

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF DECEMBER 5, 2022 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on December 5, 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
Martin Moore, Commissioner
Parker Sloan, Commissioner
Terri Wells, Commissioner
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Donald Warn, Finance Director; John Hudson, Budget Director; Taylor Jones, Emergency Services Director; Jennifer Pike, Tax Collector; Sheriff Quentin Miller; 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 Wells motioned to approve the Consent Agenda and the remainder of the agenda. Vice Chair Edwards seconded and the motion passed 7-0.

- Approval of November 15, 2022 Special Meeting Minutes
- Approval of November 15, 2022 Briefing Meeting Minutes
- Approval of November 15, 2022 Regular Meeting Minutes
- Tax Collection Report
- Approval of Technical Corrections to Leave Policy
 - Leave Policy
- Resolution to Approve the Bonding of County Officials
 - Resolution
- Approval of Design Consultant Contract with Civil Design Concepts, P.A., for the demolition of the Haynes Tower on the A-B Tech Enka Campus
- Approval of Affordable Housing Services Program Description, Requirements & Guidelines
 - More Information
- Approval of Settlements Report
 - More Information
- Resolution Authorizing Execution of Easement Agreement for a New Sewer Line to be Connected to Existing Metropolitan Sewerage District Lines
 - Resolution
 - Easement
 - More Information
- Budget Amendment for NC USAR Task Force 2 Reimbursement - Jackson County Deployment
 - Ordinance

PUBLIC COMMENT

Scott Kuhlman and Mignon Durham expressed their concerns and disapproval for the Pinner's Cove (rezoning) new construction project by KLP Pinner's EAT, LLC.

Ben Williamson, Andrew Paul, Jen Hampton, Nina Tovish, and Peggy Crowe stated their support for the changes to the use of the occupancy tax fund.

GOOD NEWS

- **2022 Dogwood Awards**

Sheriff Quentin Miller recognized Sarah Gayton and Maia Hughes as recipients of the 2022 Dogwood Awards for their work fighting the opioid crisis.

PRESENTATIONS

- **Fiscal Year End 2022 Audit Presentation**

Chris Kessler of CliftonLarsonAllen LLP (CLA) presented the results of the FY22 audit to the Board. The results were an examination of financial statements, processes, and federal and state compliance.

Commissioner Whitesides moved to accept the audit results as presented. Commissioner Wells seconded and the motion passed 7-0.

PUBLIC HEARINGS

- **FY 2024 Annual Section 5311 Capital Grant Application**

Matt Cable, Planning & Development, explained that the County is a designated applicant/recipient of state and federal transportation funds made available through North Carolina Department of Transportation (NCDOT). Designated applicants/recipients must possess the technical and financial capacity to: (1) apply for, administer, operate, and carry out transportation projects; and (2) comply with all applicable state and federal laws, regulations, and guidelines. The FY 2024 Section 5311 Capital Grant application requires a public hearing. The Board, at its September 20, 2022 meeting, approved the necessary associated authorizing resolutions for Section 5311 Grant applications.

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

The hearing was closed at 5:56 p.m.

Commissioner Whiteside moved to authorize the Chairperson to execute an application for FY 2024 Section 5311 Capital Grant Funding. Vice Chair Edwards seconded and the motion passed 7-0.

COUNTY MANAGER'S REPORT

- **New Superintendent Introduction - Dr. Jackson**

Avril Pinder, County Manager, introduced and welcomed Dr. Rob Jackson, Buncombe County Schools Superintendent. Dr. Jackson expressed his appreciation and looked forward to working with the County.

OLD BUSINESS

- **Resolution Declaring the Results from the Special Bond Referendum on the Bond Orders**

Don Warn, Finance Director, explained that the County held a special bond referendum on the bond orders authorizing issuance of \$30 million General Obligation Open Space Bonds and authorizing the issuance of \$40 million General Obligation Affordable Housing Bonds with both ballot items passing.

Commissioner Wells moved to approve the resolution certifying and declaring the results of the election. Commissioner Sloan seconded and the motion passed 7-0.

NEW BUSINESS

- **Selection of Vice Chair**

Vice Chair Edwards nominated and moved to elect Commissioner Wells as vice chair. Commissioner Beach-Ferrara seconded the motion and it passed 7-0.

- **Meeting Schedule - 2023**

The Board discussed the proposed meeting schedule and decided to cancel the first meeting in July. The updated meeting will be part of the consent agenda for the next regular meeting.

- **Budget Amendment for Reissuance of AA716 CDC COVID-19 Vaccination Program**

John Hudson, Budget Director, explained the budget amendment.

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

- **Budget Amendment for Safer Together Grant Extension**

John Hudson, Budget Director, explained the budget amendment.

Vice Chair Wells moved to approve the budget amendment as presented. Commissioner Moore seconded and the motion passed 7-0.

- **Budget Amendment for Local Assistance & Tribal Consistency Funding**

John Hudson, Budget Director, explained the budget amendment.

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

BOARD APPOINTMENTS

Chairman Newman moved to appoint **Patrick Fitzsimmons** and **William Christy** to the **Audit Committee**. Commissioner Sloan seconded and the motion passed 7-0.

Chairman Newman moved to reappoint **Daniel Beerman**, **Susan Schiemer**, and **Meg White** to the **Home & Community Care Block Grant Advisory Committee**. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Edwards moved to reappoint **Philip Cooper** to the **Juvenile Crime Prevention Council**. Commissioner Moore seconded and the motion passed 7-0.

- **Boards & Commissions with Commissioners as Members**

Chairman Newman moved to appoint, by general consensus, the commissioners to corresponding boards as indicated below in the table.

A-B Tech Joint Advisory Committee	Martin Moore <i>(replaces Terri Wells)</i>
Audit Committee	Terri Wells <i>(replaces Robert Pressley)</i>
Early Childhood Education & Development Committee	Martin Moore <i>(replaces Robert Pressley)</i>
Health & Human Services Board	Jasmine Beach-Ferrara <i>(replaces Amanda Edwards)</i>
Justice Resource Advisory Council	Martin Moore <i>(no previous appointment)</i>
French Broad Metropolitan Planning Organization (MPO) TAC	Amanda Edwards Brownie Newman-alternate <i>(switched positions)</i>
MSD Board	Martin Moore <i>(replaces Robert Pressley)</i>
School Capital Fund Commission	Amanda Edwards <i>(replaces Brownie Newman)</i>
Tourism Development Authority	Terri Wells <i>(replaces Robert Pressley)</i>
Vaya County Commissioner Advisory Board	Jasmine Beach-Ferrara <i>(replaces Brownie Newman)</i>

ANNOUNCEMENTS

The Chairman made the following announcements:

- *December 13 @ 10 a.m. - Commissioners' Budget Retreat at East Asheville Library, 3 Avon Road, Asheville, NC 28805.*
- *January 3 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *January 3 @ 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 and NCGS 143-318.11(a) (5) hear real property negotiation matters with no possible action anticipated following the closed session. Commissioner Edwards seconded and the motion passed 7-0.

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

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

Commissioner Moore moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 8:03 p.m.


 LAMAR JOYNER, CLERK
 BOARD OF COMMISSIONERS


 BROWNIE NEWMAN, CHAIRMAN
 BOARD OF COMMISSIONERS