

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF OCTOBER 2, 2018 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on October 2, 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: George Wood, Interim County Manager; Eric Hardy, Interim Finance Director; Rachael Nygaard, Strategic Partnership Director; Terri Orange, Internal Auditor; Jennifer Pike, Tax Collector; Keith Miller, Tax Assessor; Tim Love, Business Officer; Jennifer Chilton, Budget Manager; Curt Euler, Employee Benefits & Risk Management Director; Lamar Joyner, Clerk to the Board; Michael Frue, Staff Attorney; Brandon Freeman, Staff Attorney; Heather Hockaday, Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman asked for a moment of silence to remember Marie Colton, Speaker Pro Tempore-NC House of Representative, as she passed away on September 25, 2018.

Commissioner Frost moved to add the following items to the agenda. Commissioner Pressley seconded and the motion passed 7-0.

- **Norris Gentry Appointment to the NC Association of County Commissioners**

Commissioner Belcher moved to approve the appointment. Commissioner Whitesides seconded and the motion passed 7-0.

- **Move the November 6 Commissioners' Meeting to October 30, 2018**

Commissioner Frost moved to approve to change the meeting date. Commissioner Pressley seconded and the motion passed 7-0.

- **Time Extension Request on a Purchase Option for Ferry Road Property**

Commissioner Belcher moved to approve the request for a three month extension at \$5,000 per month and following that up to an additional six month extension at \$10,000 per month. Commissioner Pressley seconded and the motion passed 7-0.

CONSENT AGENDA

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

- Commissioners' Property Tax Release Report
 - More Information
- FY2019 Budget Amendment Summary 10-02-18
 - FY2019 Grants Project Fund Amendments
 - Sheriff's Office- 2017 Justice Assistance Grant received
 - Sheriff's Office- 2018 Justice Assistance Grant received
 - Justice Resource Support- 2019 DWI Court Grant received
- Task Order 19-04 with SCS Engineers, P.C. in the Amount of \$4,700

GOOD NEWS

- Buncombe County Planning Department recognized by NACO for Affordable Housing Initiatives

Nathan Pennington, Planning Director, provided a PowerPoint presentation and that NACO included Buncombe County in its case study because of the positive work being done.

PRESENTATIONS

- Immunization Rate in Buncombe County - Dr. Jennifer Mullendore, Clinical Services

Dr. Mullendore presented information on immunization data and statistics in relations to Buncombe County and its affect throughout the community. She states that education on the subject is important and there is some misinformation on the internet.

PUBLIC HEARINGS

COUNTY MANAGER'S REPORT

George Wood, Interim County Manager, stated that the County made a presentation on the formal application to the Tourism Development Authority for a \$6 million Enka-Candler sports park project.

He also reported that the RAB Builders filed a Notice of Appeal to the NC Court of Appeals for the Moffitt Road development.

OLD BUSINESS

- **Update on Online Checkbook Project - Eric Hardy, Interim Finance Director**

Eric Hardy, Interim Finance Director, explained the progress of the Online Checkbook Project. He stated that it is in the working draft phase and it should be completed by February 2019. Mr. Hardy also mentioned that some of the data is subject to privacy laws and it will be presented in phases.

- **Motion to Approve the Health Insurance Plan(s) for Calendar Year 2019 and Changes to the Sale of Vacation Policy**

Mr. Wood explained that the two new plans would take the place of the three former plans.

Commissioner Whitesides moved to not approve the new proposed plan but to keep the current plan.

Commissioner Frost seconded and the motion passed 7-0.

Commissioner Belcher moved to table the changes to the sale of vacation policy to the October 16th meeting.

Commissioner Frost seconded and the motion passed 7-0.

NEW BUSINESS

- **Motion to Approve the Buncombe-Weaverville Greenway Interlocal Agreement**

Josh O'Conner, Recreation Director, explained the work that has been done in conjunction with the Town of Weaverville.

Commissioner Belcher moved to approve the agreement. Commissioner Frost seconded and the motion passed 7-0.

- **Motion to Approve a \$56,715 Budget Amendment for the CLA Audit Contract and Amended Completion Date of January 31, 2019**

Jennifer Chilton, Budget Manager, explained the amendment.

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

- **Resolution Authorizing Revisions to the Affordable Housing Services Program**

Mr. Pennington shared the PowerPoint presentation with audience and Donna Cottrell, Affordable Housing Department, gave some additional insight into the program.

Vice Chair Fryar moved to approve the resolution. Commissioner Frost seconded and the motion passed 7-0.

- **Motion to Approve Amendments to the Manufactured Home Removal Policy**

Vice Chair Fryar moved to approve the amendment. Commissioner Frost seconded and the motion passed 7-0.

- **Motion to Authorize the County Manager to Request from the School Capital Fund Commission Funding for Engineering and Installation of BDA's and Other Equipment to Improve Public Safety Portable Radio Signals in All Public Schools**

Mr. Wood presented his memo to the Board.

Commissioner Whitesides moved to authorize the County Manager to make the request. Commissioner Pressley seconded and the motion passed 7-0.

- **Motion to Authorize a Contract with Tax Management Associates, Inc. to Provide Business Personal Property Services for Tax Listing and Asset Cost Analysis for All Mission Health System, Inc. Properties**

Keith Miller, Tax Assessor explained his memo and stated that the department had reached out to other affected Counties to collaborate on the contract.

Commissioner Belcher moved to authorize the contract. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

*Commissioner Frost had to leave the meeting.

- **Motion to Approve Up to \$40,000 of Additional Funding for Early Voting Sites**

Mr. Wood explained that the order to provide an additional early voting site came from the NC State Board of Elections. Chairman Newman stated that he supports early voting and he wishes he would have contacted all the commissioner before he sent his letter of support. Vice Chair Fryar stated that Chairman Newman should have called all the commissioners because they all are a part of the Commission.

Commissioner Beach-Ferrara moved to approve the motion. Commissioner Whitesides seconded and the motion passed 7-0.

- **Motion to Approve Buncombe County Government to Serve as the Lead Agency for the Domestic Violence Fatality Review Team (DVFRT)**

Julie Klipp Nicholson, Family Justice Center Coordinator, made the presentation for the motion.

Commissioner Beach-Ferrara moved to approve Jackie Latek, Julia Horrocks and Dr. Julie Moffitt as team members. Commissioner Belcher seconded and the motion passed 7-0.

Commissioner Whitesides moved to approve Buncombe County Government as the lead agency. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- **Discussion of Early Childhood Education Strategic Priority (requested by Beach-Ferrara, Whitesides, Frost and Newman)**

Commissioner Beach-Ferrara, Amy Berry and Kit Cramer provided insight into the early childhood discussion. Too expensive and few enrollment openings are a few issues that plague the community.

- **Motion Finding that Construction Management at Risk Services is in the Best Interest of the FY18 A-B Tech Capital Maintenance Project and the County has Compared the Advantages and Disadvantages of Using CMAR in Lieu of Other Construction Delivery Methods, per NCGS 143-128.1(e)**

Clint Shepherd, General Services Director, presented the contract and stated the CMAR has knowledge of the work because they have been on-site for past projects.

Vice Chair Fryar moved to approve the motion. Commissioner Pressley seconded and the motion passed 7-0.

- **Motion to Approve a Construction Manager at Risk Contract with Vannoy Construction for the FY18 A-B Tech Capital Maintenance Project, Renovating Portions of 11 Buildings**

Vice Chair Fryar moved to approve the motion. Commissioner Belcher seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Newman moved to reappoint **John Bernhardt**, and **Linda Burrell** to the **Nursing Home Advisory Committee**. Commissioner Whitesides seconded and the motion passed 7-0.

Chairman Newman moved to reappoint **Mary Adami** to the **Adult Care Home Community Advisory Committee**. Commissioner Pressley seconded and the motion passed 7-0.

PUBLIC COMMENT

Don Yelton stated that the Board should take notice of the money spent by referring it to the amount tax on houses. He also commented on early voting, health care, and child care.

Vice Chair Fryar talked about the lack transparency and the use of a county attorney.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *October 16 @ 1 p.m. - Mission Health Forward Update at 200 College Street, First Floor Conference Room in downtown Asheville.*
- *October 16 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *October 6 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Belcher moved to go into closed session pursuant to NCGS 143-318.11a(3) for a legal matter and NCGS 143-318.11a(6) for a personnel matter with no possible action to be taken following the closed session.

Commissioner Pressley seconded and the motion passed 7-0.

CLOSED SESSION

The Board heard an update and discussion of pending legal matters involving the former County Manager and other former county employees at the center of the ongoing investigation. No action was taken.

The Board also heard an update and discussion on a personnel matter. No action was taken.

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

Commissioner Belcher moved to adjourn the meeting. Commissioner Pressley seconded and the motion passed 7-0. The meeting was adjourned at 9:30 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS