

MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
SPECIAL MEETING OF JUNE 18, 2024, AT 1:30 p.m.

BE IT REMEMBERED: That the Board of Commissioners held a specially called meeting on June 18, 2024, 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:

Present: Chairman Brownie Newman; Vice-Chair Parker Sloan; Commissioner Terri Wells, Commissioner Al Whitesides.

Absent: Commissioner, Amanda Edwards; Commissioner Martin Moore; Commissioner Jasmine Beach-Ferrara.

The Chairman called the meeting to order at 1:35 p.m. and read the motion to go into Closed Session pursuant to NCGS §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. No action was taken in closed session.

At 2:05 the Board members came back into open session to hold interviews for Strategic Partnership Grant Committee candidates. The following 4 applicants were interviewed: Dede Style, Tracy Swanson, Wendy Owen, and Julie Taylor.

The specially called meeting adjourned at 2:50 p.m.

MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
BRIEFING MEETING OF JUNE 18, 2024, AT 3:00 p.m.

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 18, 2024, 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:

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

Absent: Commissioner, Amanda Edwards.

The Chairman called the meeting to order at 3:10 p.m.

During the meeting, the Board and staff will review and discuss agenda items and receive staff updates with discussions as noted:

A. Coxe Avenue Development Solicitation Update

Matt Card, Community Development Division, introduced Sarah Odio, with the UNC School Of Government who attended and presented via zoom call. Odio provided an update on the Sawyer Street Right-of-way Closure, noting that the City of Asheville's Technical Review Committee and Multimodal Committee has already reviewed the proposed closure and recommended approval, and that the Asheville City Council will tentatively be holding a Public Hearing on August 27, 2024. The development of the 50-52 Coxe Avenue sites should: maximize the number of new apartments affordable to low- and moderate-income households in a mixed income setting; include active ground floor uses that serve residents and commuters and increase pedestrian traffic along Coxe Avenue; maintain direct and safe access from Coxe Avenue to Church Street for pedestrians and cyclists; balance maximum density and pedestrian-scale design that extends the vibrant, urban streetscape from Patton Avenue to the South Slope area; attract as much private investment as possible in order to maximize the impact of public investment in affordable housing. Odio gave an overview of the partner selection criteria and then provided a timeline for the Coxe Avenue pre-development time.

B. Section 5307 Grant Funds Update

William High, Lead Transportation Planner provided an overview of the 5307 funding, the funding for urban area transit, which can support capital, operating or planning. Funding allocations are divided from the annual apportionment, in which Buncombe County receives 32%, the City of Asheville receives 47% and Henderson County receives 21%. High explained that the City of Asheville has the capacity to absorb Section 5307 funding to offset local budget commitment and that Buncombe County is, at present, fully leveraging urban transit grant funding. High explained the request to rescind at-risk funds directly to the City of Asheville, noting that these funds could support ART capital/operating needs, reduce City local funding to transit, etc. The Board discussed the options and questions to ask the City of Asheville about how funds will be allocated. The Board discussed the potential for multi-year agreements related to regional transit needs.

Adjourned: 3:46 p.m.

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MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JUNE 18, 2024, AT 5:00 p.m.

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 18, 2024, 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.

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

Absent: Commissioner, Amanda Edwards.

The Chairman called the meeting to order at 5:02 p.m.

PLEDGE OF ALLEGIANCE

Chairman Newman led the Commission in the Pledge of Allegiance.

CONSENT AGENDA

Commissioner Moore motioned to approve the Consent Agenda with the addition of the Representative Payee Fund Adjustment Activity added as the first item under New Business, and to move Presentations to be held after the Consent items. Commissioner Sloan seconded, and the motion passed 6-0. Chairman Newman noted that Commissioners will recuse themselves on budget related conflicts later on the agenda.

- Approval of the May 21, 2024 Briefing Meeting Minutes
- Approval of May 21, 2024 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
 - Resolution
- Request to Approve the Buncombe County Juvenile Crime Prevention Council Certification and Annual Plan
 - Annual Plan
 - Certification Agreement

PRESENTATIONS

- **Pride Month Proclamation**

Commissioner Beach-Ferrara read the Proclamation proclaiming June as Pride Month. She presented the Proclamation to Drew Reisinger, Register of Deeds and KC Cartledge and Elizabeth Eve. Eve thanked the Commissioners, Commissioner Beach-Ferrara, and the Campaign for Southern Equality for the work they've done, noting that this year marks the 10th anniversary of marriage equality in North Carolina.

- **Stephens-Lee High School Month**

Commissioner Whitesides read the Proclamation proclaiming July 2024 as “Stephens-Lee High School Month.” He presented the Proclamation to Richard Bowman, Sarah Weston Hart, LaFreda Morris and Rita Waters, all alumni of Stephens-Lee High School. Weston thanked Commissioner Whitesides and the Commissioners and shared an invitation for upcoming activities at Stephens-Lee on July 5-7, 2024.

- **Domestic Violence Fatality Review Team**

Rebecca Smith, Chair and Maggie Slocomb with Helpmate, and Whitley English presented the Annual Report of the Domestic Violence Fatality Review Teams (DVFRT). They reported that Local domestic violence-related homicides in Buncombe rose from no fatalities in 2022 to three related fatalities in 2023. In August 2023, an intensive two-day review session was conducted, focusing on a specific domestic violence homicide case that highlighted extensive interactions with both civil and criminal legal systems over an eight-year period. The case review illustrated the gaps in information sharing and coordination in civic and criminal legal systems and a power dynamic where the perpetrator used workplace power, legal knowledge, financial power, and community status to intimidate partners.

Over the past three years, several consistent themes continue to emerge from the DVFRT’s findings including inefficient information-sharing across jurisdictions and lack of permanent protective orders, perpetrator access to firearms, and community members who did not report concerns about domestic violence.

The DVFRT’s recommendations and focus areas aim to address these systemic issues and enhance community response to domestic violence. Over the next three years, the DVFRT will focus on staffing, promotion of the Porchlight Project (launching in July) and similar campaigns to help people recognize danger signs of intimate partner violence, and continued use of the Safe and Together Model in Child Protective Services that increases perpetrator accountability. A new focus area in building community support engages Community Health Worker Violence Prevention Professionals and other individuals with lived experience to support survivors and families.

PUBLIC COMMENT

Matt Allen, Land of Sky (LOS) Relators, requested next steps on comprehensive plan and for LOS and other stakeholders to be included in the ongoing discussions related to short term rental regulations.

Soren Pedersen advocated for better pay for teachers and county staff.

David Greenson advocated for staff to produce racial demographics for County programming.

COUNTY MANAGER UPDATE

Manager Pinder introduced Oscar Wooten as the new Director of ID Bureau. Wooten joins Buncombe County after working more than 10 years as an Operations Supervisor for the Charlotte Dougals International Airport. Wooten thanked Pinder and the Commissioners.

NEW BUSINESS

- **Budget Amendment for Representative Payee Fund Adjustment for Activity – added**

John Hudson, Budget Director, explained that the budget amendment is to cover transactions that occur on behalf of children in the custody of Buncombe County. This amendment adjusts the budget by \$60,000 to cover activity in FY2024. Commissioner Wells motioned to approve, and Commissioner Beach-Ferrara seconded. The motion was carried unanimously.

- **Authorization of the Reallocations of COVID Recovery Funds**

Tyler Henry, Strategic Partnerships, provided an update and the rationale for the proposed project reallocations:

Project	Decrease	Increase	Rationale
Reimagining Deaverview Phase 1	\$(935,286)		This contract was cancelled as a result of Housing Authority of the City of Asheville notification that the project is not moving forward in its current iteration at this time.
Broadband Infrastructure Expansion	\$(1,000,000)		Staff have determined that this project could reallocate funds due to NCDIT recommended changes to state funding formulas for broadband.
Community Paramedic Collaborative		\$514,085	This additional funding will allow 4 positions to be extended to June 30, 2026 from their original expiration of December 31, 2024 and will also provide \$30,000 for mobile command center costs.
Capital Outlay Equipment		\$1,421,201	Creation of this new project will alleviate financial pressure on the FY2025 general fund budget to offset capital outlay expenses as part of the “Revenue Replacement” expenditure category.
TOTAL	\$(1,935,286)	\$1,935,286	

Chairman Newman made a motion to approve the proposed COVID Recovery Funding Project reallocations as presented. Commissioner Sloan seconded and the motion was approved 6-0.

- **FY2025 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 Wells seconded and motion passed 6-0.

Commissioner Sloan moves to approve the \$450,000 grant to the Asheville-Buncombe County Economic Development Coalition. Commissioner Wells seconded and motion passed 6-0.

Commissioner Sloan moved to recuse Commissioner Moore from voting on \$356,000 in grants due to the conflict of interest of being a member of the Open Doors of Asheville, Inc. Commissioner Wells seconded and motion passed 6-0.

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

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 d/b/a Arts AVL. Commissioner Wells seconded and motion passed 6-0.

Commissioner Sloan moved to approve the \$129,788 grant to the Asheville Area Arts Council d/b/a Arts AVL. Commissioner Wells seconded and motion passed 6-0. Michael Frue, Senior Attorney explained that the upcoming vote on the budget will be with the understanding that the said Commissioners are properly recused from voting on the contract with conflict.

John Hudson, Budget Director, reviewed the budget process and explained the recommended budget changes since the hearing was held on June 4, 2024. He noted the recommended budget is an increase of 0.7% from the previous year, the budget reflects a tax rate of 51.76 cents (1.96 cents more than FY24). The recommended budget reflects \$1.2 million in revenue changes and \$1.8 million in expenditure reductions since the June 4 budget presentation. This net change of \$3.15 million allows for a .59 cent reduction in the FY25 recommended tax rate. For a home valued at \$400,000, the median property value in Buncombe, that represents an increase of \$78.40 annually on the base Buncombe County property tax. With 1.21 cents of the increase going to County operations and .75 cents going to K-12 education, the FY25 budget continues prior year education contributions. The recommended budget also includes FY25 tax rate increases for the Fairview and North Buncombe Fire Districts. The new rate for Fairview will be 16 cents per \$100 of valuation and 12.27 cents for North Buncombe. It includes 30 new positions in the general fund for human services, public safety, general government, and economic & physical development. Three Solid Waste positions are also included through the enterprise fund. The FY25 budget incorporates a FY25 cost of living adjustment of 4.89% for employees.

Chairman Newman moved to approve the recommended budget as presented. Commissioner Whitesides seconded and carried unanimously. Chairman Newman noted that this was one of the toughest budgets yet due to dramatic cost of living increases and limited resources. He explained that he was thankful the Board of Commissioners has continued their commitments to cost of living pay increases for employees, investments in affordable housing, land conservation, emergency services and continued investment in pre-k and early childhood education. Commissioner Whitesides agreed and noted the Board may need to look at

Education year-round, with help from the Educators. Commissioner Moore advocated for multi year funding strategy for education and a long-term funding plan for schools.

Chairman Newman moved for the adoption of the recommended Capital Projects Ordinance. This motion was seconded by Commissioner Sloan and carried unanimously.

Chairman Newman moved for the adoption of the Resolution Directing the Expenditure of Opioid Settlement Funds. The motion was seconded by Commissioner Wells and carried unanimously.

- **Consent to hire Robb Hartman as Internal Audit Director**

Caroline Long, Recruiter, announced the hiring of Robb Hartman as the Internal Audit Director. She explained the process and noted Hartman was the top-ranking candidate by the Audit Committee. Commissioner Wells moved to support, Commissioner Whitesides seconded the motion and it was carried unanimously.

- **Adoption of End of Year Amendments**

John Hudson, Budget Director, explained the Governmental Accounting Standards Board (GASB) related to multi-year subscription-based information technology agreements. Similar entries were made in prior years and can be expected annually. As a result, no new dollars are used to make this adjustment, but the budget must be increased to ensure each functional area can cover this required accounting treatment.

Commissioner Moore moved to adopt the Budget Amendments for both the General Fund and the Solid Waste Enterprise Fund. Commissioner Sloan seconded the motion, and it was carried unanimously.

- **Budget Amendment to Address Functional Spending**

John Hudson, Budget Director, explained projecting expenditure for the fiscal year. Based on those projections, amendments will be required for Public Safety and for Cultural & Recreational functions. Therefore, this recommended amendment shifts contingency to cover these projected expenditures. Additionally, it takes savings in Interfund Transfers expenditures to Public Safety. The overages include projected salaries and benefits for the Cultural & Recreational Function, related to a below budgeted turnover rate within that specific function, and, in Public Safety, the driver being the cost of 911 staffing throughout the year via staffing contracts and agreements with our fire department partners. In total, the changes between functions total \$900,000. Commissioner Wells moved to adopt the Budget Amendment as proposed. The motion was seconded by Commissioner Moore and carried unanimously.

- **Budget Amendment, NC Education Lottery**

John Hudson, Budget director explained that on May 7th, the Board of Commissioners approved submission of projects for Buncombe County Schools to the Public School Building Capital Fund - NC Education Lottery. The Department of Public Instruction approved the full \$750,000 for the security initiative, while \$65,000 was approved for design of the North Buncombe High School Tennis Courts, a \$1.5M project in total. This amendment adopts those projects. Security Hardware Upfit - \$750,006 (Six dollars based on rounding.) North Buncombe HS Replace Tennis Courts-DESIGN - \$65,000.

Commissioner Wells moved to adopt the Budget Amendment as proposed. The motion was seconded by Commissioner Sloan and carried unanimously. [00]

- **Budget Amendments, Debt Service Amendments**

John Hudson explained the recommended debt service amendments. When the county issues debt, like in this fiscal year, certain costs cannot be finalized until the transactions are complete. Other costs can be built into the proceeds received. The following amendments look to reconcile these costs, like the costs of issuance and debt service charges, from the LOBS 2024 and GO bonds issuances while accounting for offsetting proceeds where appropriate. The Project Development Financing (PDF) Woodfin, School Capital Needs (SCFC), and Article 46 Capital (AB Tech) funds require adjustments. (The General Fund and Solid Waste Enterprise Fund already had budgeted dollars sufficient to cover these costs.) In total, no new funds are required to cover these costs. PDF Woodfin: \$10,000 School Capital Needs: \$361,000 Article 46 Capital: \$60,000. Commissioner Wells asked about the Woodfin Project Development Financing amendment. Hudson explained the County had previously cosigned with the Town of Woodfin on a project that finances based on future property tax revenue. Commissioner Wells motioned to approve the Woodfin Dept Service budget amendment, the Public Schools Capital needs budget amendment and the Sales Tax Capital Fund budget amendment as presented. Commissioner Whitesides seconded, and the motions carried unanimously.

- **Budget Amendment to accept the Just Home Grant funds for two grant funded positions from the Urban Institute in coordination with the MacArthur Foundation**

Chloe Donohoe, Affordable Housing Bond Project Manager presented on the Just Home Grant. She explained that the County has been awarded a grant in the amount of \$230,118 from the Urban Institute in coordination with the MacArthur Foundation. The funding will be used to fund one (1) full-time Planner position and one (1) part-time Grants Manager position for nine-months to expand the work of the Safety and Justice Challenge and develop a Housing Investment Action Plan to demonstrate how to break the links between housing instability, homelessness and jail use in Buncombe County. The period of performance is June 13, 2024, to March 31, 2025, and no County match is required. The Board had questions about the staffing positions and Manager Pinder clarified that there currently is not any grant writers on staff, as each department writes their own. This position would be overseeing grants and the project. Chairman Newman asked if these were loans. Donohoe clarified that this is a repayable loan that other partners could partake and receive the loan. She explained that there are several structures. There were questions about the types of projects and what will be implemented. Donohoe provided examples, noting that the upcoming first step will be to engage with committees to generate ideas. The Board requested that staff continue sharing updates so the Board can get a better understanding of the project scope as it develops. Chairman Newman moved to approve the budget amendment and addition or two grant positions. Commissioner Moore seconded the motion and it was carried unanimously.

BOARD APPOINTMENTS

Chairman Newman stated that the Commissioners interviewed four candidates for the Strategic Partnership Grants Committee earlier in the day. The Commissioners voted unanimously to support the appointment of Dede Styles.

Commissioner Sloan moved to reappoint Trudy Logan and Rodney Embler to the Mountain Area Workforce Development Board. Moore seconded and the motion carried unanimously.

CLOSED SESSION

Michael Frue, Senior Attorney explained the need for the Commissioners to go into closed session, pursuant to G.S. 143-318.11(a)(3) for discussion of an ongoing legal matter. Commissioner Sloan moved to go into Closed Session pursuant to G.S. 143-318.11(a)(3). The motion was seconded and carried unanimously.

The Board heard the update and had discussion regarding the matter. No action was taken. Commissioner Sloan moved to adjourn the closed session and it was carried unanimously. The meeting adjourned at 6:52 p.m.

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