

MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'

REGULAR MEETING OF JUNE 7, 2016 AT 4:30 A.M.

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 7, 2016, in the Commission 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
Brownie Newman, Vice Chair
Joe Belcher, Commissioner
Ellen Frost, Commissioner
Mike Fryar, Commissioner
Holly Jones, Commissioner
Tim Moffitt, Commissioner (sworn in during the meeting)

Staff present was: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager/HHS Director; Jon Creighton, Assistant County Manager/Planning Director; Tim Flora, Finance Director; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

PLEDGE OF ALLEGIANCE

INVOCATION

SWEARING IN/INTRODUCTION OF NEW COMMISSION MEMBER

The Chairman read a letter (attached to the minutes) from Nathan West, Chairman of the Republican Party that recommended Timothy Moffitt to replace Miranda DeBruhl as Commissioner for District 3 and asked for a motion to accept the recommendation of the Republican Executive Committee as required by law and appoint Timothy D. Moffitt to fill the current District 3 vacancy in accordance with North Carolina General Statute §153A-27.1.

Commissioner Frost moved to appoint Mr. Moffitt as requested. Commissioner Belcher seconded and the motion passed 6-0.

The Chairman swore in Mr. Moffitt as Commissioner from District 3. Commissioner Moffitt said that it was an honor to serve and he looked forward to working with the Commissioners.

PUBLIC COMMENT

Anna Priest, Executive Director of the Asheville Museum of Science, addressed their request for funding, gave an update on the status of the museum, and asked for continued support.

Marcie Kline with the US Census Bureau announced that jobs were available in the area for census work.

Don Yelton commented about the organic waste agreement that was on the consent agenda and requested that the County Manager provide him with a copy of the contract for his review.

Lisa Baldwin commented on the State's failure to comply with mandates to reunite families. She wanted someone to look into a specific case regarding child custody.

Jerry Rice commented on human trafficking in North Carolina. He felt Buncombe was a problem area and he wanted the legislature to do something and for the Commissioners to put together a committee to address this problem.

Beth Masca with the YWCA spoke about the huge demand and lack of supply for child care for parents in the County.

Dr. Marsha Fretwell spoke regarding day care for older adults and was in support of funding for child and adult day care.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

Commissioner Jones moved to approve the consent agenda as presented. Commissioner Fryar seconded the motion and it passed 7-0.

- **Approval of the Minutes of the May 31, 2016 Regular Meeting**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Ordinance Rescinding Chapter 18 – Cable Communications of the Buncombe County Code of Ordinances**
- **Resolution Awarding a Service Firearm to the Retiring Deputy with the Buncombe County Sheriff's Office**
- **Hazardous Mitigation Plan Approval**
- **Resolution Adopting the NC Public Employee Deferred Compensation Plan**

- **Resolution Authorizing the Execution of an Agreement Between Buncombe County and Environmental Infrastructure Consulting PLLC for Continuation of an Organic Waste Processing Feasibility Study**
- **Approval of the Health Department Billing Guide**

GOOD NEWS

- **Council on Aging's Senior Champions**

Wendy Marsh, Director of the Council on Aging, introduced eight residents that were recently honored in the first Senior Champions Ceremony that they hoped would become an annual event. She said that out of 30 nominations, 8 were chosen including: Bob Tomasulo, Chris Moutos, Bob Carr, Jeanne Bowman, Judith Cheney, Maggie B Gladden, Oscar Wong and Walter Boyer.

She said that there are 63,000 plus older adults in the County and she encouraged everyone to nominate a senior champion when the nominations open next year.

- **Proclamation of Vulnerable Adults and Elder Abuse Awareness Month**

Commissioner Belcher read the proclamation and moved for its approval. Vice Chair Newman seconded and the motion passed 7-0.

Christina Stenhouse with Buncombe County thanked the Board for the support. She invited everyone to attend the World Elder Abuse Awareness Day ceremony on June 15 at 3:30 p.m. near the energy loop in the County plaza. Todd Williams, District Attorney, thanked the Board for their support stating that he was working to align resources to better address this problem.

PUBLIC HEARING

- **Zoning Amendment: Arlington Properties, Inc; 85 Piney Mountain Drive R-1 to R-2**

Debbie Truempy, County Zoning Administrator, said that this rezoning request was heard by the Planning Board who approve the request, finding it to be consistent with the Land Use Plan and in the public interest. The County Planning staff also recommended the approval of the rezoning. Ms. Truempy said that there were some concerns about soil stability and water runoff heard during the public hearing.

The Chairman opened the public hearing at 5:15 p.m.

Sandra Leslie spoke against this rezoning because of the potential soil and erosion problems. Her property was adjacent and she was concerned that the planned 200 unit apartment building would increase crime.

Robert Moore spoke against the rezoning on behalf of a homeowners association in the area because of the density of the housing and erosion problems that would be caused by more development. He urged the developers to maintain the trees for the beauty of Asheville and protect the environment. He wanted to make sure the slope laws were enforced and asked that his neighborhood be allowed to tap onto the City's sewer lines.

Joanna Rothery spoke in opposition to the development and the possibility of more soil erosion. She was concerned about her property values and the intrusion of the increased traffic that will result from 200 units of development.

Dave Kannipe said that the property was perfect for development and multi-family housing and that the construction would be done on the flatter part of the property.

Chris Day with Civic Design Concepts said that the property rezoning would allow them to do a planned unit development on the lower part of the property. Eight to 12 acres of the 29 acres would be developed and the higher elevation would remain undisturbed. He said that they would have a geotechnical engineer assist the developer.

Gideon Lovingback was concerned with the road system and wanted a center turn lane be installed.

Art Stewerman, owner and petitioner, said that the development would not impair the mountain and would fit well within the acreage.

Ann Cerpa moved here from New York for the lifestyle and she was afraid the development would increase the crime rate. She felt the roads were not ready for the development.

Don Yelton said that this development could hurt the trees.

The Chairman closed the hearing at 5:35 p.m.

Vice Chair Newman moved to find that this request was consistent with the Land Use Plan and in the public interest. Commissioner Frost seconded and the motion passed 7-0.

Ms. Truempy said that this was a rezoning hearing and not development plan approval. There would be a separate Board of Adjustment hearing for the development plan approval and discussion of access and placement.

Commissioner Jones said she felt some of the concerns were fair and she encouraged the residents to attend the Board of Adjustment hearing. She also asked that the developers consider addressing workforce housing issues.

Vice Chair Newman moved to approve the rezoning as requested. Commissioner Belcher seconded and the motion passed 7-0.

- **County Budget FY17**

The County Manager reviewed the budget as presented at the May 31 meeting and as attached to the minutes of this meeting. She reviewed revenues, expenditures, the outstanding debt for the County and education issues including the opening two new schools and the requested increase in the salary supplement for teachers.

Commissioner Frost asked about non-certified personnel getting living wage and the possibility of using operating costs of the proposed pool to fund pre-k classes.

Commissioner Belcher said that he wanted a review of teacher assistant salaries and their pay scale.

Commissioner Jones and Frost agreed that paying teaching assistants a supplement with every paycheck could be more helpful than just once or twice a year.

The Manager said that the County would be required to hold economic development public hearings at the next meeting.

The Chairman opened the public hearing at 6:05 p.m.

Pat Bryant member of the County Board of Education said that the hourly wages reflected for certified and non-certified personnel should show a difference between pay levels

Elliott Lunsford, teacher, thanked the Board for support of the County schools and asked the Board to consider increasing the rate instead of phasing it in to help younger teachers.

Don Yelton said that the supplement was supposed to go to the beginning teachers and not the older teachers. He requested a budget presented in property increases necessary to meet the budget needs.

Lisa Baldwin wanted to make sure that the Commissioners had researched the budget stating she felt that maintaining such a large fund balance was penalizing the citizens because it was too high. She complained expenses involved in moving and relocating offices.

Jerry Rice complained about increased taxes and what he felt were excuses including lawsuits and property purchases. He complained about the school fund balance and the failure to reduce the tax rate.

The Chairman closed the hearing at 6:20 p.m.

He said that the Commissioners would consider a vote on the budget at their June 21 meeting.

BOARD APPOINTMENTS

Vice Chair Newman moved to appoint **Elias Mathes** to the **Historic Resources Commission**. The motion passed 7-0.

The Chairman made the following announcements:

- **June 21** - *Commissioners' Regular Meeting beginning at 4:30 p.m. in Room 326 at 200 College Street in Asheville.*

Commissioner Frost moved to adjourn the meeting. Commissioner Moffitt seconded and the motion passed 7-0. The meeting was adjourned at 6:22 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS