Asheville-Buncombe Air Quality Agency

MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for February 3, 2026

DATE: March 5, 2026

Enclosed, please find the Minutes for the Asheville-Buncombe Air Quality Agency Board meeting held on **Tuesday, February 3, 2026 at 4:00pm**. The next meeting is scheduled for **Thursday March 12, 2026 at 4:00pm** in the meeting room located at the previous Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801.

This meeting will be live streamed on Engage Buncombe which can be accessed at https://engage.buncombecounty.org/s8486. The board meeting documents will also be available on the Engage Buncombe site. The meeting will be recorded and can be viewed later.

The Asheville-Buncombe Air Quality Agency Board of Directors met on Tuesday, February 3, 2026, in the meeting room at the former Buncombe County Permit Office located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present: **Members Absent:**

Garry Whisnant
Joel Storrow
Caitlin Cook
Ned Guttman
Karl Koon

Staff Present: *Ashley Featherstone, Director; James Raiford, Permitting Program Manager; Steve Ensley, Air Quality Monitoring Coordinator; Alex Latta, Air Quality Specialist II; Allison Glass, Air Quality Specialist I; Hannah Rhodes, Air Quality Coordinator*

Others Present: *Suzanne Avett, Senior Attorney II; Glenn Murray, Accounting & Financial Reporting Manager; Sam Riddle, Budget Analyst; Timothy Love, Assistant County Manager; Patti Beaver, CIBO*

Joel Storrow called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on February 3, 2026, at 4:00 pm.

The order of business was as follows:

1. **Public Comment Protocol Announcement**
   A. Joel Storrow read the public comment protocol.

2. **Adjustment and Approval of Agenda**
   A. Garry Whisnant made the motion to approve the agenda.
   B. Ned Guttman seconded the motion.
   C. All present – yes
   D. The motion passed 5-0

3. **Introductions**
   A. Suzanne Avett – Legal Counsel
      i. Joel Storrow welcomed Suzanne Avett, the board's new legal counsel.
      ii. Suzanne Avett said that she is not new to the county attorney's office. With some of the shifting around, she has replaced Amy Broughton as the Air Quality Board's legal counsel. She is new to this position, but not new to the county. For the past 18 years, she worked as the attorney for the department of Health and Human Services.

B. Joel Storrow also introduced some of the other attendees, including Timothy Love, the Assistant County Manager, Sam Riddle with the County's Budget Department, Glenn Murray with the County's Finance Department, and Patti Beaver from CIBO.

4. Consent Agenda

A. Approval of minutes from November 20, 2025
B. Ned Guttman made the motion to approve the minutes.
C. Caitlin Cook seconded the motion.
D. All present – yes
E. The motion passed 5-0

5. Unfinished Business

A. None

6. Director's Report

A. Buncombe County Reduce to Rebuild Program
   i. Ashley Featherstone stated that the Agency adopted a fee change in our rules to reduce certain permit fees related to Hurricane Helene, which ran from June through December of last year (2025). The County has decided to extend that program until June 30, 2026, and they have asked us to do the same. Instead of a 50% reduction in fees, they are asking to waive fees 100%. We had 169 applications for the program last period, 33 of them met the criteria, and the overall financial impact was $1,200. For the proposal, instead of putting a sunset date, Ms. Featherstone said the Agency would like to include a reference to the County's Reduce to Rebuild Program so that if the Board of Commissioners changes the date again, we will not have to amend our rules again. We will need to post it for public comment for 30 days, and then the Board will vote again.
   ii. Karl Koon asked if we would issue any refunds for any permits issued as of January 1st.
      1) Ashley Featherstone replied no, but if we see someone that might qualify, we would let them know that they could wait and get the fee waived. The fee is only about $200, so that is a decision they can make as to whether or not they would like to wait.
   iii. Joel Storrow proposed voting on going to public notice on extending the reduce to rebuild program.
      1) Garry Whisnant made the first motion.
      2) Karl Koon seconded the motion.
      3) The motion passed 5-0
B. Air Quality Rule Amendments Update
   i. Ashley Featherstone stated that we have three groups of rules on the website for Board members to review. She said she is almost through with group 4, but some of those are the ones where our rules are different from the State's rules, so group 4 is taking a little longer than the others. She is hoping to have more of an update on the rules at the March meeting.
C. Review Program Data (complaints, civil penalties, permits, etc.)

i. The Agency tracks program data that shows things such as the number of permits we issue, number of facilities we work with, etc. Ashley Featherstone showed a few graphs depicting the data.
ii. In Calendar Year 2024, inspections were down due to Hurricane Helene, as Stage I inspections are typically done in the Fall and were not done that year.
iii. Asbestos and demolition permits were up in 2024.
iv. The Agency has 70 permitted facilities, plus around 150 gas stations that are permitted.
v. Ashley Featherstone shared about the most common industry NOV's, such as late reports.
vi. Garry Whisnant asked if we use NOD's (Notices of Deficiencies), or just NOV's (Notices of Violations).
    1) Ashley Featherstone responded that the we do issue NOD's. That is something that the legislature mandated a few years ago and wanted the Agency to issue NOD's in addition to NOV's for certain things. But the Agency and the state are issuing those.
vii. Garry Whisnant asked if we issue more NOV's or NOD's.
    1) Ashley Featherstone responded that we do have a fair amount of NOD's that we have issued. There are likely more of those, as the majority are just first time late reports. The way we presented the data here NODs were counted as NOVs.

D. Accomplishments for last 5-year period
i. Ashley Featherstone shared that the county just wrapped up their strategic plan. They do a 5-year strategic plan, and we are a part of that process, so we have data to share from the last 5 years. The biggest one to highlight is that in 2024, we completed a reorganization of the agency, filling a vacant position, hiring new staff positions, and we re-did a lot of the position descriptions and the organizational chart. That is a project that we worked on for 2 or 3 years.
ii. Other goals from the strategic plan are ones that the Commissioners had and we tried to align our goals with theirs. For example, one of the Commissioner's goals was related to customer service, and we started taking electronic payments for asbestos/demolition permits, which directly aligns.
iii. We worked with IT to establish an air quality complaint module in Accela.
iv. We used EPA funds to upgrade and expand our air pollution monitoring equipment.
v. We worked with multiple groups to move the particulate matter air monitoring site from the roof of the Board of Education to the ground.
vi. We hosted a low-cost air quality sensor shelter in the community.
vii. We did post-Hurricane Helene non regulatory air quality monitoring.
viii. We gave away free radon test kits.
ix. We worked on some grants for electric vehicle infrastructure to help the schools get an award from EPA for 4 electric school buses. This award appears to be on hold.
x. We started an energy efficiency program with breweries.

E. Budget Year Update FY26
i. Ashley Featherstone said we are a little more than halfway through Fiscal Year 2026. We do have $15,000 in the contingency funds in the budget, which is for unexpected things that

come up, and Ms. Featherstone wanted to let the board know that we did have to use some of those funds recently. We had to pull about $8,600 from those funds for a monitoring equipment repair. The way we have the budget ordinance written, we did not need the board to vote on this, but we needed to make the board aware of this transaction.

ii. Garry Whisnant asked if we track our planned cash flow vs budget monthly.
    1) Sam Riddle from the County's Budget department said that we're always tracking it monthly. We're a little less concerned with the cash flow piece, and more just looking at where we are in the year and making sure we're on track to meet annual numbers.
    2) Garry Whisnant asked if we see monthly if we're on track or not on track.
    3) Sam Riddle explained that you might spend different amounts of money at different times of the year, which is why we monitor to make sure we're on track for meeting annual numbers. For example, if we have more trainings in the spring, we wouldn't have spent our travel and training budget yet halfway through the year. These are the types of things we consider when tracking the budget actuals throughout the year.

iii. Karl Koon also pointed out that our income is not consistent from month to month. For example, our Stage I invoices are sent out at one time of the year.

iv. Ned Guttman asked what monitoring equipment needed to be repaired.
    1) Ashley Featherstone said it was the BAM PM2.5 monitor.
    2) Steve Ensley then elaborated on the equipment repair. He said we did not lose any data due to the fact that we have a spare, but we needed to pay the diagnostic fee and get the one BAM repaired so that we could have a spare in the future.

v. Ashley Featherstone said that the other part of the budget update she wanted to give was regarding our EPA grant allocation. The budget for the EPA was just approved on the federal level for slightly higher than the prior year. This means we should be receiving a partial award soon. That is the award that we would not draw down until Fiscal Year 2027.

vi. Garry Whisnant asked if the number was on track with what we had put in the budget.
    1) Ashley responded that yes, it was. She said that we were particularly worried for this year because the President's original skinny budget had zeroed out our funding, so we were very pleased that these recurring funds ended up getting approved at what is essentially level funding compared to the prior year.

F. Radon Awareness Month
    i. We purchased 100 radon test kits. We are working with Environmental Health to hand those out. We still have some more kits to give out.

G. Monitoring Update
    i. Steve Ensley showed slides on PM2.5 data. He is unsure what is going to happen with the PM2.5 standard. Ashely Featherstone said that the current standard was changed from 12 to 9 (micrograms per cubic meter) with the previous administration, but the current administration was challenging that, so it is in court right now.
    ii. Steve Ensley said the good news is that we are in good shape to meet the new standard.
    iii. Steve Ensley went over monitoring data completeness.
        1) PM2.5 data completeness: 97.71% (for 2025)

2) Ozone data completeness: 93.76% (for 2025)

iv. Steve Ensley elaborated that having the spare instrument allowed us to have such high completeness for the year.

v. Steve Ensley said there is a monitoring workshop that is happening this week that is virtual. He is also going to be going to Raleigh to pick up ozone equipment from the state that they certified for us.

vi. Steve Ensley then talked about the AB Tech monitoring site.
   1) The MOU was completed.
   2) The addendum went to public notice with additional information to justify the location of the second ozone site. Ashley Featherstone stated that it said why the AB Tech site was sufficient when we already had one on Bent Creek. That public notice period has passed and Steve Ensley believes the state did not receive any comments. He is hoping to hear something soon.
   3) Ashley Featherstone said we are working with the county and AB Tech, as we wanted to make sure that we have the 105 grant funds prior to continuing. We have communicated with the county that we would like to proceed with the site.
   4) Steve Ensley said the State is letting us use their building (which was recently purchased cost approximately $80,000) to put on the concrete pad.
   5) We will not have the site up and running by March with the start of the ozone season, but the agreement is that we will get it up and running soon. The state plans to deliver the building in May.

vii. Garry Whisnant said he watches the air quality forecast every day, and he feels it is almost always yellow.
   1) Steve Ensley said that one thing that has driven that is that when they dropped the standard, what used to be considered green is sometimes now yellow.
   2) Ashley Featherstone said the new standard was finalized a couple of years ago.
   3) Garry Whisnant said it looks like we are well below the standard, so he doesn't understand we are always in the yellow.
   4) James Raiford said that the yellow-to-green is the biggest jump. Also, they are trying to be conservative, so they don't want to forecast a green day and then have it end up being a yellow day. If a forecast is close enough to yellow, they will just forecast it as a yellow day. Therefore, there are some days that they will forecast as yellow, but actually end up being green days (for the air quality index).
   5) James Raiford said that unless there are wildfires, we typically don't have orange days.

viii. Ned Guttman asked where the input data is coming from for the forecast.
   1) James Raiford said that DEQ has in-house air quality meteorologists that make the forecast. But we do have a PM network from Hickory, Charlotte, Spruce Pine, etc. So the network they are forecasting from in our area is actually a little better than some other areas.
   2) Ned Guttman asked if it was one or two stations used for the forecast of this large area.

3) Steve Ensley said that they are now also using Purple Air sensors (in addition to the regulatory monitors), so that adds many, many additional data points.

ix. Ashley Featherstone said the challenging thing is that now we are having a lot of yellow days because the standard was changed. If the standard gets changed again, we will have to explain to the public why we are getting so many more green days, but it's just that the standard would have been changed yet again, not that air quality has changed.

x. James Raiford said that the bottom line is that our air quality is not any different, it's just what number the EPA decides is the standard to protect public health.

H. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
RTX Corporation, Pratt and Whitney	Airplane Parts Manufacturer	Small	Biltmore Park West, Asheville	Updating the heat input and removing the afterburner for the shell fired furnaces in the permit, adding additional equipment including a wax injection machine, a wax furnace (similar to existing equipment) and a boron nitride spray booth.

i. James Raiford said this is a newer facility, and so they are constantly realizing that they need to slightly change things on their permit. They removed some equipment and added some other equipment. When you look at total potential emissions new vs old, it was a very small amount of an increase, maybe a 1 ton increase in potential emissions. They did get a zoning consistency determination, which is required.

ii. Karl Koon made the motion to approve the above permit modification.

iii. Ned Guttman seconded the motion.

iv. All present – yes

v. The motion passed 5-0

I. New Permits

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
The Biltmore Company	Wood Waste Management for the Biltmore Estate	Title V-General Permit	Biltmore	Air Curtain Incinerator

i. James Raiford said that we approved one air curtain incinerator (ACI) permit at the last board meeting. Since Hurricane Helene, some companies have realized that they would like to burn some of their waste to dispose of it. When the EPA approved the original use, they did not need a permit because it was to burn storm debris. Now they would like to keep it on site so they can use it for wood waste management. There are no residents near the ACI location. James Raiford did air quality modeling and there are no concerns about it impacting residents.
ii. Karl Koon asked if Biltmore would be moving the ACI around the property.
    1) James Raiford said they originally had wanted to move it between three different places, but they decided on one permanent site.
iii. Ashley Featherstone said we will have one more of these ACI permits to approve. We have a third application in house right now.
iv. Ned Guttman made the motion to approve the above new permit.
v. Caitlin Cook seconded the motion.
vi. All present – yes
vii. The motion passed 5-0

7. New Business

A. Financial Update: June 30, 2025 Statement of Net Position
i. Joel Storrow introduced the topic of net position, which is beneficial to discuss now, as we are entering budget season.
ii. At the top of the net position document is our cash reserve of $713,601, which we have previously referred to as the "fund balance." Joel Storrow stated that we've invited county staff to the meeting today because, as it turns out, as an Agency, our liabilities have to be accounted for when calculating a true "fund balance" amount. These liabilities include things such as retirement costs for previous employees. Once we take out all of the future liabilities, we end up with only $27,687. And while that cash reserve does not go away all at one time, we do have to account for that.
iii. Garry Whisnant said that we have always viewed the fund balance as funds that are available to spend should we need it. He then asked, which is the dollar amount available to use?
    1) Timothy Love said that the amount of $713,601, as it turns out, has a restricted future use. So there are future liabilities that it needs to be reserved for. As Mr. Storrow said, you wouldn't see that $700K get spent all at once, but over the course of 5, 10, 15, or 20 years, you may see that liability get realized. With that, we can't just view it as cash because it does have another purpose in the future.
    2) Timothy Love went on to say that, realistically, if we're thinking about an organization and managing operations, you're going to take care of immediate expenses before you are going to start thinking about future liabilities. And so he thinks that was a natural thing that was occurring, and he doesn't think anyone has done anything wrong. He doesn't think we're in the "red," to use more casual language. But, there is no doubt that there is

a future liability that must be accounted for, and that's what is happening when looking at this most recent Statement of Net Position.

iv. Garry Whisnant asked if it is appropriate for us to use any of those funds in the budgeting process.
    1) Timothy Love responded that we really shouldn't use those funds. That being said, it is a balance. We need to recognize current expenses versus future liabilities, and so to some extent, there might be a need to use the funds for that purpose, but it's not a good practice overall to dip too deeply into that.

v. Ned Guttman asked about the City's role in the Agency, since it is a City-County Agency, and if the City has any input into the budgeting.
    1) Timothy Love said that he can not speak on behalf of the City. Ashey Featherstone and Joel Storrow have had communication with City officials in the past, but he is not privy to those conversations.
    2) Overall, the City has not had much involvement with the budgeting process, or at least not in recent years.

vi. Karl Koon asked if we have specific numbers for future liabilities, such as retirement costs, and asked if the $27,687 number would be realized 5 years from now, 10 years from now, etc. He also asked if the $713,601 was building some income on its own, and if the rate of return was being accounted for.
    1) Glenn Murray said that it's very complicated, but he will try to do his best to explain it. For retirement, it is the State that actually holds that money. The money for the pension is our portion of the State's liability. Those are funded by payroll payments over time. And it's not that we're supposed to fund X amount of dollars every year to make sure that liability is paid off. The employee is responsible for one part of it, and the employer is responsible for the other part of it. Depending on how well it's funded versus underfunded, the State does occasionally increase the employer's portion of that over time, but that is how it is funded. In the end, we don't have to pay that money. But we are required to show, if we had to pay it today, what the amount we would have to pay would be. Compensated absences are another example of an item that Air Quality has to report on. It equals the amount of vacation that a staff member has accumulated, and if that staff member terminates employment at the end of the year, this is the value the Agency would have to pay out to them. OPEB (other post-employment benefits) is another example, and it is the health insurance benefit that we pay. It's another thing that is held in a trust and does earn interest. Right now the county pays it directly, but those costs are reported throughout the year.

vii. Ned Guttman asked whether the $700K exists in terms of usable money.
    1) Glenn Murray said that he doesn't want to say that it doesn't exist, but the $700K should be reserved for future liabilities.

viii. Ned Guttman asked where the fund balance originated, and if it started as actual cash that was coming into the Agency.

1) Glenn Murray said that that's hard to answer. Some of the numbers have always been there. The pension numbers only had to be reported as of about 10 years ago, per the Government Accounting Standards Board.

ix. Ned Guttman asked how much actual cash the agency had in the past that was considered a "fund balance," rather than the liability number. He wanted to know if the agency was previously operating in the black.
   1) Joel Storrow said that the answer to that is that there have been years when the Agency put funds back into the fund balance.
   2) Karl Koon and Joel Storrow pointed out that the air has improved so that our tonnage fee revenue is down, compared to previous years.
   3) Glenn Murray said that sometimes it is useful to look at any of the numbers presented, and which numbers you look at depend on what situation you're wanting to analyze for.

x. Ned Guttman said he wanted to know what number we should concentrate on to create the budget.

xi. Garry Whisnant talked about how in previous years we have used the fund balance to balance the budget. He asked if that number for this budget season should be $27K.
   1) Timothey Love and Glenn Murray said that yes, for budgeting we should use the $27K so the rest of the fund can be reserved for long term liabilities.
   2) Glenn Murray also pointed out that long term liabilities are based off of numbers calculated by actuaries, and they can fluctuate from year to year.
   3) Timothy Love said that we also have Sam Riddle with budget, who works with Ashley Featherstone and Hannah Rhodes to manage and project the balance of revenues and expenses.

xii. Karl Koon asked if the non-current liabilities are based upon just the Air Quality employees and former employees, and their specifics, or is that a Buncombe County number that you divide out by the number of employees, and allocate it out that way?
   1) Glenn Murray said that it is Air Quality only. For example, the pension amount is an amount that the State has a report specific to Air Quality. Other numbers are based on Air Quality's staffing, so it's all Air Quality-specific numbers.

xiii. Garry Whisnant wanted to confirm that the number we should use in the budgeting process is $27K, and this was confirmed by the finance team.

xiv. Ned Guttman asked about the fee schedule and adjusting fees.
   1) Tim Love said the county publishes their fee schedule with the budget, so by June 30th that will happen. Ashley Featherstone has mentioned this to him in the past. He was unsure that we'd be ready to adjust our fees this year, but said it can certainly be discussed for future years.

xv. Ashley Featherstone commented that the county has to report the Air Agency finances separately, because we are a separate component unit (for accounting purposes).
   1) Glenn Murray confirmed that the Air Agency does get reported as a component unit, compared to other departments that get lumped together for the county.

xvi. Tim Love said that we are a unique entity, and there is not another like us in the State.

1) Ashley Featherstone said that the other two local programs in the state are under the county commission, which we are not.
2) Ashley Featherstone said that Air Agencies have been having funding issues for years now, and the other two local programs in the state have now been receiving funding from their counties
3) Ned Guttman asked if the county would be interested taking on this Agency and Board.
4) Tim Love said he is interested in continuing this air program. He said he wants the board to feel supported by county staff, should they have any other questions.

8. Other Business

A. Legal Counsel Report
   i. Suzanne Avett said that there has been a judgement issued for the Banks case. There is an overlap on this case for both Air Quality and Solid Waste. The solid waste and cleanup of the property are probably going to be the bigger next issue.
   ii. Ashley Featherstone asked what it means that a judgement has been issued.
      1) Suzanne Avett answered that it essentially allows the county to clean up the property and put a lean on the property in an effort to recoup the funds.
   iii. Ashley Featherstone asked if the current owners are affected. Does the county take their property?
      1) Suzanne Avett said that that can be an eventual outcome, and it would be like a foreclosure matter.
   iv. Ashley Featherstone asked if the judgement tells the owners that they have to clean up the property and stop burning trash, correct?
      1) Suzanne Avett confirmed. She said that they have the ability to clean up the property, although she doesn't know that that's a likely option given how long this matter has been ongoing. She thinks the most likely resolution will be the county cleaning up the property.
   v. Ashley Featherstone asked if for now, we just wait and see what happens with the legal case?
      1) Suzanne Avett confirmed that it will be a wait and see type of situation.
   vi. Joel Storrow asked if there could be judgement that would bring some money back to the Agency.
      1) Ashley Featherstone said that any funds we get from items like this go to the school board.
   vii. Suzanne Avett said that there are a couple of these types of cases going right now, and they are quite lengthy processes.

B. Advisory Committee Report
   i. Committee has not met since the last meeting.
   ii. Ashley Featherstone said she will reach out to the advisory committee to get something scheduled. We may try to set up a meeting in April.

C. Calendar
   i. 2026 Board Meeting Schedule
   ii. Next meeting March 12, 2026

D. Announcements

i. There is a wood stove safety day at the Barnardsville fire department from 11am to 1pm on Saturday, February 7th, and we will have a table there with our Burnwise materials. They will be giving out free wood stove safety kits.

9. Public Comment

A. None

10. Adjournment

A. Garry Whisnant made the motion to adjourn the meeting.
B. Ned Guttman seconded the motion.
C. All present – yes
D. The motion passed 5-0
E. The meeting was adjourned at 5:09pm