

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JANUARY 3, 2023 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on January 3, 2023, 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
Martin Moore, Commissioner
Parker Sloan, Commissioner
Terri Wells, Vice Chair
Al Whitesides, Commissioner

Staff present: Avril Pinder, County Manager; Sybil Tate, Assistant County Manager; Dakisha Wesley, Assistant County Manager; John Hudson, Budget Director; Taylor Jones, Emergency Services Director; Jennifer Pike, Tax Collector; Sheriff Quentin Miller; Stoney Blevins, Health & Human Services Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Dane Pederson, Solid Waste Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Moore motioned to approve the Consent Agenda, add a **City of Asheville Water System Update** after **Public Comment** and the remainder of the agenda. Commissioner Sloan seconded and the motion passed 7-0.

- Approval of December 5, 2022 Briefing Meeting Minutes
- Approval of December 5, 2022 Regular Meeting Minutes
- Meeting Schedule - 2023
- Tax Collection Report
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department - Paul O'Connor
- Budget Amendment for Justice Assistance Grants (JAG) Awards - Sheriff's Office
 - Ordinance
 - Memorandum of Understanding

PUBLIC COMMENT

Jean-Pierre Dubreuil, Scott Kuhlman, Ted Donnely, Cathy Anders, Thomas VanDalsen, Ethel Hammond, and Elena Puig expressed their concerns and disapproval for the Pinners Cove (rezoning) new construction project by KLP Pinners EAT, LLC.

Don Yelton express concerns about the Waste Pro contract request and conservation easements.

- **City of Asheville Water System Update**

Esther Manheimer, Asheville Mayor, explained the timeline and issues with the water outage/restoration. She stated that an advisory committee would be created to explore causes of the outage and processes to improve the water system.

Taylor Jones, Emergency Services Director, explained how the County, with community partnerships, assisted in providing water to residents who were experiencing water outage.

PRESENTATIONS

- **Ambulance Franchise Request - Mountain Area Ground Non-Emergency Transportation (MAGNET)**

Michael Frue, Senior Staff Attorney, previewed the Board on an application for grant of convalescent ambulance franchise from Mountain Area Ground Non-Emergency Transportation, LLC ("MAGNET"). This service would have a marginal impact on revenues, however the savings in time will free up County ambulances for emergency responses rather than having a truck out of emergency service for several hours while engaging in a non-emergency transport.

COUNTY MANAGER'S REPORT

- **Strategic Plan - Vibrant Economy Follow-up**

Matt Baker, Strategy & Innovation, provided an updated on the Vibrant Economy goals as they were developed as part of the Strategic Plan. Wages, poverty, labor force, and affordable housing data was highlighted during the presentation.

NEW BUSINESS

- **Resolution Authorizing Execution of Non-Warranty Deed**

Michael Frue, Senior Staff Attorney, explained that Pete Gasperson has requested a non-warranty deed from the County and the County makes no claim of ownership of this property and makes no warranty, express or implied, as to the title to this property.

Commissioner Moore moved to approve the authorizing execution of the non-warranty deed as presented. Vice Chair Wells seconded and the motion passed 7-0.

- **Approval of Waste Pro Fee Increase Request**

Dane Pedersen, Solid Waste Director, and Chip Gingles, Waste Pro, provided information related to requesting a fee increase in the amount of \$0.39 per home, per month. The current contract allows Waste Pro to petition the County for rate adjustments associated with recycling markets at reasonable times.

Commissioner Edwards move to approve basic service collection fee increase in the amount of \$.39 per home, per month beginning January 3, 2023. Commissioner Whitesides seconded and the motion passed 6-1. (NOES-Newman)

- **Budget Amendment for NC PRO Emergency Rental Assistance 2 (ERA2) Grant**

John Hudson, Budget Director, explained the budget amendment and Phillip Hardin, Health & Human Services, provided an update on details of the program to continue assistance on rent and utility payments for eligible recipients.

Vice Chair Wells moved to approve the budget amendment and extending three (3) grant funded positions, as long as funding is available. Commissioner Sloan seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Newman moved to appoint **Blythe McCoy, Elizabeth Kraft, Tyshaun Johnson, and Brandon Priester** to the **Juvenile Crime Prevention Council**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Vice Chair Wells moved to appoint **Lewis Welch** to the **Agricultural Advisory Board for Farmland Preservation**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Tyshaun Johnson** to the **African American Heritage Commission**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Chairman Newman moved to appoint, by general consensus of receiving the most votes, **Leslie Carey, Christopher German, and Annie McDonald** to the **Historic Resources Commission**.

Vice Chair Wells moved to reappoint **Joseph Hackett** to the **Justice Resource Advisory Council**. Chairman Newman seconded and the motion passed 7-0.

Chairman Newman moved to appoint **Martin Moore (replacing Beach-Ferrara)** to the **Justice Resource Advisory Council**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Vice Chair Wells moved to appoint **Christopher Link** to the **Environmental & Energy Stewardship Subcommittee**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *January 17 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *January 17 @ 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 Beach-Ferrara moved to go back into open session. Commissioner Whitesides seconded and the motion passed 7-0.

Commissioner Beach-Ferrara moved to adjourn the meeting. Commissioner Whitesides seconded and the motion passed 7-0. The meeting was adjourned at 8:51 p.m.