

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF FEBRUARY 2, 2010 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on February 2, 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  
K. Ray Bailey, Commissioner  
Holly Jones, Commissioner  
Carol Peterson, 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**

### **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 January 5 , 2009 Regular Meeting**
- **Release Report**
- **Approval of West Buncombe Volunteer Fire Department Refinancing of Tax-Exempt Loan**
- **Resolution Accepting and Approving a Report from the Purchasing Agent Regarding the Sale and Disposal of Surplus Property**
- **Resolution Authorizing the Submission of an Application to the Asheville Regional Housing Consortium for Home Funds and Approval of Housing Projects**
- **Grant Project Ordinance**
- **Budget Amendments:**
  - **Fund 30 – Transportation (\$136,916)**
  - **Fund 22 – WIA (\$125,000)**

Commissioner Stanley seconded and the motion passed 5-0.

### **PROCLAMATIONS**

#### **▪ Boy Scouts of America Day**

Commissioner Peterson read the proclamation of Boy Scouts of America Day in Buncombe County celebrating the 50th anniversary of scouting and moved for its adoption.

Commissioner Stanley seconded the motion and it passed 5-0. The proclamation was presented to Logan Louek, Buncombe County Life Scout, who will represent the County at the 50<sup>th</sup>

Anniversary celebration in Raleigh.

## **PUBLIC HEARING**

- **Community Development Block Grant Funds – Scattered Site Housing**

Donna Cottrell, County Planner, said that the County has been conditionally awarded a Community Development Block Grant (CDBG) in the amount of \$500,000 for owner-occupied housing rehabilitation activities. The purpose of the grant program is to improve the housing conditions of very low income households with incomes at or below 50% of area median income. She said that the public hearing was to announce an update to the fair housing plan.

The Chairman opened the public hearing at 4:44 p.m.

No comments were made. The hearing was closed at 4:45 p.m.

Commissioner Peters moved to adopt **the Resolution Authorizing The Submission Of A Grant Application And Execution Of Documents Related To The Community Development Block Grant** resolution as presented. Vice Chairman seconded and the motion passed 5-0.

## **NEW BUSINESS**

- **Report on Tax Collections and Authorization to Advertise Unpaid Liens**

Gary Roberts, Tax Administrator, said that the Board is required to set the date to advertise delinquent taxes in the newspaper. He said that the Tax Department will advertise approximately 6300 names and will mail a letter informing the citizens of the date that their names will appear. He recommended that the date of Sunday, March 21 be approved.

Commissioner Peterson moved to approve the recommendation of the Tax Administrator. Commissioner Bailey seconded and the motion passed 5-0.

- **Resolution Authorizing Application for Excess Recovery Zone Facility Bond Allocation**

Mike Frue, County Attorney, said that the request was for a portion of the excess recovery zone funds be allocated to Eco Panels. The Industrial Facilities and Pollution Control Financing Authority has approved the application for these additional funds to Eco Panels.

There is no county money involved in this request. Commissioner Peterson moved to approve the resolution as presented. Commissioner Jones seconded the motion stating that she was very excited about this project because it encourages more jobs and enhances manufacturing in this Country. The motion passed 5-0.

## **BOARD APPOINTMENTS**

Commissioner Bailey moved to appoint **Lisa Parr** to the **Nursing Home Community Advisory Committee** for a term of one year. The motion passed 5-0.

Commissioner Peterson moved to reappoint **Karen Donatelli, Mark Morris, John Menkes, Norman Riddle** and to appoint **Kendall Wright** to the **Board of Equalization and Review** for a term of one year. The motion passed 5-0.

## **ANNOUNCEMENTS**

The Chairman announced that the next regular meeting of the Board would be February 16 2010 at 4:30 p.m.

## **PUBLIC COMMENT**

Gene Hampton gave the board a handout and spoke to the Board regarding quality government and prayer. He said that no one can stop prayer which is silent communion with God.

John Gleckner shared a project that he wanted to start involving art and community outreach projects.

Erin Penland spoke regarding the CTS contamination site. He said that all home buyers are currently being asked to sign a statement of understanding regarding the contamination of the property in the CTS area. He said that property values are dropping and they want a tax reassessment of the values in this area. He told the Board about a veteran named Larry Rice and asked for some recognition from Congressman Shuler.

Jerry Rice said he was concerned with dropout prevention funding. He felt that most of the funding was going toward administration and that nothing was being done to prevent students from dropping out of school. He wanted a report from the County schools on what they had been doing on this problem.

The County Attorney said that the Board would need a closed session pursuant to NCGS 143-318.11a (3) attorney client matter regarding Joyner and Blackmon v. Forsyth County, 1:07CV243 (MDNC 2007) and (4) two economic development issues, He said that there would not be any action taken after closed session.

Vice Chairman Stanley moved to go into closed session for the purposes stated by the County Attorney. Commissioner Peterson seconded and the motion passed 5-0.

## **CLOSED SESSION**

Discussion was held regarding an economic development incentive for a potential manufacturing company that was considering location in the County. The company would bring a \$22 million investment along with 35 jobs. The potential incentive could be \$150,000 per the County's policy. No action was taken.

Discussion was held regarding a possible manufacturing company located just outside the County near the airport. The investment would be over \$600 million bringing 500 jobs. Staff would keep the Board informed.

The County Attorney updated the Board on the Joyner and Blackmon v. Forsyth County case involving invocations at Commission meetings. No action was taken.

Commissioner Jones moved to return to open session. Commissioner Bailey seconded and the motion passed 5-0.

Vice Chairman Stanley moved to adjourn the meeting. Commissioner Peterson seconded and the motion passed 5-0.

The meeting was adjourned at 5:45 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS