

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF MAY 4, 2010 AT 4:30 P.M.**

---

**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on May 4, 2010, in the Commissioner Chambers, 30 Valley Street in downtown Asheville, North Carolina at 4:30 p.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

David Gantt, Chairman  
Bill Stanley, Vice Chairman  
Holly Jones, Commissioner  
Carol Peterson, Commissioner  
K. Ray Bailey, Commissioner

Staff present were: Wanda Greene, County Manager; Jon Creighton, Assistant County Manager Planning Director; Mandy Stone, Assistant County Manager/ DSS Director; Donna Clark, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, County Attorney.

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

Commissioner Bailey gave the invocation.

### **DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA**

*The Chairman reminded the Board that in accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. He asked if any Board member had any known conflict of interest or appearance of conflict with respect to any matter coming before the Board. None were stated.*

Vice Chairman Stanley moved to approve the consent agenda as presented.

- **Approval of Minutes of April 20, 2010 Regular Meeting**
- **Ordinance Amending Chapter 6 “Animals” of the Buncombe County Code of Ordinances**
- **Approval of Tax-Exempt Loan to Broad River Volunteer Fire and Rescue Department**
- **Budget Amendments:**
  - **Fund 12 – Air Quality Revenues (\$45,000)**
  - **Fund 10 – Social Services**
    - **Foster Care LINK Funds \$36,000**
    - **Crisis Intervention Funds \$100,000**
- **Grant Projects Ordinance**

Commissioner Peterson seconded the motion and it passed 5-0.

### **GOOD NEWS**

- **Welcome Sister City Delegation from Osogbo, Nigeria**

Terry Bellamy, Mayor of the City of Asheville, introduced the delegation from Osogbo Nigeria, a sister city to the City of Asheville. The Mayor gave a history of the Sister Cities organization and their work to promote international awareness. There are six sister cities with the City of Asheville and Osogbo is the newest with a population of 500,000. The Mayor introduced Teslim Igbalaye, Chairman, Local Government in Osogbo; Jimoh Akanni Agboola, National President, Osogbo Progressive Union; Oluseyi Olaboyede Atanda, Coordinator of Osogbo Asheville Sister

Cities Committee; Joseph Aderemi Akinlade, Member of Osogbo Asheville Sister Cities Committee; Kudirat Abeke Nofiu, Member, Osogbo Asheville Sister Cities Committee; and Adebimpe Shakirat Atanda.

The Chairman and Commissioners presented each delegation member with a gift.

▪ **Excellence in Public Service County Award Winners**

Kathy Hughes, Public Relations Director, presented the winners of the 2010 Excellence in Public Service Awards. These winners, whose names and accomplishment summaries are attached to the minutes, will go on to compete with the City, Federal and State Government and Municipal employees from Buncombe County. Winners will be announced at a breakfast on May 18 at the University of North Carolina at Asheville. The Board presented each of the following winners with an award:

**Outstanding Manager**

Matt Stone, Director  
Permits and Inspections

**Outstanding Professional**

Karen Caldwell  
Tobacco Prevention Coordinator  
Department of Health

**Outstanding Supervisor**

Keith Miller  
Real Estate Supervisor  
Tax Department

**Outstanding Technical or Aide**

Mike Martinelli  
Processing Assistant IV  
DSS

**Outstanding Team**

H1N1 Department of Health Team  
Chris Emory, Nelle Gregory, Sue Ellen Morrison

**Contribution to Improving Diversity**

Grace Young  
Programs Coordinator  
Parks, Greenways and Recreation

**Suzanne Turner – Unsung Hero Award**

James H. Coman, Planner III  
Planning Department

**PROCLAMATIONS**

▪ **Older Americans Month**

Commissioner Peterson read the proclamation and moved for its approval.

Commissioner Stanley seconded and the motion passed 5-0. Commissioner Peterson presented the proclamation to Nancy Ostergaard with the Successful Aging Event Committee and the Aging Coordinating Consortium. She invited the Board to the aging events during the month of May.

**PUBLIC HEARING**

• **Department of Transportation Secondary Road Construction Program**

Jeff Moore, Chad Tandy and Rick Davis with NC Department of Transportation presented the report on the State's proposed expenditure of the secondary road funds for 2010 to 2011. This report is attached to the minutes of this meeting.

The Chairman opened the public hearing at 5 p.m. There were no public comments and the hearing was closed at 5:01 p.m.

Commissioner Bailey moved to accept the report as presented. Commissioner Peterson seconded the motion and the motion passed 5-0.

Commissioner Peterson praised the work on the bridge in Biltmore stating that it was a job well done.

## **NEW BUSINESS**

- **Amended County Policies and Procedures for Naming county Owned Facilities**

The County Manager presented the amended policy for naming county owned facilities that will enable the county to name and rename county facilities. She reviewed the changes in the policy.

Vice Chairman Stanley moved to approve the policy as presented. Commissioner Peterson seconded and the motion passed 5-0.

- **Resolution Authorizing Acquisition Of Real Property**

The County Attorney said that this property included a tower that can and is being used for public safety transmission. The County would like to purchase the property to benefit the south end of the county by providing improved radio transmission for public safety. He said that final approval must be subject to the county attorney and finance director.

Kim Pruett, IT Director, reviewed the power point that is attached to the minutes. She pointed out that there is a paved access road to the tower site it should be beneficial to the County for the next 10 years.

Bryan Dillingham, IT, said that they will use the existing tower primarily for Buncombe County Public Safety and could possibly have revenue from others on the tower.

Jerry Rice asked about possible revenue from the tower and the environmental impact on the view. He asked if this property was impacted by the zoning ordinance.

Mike Frue said that this is an existing tower grandfathered into the zoning ordinance.

Commissioner Peterson moved to approve the resolution as presented. Vice Chairman Stanley seconded the motion and it passed 5-0.

## **BOARD APPOINTMENTS**

Commissioner Peterson moved to appoint **Georgia Shannon** to the **Asheville Buncombe Community Relations Council**. The motion passed 5-0.

Vice Chairman Stanley moved to reappoint **Kelvin Anderson, Virginia Bower, Sonya Friedrich, Judith Hallock, Judy McDonough, Carrie McGuire, Robert DeBruhl** to the **Nursing Home Community Advisory Committee**. The motion passed 5-0.

Commissioner Jones moved to reappoint **Sarah Foster, Georgia Shannon, William Payne, Robert Tomasulo, Lorraine Poe, Marsha Safian, Peggy Franc, Barbara Mayer, Spike Gram and Laraine Webster** to the **Adult Care Home Community Advisory Committee**.

## **ANNOUNCEMENTS**

The Chairman announced that the next regular meeting of the Board would be May 18, 2010 at 4:30 p.m.

## **PUBLIC COMMENT**

Jerry Rice asked about the Nursing and Adult Care Home Advisory Committees' nominees. It was pointed out that these were reappointments. He mentioned the LME contracts and buildings being used for mental health costs. He said that mental health burden should not be put on the County. He suggested the Board ask for help with the mental health situation from their state association.

Vice Chairman Stanley moved to go into closed session pursuant to the County Attorney's direction under NCGS 143-318.11a (3) for a legal matter and (4) for an economic development issue. Commissioner Peterson seconded and the motion passed 5-0.

**CLOSED SESSION**

The County Manager presented a possible economic development incentive to reimburse moving expenses for employees relocating here. The Board declined this incentive.

The County Attorney presented a matter involving a corporate request for a refund of taxes based on a clerical error from 2008. He did not recommend the Board accept their request for refund as there was no evidence of actual clerical error. The Board agreed with the County Attorney.

Commissioner Bailey moved to return to open session and adjourn the meeting. Commissioner Peterson seconded the motion and it passed 5-0. The meeting was adjourned at 5:30 p.m.

---

KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

---

DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS