

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

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on June 5, 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; Eric Hardy, Performance Management; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

The Chairman said that as another school year comes to an end, the community owes a debt of gratitude to the teachers and to those that work to support our students. He asked for a moment of silence to remember teachers, students, families as they start their summer vacations and to remember those in our community who continue to struggle with the opioid addiction.

Commissioner Frost said that 71 people were displaced in the Town of Black Mountain due to the rain and flooding in the past weeks. She asked for continued support for the folks that were recovering.

## **CONSENT AGENDA**

At the request of Commissioner Belcher, the County Manager highlighted the budget amendment summary attached to the minutes. She said that the staff had amended the budget format to provide more detail and would be providing this summary as part of an effort to be more transparent.

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

- **Approval of Minutes of May 15, 2018 Regular Meeting**
- **Approval of Minutes of May 22, 2018 Closed Session**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Release Report**
- **Budget Amendment:**
  - **Excise Stamp Tax**
  - **PDF Woodfin Subsidy**
  - **Contract Management Software**
  - **Greenway Contingency**
  - **Revenue Budget Re-Distribution**
  - **Solid Waste Revenue Budget Re-Distribution**
- **Public School ADM Capital Fund Project Ordinance**
- **Capital Projects Ordinance –Transfer from General Fund Contract Management Software**
- **Capital Projects Ordinance – Greenways Contingency**
- **Grant Projects Ordinance**

## **GOOD NEWS**

- **Congratulations to Scott Mashburn**

Jim Holland, Assistant County Manager, said that Scott Mashburn, Transfer Station Driver the County's solid waste facility, had won the second place in the State SWANA Chapter's Rodeo that highlights the skills of landfill operators. He said that what Mr. Mashburn and all the other equipment operators do was a highly specialized and important aspect of operating a landfill and that the operation of this equipment is essential to the success of the facility. He said that the County was proud to congratulate Mr. Mashburn who will go on to compete nationally. As part of the recognition he will receive a performance bonus of \$750. Mr. Holland also recognized the Solid Waste Management Team for their work at the landfill.

- **Early Childhood Initiative**

Commissioner Beach-Ferrara said that the Commissioners had chosen as one of their strategic priorities helping children thrive in their first 2000 days. She said that as a result of two initiatives more children will have that

opportunity. Commissioner Pressley said that this was a unanimous priority on behalf of the Commission and he was proud to have a part in making it happen.

Rachael Nygaard explained the new initiatives including the YWCA Childcare Expansion. With funding support from Buncombe County, YWCA will expand to serve an additional 42 children in its five-star, licensed childcare program. The expansion will include a new infant classroom as well as two pre-k classrooms. County-identified, high-need families will receive priority, such as children in foster care with Health and Human Services.

The second part of the initiative will address the need for early childhood educators and will bring partners together across multiple sectors. This project will help build a strong community workforce in the field of early childhood education. Spearheaded by Warren Wilson College in a collaboration with Verner Center for Early Learning, A-B Tech, Buncombe County Schools, and others, the model will establish a pipeline for developing high-quality professionals. This partnership establishes a new opportunity for a bachelor's degree with a concentration in early childhood. The program is open to working professionals and graduates of an early childhood program at the community college level and will offer a tailored four-year degree curriculum and apprenticeships at Verner. The program will begin enrolling students immediately. The partnership will also create opportunities for students to begin early childhood courses at Owen High School with introductory, hands-on experiences at Verner. Students will graduate as highly qualified professionals prepared to lead classrooms in early childhood centers.

Jacque Penick said that the Commissioners work session on the need for teachers in early childhood that was held earlier this year, created the partnership to address the shortage and develop well trained and committed teachers to support the outcomes for the children. She thanked the board for the grant funds that make the collaboration possible.

## **PRESENTATIONS**

- **Elder Abuse Awareness**

Commissioner Belcher read and presented the proclamation to Christina Stenhouse with Health and Human Services. Ms. Stenhouse urged everyone to be on the lookout for elder abuse that needed to be reported. She recognized social workers that were present for their hard work for the adults in the community. She said that the County will receive AARP support as the result of being designated an AARP network friendly community.

## **PUBLIC HEARING**

- **Economic Development Incentive for General Electric**

Tim Love introduced Mike McGuire, Plant Manager with General Electric, who explained the presentation that is attached to the minutes of this meeting. He outlined the investment that the plant would be making over the next 10 years. Mr. Love outlined the agreement that is also attached to the minutes of this meeting. They anticipate the creation of 131 jobs.

At the request of Commissioner Belcher, Mr. McGuire explained a program GE had supported that allowed students from Pisgah High School to participate in a work plan through AB Tech in the machining program to build aircraft components. He said they had hired workers with technical talent as a result of this program. The students were paid \$16 per hour while they were in training.

The Chairman opened the public hearing at 5:46 p.m.

Don Yelton said he supported economic development and commended the Pisgah School Board for finding ways to educate students. He wanted to know how many jobs were provided and filled for Buncombe County citizens.

The Chairman closed the public hearing at 5:49 p.m.

Commissioner Whitesides moved to approve the incentive plan as outlined. Commissioner Belcher seconded and the motion passed as follows:

AYES: Chairman Newman; Vice Chair Fryar; Commissioners Belcher, Beach-Ferrara; Whitesides

NOES: Commissioner Frost

- **FY19 Budget**

Mandy Stone, County Manager, gave the presentation that is attached to the minutes of this meeting. She said that the budget had been presented on social media for public comment. She reviewed the changes in the management system and budget framework saying that a new online checkbook would be forthcoming in FY19. She reviewed the reduced use of fund balance in the FY19 budget and the funding for the City and County schools and the salary supplements saying that the budget presented a flat tax rate while meeting many of the increasing needs, strategic priorities and projects of the county. She addressed increases requested by the fire districts and the assistance the County would provide in addressing some of their financial difficulties. She encouraged the public to continue to communicate with Commissioners and staff about the budget prior to its adoption on June 19.

Commissioner Frost asked that firefighter pay be the only increase request supported.

Commissioner Fryar said that the past year had been hard on the staff and the County Manager had worked hard to deliver a good budget. He said he was proud to have Ms. Stone as the County Manager and was proud of the hard work she had done to correct the mess she took over last year.

Commissioner Frost praised the Manager for her work on the Justice Resource Center and all the work she and her staff had done.

The Chairman opened the public hearing at 6:30 p.m.

Marc Hunt, with Friends of the Woodfin Greenway, highlighted the funding partnership and thanked the County for their commitment. He asked for clarity on the funding amounts on the specific greenway projects before the final vote. He said that potential donors were looking for a firm commitment by the County.

Ken Michalove spoke against the Pack Place partnership funding. He did not support the art museum and felt this would not be a good investment for the County. He recommended that any leases for the art museum be reviewed by the County Attorney.

Matt Maltsey, Coburn Mineral Museum, thanked the Board for being a partner and asked that they consider their multiyear support request.

Jerry Rice said he was an advocate for special needs kids and he spoke against a teacher supplement because there was no documentation or ordinance creating teacher supplements. He felt this was not financially responsible. He felt the school systems had too much money in their fund balances with no accountability for these funds.

Don Yelton praised the online checkbook planned to be put online. He wanted the County to require that any non-profit that receives tax dollars open their books to the Board. He asked for the cost to the County for each library and urged them to lower the debt.

Fred Born with Community Schools wants to increase funding for the housing trust fund in the amount of 1 cent. This would increase local opportunity for more affordable housing.

The Chairman closed the hearing at 6:46 p.m.

## **COUNTY MANAGER'S REPORT**

- **Buncombe's Ongoing Response to the Opioid Epidemic: Syringe Exchange & Safe Disposal**

Dr. Jennifer Mullendore, County Health Director, presented the public hearing concern for unsafe needle disposal and the syringe exchange. She said that the County was working to make sharps disposal easier. She reviewed the increase in hepatitis cases in the County due to injection drug use. A presentation outlining this issue is attached to the minutes of this meeting. She reviewed the harm reduction procedures recommended by the County. She said that the possibility of expanding other measures is possible with the move to the new location at 40 Coxe Avenue. She thanked partners of WNCAP needle exchange and Steady Collective for their work to protect public health with needle exchange programs.

Commissioner Belcher said that he supported saving lives and that abstinence should be a goal but he supported compassionate counsel.

Commissioner Frost thanked Dr. Mullendore and Michael Harney for their work on this subject as it touches everyone in the community in some way.

Commissioner Beach-Ferrara thanked Dr. Mullendore and her staff for their work on helping those with addiction.

The Chairman questioned the pros of local government facilities versus private facilities providing these services. Dr. Mullendore said that a pro of using a government facility is creating a one stop shop as a public health service. He thanked the staff and community for all their work on this problem.

- **Justice Resource Update**

Rachael Nygaard, Strategic Partnership Manager, gave the update that is attached to the minutes of this meeting. She reviewed the services available and the successes that the program has had in the past year. She said the center had served over 600 people since October of 2017. The County was previously awarded a \$50,000 MacArthur Foundation Safety and Justice Challenge Innovation Fund Grant for work in Pretrial Services with domestic violence protocol. They have been invited to apply for a Safety and Justice Challenge Implementation Fund Grant of up to \$2 million to reduce jail population by at least 15%. This grant will require a system-wide collaborative and data-driven approaches with an emphasis on protecting the public safety and strengthening wellness. The grant will be submitted in June and they expect to be notified of acceptance in September of 2018. *(Commissioner Frost left the meeting during this discussion)*

## **NEW BUSINESS**

- **Resolution Appointing County Attorney**

The Chairman said that the Board had interviewed candidates for a new County Attorney and they had chosen Heather Hockaday to fill the positions on a part time basis.

Mike Frue, Senior Staff Attorney said that the contract would be made public as soon as it was finalized. The County would be contracting with her for 10 hours per month and paying her \$150 an hour above that amount. Commissioner Belcher moved to approve the resolution appointing Ms. Hockaday as County Attorney. Commissioner Pressley seconded and the motion passed 6-0.

Don Yelton thanked the Board for having this under new business and asked for a copy of the contract.

Jerry Rice wanted the contract made public before she was hired.

The motion passed 6-0.

- **Appointment of the an Interim Finance Director effective June 16, 2018**

Commissioner Whitesides moved to approve the appointment of Eric Hardy as the Interim Finance Director to be effective June 16, 2018. Commissioner Beach-Ferrara seconded the motion it passed 6-0.

The Chairman thanked Tim Flora for his service as the Finance Director.

- **Resolution Authorizing Payments for the Maintenance and Operation of Zeugner Pool**

Jim Holland, Assistant County Manager, said that the operation of the Zeugner Pool was turned over to the County Schools and the maintenance payments had been approved until June of 2017. The new pool will be complete in 2019 and County Schools will continue to operate and maintain the Zeugner Pool until the new pool was complete, continuing community access.

Commissioner Belcher moved to approve the resolution. Commissioner Fryar seconded and the motion passed 6-0.

## **BOARD APPOINTMENTS**

Commissioner Belcher moved to appoint **Trudy Logan** to the **Mountain Area Workforce Development Board**. The motion passed 6-0.

Commissioner Fryar moved to reappoint **Gary Roberts** to the **Agricultural Advisory Board**. The motion passed 6-0.

## **PUBLIC COMMENT**

Jerry Rice said he felt that the school fund balance was too high. He suggested correcting this problem by starting a policy for funding the school supplements making them a separate expense.

Don Yelton thanked Tim Flora for his service. He said that buildings are not being maintained and the County should start a program on maintenance work at AB Tech and someone should be monitoring this work.

Laura Brown with Steady Collective thanked the Board for supporting their work and asked for their funding to be doubled this year.

Michael Harney with WNCAIDs project said he started the needle exchange program and he planned to continue endorsing the program. He encouraged one or all of the commissioners to attend the harm reduction conference this year.

Sasha Obel with MAHEC endorsed the needle exchange programs in the community.

Aleah Johnson from Buncombe County Schools spoke in favor of early children education.

Kim Rhody spoke in favor of the needle exchange programs.

## **ANNOUNCEMENTS**

The Chairman made the following announcements:

- *June 12 @ 10 a.m. – Commissioners will attend the Mission Health Update at 200 College Street in downtown Asheville*
- *June 19 @ 5 p.m. – Commissioners' Regular Meeting @ 200 College Street, Room 326 in downtown Asheville.*

Commissioner Beach-Ferrara moved to go into closed session pursuant to NCG 143-318.11a (3) to discuss a legal matter with possible action to be taken following the closed session. Commissioner Pressley seconded and the motion passed 6-0.

## **CLOSED SESSION**

The Board heard an update and discussion of a pending legal matter involving the former County Manager and the ongoing investigation. They agreed to release a statement after the closed session.

Commissioner Beach-Ferrara moved to go back into open session. Commissioner Belcher seconded and the motion passed 7-0.

The Chairman announced that the Board would release the statement regarding the recent indictments against the former Manager. The release is attached to the minutes of this meeting.

Commissioner Belcher moved to adjourn the meeting. Commissioner Fryar seconded and the motion passed 6-0.

The meeting was adjourned at 8:45 p.m.

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KATHY HUGHES, CLERK  
BOARD OF COMMISSIONERS

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BROWNIE NEWMAN, CHAIRMAN  
BOARD OF COMMISSIONERS