

# Board of Commissioners' Agenda

March 21, 2023

Commission Meetings are held at 200 College Street, Room 326 in downtown Asheville beginning at 5:00 p.m.

Public Comment is taken at the beginning of the meeting.

\*\*\*The meeting will broadcast via Facebook Live @Buncombegov.\*\*\*

## Call To Order

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## Discussion / Adjustment / Approval To Follow Agenda

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## Consent Agenda [▲top](#)

- [Approval of March 7, 2023 Briefing Meeting Minutes](#)
- [Approval of March 7, 2023 Regular Meeting Minutes](#)
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department
  - [James Redmon](#)
  - [Van Whitmire](#)
  - [William Stanley](#)
- [Resolution Approving Pyrotechnic Experts for Firework Display](#)
  - [Resolution](#)
- [Approval of Library Fine/Fee Write-Off](#)
  - [More Information](#)
- [Approval of State Lottery Project Application for Asheville City Schools – Asheville High School Renovation & Baseball Field Lighting](#)
- [Approval of North Fork Solar Feasibility Interlocal Agreement](#)
  - [Agreement](#)
- [Budget Amendment for Volkswagen \(VW\) Settlement Funding for Charging Stations](#)

- [Ordinance](#)
- [Budget Amendment for Lake Julian Festival of Lights Grant](#)
- [Ordinance](#)

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**Public Comment**

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**Good News** ▲top

- [Taylor Jones Recognized as Top 100 Influencer in Local Government](#)

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**Presentations** ▲top

- [Women's History Month Proclamation](#)
  - [Proclamation](#)

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**Public Hearings**

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**County Manager's Report** ▲top

- [Creative Equity Mural Project](#)

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**Old Business**

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**New Business** ▲top

- [Open Space Bond Conservation Criteria Adoption](#)
  - [More Information](#)
- [Resolution Requesting Quiet Zone at Private Rail Crossing](#)
  - [Resolution](#)
  - [More Information](#)

- [Approval of 911 Situational Overview & Recommendations](#)
  - [More Information](#)
- [Approval of Homelessness Response Regular Full-Time Position](#)
- [Approval of McCormick Field Renovation Project Funding](#)
  - [More Information](#)
- [Budget Amendment for Community Development Block Grant – Neighborhood Revitalization \(CDBG-NR\) Grant Funding Award](#)
  - [Ordinance](#)
- ~~[Budget Amendment for Additional Grant Funds for Woodfin Greenway TDA Grant Project](#)~~
  - ~~[Ordinances](#)~~
  - ~~[More Information](#)~~

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Board Appointments ▲top

- Home & Community Care Block Grant Advisory Committee
  - Rebecca Hartz
  - Eileen McMinn
  - Cindy Threlkeld
- Juvenile Crime Prevention Council
  - Noreal Armstrong
  - Angela Garner
- Mountain Community Capital Fund Operating Committee
  - Tim Love
  - Rachael Nygaard
- Mountain Area Workforce Development Board
  - Eric Watts

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS’  
REGULAR MEETING OF MARCH 21, 2023 AT 5 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on March 21, 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; John Hudson, Budget Director; Sharon Burke, Human Resources Director; Allison Dains, Parks & Recreation Director; Stoney Blevins, Health & Human Services Director; Rachael Nygaard, Strategic Partnerships Director; Tim Love, Intergovernmental Relations; Nathan Pennington, Planning Director; Taylor Jones, Emergency Services Director; Derrick Ruble, Public Safety Communications Director; Lamar Joyner, Clerk to the Board; Curt Euler, Staff Attorney

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Commissioner Sloan motioned to approve the Consent Agenda, remove the **Budget Amendment for Additional Grant Funds for Woodfin Greenway – TDA Grant Project** from **New Business**, and the remainder of the agenda. Commissioner Edwards seconded and the motion passed 7-0.

- Approval of March 7, 2023 Briefing Meeting Minutes
- Approval of March 7, 2023 Regular Meeting Minutes
- Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department
  - James Redmon
  - Van Whitmire
  - William Stanley
- Resolution Approving Pyrotechnic Experts for Firework Display
  - Resolution
- Approval of Library Fine/Fee Write-Off
  - More Information
- Approval of State Lottery Project Application for Asheville City Schools – Asheville High School Renovation & Baseball Field Lighting
- Approval of North Fork Solar Feasibility Interlocal Agreement
  - Agreement
- Budget Amendment for Volkswagen (VW) Settlement Funding for Charging Stations
  - Ordinance
- Budget Amendment for Lake Julian Festival of Lights Grant
  - Ordinance

**PUBLIC COMMENT**

- Andrew Clark expressed support for programming for veterans (Coffee for Veterans).
- Guy Skinner expressed support for the McCormick Field Renovation Project Funding.
- Dede Styles stated concerns with water issues due to construction development and climate change.
- Anthony Pena` provided information on Long Covid and its effects.

**GOOD NEWS**

- **Taylor Jones Recognized as Top 100 Influencer in Local Government**

Alex McKnight, Emergency Services, congratulated Taylor Jones, Emergency Services Director, for receiving the award, Engaging Local Government Leaders (ELGL) as a Top 100 Influencer in Local Government. Taylor expressed appreciation for the department staff.

**PRESENTATIONS**

- **Women's History Month Proclamation**

Vice Chair Wells read and presented the proclamation to Diana Sierra, YWCA Asheville CEO, and other guests. They accepted the proclamation and expressed their gratitude.

COUNTY MANAGER’S REPORT

Avril Pinder, County Manager, introduced Dr. Noreal Armstrong, the County’s new Chief Equity & Human Rights Officer.

- **Creative Equity Mural Project**

Rachael Nygaard, Strategic Partnerships Director, updated the Board on the call for artists submissions seeking original mural art to be placed on county property. The project will reflect the people and place of Buncombe County and incorporate concepts related to racial equity, reconciliation and restoration. The selected artists are Gabriel Eng-Goetz, Leslie Reynalte-Llanco, and Jared Wheatley.

NEW BUSINESS

- **Open Space Bond Conservation Criteria Adoption**

Jill Carter, Open Space Bond Project Manager, and Ariel Zijp, Agriculture & Land Resources, explained to the Board the proposed criteria on how best to allocate funding towards conservation. Staff, with input from the Agriculture Advisory Board, Land Conservation Advisory Board, and the public, have developed a set of criteria for evaluating land conservation projects. The Board deferred voting on the criteria until more information is gathered.

- **Resolution Requesting Quiet Zone at Private Rail Crossing**

Curt Euler, Staff Attorney, explained the request form the area hotels to have the Quiet Zone Railroad Crossing located near the 1400-1500 block of Tunnel Road. County funding is not required.

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

- **Approval of 911 Situational Overview & Recommendations**

Rafael Baptista, Strategy & Innovation Director, explained the challenges that the Public Safety Communications Center is currently facing. Multiple strategies have been implemented to meet these challenges, including but not limited to double-pay for additional shift pick up, utilizing off-duty first responders, redeploying staff from across the county to support operational/ planning needs and securing services for increased well-being. County leadership is proposing temporary crisis pay stipends for telecommunicator employees until the staffing levels within the department have stabilized. No new additional funding is needed, as the County will utilize lapsed salary within the department for this stipend.

|                |                          |                          |                            |                            |
|----------------|--------------------------|--------------------------|----------------------------|----------------------------|
| Shift Worked   | Weekday                  | Weeknight                | Weekend Day                | Weekend night              |
| Stipend Amount | \$8 hourly<br>\$96 total | \$12 hour<br>\$144 total | \$15 hourly<br>\$180 total | \$20 hourly<br>\$240 total |

Commissioner Whitesides moved to approve temporary crisis pay stipends as outlined above. Commissioner Edwards seconded and the motion passed 7-0.

- **Approval of Homelessness Response Regular Full-Time Position**

Nathan Pennington, Planning Director, explained the request to establish the new regular full-time position as part of a coordinated response to homelessness. This position will be located in the Planning Department’s Community Development Division.

Vice Chair Wells moved to approve the position. Commissioner Sloan seconded and the motion passed 7-0.

- **Approval of McCormick Field Renovation Project Funding**

Tim Love, Intergovernmental Relations, provided an update on the ongoing financial discussions between the City of Asheville, Tourists, Tourism Development Authority (TDA) and the County. A financial scenario summary was provided as such:

- Full Project: \$37.5M (\$56.1M w/ interest)
- Minimum Project: \$29.2M (\$43.1M w/ interest)

Current status, project details and cost breakdown, financial plan, frequently asked questions, and next steps were explained during the presentation.

Commissioner Edwards moved to financially partner with the City of Asheville for McCormick Field renovations in an amount of up \$250,000 per year for a 20-year period. Commissioner Whitesides seconded and the motion passed 6-1. (NOES-Beach-Ferrara)

- **Budget Amendment for Community Development Block Grant – Neighborhood Revitalization (CDBG-NR) Grant Funding Award**

John Hudson, Budget Director, explained the budget amendment.

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

- ~~**Budget Amendment for Additional Grant Funds for Woodfin Greenway – TDA Grant Project**~~

**BOARD APPOINTMENTS**

Commissioner Edwards moved to reappoint **Rebecca Heartz, Eileen McMinn**, and appoint **Cindy Trelkeld** to the **Home & Community Care Block Grant Advisory Committee**. Vice Chair Wells seconded and the motion passed 7-0.

Commissioner Moore moved to appoint **Noreal Armstrong** and reappoint **Angela Garner** to the **Juvenile Crime Prevention Council**. Vice Chair Wells seconded and the motion passed 7-0.

Vice Chair Wells moved to reappoint **Tim Love**, and **Rachael Nygaard** to the **Mountain Community Capital Fund Operating Committee**. Commissioner Edwards seconded and the motion passed 7-0.

Commissioner Moore moved to reappoint **Eric Watts** to the **Mountain Area Workforce Development Board**. Commissioner Whitesides seconded and the motion passed 7-0.

**ANNOUNCEMENTS**

The Chairman made the following announcements:

- *March 28 @ 11 a.m. - Commissioners' Budget Work Session at 200 College Street, Room 326 in downtown Asheville.*
- *April 4 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *April 4 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

**CLOSED SESSION**

Commissioner Whitesides moved to go into closed session pursuant to NCGS 143-318.11(a) (3) to hear legal Matters and NCGS 143-318.11(a) (5) hear real property negotiation matters with no possible action anticipated following the closed session. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

The Board heard the update and had discussion regarding the matters. No action was taken.

Commissioner Whitesides moved to go back into open session. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Whitesides moved to adjourn the meeting. Commissioner Beach-Ferrara seconded and the motion passed 7-0. The meeting was adjourned at 9:28 p.m.

  
\_\_\_\_\_  
LAMAR JOYNER, CLERK  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
BROWNIE NEWMAN, CHAIRMAN  
BOARD OF COMMISSIONERS

Announcements [▲top](#)

- April 4 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.
- April 4 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.

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Closed Session / Open Session

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Adjournment

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RESOLUTION #23-03-09

RESOLUTION AWARDING A SERVICE FIREARM TO A RETIRING  
DEPUTY OF THE BUNCOMBE COUNTY SHERIFF’S OFFICE

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WHEREAS, James Redmon is retiring from the Buncombe County Sheriff’s Office after 25 years of service; and

WHEREAS, N.C. Gen. Stat. § 20-187.2 authorizes boards of county commissioners to award to a retiring member of a law-enforcement agency with countywide jurisdiction, such as a sheriff’s office, or surviving relatives of such a member, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired.

WHEREAS, it is the practice of this Board to provide a member of the Buncombe County Sheriff’s Office who retires through the North Carolina Local Government Retirement System with ten (10) or more years of service with said Office, or who retires due to medical disability, and who meets the qualifications of N.C. Gen. Stat. § 20-187.2, with the service side arm used by the member at the time of the member’s retirement at a price of zero (\$0) dollars; and

WHEREAS, this board finds that the individual named above carried, at the time of the individual’s retirement, a service side arm more particularly described as a Glock Model 17, serial number SNW644 , and that the individual named above has requested and is entitled to receive said service side arm in working order at a price fixed by this Board

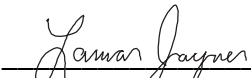
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

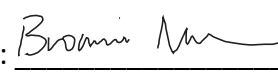
- 1. That pursuant to N.C. Gen. Stat. § 20-187.2, the individual named above is hereby awarded the service side arm descried above for a price of zero (\$0) dollars.
- 2. That the County Manager or her designee is authorized to undertake any action(s) necessary to transfer the service side arm descried above to the individual named above.
- 3. That this resolution shall become effective upon its adoption.

This the 21<sup>st</sup> day of March, 2023.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

  
\_\_\_\_\_  
Lamar Joyner, Clerk

By:   
\_\_\_\_\_  
Brownie Newman, Chair

APPROVED AS TO FORM

  
\_\_\_\_\_  
County Attorney

RESOLUTION #23-03-10

RESOLUTION AWARDING A SERVICE FIREARM TO A RETIRING  
DEPUTY OF THE BUNCOMBE COUNTY SHERIFF’S OFFICE

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WHEREAS, Van Whitmire is retiring from the Buncombe County Sheriff’s Office after 9 years of service; and

WHEREAS, N.C. Gen. Stat. § 20-187.2 authorizes boards of county commissioners to award to a retiring member of a law-enforcement agency with countywide jurisdiction, such as a sheriff’s office, or surviving relatives of such a member, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired.

WHEREAS, it is the practice of this Board to provide a member of the Buncombe County Sheriff’s Office who retires through the North Carolina Local Government Retirement System with ten (10) or more years of service with said Office, or who retires due to medical disability, and who meets the qualifications of N.C. Gen. Stat. § 20-187.2, with the service side arm used by the member at the time of the member’s retirement at a price of zero (\$0) dollars; and

WHEREAS, this board finds that the individual named above carried, at the time of the individual’s retirement, a service side arm more particularly described as a Glock Model 17, serial number WWU813 , and that the individual named above has requested and is entitled to receive said service side arm in working order at a price fixed by this Board

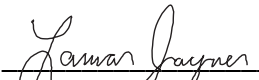
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

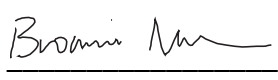
- 1. That pursuant to N.C. Gen. Stat. § 20-187.2, the individual named above is hereby awarded the service side arm descried above for a price of zero (\$0) dollars.
- 2. That the County Manager or her designee is authorized to undertake any action(s) necessary to transfer the service side arm descried above to the individual named above.
- 3. That this resolution shall become effective upon its adoption.

This the 21<sup>st</sup> day of March, 2023.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

  
\_\_\_\_\_  
Lamar Joyner, Clerk

By:   
\_\_\_\_\_  
Brownie Newman, Chair

APPROVED AS TO FORM

  
\_\_\_\_\_  
County Attorney

RESOLUTION #23-03-11

RESOLUTION AWARDING A SERVICE FIREARM TO A RETIRING  
DEPUTY OF THE BUNCOMBE COUNTY SHERIFF’S OFFICE

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WHEREAS, William Stanley is retiring from the Buncombe County Sheriff’s Office after 18 years of service; and

WHEREAS, N.C. Gen. Stat. § 20-187.2 authorizes boards of county commissioners to award to a retiring member of a law-enforcement agency with countywide jurisdiction, such as a sheriff’s office, or surviving relatives of such a member, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired.

WHEREAS, it is the practice of this Board to provide a member of the Buncombe County Sheriff’s Office who retires through the North Carolina Local Government Retirement System with ten (10) or more years of service with said Office, or who retires due to medical disability, and who meets the qualifications of N.C. Gen. Stat. § 20-187.2, with the service side arm used by the member at the time of the member’s retirement at a price of zero (\$0) dollars; and

WHEREAS, this board finds that the individual named above carried, at the time of the individual’s retirement, a service side arm more particularly described as a Glock Model 17, serial number BEPW883, and that the individual named above has requested and is entitled to receive said service side arm in working order at a price fixed by this Board

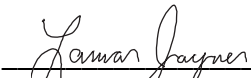
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

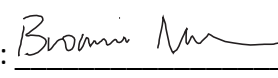
- 1. That pursuant to N.C. Gen. Stat. § 20-187.2, the individual named above is hereby awarded the service side arm descried above for a price of zero (\$0) dollars.
- 2. That the County Manager or her designee is authorized to undertake any action(s) necessary to transfer the service side arm descried above to the individual named above.
- 3. That this resolution shall become effective upon its adoption.

This the 21<sup>st</sup> day of March, 2023.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

  
Lamar Joyner, Clerk

By:   
Brownie Newman, Chair

APPROVED AS TO FORM

  
County Attorney



## **Buncombe County Board of Commissioners**

### **Request for Board Action**

**Meeting Date: 3/21/2023**

#### **Consent Agenda**

**Department:** Emergency Services

**Presenter(s):** Kevin Tipton, Fire Marshal

**Contact(s):** Kevin Tipton, Fire Marshal

**Subject:** Resolution Approving Pyrotechnic Experts for Firework Displays

#### **Brief Summary:**

- Request from Pyrotecnico and James Lloyd Wright to conduct a fireworks display on 4/22/2023 at Biltmore Estate, 1 Lodge Street, Asheville, NC 28803.
- Request from Pyrotecnico and Joshua Caleb Webb to conduct a fireworks display on 5/28/2023 at Inn on Biltmore, 1 Antler Hill Road, Asheville, NC 28803.

**Recommended Motion & Requested Action:** Approve resolution.

**County Manager's comments and Recommendation:** County Manager recommends approval.

RESOLUTION #:23-03-12

RESOLUTION APPROVING PYROTECHNICS EXPERTS FOR CONDUCTING  
FIREWORKS DISPLAYS

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- WHEREAS, pursuant to NCGS §§ 14-410 and 14-413 the Board of Commissioners is authorized to review and approve the qualifications of persons applying for approval as pyrotechnics experts for the purpose of conducting fireworks displays; and
- WHEREAS, application has been made by Pyrotecnico Fireworks, Inc. for pyrotechnic displays;
- WHEREAS, the Fire Marshal has reviewed and determined that the application meets the standards set forth in the general statutes and the required proof of insurance has been provided; and
- WHEREAS, this Board is of the opinion that the application received to conduct firework pyrotechnic displays should be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Buncombe as follows:

1. That the following be granted permission to conduct fireworks displays at the location and on the dates shown, to-wit:

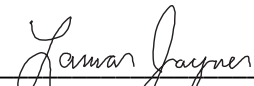
| <u>NAME</u> | <u>LOCATION</u>               | <u>DATE</u>    |
|-------------|-------------------------------|----------------|
| Pyrotecnico | 1 Lodge Street, Asheville     | April 22, 2023 |
| Pyrotecnico | 1 Antler Hill Road, Asheville | May 28, 2023   |

That should inclement weather prevent the presentation of said display on said date(s), then the pyrotechnics display may be rescheduled to a postponement date with the consent of the fire Marshal or designee.

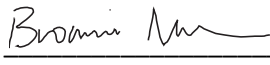
2. That pursuant to NCGS §§ 14-410 and 14-413 this Board finds that the above-named individual/company is a qualified pyrotechnic expert for the purpose of conducting fireworks displays.

ADOPTED this the 21<sup>st</sup> day of March, 2023.

ATTEST

  
\_\_\_\_\_  
Lamar Joyner, Clerk

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

By:   
\_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

  
\_\_\_\_\_  
County Attorney



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**Consent Agenda**

**Department:** Libraries

**Presenter(s):** Jason Hyatt, Library Director

**Contact(s):** Jason Hyatt

**Subject:** Library Fine Write Off

**Brief Summary:** As of July 1, 2021 Buncombe County Public Libraries no longer charge overdue fines in accordance with the fine free policy implemented upon approval of the FY22 budget. Since that time Buncombe County staff have identified an additional \$48,132.25 in residual overdue fines accrued prior to July 1, 2021 that need to be cleared. Any fees associated with lost or damaged materials are not applicable and will not be cleared.

The Library Advisory Board considered this action at their November 11, 2022 meeting and voted to recommend clearing remaining overdue fines to complete the process of implementing the fine free policy.

**Recommended Motion & Requested Action:** The Library requests that the Board of Commissioners approves writing off \$48,132.25 in remaining overdue fines in order to align with the Library's fine free policy.

**County Manager's comments and Recommendation:** Approve as presented.

RESOLUTION # 111022 A

Resolution Recommending the Buncombe County Board of County  
Commissioners to Authorize the Library Director to Waive Unpaid  
Library Fines

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- WHEREAS, in July of 2021, the Buncombe County Library System joined a number of library systems across the country seeking to reduce the financial barriers to library services by permanently eliminating late fines for overdue library materials and forgiving all previous overdue liberal fines; and
- WHEREAS, to that end, at its October 5, 2021, meeting, the Buncombe County Board of County Commissioners wrote off \$104,234.90 in remaining overdue fines to align with the Library's fine free policy; and
- WHEREAS, since that action, Buncombe County staff have identified an additional \$48,132.25 in late fines that needs to be forgiven in accordance with the Library's fine free policy.
- WHEREAS, the Library Board is of the opinion that it would be in the best interest of the County, the Library, and the Library's patrons for the County to authorize the Library Director to waive, write off, and forgive in accordance with the Library's fine free policy, any and all unpaid library fines, including but not limited to the newly discovered fines referenced above, as well as any such fines that may be discovered in the future.

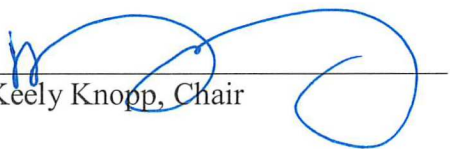
NOW, THEREFORE, BE IT RESOLVED by the Buncombe County Library Board as follows:

1. That it hereby recommends that the Buncombe County Board of County Commissioners authorize the Library Director to waive, write off, and forgive in accordance with the Library's fine free policy, any and all unpaid library fines, including but not limited to the newly discovered fines referenced above, as well as any such fines that may be discovered in the future;
2. That any prior acts or resolutions, or parts thereof, of the Library Board in conflict with the recommendations herein contained are, to the extent of such conflict, superseded and repealed.
3. That it recommends that the Buncombe County Chair, Vice-Chair, and County Manager, or any one of them, or their designee, be authorized to execute such documents as may be required to effect the purposes and intents of this Resolution
4. That it recommends that, by and with the consent of the County Legal Department, County staff be instructed to proceed with this undertaking and all

acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.

5. That this resolution shall become effective upon its adoption.

BUNCOMBE COUNTY LIBRARY  
BOARD

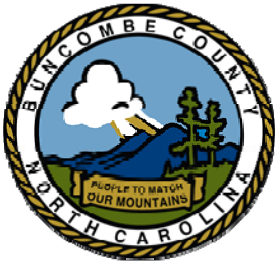
By: 

Keely Knopp, Chair

ATTEST

  
Sarah Gransee

Branch Services Manager



## Buncombe County Board of Commissioners

### Request for Board Action

Meeting Date: March 21, 2023

#### Consent Agenda

**Department:** Budget

**Presenter(s):** John Hudson, Budget

**Contact(s):** Dr. Jim Causby, Asheville City Schools, and John Hudson, Budget

**Subject:** Asheville High School Renovation & Baseball Field Lighting

**Brief Summary:** Asheville City Schools is requesting to apply for \$715,000 from the Public School Building Capital Fund- North Carolina Education Lottery.

The funds will be for two projects at Asheville High School:

- 1) Renovations of classroom space near the school's media center. Estimated cost is \$355,000.
- 2) Lighting of baseball field. Estimated cost is \$360,000.

The Asheville City Board of Education has approved the request to make application and now submits the request for approval.

**Recommended Motion & Requested Action:** Support and approve this request

**County Manager's Comments & Recommendation:** County Manager recommends as presented



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**Consent Agenda**

**Department:** Sustainability

**Presenter(s):** Jeremiah LeRoy

**Contact(s):** Jeremiah LeRoy

**Subject:** Interlocal Agreement – North Fork Solar Feasibility

**Brief Summary:** As a part of the County's efforts to achieve its strategic goal of reducing greenhouse gas emissions, and at the direction of the County's Energy and Environment Subcommittee, the County is exploring the feasibility of utility scale solar installations on bodies of water located in the County. As a part of this process, the North Fork reservoir has been identified as a location to assess for feasibility.

At this time, the County will primarily focus on the Lake Julian location as the most viable option, however as North Fork is property owned by the City of Asheville, an interlocal agreement is needed for the County to conduct this assessment. This agreement has been approved by City Council and will allow site access necessary to move forward with assessing the North Fork Property should it prove to be a viable option in the future.

**Recommended Motion & Requested Action:** Approve Interlocal Agreement

**County Manager's comments and Recommendation:** County Manager recommends as presented

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

**INTER-LOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE  
AND THE COUNTY OF BUNCOMBE, NC**

This Agreement is entered into on March \_\_\_\_, 2023 by and between the COUNTY OF BUNCOMBE, a body politic and corporate, organized and existing under the laws of the State of North Carolina (hereinafter referred to as "County") and the CITY OF ASHEVILLE, a municipal corporation of the State of North Carolina (hereinafter "City"). This agreement will be valid until December 31, 2023.

WHEREAS, per City Council Resolution No. 18-279, the City established a goal to transition to 100% renewable energy from fossil fuel energy by December 31, 2030; and

WHEREAS, onsite renewable energy systems will support City Council Resolution No. 11-77 to reduce the municipal carbon footprint at a rate of 4% per year; and

WHEREAS, City Council Resolution No. 22-214 authorized the City to enter into this Interlocal Agreement with Buncombe County to study the feasibility of installing a solar energy system on the North Fork Reservoir; and

WHEREAS, the City and County partnering on this project will reduce the fiscal burden from the City to study installing a floating solar energy system on the North Fork Reservoir; and

WHEREAS, pursuant to GS §160A-461 and GS §153A-445, the city and County may enter into contracts or agreements with other governmental entities to execute a joint undertaking

WHEREAS, the City and County mutually wish to partner on this initiative and find that, under the terms of this Agreement, it is in the best interests of both parties and that the undertaking will benefit the public.

NOW THEREFORE, in consideration of the mutual promises made in this Agreement and the mutual reliance placed by each party on the responsibilities of each party, and such other considerations as the parties agree is good and sufficient, it is agreed as follows:

**1. CITY RESPONSIBILITIES:**

- a. Work with Buncombe County staff and associated vendors to provide information and access to the selected City sites.
- b. Participate in determining what studies are required to measure feasibility.
- c. Work with Buncombe County staff to compile the final feasibility report for North Fork Reservoir.
- d. The City shall have no responsibility for the costs of this feasibility study.

**2. COUNTY RESPONSIBILITIES**

- a. Retain professional services for feasibility studies identified by the City/County project team.
- b. Manage vendor outreach, procurement, agreements for all professional services required and all fees associated with such services.
- c. Provide fiscal management and oversight of all funds used for the contract for the renewable energy feasibility site assessments.
- d. The County shall have sole responsibility for the costs of this feasibility study.

**3. TERM OF AGREEMENT**

This agreement will be valid until December 31, 2023 unless otherwise agreed to by the parties.

#### **4. ACCOUNTABILITY AND FINANCIAL REPORTING**

- a. Each party shall make available such records and accounts including property, personnel and financial records as are deemed necessary to assure a proper accounting and financial reporting.

#### **5. INDEMNIFICATION AND INSURANCE**

Indemnification: The City agrees to indemnify and hold harmless the County and any of their officers, agents and employees from any claims of third parties arising out of any act or omission of the City in connection with the performance of this contract.

The County agrees to indemnify and hold harmless the City and any of their officers, agents and employees from any claims of third parties arising out of any act or omission of the County in connection with the performance of this contract.

Insurance: The City is self-insured for general liability and maintains excess general liability coverage up to \$15,000,000 per occurrence: Including coverage for bodily injury and property damage. In addition, the City is self-insured for workers' compensation and maintains excess workers' compensation coverage per statutory requirement and carries \$1,000,000 of employer's liability insurance. The City shall provide a copy of its self-insurance certificate and evidence of excess general liability and workers' compensation coverage at the time of execution of this Agreement.

The County is self-insured for general liability and maintains excess general liability coverage up to \$15,000,000 per occurrence: Including coverage for bodily injury and property damage. In addition, the County is self-insured for workers' compensation and maintains excess workers' compensation coverage per statutory requirement and carries \$1,000,000 of employer's liability insurance. The County shall provide a copy of its self-insurance certificate and evidence of excess general liability and workers' compensation coverage at the time of execution of this Agreement.

- (a) Providing and maintaining the types and amounts of insurance or self-insurance specified in this paragraph is a material obligation of the City and County.
- (b) The City and County shall comply at all times with all lawful terms and conditions of each of its insurance policies and all lawful requirements of its insurer.
- (c) The City and County shall each demonstrate compliance with the requirements of this paragraph by submitting Certificates of Self-Insurance to each other.

#### **6. LAWS**

The City and the County agree to comply with all federal, state and local laws in the course of its business and as a condition of this Agreement. The City and County agree to provide the other any information necessary should they require additional documentation.

#### **7. GOVERNING LAW**

This agreement and the rights and obligations of the parties hereunder shall be governed in all respects by the laws of the State of North Carolina. This agreement and documents made in connection with its performance are or may be public records pursuant to North Carolina law.

#### **8. ENTIRE AGREEMENT**

This Agreement constitutes the entire written Agreement of the parties with respect to the matters set forth herein. The Agreement may be revised, extended or amended by written agreement by both parties.

## **9. SEVERABILITY**

Should any provision or provisions contained in this Agreement be declared by a court of competent jurisdiction to be void, unenforceable or illegal, such provision or provisions shall be severable and the remaining provisions hereof shall remain in effect.

## **10. E-VERIFY**

E-Verify Employer Compliance: Employers and their subcontractors with 25 or more employees as defined in Article 2 of Chapter 64 of the NC General Statutes must comply with E-Verify requirements to contract with governmental units. E-Verify is a Federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law. E-verify can be accessed via this link: <http://www.uscis.gov/e-verify/employers>

## **11. NON-DISCRIMINATION**

In accordance with State and Federal laws, each party shall not discriminate against any person on the basis of sex, national origin, race, ethnic background, color, religion, age or disability in its program activities related to this Agreement.

## **12. REPRESENTATIVES**

The County's designated representative and mailing address of the representative is as follows:

Buncombe County Office of Sustainability  
Attention: Jeremiah P. LeRoy  
200 College Street, Suite 400  
Asheville, NC 28801  
[jeremiah.leroy@buncombecounty.org](mailto:jeremiah.leroy@buncombecounty.org)  
828-250-4976

The City's designated representative and mailing address of the representative is as follows:

Debra Campbell, City Manager  
PO Box 7148  
Asheville, NC 28802  
[dcampbell@ashevillenc.gov](mailto:dcampbell@ashevillenc.gov)  
828-259-5604

Daily Contact for the City:  
Bridget Herring  
Sustainability Director  
PO Box 7148  
Asheville, NC 28802  
[bherring@ashevillenc.gov](mailto:bherring@ashevillenc.gov)  
828-259-5558

**ATTEST:** **CITY OF ASHEVILLE**

By: \_\_\_\_\_  
(Debra Campbell, City Manager)

\_\_\_\_\_  
Magdalen Burleson, City Clerk  
(Official Seal)  
\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

**This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.**

\_\_\_\_\_  
**City of Asheville Chief Financial Officer** **DATE**\_\_\_\_\_

State of North Carolina  
County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and voluntarily acknowledged that she is the City Clerk of the City of Asheville, a North Carolina municipal corporation, and that by authority given and as an act of the corporation, that the foregoing instrument was signed in its name by the City Manager and attested by herself its City Clerk.

Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires:\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print or Type Name

**ATTEST:**

**BUNCOMBE COUNTY**

By: \_\_\_\_\_  
(Avril Pinder, County Manager)

\_\_\_\_\_, County Clerk  
(Official Seal)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

**This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.**

\_\_\_\_\_  
**Buncombe County Chief Financial Officer**      **DATE**\_\_\_\_\_

State of North Carolina  
County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that Lamar Joyner personally appeared before me this day and voluntarily acknowledged that he is the County Clerk of Buncombe County, a North Carolina municipal corporation, and that by authority given and as an act of the corporation, that the foregoing instrument was signed in its name by the County Manager and attested by himself its County Clerk.

Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print or Type Name



## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: March 21, 2023**

#### Consent Agenda

**Department:** Budget

**Presenter(s):** John Hudson, Budget

**Contact(s):** Jeremiah LeRoy, Sustainability

**Subject:** Volkswagen (VW) Settlement Funding for Charging Stations

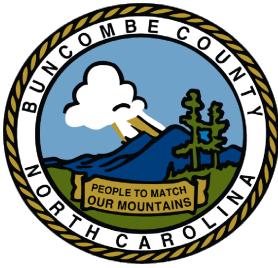
**Brief Summary:** Utilizing a grant from NCDEQ, the Sustainability Office seeks to replace three inoperable vehicle charging stations at Leicester Crossing. The new stations would be available to the general public, as well as public employees that serve in this location. These chargers will be free to the public. The County does pay utility costs for the facility.

The total award is \$15,000. No grant cost share is required.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #23-03-13



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**Grant Projects Ordinance**

**BOARD MEETING DATE: March 21, 2023**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 Grants Projects outlined below in Exhibit "A" to the budget,

**NOW THEREFORE,**

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 21st day of March, 2023

|                         |                                             |
|-------------------------|---------------------------------------------|
| <b>Granting Agency:</b> | NC Dept. of Environmental Quality           |
| <b>Grant Name:</b>      | VW Settlement Funding for Charging Stations |

**Description:**

Utilizing a grant from NCDEQ, the Sustainability Office seeks to replace three inoperable vehicle charging stations at Leicester Crossing. The new stations would be available to the general public, as well as public employees that serve in this location.

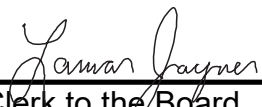
**Funding Source:**

Grant Funds

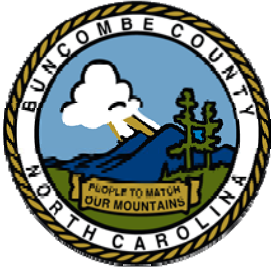
| Exhibit A:<br>Account Description | Increase (Decrease) |                  |
|-----------------------------------|---------------------|------------------|
|                                   | Revenues            | Expenditures     |
| VW Settlement Funding             | \$ 15,000           | \$ 15,000        |
| <b>TOTAL</b>                      | <b>\$ 15,000</b>    | <b>\$ 15,000</b> |

**ATTEST:**

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

  
Clerk to the Board

By:   
Chairman of the Board



## **Buncombe County Board of Commissioners**

### **Request for Board Action**

**Meeting Date: March 21, 2023**

#### **Consent Agenda**

**Department:** Recreation Services

**Presenter(s):** John Hudson, Budget

**Contact(s):** Allison Dains, Recreation Services

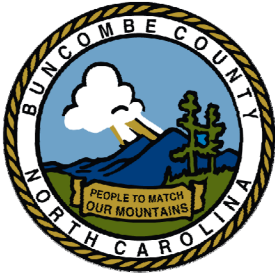
**Subject:** Lake Julian Festival of Lights Grant

**Brief Summary:** Buncombe County has been awarded a grant from the Buncombe County Tourism Development Authority/Explore Asheville's Festivals and Cultural Events Fund in the amount of \$5,000. This award will reimburse the County for costs related to displays, lights, and safety supplies associated with the County's Festival of Lights at Lake Julian this past December. No County match is required.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #23-03-14



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**Grant Projects Ordinance**

**BOARD MEETING DATE: March 21, 2023**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 Grants Projects outlined below in Exhibit "A" to the budget,

**NOW THEREFORE,**

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 21st day of March, 2023

|                         |                                                       |
|-------------------------|-------------------------------------------------------|
| <b>Granting Agency:</b> | Buncombe County Tourism Development Authority/Explore |
| <b>Grant Name:</b>      | Lake Julian Festival of Lights Grant                  |

**Description:**

Buncombe County has been awarded a grant from the Buncombe County Tourism Development Authority/Explore Asheville's Festivals and Cultural Events Fund in the amount of \$5,000. This award will reimburse the County for costs related to displays, lights, and safety supplies associated with the County's Festival of Lights at Lake Julian this past December. No County match is required.

**Funding Source:**

Buncombe County Tourism Development Authority/Explore Asheville Festivals and Cultural Events Support Fund

| Exhibit A:<br>Account Description               | Increase (Decrease) |                 |
|-------------------------------------------------|---------------------|-----------------|
|                                                 | Revenues            | Expenditures    |
| Fund 327 - Lake Julian Festival of Lights Grant | \$ 5,000            | \$ 5,000        |
| <b>TOTAL</b>                                    | <b>\$ 5,000</b>     | <b>\$ 5,000</b> |

**ATTEST:**

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

  
\_\_\_\_\_  
Clerk to the Board

By:   
\_\_\_\_\_  
Chairman of the Board



## Buncombe County Board of Commissioners

### Request for Board Action

Meeting Date: 03/21/2023

#### Good News

**Department:** Emergency Services

**Presenter(s):** Alex McKnight, Emergency Services Finance Manager

**Contact (s):** Rafael Baptista, Strategy & Innovation Director  
Alex McKnight, Emergency Services Finance Manager

**Subject:** Taylor Jones Recognized as Top 100 Influencer in Local Government

**Brief Summary:** Taylor Jones has been recognized by *Engaging Local Government Leaders* (ELGL) as a Top 100 Influencer in Local Government. The award, previously named the Traeger Award, was named in the spirit of Chris Traeger, the city manager for the fictional City of Pawnee, Indiana on the show "Park and Recreation." He was known for extreme energy and commitment to improving local government. The List is based on an individual's influence in their community and outside their community through professional associations, mentoring, and writing. Most importantly, everyone on the list was nominated by a friend or peer who thinks they're doing amazing work.

Taylor, since taking on the role of Director of Emergency Services has worked to advance improvements to the community as well as the Emergency Services team despite a worldwide pandemic, national recruitment/retention workforce deficits, and a countywide 50% increase to EMS call volume. Taylor centers his leadership style around equity, inclusion, and the development and growth of staff. He is quick to promote the wonderful advancements of the department and those who make it possible and accepts responsibility in areas needing improvement. One of Taylor's catch phrases is, "*No One of us is smarter than All of us.*" He demonstrates this daily with his ability to reach across departments to foster teamwork and unity across Buncombe County Leadership. Taylor is described by this award as visionary, a convener, and inspiring.

Congratulations to Taylor on this very notable recognition.



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**Presentations**

**Department:** Equity & Human Rights Office

**Presenter:** DK Wesley

**Contacts:** DK Wesley, Assistant County Manager

**Subject:** Women's History Month Proclamation

**Brief Summary:** Recognition of Women's History Month in Buncombe County for March 2023.

*County of Buncombe*  
*Proclamation*

Women's History Month

WHEREAS, March is nationally recognized as Women's History Month; and

WHEREAS, Buncombe County is proud to join in the nation's celebration of Women's History Month and the 2023 theme "Celebrating Women Who Tell Our Stories," which honors women in every community who have devoted their lives and talents to producing art, pursuing truth, and reflecting the human condition decade after decade; and

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to our nation and community in countless recorded and unrecorded ways; and

WHEREAS, Buncombe County is committed to creating an inclusive community that celebrates diversity and ensures all residents have equitable opportunities to lead healthy, peaceful, safe and sustainable lives; and

WHEREAS, whether serving in elected positions across America, leading groundbreaking civil rights movements, venturing into unknown frontiers, or programming revolutionary technologies, generations of women that knew their gender was no obstacle to what they could accomplish have long stirred new ideas and opened new doors, having a profound and positive impact on our community; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life by constituting a significant portion of the labor force working inside and outside of the home; and

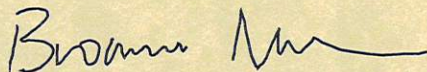
WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our communities; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist, emancipation, labor, civil rights, justice, and other movements; and

WHEREAS, despite these contributions, the role of women in American history has often been overlooked and undervalued in literature, education, and culture.

NOW, THEREFORE, BE IT RESOLVED, that on this 21<sup>st</sup> day of March 2023, the Buncombe County Board of Commissioners does hereby proclaim March 2023 as Women's History Month, a time to celebrate the important contributions that women have made to our families, our stories, our community, our state, and our nation.



---

Brownie Newman  
Chairman, Buncombe County Board of Commissioners



# Creative Equity Mural Project

*Presented by*

Rachael Sawyer Nygaard

Buncombe County Strategic Partnerships

Board of Commissioners Meeting 3/21/23



# Equity Mural Project Overview

Call for artists submissions seeking original mural art to be placed on county property and/or facilities: [buncombecounty.org/equitymural](https://buncombecounty.org/equitymural)

## Goals:

1. Pilot a public art program
2. Align with Buncombe County's core value of Equity
3. Enhance a culture of diversity, equity, inclusion and belonging
4. Beautify public spaces and facilities

## Theme:

Reflect the people and place of Buncombe County and incorporate concepts related to racial equity, reconciliation and restoration



# Timeline



# Selection Committee

**Alexandra Duncan**, Public Libraries

**Betsey Brown**, Air Quality

**Christopher Menjivar**, Human Resources

**DeWayne Barton**, Asheville Creative Arts/Hood Huggers International

**DK Wesley**, Assistant County Manager

**Drew Reisinger**, Register of Deeds

**Hannah Legerton**, Justice Services

**Karli Stephenson**, City of Asheville

**Katie Cornell**, Arts AVL

**Mike Mace**, General Services

**Rachael Sawyer Nygaard**, Strategic Partnerships

**Rasheeda Hall**, Communications & Public Engagement



# Selection Criteria

**Reflection of the people and sense of place in Buncombe** – Artwork reflects the history, people, places, community values, and/or culture of Buncombe County

**Reflection of racial equity, reconciliation and restoration** – Artwork reflects systemic racism and themes of hope, resolution, redemption, reconciliation and/or restoration

**Positive contribution to community appearance, aesthetics, enhancements and/or character** – Artwork would have a positive impact the physical space/facility where it is placed

**Vendor experience and capacity to implement project** – Submitter (and collaborative partners if applicable) demonstrate the ability to deliver the project as proposed

**Project implementation** – Reasonable plan for carrying out the project, including cost, timeline, materials, durability, etc



# By the Numbers

**21** Submissions

**12** Selection Committee Reviewers

**5** Review criteria

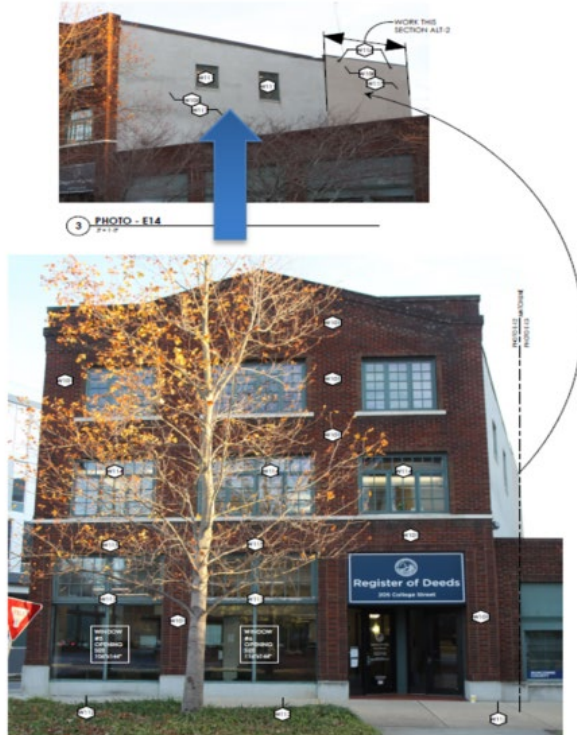
**5** Finalists

**3** Awards

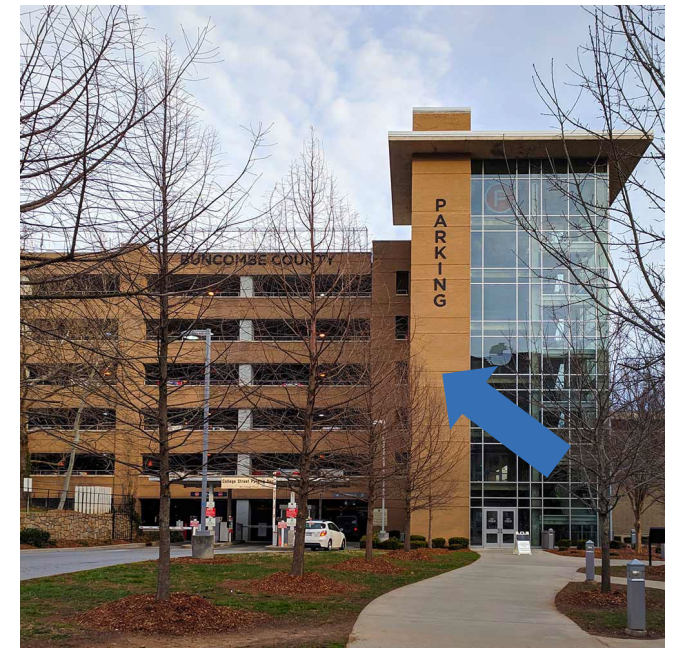


# Mural Locations

Register of Deeds building  
at 205 College St.



Exterior of Parking Deck  
at 164 College St



# Selected Artists

## Gabriel Eng-Goetz

Artist/Designer/Creative Director



Register of Deeds Building

Sketchonic Design



Hilliard St. Wall

## Jared Wheatley

Indigenous Walls Project

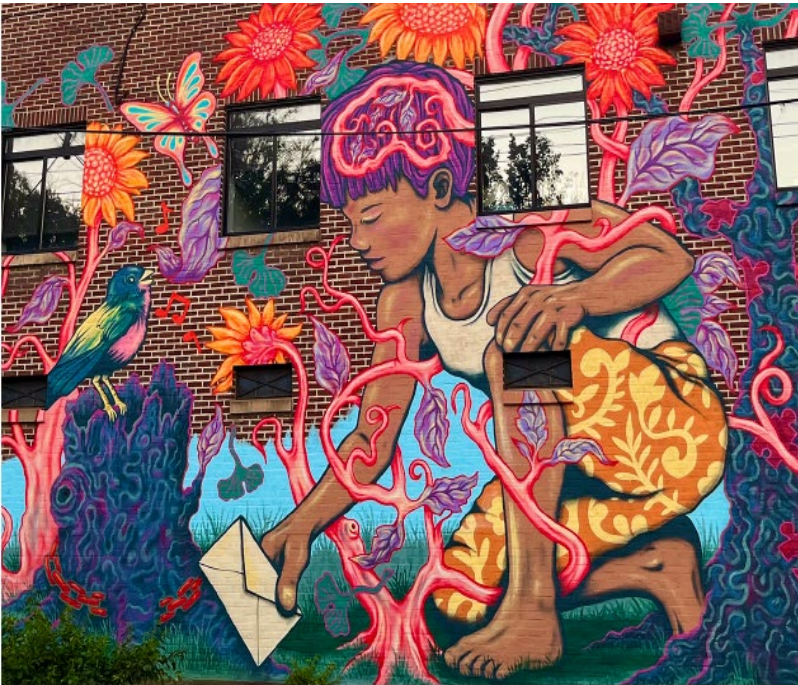


College St. Parking Deck



# Gabriel Eng-Goetz

*Sample work*



Register of  
Deeds Building



BUNCOMBE COUNTY



3/20/2023

# Leslie Reynalte-Llanco

*Draft design*



Hilliard St.  
Wall



BUNCOMBE COUNTY



3/20/2023

# Jared Wheatley

*Draft design*



College St.  
Parking Deck



BUNCOMBE COUNTY



3/20/2023

# Funding Source

|                                                                                     |            |
|-------------------------------------------------------------------------------------|------------|
| Local Assistance and Tribal Consistency Funding<br>adopted for public art (12/5/22) | \$153,438  |
| Creative Equity Mural Project                                                       | - \$98,217 |
| Remaining funds for future public art projects                                      | \$55,221   |



# Next Steps

Artists will coordinate community engagement and secure County approval for finalized designs

Artists will install murals within 12 months

County will promote the works as part of the overall Creative Equity Mural Project

County will provide maintenance as needed and display murals for a period of at least 5 years





## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: 3/21/2023**

#### **New Business**

**Department:** County Manager

**Presenter(s):** Jill Carter; Ariel Zijp

**Contact(s):** Jill Carter, Ariel Zijp

**Subject:** Open Space Bond Conservation Criteria Adoption

**Brief Summary:** The Open Space Bond allocates \$30 million to Conservation, Greenways, and Passive Recreation Lands projects. To determine how best to allocate funding towards conservation, staff – with input from the Agriculture Advisory Board, Land Conservation Advisory Board, and the public – have developed a set of criteria for evaluating land conservation projects. We ask that the Commissioners adopt this final criteria, enabling the team to begin evaluating conservation projects and recommending them for funding.

**Recommended Motion & Requested Action:** Adopt Open Space Bond Conservation funding evaluation criteria.



# OPEN SPACE BOND CONSERVATION EASEMENT CRITERIA AND PROCESS

*Presented by*

Jill Carter

Open Space Bond Project Manager

County Management

Ariel Zijp

Farmland Preservation Manager

Ag and Land Resources Department



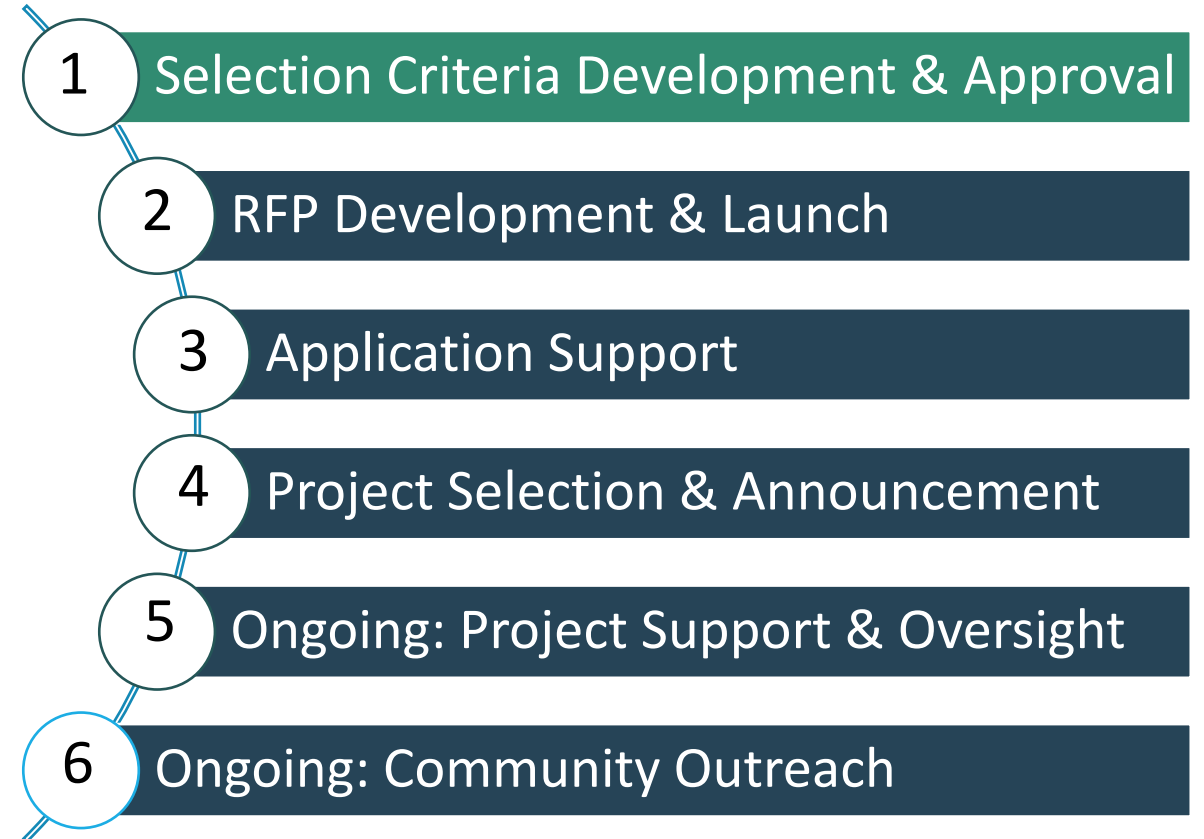
# Agenda

- 1) Open Space Bond Overview & Update
- 2) Conservation Project Evaluation System & Criteria



# Open Space Bond Overview

**\$30M Open Space Bond**  
Land Conservation  
Greenways  
Passive Recreation Lands



# Open Space Bond Update

## Complete

- ✓ Selection of Advisory Boards & Oversight Committee
- ✓ Bond Project Manager Hired
- ✓ Public Input Page Launched

**All evaluation  
criteria expected  
to be complete by  
end of June 2023**

## Next Steps

### Conservation Easement

- ☐ First project selection expected Summer 2023

### Passive Recreation

- ☐ Project application window open expected Fall 2023

### Greenways

- ☐ Woodfin and Enka receiving funding for completion



**Status:** [Public Input Page](#) live on March 1

Video: [Passive Recreation – Collier Cove](#)

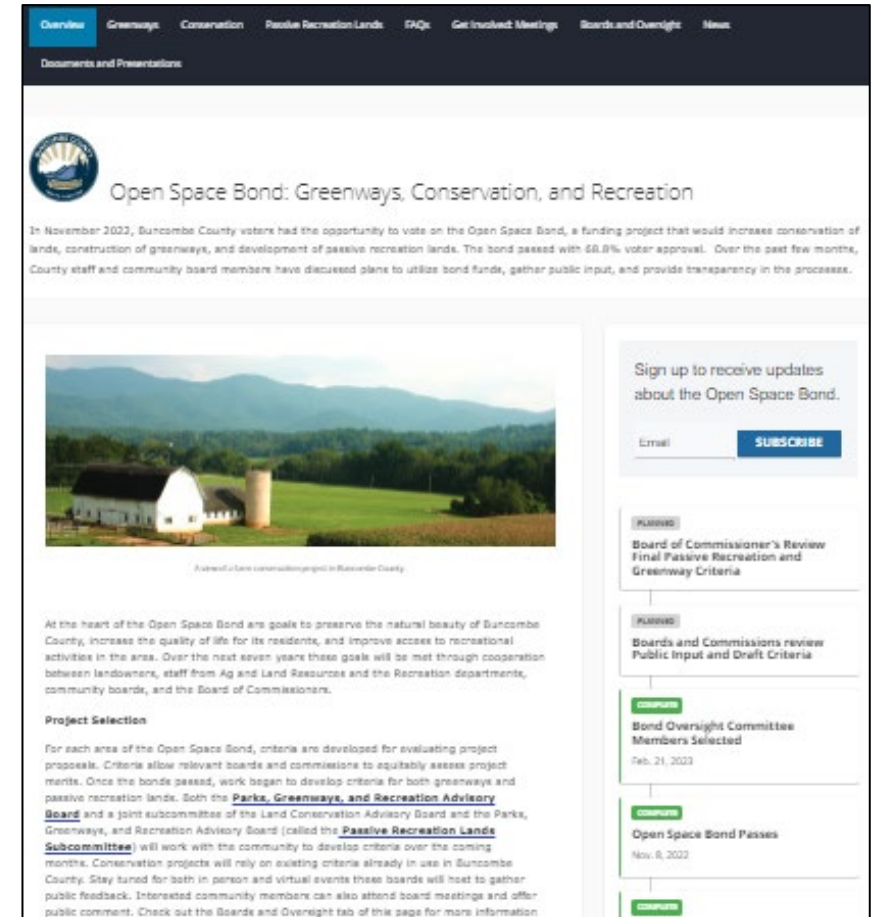
Video: [Conservation Easements](#)

Profile: [Bond Manager Hired](#)

WLOS Article: [Story Maps](#)

**Upcoming:** Public Input Surveys for Greenways & Passive Recreation

**Ongoing:** Regular outreach and transparency regarding meetings, process updates



# Advisory Boards for Land Conservation

## Two Boards oversee the Process:

### **Land Conservation Advisory Board (LCAB)**

Eligible Funding Recipients: Nonprofit land trusts

Focus Areas: Wildlands, viewsheds, farmland, forestland, stream/riparian, and/or public benefit

### **Agricultural Advisory Board (AAB)**

Eligible Funding Recipients: County-led Farmland Preservation Program

Focus Areas: Farm and forestland



# Evaluation System

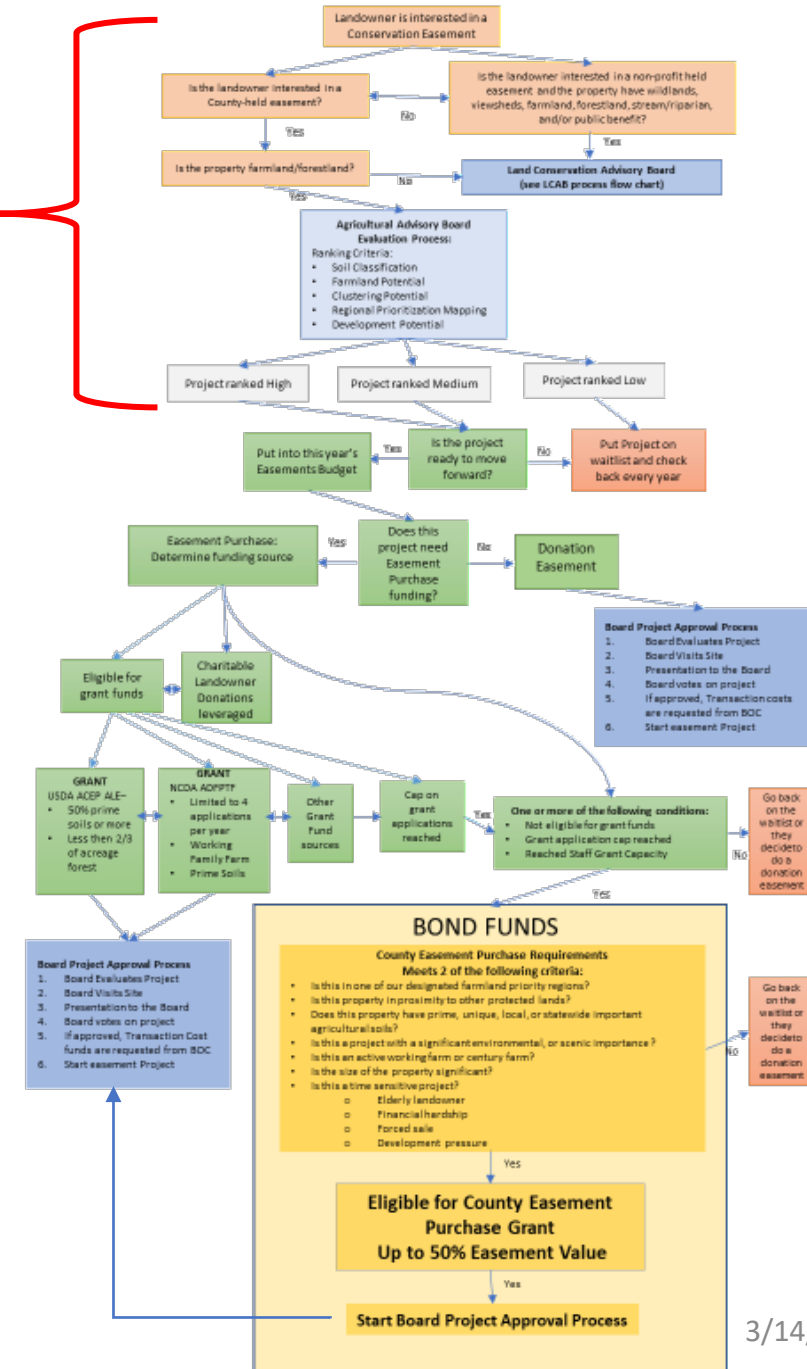
## Two Tiered Evaluation:

1. Rank land using criteria
2. Determine funding source and amount the project is eligible for  
Grant Funds, General Fund, Bond Funds,  
Easement purchase and/or transaction costs



## Ranking criteria

## Funding source and amount



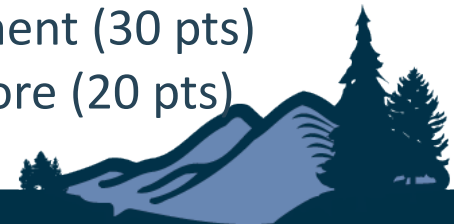
## A. Land Evaluation (35%)

1. Farmland Soils Assessment (50 pts)
  - Prime Soils
  - Unique Soils
  - Local and Statewide Important Soils
2. Forestland Soils Assessment (50 pts)
  - High Index Soils
  - Medium Index Soils
  - Low Index Soils

**Ranking points total is a  
weighted sum**

## B. Site Assessment (65%)

1. **Clustering Potential (100 pts)**
  - Tract Size (50 pts)
  - Contiguous Land Preservation (40 pts)
  - Proximity to Ag Preservation District ( 10 pts)
2. **Farmland Potential (100 pts)**
  - Priority Ranking Score (30 pts)
  - % of Tract in Ag (20 pts)
  - Land Stewardship (30 pts)
  - Historic/Scenic/Env Qualities (15 pts)
  - Century Family Farm (5 pts)
3. **Development Pressure(100 pts)**
  - Proximity to Public Water/Sewer (50 pts)
  - Proximity to Planned Development (30 pts)
  - Ag Threat and Viability Map Score (20 pts)



# AAB Easement Purchase Criteria

## BOND FUNDS

### County Easement Purchase Requirements Meets 2 of the following criteria:

- Is this in one of our designated farmland priority regions?
- Is this property in proximity to other protected lands?
- Does this property have prime, unique, local, or statewide important agricultural soils?
- Is this a project with a significant environmental, or scenic importance ?
- Is this an active working farm or century farm?
- Is the size of the property significant?
- Is this a time sensitive project?
  - Elderly landowner
  - Financial hardship
  - Forced sale
  - Development pressure

Yes

**Eligible for County Easement  
Purchase Grant  
Up to 50% Easement Value**

Yes

**Start AAB Project Approval Process**

### AAB Board Project Approval Process

1. Board evaluates project
2. Board visits site
3. Presentation to the board by staff and landowners
4. Board votes on the project
5. If approved, transaction costs are request from BOC
6. Start easement project



## **A. Land Trust Partner Evaluation – (meets criteria or does not)**

Applicants Organization Track Record  
Long-term Protection of County's  
Investment  
Evidence of Collaboration Among  
Conservation Organizations  
Previous Project Completion  
Value of Project  
Integrity of Easement

## **B. Conservation Value of the Project – 100 points**

Scenic Viewshed Protection - 10 pts

Natural Areas Protection/Biological Values – 10 pts

Water Quality Protection/Restoration – 10 pts

Farmland Preservation – 10 pts

Public Benefit – 10 pts

Historic/Cultural Resource Protection – 10 pts

Funding Leverage – 15 pts

Value Added to the Project – 15 pts



# LCAB Easement Purchase Criteria

## BOND FUNDS

### County Easement Purchase Requirements Must meet at least 2 of the following conditions:

- Is this in an LCAB priority region?
- Is this a project with significant environmental and/or scenic importance
- Are there significant recreational opportunities, water quality or open space benefits of the project?
- Is this a time sensitive project?
  - Elderly landowner
  - Financial hardship
  - Forced sale
  - Development pressure

Yes

Eligible for County Easement  
Purchase Grant  
25- 50% Easement Value

Yes

Start LCAB Project Approval Process

### LCAB Board Project Approval Process

1. Board evaluates project
2. Board visits site
3. Presentation to the board by staff and landowners
4. Board votes on the project
5. If approved, transaction costs are request from BOC
6. Start easement project





# Questions?





**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**New Business**

**Department:** Legal

**Presenter(s):** Michael Frue

**Contact(s):** Michael Frue, Senior Staff Attorney

**Subject:** Resolution Requesting Quiet Zone at Private Rail Crossing

**Brief Summary:** A group of four hotel owners on Tunnel Road near East Asheville exit #55 off Interstate 40 have hired The Van Winkle Law Firm to ask that the County Commissioners adopt a resolution to request that Norfolk Southern establish a quiet zone related to Crossing 951131D. These hotels are in close proximity to this crossing which is a private crossing serving as limited access to a small number of parcels: a billboard sign and MSD lines are located in that area. Norfolk Southern was notified of MSD's use of the crossing in 2019 and per Federal Railroad Administration guidelines Norfolk was required to have its trains blow their horns. Trains use the line regularly while the crossing itself is rarely used. The resulting noise obviously conflicts with the various lodging facilities and the guests that are trying to sleep.

This request does not commit any County funding.

MSD indicates they have no objection to a quiet crossing at this location so long as their right of access is preserved.

RESOLUTION #23-03-15

RESOLUTION REQUESTING QUIET ZONE AT PRIVATE RAIL CROSSING

-----

- WHEREAS, there is a private railroad crossing near Exit 55 off I-40 in East Asheville identified by Norfolk Southern as Crossing 951131D;
- WHEREAS, only a billboard sign and MSD sewer lines are located in that area accessed by the private crossing, and when MSD worked to update some of its infrastructure in the area MSD was required to negotiate a private crossing agreement with Norfolk Southern in late 2018, and trains now blow their horns every night;
- WHEREAS, a group of four hotel owners on Tunnel Road near Crossing 951131D have tried to negotiate a resolution with the railroad without success, and they have now hired The Van Winkle Law Firm to ask that the County Commissioners adopt a resolution to request that Norfolk Southern establish a quiet zone at this crossing;
- WHEREAS, information provided indicates the quiet zone impetus is typically triggered by a public crossing conflicting with nearby residences or businesses; Federal regulations require safety measures be taken for public crossings; However, Norfolk has informed the hotel owners that its standards expands beyond federal guidance to blow horns at every crossing- private or public;
- WHEREAS, counsel for MSD has indicated that they have no objection to a quiet crossing at this location so long as their right of access is preserved;
- WHEREAS, this Board is advised that railroads have general responsibility to protect the traveling public at crossings; and
- WHEREAS, this Board is of the opinion that if a quiet zone can be safely placed at Crossing 951131D then this Board will support this request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

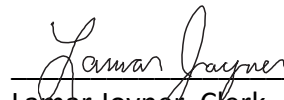
1. That this Board requests the establishment of a quiet zone by Norfolk Southern at Crossing 951131D consistent with this resolution and directs its County Attorney's to assist as reasonably necessary.
2. That no Buncombe County funds will be expended in this matter.

3. That all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
4. That this resolution shall be effective upon its adoption.

This the 21<sup>st</sup> of March, 2023.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

  
\_\_\_\_\_  
Lamar Joyner, Clerk

By:   
\_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

  
\_\_\_\_\_  
County Attorney



## 951131D

|            |                     |
|------------|---------------------|
| CROSSING   | 951131D             |
| EFFDATE    | 31/12/1969, 7:03 PM |
| StateCode  | 37                  |
| CountyCode | 37021               |
| STCYFIPS   | 3737021             |
| CITYCD     | 370214510           |
| TYPE       | 0                   |
| RAILROAD   | NS                  |
| RRDIV      | PIEDMONT            |
| RRSUBDIV   | ASHEVILLE           |
| HIGHWAY    | PVT                 |
| STREET     | PRIVATE             |
| TTSTN      |                     |
| MILEPOST   | 0133.710            |
| TYPEXING   | 2                   |
| POSXING    | 1                   |
| PRVCAT     | 13                  |



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**New Business**

**Department:** Strategy & Innovation

**Presenter(s):** Rafael Baptista, Strategy & Innovation Director

**Contact(s):** Rafael Baptista & Derrick Ruble, Public Safety Communications Director

**Subject:** 911 Situational Overview and Recommendations

**Brief Summary:** As a result of increased call volume and staffing shortages, the Public Safety Communications Center is currently facing challenges and requires additional support. Over several months, multiple strategies have been implemented to meet this challenge, including but not limited to double-pay for additional shift pick up, utilizing off-duty first responders, redeploying staff from across the county to support operational/ planning needs and securing services for increased well-being. Additionally, center leadership has worked with county management and human resources to expedite and bolster recruitment. It is most important to retain the valuable center staff. To that end, County leadership is proposing temporary crisis pay stipends for telecommunicator employees until the staffing levels within the department have stabilized. That stabilization will be realized once the minimum standard of 67% of scheduled shifts are staffed and maintained for 30 days. All regular telecommunicators who have been with the County for at least six months will be eligible. No new additional funding is needed as the County will utilize lapsed salary within the department for this stipend.

**Recommended Motion & Requested Action:** Approve temporary crisis pay stipends as outlined in the table below:

| Shift Worked   | Weekday                  | Weeknight                | Weekend Day                | Weekend night              |
|----------------|--------------------------|--------------------------|----------------------------|----------------------------|
| Stipend Amount | \$8 hourly<br>\$96 total | \$12 hour<br>\$144 total | \$15 hourly<br>\$180 total | \$20 hourly<br>\$240 total |

**County Manager's comments and Recommendation:** Approve temporary crisis pay stipends as outlined above



# 911 Situational Overview and Recommendations

---

*Presented by*

Rafael Baptista

Strategy & Innovation



# Agenda

- ✓ Current Situational Overview
- ✓ Short-Term Strategies
- ✓ Long-Term Strategies



# Current Situational Overview

- The 911 Center is dealing with a critical staffing situation
- The 911 Center has become dependent on off-duty first responders from EMS, Sheriff's Office, APD, AFD, and our local Fire Districts to attempt to meet minimum staffing standards
- All staff within the 911 center have been redeployed to work full-time as telecommunicators including operational and divisional managers; training and quality assurance staff



# Current Situational Overview

- First Responders from other agencies are a tremendous asset but are limited in the tasks they can perform within the 911 Center
- Lack of dedicated supervision and training is resulting in fewer trained staff performing independently on tasks that they would not normally be allowed to do
- The current vacancy rate for each 911 shift means that even before accounting for leave and training, the center is unable to meet the standard of 67% of slots within the Center staffed without overtime or surge staffing

| Shift        | Adam Day Shift | Baker Night Shift | Charlie Day Shift | David Night Shift |
|--------------|----------------|-------------------|-------------------|-------------------|
| Vacancy Rate | 38%            | 38%               | 61%               | 38%               |



# 2022 Call Volume Ranking

## 911 Calls

1. Charlotte Mecklenburg PD
2. Raleigh Wake 911
3. Guilford Metro 911
4. Durham 911
5. Winston-Salem PD
6. Buncombe County

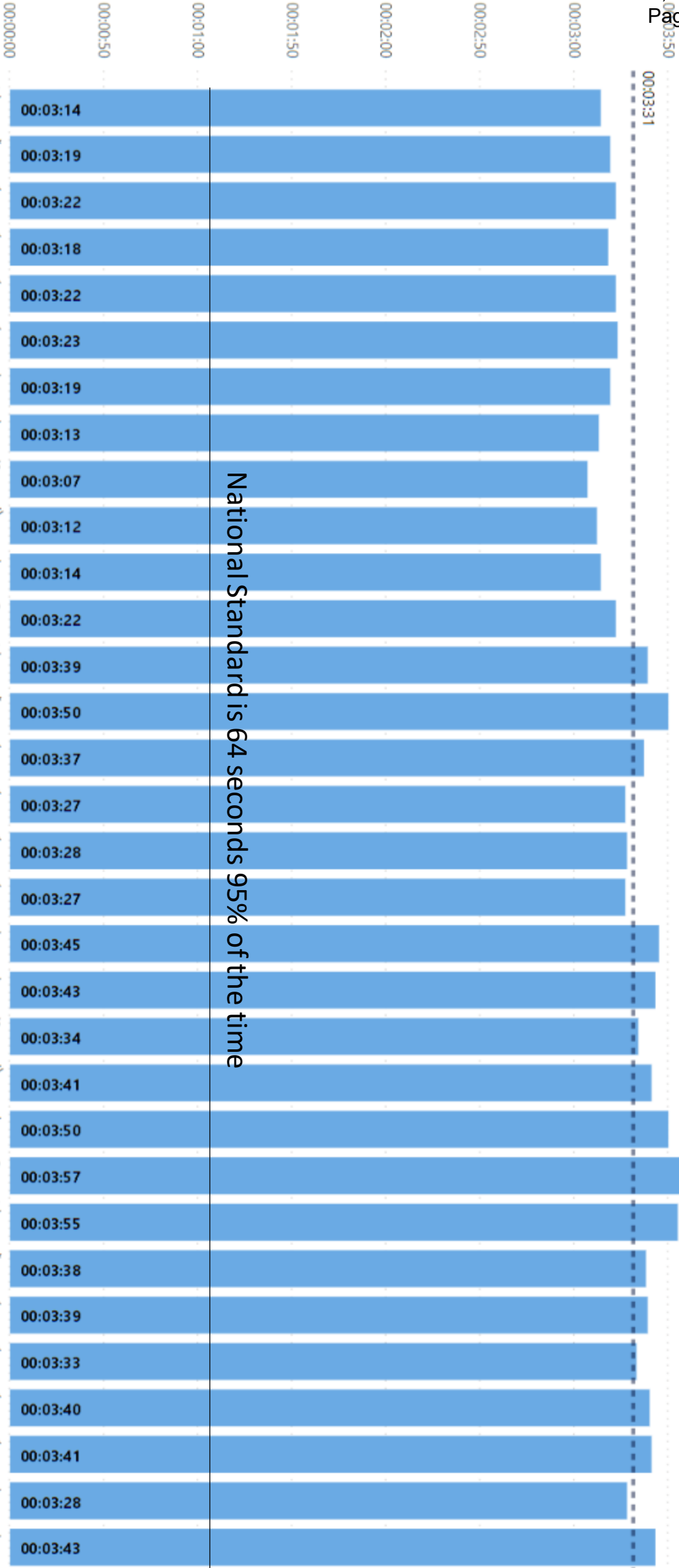
## Administrative Calls

1. Charlotte Mecklenburg PD
2. Raleigh Wake 911
3. Guilford Metro 911
4. Winston-Salem PD
5. Buncombe County



90<sup>TH</sup> Percentile Dispatch Time For Fire and EMS Calls

90th Percentile Call Received to Dispatch



National Standard is 64 seconds 95% of the time

# Challenges we are seeking to address

- Vacancies and high turnover within the 911 Center
- Imbalance of volume of calls to staff capacity within the 911 Center
- Dependence on other local agencies
- Technology and facility challenges



# Crisis Stipend Pay Recommendation

For all Buncombe County 911 Telecommunicators who have been on the job for at least 6 months, would receive a crisis stipend pay for each regularly worked shift as follows:

| Shift Worked   | Weekday                  | Weeknight                  | Weekend Day                | Weekend Night              |
|----------------|--------------------------|----------------------------|----------------------------|----------------------------|
| Stipend Amount | \$8 hourly<br>\$96 total | \$12 hourly<br>\$144 total | \$15 hourly<br>\$180 total | \$20 hourly<br>\$240 total |

The total cost per period is \$49,067.52

Stipend would last until the 911 Center has been able to fill 67% of slots within the 911 Center for 3 months utilizing only 911 staff



# Additional Short-Term Strategies In Progress

- Reduction of non-911 call volume
- Implementation of Automated Alarm Dispatch System
- Contracted support for Call Taking, Training, Recruitment and Quality Assurance
- Operational and Management Support from other County Agencies
- Staff recruitment



# Long-Term Strategies

- Technology and Facility Improvements
- Improvements to Center processes and policies
- Continued recruitment
- Awareness campaign to help connect community to non-emergency lines
- Examining regular pay for 911 telecommunicators
- Looking to increase EMS capacity in the County





## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: 3/21/2023**

#### **New Business**

**Department:** Planning

**Presenter(s):** Nathan Pennington, Planning Director

**Contact(s):** Matthew Cable, Community Development Division Manager

**Subject:** Homelessness Response Regular Full Time Position

**Brief Summary:** The National Alliance to End Homelessness was engaged by the City of Asheville in partnership with Buncombe County and with funding support from Dogwood Health Trust, to identify needs and develop a report containing recommendations to guide homelessness work within Buncombe County.

The resultant Within Reach report set forth strategies which can be implemented in the homeless service delivery system to positively impact people experiencing homelessness. The report specifically recommends Buncombe County hire one (1) full-time position to: "Provide direct coordination activities with the City on homeless issues and to support coordination efforts of County mainstream resources with the City of Asheville, [Continuum of Care] Board, and stakeholders."

The request is to establish one (1) new regular full-time position (Program Manager I) as part of a coordinated response to homelessness. This position would be located in the Planning Department's Community Development Division. Estimated lapse salary in the functional area will be used to cover the new position in FY 2023. If lapse salary is unable to cover the expense, the Budget Department would bring forward a budget amendment to the Board of Commissioners at a future meeting.

**Recommended Motion & Requested Action:** Approve the new full-time position.

**County Manager's Comments and Recommendation:** County Manager recommends as presented.



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**New Business**

**Department:** Economic Development

**Presenter(s):** Tim Love

**Contact(s):** Tim Love, Intergovernmental Relations

**Subject:** McCormick Field Renovation Project Funding

**Brief Summary:** The City of Asheville is pursuing the renovation and enhancement of McCormick Field in order to meet MLB mandates and provide additional community benefits. The City of Asheville has requested a funding partnership with the Asheville Tourists, TDA and Buncombe County. Buncombe County Commissioners have reviewed this item at the December 13th Budget Retreat and March 7th Briefing. The City of Asheville has presented two project scenarios with total costs, including interest, of \$56M and \$43M respectively. The current financial scenarios include a Buncombe County financial placeholder for a total of \$5,000,000, or \$250,000 for a 20-year period.

**Recommended Motion & Requested Action:** Buncombe County staff requesting direction from the Board of Commissioners regarding:

1. Decision to financially partner with the City of Asheville for McCormick Field renovations; and
2. If partnering, level of financial contribution.

**County Manager's comments and Recommendation:** Seeking direction from the Board of Commissioners.

# Buncombe County

McCormick Update and Discussion

March 21, 2023



# Background and Request

## Background

The City of Asheville is pursuing the renovation and enhancement of McCormick Field in order to meet MLB mandates and provide additional community benefits.

The City of Asheville has requested a funding partnership with the Asheville Tourists, TDA and Buncombe County.

Buncombe County Commissioners have reviewed this item at the December 13<sup>th</sup> Budget Retreat and March 7<sup>th</sup> Briefing.

City of Asheville voted to move forward with the project to meet MLB requirements at the March 14 meeting with a financial plan due to MLB by April 1.

## Request for Board Action

Buncombe County staff requesting direction from the Board of Commissioners regarding:

- Decision to financially partner with the City of Asheville for McCormick Field renovations; and
- If partnering, level of financial contribution.



# Financial Plan - Full Project

| \$37.5M Project (Full Project) w/ Coxe Ave Reallocation |                      |                 |              |                          |                                                                                    |
|---------------------------------------------------------|----------------------|-----------------|--------------|--------------------------|------------------------------------------------------------------------------------|
| Revenue Source                                          | Revenue Req Per Year | Number of Years | Total        | Percent of total project | Notes                                                                              |
| COA                                                     | \$950,000            | 20              | \$19,000,000 | 34%                      | Ave - debt payments change annually                                                |
| Club                                                    | \$468,750            | 20              | \$9,375,000  | 17%                      | Ave - 5yrs @450k & 15yrs @475k                                                     |
| County*                                                 | \$250,000            | 20              | \$5,000,000  | 9%                       |                                                                                    |
| TDA*                                                    | \$1,400,000          | 15              | \$21,000,000 | 41%                      | In debt model this is approx max annual allotment to any 1 project per legislation |
| TDA upfront                                             | \$0                  | 0               | \$1,950,000  |                          | *reallocation of \$1.95M from Coxe Ave                                             |
|                                                         |                      |                 |              |                          |                                                                                    |
| Total Amount Borrowed                                   |                      |                 | \$35,550,000 |                          | \$37.5M project - reduce debt service by \$1.95M                                   |
| Total Project Cost Estimate with Interest               |                      |                 | \$56,141,531 |                          |                                                                                    |

\*Cost sharing figures are best estimates



# Frequent Questions

## Assurances that the Team will stay?

**Tourists:** Intend to sign a 20+ year lease.

**Houston Astros:** Agreement with MLB through 2030.

**MLB:** Agreement with all MLB and Minor League teams through 2030.

## Sale and Relocation of the Team?

Any sale or relocation of the team must be approved by MLB. MLB decisions are based upon facility standards and target markets.

MLB recommends including a “No Relocation” clause in the lease agreement between the team and City.

## Details of the Lease?

**Lease Amount:** fixed payment schedule that will average \$468K or \$268K depending on project scope.

**Leasee:** DeWine Silver Dollar Baseball, LLC and DeWine Enterprises, Inc. (grantor)

**Key Points:** Defined capital improvements by City and Team, Team gets naming rights, defined public use

## Public Purpose Facility Usage?

Potential examples include: Concerts, Winter Wonderland at the Park, Ice Skating, Additional Baseball Clinics, High School Games, and more.



# Next Steps and Request

## Next Steps

Milestones (tentative):

City of Asheville

Council Vote: 3/14

Financial Plan to MLB: 4/1

TDA

City presentation to TDA: 4/26

TPDF Committee Review: May

TPDF Committee Recommendations: June

## Request for Board Action

Buncombe County staff requesting direction from the Board of Commissioners regarding:

Decision to financially partner with the City of Asheville for McCormick Field renovations; and

If partnering, level of financial contribution.



# Appendix



# Project Cost Breakdown

| Full Project                       |               |                                                     | Minimum Project |                            |
|------------------------------------|---------------|-----------------------------------------------------|-----------------|----------------------------|
| Major League Baseball Mandates     | \$ 19,600,000 |                                                     | \$ 19,600,000   |                            |
| Facility Operational Minimum Needs | \$ 5,600,000  | Civil, Structural, MPE                              | \$ 5,600,000    | Civil, Structural, MPE     |
| Strongly Recommended Pro Sports    | \$ 7,050,000  | Video Displays, Ingress/egress, Suite, Picnic areas | \$ 1,500,000    | picnic areas               |
| Fan Amenities                      | \$ 5,250,000  | Interactive display assets, wrap around concourse   | \$ 2,500,000    | interactive display assets |
| Total Project Budget               | \$ 37,500,000 | Includes Contingency                                | \$ 29,200,000   | Includes Contingency       |



# Project Details

"Minimum" and "Full" projects both address MLB Mandates plus additional renovation and enhancement.

"Facility operational minimum needs" must be addressed regardless of MLB requirements.

Full project provides additional flexibility for community events (e.g., Winter Wonder Land, walking areas, concerts).

Minimum project reduces revenue generation opportunities for the Team and City which can offset project cost and the financial commitments of the project partners.



# Financial Plan - Minimum Project

| \$29M Project (Minimum Project) w/ Coxe Ave Reallocation |                      |                 |              |                          |                                                                       |
|----------------------------------------------------------|----------------------|-----------------|--------------|--------------------------|-----------------------------------------------------------------------|
| Revenue Source                                           | Revenue Req Per Year | Number of Years | Total        | Percent of total project | Notes                                                                 |
| COA                                                      | \$1,000,000          | 20              | \$20,000,000 | 46%                      | Ave - debt payments change annually                                   |
| Club                                                     | \$287,500            | 20              | \$5,750,000  | 13%                      | Ave - 5yrs @ \$250k, 5yrs @ 275k, 5yrs @ \$300k & 5yrs @ \$325k       |
| County*                                                  | \$250,000            | 20              | \$5,000,000  | 12%                      |                                                                       |
| TDA*                                                     | \$700,000            | 15              | \$10,500,000 | 29%                      | assumes TDA would fund lesser amount annual due to reduction in scope |
| TDA upfront                                              |                      | 0               | \$1,950,000  |                          | *reallocation of \$1.95M from Coxe Ave                                |
|                                                          |                      |                 |              |                          |                                                                       |
| Total Amount Borrowed                                    |                      |                 | \$27,050,000 |                          | Reduce scope to minimum & reduce debt service by \$1.95M              |
| Total Project Cost Estimate with Interest                |                      |                 | \$43,184,344 |                          |                                                                       |



\*Cost sharing figures are best estimates



# Attendance

**Average attendance:** 180K per season, 2700+ per game

**Season:** 66 home games per year plus playoffs and exhibition games

**Annual Utilization:** 66 home games plus 10-15 non-baseball events per year

Ballpark is winterized from November to March



# Financial Responsibility Matrix

| Item                                                                 | Houston<br>Astros | Asheville<br>Tourists | MLB | City of<br>Asheville |
|----------------------------------------------------------------------|-------------------|-----------------------|-----|----------------------|
| Player, Coach and Support Staff (Team) Payroll / Benefits            | X                 |                       |     |                      |
| Team Travel to Asheville                                             | X                 |                       |     |                      |
| Bats, Balls and Related Equipment                                    | X                 |                       |     |                      |
| Team Lodging, Food/Nutrition, and Medical Care                       | X                 |                       |     |                      |
| League Administrators                                                |                   |                       | X   |                      |
| Umpire Salaries and Travel                                           |                   |                       | X   |                      |
| National Marketing                                                   |                   |                       | X   |                      |
| Front Office and Game Day Payroll / Benefits (150 Employees)         |                   | X                     |     |                      |
| Team Uniforms                                                        |                   | X                     |     |                      |
| Team Travel to Road Games                                            |                   | X                     |     |                      |
| Local Promotions and Marketing                                       |                   | X                     |     |                      |
| Utilities / Insurance                                                |                   | X                     |     |                      |
| Day-to-Day Routine Maintenance                                       |                   | X                     |     |                      |
| Field Maintenance                                                    |                   | X                     |     |                      |
| Office, Locker Room and General Facility Equipment                   |                   | X                     |     |                      |
| Lease of Facility                                                    |                   | X                     |     |                      |
| Facility Maintenance (HVAC, Lighting, Gas, Water, Sewer, Structural) |                   |                       |     | X                    |



# Public Purpose

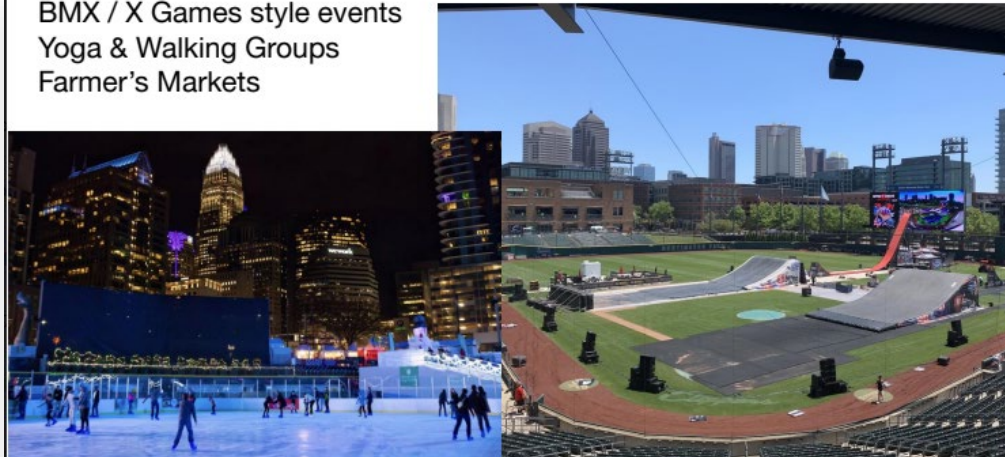
**Current Public Purpose Uses:** Boy Scout Campout, Girl Scout Campout, Reading Program Days, Kids Run the Bases, Canned Food Drives, Easter Egg Hunt, 4-H Nights, Adaptive Baseball League, Youth Baseball Clinics, Blood Drives

**Future Potential Uses:** Examples include: Concerts, Winter Wonderland at the Park, Ice Skating, Additional Baseball Clinics, High School Games



## Future Use A Multi-Purpose Facility

BMX / X Games style events  
Yoga & Walking Groups  
Farmer's Markets



Winterfest /  
Winterlights

Big Green  
Egg Fests

Craft Fairs



# Benchmarks

|                                                         | Asheville<br>, NC<br>Current | Propose<br>d<br>Asheville<br>(Full) | Propose<br>d<br>Asheville<br>(Partial) | Kannapo<br>lis, NC<br>(Class -<br>A) | Fayettev<br>ille, NC<br>(Class -<br>A) | North<br>Augusta,<br>SC (Class<br>- A) | Biloxi,<br>MS<br>(Class -<br>AA)      | Amarillo<br>, TX<br>(Class -<br>AA) | Rome,<br>GA<br>(Class -<br>A)         | Kinston,<br>NC<br>(Class -<br>A) | Hickory,<br>NC<br>(Class -<br>A) | Winston<br>-Salem,<br>NC<br>(Class A) | Greenvil<br>le SC<br>(Class -<br>A) | Wilming<br>ton DE<br>(Class -<br>A) | Bowling<br>Green<br>KY (Class<br>A) |
|---------------------------------------------------------|------------------------------|-------------------------------------|----------------------------------------|--------------------------------------|----------------------------------------|----------------------------------------|---------------------------------------|-------------------------------------|---------------------------------------|----------------------------------|----------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Year Built or<br>Last Major<br>Reno                     | 1993                         | 2026                                | 2026                                   | 2021                                 | 2019                                   | 2018                                   | 2015                                  | 2019                                | 2003                                  | 2017                             | 2017                             | 2010                                  | 2005                                | 1993                                | 2009                                |
| Cost build<br>/Reno                                     | \$3M                         | \$37.5M                             | \$29M                                  | \$52M                                | \$42.5M                                | \$44M                                  | \$36.5M                               | \$45.54M<br>(plus site<br>prep)     | \$20M                                 | \$1.65M                          |                                  | \$48.7M                               | \$16M +<br>\$7M                     | \$6M                                | \$28M                               |
| Baseball<br>Capacity                                    | 4,000                        | ~4000                               | ~4000                                  | 5,500                                | 4,786                                  | 6,800                                  | 6,076                                 | 7,000                               | 5,100                                 | 3410                             | 5062                             | 5500                                  | 6700                                | 6404                                | 4559                                |
| Suites                                                  | 1                            | 4                                   | 1                                      | 8                                    | 6                                      | 9                                      | 12                                    | 20                                  | 14                                    | 0                                | 8                                | 16                                    | 17                                  | 16                                  |                                     |
| Lease/<br>License Term                                  | 2                            | 22                                  | 22                                     | 30 years                             | 30 years                               | 20 Years<br>+ 10 yr<br>MA              | 21 years<br>+ (2) 5 yr<br>team<br>ops | 20 yrs                              | 18 years<br>+ (3) 4 yr<br>team<br>ops | 12 years<br>+ (2) 3yr<br>MA      | 15 yrs                           | 25 yrs                                | NA                                  | 8 years                             | 10 years                            |
| Team<br>Financial<br>Contribution<br>(Ave over<br>Term) | \$1                          | \$445K                              | \$295K                                 | \$312K                               | \$312K                                 | \$250K                                 | \$150K                                | \$400K                              | \$15K                                 | \$60K                            | \$1                              | \$750K                                | NA                                  | \$140K                              | \$100K                              |



# MLB Standards

The below is information provided to the Asheville Tourists by MLB in February 2021. The Facility ranked 25th out of the 30 facilities audited by EwingCole in 2021, scoring 177 points. The average score for those facilities was 134 points. The median score for those facilities was 117 points. Pursuant to the Club's Player Development License Agreement, the Club is required to have a score below 30 points as of Opening Day of the 2023 PDL season.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Visiting Club Facilities:

The visiting club facility is less than 1,000 sq. ft. and lacks 32 regulation lockers.

The visiting club commissary and dining area is less than 300 sq. ft. and is not separate from the player and staff dressing areas, nor is it in compliance with applicable local and state standards related to sanitation and cleanliness.

The visiting club facilities lack (i) a visiting training room that is at least 300 sq.ft. and has an office desk, two treatment tables, two full-body whirlpools, an ice machine and a four-pack minimum hydro collator, (ii) seven staff lockers and (iii) a manager's office with a separate toilet and meeting space for at least four people.

## Additional Team Facilities:

There is not an adequate storage for the Club's MLB affiliate.

The umpire facility is less than 200 sq. ft. and does not have enough lockers to accommodate the number of umpires typically assigned to work at the Club's baseball games.

While the Facility has two pitching/hitting tunnels, as required, neither tunnel meets the minimum size requirements.

There is no private dressing, shower and toilet facility for female umpires and staff. The female facility must be at least 200 sq. ft. and include a minimum of four lockers, two showerheads, two water closets and two lavatories.

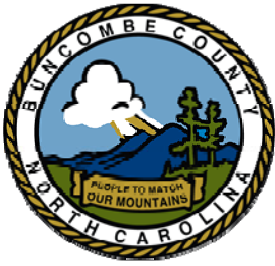
## Playing Field:

The playing field has several defects and trip hazards that need to be addressed.

A warning track on all zones within 15 feet of all walls and fences needs to be installed.

The field grade does not meet the requirements and needs to be flattened.





## **Buncombe County Board of Commissioners**

### **Request for Board Action**

**Meeting Date: March 21, 2023**

#### **New Business**

**Department:** Planning

**Presenter(s):** John Hudson, Budget

**Contact(s):** Nathan Pennington, Planning Director  
Nancy Williams, Community Development Division Program Manager  
Matthew Cable, Community Development Division Manager

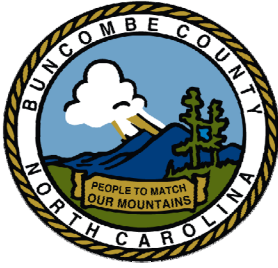
**Subject:** CDBG-NR Grant Funding Award

**Brief Summary:** Buncombe County has been awarded a Community Development Block Grant – Neighborhood Revitalization (CDBG-NR) grant in the amount of \$400,000 by the North Carolina Department of Commerce (NCDOC). This award will fund home repairs assisting low- and moderate-income homeowners. The period of the award is from April 1, 2023 through September 30, 2025. No County match is required.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #23-03-16



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**Grant Projects Ordinance**

**BOARD MEETING DATE: March 21, 2023**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 Grants Projects outlined below in Exhibit "A" to the budget,

**NOW THEREFORE,**

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 21st day of March, 2023

|                         |                                               |
|-------------------------|-----------------------------------------------|
| <b>Granting Agency:</b> | North Carolina Department of Commerce (NCDOC) |
| <b>Grant Name:</b>      | CDBG-NR                                       |

**Description:**

Buncombe County has been awarded a Community Development Block Grant – Neighborhood Revitalization (CDBG-NR) grant in the amount of \$400,000 by the North Carolina Department of Commerce (NCDOC). This award will fund home repairs assisting low- and moderate-income homeowners. The period of the award is from April 1, 2023 through September 30, 2025. No County match is required.

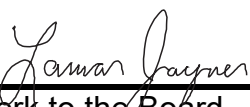
**Funding Source:**

North Carolina Department of Commerce (NCDOC) - Rural Economic Development Division (REDD), U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG)

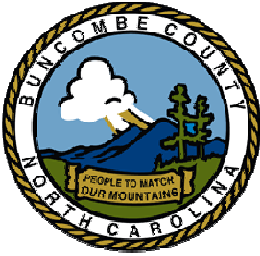
| Exhibit A:<br>Account Description | Increase (Decrease) |                   |
|-----------------------------------|---------------------|-------------------|
|                                   | Revenues            | Expenditures      |
| Fund 327 - CDBG-NR Grant          | \$ 400,000          | \$ 400,000        |
| <b>TOTAL</b>                      | <b>\$ 400,000</b>   | <b>\$ 400,000</b> |

**ATTEST:**

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

  
\_\_\_\_\_  
Clerk to the Board

By:   
\_\_\_\_\_  
Chairman of the Board



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 3/21/2023**

**New Business**

**Department:** Parks & Recreation

**Presenter(s):** John Hudson

**Contact(s):** Allison Dains, Parks and Recreation Director

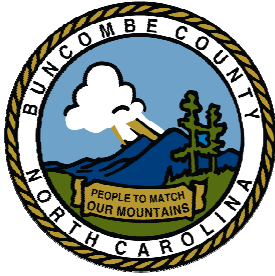
**Subject:** Woodfin Greenway-TDA Grant Award

**Brief Summary:** In 2018, Buncombe County entered into a grant agreement with the Buncombe County Tourism Development Authority (TDA) to reimburse costs of greenway and blueway projects within the Town of Woodfin. The County also entered into an interlocal agreement with Woodfin for the County to serve as fiscal agent for the grant funds and provide project management support; Woodfin provides upfront project funding. The original grant agreement totaled \$2,250,000, and was budgeted in the Capital Projects Fund. The grant agreement with TDA was amended in 2020. A second amendment to the agreement is now being brought forward, which will increase the grant amount by \$5,890,000, extend project deadlines, and revise the payment schedule. This grant ordinance increases total grant funds from \$2,250,000 to \$8,140,000 and moves the original budget to the Grants Fund. These grant funds will be passed through to the Town of Woodfin.

**Recommended Motion & Requested Action:** Approve grant ordinance and accept award of additional grant funds from the TDA.

**County Manager's comments and Recommendation:** Approve as presented.

ORDINANCE # \_\_\_\_\_



## BUNCOMBE COUNTY, NORTH CAROLINA

### Capital Projects Fund Project Ordinance

**BOARD MEETING DATE: March 21, 2023**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 Capital Projects Fund Projects outlined below in Exhibit "A" to the budget,  
**NOW THEREFORE**,

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 21st day of March, 2023.

**Project Name:** Woodfin Greenway – TDA Grant (Closure in Capital Project Fund)

**Description:**

In 2018, Buncombe County entered into a grant agreement totaling \$2,250,000 with the Buncombe County Tourism Development Authority (TDA) to reimburse costs of greenway and blueway projects within the Town of Woodfin. The County also entered into an interlocal agreement with Woodfin for the County to serve as the fiscal agent for the grant funds, where Woodfin would front costs and be reimbursed by Buncombe County. The grant agreement between Buncombe County and TDA was amended in 2020. A second grant agreement is now being brought forward, which will increase the total budget for the grant. The funding was originally budgeted for in the Capital Projects Fund and will be moved to the Grant Project funds. This ordinance closes the budget in the Capital Projects Fund so that it can be reinstated in the Grants Fund.

**Funding Source:**

Grant from Buncombe County Tourism Development Authority Tourism Product Development Fund (TPDF). No County funds required.

| <b>Exhibit A:</b><br><b>Account Description</b> | <b>Increase (Decrease)</b> |                       |
|-------------------------------------------------|----------------------------|-----------------------|
|                                                 | <b>Revenues</b>            | <b>Expenditures</b>   |
| Woodfin Greenway – TDA Grant                    | \$ (2,250,000)             | \$ (2,250,000)        |
| <b>TOTAL</b>                                    | <b>\$ (2,250,000)</b>      | <b>\$ (2,250,000)</b> |

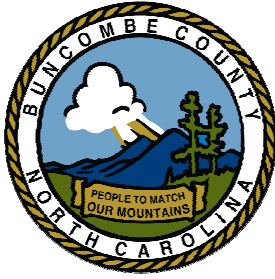
**ATTEST:**

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

\_\_\_\_\_  
Clerk to the Board

By: \_\_\_\_\_  
Chairman of the Board

ORDINANCE # \_\_\_\_\_



## BUNCOMBE COUNTY, NORTH CAROLINA Grant Projects Ordinance

**BOARD MEETING DATE: March 21, 2023**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 Grant Projects outlined below in Exhibit "A" to the budget,  
**NOW THEREFORE**,

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 21st day of March, 2023.

**Project Name:** Woodfin Greenway – TDA Grant

**Description:**

In 2018, Buncombe County entered into a grant agreement with the Buncombe County Tourism Development Authority (TDA) to reimburse costs of greenway and blueway projects within the Town of Woodfin. The County also entered into an interlocal agreement with Woodfin for the County to serve as fiscal agent for the grant funds and provide project management support; Woodfin provides upfront project funding. The original grant agreement totaled \$2,250,000, and was budgeted in the Capital Projects Fund. The grant agreement with TDA was amended in 2020. A second amendment to the agreement is now being brought forward, which will increase the grant amount by \$5,890,000, extend project deadlines, and revise the payment schedule. This grant ordinance increases total grant funds from \$2,250,000 to \$8,140,000 and moves the original budget to the Grants Fund. These grant funds will be passed through to the Town of Woodfin.

**Funding Source:**

Grant from the Buncombe County Tourism Development Authority Tourism Product Development Fund (TPDF). No county funds required.

| <b>Exhibit A:</b><br><b>Account Description</b> | <b>Increase (Decrease)</b> |                     |
|-------------------------------------------------|----------------------------|---------------------|
|                                                 | <b>Revenues</b>            | <b>Expenditures</b> |
| Woodfin Greenway – TDA Grant                    | \$ 8,140,000               | \$ 8,140,000        |
| <b>TOTAL</b>                                    | <b>\$ 8,140,000</b>        | <b>\$ 8,140,000</b> |

**ATTEST:**

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

\_\_\_\_\_  
Clerk to the Board

By: \_\_\_\_\_  
Chairman of the Board

RESOLUTION # 17-10-17

Resolution Authorizing the Execution of a Grant Agreement and Interlocal  
Agreement Regarding the Woodfin Greenway & Blueway

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- WHEREAS, pursuant to N.C. Gen. Stat. § 153A-11, A local unit may “acquire and hold any property and rights of property, real and personal, that may be devised, sold, or in any manner conveyed, dedicated to, or otherwise acquired by the [local unit.];” and
- WHEREAS, Buncombe County desires to support and promote the development of an environmentally friendly system of connected trails and greenways to improve health, alternative travel, economic development, and recreation in coordination with towns, cities, communities, businesses, non-profit organizations, and adjacent counties; and
- WHEREAS, Buncombe County has the opportunity to receive a grant from the Buncombe County Tourism Development Authority in the amount of two million two hundred fifty thousand and 00/100 dollars (\$2,250,000.00) for the construction of the Woodfin Greenway & Blueway, which will include 5 miles of new greenway trails and will be part of a 25 mile-plus network of greenways within Buncombe County; and
- WHEREAS, pursuant to N.C. Gen. Stat. § 153A-11, A local unit may “acquire and hold any property and rights of property, real and personal, that may be devised, sold, or in any manner conveyed, dedicated to, or otherwise acquired by the [local unit.];” and
- WHEREAS, pursuant to N.C. Gen. Stat. § 160A-461, “[a]ny unit of local government in this State and any one or more other units of local government in this State ... may enter into contracts or agreements with each other in order to execute any undertaking;” and
- WHEREAS, The town of Woodfin has requested and Buncombe County desires that Buncombe County aid the Town of Woodfin in, and manage the construction of, the Woodfin Greenway & Blueway utilizing the aforementioned grant funds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That it hereby authorizes the execution of a grant agreement with the Buncombe County Tourism Development Authority in the amount of two million two hundred fifty thousand and 00/100 dollars (\$2,250,000.00) for the construction of the Woodfin Greenway & Blueway.
2. That it hereby authorizes the execution of an interlocal agreement for Buncombe County to aid the Town of Woodfin in, and manage the construction of, the Woodfin Greenway & Blueway utilizing the aforementioned grant funds.

3. That, by and with the consent of the County Legal Department, County staff is hereby instructed to proceed with this undertaking and all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
4. That the Chairman and County Manager, or either of them, or their designee, are hereby authorized to execute such documents as may be required to effect the purposes and intents of this resolution and to interview prospective law firms that respond to the aforementioned Request for Information.
5. That this resolution shall become effective upon its adoption.

This the 17<sup>th</sup> day of October, 2017.

ATTEST

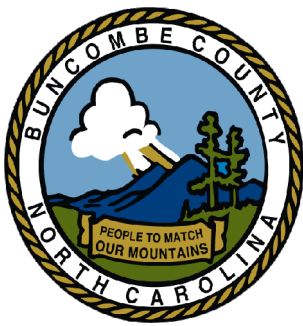
  
Kathy Hughes, Clerk

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

By:   
Brownie Newman, Chairman

APPROVED AS TO FORM

  
County Attorney



## BUNCOMBE COUNTY, NORTH CAROLINA Capital Projects Ordinance

BOARD MEETING DATE: October 17, 2017

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2017-2018 capital projects outlined below in Exhibit "A" to the budget, **NOW THEREFORE**,

**BE IT ORDAINED** by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY 2017-2018 capital project amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 17th day of October, 2017.

|               |                   |
|---------------|-------------------|
| District #:   | 1,2,3             |
| Project Name: | Woodfin Greenways |

**Project Description:**

The Buncombe County Tourism Development Authority has granted Buncombe County funds in the amount of \$2,250,000 for the construction of the Woodfin Greenway & Blueway, which will include 5 miles of new greenway trails and will be part of a 25 mile-plus network of greenways within Buncombe County. Buncombe County will aid the Town of Woodfin in managing and in the construction of the Woodfin Greenway & Blueway.



**Funding Source:**

Funds are being provided via grant agreement with the Buncombe County Tourism Development Authority for \$2,250,000.

| Exhibit A:                   |                | Increase (Decrease) |              |
|------------------------------|----------------|---------------------|--------------|
| Account Description          | Account Number | Revenues            | Expenditures |
| Woodfin Greenway - TDA Grant | TBD            | 2,250,000           |              |
| Woodfin Greenway - TDA Grant | TBD            |                     | 2,250,000    |
| TOTAL                        |                | 2,250,000           | 2,250,000    |

**ATTEST:**

*Kathy Hughes*  
Clerk To The Board

**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

By: *Brown*  
Chairman of the Board