

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF SEPTEMBER 13, 2011 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on September 13, 2011, 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:

Vice Chairman Stanley called the meeting to order with the following members present:

Carol Peterson, Commissioner
K. Ray Bailey, Commissioner
Bill Stanley, Vice Chairman

The Vice Chairman noted that Chairman David Gantt and Commissioner Holly Jones were out of town.

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; Curt Euler, Associate, County Attorney.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Commissioner Peterson 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

- **Approval of Minutes of August 16, 2011 Meeting**
- **Resolution Requesting NCDOT to Abandon SR 2768**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Resolution Authorizing the Chairman to Execute Grant Agreement 3-37-0005-040-2011 for the Asheville Regional Airport**
- **Resolution Restricting Certain Animals From County Buildings**
- **Approval of Amended County Information Technology Policy**
- **Approval of Solid Waste Fee Schedule**
- **Resolution Adopting the Amended Hazard Mitigation Plan for Buncombe County**
- **Resolution Approving Assignment of Bids**
- **Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department (John Ogle, Wayne Fisher, Tom Vernon, Chris Gran, Christy Gallion, Jon Dies, Kathy McBride, Kim Martin, Steve Oxner, Chuck Long)**
- **Grant Projects Ordinance**
- **Capital Projects Ordinance**
- **Budget Amendments**

- **Fund 10 – Carry forward encumbrance reserve (\$62,576); Transfer funds to Detention Center Capital (\$18,500); DSS – Funding for Adult Day Care (\$33,621); Foster Care (\$10,020); Energy Assistance (\$2,214); Linamar Incentive from COA (\$1,500,000); Governing Body—Prescription Drug Card Revenue (\$5,500)**

- **Release Report**

Commissioner Bailey seconded the motion and it passed 3-0.

PROCLAMATION

- **Minority Enterprise Development Week**

Commissioner Bailey read the proclamation and moved for its approval. Commissioner Peterson seconded the motion and it passed 3-0. Commissioner Bailey presented this proclamation to Hope Husky, Chair of the Minority Enterprise Development and Sharon Oendine.

Ms. Husky said that this was the 27th year of MED week and awarding of the outstanding minority business owners for the region.

PUBLIC HEARING

- **Proposed Use of FY 2012 Rural Operation Assistance Program Funds**

Denise Braine, County Planner, said this was the annual request for rural operation transportation funds. She introduced Hope Bleeker the Regional Transportation Planner with Land of Sky Regional Council who took over the administration of Mountain Mobility. Ms. Bleeker reviewed the proposed uses of the transportation funds that were included in the grant proposal and outlined in the attachments to the minutes. She said that current services will be maintained but no additional services will be added. She encouraged anyone that wanted to make comments on the grant to fill out a form that she supplied.

The Vice Chairman opened the public hearing 4:46 p.m.

Don Yelton requested that the County implement an annual report on the miles and cost per passenger for the Mountain Mobility system. Denise Braine said that this information could be found on the county website.

Jerry Rice asked why the system wasn't evaluated before it went to a private company. He said his concern was that there should be more jobs for the disabled and a review of the effectiveness of the system.

The Chairman closed the hearing at 4:51 p.m.

Commissioner Peterson moved to adopt the resolution as presented. Commissioner Bailey seconded the motion and it passed 3-0.

COUNTY MANAGER'S REPORT

Wanda Greene, County Manager, said that the County was in the process of condemning the CTS property and removal of the buildings. In addition, the owners are being asked to keep the property cleaned up. She said that EPA and the citizens committee are aware of these actions.

NEW BUSINESS

- **Buncombe Green Update**

Jon Creighton, Assistant County Manager/Planning Director, presented the power point that is attached to the minutes reviewing the landfill gas to energy project and solid waste projects that are reducing the carbon footprint. He reviewed the bioreactor and the generators that will provide electricity for 1,100 homes in the area.

He said that Buncombe is the only county in the state that has a weekly household hazardous waste collection day. Since 2004 the County had removed and recycled 450 old mobile homes. The new courts building will be LEED certified building with over 100,000 square feet of space.

Greg Isreal, General Services Director, gave the Carbon Footprint and Energy Use report for 2010 which is attached to the minutes of this meeting. He said that the County's 2010 energy costs were more than \$1.6 million for 2010 and if no energy efficiency measures had been implemented, the 2010 costs would have been more than \$2.4 million

He reviewed the energy reinvestment fund for future projects to reduce the carbon footprint and reduce energy costs and increase energy efficiency.

Commissioner Peterson recommended that everyone visit buncombecounty.org/green to see everything the County is doing.

BOARD APPOINTMENTS

Commissioner Peterson moved to appoint **David Begley** to the **Parks Greenways and Recreation Advisory Board**. The motion passed 3-0.

Commissioner Bailey moved to appoint **Jennifer Cable** to the **Parks Greenways and Recreation Advisory Board**. The motion passed 3-0.

Commissioner Peterson moved to appoint **Keith Webb** to the **Parks Greenways and Recreation Advisory Board**. The motion passed 3-0.

ANNOUNCEMENTS

The Vice Chairman made the following announcements:

- *The next meeting of the Board will be October 4, 2011 at 4:30 p.m.*
- *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

Mike Fryer, Don Yelton, Lisa Landis, Karen Oelschlaeger, Dr. Milton Byrd, and Jerry Rice made comments.

The Associate County Attorney said that the Board would need a closed session pursuant to GS 143-318-11a(3) and (4) for an economic development matter and a matter of attorney/client privilege. Commissioner Bailey moved to go into closed session for the reasons cited by the Associate County Attorney. Commissioner Peterson seconded and the motion passed 3-0.

CLOSED SESSION

Discussion was held regarding the wall on US 74 and possible legal action. No action was taken.

Discussion was held regarding a possible economic development incentive for a new company considering location to the County. The company would bring 200 jobs with an \$80 million investment paying an average wage of \$50,000. No action was taken.

Commissioner Bailey moved to return to open session. Commissioner Peterson seconded and the motion passed 3-0.

Commissioner Bailey moved to adjourn the meeting. Commissioner Peterson seconded and the motion assed 3-0.

The meeting was adjourned at 5:46 p.m.

KATHY HUGHES, CLERK TO
THE BOARD OF COMMISSIONERS

WILLIAM H. STANLEY, VICE CHAIRMAN
BOARD OF COMMISSIONERS