

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF APRIL 2, 2019 AT 5 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on April 2, 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 Barnette, Budget Director; Eric Hardy, Performance Management Director; Rachael Nygaard, Strategic Partnership Director; Jennifer Pike, Tax Collector; Keith Miller, Tax Assessor; Tim Love, Business Officer; Nathan Pennington, Planning Director; Stoney Blevins, Health and Human Services Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney; Heather Hockaday, Attorney

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

The Chairman called attention to April as Child Abuse Awareness month and requested a moment of silence to reflect on the work that is being done to keep our children and community safe.

## **CONSENT AGENDA**

Commissioner Whitesides motioned to remove **The Consideration of a Legal Settlement** from the agenda and move the **Child Abuse Awareness Proclamation** from the Consent Agenda to Good News. Commissioner Edwards seconded and the motion passed 7-0.

- Approval of March 19, 2019 Special Meeting Minutes
- Approval of March 19, 2019 Regular Meeting Minutes
- Commissioners' Property Tax Release Report
  - Report
  - More Information
- FY2019 Budget Amendment Summary 4-2-19
- Fund 224: Special Programs Fund
  - Nesbitt Preservation
- Application for Use of Lottery Funds for Reimbursement of Partial Funding for Roof Replacement at W. D. Williams Elementary School
  - Application

## **GOOD NEWS**

- **Child Abuse Awareness Proclamation**

Commissioner Belcher read and presented the proclamation to Stoney Blevins, Health and Human Services Director, and staff. The Board acknowledged and appreciated the work that staff does.

## **PRESENTATIONS**

- ~~Consideration of a Legal Settlement~~

## **PUBLIC HEARINGS**

- **Linamar Consolidated and Modified Economic Development Agreement (EDA)**

Tim Love, Business Officer, presented the PowerPoint and requested that the County move forward with the consolidated and modified agreement. The agreement will have the same annual performance targets but will extend the timeline by six years. Ken McDougall, Linamar, stated that some of the setbacks were due to Caterpillar leaving the area and that directed them to pursue new products while remaining committed to Buncombe County.

The Chairman opened the hearing at 5:29 p.m.

Clark Duncan, Economic Development Coalition, expressed his appreciation of the partnership.

Jerry Rice said that the projections and estimates looked pretty good but cautioned the Board on the infrastructure being problematic.

The hearing was closed at 5:34 p.m.

Commissioner Whitesides moved to approve the agreement. Commissioner Pressley seconded the motion and it passed 7-0.

- **Manufactured Homes Zoning Text Amendment**

Nathan Pennington, Planning Director, stated that some of this information was presented to Board during the 2018 workshop on affordable housing. Joshua Freeman, Zoning Administrator, explained that these were technical standards for text amendments in R-1, R-2 and Beaverdam. The Planning Board recommended these amendments by a vote 6-2.

The Chairman opened the hearing at 5:55 p.m.

Dorothy Swanson stated that although the graphs and maps show a high percentage of the County is available to use for manufactured homes, a lot places are not suitable or allow for such homes.

Tom Christian expressed his support and wants the amendment to pass by vote.

Sandy Holt expressed her support and said this would assist her son in homeownership.

Don Yelton expressed issue with areas of Beaverdam and Limestone not wanting cell towers and manufactured homes was the same type of problem. He also suggested the Board look into single-wide manufactured homes being included in the policy.

Ann Bollinger stated her concern with property values being affected in R-1 and R-2.

Jerry Rice called for respect of each other and to remember your ancestors living in the area.

Chris Rominger expressed his hardship of helping his mother find affordable housing and he had no concern with the value of manufactured houses.

The hearing was closed at 6:13 p.m.

Commissioner Belcher moved to adopt the plan consistency statement. Commissioner Fryar seconded the motion and it passed 7-0.

Commissioner Belcher moved to approve the text amendments with the recommended modification of skirting materials to exclude "wood" from the proposed language found in Attachment A - Section 78-678(a)(5)b.1.(b) of the Zoning Ordinance of Buncombe County. Commissioner Pressley seconded the motion and it passed 7-0.

Commissioner Edwards asked if the Planning Board had information of the demand of manufactured homes in R-1 and R-2 and how it affects property value. Mr. Pennington said that he was not sure of the demand and Keith Miller, Tax Assessor, said there was no data to see how these homes affect property value.

- **Lees Creek Rezoning Request**

Joshua Freeman, Zoning Administrator, presented the request, stated that the request was consistent with the comprehensive plan and was unanimously approved by the Planning Board. The area is largely zoned as R-1 at the addresses of 65 and 67 Lees Creek Road.

The Chairman opened the hearing at 6:27 p.m.

Matt Segal stated that he is an 18 year resident and that the property is being used as a group home. This rezoning would allow him to get an appraisal.

The hearing was closed at 6:29 p.m.

Commissioner Edwards moved to adopt the plan consistency statement. Commissioner Whitesides seconded the motion and it passed 7-0.

Commissioner Edwards moved to approve the rezoning request. Commissioner Belcher seconded the motion and it passed 7-0.

- **Hernandez Rezoning Request**

Joshua Freeman, Zoning Administrator, presented the request, stated that the request was consistent with the comprehensive plan and was unanimously approved by the Planning Board. The area would move from CS to R-3 at the addresses of 7 and 9 Arbor Street.

The Chairman opened the hearing at 6:34 p.m.

The hearing was closed at 6:35 p.m.

Commissioner Belcher moved to adopt the plan consistency statement. Chairman Newman seconded the motion and it passed 7-0.

Commissioner Whitesides moved to approve the rezoning request. Chairman Newman seconded the motion and it passed 7-0.

## **OLD BUSINESS**

- **Approval of the East Haven Loan Agreement**

Rachael Nygaard, Strategic Partnership Director, explained that the Affordable Housing Sub-Committee developed the disbursement schedule and that the funds will be reflected in the FY20 budget.

Commissioner Belcher moved to authorize the County Manager execute the loan agreement and enter into a promissory note and deed of trust. Commissioner Whitesides seconded the motion and it passed 5-2. (NOES-Commissioner Fryar and Pressley)

## NEW BUSINESS

- **Resolution Authorizing Execution of Easement Agreement to Metropolitan Sewerage District of Buncombe County, North Carolina ["MSD"]**

Michael Frue, Senior Staff Attorney, stated that resolution would move the easement to comply with the work being done in the area.

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

- **Grant-Funded Position Policy**

Curt Euler, Employee Benefits & Risk Management Director, stated that County were hiring for six positions for a two year period and the personnel ordinance is not clear on how to treat these positions. The policy will provide benefits that regular employees have access to use.

Commissioner Belcher moved to approve the policy. Commissioner Edwards seconded and the motion passed 7-0.

## BOARD APPOINTMENTS

Vice Chair Beach-Ferrara moved to appoint **Kit Cramer, Philip Belcher, Mistie Reising-Cogbill, Susan Mims, Chavaun Letman, Christy Cheek, Edward "Rich" Johnston, Glenda Weinert, Himanshu Karvir, Jane Hatley, Kidada Wynn and Leslie Anderson** to the **Early Childhood Education & Development Committee**. Commissioner Whitesides seconded and the motion passed 7-0.

Commissioner Whitesides moved to reappoint **David Rittenberg, Parker Sloan and Joan Walker** to the **Planning Board**. Commissioner Pressley seconded and the motion passed 7-0.

**Commissioners Whitesides and Beach-Ferrara** were appointed to the **A-B Tech Joint Advisory Committee**.

## PUBLIC COMMENT

Dorothy Swanson stated that when property values go up so does property taxes and established homeowners need protection.

Don Yelton stated that the County should allow homeowners to preserve some land that taxes can be locked in at a certain rate to provide financial relief.

Rev. Scott Rogers expressed his concern the homelessness crisis and requested assistance from the County.

Jerry Rice expressed his concerns with the Linamar infrastructure and the area to video record the meeting.

## ANNOUNCEMENTS

The Chairman made the following announcements:

- *April 16 @ 12 p.m. - Commissioners' Pre-Meeting at 200 College Street, 1<sup>st</sup> Floor Conference Room in downtown Asheville.*
- *April 16 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

The meeting was adjourned at 7:11 p.m.