

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF SEPTEMBER 21, 2010 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on September 7, 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; Mandy Stone, Assistant County Manager/DSS Director; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, County Attorney.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Commissioner Peterson 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.

Commissioner Peterson moved to approve the consent agenda as presented.

- **Approval of Minutes of September 7, 2010 Regular Meeting**
- **Resolution Amending the Substance Abuse Policy for Mountain Mobility**
- **Resolution Authorizing Testing and Inspection Services Related to the Construction of the Public Safety Training Facility**
- **Resolution Authorizing the Negotiation of an Installment Financing Contract Directing the Publication of Notice with Respect Thereto and Providing for Certain Other Related Matters**
- **Resolution Authorizing the Submission of Documents and Execution of a Contract Related to the Single Family Rehabilitation Grant**
- **Resolution Authorizing the Adoption of a Language Access Plan for County CDBG Program**
- **Budget Amendments:**
 - **Fund 10 – Building America bonds (\$105,408); Carry Forward (\$221,553) Health Grant (\$393,407) Eat Smart Move More Grant (\$16,500)**
 - **Fund 71 – Sheriff Forfeiture (\$21,844)**
 - **Fund 22 0 Workforce Investment Act (\$254,217)**

Commissioner Bailey seconded and the motion passed 5-0.

PUBLIC HEARING

- **Grant Application for Community Development Block Grant Economic Recovery**

Donna Cottrell, County Planner, said that the hearing was to allow the public to comment on the community development block grant economic recovery funds of \$200,000 for housing replacement and emergency repairs to homes in Buncombe County. She said that another hearing will be required if the grant funds are approved and that anyone can submit a request for funds by calling the Planning Office or Mountain Housing Office.

The Chairman opened the public hearing at 4:38 p.m

Don Yelton said that he was in favor of helping citizens but wanted the County to be transparent by posting a detailed report of any funds spent from this grant on the County website.

Jerry Rice commented that \$200,000 would not go far if this was a regional grant.

Ms. Cottrell said the funds were to be used in Buncombe County.

The hearing was closed at 4:42 p.m.

Vice Chairman Stanley moved to approve the grant application as requested.

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

NEW BUSINESS

- **Asheville/Buncombe/Henderson Regional Public Transportation Feasibility Study:**
 - **Presentation of Recommendations by HDR Engineering of the Carolinas**
 - **Resolution Accepting Recommendations Presented in the Regional Study and Authorizing Initiation of Community Transportation Services Plan for Buncombe County**

Lori Hembree with Mountain Mobility said that the study was part of a North Carolina Department of Transportation public transportation funded project with Mountain Mobility, Henderson County and the City of Asheville participating.

Robert Bush with HDR Engineering who prepared the report, made a presentation that is attached to the minutes. He said that the study was to determine the feasibility of combining transportation systems in the region. Mr. Bush said that eventually there will need to be an additional funding mechanism for the transportation system. He mentioned HB 148 that was adopted in the legislature allowing the state to implement a county level vehicle registration fee. The \$8 fee would require action by Buncombe and Henderson Commissioners. In the final phase of the study as recommended by the study committee, a whole new organization would take over as the transit authority of the entire area. A new operating facility could be built in Buncombe as early as 2016.

Commissioner Peterson said that this study was done through NCDOT and she would be hesitate to be make a decision to move forward with the recommendations without more input and discussion with the governing bodies involved.

Assistant County Manager Jon Creighton pointed out that the Board could simply accept the study without accepting any of the recommendations at this point.

Commissioner Bailey moved to accept the report and ask the County Manager to continue meeting with the parties involved regarding future regional transportation decisions.

Commissioner Jones seconded and the motion passed 5-0.

- **Resolution Authorizing Execution of Courthouse Life Safety Tower Addition Phase One Improvement Construction Manager at Risk Contract**

The County Attorney said that the Construction Manager at risk program will allow the county to hire local contractors to do the work and pull all the elements of the contract together.

Jon Creighton, Planning Director, said that they have a contract from America South/Turner for \$26 million for Phase One of the life safety project including construction of the safety tower on the outside of the courthouse, renovation and construction inside the courthouse including demolition of top floors of the courthouse creating additional space in the old jail, utility work on Davidson Street, and taking down the Annex. This project will create a court complex and allow the continued use of the courthouse bringing it up to code and extending the life of the historic building for many years. After this project is complete, everything in the courthouse will be court associated offices. The Tax Office and Register of Deeds will move to 35 Woodfin Street.

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

- **Resolution Securing Permanent Protection of the Craggy Wilderness Study Area and the Craggy Wilderness Area**

Wanda Greene, County Manager, said that this request is to support the protection of the craggy wilderness area from logging, mining and construction. The US Forest Service recommended the protection and designation of the wilderness area and the county's recommendation will be forwarded to our congressional representatives and will require federal approval for the final designation.

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

BOARD APPOINTMENTS

The Chairman announced that the Board would be holding interviews with applicants for the County Board of Adjustment in the near future.

ANNOUNCEMENTS

- *The next meeting of the Board will be October 5, 2010.*

PUBLIC COMMENT

Mike Fryer commented on the budget for the Sheriff's department. He said that the current Sheriff is spending a lot more than the previous sheriff. He said that his five top employees get a \$500 clothing allowance. He also questioned the Sheriff's use of his personal car for business.

Don Yelton commented on timber being cut in the early 1900. He criticized the Board for not attending a recent meeting regarding the CTS site.

Jerry Rice criticized the budget and the amount of money being spent by the County and schools. He read from the Charlotte Observer and asked if the Board could reduce County taxes instead of spending more money.

Commissioners Jones and Peterson pointed out that thanks to the county's creative and innovative thinking and money management, the county was able to serve an increased number of citizens in need of care.

Commissioner Bailey moved to go into closed session pursuant to GS: 143.318.11A (4) for 2 economic development matters. Vice Chairman Stanley seconded and the motion passed 5-0.

CLOSED SESSION

Jon Creighton, Assistant County Manager, told the Board about a possible economic development incentive for a company considering a \$10 million expansion that would eventually bring 54 jobs to the area. Mr. Creighton suggested an incentive of \$200,000 paid over 3 years. The Board gave consensus for the offer.

Mr. Creighton said that a current company based in Buncombe County is considering a renovation that would bring 400 jobs with a \$1.8 million investment. He suggested an offer of \$200,000 incentive. The Board gave consensus.

Commissioner Peterson moved to return to open session. Vice Chairman Stanley seconded and the motion passed 5-0.

Commissioner Peterson moved to adjourn the meeting. Commissioner Jones seconded and the motion passed 5-0.

The meeting was adjourned at 6 p.m.


KATHY HUGHES, CLERK
THE BOARD OF COMMISSIONERS


DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS