

REGULAR MEETING OF JULY 19, 2022 AT 5 P.M.

BE IT REMEMBERED: That the Board of Commissioners met in regular session on July 19, 2022, 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, Vice Chair
Robert Pressley, Commissioner
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; Donald Warn, Finance Director; John Hudson, Budget Director; Jennifer Pike, Tax Collector; Keith Miller, Tax Assessor; Taylor Jones, Emergency Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Whitesides motioned to approve the Consent Agenda and the remainder of the agenda. Commissioner Pressley seconded and the motion passed 7-0.

- Approval of June 21, 2022 Special Meeting Minutes
- Approval of June 21, 2022 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department - Walter Short
- Ordinance Amending Certain Provisions of the County's Farmland Preservation Program to Comply with Session Law 2021-78
 - Ordinance
- Tax Collection Report
- Approval of State Lottery Project Application – Buncombe County Schools – Security Initiative
 - Application
- Approval of Community Development Block Grant Required Plans & Procedures
 - Local Jobs Initiative Plan
 - Language Access Plan
 - Resolution Adopting Language Access Plan
- Budget Amendment to Establish a Conservation Easement Project
 - Ordinance
 - More Information
- Budget Amendment for Medication Assisted Treatment (MAT) Grant – FY2022
 - Ordinance
- Budget Amendment for Dogwood Health Trust (DHT) Grant Writing Assistance
 - Ordinance
- Budget Amendment for State Criminal Alien Assistance Program (SCAAP) Award
 - Ordinance

PUBLIC COMMENT

The following individuals spoke in support of reparation funding:

Joe Wilkerson	David Greenson	Arslinn Sterling	Nina Tovish
Priscilla Robinson	Jensen Gelfond	Karen Kotin	Rob Thomas
Dewayne McAfee	Kit Molina	L. Derrick Lewis	Tiffany De'Bellott

Bruce O'Connell stated that generally he supports reparations but questioned the process.

Debbie Lane expressed support for the Ad Hoc Reappraisal Committee and thanked the Tax department staff.

Tim Wallace expressed concern for County employee salary adjustments being more favorable to staff that have higher wages.

Stephanie Phillips promoted World Peace Day and invited the Board to related activities.

Joe Minicozzi expressed concern for some of the work of the Ad Hoc Reappraisal Committee.

Ori Baber expressed equity concerns for the work of the Ad Hoc Reappraisal Committee.

Lavetta Hill and Jared Wheatley stated their support for the Eastern Band of Cherokee in the name change of Clingman's Dome back to "Kuwahi".

GOOD NEWS

- **Buncombe County Special Olympics**

Lynn Pegg, Parks & Recreation, welcomed and congratulated the Buncombe County Special Olympics Soccer Team. The team represented North Carolina in the USA Special Olympics Summer Games and earned the silver medal.

PRESENTATIONS

- **Parks & Recreation Month Proclamation**

Commissioner Wells read and presented the proclamation. Lynn Pegg, Parks & Recreation, accepted the proclamation and expressed thanks.

- **Land of Sky Regional Council**

Nathan Ramsey, Executive Director, provided background details about the council and the partnership with local region. Activities, projects, and accomplishments were highlighted during the presentation.

- **Ad Hoc Reappraisal Committee**

Keith Miller, Tax Assessor, and committee members explained the work and timeline of the activities conducted by the public body. Fourteen virtual and in-person meeting were provided, with an emphasis on educating members to help enable the development of meaningful recommendations. The committee presented short, medium, and long-term recommendations that looked at policy changes, education and outreach, and efficiency. Staff recommendations included education and outreach, and improvement of data quality.

PUBLIC HEARINGS

- **Staak Drive Rezoning Request**

Nathan Pennington, Planning Director, presented the rezoning request, stated that the request was consistent with the comprehensive land use plan and was unanimously approved by the Planning Board. The property would move from R-1 (Residential) to NS (Neighborhood Service) at the address of 19 Staak Drive in Swannanoa. The total acreage of the property is 4.47.

The Chairman opened the hearing at 7:25 p.m.

The hearing was closed at 7:26 p.m.

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

- **FY2023 Budget & Economic Development Appropriations**

Tim Love, Intergovernmental Relations, explained the purpose of the hearing is to authorize funding in economic development and strategic partnership appropriations. These appropriations are to Carolina Small Business Development Fund (\$17,500), CityWorks USA (\$47,500), Mountain BizWorks (\$52,000), Asheville Buncombe Regional Sports Commission (\$45,000), and Asheville-Buncombe County Economic Development Coalition (\$450,000).

The Chairman opened the hearing at 7:31 p.m.

The hearing was closed at 7:32 p.m.

Chairman Newman moved to approve the \$17,500 grant to Carolina Small Business Development Fund, \$47,500 grant to CityWorks USA, and the \$52,000 grant to Mountain BizWorks. Commissioner Whitesides seconded and the motion passed 7-0.

In accordance with GS §14-234.3, Chairman Newman moved to recuse Vice Chair Edwards from voting on the \$45,000 grant due to the conflict of interest of being a member of the Asheville Buncombe Regional Sports Commission. Commissioner Sloan seconded and the motion passed 7-0.

Chairman Newman moved to approve the \$45,000 grant to the Asheville Buncombe Regional Sports Commission. Commissioner Pressley seconded and the motion passed 6-0.

In accordance with GS §14-234.3, Chairman Newman moved to recuse Commissioner Whitesides from voting on the \$450,000 grant due to the conflict of interest of being a member of the Asheville-Buncombe County Economic Development Coalition. Commissioner Sloan seconded and the motion passed 7-0.

Chairman Newman moved to approve the \$450,000 grant to the Asheville-Buncombe County Economic Development Coalition. Commissioner Sloan seconded and the motion passed 6-0.

OLD BUSINESS

- **Community Reparations Commission Update**

Rachel Edens, Chief Equity and Human Rights, provided an update on the City of Asheville's Community Reparations Commission activities. The Board discussed the funding support for the commission for future budget considerations.

Commissioner Whitesides moved to add \$500,000 to the budget for reparations, with a 2% increase every following year. Chairman Newman seconded and the motion passed 7-0.

NEW BUSINESS

- **Request for an Enterprise Fund for Sheriff's Office Real-Time Intelligence Center**

Chief Deputy Blake explained the request for enterprise fund. The self-supporting government fund will allow the Sheriff's Office to provide the revenue to grow our Real-Time Intelligence Center at no cost to the taxpayers.

Chairman Newman moved to approve our request for a new enterprise fund. Vice Chair Edwards seconded and the motion passed 7-0.

- **Child Fatality Prevention Team/Community Child Protection Team (CFPT/CCPT) Annual Report & Team Member Appointments**

Dr. Jennifer Mullendore, Medical Director, explained and presented the annual report to the Board. The purpose of NC Child Fatality Prevention System and Community Child Protection Team was overviewed with detailed data and results.

Commissioner Wells moved to appoint Sgt. Mark Walker of Buncombe County Sheriff's Office as the law enforcement officer on the CFPT/CCPT, appoint Chanel Young as the Helpmate representative on the CFPT/CCPT, and delegate the appointment of the law enforcement officer position to the Buncombe County Sheriff. Vice Chair Edwards seconded and the motion passed 7-0.

- **Budget Amendment for Grant Awards: Emergency Watershed Protection Program, Streamflow Rehabilitation Assistance Program & Tropical Storm Fred Best Management Practices (BMP)**

John Hudson, Budget Director, explained the budget amendment.

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

- **Budget Amendment for FY21 Solar on Public Facilities**

John Hudson, Budget Director, explained the budget amendment.

Chairman Newman moved to approve the budget amendment as presented. Vice Chair Edwards seconded and the motion passed 7-0.

- **Approval of COVID Recovery Funding**

Sara Joss, Strategic Partnerships, explained the 24 project proposals that were from the following impacted areas: Affordable Housing, Aging/Older Adults, Business Support/Economic Development, Environment/Climate, Homelessness, Infrastructure & Broadband, K-12 Education, Mental Health/Substance Use, and Workforce.

Chairman Newman moved to approve the COVID Recovery Fund Award in the amount of \$18,821,666. Commissioner Sloan seconded and the motion passed 7-0.

Commissioner Pressley presented a proposal to use the remaining \$3.9 million COVID Recovery Funding to fund sewer infrastructure in the County if North Carolina matched. The Board discussed the proposal.

BOARD APPOINTMENTS

Vice Chair Edwards moved to appoint **Ned Guttman** to the **Asheville-Buncombe Air Quality Board**. Commissioner Whitesides seconded and the motion passed 7-0.

Vice Chair Edwards moved to reappoint **Daniel Frayne** to the **Health & Human Services Board**. Commissioner Whitesides seconded and the motion passed 7-0.

Commission Sloan moved to appoint **Gregory Lowe** to the **Economic Development Coalition**. Commissioner Wells seconded and the motion passed 6-1. (NOES-Beach-Ferrara)

Commissioner Beach-Ferrara moved to appoint **Don Johnson** (Faith Community), **Brittney Anderson** (Community Member), and **Co-Kema Hines** (Community Member), to the **Juvenile Crime Prevention Council**. Commissioner Sloan seconded and the motion passed 7-0.

Commissioner Beach-Ferrara moved to appoint **Claire Hubbard** (Emergency Responder), **Marcus Laws** (Housing Provider/Nonprofit), and **Dustin Mailman** (Faith Community), to the **Homeless Initiative Advisory Committee**. Commissioner Wells seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *August 2 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *August 2 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

CLOSED SESSION

Commissioner Beach-Ferrara moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal matters for Ernst v. Buncombe County, Industrial Commission Court file #21-731361, with no possible action anticipated following the closed session. Commissioner Whitesides seconded and the motion passed 7-0.

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

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

Commissioner Sloan moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 9:08 p.m.

LAMAR JOYNER, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS