CITY RESOLUTION NO. 14-12

COUNTY RESOLUTION NO. 14-02-04

RESOLUTION ESTABLISHING A JOINT CITY/COUNTY AFRICAN AMERICAN HERITAGE COMMISSION

WHEREAS, the Asheville City Council and the Buncombe County Board of Commissioners have authority to establish advisory boards and commissions pursuant to N.C.G.S. § 160A-146 and N.C.G.S. § 153A-76, respectively; and

WHEREAS, the African American community has been an integral part of Asheville and Buncombe County since the 1780's; and

WHEREAS, the North Carolina African American Heritage Commission has been in existence for about three years and is held in the highest regard; and

WHEREAS, the Asheville City Council and the Buncombe County Board of Commissioners have determined that it is in the public interest to establish a commission to advise the Asheville City Council and the Buncombe County Board of Commissioners on issues concerning the enhancement of the economic, social, cultural and educational lives of African Americans in Asheville and throughout Buncombe County; and

WHEREAS, according to a grass roots committee desiring to establish the African American Heritage Commission as a joint commission of the City of Asheville and the County of Buncombe, the following are historical facts of African Americans in Asheville and Buncombe County:

1. One of the first enslaved persons of African heritage (a teenage girl owned by Samuel Davidson), settled in the Swannanoa Valley in 1784.

2. Pack Square was the site of the first and second Buncombe County courthouse and was the same location where enslaved people were sold on the courthouse steps and bills of sale recorded inside at the Register of Deeds. Except for the recent publication of these records, there has been little or no public acknowledgement given to the existence of the institution of slavery in Asheville and Buncombe County and very little public recognition of the many contributions of African Americans to the life, culture, and economic development of this area.

3. Prior to 1865, slave labor contributed to the building of many of the early roadways and buildings in Asheville and Buncombe County including the Buncombe Turnpike, the Eagle Hotel, the Smith McDowell House, along with area churches and commercial and industrial buildings.

4. After 1865, African Americans continued to contribute to economic and cultural development along with the overall vitalization of Buncombe County and the City of Asheville, North Carolina as: farmers, building contractors, skilled laborers (carpenters, cabinet makers, iron workers, stone and brick masons), educators, clergy, business owners, lawyers, physicians, hospitality workers (including chamber maids, housekeepers, and chefs), artists and musicians, and more.

WHEREAS, a commission on the history of African Americans is the desired means to discover, develop, promote and implement projects and programs to recognize African American history in Buncombe County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHEVILLE, THE CITY COUNCIL OF ASHEVILLE, THE COUNTY OF BUNCOMBE AND THE BUNCOMBE BOARD OF COMMISSIONERS THAT A JOINT AFRICAN AMERICAN HERITAGE COMMISSION BE ESTABLISHED AS FOLLOWS:

1. **Creation**. It is declared that the public welfare and interest of the citizens and residents of the City of Asheville and Buncombe County will be served by the establishment of a commission to advise the City Council and County Commissioners about the preservation, interpretation, and promotion of African-American arts, history and culture. To that end, there is hereby established a joint African American Heritage Commission (herein "Commission").

2. **Membership**. The Commission shall consist of nine members with representation as follows:
    a. Three seats to be appointed by Asheville City Council;
    b. Three seats to be appointed by the Buncombe County Board of Commissioners;
    c. The remaining three seats will be appointed by the six appointed members.

3. **Criteria**. In appointing members to the Commission, the following criteria will be considered essential:

    a. Affiliations with significant African American institutions in Asheville and Buncombe County
    b. Diversity within the members by age range, affiliations (local, regional, national), professional expertise, and area of town or county where they reside.
    c. Willingness to be an active participant in meetings, expending an estimated three (3) hours or more a month in Commission business.

4. **Term**: Except for initial terms as provided for herein, the term of office shall be three (3) years. In order to establish a staggered Commission, the initial three appointments by the City, the County and the Commission, respectively, shall be designated by each appointing body as being for one, two or three years. All initial terms shall be deemed to commence as of the appointment of the ninth member. Appointees shall not serve more than six (6) consecutive years, although members may be reappointed after having been off the Commission for at least one (1) year.

5. **Powers and Duties**. The Commission shall have the following powers and duties:

    a. Develop rules for the conduct of its business, including but not limited to meeting schedules, election of officers, voting, subcommittees, et al.

    b. Develop a plan to identify, create, encourage, promote and implement projects that will recognize, increase and expand the awareness of the contributions of African-Americans throughout the City-County area.

    c. Create plans to identify and recognize sites in the community that are significant to African-American history; encourage and promote economic activity related to the African American community; and propose other projects that are consistent with the goals of the Commission.

6. **Reports to Asheville City Council and the Buncombe County Commissioners**. Within 180 days from date of the commencement of the initial terms, the Commission shall provide a written progress report to Asheville City Council and the Buncombe County Commissioners setting forth the Commission's plan for carrying out its powers and duties as set forth above. Additionally, to the extent that the carrying out of the Commission's powers and duties require funding from the Asheville City Council and Buncombe County Commissioners, the Commission shall prepare a budget outlining the appropriations and expenditures, with said funding request to be considered. Following the initial report, the Commission shall provide a report to Asheville City Council and Buncombe County Commissioners on an annual basis, or more frequently as directed by Asheville City Council and the Buncombe County Commissioners.

7. **Assistance**. The City Manager and County Manager will upon request, make space available within City and/or County facilities for the Commission to conduct its meetings, and will provide clerical assistance in fulfilling the legal requirements for said meetings pursuant to open meetings and public records laws of North Carolina,

and such other assistance as is customary for City Council and County Commissioners' Boards and Commissions.

Read, approved and adopted this 14 day of January 2014, by the Asheville City Council.

CITY CLERK

MAYOR

Approved as to Form

CITY ATTORNEY

Read, approved and adopted this 4th day of February 2014, by the Buncombe County Board of Commissioners.

COUNTY CLERK

CHAIR

Approved as to Form

COUNTY ATTORNEY