

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF FEBRUARY 4, 2014 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on February 4, 2014, in the Commissioner Chambers, 200 College Street, Room 326 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  
Ellen Frost, Vice Chair  
Joe Belcher, Commissioner  
Mike Fryar, Commissioner  
Holly Jones, Commissioner  
David King, Commissioner  
Brownie Newman, Commissioner

Staff present was: Wanda Greene, County Manager; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

*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 mentioned.*

*The Chairman said that there would be public comment on the African American Heritage resolution only.*

### **PUBLIC COMMENT**

Lisa Landis said it was her opinion that if women were not allowed to be topless downtown, men should not be allowed to be either. She said she would be filing a lawsuit and requested public documents regarding the BCTV budget for 2007 and 2014.

Karen Cruger, resident of Old Farm School Road commented on the Coggins Farm rezoning that could be considered by the Commissioners at their February 18 meeting. She requested that any decision be delayed. She wanted more time to find alternative ideas for the community.

Dr. Bernard Schechter also wanted the Board to delay their decision and request an environmental impact study of the proposed development along with a traffic study done by the NCDOT before any decision was made.

Jerry Rice commented on the pollution at the Enka Campus of Asheville Buncombe Technical College. *The County Manager said that AB Tech or the County did not own the property he referenced. It was owned by BASF. Commissioner Fryar (who sits on the AB Tech Board of Trustees) said that there would not be any more money spent on the property Mr. Rice mentions*

Cheryl Lawrence lives next to the Coggins Farm property and asked the Board not to approve the rezoning so that the property could remain undeveloped.

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

Vice Chair Frost moved to approve the consent agenda as presented. Commissioner Belcher seconded the motion and it passed 7-0.

- ***Minutes of January 7, 2014 Regular Meeting***
- ***Approve Advertising Delinquent Real Property Tax Liens on March 23***
- ***Resolution Requesting NCDOT to Abandon a Portion of SR 2185***
- ***Resolution Accepting and Approving a Report from the County Purchasing Agent Concerning the Sale and Disposal of Surplus Property***
- ***Resolution Granting the County Manager Authority to Exchange Easement and Enter into an Agreement with Carden LLC to Resolve the Real Property Issues at the Former Charles D Owen Facility***
- ***Resolution Accepting Bids and Awarding a Contract for the Construction of a Water Line to Serve Residents of the Area Surrounding the CTS Site on Mills Gap Road\****

- **Release Report**
- **Budget Amendments**
  - **Fund 71 – appropriate fund balance (forfeitures federal \$79,384)**
  - **Fund 77 – appropriate fund balance (BCAT forfeitures \$37,340)**
  - **Fund 78 – appropriate fund balance (forfeiture sales \$18,468)**
- **Special Projects Ordinance**
- **Grant Projects Ordinance**
- **Capital Projects Ordinance**
- **Resolution Authorizing the Submission of an Application to the Asheville Regional Housing Consortium for HOME Funds and Approval of Housing Projects**
- **Road Petitions: Willow Bend Drive and Cedar Bluff Court**

*\*Jon Creighton, Assistant County Manager, gave the history of the CTS water line construction project stating that the project included the construction of 3 miles of water line and 9 miles of service line with 154 meters to be hooked up. The project would take about 1 year to complete. Tate McQueen who lives in the area of the waterline, stated that he had tried for 6 years to get clean water in the vicinity of the CTS plant. He thanked the Board for stepping up and making the waterline happen. Jerry Rice said that he felt this waterline would not solve the ultimate problem of the contamination*

## **GOOD NEWS**

- **TC Roberson Men's Soccer State Champions**

The Chairman presented Rob Wilcher, Coach of the T C Roberson High School Men's Soccer Team, with a plaque and certificates for the team members on their State Championship in 2013. Coach Wilcher thanked the Board for the recognition and accepted the certificates on behalf of the players and other coaches.

- **Commemoration of Vietnam Veterans on the 50<sup>th</sup> Anniversary of the Vietnam War**

Vice Chair Frost read the proclamation and moved for its approval. She said that her brother was a Vietnam veteran and she felt the veterans of this war were not adequately appreciated for their service. Allen Perkel spoke on behalf of Chapter 124 Vietnam Veterans of Buncombe County saying that they were touched that they would be remembered. Alyce Kernich, President of the Veterans Council, thanked the Board for the proclamation and recognition

Commissioner King seconded the motion and it passed 7-0.

## **PUBLIC HEARING**

- **Zoning Text Amendment – Administrative Changes**

Josh O'Connor, Zoning Administrator, presented the power point that is attached to the minutes outlining the requested changes. Many of the changes were needed as a result of the recent ETJ transition from Asheville to the County. Mr. O'Connor said that the Land Use Plan update called for these changes.

The Chairman opened the public hearing at 5:16 p.m.

No comments were made and the hearing was closed at 5:17 p.m.

Commissioner Belcher moved to approve the amendments as presented. Vice Chair Frost seconded and the motion passed 7-0

- **Zoning Text Amendment –Conference Center/Resort District**

Josh O'Conner, Zoning Administrator, said that the Conference Center/Resort District would be a new district in the zoning ordinance called the CR district. This more specific zoning district was part of the Land Use Plan update. He asked that there be a 60 day fee waiver for Conference Centers or Resorts that applied to rezone their property under this zoning designation.

Commissioner Fryar was opposed to the district as he felt it was additional zoning.

The Chairman opened the public hearing at 5:25 p.m.

John Warner from the Biltmore Company thanked the County for the new zoning designation and said they planned to apply for the designation.

Lisa Landis asked if the public would have any say in where the conference centers would be placed.

Jerry Rice asked if the conference centers had been asked about whether or not they wanted this zoning district.

The Chairman closed the hearing at 5:29 p.m.

Mr. O'Connor said that the County Planning Department had surveyed land owners with over 100 acres with no negative reaction.

Commissioner King moved to approve the text amendment as requested. Vice Chair Frost seconded and the motion passed 6-1 as follows:

AYES: Chairman Gantt; Vice Chair Frost, Commissioners Belcher, Jones, King and Newman

NOES: Commissioner Fryar.

Commissioner Jones moved to approve a 60 day fee waiver for anyone seeking this new zoning designation. Commissioner Belcher seconded the motion and it passed 7-0.

- **Resolution Approving the Issuance by the Buncombe County Industrial Facilities and Pollution Control Financing Authority of Not to Exceed \$4,000,000 aggregate Principal Amount of its Qualified Small Issue Industrial Revenue bonds to Finance an Industrial and Manufacturing Project in Buncombe for Plasticard-Locktech International LLP and Approving Such Project in Principle**

Jon Creighton, Assistant County Manager, said that the Industrial Facilities and Pollution Control Financing Authority met on November 25, 2013 and approved the issuance of the bonds as outlined. Plasticard has 320 employees and is the largest keycard producer in the world. They are expanding their facility here in Buncombe County. This financing application will go to the NC Department of Commerce and to the Local Government Commission and does not put the County at risk.

The Chairman opened the public hearing at 5:36 p.m.

Lisa Landis asked if this is open to small businesses or just for large corporations. She questioned the measures to stop pollution and the guide lines to guarantee no pollution.

The Chairman closed the public hearing at 5:38 p.m.

Commissioner Newman moved to approve the resolution as presented. Vice Chair Frost seconded and the motion passed 7-0.

## **COUNTY MANAGER'S REPORT**

- **Moogfest Update**

Mr. Mike Adams, President of Moog Inc., gave the history of Moogfest which began in 2004 in honor the memory of Bob Moog who invented the synthesizer. After 10 years they have decided to attempt to use the Moogfest brand to improve jobs in the area.

Emmy Parker, Moogfest Promoter, said they want to transition the event from just music to a technology daytime conference like SouthxSouthwest. This new spring event will happen at the end of April and attract talent that is creative around technology increasing business recruitment, retention and creative entrepreneurship.

Mr. Adams said that he is hopeful that with his investment of \$3 million to make this happen it will become an annual event that creates jobs for the future. The City of Asheville is supporting with \$90,000 in cash and in-kind services.

The County Manager announced that the County's AAA bond rating was reaffirmed.

## **NEW BUSINESS**

- **Resolution Transferring the Asheville Regional Airport to the Greater Asheville Regional Airport Authority and Conveyance of the WNC Agricultural Center to the State of North Carolina, subject to any Requisite Approval of the FAA**

Mike Reisman, Deputy Executive Director, explained the resolution stating that they already had the City's approval.

Commissioner Fryar moved to approve the resolution as presented. Commissioner Newman seconded and the motion passed 7-0.

- **Resolution Establishing a Joint City/County African American Heritage Commission**

Marvin Chambers spoke in support of the African American Heritage Commission and his experiences of growing up in this area. He asked the Board to approve the commission as the City had already done.

James Lee said that this commission would enhance economic development in the City by adding African American heritage tours to attract tourists.

Dr. Lamar Hilton, speaking on behalf of the YMI Cultural Center, gave their support to the commission.

Isaac Coleman from the Board of local NAACP spoke in support of the creation of this commission. He said that this support does not require any funding.

Bo Hannon spoke in support of the commission as a retired teacher who felt there was a story to be told and captured for the future.

Dick Graham represented the WNC Historical Association said he was looking forward to collaboration with this commission. He said that they would like to have an exhibit from this new commission and would love programming they might be able to produce. He said that something to attract people to Asheville other than beer would be what they can develop.

Jim Abbott spoke in support of the commission as they can benefit everyone and help unite the community with a better understanding of our history.

Al Whitesides said that he wanted the African American community to know where they have been so they can have more pride in where they are going.

Angel Redman said that she learned much about the African American heritage at college and not locally. She wants the children of the community to learn.

Tate MacQueen said that he teaches US History and this commission could be a resource for teacher in the area to better educate children.

Marilyn Bass spoke in favor of the commission.

Pricilla Robinson-Giles spoke in favor of the commission.

Jerry Rice was in favor of the commission.

Commissioner Jones said she was in favor of this commission and moved to approve the resolution. Commissioner Fryar seconded and the motion assed 7-0.

- **Resolution Naming Property Collier Cove Nature Preserve**

Fran Thigpen with the Library, Culture and Recreation Department explained that the Colliers offered a piece of property to the County to be used as a public park. She said that the County applied for and received a Parks and Recreation State Trust Fund grant toward the purchase of the property. The Culture and Recreation Authority has recommended that this public park be officially named the Collier Cove Nature Preserve.

Commissioner King moved to approve the resolution as presented. Commissioner Jones seconded the resolution and the motion passed 7-0. The Chairman said that the County will have the property properly designated when it officially opens to the. Robert Collier and members of his family thanked the Board for the opportunity to preserve the property.

- **Land Conservation Advisory Board Report**

Greg Hutchins, Chair of the Land Conservation Advisory Board, gave a report that is attached to the minutes of this meeting outlining their activity to preserve land through conservation easement throughout the County. He explained the workings of the easements and reviewed the nine easements done in 2013. Commissioner Jones thanked Chairman Gantt for his work to make land conservation possible over the last 17 years.

## **BOARD APPOINTMENTS**

Vice Chair Frost moved to appoint **John Stanier** to the **Economic Development Coalition** as the Chamber of Commerce representative. The motion passed 7-0.

Commissioner Newman moved to appoint **Matthew Burrell** to the **Economic Development Coalition** representing the County. The motion passed 7-0.

Vice Chair Frost moved to appoint **Holly Jones** to the **Smart Start Board** and **Juvenile Crime Prevention Council**. The motion passed 7-0.

Commissioner Newman moved to appoint **Mark Morris, Jim Edmonds, Kendall Wright, Jerome Jones and Michael Kryzanek** to the **Board of Equalization and Review** for terms of one year each.

## **ANNOUNCEMENTS**

- *This next meeting will be February 18 beginning at 4:30 p.m. in Room 326 at 200 College Street in downtown Asheville.*
- *Commission meetings can be seen on:*
  - *BCTV Charter Cable Channel 192*
  - *AT&T U-Verse Channel 99*
  - *Live on BCTV Channel 192 and on [buncombecounty.org](http://buncombecounty.org) during the meetings or*
  - *Online anytime at [buncombecounty.org](http://buncombecounty.org)*

Vice Chair Frost moved to adjourn the meeting. Commissioner King seconded and the motion assed 7-0  
The meeting was adjourned at 7:35 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS