

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF MARCH 5, 2013 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on March 5, 2013, in the Commissioner 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  
Holly Jones, Vice Chair  
Joe Belcher, Commissioner  
Ellen Frost, Commissioner  
Mike Fryar, Commissioner  
David King, Commissioner  
Brownie Newman, Commissioner

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

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

The Chairman gave the invocation.

*The Chairman reminded the Board that in accordance with the State Government Ethics Act, 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 Fryar said he would like to have Mandy Stone, who previously resigned, continue to serve on the Asheville Buncombe Technical Community College Board of Trustees until the Madison County issue could be resolved. This would allow the County to have more representation on the Board of trustees. Mike Frue, County Attorney, said that Ms. Stone would be allowed to continue serving as a Trustee until a replacement is found and sworn in. The Board gave their consensus.*

### **PUBLIC COMMENT**

*The Chairman reviewed the rules for public comment stating that the official business of the County had concluded and public comment would be taken under the following rules:*

- *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.*

Don Yelton said he was not in favor of funding the City Schools capital request.

Jerry Rice mentioned the petition put into the record at the last meeting stating that he felt it should not have been considered legitimate. He felt that there were not enough school resource officers and the root of the school safety issues should be reviewed.

### **DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA**

Vice Chair Jones moved to approve the consent agenda as presented. Commissioner King seconded and the motion passed 7-0.

- *Approval of Minutes of February 19, 2013 Regular Meeting*

- *Resolution Authorizing the Transfer of Certain Property to the City of Asheville*
- *Resolution Accepting the Regional Analysis of Impediment to Fair Housing Choice*
- *Budget Amendment – Fund 10 – Sheriff and Detention revenues to purchase critical equipment*
- *Capital Projects Ordinance*

## **COUNTY MANAGER'S REPORT**

- **Asheville City Schools Capital Projects Report**

Wanda Greene, County Manager, said that the City Schools had been asked to put together a plan and report their findings in relation to the capital needs of Asheville City Schools.

City School Superintendent Allen Johnson gave a presentation regarding the need for replacement of two schools—Isaac Dickson and Asheville Middle Schools.

Brad Johnson, Isaac Dickson Principal, said that the new site would provide opportunities for experiential learning.

Cynthia Selliner, Asheville Middle School Principal, said that the new school was designed to bring together the community in the heart of the City. She said that Asheville Middle School needed more space to continue offering its unique programs.

Al Whitesides, Vice Chair of the Asheville City Schools, gave a brief history of Isaac Dickson and stated that the school system has had a steady growth over the last 10 years which is projected to continue.

Superintendent Johnson reviewed the deficiencies in these two schools.

John Legerton, Architect, reviewed the design for the new school for Isaac Dickson Elementary stating that they plan to begin building in June with completion in December of 2014.

Mike Nichols, Design Consultant, reported on the energy efficiency of the new proposed LEED school.

Chad Roberson with PBC&L gave a history of the data collection done to come up with the design. He said that after looking at all options, they decided to construct a new Asheville Middle School on the same site demolishing the old building. They plan to begin building in November of 2014 and finish in September of 2016 with a \$46,922,154 project budget.

Commissioner Belcher asked about the square foot cost and size of the schools. The architect attempted to explain the basis for the site costs calculation. The architect said that the LEED certified costs were good investments.

Commissioner King said that Asheville Middle costs are almost twice what the County schools had spent on their last two intermediate schools. He said that this request would create a difficult funding situation for the County and asked why the City had not set aside funding for future schools.

Chad Roberson said that these schools were bigger and with different energy codes than the county schools recently built.

Commissioner Jones said that regional costs for square footage are in line with construction across the state and felt the schools presented were in line with other schools built by the County school system.

Robert Grant, a student at Randolph School, asked how Isaac Dickson students would function at Randolph School. He said that a majority of Randolph students do not want to go to Asheville High. He wanted to keep the music program at Randolph and was concerned with the students that would be displaced.

Jesse Ingram, Isaac Dickson parent, said that the design had been crafted by teachers based on their experience.

Steve Again, PTO President from Isaac Dickson and parent of student, moved here seven years ago and urged the Board to support these two new schools.

Steve Dykes, ACS foundation president, thanked the Board for the presentation and allowing comment. He reviewed the age of the buildings. He said that Asheville drives the economic engine and the schools are important.

Libby Carlson, Teacher from Isaac Dickson, supported the funding for the new building.

Elden Lindsey, teacher at Asheville Middle School and parent, moved from New Orleans after Katrina and wanted the finest schools here.

Connie Weeks, teacher at Asheville Middle School for 22 years, said that the school was not safe

and should be replaced.

Rachel Weis, teacher from Isaac Dickson, said that they need a new school with an LEED certification and safety upgrades. She invited the Commissioners to take a tour of the school.

Kathy Durham, resident of West Asheville, future parent for Asheville Middle School was in favor of an upgrade for this school.

Kate Head, Director of new schools foundation, wants new schools because they are very important.

Kimberly Adams, pre-school teacher, asked that the transition plan for Randolph be shared with the parents and students.

Jerry Rice spoke in favor of these new schools for the City school system.

Chuck Blair, teacher who works for the Asheville Middle School said that the interior rooms were not good for learning. He was in favor of the new schools. He pays his taxes and wants new schools.

Kate Fisher, parent of Isaac Dickson and Asheville Middle School students, wants new school for the amazing kids and teachers that were as nice as the county system's middle schools.

Hope Herrick said that she did not want to go into debt for something that the county can do without. She was opposed to green schools. She wanted schools built with the county's means. She wanted good teachers.

Jackie Hallum, Asheville City School Board member, said she went to Asheville Middle and spoke in favor of a new school. She asked the Board members to visit the schools.

Commissioner King said that there is no question as to whether or not these schools are needed. He said that he had worked on getting this funding but there are existing constraints.

Commissioner Frost said that the most compelling argument is to take a tour of these schools.

Commissioner Belcher said that this is a major challenge and just the beginning of this discussion.

Commissioner Newman thanked everyone for hearing the challenge and said that he is biased with kids in both of these schools but felt that the County would invest in the most cost effective way possible.

## **NEW BUSINESS**

- **Energy Update**

Jon Creighton, Assistant County Manager/Planning Director, gave the power point attached to the minutes regarding solid waste matters. He reviewed the County's garbage and recycling collection. He reported that the landfill gas to energy facility provides electricity to 1100 homes in the county and cuts down on the greenhouse emissions and generates revenues of \$750,000. The landfill has the only OSHA certified collection for hazardous waste in the state. Buncombe is 9<sup>th</sup> in the state for recycling. He also reviewed the abandoned mobile home program with 509 homes removed since the inception of the program. The Chairman asked for a report on the best prices across the country in recycling.

Greg Isreal, General Services Director, gave the update on the energy use and emission which is attached to the minutes of this meeting.

Commissioner Newman felt that the calculations, measures and leadership were impressive for all facilities and equipment. He wanted a policy set for the future to set aside resources to continue and accelerate achievement in this area.

- **Resolution Authorizing the Execution o a Three Party Right of Way Encroachment Agreement**

Jon Creighton, Assistant County Manager/Planning Director, said that the waterline near the old CTS plant would serve 141 households and the City of Asheville was reviewing the plans and this DOT encroachment was required.

Vice Chair Jones moved to approve this resolution as presented. Commissioner Belcher seconded and the motion passed 7-0.

## **BOARD APPOINTMENTS**

Commissioner Belcher moved to appoint **Patricia Cothran** to the **Historic Resources Commission**. Commissioner King seconded. Commissioner Frost moved to appoint Woodard Farmer to the Historic Resources Commission and Chairman Gantt seconded. Patricia Cothran was appointed with the Commissioners voting as follows:

Cothran – Vice Chair Jones, Commissioners Belcher, King, Fryar and Newman  
Farmer – Chairman Gantt and Vice Chair Jones.

Chairman Gantt moved to appointed **Loring McIntyre** to the **Mountain valley Resource Conservation and Development Board**. Vice Chair Jones seconded and the motion passed 7-0.

Vice Chair Jones moved to appoint **Alfred Kalahati** for a one year term and **Sara Foster, John Bernhardt, Peggy Bierer, Jesse Horner, Sarah Oram, Robert Tomasulo, Lorraine Poe, spike Gram, Marsha Safian, Peggy Franc and Barbara Myer** for three year terms on the **Adult Care Home Community Advisory Committee**.

Commissioner Frost moved to appoint **Woodrow Dyches** to the **Nursing Home Community Advisory Committee** for a term of one year. The motion passed 7-0.

Commissioner Belcher moved to appoint **Jim Edmonds** to serve on the **Asheville Planning & Zoning Board** to complete the unexpired term of Paul Smith. Commissioner King seconded and the motion passed 7-0.

## **ANNOUNCEMENTS**

- *The next regular meeting of the Board will be March 19 at 4:30 p.m. in Chambers at 200 College Street, Room 326, 3<sup>rd</sup> Floor*
- *Commission meetings can be seen on:*
  - *BCTV Charter Cable Channel 2*
  - *AT&T U-Verse Channel 99*
  - *Live on [buncombecounty.org](http://buncombecounty.org) during the meetings or*
  - *Online anytime at [buncombecounty.org](http://buncombecounty.org)*

*Commissioner King moved to go into closed session pursuant to GS 143.318-11a(4) for 3 economic development items with no action to be taken. Commissioner Frost seconded and the motion passed 7-0.*

## **CLOSED SESSION**

Discussion was held regarding economic incentives for two businesses. Both would bring significant investment and jobs to the area. The Board gave staff consensus to continue talking with these businesses.

The County Manager discussed a separate economic incentive investment in the County. The Board gave the Manager consensus to continue discussions regarding this investment.

Vice Chair Jones moved to return to open session. Commissioner King seconded and the motion passed 7-0.

Vice Chair Jones moved to adjourn the meeting. Commissioner King seconded and the motion passed 7-0. The meeting was adjourned at 8:22 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS