

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF NOVEMBER 7, 2023 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on November 7, 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; Melissa Moore, Finance Director; John Hudson, Budget Director; Sharon Burke, Human Resources Director; Jennifer Pike, Tax Collector; Taylor Jones, Emergency Services Director; Stoney Blevins, Health & Human Services Director; Jennifer Harrison, Agriculture & Land Resources Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- Approval of October 17, 2023 Special Meeting Minutes
- Approval of October 17, 2023 Briefing Meeting Minutes
- Approval of October 17, 2023 Regular Meeting Minutes
- Tax Collection Report
- Approval of MedTrust Franchise Agreement - 2nd Reading
 - Resolution
 - Agreement
- Budget Amendment for Energy Efficiency Block Grant
 - Ordinances
- Budget Amendment for Building Resilient Infrastructure & Communities (BRIC) Grant Award
 - Ordinance

PUBLIC COMMENT

Steve Spicer stated his position about a former landfill in Fairview, on his family land, that was once used by the County. He requested the County to assist with hazardous waste remediation.

PRESENTATIONS

- **Adoption Awareness Month Proclamation**

Commissioner Moore read and presented the proclamation to Lizzie Shimer, Health & Human Services. The proclamation was accepted with appreciation.

- **Operation Green Light Proclamation**

Commissioner Edwards read and presented the proclamation to Heath Smith and Kevin Rumley, Justice Services. The proclamation was accepted with appreciation.

- **CDBG-NR Quarterly Update**

Nancy Williams, Planning, explained and presented the quarterly update that will prioritize home repair for low and moderate-income homeowners.

PUBLIC HEARINGS

- **Personnel Ordinance - Alternate Workforce & Separation Policies**

Sharon Burke, HR Director, explained that the following personnel policies were included in the update:

- Alternate Workforce (New)
- Conflict of Interest (Revised)
- Code of Conduct*
- Discipline*
- Separation*
- Non-Discrimination & Anti-Harassment*
- Grievance*

*New stand-alone policy, removed from Personnel Ordinance

In the Separation policy, the Reduction in Force section was updated with the proposed changes.

The Chairman opened the hearing at 5:31 p.m.

The hearing was closed at 5:32 p.m.

Commissioner Edwards moved to approve the resolution as presented. Commissioner Whitesides seconded the motion and it passed 7-0.

Commissioner Edwards moved to approve the ordinance as presented. Commissioner Sloan seconded the motion and it passed 7-0.

Commissioner Whitesides moved to approve the Separation Policy. Commissioner Edwards seconded the motion and it passed 7-0.

- **Procurement Policy**

Matt Evans & Ron Venturella, Finance, explained the proposed changes and updates that are being made to the Procurement Policy. The proposed changes will affect the following associated policies:

- Contracts Policy
- Gift Card Policy
- Meals & Meeting Expense Policy
- Procurement Policy
- Procurement Card Policy
- Surplus Personal Property Policy

The new Procurement Policy will combine related policies (all except Travel) and moves procedural elements to procedures document.

The Chairman opened the hearing at 5:41 p.m.

The hearing was closed at 5:42 p.m.

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

- **Justice Ridge Rezoning Request - ZPH2023-00031**

Shannon Capezzali, Planning, 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 and R-2 (Residential) to CS (Commercial Service) at 215 and unaddressed Justice Ridge Road, and 1 and 5 Clara Parker Drive in Candler. The total acreage of the one parcel property is 6.46.

The Chairman opened the hearing at 5:46 p.m.

The hearing was closed at 5:47 p.m.

Vice Chair Wells moved to approve the rezoning request. Commissioner Edwards seconded the motion and it passed 7-0.

COUNTY MANAGER'S REPORT

- **State of Emergency Burn Ban**

Ryan Cole, Emergency Services Assistant Director, updated the Board on the Burn Ban put in place because of the following reasons:

- Prolonged drought conditions
- Low atmospheric humidity
- Unstable wind conditions
- High fire danger
- Multiple fires in the region depleting local resources

The ban will remain in effect until conditions improve and the risk factors recede, which will require significant rainfall not currently in our forecast.

NEW BUSINESS

- **Resolution Granting an Easement to the Buncombe County Board of Education - Enka Intermediate School Property**

Michael Frue, Senior Staff Attorney, explained that the County owns property adjacent to the school property and that the property is home to the Enka Candler Fire and Rescue Department. A secondary access road for the benefit of the school runs through this County property from the school property to Jacob Holm Way and this easement would allow access.

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

- **Consideration of the Homeward Bound Compass Point Village Funding Request**

Matt Cable, Planning, stated that Homeward Bound submitted a letter requesting an additional \$195,000 in grant funding beyond the \$3,000,000 in Buncombe County ARPA-FRF grant funds already allocated to support its Compass Point Village project.

Chairman Newman moved to support the request and provide staff direction on funding to be provided if the desire is

to provide additional funding to this project. Commissioner Whitesides seconded and the motion passed 7-0.

- **Budget Amendment for School Capital Fund Commission Fiscal Year 2024 Project Recommendations**

John Hudson, Budget Director, and Matt Evans, Finance, explained that the budget amendment was a process for the School Capital Fund Commission to request funding for new and expanded projects. A list of all projects is included in the project ordinance.

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

- **Budget Amendment for FY24 Opioid Settlement Fund**

John Hudson, Budget Director, explained the budget amendment.

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

- **Designation of Commission Liaison to the Low-Barrier Shelter Planning Process**

Commissioner Beach-Ferrara explained her request to be the liaison as a representative at community meetings and to serve as the primary point of contact on the commission for questions.

Commissioner Whitesides moved to designate Commissioner Beach-Ferrara as the Commission Liaison. Commissioner Moore seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Newman moved to reappoint **Maggie Ullman** to the **Environmental & Energy**. Vice Chair Wells seconded and the motion passed 7-0.

Commissioner Edwards moved to appoint **Melissa Harmon** to the **Home & Community Care Block Grant Advisory Committee**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Whitesides moved to appoint **Gene Bell** to the **Greater Asheville Regional Airport Authority**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Beach-Ferrara moved to reappoint **John Gossett** to the **Mountain Area Workforce Development Board**. Commissioner Edwards seconded and the motion passed 7-0.

Vice Chair Wells moved to appoint **Ingrid Johnson** and **David Burdette** to the **Parks, Greenways & Recreation Advisory Committee**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Moore moved to reappoint **Angel Redmond** (Parent), appoint **Banta Whitner** (At-Large), **Khadiya Ross** (Health Director), **Scott Dennis** (Public Defender) and **Craig Loveland** (Asheville Police), to the **Juvenile Crime Prevention Council**. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

REPORTS ON BOARDS AND COMMISSIONS

The Commissioners discussed the recent activities of the boards and commissioners that they serve on as members.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *November 21 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *November 21 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*
- *November 30 @ 10 a.m. - Commissioners' Budget Retreat at East Asheville Library, 3 Avon Road, Asheville, NC 28805.*

Commissioner Moore moved to adjourn the meeting. Commissioner Whitesides seconded and the motion passed 7-0. The meeting was adjourned at 6:50 p.m.