

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF APRIL 3, 2012 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on April 3, 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
Carol Peterson, Commissioner
K Ray Bailey, Commissioner

Holly Jones, Commissioner, was out of town.

Staff present were: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager/DSS Director; Donna Clark, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, 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 March 20, 2012 Regular Meeting
- Ordinance Amending Chapter 58, Article III of the Buncombe County Code—Enhanced Voluntary Agricultural District
- Resolution Approving Pyrotechnic Experts for Firework Displays
- Amend the Personnel Ordinance: To allow probationary employees to use accrued sick leave days during their probationary period; remove the requirement for an order in which employee leave time is taken
- Grant Projects Ordinance
- Capital Projects Ordinance
- Budget Amendments: Fund 10—Budget federal ARRA funds to Health Departments with training; funds for Rapid health Impact Assessment Study (\$2,110)
- Resolution Approving Transfer of an Identix Machine to Madison County

Vice Chairman Stanley seconded the motion and it was approved 4-0

GOOD NEWS

- **4-H Program News**

Holly Jordan, Cooperative Extension Agent working with the 4-H program, reported on their expansion in to robotics engineering and design. She introduced the group that had formed a team for the robotics competition at UNC-Asheville. She said that there were 21 teams participating in the competition and the 4-H team took first place. She thanked the coaches and teachers and said they planned to continue the program. Commissioner Peterson said that this was a great expansion for the 4H program.

- **Safety for Children Under Six**

Angie Pittman, Social Work Division, presented the new "Under Six" campaign. Four years ago the County began reviewing data comparing abuse and neglect cases across the state and nation. They looked at the successful programs, reviewed trends and compared them with what is happening in Buncombe. Their findings are included in the power point attached to the minutes of this meeting.

Child abuse is more commonly fatal for children under the age of six which lead the Child Protection Team to move forward with an education campaign to draw attention to the safety of children under six. The campaign is called "US."

Dawn Warren, Social Work Program Administrator, outlined the goals for the team of prevention case management staff who work in schools and homes to prevent abuse. A group of social work staff are visiting communities and working with the Housing Authority to find out what resources they need while building relationships. She said that they are assisting families without being legally involved and are seeking grant funds for additional work with vulnerable families.

PROCLAMATIONS

- **Child Abuse Prevention Month**

Commissioner Bailey read the proclamation of Child Abuse Prevention Month, thanking the Child Abuse Prevention Board for their hard work. He moved for the approval of the proclamation. Vice Chairman Stanley seconded and the motion passed 4-0. Commissioner Bailey presented the proclamation to Bill McGuire, Chair of the Child Abuse Prevention Board and Tammy Shook, Chair of the Community Child Protection Team.

NEW BUSINESS

- **Landfill Gas to Energy Program Update**

Jon Creighton, County Planning Director, said that this project began with Project XL, one of only two projects in the nation allowing the County to use an alternate liner and run as a bioreactor. The bioreactor accelerates decomposition and maximizes methane gas production. The methane gas which was being burned off, is now being extracted from wells inserted into the garbage. The gas is vacuumed off and used to power a generator which produces enough electricity to power 1,100 homes through French Broad Electric. He said that this was a \$4.5 million project covered by grant funds and a \$1.5 million interest free loan to be paid back over 20 years. He said that the North Carolina grant and loan office had \$3 million in federal stimulus money left over and had given the County additional funding of \$1.1 million. The project will generate revenue of \$500,000 per year. Mr. Creighton invited everyone to a ribbon cutting ceremony for the project that would be held on April 27 at 10 a.m. at the Landfill.

Board Appointments

Commissioner Peterson moved to appoint **Francis DeBari, Shaw Canale, Maria Roloff, Carol Hallstrom and Lisa Eby** to the **Asheville Buncombe Community Relations Council**. The motion passed 4-0.

Commissioner Bailey moved to appoint **Lee Orowitz** to the **Nursing Home Community Advisory Committee**. The motion passed 4-0.

Vice Chairman Stanley moved to reappoint **Joe Brummit** to the **Asheville Buncombe Technical Community College Board of Trustees**. The motion passed 4-0.

Commissioner Peterson moved to appoint **Jon Creighton** to the **Grow WNC Board**. The motion passed 4-0.

Announcements

The Chairman made the following announcements:

- *The next regular meeting of the Board will be April 17, 2012 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

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.*

Mike Fryer, County Commission candidate, spoke about the failure of Asheville Buncombe Technical Community College to pay for the sales tax election and their cutting of teachers.

Milton Byrd, County Commission candidate, spoke about immediate community needs and making the landfill generator fit into the smart grid system.

Linda Southard, County Commission Candidate, felt that the County's capital expenditure plan needed review and she questioned whether library renovation is needed.

Don Yelton, requested regular updates on the landfill gas to energy project and complained about the rules for public comment.

Jerry Rice was concerned with mental illness issues and housing.

Commissioner Bailey moved to go into closed session. Vice Chairman Stanley seconded and the motion passed 4-0.

Commissioner Bailey moved to go into closed session pursuant to NCGS 143.318-11a(3) and (4) for a legal matter and economic development incentive. Commissioner Peterson seconded and the motion passed 5-0.

Closed Session

Discussion was held regarding a possible economic development incentive for a new company that would bring 856 jobs with a \$3 to 4 million investment. The Board gave consensus for an offer and incentive of up to \$1 million.

Discussion was held regarding an economic incentive for a new company bringing 131 to 154 jobs paying an average salary of \$55,000. The incentive would be \$650,000 for 10 to 13 years. The Board gave consensus to offer the incentive.

The Finance Director and County Attorney presented a possible legal matter involving a local project. No action was taken.

Commissioner Bailey moved to return to open session. Commissioner Peterson seconded and the motion passed 4-0.

Commissioner Bailey moved to adjourn the meeting. Commissioner Peterson seconded and the motion passed 4-0.

The meeting was adjourned at 6:15 p.m.

KATHY HUGHES, CLERK TO
THE BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS