

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF AUGUST 27, 2013 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on August 27, 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; Mandy Stone, Assistant County Manager; Jon Creighton, Assistant County Manager/Planning Director; 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.

PUBLIC COMMENT

The Chairman reviewed the rules for 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.

Fred English spoke about tax increases and value increases and said he did not approve of the tax increase in order to give the Commissioners a pay raise.

Jerry Rice commented on the CRA and the number of commissioners appointed to the authority. He did not want four of the 7 slots to be filled with commissioners. He is concerned that the county manager is not available to the public and wanted her office moved closer to the Commissioners' offices.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

Commissioner King moved to approve the agenda with some changes that will be reflected in the minutes.

Commissioner Newman seconded and the motion passed 7-0.

- Approval of Minutes of August 6, Regular Meeting
- Resolution of Intent to Convey Property and Advertise for Upset Bids
- Resolution Approving Pyrotechnic Experts for Firework Displays
- Budget Amendment:
 - Fund 10 – carry forward encumbrance reserve, restricted and grant balances \$980,174; to budget federal funding \$32,460; to budget interfund transfer for grant match \$23,416
 - Fund 30 to carry forward encumbrance reserve and grant balances \$521,355; to budget federal award covering NCDOT 5310 grant \$45,700
- Special Projects Ordinance
- Grant Projects Ordinance
- ABTCC Capital Projects Ordinance
- Capital Ordinance

- Release Report

GOOD NEWS

- **Presentation of Award to Former Commissioner Bill Stanley**

Kathy Hughes, Clerk to the Board, presented an Excellence in Communications award to former Vice Chairman Bill Stanley for his role in the video produced by the County recounting his time as a public servant and County Commissioner. Mr. Stanley thanked the Board for the recognition.

PROCLAMATIONS

- **Honoring Korean War Veterans**

Commissioner Belcher read the proclamation and presented it to Jeff Foster, President of the Republican Men's club. Mr. Foster thanked the Board for the proclamation and for the service of Korean War veterans.

COUNTY MANAGERS REPORT

- **Energy Update**

Greg Isreal, General Services Director, gave a report on his efforts to improve the County's energy conservation measures. He explained that the County had contracted for an energy audit and a 10 year plan to implement the measures that the audit would recommend. The audit of County's 780,000 square feet of facility space began in July and would finish up in October. He would make a report to the Board in November or December with the results of the audit.

Commissioner Newman said this should help set an achievable long term goal and he looked forward to seeing the report.

The Chairman thanked Mr. Isreal for his outstanding energy conservation efforts for the county.

NEW BUSINESS

- **Commission Salaries**

The County Manager said that the County implemented pay increases for employees based on the Consumer Price Index (CPI) several years ago. The increase in the amount of the Commissioners' salaries shown in the budget ordinance for 2014 was a result of the automatic CPI increase. The 1.7 percent CPI adjustment was given to the board as well as all County employees effective July 18 of this year. Each Commissioner would have received an increase of \$450 a year or \$8.55 a week.

Commissioner King said that he had weighed the impact of returning the CPI increase for Commissioners and felt that it would not save much money and further felt that the news media should not drive how the County manages.

Commissioner Frost moved to give each Commissioner the ability to decline the CPI increase (retroactive to July 18) to their salary effective immediately. Commissioner Belcher seconded the motion. Commissioner Fryar said that he wanted his salary to stay the same for four years.

The motion passed 7-0.

BOARD APPOINTMENTS

Commissioner Frost moved to appoint **Chuck Cloninger** to the **Land Conservation Advisory Board**. The motion passed 7-0.

ANNOUNCEMENTS

The Chairman announced that in order to more effectively address commission, staff, economic development and constituent issues, the position of Senior Staff Legal Counsel had been created to work directly with County departments. He said that the Board would like to thank Mike Frue, County Attorney, for agreeing to transition into the Senior Staff Legal Council role. The Chairman read the County Attorney's resignation letter into the record and attached to the minutes of this meeting.

The Chairman asked the Human Resources Director to advertise the temporary/part time County Attorney position for 2 weeks (job description attached to the minutes). This position will report directly to the Board.

- The next meeting of the Board will be September 17 at 4:30 in Chambers

- *Commission meetings can be seen on:*

- o *BCTV Charter Cable Channel 2*
- o *AT&T U-Verse Channel 99*
- o *Live on buncombecounty.org during the meetings or*
- o *Online anytime at buncombecounty.org*

Curt Euler, Staff Attorney said that the Board would need to go into closed sessions pursuant to G.S.143-318.11A(3) for one potential legal matter.

Vice Chair Jones moved to go into closed session for the reasons cited by the Attorney. Commissioner Fryar seconded and the motion passed 7-0.

CLOSED SESSION

Curt Euler, Staff Attorney, reviewed a legal matter filed in US District Court Western Region known as Wilcoxson vs. Buncombe County 1:13CV224. No action was taken.

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

Vice Chair Jones moved to adjourn the meeting. Commissioner Newman seconded and the motion passed 7-0. The meeting was adjourned at 5:20 p.m.

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS