

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JANUARY 17, 2012 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on January 17, 2012, 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:

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

David Gantt, Chairman
Bill Stanley, Vice Chairman
Holly Jones, Commissioner
Carol Peterson, Commissioner
K Ray Bailey, Commissioner

Staff present were: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager/DSS Director; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, County Attorney.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Commissioner Jones gave the invocation.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

The Chairman reminded the Board that in accordance with the Code of Ethics as adopted by this Board, 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:

- **Resolution Directing the Tax Director to Advertise Tax Liens**
- **Approve the NC Parks and Recreation Trust Fund Grant Application Request**
- **Resolution Authorizing Donation of Surplus Items to Madison County Sheriff**
- **Release Report**
- **Approval of Community Action Opportunities Block Grant Application**
- **Solid Waste Capital Projects Ordinance**

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

GOOD NEWS

Poverty Prevention/Assistance Program

Tim Rhodes, Program Administrator for Economic Services, presented the powerpoint attached to the minutes that outlines the model for combating poverty that had been implemented in the County. He outlined the approach in providing a safety net of programs that work together to assist citizens with mandated services. He reviewed the co-location of health and human services at 40 Coxe Avenue and the many partnerships built by the County throughout the community including the Lifeworks program through Community Action Opportunities.

Scott Rogers with ABCCM outlined the work they do to reduce poverty in the community including getting veterans back into the workforce.

- **Know Your Numbers Employee Wellness Incentive**

Lynn Rapp, Nurse Practitioner with County Employee Health, outlined the Know Your Numbers Employee Incentive, a proposed wellness program that would be a part of the Growing Healthier Habits

campaign. She said that getting employees to have their blood pressure, weight, cholesterol and blood sugar levels checked is the first step to improving their overall health. The incentive for employees would be granting them 4 hours (HHE or healthy hours earned) of leave for getting the numbers checked and 4 additional hours for maintaining or improving their numbers when they recheck in 4 to 6 months. She said that the benefit of preventing one major health crisis would more than pay for the entire program. She highlighted the fact that 1 in 2 adults have a chronic illness; 1 in 3 are obese and 90 percent of health care costs are preventable.

Commissioner Jones moved to approve the program with the inclusion of 4 additional hours credited to employees that maintain good numbers in the recheck. Vice Chairman Stanley seconded the motion and it passed 5-0.

Resolution Authorizing the Submission of an Application to the Asheville Regional Housing Consortium for HOME Funds and approval of Housing Projects

Donna Cottrell, County Planner, said the Asheville Regional Housing Consortium would be applying for HOME funds for Mountain Housing Opportunities; Residences at Glen Rock; On Track and The Eblen Foundation. Commissioner Peterson moved to approve the resolution as presented. Vice Chairman Stanley seconded and the motion passed 5-0.

Public Hearing

- **Amendment to NC Community Investment and Assistance Grant**

Donna Cottrell, County Planner, said that this hearing was the result of an opportunity from the Department of Community Investment to join with three other counties in piloting a new grant program. No County investment would be required.

The Chairman opened the public hearing at 5:29 p.m.

Don Lillifeld spoke in support of the program.

Phil Chastain with Black Mountain Housing Commission also supported the program.

The public hearing was closed at 5:31 p.m.

Commissioner Peterson moved to approve the amendment as presented. Vice Chairman Stanley seconded and the motion passed 5-0.

- **Zoning Ordinance Text Amendment – Lighting Standards**

Jon Creighton, Assistant County Manager/Planning Director, said that the standards presented had been reviewed and recommended by the Planning Board.

Debbie Truempy, County Planner, reviewed the ordinance as submitted from the Planning Board which is attached to the minutes. She said that the Planning Board held a public hearing on September 5 and in a vote of 6 to 1 found that the changes were consistent with the land use plan and recommended approval of the amendments. She said that the ordinance was in line with the standards in Weaverville and Black Mountain. Ms. Truempy said that the Planning Board proposal would not require any existing lights to be brought into conformity and that municipalities were not affected by this ordinance.

The Chairman opened the public hearing at 5:58 p.m.

Don Lillifeld asked that the ordinance apply to digital billboards.

Johnny Douglas, engineer, said that lighting was an energy issue and lighting should be directed downward where it is needed and uses lower wattage. He supported the ordinance on that basis.

Jim Brown felt that light should not be wasted and money could be saved.

Ken Braine spoke on behalf of the Sierra Club in support of the ordinance and the amendments that would be proposed.

Kelvin Crissman from Broad River, thanked the Board for their work and in support of the ordinance and the amendments.

Julie Mann expressed her issues with non-conforming street lights. She supports the ordinance and amendments in relations to energy and waste.

John Busgreeno spoke in favor of the ordinance and the amendments expressing his love for the night sky.

Al Gumpert represented the Friends of Town Mountain in support of the ordinance and amendments. He was most concerned about the dusk to dawn lights.

Holly Giviench speaking for Western North Carolina Alliance, expressed their support of the ordinance and the amendments.

Bernard Assaurie (*spoke for at least 8 people in attendance*) addressed the four amendments to the Planning Board's ordinance, stating that light glare was a safety and health risk and the AMA suggests full cut off lights. He suggested that the amendments include county buildings; apartments; and that all dusk to dawn lights be brought into compliance.

Phil Vesticky supported the ordinance and amendments.

Margo Ralston supported the ordinance and the amendments.

Mike Fryer felt that everyone wanting the ordinance approved were from the City. He was not in favor of the amendments.

Debbie Daily said she was opposed to the dusk to the dawn lights and supported the ordinance and amendments.

Laura Lafler supported the ordinance.

Cathy Rhodarmer asked that the Board think of the elderly and how expensive this will be for them to replace their lights.

The Chairman closed the hearing at 6:33 p.m.

Commissioner Jones moved to adopt the ordinance presented by the Planning Board with the amendments that have been found to be consistent with the Land Use Plan. (*the ordinance submitted by the Planning Board and the ordinance with the amendments are attached to the minutes*)

Vice Chairman Stanley seconded the motion.

Commissioner Peterson said that there were citizens that didn't know the amendments were being considered. She was in favor of the Planning Board ordinance but felt that more residents should have been consulted in regard to the amendments.

Commissioner Jones felt that the County should be prepared to help citizens comply if necessary.

The ordinance as amended passed 4-1.

AYES: Commissioners Bailey, Jones, Vice Chairman Stanley and Chairman Gantt

NOES: Commissioner Peterson

- **Community Transportation Program Grant Application**

Hope Bleeker, Land of Sky Council and Mountain Mobility Administrative Staff presented the community transportation grant application for administrative and capital needs funding for Mountain Mobility.

She reviewed the application that is attached to the minutes.

The Chairman opened the public hearing at 6:51 p.m.

Don Lillfield, member of the Community Transportation Advisory Board, spoke in support of the grant application.

The Chairman closed the public hearing at 6:54 p.m.

Commissioner Bailey moved to approve the application as presented. Vice Chairman Stanley seconded and the motion passed 5-0.

- **Grant Application for Funding Under the Elderly Individuals and Individuals with Disabilities Program**

Hope Bleeker, Land of Sky Regional Council, presented the grant application submission to expand the Mountain Mobility fleet due to increases in ridership.

The Chairman opened the public hearing at 6:57 pm.

No comments were taken.

The Chairman closed the public hearing at 6:58

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

BOARD APPOINTMENTS

Vice Chairman Stanley moved to reappoint **Josh Holmes, Joe Sechler, Tom Alexander, Greg Phillips, Bernie Kessel** and **Michelle Pace Woods** to the **Planning Board** for a second term.

Vice Chairman Stanley nominated Bud Sales, Jim Young and Catherine Martin to the Planning Board; Commissioner Peterson nominated Bud Sales, Jim Young and Winston Pulliam; Chairman Gantt nominated William Hamilton, Jim Young and Catherine Martin; Commissioner Bailey nominated Bud Sales, Jim Young and Jay Marino; Commissioner Jones nominated William Hamilton, Jim Young and Catherine Martin.

Bud Sales was appointed from Reynolds; **Jim Young** from North Buncombe and **Catherine Martin** as the at large member on the **Planning Board** to serve three year terms.

Commissioner Bailey nominated **Douglas Bowman** to serve on the **Tourism Development Authority**. Commissioner Peterson seconded and the motion passed 5-0.

Commissioner Peterson moved to reappoint **Bill Stanley** and **Jon Creighton** to the **Metropolitan Sewerage District Board**. Commissioner Jones seconded and the motion passed 5-0.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *The next regular meeting of the Board will be February 7, 2012 at 4:30 p.m.*
- *The Board will hold a retreat on January 31 from 1 to 6 p.m. in the County Training Rom at 199 College Street in downtown Asheville*
- *Commission meetings can be seen on BCTV Charter Cable Channel 2; AT&T U-Verse Channel 99; live during the meetings and online at buncombecounty.org*

PUBLIC COMMENT

The Chairman reviewed the rules for public comment.

The official business of the County has concluded and we will now hold public comment.

- *The time limit for any comment to the Board is three minutes.*
 - *If your time expires then you may leave any questions along with your name, address and phone number with the County Manager.*
- *Board members are not expected to comment on matters during public comment.*
- *Comments should be limited to subjects that are within the jurisdiction of this Commission or pertain to matters upon which it may act.*
- *Any individual speaking during public comment shall address the entire Board. Any polling of Board members is inappropriate.*
- *Persons addressing the Board are expected to observe the decorum of the Chamber, and to be respectful of everyone in the room.*
- *Any person who willfully interrupts, disturbs, or disrupts the session will be asked to leave the meeting.*
- *The Board reserves the right to deny public addresses on a subject previously presented to the Board.*

Public Comment

Linda Southard commented on the pay study presented at the last meeting. She requested a complete study of County salaries.

Mike Plemmons spoke on behalf of CIBO commenting that no citizen or business groups were involved in the review of the amendments made to the lighting ordinance and he asked to be included in any future ordinance amendment review.

Don Lillifield asked that regulation of digital billboards be considered.

Commissioner Bailey moved to go into closed session pursuant to GS 143-318-11a(4) for an economic development matter. Commissioner Peterson seconded and the motion passed 5-0.

CLOSED SESSION

Jon Creighton, Assistant County Manager, presented an economic incentive request from an existing company that would bring 70 jobs to the County paying an average wage of \$37,600 and making a \$6.75 million investment. The Board gave consensus to offer \$125,000 incentive.

Mr. Creighton presented an incentive request for matching funds for a state incentive grant from an existing company bringing 42 jobs paying an average of \$12.50 per hour and making a \$4.6 million investment. The incentive match would be \$84,000. The Board gave consensus to approve the incentive match offer.

Vice Chairman Stanley 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 and it passed 5-0.

The meeting was adjourned at 7:25 p.m.

KATHY HUGHES, CLERK TO
THE BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS