

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JANUARY 17, 2017 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on January 17, 2017, in the Commission Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 5 p.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

Brownie Newman, Chairman
Ellen Frost, Vice Chair
Joe Belcher, Commissioner
Mike Fryar, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

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

PLEDGE OF ALLEGIANCE

INVOCATION

PUBLIC COMMENT

Fred Fisher Caudle from West Asheville asked about the amount of money that would be saved if the two school systems were combined. He was in favor of saving money and combining the systems.

Don Yelton asked for open and transparent government with topics discussed in advance and in public.

Jerry Rice commented on the size of the County budget and the increased wages of the employees. He complained about the coming property value increase asking for accountability and transparency.

CONSENT AGENDA

Vice Chair Frost moved to approve the consent agenda and the addition of the Resolution Approving the Donation of Sick Leave Between Employees to be added to the consent agenda. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

- **Approval of the Minutes of the January 3, 2017 Regular Meetings**
- **Resolution of Intent to Convey Property and Advertise for Upset Bids**
- **Resolution Awarding a Service Firearm to a Retired Deputy**
- **Resolution Authorizing Submission of an Application to the Asheville Regional Housing Consortium for HOME Funds and Approval of Housing Projects**
- **Capital Projects Ordinance**
- **Resolution Regarding the Donation of Sick Leave Between Employees**

Commissioner Frost moved to add to the agenda a discussion of construction and capital projects at Asheville Buncombe Technical Community College (AB Tech). Commissioner Whitesides seconded the motion and it passed 7-0.

The Chairman said that there is some interest in having an update on the AB Tech capital projects from County staff and the AB Tech staff at the February 21 meeting and a request that the County not move forward on any existing projects that have not been contracted at this time. Commissioner Fryar said that he was an AB Tech trustee and he wanted President King to come to that meeting on the 21st. The Board agreed to hear these reports on February 21.

GOOD NEWS

- **Teacher of the Year**

The Chairman congratulated Catherine Belair, the Buncombe County Teacher of the Year. Vice Chair Frost read the certificate of appreciation and presented it to Ms. Belair. Ms. Belair thanked the Board for the recognition and for their leadership and service to the citizens and for providing funding for the schools.

Tony Baldwin, County School Superintendent said that Valley Springs Middle School was the number one middle school for growth achievement in the North Carolina last year.

Public Hearing

- **Rezoning Request from BLT Enterprises/Cedar Ridge Plaza (R-1 to NS & R-3 to NS)**

Debbie Truempy, Zoning Administrator, said that this request included four parcels requested for rezoning. As outlined in the power point attached to the minutes, two of the parcels were approved for rezoning by the Planning Board and two were denied. The unanimous denials by the Planning Board were based on a deeper commercial

intrusion into a residential area and the finding that the request was not consistent with the Comprehensive Land Use Plan or in the public interest. Public Comment was made against the rezoning of these parcels at the Planning Board hearing.

The Chairman opened the public hearing at 5:33 p.m.

Jesse Gardner with Civil Designs Concepts, representing the petitioner, said that plans were for commercial development with a transition to residential use on the backside of the lots. The intent of neighborhood service was to provide commercial business close to residential property. They want all four rezoned but will accept the rezoning of only two of the lots.

Ralph Humphries spoke in opposition to the request.

Don Yelton questioned the process and suggested that someone should be required to submit a plan for the property. He asked that the petitioners be allowed to reapply and provide plans for how the property would be used.

The Chairman closed the hearing at 5:43 p.m.

Ms. Truempy said that the Planning Board does not look at a particular development plan just the change in the district.

Commissioner Belcher asked for a description of Neighborhood Service.

Commissioner Fryar asked that the petitioners be allowed to come back with the same request. Ms. Truempy said that if their request is denied, they would have to wait one year before they can repetition with the same request.

Vice Chair Frost moved to follow the Planning Board's recommendations on properties 9667.54-2244 & 3098 rezoned from R-1 to NS finding the request consistent with the Land Use Plan and in the public interest. Commissioner Belcher seconded and it passed 7-0.

Vice Chair Frost moved to follow the Planning Board's recommendation to deny the request to rezone from R-1 & R-2 to NS for 9667.64-45-0 & 6219 finding the request not consistent with the Land Use Plan or in the public interest. Commissioner Beech-Ferrara seconded.

Commissioner Whitesides said that he hesitated to approve these without seeing plans.

Commissioner Belcher said that he felt it should be approved and was consistent with the NS designation.

The Chairman said that it is important to listen to the staff and Planning Board who voted unanimously to deny this request.

The motion passed as follows:

AYES: Chairman Newman, Vice Chair Frost, Commissioners Whitesides and Beach-Ferrara

NOES: Commissioners Belcher, Fryar and Pressley

- **Subdivision Ordinance Amendment Chapter 70**

Debbie Truempy, Zoning Administrator, outlined the changes to the Subdivision Ordinance as included in the documents attached to the minutes. They are to revise and clarify procedures and maintain consistency. The Planning Board recommended approval of the amendments with no comments taken at their public hearing. The Chairman opened the public hearing at 6:08 p.m.

Jerry Rice asked about the traffic study for subdivisions and who should be responsible.

The Chairman closed the hearing at 6:09 p.m.

Ms. Truempy said that they are requiring a traffic study for certain levels of service and could disallow certain subdivisions.

At the request of Commissioner Belcher, Ms. Truempy explained family subdivisions and the wait time required in subdividing lots. She said that the changes do not increase density but define preservation of lot sizes in one section.

Commissioner Belcher said that one of the legislative goals is to encourage the Department of Transportation to take over subdivision roads at a faster pace.

Commissioner Fryar complained about the growing number of subdivision rules.

Vice Chair Frost moved to approve the changes as presented. Commissioner Beach Ferrara seconded and the motion passed 6-1 as follows:

AYES: Chairman Newman; Vice Chair Frost; Commissioners Beach-Ferrara, Pressley and Belcher

NOES: Commissioner Fryar

- **Zoning Ordinance Amendment Chapter 78**

Debbie Truempy, Zoning Administrator, reviewed the Zoning Ordinance amendments that are outlined in the documents attached to the minutes. The amendments were needed to resolve conflicts in the permitted use table. The Planning Board recommended approval of the changes as presented finding them consistent with the Land Use Plan, reasonable and in the public interest.

The Chairman opened the public hearing at 6:24 p.m.

Jerry Rice complained about the timing of the Planning Board meetings that are held at noon. He wanted the public to have more access to what the Planning Board was considering.

Don Yelton talked about rules and regulations and taking away the Commissioners ability to review project.

The Chairman closed the hearing at 6:30 p.m.

Commissioner Belcher moved to approve the ordinance as presented finding it consistent with the Land Use Plan, reasonable and in the public interest. Commissioner Whitesides seconded and the motion passed 7-0.

NEW BUSINESS

- **Opioids Addiction: Local Impact of a National Crisis**

Jim Holland with HHS presented the power point attached to the minutes outlining the problem with opioid addiction. He introduced Dr. Jim Hardy with Mission Health; Tim Shields, EMS; Sheriff Van Duncan; Dr. Black Fagan, Family Practice; Dr. Craig Martin, Regional Mental Health; Brian Ingram; Tammy Shook, Social Work Division Director; Susanne Swanger, County Schools; Stephanie Kiser and Dr. Ed Coryell with HHS Board all who were working on the national, regional and local challenges resulting from opioid abuse.

Vice Chair Frost thanked the staff and community for the work they are doing to address the problems. Dr. Hardy said that customer service and pain management ratings can be tied to reimbursement and patient satisfaction. The public needs to be made aware of the addictive properties of opioids. Prescribing habits and education of patients are important. The Sheriff said that the group was working collaboratively as a community to find a workable solution.

Commissioner Beach-Ferrara asked about the use of heroin in the County. Pregnancy is a time when women are ready to seek help and right after a reversal of overdose and sometimes after a trauma or accident.

Commissioner Pressley asked how Buncombe was working with surrounding counties. Tammy Shook, Social Work Director, said that they have a social worker embedded at Mission Health Mother Baby unit full time helping our County and helping to educate surrounding counties that come to Mission.

Commissioner Whitesides asked about informing the public to the growing problem in the community. Mr. Holland said that they were working to begin a better education program for the public. Vice Chair Frost asked for an education and awareness campaign on the topic and Commissioner Belcher asked that the group find what model was working and duplicate it. He wanted to see the information broken down by age and region.

BOARD APPOINTMENTS

Commissioner Frost moved to appoint **Ruth Summers** to the **Downtown Commission**. Commissioner Pressley seconded and the motion passed 7-0.

Commissioner Belcher moved to appoint **Michael Meguiar** to the **Economic Development Coalition**. Commissioner Frost seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcement:

- *February 7 – 4 p.m. Joint Meeting with Asheville City council and County Commissioners in the First Floor conference Room at 200 College Street in downtown Asheville*
- *February 17 – 8:30 a.m. Commissioners' Planning Retreat in First Floor Conference Room at 200 College Street in downtown Asheville*
- *February 21 -- 5 p.m. Regular Meeting Board of Commissioners*

Commissioner Belcher moved to adjourn the meeting. Commissioner Pressley seconded and the motion passed 7-0.

The meeting was adjourned at 7:45 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS