BE IT REMEMBERED: That the Board of Commissioners met in regular session on April 20, 2021, 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, Commissioner
Amanda Edwards, Commissioner
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Vice Chair

Robert Pressley, Commissioner, was absent from the meeting.

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Donald Wam, Finance Director; Jennifer Barnette, Budget Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Vice Chair Whitesides motioned to approve the Consent Agenda, move the National Therapy Animal Day Proclamation before Public Comment, and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 6-0.

- Approval of April 6, 2021 Briefing Minutes
- Approval of April 6, 2021 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
  - Resolution
- Other Post Employment Benefit (OPEB) Trustee Change Notification
- Ordinance and Order Closing an Unopened Road Named Walnut Place in the Limestone Township of Buncombe County
  - Ordinance
- Budget Amendment to Utilize Remaining HAVA Funding
  - Ordinance
- Budget Amendment for NC USAR Task Force 2 - Equipment Usage Reimbursement
  - Ordinance

PRESENTATIONS

- National Therapy Animal Day Proclamation
  
  Commissioner Edwards read and presented the proclamation to Paul Howey of the Fur Kidz Sake program.

PUBLIC COMMENT

The following individuals spoke in favor of the Ordinance Prohibiting Discrimination in Employment and Public Accommodations:

Peyton O’Conner
Shannon O’Conner
Allison Scott
David Perry
Takira Rose

The following individuals spoke against the Ordinance Prohibiting Discrimination in Employment and Public Accommodations:

James Fulton
Karen Hoemer
Stephanie Parsons

CLOSED SESSION

Commissioner Sloan moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters for the County of Buncombe vs. Ellen Frost and Wanda Skillington Greene as recorded in Buncombe County Superior Court File #: 19 CVS 5208. Vice Chair Whitesides seconded and the motion passed 6-0. The Board heard the legal update and had discussion regarding the legal matters. No action was taken.

Commissioner Beach-Ferrara moved to go back into open session. Commissioner Edwards seconded and the motion passed 6-0.
NEW BUSINESS

• Consideration of a Legal Settlement

Attorney Philip Anderson stated that he had been in negotiations with the attorney of Ellen Frost and recommended approval of a limited release settlement of $175,000.
Chairman Newman moved to approve the settlement. Commissioner Edwards seconded and the motion passed 6-0.

PRESENTATIONS

• Agricultural Advisory Board for Farmland Preservation

David Lee, Board Chair, highlighted the board’s importance, successes, and requested support for the local agriculture projects.

• Land Conservation Advisory Board

Greg Hutchins, Board Chair, provided an update to their priority focus areas, challenges, and highlighted some of their accomplishments.

• Financial Quarterly Report

Don Warn, Finance Director, presented the FY21 Third Quarter Report with an update on revenues and expenditures.

COUNTY MANAGER’S REPORT

Avril Pinder, County Manager, updated the Board on an upcoming public hearing to add the Juneteenth Holiday as a paid County holiday.

OLD BUSINESS

• Ordinance Prohibiting Discrimination in Employment and Public Accommodations

Commissioners Beach-Ferrara and Sloan responded to and addressed some of the public dialogue made in reference to the ordinance earlier during the community information session and the meeting. Other Commissioners voiced the support for the ordinance and its importance to the community.
Commissioners Beach-Ferrara moved to approve the ordinance as presented. Commissioner Sloan seconded and the motion passed 6-0.

NEW BUSINESS

• Asheville-Buncombe United for Youth Network

Rachael Nygaard, Strategic Partnerships Director, and representatives from United Way of Asheville & Buncombe County presented information on the network that is a multigenerational, cross-sector, cradle to career partnership built on the foundational principle that “Equity and Educational Excellence are Inseparable”. The network is constructed from the following:
  
  Vision: ALL children and youth learn, grow and thrive in a vibrant, healthy and connected community.
  Mission: To actively identify and remove barriers to opportunity and co-create solutions that support student success.
  Bold Community Goal: By 2035, ALL Asheville City and Buncombe County students graduate from high school ready and fully prepared to pursue their goals and dreams.

Commissioners Beach-Ferrara moved to join the partnership and authorize the County Manager to sign the United for Youth Network Partnership Agreement. Commissioner Wells seconded and the motion passed 6-0.

• Budget Amendment for COVID Vaccination Program

Jennifer Barnette, Budget Director, explained the budget amendment.
Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Edwards seconded and the motion passed 6-0.

• Budget Amendment for Projected Sales Tax Growth

Jennifer Barnette, Budget Director, explained the budget amendment.
Commissioner Wells moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.
• Budget Amendment for Project Closure - Solid Waste
Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

• Budget Amendment for Project Closure - Public School ADM Capital
Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

• Budget Amendment for Project Closure - Article 46 Sales Tax Capital
Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

• Budget Amendment for Project Closure - Grants
Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

• Budget Amendment for Project Closure - Public School Capital
Jennifer Barnette, Budget Director, explained the budget amendment. Vice Chair Whitesides moved to approve the budget amendment as presented. Commissioner Sloan seconded and the motion passed 6-0.

• Resolution/Proclamation Process
Tim Love, Intergovernmental Relations, delivered an update, initially presented at the April 6th Briefing, of the resolution/proclamation process for those documents that are not considered as normal business. The public-at-large, Commissioners, or County Staff would be able to make a request to have the document considered. The Board acknowledged support for the process.

BOARD APPOINTMENTS
Chairman Newman moved to appoint Michael Lamb (Police Chief or designee) to the Juvenile Crime Prevention Council. Commissioner Beach-Ferrara seconded and the motion passed 6-0.
Chairman Newman moved to appoint Krista Flores (private sector employer) to the Mountain Area Workforce Development Board. Commissioner Sloan seconded and the motion passed 6-0.
Chairman Newman moved to appoint, by general consensus of receiving the most votes, John Noor, Anthony Coxie, and Michael Fisher to the Planning Board.
Chairman Newman moved to appoint Sioux Oliva, and Darin Waters to the Historic Resources Commission. Commissioner Sloan seconded and the motion passed 6-0.
Chairman Newman moved to reappoint Martin Moore to the Buncombe County Board of Adjustment. Commissioner Edwards seconded and the motion passed 6-0.

ANNOUNCEMENTS
The Chairman made the following announcements:
• April 22 @ 1:30 p.m. - Commissioners’ Budget Work Session at 200 College Street, Room 326 in downtown Asheville.
• May 4 @ 3 p.m. - Commissioners’ Briefing at 200 College Street, Room 326 in downtown Asheville.
• May 4 @ 5 p.m. - Commissioners’ Regular Meeting at 200 College Street, Room 326 in downtown Asheville.
Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Edwards seconded and the motion passed 6-0. The meeting was adjourned at 8:27 p.m.