

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MARCH 5, 2019 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on March 5, 2019, 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
Jasmine Beach-Ferrara, Vice Chair
Joe Belcher, Commissioner
Amanda Edwards, Commissioner
Mike Fryar, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Jim Holland, Assistant County Manager; Donald Warn, Finance Director; Jennifer Chilton, Budget Director; Terri Orange, Internal Auditor; Rachael Nygaard, Strategic Partnership Director; Tim Love, Business Officer; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Staff Attorney; Brandon Freeman, Staff Attorney; Heather Hockaday, Attorney; Quentin Miller, Sheriff; Josh O'Conner, Parks and Recreation Director

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman welcomed Avril Pinder and requested a moment of silence or prayer to give thanks to the County's dedicated workforce and the Sheriff's Department.

CONSENT AGENDA

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

- Approval of February 19, 2019 Regular Meeting Minutes
- GALABC Donation
- Commissioners' Property Tax Release Report
 - More Information

PRESENTATIONS

- **Informational Presentation by Sheriff Miller (requested by Beach-Ferrara, Edwards and Whitesides)**

Sheriff Miller said that his presentation would provide the state of the Buncombe County Sheriff's Department and a plan to towards a 21st century policing approach. The plan contained staffing and financial requests in the areas of policing and public safety, oversight and transparency, community engagement; and fleet vehicles. Sheriff Miller stated that investing in the department would make difference and bring the community together. Results of the plan would create 21 new positions and increase the FY19 Budget by 4.13%.

Commissioner Belcher said that some citizens in his district wanted more patrol in the community.

Chairman Newman suggested that all requests and needs should be consolidated and looked at together during the budget process. Commissioner Whitesides agreed with consolidated approach and wanted to see it prioritized.

- **Community Health Improvement Process (CHIP) & Community Health Assessment (CHA) - Jan Shepard, Public Health Director**

Jan Shepard presented a PowerPoint that detailed the CHIP and CHA within Buncombe County. The process and assessment identifies what factors affect the community and strategies that will lead to improvement in these areas. The community health assessment is conducted every three years. Organizations in the community partner with Public Health to provide support in improving the health of the county. The idea is "Rethinking Health: How we define, deliver and pay for health".

OLD BUSINESS

- **Resolution Authorizing Execution of Memorandum of Understanding Between the County of Buncombe and The Board of Trustees of Asheville-Buncombe Technical Community College**

Mike Frue, Senior Staff Attorney, explained that he was bringing this topic back after a vote from the Commissioners to add language to the resolution to create a committee modeled after the Buncombe County School Capital Fund Commission and no vote was required. The Board also discussed paying A-B Tech the funds that were used to pay employee salaries.

- **Consideration of Application for Grant of Franchise to Operate Ambulances in the County (MEDIC)**

Mike Frue, Senior Staff Attorney, stated that this item was being brought back from the February 5, 2019 meeting and explained the ordinance conditions that needed to be met for the granting of a franchise.

Commissioner Belcher asked if the time span for granting the franchise was for a year. Mr. Frue stated that a year is correct and that OEMS inspection would need to be done to complete the process.

Commissioner Belcher moved to approve the franchise application for MEDIC and grant the franchise in accordance to the ordinance below, Commissioner Pressley seconded and the motion passed 4-3. (NOES-Newman, Beach-Ferrara, Edwards)

Ord. No. 14-11-11, § 1, 11-18-14

Sec. 22-43. - Granting.

(c) Conditions. A franchise may be granted if the board finds that:

- (1) The public will be served by granting the applicant a franchise, consistent with the article.*
- (2) The application is accurate and, complete.*
- (3) The applicant has provided adequate evidence of its ability to provide safe, adequate and responsible service, and evidence that no owner, operator, agent or employee of applicant has been debarred from the Medicare or Medicaid program, or any other public benefit program of the United States or any state.*
- (4) The applicant holds all necessary licenses and permits from OEMS, or will be fully qualified to obtain all necessary licenses and permits upon award of the franchise.*

Don Copenhaver commented that County EMS does an excellent job and thanked the Board for adding four staff members to the department. He asked if the County would lose money if the franchise is granted.

Don Yelton suggested that the County needed to look at other franchises for competition.

Dan Friday stated that granting the franchise to MEDIC would open Pandora's Box and the County would lose money. Mr. Friday also made claims against MEDIC and its staff.

Kermit Tolley, Sharon Tolley and Tonya Gibson, of MEDIC, disputed the claims made from Dan Friday as fictitious and said that they only wanted to provide a valuable service to the community.

Chairman Newman stated that he would vote against granting the franchise because a for-profit company might undermine the County EMS.

Commissioner Pressley said that MEDIC has continually provided this service and questioned how we will provide service for the 100+ calls per month that MEDIC takes.

NEW BUSINESS

- **Motion to Approve a Resolution Authorizing Execution of Contracts and Agreements Involving Enka Center and Sports Park**

Tim Love, Business Officer, presented a PowerPoint explaining the resolution and the project that was initially presented to the Board in 2014. The \$12 million project is scheduled to be completed in July 2022.

Josh O'Conner, Parks and Recreation Director, gave comprehensive overview of the individual park additions of the project.

Chairman Newman acknowledged all the work that has been put into the project and expressed appreciation.

Mike Rottjakob, Executive Director of Asheville Buncombe Youth Soccer Association, recommended that the County move forward on the project.

Emily DeShazo and Glenn Satterfield expressed their support for the project. Ms. Deshazo stated that it would increase the walkability of the community.

Jerry Rice cautioned the Board on the project due to the Enka plant contamination and felt that greed was taking the place of safety.

Don Yelton stated that the area was toxic and could lead to problems like the CTS contamination.

Commissioner Belcher moved to approve the resolution as presented. Commissioner Edwards seconded the motion and it passed 7-0.

Vice Chair Beach-Ferrara moved to approve the leasing of parking lot lighting at Bob Lewis Ballpark. Commissioner Whitesides seconded the motion and it passed 7-0.

- **FY2019 Budget Amendment Summary 3-5-19**

Jennifer Chilton, Budget Director, explained each of the budget amendments outlined in the amendment summary and identified individually below.

- **FY2019 General Fund Budget Amendments**

- **Interfund Transfer from Special Programs Fund for Farmland Preservation Plan**

Vice Chair Beach-Ferrara moved to approve the budget amendment as presented. Commissioner Whitesides seconded and the motion passed 7-0.

- **FY2019 Special Programs Fund**

- **Interfund Transfer to General Fund for Farmland Preservation Plan**

Vice Chair Beach-Ferrara moved to approve the budget amendment as presented. Commissioner Whitesides seconded and the motion passed 7-0.

- **FY2019 Grants Project Fund**

- **New Freedom Grant**

Vice Chair Beach-Ferrara moved to approve the budget amendment as presented. Commissioner Pressley seconded and the motion passed 7-0.

- **FY2019 Article 46 Sales Tax Capital Project Fund**

- **Capital Plan Maintenance & Professional Services**

- **Back-Up (AB-Tech Capital Improvements – GMP – 2.9.19) File**

Commissioner Belcher moved to approve the budget amendment as presented. Commissioner Edwards seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Commissioner Belcher moved to reappoint **Barbara Weatherall, Ruth O'Donnell** and **Lindley Garner** to the **Library Board**. Chairman Newman seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Jeffery Kaplan** and **Robin Payne** to the **Mountain Community Capital Fund Operating Committee**. Commissioner Belcher seconded and the motion passed 7-0.

Commissioner Whitesides moved to appoint **Amanda Edwards** to the **Sports Commission**. Chairman Newman seconded and the motion passed 7-0.

PUBLIC COMMENT

Don Yelton stated that government services improve when there is competition from for-profit companies and the Board needs to establish a budget and stick to it.

Anita Metcalf, Richard Hurley and Robert Metcalf spoke in support of A-B Tech and for the need of trust to be established in order to move the relationship forward.

Jerry Rice called for more transparency and trust. He said that there must be oversight from the board and the new county manager.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *March 19 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *April 2 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *April 16 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *April 19 - County Offices will be closed for Good Friday*

The meeting was adjourned at 7:59 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS