

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF FEBRUARY 20, 2018 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on February 20, 2018, 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
Mike Fryar, Vice Chair
Joe Belcher, Commissioner
Ellen Frost, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Mandy Stone, County Manager; Jim Holland, Assistant County Manager; Tim Flora, Finance Director; Rachael Nygaard, Strategic Partnership Director; Diane Price, Administrative Services Director; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman mentioned the recent school shooting in Florida that left many dead and injured. He asked for a moment of silence in memory of those that were lost and for guidance on how to protect communities from such violence.

CONSENT AGENDA

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

- **Approval of Minutes of the February 6, 2018 Regular Meeting**
- **Approval of Minutes of the February 13, 2018 Closed Session**
- **Approval of Lottery Fund Application from County Schools**
- **Vaya Health Financial Report**
- **Capital Projects Ordinance - Beech Community Center**
- **Capital Projects Ordinance - Contingency Account**
- **Capital Projects Ordinance - East Asheville Library**
- **Resolution Approving Pyrotechnic Experts for Firework Displays (Asheville Tourists)**

GOOD NEWS

- **Sandy Mush 4-H Club's 40th Anniversary**

Commissioner Belcher presented a plaque honoring the Club to Jackie Gillespie, Sandy Mush 4-H President. Members of the Club also attended. Ms. Gillespie said that Sandy Mush 4-H had been active since 1978 and had 46 active members.

PRESENTATIONS

- **Legislative Review Committee to Study Rates and Transfer/Public Enterprises**

Representative Chuck McGrady reminded the Board that he had served as a County Commissioner and outlined his current role as Chair of the Legislative Review Committee to study rates and transfers in public enterprise. He reviewed the bill that formed the study committee that came out of legislation involving the Asheville Water system. He was hoping to end the water issue that involved Henderson County and the City of Asheville. The study committee was planning to investigate the joining of entities to form regional districts and he urged the Board to express any concerns that they had regarding these issues.

Don Yelton said that the Metropolitan Sewerage District Board had done a good job and he wanted to educate everyone on how to fix costs. He felt that if Asheville and Hendersonville were paying their fair share and there would be no problems.

Jerry Rice said that Rep McGrady was using the nuclear option to take over the water and sewer systems.

- **Lee Walker Heights Tax Credit Bonds**

David Nash with Asheville Housing Authority said that the Authority was successful in getting federal bonds that would allow the Lee Walker Heights project to move forward. He said that the tax credits would fund about one third of the project or \$12 million. He gave a video presentation of what the development would look like when it was complete. He said that about 92 families currently in residence would have the opportunity to move back if they choose.

PUBLIC HEARING

- **Rezoning Request by Heath White of Zen Tubing (RLD-CS)**

A representative of Zen Tubing asked that this hearing be postponed to a later date.

Mike Frue, Senior Staff Attorney, said that since the hearing had been publically noticed, the Board would have to continue by motion to a date and time certain.

Commissioner Frost moved to reset the hearing for March 6 at 5 p.m. Commissioner Whitesides seconded the motion.

David Todd read a statement regarding the Sandy Bottoms Nature Preserve that he did not want rezoned. He felt this bog should be preserved and protected. He said that NCDOT was also proposing a widening in the area and the combined impact of both of these is negative

The motion to continue to March 6 passed 7-0.

COUNTY MANAGER'S REPORT

- **Justice Resources Report**

Rachael Nygaard, Strategic Partnerships Director, presented the power point as attached to the minutes of the meeting.

Tiffany Iheanacho, Justice Resource Coordinator, talked about the formation of the Advisory Council and the opening of the center that coordinated services to people in the criminal justice system. She outlined success stories and each of the service areas provided.

LeeAnn Melton, Public Defender, thanked the Board for prioritizing justice reform through treatment and their commitment to the diversion program.

Rodney Hasty, Assistant District Attorney, thanked the Board for their investment in the justice resource center. He said that the JRC recognizes problems that need solutions outside the state's one size fits all laws.

Commissioner Frost praised the efforts of the team that put together this solution as an alternative to building another jail.

Commissioners Beach-Ferrara, Whitesides and Belcher also praised the hard work and efforts across many entities.

- **Report from Budget & Finance**

Tim Flora, Finance Director and Diane Price, Budget Officer, gave a presentation on the quarterly financial report that is attached to the minutes of the meeting. The information on the budget is available on the main county website at buncombecounty.org.

Commissioners Belcher and Frost asked for more in-depth information with emphasis on the fund balance during their next regularly scheduled presentation to the Commissioners.

Commissioner Pressley emphasized their additional work sessions since July of last year to provide more of their time on County issues.

The Chairman asked that a printed copy of the budget be available to the Commissioners and public.

NEW BUSINESS

- **Resolution Approving 2018 Limited Obligation Bonds**

Mike Frue, Senior Staff Attorney, outlined the request for the Board to approve the limited obligation bonds stating that the County had already held the public hearing on this topic. This financing would cover the core issues including schools in the City and County and financing for projects that had already been approved.

Jerry Rice said he was concerned that these projects had never been discussed by the Board. Commissioner Frost moved to approve this resolution as presented. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- **School Capital Fund Commission Project Ordinance**

Dustin Clark, Finance Department, presented the power point that is attached to the minutes of the meeting regarding the School Capital Commission's recommendations. This request fills the gap for funding projected.

Commissioner Belcher questioned the cost of the LED lighting in the schools. Tim Fierle from County Schools said that the County system is about half finished with switching out all lights to LED and should have all the funding in place in time to finish the project.

Don Yelton asked if these fixtures would have to be removed and replaced when the LED goes bad. He asked how these lights were being funded and how much of that funding was coming from Buncombe taxpayers.

Tim Fierle said that the fixtures have a long life span and will result in a considerable savings on electricity and maintenance.

The Chairman said that the lighting program should save taxpayers over \$1 million a year.

Commissioner Belcher moved to approve the Ordinance as presented. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Vice Chair Fryar and Commissioners Pressley and Belcher nominated Clay Mooney; Vice Chair Fryar and Commissioners Pressley, Belcher and Whitesides nominated Wendell Howard; Chairman Newman and Commissioners Beach-Ferrara, Frost and Whitesides nominated Martin Moore and Chairman Newman and Commissioners Beach-Ferrara and Frost nominated Carter Webb to serve on the **County Board of Adjustment**. **Wendell Howard** and **Martin Moore** were appointed to serve.

PUBLIC COMMENT

Beth Jezek spoke regarding the takeover of Asheville's water. Her comments are attached to the minutes of this meeting.

Senator Terry Van Duyn spoke proudly for the Justice Resource Center. She felt the initiatives were under attack by the general assembly and the redistricting. She was opposed to the redistricting and division proposed for this area to stop some of the progressive efforts outlined in this meeting.

Terry Wells thanked the Board for high speed internet in the community that enabled online classes in the Sandy Mush Community. She asked them to consider supporting the Sandy Mush Community Center renovations.

Jerry Rice said that the Commissioners are to blame for much of what the former Manager had been accused of. He complained about being blocked from receiving his requested public information.

Don Yelton asked about the percentage of local tax dollars being used for the lighting project. He felt that the Commissioners were to blame for anything gone wrong.

Tom Van Slamblock talked about county citizens being over taxed and requested spending to be cut.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *March 6 @ 5 p.m. – Next Regular Meeting of the Board in Room 326 at 200 College Street in Asheville*
- *March 13 @ 3 p.m. – Joint meeting with Asheville City Council and County Commissioners in First Floor Conference Room @ 200 College Street in Asheville*
- *March 13 @ 5:30 p.m. – Ribbon Cutting on the New/Renovated Health and Human Services Building at 40 Coxe Avenue*
- *March 20 @ 12:30 p.m. – Commissioners workshop in the First Floor Conference Room at 200 College Street in downtown Asheville to discuss budget*

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

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS