

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JUNE 20, 2023 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 20, 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; Mason Scott, Interim Finance Director; John Hudson, Budget Director; Sheriff Quentin Miller; Stoney Blevins, Health & Human Services Director; Mike Mace, General Services Director; Corinne Duncan, Director of Elections; Taylor Jones, Emergency Services Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Dane Pederson, Solid Waste Director; Lamar Joyner, Clerk to the Board; Curt Euler, Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Whitesides motioned to approve the added **Budget Amendment for Medication Assisted Treatment (MAT) Program Grant for FY2023** to the **Consent Agenda**, and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 7-0.

- Approval of June 6, 2023 Briefing Meeting Minutes
- Approval of June 6, 2023 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Resolution Appointing Review Officers
 - Resolution
- Resolution Authorizing the Execution of an Interlocal Agreement Between the City of Asheville and the County of Buncombe Regarding a Food Scrap Drop-Off Program
 - Resolution
 - Agreement
 - More Information
- Resolution Granting Utility Easement to Duke Energy Progress
 - Resolution
 - Easement
 - More Information
- Budget Amendment for State Lottery Projects for ACS - AHS Classroom Renovation
 - Ordinance
 - More Information
- Budget Amendment to Housing Trust Program Income End of Year Expenditures
 - Ordinance
- Budget Amendment for Medication Assisted Treatment (MAT) Program Grant for FY2023
 - Ordinance

PUBLIC COMMENT

Stephanie Phillips advocated for veterans and expressed thanks for the Memorial Day service.

Mary Standaert delivered an invitation to the Unveiling of the NC Historical Marker for The Allen School on October 21, 2023 at 2 p.m.

The following individuals spoke in support of the public schools' budget that included wage increases:

Yvonne Dendy
Mary Standaert

Pepi Acebo
Chris Kingsley

Matthew Leggat
Liz LeBleu

Christina Mason
Soren Pedersen

PRESENTATIONS

- **Pride Month Proclamation**

Commissioner Beach-Ferrara read and presented the proclamation to Dr. Noreal Armstrong, Equity & Human Rights, and Peyton Staley, HHS. The proclamation was accepted and they thanked the Commissioners for the County's support.

- **Elder Abuse Awareness Month Proclamation**

Commissioner Sloan read and presented the proclamation. Stoney Blevins, HHS Director, and Laurie Dotson, HHS, accepted the proclamation was and expressed gratitude.

- **Tourism Development Authority**

Vic Isley, President & CEO at Explore Asheville, updated the Board of the recent and future activities for the authority.

- **Independent Review Committee Report on the Water Outage**

Dennis Fagnant and Kim "Dirt" Murphy presented to the Board the final report of the water outage beginning December 24, 2022. The committee was tasked with investigating the water system operations, providing findings, and delivering recommendations. Emergency response coordination was identified as an important part of planning for future situations.

COUNTY MANAGER'S REPORT

- **Asheville Community Reparations Commission Update**

Dr. Noreal Armstrong, Equity & Human Rights, provided a quarterly update on the progress of the Reparations Commission that is a partnership with the City of Asheville and Buncombe County. Stop the Harm Audit, project progress, and timeline were discussed. A video from Arteria Collective with discussions from the youth was shared.

NEW BUSINESS

- **Resolution Approving the Acquisition and Adoption of the ExpressVote Voting System for Use in Buncombe County**

Corinne Duncan, Election Services Director, explained that the proposal is to streamline the way ballot marking and production is conducted during Early Voting and recommended expanding the use of ExpressVote from ADA only, to the main marking method for Early Voting. The Board of Elections approved adoption on January 24, 2023.

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

- **Ordinance Amending Certain Provisions of the Buncombe County Code of Ordinances Solid Waste Management Ordinance**

Dane Pederson, Solid Waste Director, explained that the proposed amendments to the Solid Waste Ordinance will make clear that violations of requirements to cover or secure a load and clarifying user tipping fees at the transfer station and landfill are intended to encourage haulers to separate recycling from their waste loads, diverts waste, and extend the life of the landfill. Also, a double base tip fee for loads containing 5% by weight or volume will be imposed on the following recyclable materials: corrugated cardboard, untreated wood products suitable for mulching, clean concrete, cinder blocks, brick, concrete with steel or any type metals.

Vice Chair Wells moved to approve the Ordinance Amending Certain Provisions of the Buncombe County Code of Ordinances - Solid Waste Management Ordinance. Commissioner Edwards seconded and the motion passed 7-0.

- **Approval of JCPC FY 2023-2024 Certification and Annual Plan**

Hannah Legerton, Justice Services, explained that Juvenile Crime Prevention Council (JCPC) has completed all the necessary requirements from the state and is in compliance, and each year the state requires local JCPC's to submit their Certification and Annual Plan. Current local data and funding history was shared during the presentation.

Commissioner Moore moved to approve the Buncombe County Juvenile Crime Prevention Council Certification and Annual Plan. Commissioner Sloan seconded and the motion passed 7-0.

- **FY2024 Budget Adoption**

In accordance with GS §14-234.3, Commissioner Sloan 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 Moore seconded and the motion passed 7-0.

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

In accordance with GS §14-234.3, Commissioner Moore 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.

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

In accordance with GS §14-234.3, Commissioner Whitesides moved to recuse Commissioner Moore from voting on the \$356,000 grant due to the conflict of interest of being a member of the Open Doors of Asheville, Inc. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Sloan moved to approve the \$356,000 grant to the Open Doors of Asheville, Inc. Commissioner Beach-Ferrara seconded and the motion passed 6-0.

In accordance with GS §14-234.3, Commissioner Sloan moved to recuse Commissioner Moore from voting on the \$129,788 grant due to the conflict of interest of being a member of the Asheville Area Arts Council. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Edwards moved to approve the \$129,788 grant to the Asheville Area Arts Council. Commissioner Beach-Ferrara seconded and the motion passed 6-0.

John Hudson, Budget Director, reviewed the process, explained the recommended budget changes since June 6th Board meeting and provided highlights of the budget.

Commissioner Whitesides moved to adopt the FY2024 Annual Funds Ordinance and associated fee schedules and Position Classification and Compensation plan. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Sloan moved to adopt the Capital Project Funds Ordinance. Vice Chair Wells seconded and the motion passed 7-0.

- **Budget Amendment for West Asheville EMS Base Design**

John Hudson, Budget Director, explained the budget amendment. Robert Brown, General Services, stated that the project will explore potential siting and construction of an EMS Base in West Asheville. The project will initially consist of the conducting a feasibility study to determine the best use opportunities for the site to accommodate both Asheville City Schools and Buncombe County, and for placement of a temporary mobile EMS base on the Asheville Primary School site.

Vice Chair Wells moved to approve the capital project, approve budget amendment, and approve change of project scope for FY23 EMS Base Construction project. Commissioner Edwards seconded and the motion passed 7-0.

- **Budget Amendment for Fleet and General Services Complex**

John Hudson, Budget Director, explained the budget amendment. Scott Metcalf, General Services, stated that the amendment is to increase the total project budget of the FY20 Fleet and General Services Complex by \$1,704,093 to offset the additional costs required for constructing the facility.

Vice Chair Wells moved to approve the budget amendment as presented and recommend executing the construction contract with Hickory Construction. Commissioner Moore seconded and the motion passed 7-0.

- **Budget Amendment to Comply with the New GASB Standard**

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

Commissioner Moore moved to reappoint **Shanon Martin** (School Superintendent/designee) and **Susan Dotson-Smith** (Chief District Judge/designee), to the **Juvenile Crime Prevention Council**. Commissioner Edwards seconded and the motion passed 7-0.

Vice Chair Wells moved to reappoint **Brenda Durden** to the **Tourism Development Authority**. Commissioner Edwards seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *July 18 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *July 18 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Edwards moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 8:45 p.m.