

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF MAY 5, 2009 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on May 5, 2009, 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; Mandy Stone, Assistant County Manager; Jon Creighton, Assistant County Manager; Donna Clark, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, Assistant County Attorney; Joe Connolly, County Attorney.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Dr. Bruce Frank, Biltmore Baptist Church, 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 April 21, 2009 Regular Meeting (including April 28 continued meeting)
- Resolution Approving Pyrotechnic Experts for Firework Displays
- Resolution Authorizing the Negotiation of An Installment Financing Contract Directing the Publication of Notice of Hearing and Providing for other Matters Related Thereto
- Budget Amendments:
  - Fund 10 -- Capital Projects transfer (\$174,000)
  - Fund 71 -- Sheriff Forfeitures (\$55,562)
  - Fund 70 -- Law Enforcement Forfeitures (\$284,532)
- Capital Projects Ordinance
- Grant Projects Ordinance

Vice Chairman Stanley seconded and the motion passed 5-0.

**GOOD NEWS**

• **Emergency Medical Services EKG Use**

Clint Gorman, EMS Department, introduced Robert Banks and Susan Blackstock, Paramedics with Buncombe County who explained the partnership with Mission Hospitals to shorten the time it takes to get a heart attack patient into cardiac care. They said that the main objective is early detection using cardiac monitors on the EMS trucks and having the paramedics trained to interpret the EKG in the field. The County's paramedics are properly trained and have the necessary equipment. Mission Hospital allowing our paramedics to read the EKG and preparing

the way for these patients has cost the County no additional money and is providing a life saving service. Buncombe County is one of the first in the state to implement this procedure.

- **Tax Collector of the Year – Gary Roberts**

The Chairman congratulated Gary Roberts who was named the Tax Collector of the year by the NC Tax Collectors' Association. Gary thanked the Board for the recognition and his staff for their hard work.

- **Excellence in Public Service Award Winners**

Kathy Hughes, Clerk to the Board and Public Relations Director, explained the Excellence in Public Service Awards and announced the winners for 2009. The Board members presented awards to the following recipients:

**Outstanding Executive Manager -- Donna Clark, Finance Director**

Donna Clark has worked for Buncombe County for 9 years. During her tenure she has implemented a new enterprise resource system that has led to highly improved operational efficiency and productivity. She has reduced staff size from 32 to 22 positions and saved the county \$422,000 per year.

**Outstanding Professional Employee-- Jeffrey Sluder, Detective**

Jeff Sluder is a Detective assigned to Computer Crimes in the Criminal Investigations Division at the Buncombe County Sheriff's Office. Over the past year Detective Sluder has opened up 58 cases related to Child Pornography and Online Solicitations, resulting in an amazing number of arrests.

**Suzanne S. Turner Unsung Hero/Heroine Award-- Tammy Shook, Social Work Program Administrator**

It takes unbounded dedication to remain for long periods of time in the stressful and crisis-driven world of Child Protective Services. Tammy Shook has consistently balanced supporting her staff with ensuring that the many important deadlines and mandates be met.

**Hoyt Abney Outstanding Community Service Award-- Tim Rhodes, Economic Services Program Administrator**

One example of Tim's community service was his effort to spear head a project with his church to build a home for one of the parishioners. The job took more than 6 months to complete. In May of 2008, Betsy Posey moved into her new home and she summed up her gratitude by expressing that she now had a safe place to live "thanks to one man's constant determination".

**Contribution to Improving Diversity**

**Karen Loughmiller, Library Assistant II West Branch  
Betsy Murray, Library Assistant I, Pack Memorial Library**

Ms. Loughmiller and Ms. Murray created a program called "Twilight of a Neighborhood". In this program Karen and Betsy were able to preserve photos of an African American Asheville neighborhood and show the unique culture and history of a time forgotten. Through their commitment to local diversity, they are able to show the history of the people, a location of Asheville that once a vibrant community, and given new found information an opportunity to live again.

**Outstanding Team –**

**Election Services Team – Election Services Employees**

**Rachel Brown, Ben Bryson, Carl Smith, Larry Hibbs, Nancy Clair, Larry Rosson, Trena Parker**

- Reminded **72,000** citizens of the need to update their voting record through mailed reminders
- Improved service and decreased labor by **implementing a 24 hour/7 day a week interactive telephone service.**
- **Established 15 Early Voting Sites**, voting 83,925 people **before** Election Day
- **Added online training/testing/evaluation tools for election workers** as well as a quick-reference "at your fingertips" bookmark meant to serve as a final reminder of the important "Do's and Don'ts of Election Day
- Served 200 absentee voters with travel teams making **16 visits to hospitals and residential facilities**
- Ultimately voted **124,791 achieving a 71% participation rate**, surpassing the state rate of 69% without unruly long lines, worrisome challenges, or costly lawsuits

**PROCLAMATION**

- **Older Americans Month**

Commissioner Bailey read the proclamation and moved for its approval. Commissioner

Peterson seconded and the motion passed 5-0.

Nancy Ostergaard said that this will be read at the successful aging event on May 20 at the Crowne Plaza in West Asheville.

## **PUBLIC HEARING**

- **American Recovery and Reinvestment Act Application to NCDOT for Mountain Mobility**

The Chairman opened the public hearing at 4:53 p.m. Lori Hembree with Mountain Mobility said that the hearing was to consider the County's submission of a grant request for North Carolina Department of Transportation grant funds through the federal American Recovery and Reinvestment Act. The request was for just over \$825,000 and included 8 replacement vehicles and one expansion vehicle. They are requesting CNG expansion vehicles and have applied for 26 radios and preventive maintenance funding as well. Ms. Hembree said that this grant is 100 percent federal funding with no local match required.

Jerry Rice asked if the gear ratio on the requested vehicles was considered because of our mountainous terrain. Ms. Hembree said that was taken into consideration and that Mountain Mobility would have a mixed fleet of hybrid and regular vehicles that could go everywhere. No other comments were made and the hearing was closed at 5 p.m.

Vice Chairman Stanley moved to approve the submission of this grant application as requested. Commissioner Peterson seconded and the motion passed 5-0.

## **COUNTY MANAGER'S REPORT**

- **Crisis Intervention Training Update**

Dr. Rich Munger with Buncombe County gave an update on the success of the Crisis Intervention Training of 105 officers in just over a year and the fact that the program was a partnership and community effort. He showed a 3 minute video from Georgia showcasing what the CIT officers do on the job. Mona Cornwell, with AB Tech and National Alliance for the Mentally Ill told a story about how a family was impacted by a CIT officer who spent time with a child in crisis with a successful resolution. They said that the County's CIT program was a model for the entire region. She said that they need a 24/7 mental health crisis drop off facility where officers can drop off patients for evaluation.

## **NEW BUSINESS**

- **FY 2010 Budget Message**

Wanda Greene, County Manager, presented a power point that is attached to the minutes of this meeting. She said that the budget balances and does not include tax increase above .525 tax rate.

She reviewed the overall budget which totaled \$313,306,357 pointing out that the county is working at 2009 funding levels. She explained the Medicaid/sales tax changes that were completing the phase in period. There was funding for the public safety training facility and upgrades to the Health Center. The 2010 budget had 86 fewer positions--from hiring freeze, retirements and some outsourcing—child care and health center primary care.

The budget includes an appropriation of \$5,803,344 from the fund balance--historically these funds have not been needed. The fire and city school tax rates will be the same this year. Haw Creek Fire district will dissolve into other fire districts. She asked the Board to set a public hearing on the budget for May 19, 2009.

The Manager said that the County is a creature of the state and the state budget will impact

the County. The County will need to look at options not previously considered and be creative to meet the coming challenges. The hiring freeze will continue into FY 2010.

The Manager reviewed possible legislation that could negatively impact the County's budget and asked that the Commissioners not pass the County's budget until their June 23 meeting to see what the State would do in their budget. The County Manager thanked Finance Staff and especially Diane Masologites for her work on the budget.

Commissioner Peterson said that this budget continues core services and maintains the County's tax rate. She thanked everyone for working so hard to bring the budget to this point with resources used in the most efficient way. She thanked the County Manager and the staff for all their work.

The Chairman confirmed that the budget includes the public safety training facility and said that this is a good budget.

Commissioner Bailey asked when the life safety tower would begin. The County Manager said that the planning will begin in 2010 with no bidding or construction this year.

Commissioner Jones questioned the debt service amount included in the budget on the life safety tower. The Manager said that this debt service was for the entire project. The Manager said that this is a project the County will begin work on so that the projected costs and debt service are included in the spreadsheet. Commissioner Jones asked for a side by side comparison of departments between 2009 and 2010.

Commissioner Bailey moved to set the public hearing on the budget for May 19, 2009. Vice Chairman Stanley seconded the motion and it passed 5-0.

Commissioner Jones asked when she could ask more questions about the budget. The County Manager said that at the public hearing was a time to take questions from the Commissioners and the public and that there would be two Commission meetings before June 23.

## **BOARD APPOINTMENTS**

The Chairman announced that there is a vacancy on the Board of Health for the position of Dentist.

## **ANNOUNCEMENTS**

- *The Board will meet in continued session on May 12 beginning at 4:30 p.m. at 30 Valley Street in downtown Asheville.*
- *The next regular meeting of the Board will be Tuesday, May 19 at 4:30 p.m. at 30 Valley Street in downtown Asheville.*

## **Public Comment**

James Wilson member of the Limestone Council and County Board of Adjustment, said that he represented the Limestone Council and read a letter that is attached to the minutes of this meeting regarding the CTS cleanup.

Mandy Stone, Assistant County Manager, said that the \$3 million cap is a component of the federal law and the Board would have to request a change in the law to hold the responsible parties liable for the entire cleanup. Commissioner Stanley said he would sign a letter from the County asking to have this cleaned up. The Board gave consensus to approve the letter.

Commissioner Bailey asked if there was value in trying to get federal representatives and the local state delegation to hammer out an attack on this problem. He said that the Board does not have jurisdiction in this situation. Ms. Stone said that Congressman Shuler had held such a

meeting and had called for an investigation. Commissioner Bailey suggested that the Board request in the letter that federal and state officials get together to make something happen.

Mike Fryer said that there is big reservoir under the old CTS plant building that is leaking. He suggested that the building be removed. He suggested that the county partner with someone on the safety training center and allow the public to use it and charge for it to recover some of the costs. He suggested outsources the ambulance service.

Dave Ogren said that the CTS site is an imminent hazard and should be cleaned up by the North Carolina Department of Environmental and Natural Resources and billed back to the CTS corporation.

Hope Herrick commented on the URTV board members and some dismissals. She was opposed to the dismissal of the Board members. She wanted more openness on the URTV board.

Jerry Rice said that URTV board members told him to turn off his camera when he attended their meeting. He said that the URTV Board did not have the direction that they need. He questioned about the 2.4% property tax decrease lost from construction dollars. The Board asked Mr. Rice to submit his questions on the budget to the Manager.

Gene Hampton, citizens for accountable government, referred to an article about bank rescue funding. He complimented the County's kindness campaign that was instituted last month.

Joe Connolly, County Attorney, said that the Board would need to go into closed session pursuant to GS143.318.11(a)3 or a potential legal matter. He said that he did not anticipate action after closed session. Commissioner Peterson moved to go into closed session for the reason stated by the County Attorney. Commissioner Bailey seconded and the motion passed 5-0.

## **CLOSED SESSION**

The County Attorney gave the Board the history of Adult Establishments ordinance and the lawsuits involving Fantasy World in Candler. No action was taken.

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

## **OPEN SESSION**

Commissioner Peterson moved to continue the meeting to May 12, 2009 at 4:30 p.m. Commissioner Bailey seconded and the motion passed 5-0.

That the Board of Commissioners met in continued session on May 12, 2009, 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:

## **CALL TO ORDER**

The Chairman called the meeting of May 12, 2009 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; Kathy Hughes, Clerk to the Board; Rob Thornberry, Human Resources Director.

Commissioner Stanley moved to go into closed session pursuant to GS 143-318.11(a)6 to discuss a personnel matter. Commissioner Peterson seconded and the motion passed 5-0.

**CLOSED SESSION**

The Board worked with Greg Mayo with Profiles International, Inc. regarding the hiring of a full time County Attorney. No action was taken.

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

Commissioner Stanley moved to adjourn the meeting. Commissioner Bailey seconded and the meeting was adjourned at 6:15 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS