

Buncombe County Democratic Party County Convention

Resolutions Passed on County and Municipal Issues

March 24 2018

A RESOLUTION TO ESTABLISH A HUMAN RIGHTS ORDINANCE AND COMMISSION IN ASHEVILLE CITY

WHEREAS, the passage of NC HB-2 denies individuals the right to use the restroom in alignment with their gender identity; and

WHEREAS, NC HB-2 supersedes any local ordinance regulating discrimination and limits the classes protected from discrimination under North Carolina law to “race, religion, color, national origin, age, biological sex, or handicap” and therefore, other classes like veteran status, pregnancy status, gender identity, gender expression, and sexual orientation are not protected classes in North Carolina; and

WHEREAS, NC HB-2 prohibits local governments from providing any protections beyond those spelled out in the bill; and

WHEREAS, NC HB-2 contains a provision that provides if any part of the bill falls, the rest will stand; and

WHEREAS, we believe every North Carolinian has the right to participate fully and equally in society and enjoy its benefits and freedoms; and

WHEREAS lesbian, gay, bisexual, transgender, queer, intersex, asexual, and non-binary (LGBTQIA+) North Carolinians suffer pervasive discrimination in education, employment, housing, public accommodations including public restrooms, as a result of discrimination, homophobia, transphobia, and lack of legal protections; and

WHEREAS, non-discrimination laws help to ensure that LGBTQIA+ people have equal access to the same opportunities and protections granted to others, such as the ability to live free of fear, abuse, discrimination, and violence, as well as the ability use the public restroom in alignment with one’s gender identity safely and without fear; and

WHEREAS, the State of North Carolina does not have a statewide non-discrimination policy covering sexual orientation, gender identity, and gender expression; and

WHEREAS, the Campaign for Southern Equality (CSE) published a white paper in February 2017, proposing the adoption of specific policies and outlines the legal authority in furtherance of this objective, and outlines how North Carolina cities can pass non-discrimination ordinances and create inclusive Human Rights Commissions; now, therefore, be it

RESOLVED, that the City of Asheville adopt an inclusive and expansive Human Rights Ordinance scheme and establish a Human Rights Commission to accept and adjudicate complaints of discrimination on enumerated protected-class categories within the City of Asheville; and

RESOLVED, that public buildings will provide restrooms that are available to all people regardless of their sexual orientation, gender identity or gender assigned at birth; and be it further

RESOLVED, that the North Carolina Democratic Party supports the passage of comprehensive non-discrimination legislation that would make discrimination based upon sexual orientation, gender identity, and gender expression illegal in employment, housing, education and public accommodations including public restrooms.

Submitted to the Asheville City Council by Soren Pedersen, Precinct 3.1, March 24th 2018.

A RESOLUTION TO REPEAL NC HB-318 AND TO MAKE ASHEVILLE A FAIR AND WELCOMING CITY

WHEREAS, Asheville City values its ethnic, racial, linguistic, and socio-economic diversity, and our diversity is a source of our strength and Asheville City is committed to ensuring that all our residents can live and pursue their livelihoods in peace and prosperity; and

WHEREAS, Asheville City residents, like many Americans, are deeply concerned about how the new presidential administration will impact their lives and families, whether they will be forced to leave this country, and whether rights and protections afforded to them will suddenly be taken away; and

WHEREAS, In 2015, North Carolina HB-318 was passed, which prohibits cities from adopting sanctuary ordinances or directing law enforcement to not collect information about immigration status; and

WHEREAS, NC HB-318 (2015) limits the ability to use a consular ID card or local ID card to prove residency; and

WHEREAS, NC HB-318 limits a municipality's ability to create a sanctuary community; and

WHEREAS, local enforcement of immigration law makes everyone less safe when local law enforcement voluntarily works on behalf of Immigration and Customs Enforcement ("ICE") to facilitate deportations, which result in significant gaps in trust and cooperation between immigrant communities and the police; and some of these practices could expose the city to liability for violations of individuals' Constitutional rights; and

WHEREAS, undue collaboration between local law enforcement and ICE will make immigrants less likely to report crimes, act as witnesses in criminal investigations and prosecutions, and provide intelligence to law enforcement; and

WHEREAS, the cooperation of Asheville City's immigrant communities is essential to prevent and solve crimes and maintain public order, safety and security in the entire City; Community policing depends on trust with every community and facilitating deportations will harm our efforts at community policing; and

WHEREAS, a growing number of municipalities around the country are standing up to threats against privacy and liberties by taking meaningful steps to ensure that communities are safe, and that all residents' rights are respected so that their municipality may continue to thrive; and

WHEREAS, due to the City's limited resources; the clear need to foster the trust of and cooperation from the public, including members of vulnerable communities; and to effectuate the City's goals,

Asheville City must clarify its role in protecting all city residents' privacy and rights; now, therefore, be it

RESOLVED, that NC HB-318 be reconsidered and repealed by the State Legislature; and

RESOLVED, that Civil Immigration Enforcement is a Federal responsibility; and

RESOLVED, that Asheville City and its agents shall not expend any time, funds, or resources on facilitating the civil enforcement of federal immigration law nor participating in civil immigration enforcement operations, except where legally required to do so by state or federal law or regulation or directive or court order; and

RESOLVED, that no municipal agent, employee or agency shall inquire about or request information about or otherwise investigate the citizenship or immigration status of any person unless such inquiry or investigation is required by state or federal law or regulation or directive or court order; and

RESOLVED, that Asheville City and any employee, agent, or law enforcement agency of Asheville City shall not rely to any degree on actual or perceived national origin, immigration or citizenship status, race, color, ethnicity, language proficiency, religion, sexual orientation, gender identity, gender expression, pregnancy status, disability, housing status, financial status, marital status, familial status, status as a victim of domestic violence, criminal history, or status as a veteran in deciding to initiate a stop, or in deciding to question, search, arrest, detain, or take any other law enforcement action against any individual, except when a specific suspect description includes information on the above protected categories and that information is taken in conjunction with information or circumstances that link a specific person to suspected criminal activity; and

RESOLVED, that Asheville City will enforce non-discrimination in municipal services and equal application of the law; and

RESOLVED, that Asheville City shall demonstrate transparency of record keeping by publishing on its public-facing website on a quarterly basis dates and statistics of all requests from United States Immigration and Customs Enforcement Agency (ICE), Customs and Border Patrol (CBP) and United States Citizenship and Immigration Service (USCIS); and

RESOLVED, that Asheville City will protect immigrant victims of crime and enhance trust in law enforcement; and be it further

RESOLVED, that Asheville City shall create a Fair and Welcoming City Commission to ensure implementation of policies that preserve and protect our diverse and inclusive community, and will serve as a resource for immigrant community members with questions, comments, or concerns about safety or local government's role in defending vulnerable communities, as well as coordinate efforts for greater access to translation and interpretation services, legal representation, citizenship services, and ESOL courses.

Submitted to the Asheville City Council by Soren Pederson, Precinct 3.1, March 24th 2018.

A RESOLUTION IN SUPPORT OF PUBLIC TRANSPORT IN AND THROUGH THE ENKA-CANDLER AREA

WHEREAS, Asheville City transport services west effectively end at Goodwill on Patton Avenue; and

WHEREAS, Asheville City transport services east to Black Mountain and north to Leicester have come into existence, but nothing to the west; and

WHEREAS, The Smoky Mountain corridor is high density; and

WHEREAS, There are many low-to-moderate income residents in the area, as well as elderly people who no longer drive; and

WHEREAS, Mountain Mobility does not deal with most non-medical needs; now, therefore, be it

RESOLVED, That the Buncombe County Democratic Party supports expansion of public transport out from the City of Asheville into Buncombe County in the western direction.

Submitted to the Buncombe County Commission by Lindsey Prather, Precinct 45.1, March 24 2018.

A RESOLUTION TO SUPPORT EXTENSION OF WATER AND SEWER SERVICES IN THE ENKA-CANDLER COMMUNITY

WHEREAS, The Enka-Candler Fire Department has no access to water in a large portion of the Enka- Candler Fire District, Enka-Candler pays higher fire insurance rates due to limited access to water, and all Buncombe County Fire Departments must respond with pumper trucks to large fire emergencies within the no water service areas; and

WHEREAS, Poor well water quality in areas with no public water require costly annual filtration, septic systems servicing older trailer parks; businesses and homes are at risk of failure and threaten stream water quality; many older homes and business lots do not have septic repair areas; many commercial businesses and shopping centers currently are not able to be rented fully due to small septic system size which limits the potential for existing businesses, limits area jobs, limits future business expansions, and limits County tax revenues; and

WHEREAS, Developers agree that high land cost due to scarcity of land sites in Buncombe County is the biggest obstacle facing development of affordable housing, business expansion or attracting new businesses in Buncombe County; and

WHEREAS, Enka-Candler has two census blocks that have greater than 50 percent low-moderate income populations, however both with no public water or sewer access. Many residents must live in substandard housing due to the high cost of well and septic installation, septic maintenance as well as a lack of high-density affordable housing in underserved areas; and

WHEREAS, Enka-Candler has only one major employer, the least in Buncombe County, Enka-Candler cannot attract major employers or high-density affordable housing developments in underserved areas without public water and sewer access, and all other regional areas of Buncombe County have public water and sewer access to the County lines along major state highways paralleling a Federal Interstate; now, therefore, be it

RESOLVED, That the Buncombe County Democratic Party supports public water and sewer expansion in the underserved areas of Enka-Candler all the way to the Haywood County line, and requests the Buncombe County Commissioners to commission a feasibility study for water and sewer expansion in said areas that can be used to apply for multiple currently available grants to pay for the installation and tap fees of these underserved Enka-Candler residents and businesses.

Submitted to the Buncombe County Commission by Sam Speciale, Precinct 24.1; Steve Pohl, Precinct 44.1; Lindsey Prather, Precinct 45.1; and Lynn Miller, Precinct 48.1, March 24 2018.

A RESOLUTION TO SUPPORT BUNCOMBE COUNTY BUILDING A COMMUNITY CENTER AND PUBLIC PARK TO SERVICE THE ENKA-CANDLER COMMUNITY

WHEREAS, The Enka-Candler community is the only area of Buncombe County that does not have a community center or a public park that is primarily for community residents and not rented to outside sports groups; and

WHEREAS, The Enka-Candler area has two census blocks both with greater than 50 percent low-moderate income populations. Enka-Candler has very limited, small space options in affordable public event spaces. There is no bus service in Enka-Candler and many residents don't have transportation to drive to other public parks in Buncombe County; and

WHEREAS, Enka-Candler can use a public facility to host youth crime prevention programs recommended by the Sheriff's Department as a way to lower crime rates in the Enka-Candler area. Studies have shown that Juvenile criminal rates can decrease up to 25% when the community has a recreation center for adolescents to attend; and

WHEREAS, Community Centers can strengthen and grow communities by offering a space that builds new relationships between neighbors with like interests. Community Parks add value to local properties, build healthier communities by encouraging more youth and community outdoor physical activity and helps lower crime rates due to having more "eyes on the street" in town centers; and

WHEREAS, Community Centers and parks can offer an enormous variety of educational, social and recreational activities, tailored to what the members of the community are interested in, and sensitive to the needs of persons with hearing loss or any other physical disabilities; and

WHEREAS, Buncombe County already owns two tracts of land that are at least 4 acres in size within the Enka-Candler community; now, therefore, be it

RESOLVED, that the Buncombe County Democratic Party shall ask the Buncombe County Commissioners to fund and support the building of a community center and neighborhood recreational park to service the Enka-Candler community and taxpayers.

Submitted to the Buncombe County Commission by Sam Speciale, Precinct 24.1; Lindsey Prather, Precinct 45.1; and Lynn Miller, Precinct 48.1, March 24 2018.

A RESOLUTION ASKING THE BUNCOMBE COUNTY COMMISSIONERS TO PASS A RESOLUTION ASKING THE STATE BOARD OF COMMUNITY COLLEGES TO DENY THE DECEMBER 11, 2017, ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TRUSTEES RESOLUTION REQUEST REGARDING THE ENKA CAMPUS

WHEREAS, The trustees of A-B Tech have declared the Enka campus to be real property that is unnecessary for College purposes, and seek authorization to dispose by sale and assignment of ground lease, and to list the property with a real estate broker; and

WHEREAS, The \$5 million dollar donation and additional state bond money, by legislative act, specifically designated the funding was to be used to build a College of Enka, not for A-B Tech general use – in other words, it was given to Enka, for Enka, N.C.; and

WHEREAS, The resolution from the A-B Tech Trustees does not designate that proceeds of the sale will remain in the Enka community, which was the original intent of the donation; and

WHEREAS, A-B Tech has given the community no indication or plan of utilizing the Enka specific donations for another Enka Campus; and

WHEREAS, The Enka-Candler area has two census blocks, both with greater than 50 percent low-moderate income populations, and there is no bus service to the main campus from Enka-Candler and many residents don't have transportation to drive to other parts of Buncombe County; and

WHEREAS, It is a proven fact that Education is one of the best tools we have to fight poverty; and

WHEREAS, Community College Campuses can strengthen and grow communities by offering affordable classes close to home for low-income people who want to improve their skills; and

WHEREAS, Community College Campuses are huge economic drivers for local economies; now, therefore, be it

RESOLVED, That the Buncombe County Democratic Party shall ask the Buncombe County Commissioners to craft a resolution voicing public concerns from the Enka-Candler community to the State Board of Community Colleges, requesting a denial of Asheville-Buncombe Community College's request to sell or lease the Enka Campus real property, unless they use the funds received to open another Enka Campus.

Submitted to the Buncombe County Commission by Sam Speciale, Precinct 24.1; Steve Pohl, Precinct 44.1; Lindsey Prather, Precinct 45.1; and Lynn Miller, Precinct 48.1, March 24 2018.

A RESOLUTION TO CREATE AFFORDABLE HOUSING IN WNC WHILE PROTECTING ITS ENVIRONMENT AND NATURAL BEAUTY

WHEREAS, Buncombe County, and more generally Western North Carolina, has seen unrestricted and rampant development and growth; and

WHEREAS, this development and growth has, and continues to have, negative impacts on the environment and scenic beauty; and

WHEREAS, this region relies heavily on the tourism industry which is consequently negatively impacted by reductions in scenic beauty; and

WHEREAS, Buncombe County is experiencing a significant shortage of affordable housing; now, therefore, be it

RESOLVED, that Buncombe County develop, or make modern revisions to, responsible land use ordinances in order to protect its environment and scenic beauty; and

RESOLVED, that any new such ordinances support building of affordable housing while at the same time protecting the scenic beauty of the gorgeous mountain landscapes of Western North Carolina.

Submitted to the Buncombe County Commission by Jeremy Wood, Buncombe County, March 24 2018.

A RESOLUTION TO URGE THE BUNCOMBE COUNTY COMMISSION TO SUPPORT A CHAIN ORDINANCE MODELED AFTER ASHEVILLE'S AND OTHER COUNTIES' CODES

WHEREAS, The city of Asheville has on its books Section 3-12(i) "It shall be unlawful for an owner to leave a dog unattended and restrained by tether while outdoors;" and

WHEREAS, ChainFree Asheville has presented before the Commission a request to enact an Ordinance to Ban the Unattended Tethering of Dogs based on the existing ordinance in the City of Asheville; and

WHEREAS, According to the Centers for Disease Control & Prevention, a chained dog is 2.8 times more likely to bite than an unchained dog; and the American Veterinary Medical Association urges dog owners to "Never tether or chain your dog because this can contribute to aggressive behavior;" and The Journal of the American Veterinary Medical Association has reported that 17 percent of dogs involved in fatal attacks on humans during a ten-year period were chained on their owner's property at the time of the attack; and

WHEREAS, Similar county ordinances against unsupervised tethering of dogs exist in New Hanover, Durham, Cumberland, and other North Carolina counties; now, therefore, be it

RESOLVED, That the Buncombe County Commission to should support passage of a countywide ban on tethering of unattended dogs modeled on the existing Asheville section.

Submitted to the Buncombe County Commission by Tom Sullivan, Precinct 4.1, March 24 2018.

