

**MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
BRIEFING MEETING OF AUGUST 6, 2024, AT 3:00 p.m.**

BE IT REMEMBERED: That the Board of Commissioners held a Briefing session on August 6, 2024, in the first-floor conference room at 200 College Street at 3:00 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 Jasmine Beach-Ferrara; Commissioner Amanda Edwards.

Absent: Commissioner Martin Moore

The Chairman called the meeting to order at 3:05 p.m. During the meeting, the Board and staff reviewed and discussed agenda items and received staff updates with discussions as noted:

- **Community Engagement: School Consolidation Feasibility Study**

Jeremy Lett, Community Engagement Manager and Rachael Sawyer, Strategic Partnership Director provided an update on the school consolidation feasibility study and the community engagement plan for the project. The focus on today's update was around upcoming community engagement opportunities. Lett explained that staff was currently in process of gathering data with the intent to report out in December 2024 and provide a formal presentation in January 2025.

- **Schedule of Values**

Keith Miller and Eric Cregger in the Tax Office provided an update on the Schedule of Values. They explained that the purpose of a Schedule of Values (SOV) is to promote equity, transparency and provide a guide for the appraisal team. Cregger explained the changes in the SOV from previous years and talked through various scenarios. He informed the Board that the Public Hearing for the SOV will be held on August 20 and that the Board is scheduled to adopt the SOV at the September 3, 2024, meeting.

- **Strategic Plan Work Session**

Rafeal Baptista introduced Heather Parkinson, Strategy and Innovation Manager who provided a recap of the work completed and review of the objectives and SMART goals at this time. The Board discussed and edited the proposed goals.

**MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF AUGUST 6, 2024, AT 5:00 p.m.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on August 6, 2024, in the first-floor conference room at 200 College Street 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; Commissioner Jasmine Beach-Ferrara; Commissioner Amanda Edwards.

Absent: Commissioner Martin Moore

The Chairman called the meeting to order at 5:20 p.m. and provided opening statements.

CONSENT AGENDA

Commissioner Sloan moved to approve the Consent agenda as presented, Commissioner Edwards seconded the motion, and it was carried unanimously.

- Approval of the July 16 combined Briefing and Regular meeting minutes
- Approval of the June 2024 Tax Collection Report
- Approval of the Design services contract with LS3P Architects for the FY24 Hall Fletcher-Campus Wide Renovations Project
- Approval of the Pre-Construction services contract with Vannoy Construction for the FY24 Hall Fletcher – Campus Wide Renovations Project
- Approval of the Design services contract with Method Studio for the FY24 200 College Street Renovation Project
- Approval of budget amendment for payee fund adjustment
- Approval of the contract with Eagle Solar and Light for the solar installation on Fire Department facilities
- Approval of MOU's with the below listed County Fire Departments regarding the installation of solar on their facilities

PUBLIC COMMENT

Phillis spoke about securing southeast region depopulation and ending social unrest.

Rob Jackson, Superintendent for Asheville City Schools thanked the Commissioners for supporting schools and the investment made in school educations through an increase in funding.

Lang Horthnal spoke about the management of the regional forest land and support of US Forest Service programming and the GAP project.

PRESENTATIONS

- **Avian Flu Update**

Nathan Greene, Public Health Preparedness Coordinator provided an update on Avian Flu (“bird flu”). He reported that since April 2024, there have been 10 reported cases of Avian Flu in the U.S. and none in Buncombe County. Greene provided recommendations for the public to stay healthy and how to spot Avian Flu.

- **Pisgah National Forest Update- US Forest Service**

Jen Barnhart, Appalachian District Ranger with the U.S. Forest Service provided an update on the GAP plan which stands for the Grandfather, Appalachian, and Pisgah Restoration Project. The plan proposed action to restore fire-adapted sections of Pisgah National Forest and reduce wildfire risk to resources and nearby communities. The GAP Project’s proposed actions include controlled burns and vegetation management to modify fuels and support resilient, native ecosystems. She explained that the current proposal is open for public comment which would close on August 12, 2024. Following the public comment, the draft would be finalized and noticed and published. Barnhart also provided an update on the impacts and repairs made since Tropical Storm Fred in 2021.

- **G.O. Bonds Oversight Committee- Annual Report**

Patricia Rosenberg, Chairperson of the G.O. Bonds Oversight committee provided an update on the work of the Committee’s first year. She explained the purpose of the Committee is to review the investments made from the bond revenues to confirm that 100% of bond funds are invested in accordance with law and for the purposes indicated on the ballots. Rosenberg provided an update on the progress and introduced the new transparency webpage where community members can follow the numbers.

- **Community Development Block Grant – Neighborhood Revitalization update**

Matt Cable, Community Development provided the quarterly update. He explained the current program and the activities made to date. Since the last quarterly update, a Selection Committee has been convened and five Home Repair Sites have been selected. He explained the repair site selection criteria and where the five sites are in the County.

- **Continuum of Care update**

Lacy Hoyle, Homelessness Program manager provided an update on the Continuum of Care (COC). She explained that the COC Board Members were elected at the end of April and have received two days of training. The COC has also elected board officers and established three work groups which are: 1) Interim Nominating and Membership Committee; 2) Funding Committee; and 3) Shelter Planning Group committee. The COC will continue to meet monthly to develop recommendations.

COUNTY MANAGER’S REPORT

Avril Pinder, County Manager, informed the Board that the Search and Rescue Team will be deployed to Kinston, NC due to the moving tropical storm. Additionally, Pinder introduced Karen Marshall, new Interim H.R. Director.

NEW BUSINESS

- **Approval of fiscal year 2024 Annual Tax Settlement and Adoption of the Order of Collection for fiscal year 2025**

Jennifer Pike, Tax Collector explained the annual property tax settlement for fiscal year 2024 and the Order of Collection for the Tax Collector for the current fiscal year. Pursuant to NCGS § 105-373, the Tax Collector must provide to the Board of Commissioners an annual settlement of property tax collected in the previous fiscal year for approval. Pursuant to NCGS § 105-321, following approval of the Tax Collector's Annual Settlement for the preceding year an Order of Collection to the Tax Collector must be adopted authorizing the collection of the current fiscal year property taxes. Commissioner Wells congratulated the team for the high collection rate. Commissioner Wells motion to approve both actions as proposed. Commissioner Sloan seconded the motion, and it was carried unanimously.

- **Adoption of Budget Amendment for Buncombe County Schools – Erwin Middle School for ADA and Egress Renovations**

John Hudson, Budget Director explained that this budget amendment is to increase the \$2.7 million budget for the Erwin Middle School ADA & Egress Renovations established in November 2023 by \$750,000 after further assessment of the building. This comes at the request from the School Capital Fund Commission. The project includes construction of indoor and outdoor ramps, new restroom facilities, and renovation of existing classroom spaces to ensure compliance with ADA standards. Commissioner Wells further explained that this request has to do with inflation and that at the time of request, the schools did not have the complete design. Commissioner Edwards moved to approve the budget amendment, the motion was seconded by Commissioner Wells and it was carried unanimously.

- **Approval of the proposed facilities and designated locations in the Feasibility Planning Study for the existing Asheville Primary School Site and associated study of the Hall Fletcher Elementary School**

Tim Love, Assistant County Manager, provided some background and introduced Robert Brown, General Services Director who provided an update on the feasibility planning study for the existing Asheville primary school site and associated study of the Hall Fletcher Elementary School. Brown explained that ADW Architects were contracted with FY23 funding to complete a feasibility site study of the Asheville Primary School Site. The Leadership for Asheville City Schools and Buncombe County provided three facility priorities each. The priorities considered for Buncombe County within the study are listed here: Buncombe County 1) EMS Base 2) Library 3) Pre-K Facility. The study process concluded that only three of the six priorities provided would suitably fit on the Asheville Primary School Site. Two uses for Buncombe were identified as a good fit for the Asheville Primary School site. They are the Buncombe County Regional EMS Base and the Buncombe County Library. Due to the existing relating amenities and open land area, the Hall Fletcher Elementary School site was determined most suitable for a Pre-K Facility. Brown provided estimated costs for each of the buildings, noting that these numbers are likely to change based on various variables. Estimated cost for the regional EMS station is \$11, 0100,000; estimated cost for the proposed library is \$19,000,000 and the estimated cost for the Pre-K is

\$20,400,000. Brown requested Board feedback and approval of the site study's proposed Buncombe County Facilities and designated locations. Next steps would be to present to the Asheville City School Board for concept approval, then develop a construction phasing plan and budget funding year plan. The Board had discussion about the neighborhood impacts, features, and the importance of these facilities. Commissioner Sloan noted he has met with the neighborhood and had questions about the proposed play areas. Commissioner Beach-Ferrara highlighted the need for Pre-K hub, which has been an ongoing discussion for almost 8 years. Commissioner Whitesides noted that a connection could be made with community colleges and Commissioner Edwards suggested tying this to a community goal in the strategic plan which is currently underway. There were questions about the land ownership, funding and requirements for a Pre-K Facility. Staff informed the Board that a debt instrument such as a GO bond would be necessary and that it's possible to subdivide the land. Staff also clarified that there are a lot of code implications specific to a Pre-K Facility. Love informed the Board of questions and feedback that staff has received from Asheville City Schools which included concerns about funding and management. There was continued discussion about associated costs and payment for the land which is owned by the City Schools. There was also discussion about the land for the EMS facility, in which Commissioner Edwards stated the EMS facility was a priority and that the Board and staff should continue exploring sites if the partnership with the City Schools could not work. Love continued that this is the concept stage and that if approved, there will be ongoing discussions with the Early Childhood Committee, stakeholders, and the neighborhoods as well as negotiations with Asheville City Schools. Commissioner Edwards noted that the County is in the middle of the consolidation study and that the Board does not know the results of that study yet. The Board discussed due diligence and what kind of decisions that would need to be made to move forward. Commissioner Edwards made the motion to move forward with next steps and for staff to continue with due diligence for the site study's proposed facilities and designated locations. The motion was seconded and carried unanimously. The Board further clarified that the motion and vote is for staff to move forward with due diligence around the concept presented and that final decisions would come back to the Board.

- **Set Public Hearing for the Schedule of Values 2025 Reappraisal**

Keith Miller, Tax Assessor explained that pursuant to N.C. Gen. Stat. § 105-317, the Board of Commissioners are required to review and approve the schedule of values, standards and rules (herein "Schedule") to be used by the Tax Assessor's Office during the re-appraisal of real property starting January 1, 2025. The first step in the process is for the Tax Assessor to submit the proposed Schedule to the Board of Commissioners for its consideration. The Board of Commissioner is then required to schedule a public hearing regarding the Schedule. After seven (7) days have passed following the public hearing, the Board of Commissioners can formally adopt the Schedule. The Tax Assessor is submitting the Schedule to the Board on August 6, 2024. Staff recommends that the Board schedule the public hearing on the Schedule on August 20, 2024. Commissioner Wells made the motion to set the Public Hearing for August 20, 2024, the motion was seconded by Commissioner Edwards and carried unanimously.

- **Adoption of a Resolution Establishing a Short-Term Rental Ad Hoc Committee**

Nate Pennington, Planning Director explained that as a result of the Planning Board's decision to table consideration of short-term rental regulations for further consideration and discussion in April 2024, no further progress has been made regarding the establishment of short-term rental regulations for the unincorporated areas of Buncombe County. The Board of County Commissioners has requested the establishment of a Short-Term Rental Ad Hoc Committee to review the previous work of the Planning Board and evaluate short-term rental regulations, identify policy implications, and provide feedback to the Planning Board. Chairman Newman clarified that the Ad Hoc Committee is not a permanent committee and that this ad hoc Committee would be meeting over the next couple of months to do very focused work to provide their recommendations. Commissioner Whitesides moved to establish the Ad Hoc Committee as presented, Commissioner Sloan seconded, and it carried unanimously.

Chairman Newman proposed holding interviews for candidates on August 20 and nominated the following seventeen candidates for interviews:

1. Matt Allen
2. Chip Craig
3. Chris Joyell
4. Amanda Simpkins
5. M.E. Gray
6. Judy Davidson
7. Matt Lutz
8. Angelica Cote
9. Andrea Golden
10. Kit Molina-Nauert
11. Jay Gerlach
12. Kenneth Fischer
13. Candice Matelski- Brady
14. Carmen Ybarra
15. Prabhu Kannan
16. Kenneth Kahn - on P&Z – no interview needed
17. Nancy Waldrop - on P&Z – no interview needed

The Commissioner's agreed on the interviewee list and motioned for the Clerk to arrange interviews prior to the upcoming August 20 meeting.

BOARD APPOINTMENTS

The Board appointed Paul Wilczynski to a regular seat on the Board of Adjustment. The Board appointed Shannon Watkins to the Historic Resources Commission; the Board appointed Sarah Hutcheson to the Mountain Area Workforce Development Board.

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) to retain the attorney client privilege in discussion about the existing lawsuit now on appeal at the Superior Court, Dunbar vs. City of Asheville. He advised that the Board is required to meet on this matter in pursuant to 160D-406k. Frue further advised that he is seeking direction from the board regarding settlement options. Commissioner Sloan moved to go into closed session, the motion was seconded by Commissioner Whitesides and carried unanimously. The Board heard the update in closed session and provided direction. Commissioner Sloan moved to go out of closed session and adjourn the meeting, the motion was seconded by Commissioner Whitesides and carried unanimously. The meeting was adjourned at 8:25 p.m.