



**Buncombe County Tourism Development Authority
A Joint Meeting of the Public Authority and Nonprofit Corporation**

Explore Asheville – 27 College Place, Asheville

Board Meeting Minutes

Wednesday, April 26, 2023

- Present (Voting):** Kathleen Mosher, Chair; Brenda Durden, Vice Chair, Matthew Lehman, HP Patel, Elizabeth Putnam, Larry Crosby, Andrew Celwyn
- Absent (Voting):** Michael Lusick, Scott Patel
- Absent (Ex-Officio):** Asheville Vice Mayor Sandra Kilgore, Buncombe County Commissioner Terri Wells
- Staff:** Vic Isley, Jennifer Kass-Green, Julia Simpson, Ashley Greenstein, Glenn Ramey, Marla Tambellini, Mike Kryzanek, Tiffany Thacker, Cass Herrington
- BC Finance:** Mason Scott, Buncombe County/BCTDA Interim Fiscal Agent
- Legal Counsel:** Sabrina Rockoff, McGuire, Wood & Bissette/BCTDA Attorney
- In-Person Attendees:** Dean Whiteford, Abbington Green Bed & Breakfast
Tina Kinsey, Asheville Regional Airport
Stephen Zubrod, Carol Peterson, Bruce Peterson; Asheville Buncombe Regional Sports Commission
Timothy Sadler, Community Member
Randy Claybrook, Asheville Bed & Breakfast Association
Peter Pollay, Posana
Mike Rangel, Asheville Brewing Company
Meghan Rogers, Asheville Independent Restaurant Association
Greg Parlier, Mountain Xpress
- Online Attendees:** Mickey Poandl, Ali Wainright, Anna Harris, Charlie Reed, Khal Khoury; Explore Asheville Staff
Timothy Love, Buncombe County
Chip Craig, Greybeard Realty
Chris Smith, Madison Davis; Asheville Buncombe Regional Sports Commission
Jim Muth, TPDF Committee
Rick Bell, Watson-Bell, LLC
Diane Rogers, Pinecrest Bed & Breakfast
Kit Cramer, Asheville Area Chamber of Commerce
Chelsey Hett, Love the Green
Garrett Raczek, Thrive Asheville
Koree Case, Kim Lenox; MMGY

Executive Summary of Meeting Minutes

- Mosher called to order the joint regular meeting of the BCTDA, Public Authority and BCTDA, Nonprofit Corporation, at 9:02 a.m. Introductions were made around the room.
- Minutes from the March 23, 2023, BCTDA meeting were approved with a 7-0 vote.
- Minutes from the March 24, 2023, BCTDA annual planning session were approved with a 7-0 vote.
- The March 2023 financial reports were reviewed and approved with a 7-0 vote.
- A Finance Committee report was heard.
- Abbington Green Bed & Breakfast's penalty waiver request was reviewed and a recommendation that the county waive late filing fees but require late payment fees was approved with a 5-2 vote.
- Vic Isley provided her President & CEO's report.
- Tina Kinsey provided information about trends and developments at Asheville Regional Airport.
- Mosher provided county-related updates in the absence of Commissioner Terri Wells.
- Comments from the public were heard.
- With a 7-0 vote, the BCTDA meeting adjourned at 10:43 a.m.

Call to Order of the Joint BCTDA Meeting

Mosher called to order the joint regular meeting of the Buncombe County Tourism Development Authority (BCTDA), a Public Authority, and BCTDA, a Nonprofit Corporation, at 9:02 a.m.

Mosher said the meeting was being livestreamed. She noted that the agenda and meeting documents are on AshevilleCVB.com and were emailed to everyone who registered via Zoom by 8:00 a.m. Additional materials, including the PowerPoint, are posted after the meeting.

Introductions were made around the room.

Approval of Meeting Minutes

March 23, 2023, BCTDA Meeting Minutes

Durden made a motion to approve the March 23, 2023, regular meeting minutes. Celwyn seconded the motion. There was no discussion. A vote was taken; with all in favor, the motion carried 7-0.

March 24, 2023, BCTDA Annual Planning Session Minutes

Putnam motioned to approve the March 24, 2023, annual planning session minutes. HP Patel seconded the motion. There was no discussion. A vote was taken; with all in favor, the motion carried 7-0.

Financial Reports

March 2023 Financial Reports

Mason Scott, BCTDA interim fiscal agent, presented the March 2023 financial reports. There were no questions.

Lehman made a motion to approve the March 2023 financial reports as presented. Celwyn seconded the motion. A vote was taken; with all in favor, the motion carried 7-0.

Finance Committee Report

Matthew Lehman said that the Finance Committee— consisting of HP Patel, former BCTDA member Chip Craig, Kathleen Mosher, and himself— were discussing investment strategy. He provided background information. He said that the committee and BCTDA fiscal agent recommend joining an investment pool and engaging a dedicated investment advisor.

Lehman reported that the committee met with Karen Magness of PFAM Asset Management to get an overview of the North Carolina Investment Pool (NCIP). The committee plans to present a resolution in May for the BCTDA to join NCIP; additional information will be distributed to the board in the meantime.

The committee meets again in May to review FY24 budget recommendations, which will be presented in the May board meeting. They will also continue discussions about selecting an investment advisor, drafting an investment policy, and continuing research on board travel and reimbursement policies.

Penalty Waiver Request for Abbington Green Bed & Breakfast

Mosher provided background on a penalty waiver request received from Abbington Green Bed & Breakfast. Staff received a letter on April 18, 2023, requesting the waiver of penalty fees for late filing and payment from June 2021 through February 2023. The fees totaled \$20,860.06.

Mosher noted that the written waiver request from Abbington Green Bed & Breakfast, explaining the circumstances, and supplemental documentation were provided to the board for review in advance. Buncombe County Finance Department confirmed all outstanding occupancy taxes for June 2021 through February 2023 were paid on April 4, 2023; applicable penalty fees are owed to the county. Dean Whiteford of Abbington Green Bed & Breakfast was present to answer questions.

Mosher outlined the penalty fee structure. Mosher reminded the board that the Buncombe County Commission would make the final decision and verified with BCTDA Interim Fiscal Agent Mason Scott that the penalty fees collected go from Buncombe County Government to local school systems per North Carolina general statutes.

Mosher opened discussion by asking Scott to share any additional context he had regarding the process and on this specific request. Scott explained that commissioners depend on the BCTDA's recommendations for penalty waivers and that the BCTDA could decide whether to recommend a full waiver or any amount they felt was appropriate or justifiable.

Mosher inquired about whether the bed and breakfast had been notified about taxes owed. Scott responded that the account was deactivated, likely during the change of ownership in 2021. He explained that since occupancy tax collection is based on self-initiated reporting, new establishments must contact the county. The county's first record of contact with Whiteford was in March 2023.

Whiteford had an opportunity to address the board about the situation. Whiteford stated that he did not know about occupancy tax and that though it was collected by ResNexus booking platform it had been mislabeled as county sales tax. He said that he paid outstanding taxes as soon as he was made aware.

Follow-up discussion included questions about county policies and procedures, including clarification that if no action was taken by the BCTDA then the waiver request would not progress. It was noted that Explore Asheville intends to further evaluate this process as part of a revised MOU with the county.

It was reiterated that all outstanding occupancy taxes had been paid and only penalty fees were still owed. Lehman requested the sums of each fee type (late filing and late payment); Isley provided them.

Several held positions that the onus is on business owners to be informed about the requirements of their industry. Celwyn took issue with the fact that extra taxes were collected but not remitted and felt Whiteford should have recognized discrepancy. Board members acknowledged that Whiteford did not seem to intentionally evade tax payments; a few empathized with Whiteford as a small business owner.

HP Patel made a motion to recommend approval of the penalty waiver request from Abbington Green Bed & Breakfast in the amount of \$20,860.06; Putnam seconded the motion. Lehman initiated discussion about whether others would consider requiring partial payment since this recommendation could set precedent. Mosher and Durden concurred. Lehman made an amended motion to recommend requiring late payment fees of \$5,960. HP Patel said his initial motion was simply for discussion. Putnam seconded Lehman's amended motion. There was no additional discussion. A vote was taken; the motion passed 5:2. HP Patel and Celwyn opposed.

Whiteford thanked the board.

President & CEO Report

Vic Isley presented lodging occupancy for March compared to previous years. Isley noted the monthly Smith Travel Research (STR) report had not been received, so the chart reflected the running total through March 28.

Isley shared the proposed meeting dates for FY24 and asked that the board check for conflicts and noted the schedule would be voted on in June.

Isley extended an invitation to the National Travel & Tourism Week Open House partner event on May 9 at Explore Asheville.

Isley provided context about the recent organizational assessment of the Asheville Buncombe Regional Sports Commission; since the BCTDA is a founding member of the sports commission, it will be involved in evaluating the recommendation from Huddle Up Group.

Isley concluded her report with a reminder that the Monthly Highlights and Destination Performance reports are posted on [AshevilleCVB.com](https://www.ashevillecvb.com).

Asheville Regional Airport Update

Asheville Regional Airport's Vice President of Marketing, PR, and Air Service Tina Kinsey provided updates on AVL airport trends. Kinsey shared charts on growth and top markets and spoke about the airport's collaborative relationship with Explore Asheville.

Kinsey also gave an infrastructure update, outlining the status of make-ready construction that is underway in preparation for the "AVL Forward Terminal Project", which will break ground in August 2023 and is targeting substantial completion by the end of 2026. Kinsey noted the new terminal will be twice the size of the current airport.

Kinsey answered all questions.

Asheville City Council Update

Vice Mayor Kilgore was absent, so city-related business was not reported at this meeting.

Buncombe County Commission Update

Mosher reported on recent county-related business on behalf of Commissioner Wells who was absent. The county's comprehensive plan is progressing, and the county is preparing for budget adoption.

Miscellaneous Business

There was no miscellaneous business discussed at this meeting.

Comments from the General Public

Call-In Public Comments

Mosher said members of the public could sign up to call in comments during the in-person BCTDA meeting. She reported that no requests to speak virtually had been received as of the April 25 deadline at 12:00 p.m.

In-Person Public Comments

Mosher said upon arrival to the BCTDA meeting, anyone who indicated a desire to make public comments completed the public comment sign-in sheet, affirming that they read, understood, and agreed to abide by the Rules of Decorum.

Stephen Zubrod and Carol Peterson spoke about the organizational assessment of the Asheville Buncombe Regional Sports Commission and their support of the sports commission. Bruce Peterson also signed up to speak about the sports commission but passed when called upon.

Timothy Sadler offered perspective as a community member on topics covered during the meeting, suggested funds be used to the benefit of service workers, and thanked the board for their service.

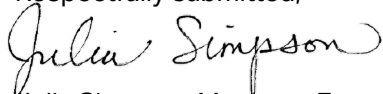
Adjournment

Putnam made a motion to adjourn the meeting, and Durden seconded the motion. With all in favor, the motion carried 7-0. The meeting adjourned at 10:43 a.m.

The PowerPoint presentation and relevant documents are on file with Explore Asheville and are posted on [AshevilleCVB.com](https://www.ashevillecvb.com).

The next joint BCTDA meeting will be held on Wednesday, May 31, 2023, beginning at 9:00 a.m., in the Explore Asheville Board Room, located at 27 College Place in Asheville.

Respectfully submitted,



Julia Simpson, Manager, Executive & Strategy