

**MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF NOVEMBER 7, 2024, AT 5:00 p.m.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on November 7, 2024, in the Commission Chamber located at 200 College Street in downtown Asheville, North Carolina at 5:00 p.m. where and when the following business was transacted.

Present: Chairman Brownie Newman; Vice-Chair Parker Sloan; Commissioner Terri Wells, Commissioner Al Whitesides; Commissioner Amanda Edwards; and Commissioner Jasmine Beach-Ferrara.

Absent: Commissioner Martin Moore

The Chairman called the meeting to order at 5:00 p.m. and provided opening statements.

**CONSENT AGENDA**

Commissioner Wells moved to approve the consent agenda as presented with the exception for removing New Business No. 5 regarding the Family Justice Center Grant. Commissioner Edwards seconded the motion, and it was carried unanimously.

1. [Approval of the October 15 meeting minutes](#)
2. [Approval of the September 2024 tax collection report](#)
3. [Approval of the Appalachian Mountain Health letter of support for its HRSA Service Area Competition grant application](#)

**CLOSED SESSION**

Curt Euler, Attorney, read the motion to go into closed session pursuant to G.S. 143-318.11(a)(3); to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged to consider and give instructions concerning the handling of a lawsuit in Federal District Court, Western District of North Carolina City of Brevard, et al vs. HCA Healthcare et al, 1:22-cv-00114-MR. He informed the Board that there would be no formal action taken in Closed Session. Commissioner Wells motioned to approved and it was seconded by Commissioner Edwards.

**PRESENTATIONS**

**Hurricane Helene response and recovery process update**

Lillian Govus, Communications Director, introduced a staff [produced video](#) that told the story of Hurricane Helene's impact and devastation throughout the County.

Hannah Vic, Assistant Federal Coordinating Officer with FEMA, provided an update on FEMA's ongoing recovery efforts in Buncombe County. FEMA currently has 300 responders in the area and has established an office to coordinate recovery efforts across Western North Carolina. Vic emphasized that restoring potable water, debris removal, and housing assistance

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are the primary priorities. FEMA is working with the Army Corps of Engineers on water restoration projects and debris removal, and also delivering water to essential facilities.

FEMA has provided over \$73 million in aid to more than 50,000 households in the county, including financial assistance for temporary housing, home repairs, and personal property replacement. Over 3,500 households have received assistance, and FEMA has placed over 1,600 people in local hotels. In addition, FEMA is exploring options for longer-term housing solutions, such as rental assistance, home repair funding, and temporary units on private or commercial land. FEMA is also considering establishing group housing sites but noted that this will take time due to infrastructure and environmental assessments.

The county has identified potential sites for temporary housing and FEMA is working closely with the county to assess their feasibility. While the immediate focus is on providing safe, sanitary housing for displaced families, long-term solutions will require further coordination. The county has expressed the need for group housing sites and is working with FEMA to prepare potential locations.

FEMA and the county continue to collaborate on ensuring that families have access to safe housing while the recovery process continues.

### **Mountain Community Capital Fund Update and Operating Agreement**

Elizabeth Odderstol provided an update regarding the Mountain Community Capital Fund (MMCF). She explained that it was established in 2028 and is a loan guarantee fund for small business loans in Asheville and Buncombe County. The loan fund is intended for business owners who don't have collateral which can be a barrier to getting a business loan. Entrepreneurs of color and borrows with low incomes are encouraged to apply. Currently, the loan size is expected to range from \$10,000 to \$70,000 with an average of \$30,000. The loan term is approximately 5-7 years and has an estimated 95% success rate based on similar programs. CDFIs perform all loan underwriting, administration, technical assistance and reporting. To date, 76 loans, totaling \$2.9 million dollars, have been lent. 58% have been provided to black businesses, 18% to Hispanic/Latinx businesses and 50% to women-owned businesses. She explained that due to Hurricane Helene, Mountain Bizworks is actively connecting with every client in their portfolio to determine the impact on existing businesses and determining immediate need and evaluating if a temporary payment modification is appropriate. Where appropriate, Mountain BizWorks follows established procedures to modify and document payment adjustments. Odderstol then explained the requested updated operating agreement updates, which were made to reflect current practices, and include: evergreening of document by defining roles and removing references to specific organizations, five year term of agreement with option to renew , updated allocation of losses to be based on funding sources and a description of Funding Sources moved into a separate exhibit. She explained that the City of Asheville is a partner, and these changes will also be reviewed by City Council for approval. To close, Odderstol explained that this was an update and the request for authorization of the County Manager to sign the updated agreement would come back at the next meeting for approval.

### **Development Finance Initiative (DFI) Update - Coxe/Ferry Road Proposals**

Sarah Odio, with the Development Finance Initiative (DFI) provided an update on the Coxe Avenue and Ferry Road projects. She listed the proposals that were received in September. There were two for Ferry Road: Lansing Melbourne Group and Urband Atlantic, and 9 received for Coxe Avenue: Cohen-Esrey; Fitch Irick; Harmony Housing; Paces Foundation and Soho Housing; SCG and NHE; Self-Help and MHO; South Slope Developers; The Michaels Organization; and Woda Cooper. She explained that DFI and County staff are conducting due diligence on the proposals received and that County staff will recommend a preferred partner for both projects. The Board will be asked to direct the manager to enter negotiations for a Memorandum of Understanding (MOU) with the selected development partner. She explained that the MOU is a nonbinding agreement between the County and each development partner, outlining each parties requirements and responsibilities. She explained that from November – February 2025, staff will be conducting interviews and holding public discussions for Coxe Avenue. For Ferry Road, the review, interviews and discussions will now take place in July 2025 and the Board may consider reallocating \$3.7M of unencumbered ARPA funding from Ferry Road to Coxe Avenue. Chairman Newman asked if there was a request to reallocate the funds at this meeting; Staff explained that no, this was an update, and the request would be coming at a future meeting.

## **MANAGERS REPORT**

Avril Pinder, County Manager introduced Regenia Herring, the new Justice Services Director. Pinder informed the Board that Herring joined the team on September 23, 2024. Herring served as the Executive Director of the Criminal Justice Commission at Palm Beach County and has 20-plus years of experience in the field.

## **NEW BUSINESS**

### **Resolution temporarily waiving late penalties on occupancy tax files starting October 20, 2024**

Jennifer Pike, Tax Collector, explained that at the October 30, 2024 meeting of the Buncombe County Tourism Development Authority (BCTDA), the Board took action to automatically approve all penalties incurred because of late reporting and/or payment due October 2024 through January 2025, for sales September 2024 through December 2024 until June 2025. She explained that if occupancy taxes are not paid and reporting is not complete penalties due would be reinstated as of June 20, 2025. She explained that the request is not a waiver of occupancy tax itself, only penalties incurred for late reporting and/or payment. A two-step process is required for granting an occupancy tax penalty waiver, approval by both the BCTDA and Buncombe County Board of Commissioners. Following approval of automatic penalty waiver by the Buncombe County Board of Commissioners penalty amounts for the sales months of September 2024 through December 2024 will be removed as outstanding amounts, refunded, or not invoiced to establishments. The BCTDA approved this recommendation at their October 24 meeting.

Commissioner Wells made the motion for approval of following the recommendation of the BCTDA to automatically waive all penalties incurred, or to be incurred, for late occupancy tax remittance reports and payments for the sales months of September 2024 through

December 2024, due October 2024 through January 2025. Edwards seconded the motion, and it carried unanimously.

### **Budget amendment for DWI Task Force FY 2025**

John Hudson, Budget Director explained that the Sheriff's Office has previously applied for and received grant funding to create and maintain the DWI Taskforce, which consists of three sworn officers and associated operational expenses. This budget amendment establishes the FY2025 award for the DWI Taskforce Grant. The \$300,329 FY2025 grant is a 25% (\$75,082) award and 75% (\$225,247) County match. The County match was budgeted in the General Fund with the FY2025 annual budget adoption and therefore no new County funds are required. The period of performance is October 1, 2024 through September 30, 2025

Commissioner Wells made the motion to approve the budget amendment. The morion was seconded by Sloan and carried unanimously.

### **Budget amendment for Dogwood Health Trust Grant for Ujima Collective Healing Space**

Victoria Reichard, Behavioral Health Manager, provided background information on the grant. She explained that in the strategic planning process for Opioid Settlement Funds it was identified that there is a disproportionate increase in overdose deaths in the Black, Indigenous, and People of Color (BIPOC) community and limited access to culturally relevant treatment options. With the support of the Office of Equity and Human Rights outreach was made to BIPOC led organizations who engaged in the recovery and healing space to identify potential strategies to meet the needs of this community to prevent overdose deaths. This group of partners outlined a proposal and together outreached Dogwood Health Trust for potential funding. Partners identified in the grant application is Umoja Health Wellness and Justice Collective, who would be the lead entity implementing this project, with services being supported By Any Means AVL, Safe Plus More, Love and Respect Community for Recovery and Wellness, and the location of this program would be at Brown Temple CME Church in the Southside Community. This grant will provide a contract for two Peer Support Specialists, a Community Health Worker, various groups/classes that support healing and recovery, and the use of space at Brown Temple. Dogwood Health Trust is granting Buncombe County with a 2-year grant in the amount of \$510,000 to implement the Ujima Collective Healing Space.

Commissioner Edwards made the motion to approve as presented. The motion was seconded by Wells and carried unanimously.

### **Budget amendment to accept grant award funding for the Safety and Justice Challenge (SJC) capstone award**

John Hudson, Budget Director explained that the primary activities for requested funds include grant allocations to increase efficiencies in case processing (supporting an Assistant District Attorney position and an Assistant Public Defender position) and increasing community engagement, which include stipends for direct work of community members, program support for special projects to increase engagement, and contracted services for Driver's License Restoration. Funds also include a small amount allocated for staff and partners to attend the Safety + Justice Challenge Network meeting. The total award is \$285,00 for the period of April 2025 through December 2025.

Commissioner Sloan made the motion to approve the budget amendment.  
Commissioner Whitesides seconded the motion, and it was carried unanimously.

The meeting adjourned at 6:43 p.m.