

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF OCTOBER 15, 2019 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on October 15, 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; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Donald Warn, Finance Director; Jennifer Barnette, Budget Director; Sheriff Quentin Miller; Stoney Blevins, Health and Human Services Director; Rachael Nygaard, Strategic Partnership Director; Tim Love, Business Officer; Nathan Pennington, Planning 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 led a prayer for justice and peace for all and to unify our Nation.

Vice Chair Beach-Ferrara asked for a moment of silence for the passing of Rodney Hasty, Buncombe County Assistant DA and recognized his service to the community.

CONSENT AGENDA

Commissioner Whitesides motioned to remove the **Radichshin Rezoning Request** from **Public Hearings**, move **Closed Session** to the beginning after **Consent Agenda**, and approve the Consent Agenda as presented and the remainder of the agenda. Commissioner Belcher seconded and the motion passed 7-0.

Commissioner Belcher motioned to add the **Guidelines for the Funding of Non-Profit Agencies** under **New Business**. Commissioner Pressley seconded and the motion passed 7-0.

- Approval of October 1, 2019 Pre-Meeting Minutes
- Approval of October 1, 2019 Special Meeting Minutes
- Approval of October 1, 2019 Regular Meeting Minutes
- State Lottery Application Project – Community High School Additions & Renovations
 - Ordinance
- Resolution Granting Easement to Duke Energy Progress, LLC
 - Resolution
 - Easement
 - Exhibit A
 - Map

Vice Chair Beach-Ferrara moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear a legal matter. Commissioner Edwards seconded and the motion passed 7-0.

CLOSED SESSION

The Board heard the legal update and had discussion regarding the previous mentioned legal matters. No action was taken.

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

PRESENTATIONS

- **TDA 2019 Annual Report**

Stephanie Brown, TDA, provided a summary of activities and result highlights within the 2019 Annual Report. She included information related to their new business partners, public events, and their planning process.

- **Family Justice Center Update**

Diana Sierra, Strategic Partnerships, gave a brief update and some key priorities happening within the Family Justice Center. The center provides a safe place for sexual assault and child abuse victims. In the first three years, the center has served 1,707 individuals. Diana also thanked the Commission for their support.

PUBLIC HEARINGS

- ~~**Radichshin Rezoning Request**~~

- **Text Amendments (traffic studies, subdivision standards)**

Gillian Phillips, Planning Department, explained that this text amendment to Subdivision Ordinance would allow for a traffic impact study (TIS) for sub-divisions of 75 lots or more. Previously, the threshold was subdivisions with 300 lots or more.

The second amendment would affect the number of lots that Special and Family Subdivisions can be divided into. Special Subdivisions will be three lots and Family Subdivisions will be five lots.

- **SUB2019-00477 Text Amendment (Traffic Impact Studies)**

The Chairman opened the hearing at 6:22 p.m.

The hearing was closed at 6:22 p.m.

Commissioner Belcher moved to approve the text amendment. Commissioner Pressley seconded and the motion passed 7-0.

- **SUB2019-00478 Text Amendment (Special and Family Subdivisions)**

The Chairman opened the hearing at 6:23 p.m.

Don Yelton stated that traffic flow is a problem and drives housing cost up.

The hearing was closed at 6:25 p.m.

Commissioner Whitesides moved to approve the text amendment. Commissioner Edwards seconded and the motion passed 7-0.

COUNTY MANAGER'S REPORT

Nathan Pennington, Planning Director, provided information for the Quasi-Judicial Training taking place on October 24 and that all surrounding municipalities are invited.

Dr. Jennifer Mullendore provided an update on the Legionnaires' disease outbreak. She stated that we are seeing the number of new cases reported go down within the County.

NEW BUSINESS

- **MacArthur Foundation Safety & Justice Grant / Request Additional Positions**

Rachael Nygaard, Strategic Partnership Director, stated that the six time-limited positions will include 4 full-time and 2 part-time positions. These grant-funded positions will assist in the areas of jail population reduction and pre-trial services.

Commissioner Belcher moved to approve the request for the additional positions. Vice Chair Beach-Ferrara seconded and the motion passed 7-0.

- **County Involuntary Commitment Transportation Agreement**

Rachael Nygaard, Strategic Partnership Director, stated that this was an item from the October 1 pre-meeting. Ms. Nygaard and Chief Deputy Everhart reviewed the information and stated that the agreement is due to new legislation for transportation from law enforcement provided to involuntary commitment (IVC) individuals. The agreement is between the county and other local law enforcement agencies.

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

- **Budgeting of FY2020 AB Tech Joint Committee Recommend Projects**

Jennifer Barnette, Budget Director, provided an amendment overview of the three AB Tech projects related to the Enka campus, emergency projects and energy consumption that total to \$2,440,000.

Commissioner Edwards moved to approve the budget amendment as presented. Commissioner Belcher seconded and the motion passed 5-2. (NOES-Fryar, Pressley)

- **Budget Amendment for Farmland Preservation State Award Funding**

Jennifer Barnette, Budget Director, explained that the budget amendment establishes additional Revenue budget and Expenditure budget for the preservation easement in order to pay the funds to the landowner for the easement at no additional cost to the county.

Commissioner Belcher moved to approve the budget amendment as presented. Vice Chair Beach-Ferrara seconded and the motion passed 6-1. (NOES-Fryar)

- **Guidelines for the Funding of Non-Profit Agencies**

Rachael Nygaard, Strategic Partnership Director, and Commissioner Edwards explained the details and background that led to the discussion of implementing new guidelines to the process of funding through Strategic Partnerships. A total of eight recommendations were provided and explained by Commissioner Edwards. No vote was expected at this time.

PUBLIC COMMENT

Don Yelton questioned the County's transparency and his right to make public comments. He also stated that non-profit organization requesting funds should open up their financial books to the County.

Susan Grindstaff invited the commissioners to the "Asheville Ride for Kids" event for the Pediatric Brain Tumor Foundation.

Jerry Rice expressed his concerns for DSS procedures as it relates to children and human trafficking.

Commissioner Fryar questioned the information presented about solar systems on County facilities and Chairman Newman's involvement.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *October 24 @ 1 p.m. - UNC School of Government Quasi-Judicial Training at 200 College Street, 1st Floor Conference Room in downtown Asheville.*
- *November 5 @ 3 p.m. - Commissioners' Pre-Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *November 5 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Avril Pinder, County Manager, announced that Trena Velez, Elections Director, is retiring from the County to take a position at the NC State Board of Elections.

The meeting was adjourned at 7:50 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS