville Buncombe Library System**

Jim Holland, HHS Director, said that since July 1 he had been working with the library and would request approval of this resolution to reinstate the Library Board of Trustees. The library functions under the division of the County Manager. Adoption of the resolution would appoint a 5 member board with one member from each district and two at large members to advise the Library Director and Board in developing and providing budget recommendations, policies, and general guidance for library administration.

Commissioner Belcher moved to approve the resolution as presented. Vice Chair Frost seconded.

Barbara Weatherall, retired Librarian, commended Jim Holland for the resolution. She was in favor of the reinstatement of the Board of Trustees feeling that the library had been neglected. She suggested that there be more than 5 members. Mr. Holland said that the number of members was based on a precedent of five member county authorized boards across the state.

The motion passed 7-0.

- **Resolution Amending Rules and Procedures for the Board of Commissioners**

Mike Frue, Senior Staff Attorney, reviewed the changes to the rules including moving public comment to the end of the meeting after new business.

Vice Chair Frost clarified that public comment would be taken on every action item and then again at the end. She moved to approve the resolution as presented. Commissioner Belcher seconded the motion.

Commissioner Beach-Ferrara asked to hold off on the motion for more consideration of keeping public comment at the beginning of the meeting. Commissioner Pressley seconded.

The Chairman said that he was in favor of having the comment at the end.

Don Yelton spoke in favor of the changes asking that additional language be added to say they would take public comment before any item that a vote would be taken.

The motion to table the item to January 2 failed 4-3 as follows:

AYES: Commissioners Beach-Ferrara, Pressley, Belcher

NOES: Chairman Newman, Vice Chair Frost, Commissioners Fryar and Whitesides

The motion to approve the resolution as presented passed as follows:

AYES: Chairman Newman, Vice Chair Frost, Commissioners Fryar, Whitesides and Belcher

NOES: Commissioners Beach-Ferrara and Pressley

- **County Employee Inclement Weather Policy**

Lisa Eby, HR Director, shared the inclement weather policy which clarifies how departments and employees handle work in the case of bad weather. She said that the policy was reviewed by management team who recognized that getting County employees off the roads lessens stress for those that are required to work in bad weather.

Commissioner Belcher commented County Grounds Maintenance, who work to clear grounds to make it save for the public. This policy will help them prioritize essential buildings making safer travel for essential personnel and the public.

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

- **Resolution of Buncombe County's Commitment to Strategic, Sustainable Priorities**

The Chairman said that Vice Chair Frost asked to add language to item be having it read: b: "Implement the best fiscally and environmentally responsible energy solution to reach the goal of 100 percent renewable energy by 2030 for County government and 100 percent renewable for Buncombe County within 25 years."

The Commissioners thanked everyone in the County and strategic partners who work toward answering the needs of our sustainability priorities. This resolution sets goals for all the aspects of sustainable community including renewable energy making sure that taxpayer dollars are spent on the well-being of the County.

Commissioner Pressley showed a video supporting the environment and encouraged everyone to get involved in saving energy.

Commissioner Fryar said that copy and pasted emails don't help anyone. He encouraged students to get involved in working for the community in saving energy.

A group of students with Youth for Environmental Stewardship from the area schools spoke in support the 100 renewal energy transition plan and presented petitions endorsing the plan.

Amelia McCardey spoke in favor of the environmental stewardship group. She said that they have done clean ups and are helping the environment. She asked the Board to vote for the proposal.

Becky Rouse spoke in favor of the 100 percent renewal energy goal. She felt clean energy was an investment and not a cost.

Daniel Boyd spoke in favor of the renewal energy goal and the timeline. He felt that allowing 25 years is not faster.

Don Crase works with the Citizens Lobby and thanked the Board for their consideration of the resolution.

Stan Eniebo spoke in favor of the 100 percent renewal energy.

Paul Ruback from UNC-Asheville spoke in favor of the 100 percent renewal energy resolution.

Ben Sasville from UNC-Asheville spoke in favor of the 100 percent renewal energy resolution and thanked the Board for all the things he likes that they do.

Leeann Melton thanked the Board for the investment in the Justice Resource Center and their commitment to everyone involved.

Kate Kanon member of the WNC Green party and in favor of the resolution.

Greg Canary with faith communities and he was excited about the sustainable priorities in the resolution. He thanked the Board for these priorities.

Ken Brame thanked the Board for considering the resolution.

Bob Rouse spoke in favor of the resolution and continuing to rely on fossil fuels will increase costs in the future.

Don Yelton suggested more study be done on the science of solar energy and the cost of getting to 100 percent renewal energy.

Vice Chair Frost moved to approve "a. Stem the disease of opioid addiction, a crisis that threatens the health and safety of growing numbers of people in our community." Commissioner Belcher seconded the motion. The motion passed 7-0.

Commissioner Whitesides moved to approve: "b: Implement the best fiscally and environmentally responsible energy solution to reach the goal of 100 percent renewable energy by 2030 for County government and 100 percent renewable for Buncombe County within 25 years."

Commissioner Beach-Ferrara seconded. Commissioner Belcher talked at length about his feelings about environmental goals. Chairman Newman felt this was an important time to be in favor of this type legislation. The motion passed as follows:

AYES: Chairman Newman, Vice Chair Frost, Commissioners Whitesides and Beach-Ferrara;

NOES: Commissioners Belcher, Fryar and Pressley

Commissioner Pressley moved to approve "c. Ensure that every child in Buncombe County has an equal opportunity to thrive during their first 2,000 days including access to quality early childhood education." Commissioner Fryar seconded the motion and it passed 7-0.

Commissioner Belcher moved to adopt "d. Ensure comprehensive opportunities for affordable and safe housing as a foundation for healthy and thriving families and neighborhood." Commissioner Whitesides seconded and the motion passed 7-0.

Vice Chair Frost moved to adopt “e. Coordinate a justice system that is efficient, effective, equitable and protects our public safety while holistically addressing the needs of people involved in the system.” Commissioner Belcher seconded and the motion passed 7-0.

Commissioner Whitesides moved to adopt “f. Cultivate a robust, inclusive local economy with a diverse workforce and pipelines to jobs and education for all.” Vice Chair Frost seconded and the motion passed 7-0.

- **Election of Vice Chair**

Commissioner Belcher nominated Mike Fryar as Vice Chair. Commissioner Frost seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Commissioner Belcher moved to reappoint **Karl Koon** and **Jim Edmonds** to the **Asheville Planning and Zoning Board**. Commissioner Whitesides seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- December 25, 26 & 27 - County Offices will be closed for Christmas Holiday
- January 1 - County Offices will be closed for the New Year's Holiday
- January 2, 2018 @ 5 p.m. Commissioners' Regular Meeting at 200 College Street in Room 326 in downtown Asheville

Commissioner Frost moved to go into closed session pursuant to NCGS 143-318-11.a(6). Commissioner Whitesides seconded and the motion passed 7-0.

Closed Session

The Board met with Tim Flora, County Finance Officer, to discuss his contract. No action was taken.

Commissioner Frost moved to return to open session. Commissioner Whitesides seconded and the motion passed 7-0.

Commissioner Pressley moved to adjourn the meeting. Commissioner Whitesides seconded the motion which passed 7-0. The meeting was adjourned at 9:05 p.m.

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS