

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF NOVEMBER 19, 2013 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on November 19, 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/HHS Director; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

PLEDGE OF ALLEGIANCE

Scout Jay Trull with Troop 61 led the pledge.

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.

Mary Poulos, resident of the Forest Subdivision off Beaverdam Road and neighbor to the house recently removed due to unsafe conditions caused by a landslide, said she was thankful that the house had been demolished. She said that her house was immediately below the house that was removed and she and her neighbors were afraid the loose dirt and fill that was left would cause further problems.

Jerry Rice said he had trouble accessing the County's Comprehensive Annual Financial Report from the website. He asked to be allowed to film from the front of the meeting room. He questioned the possible conflict of interest involving the new County Attorney and the fact that he represented one of the Commissioners in an election matter.

Sharon Campbell, resident of the Forest Subdivision and neighbor of the house that was part of the landslide, said that the landslide lot was not stable and the road was washing away and dangerous.

Elise McClain, resident of the Forest Subdivision, felt that the land would keep sliding into the homes below the house that was removed and she wanted help with the dangerous situation.

Herst Poulos, resident of the Forest Subdivision, said that they had Bernie Kessel, a local engineer, do an assessment of the land in this area and Mr. Poulos asked that the County follow what Mr. Kessel suggested and shore up the land to prevent another disaster.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

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

- Approval of Minutes of November 5, 2013 Regular Meeting
- Release Report
- Budget Amendment: Fund 10 – State Criminal Alien Assistance Program Grant; HHS Training; Fund 34 – CRA Funds
- Grant Projects Ordinance
- Capital Projects Ordinance
- Solid Waste Capital Projects Ordinance

GOOD NEWS/PROCLAMATIONS

- **Eliada Home Receives Best Practice Award**

Mark Upright, CEO of the Eliada Home, said they began the Eliada School of Trade Arts to meet the needs of young men and women who were transitioning from long-term foster care to adulthood. They are currently focused on culinary technology and are able to prepare fresh, locally grown food for the children at the campus. The United States Department of Agriculture awarded Eliada the best practice award for 2013 for this program providing young people with a career path and providing the school with healthy meals that use 90 percent of food purchased in their community versus canned or pre-packaged foods. He thanked the County for helping them acquire the commercial kitchen that made the program possible.

PUBLIC HEARING

- **Rezoning Request of Frances Briggs & Gary Corn R-2 to EMP**

Debbie Truempy, County Planner, said that this request was to rezone a 10.8 acre property off Long Shoals Road from R-2 to EMP. The property had previously been in the Asheville Extra Territorial-Jurisdiction. The Planning Department recommended approval of the amendment, finding it consistent with the land use plan. The Planning Board held a public hearing on October 4 and one person spoke in opposition. The Planning Board found this rezoning would be consistent with the land use plan, reasonable and in the public interest.

The Chairman opened the public hearing at 4:51 p.m.

Gary Corn, petitioner, gave the history of the property and asked that his property be rezoned.

The public hearing was closed at 4:53 p.m.

Vice Chair Jones moved to approve this rezoning finding it consistent with the Land Use Plan, reasonable and in the best interest of the public. Commissioner Fryar seconded and the motion passed 7-0.

NEW BUSINESS

- **Comprehensive Annual Financial Report**

Donna Clark, Finance Director, said that this was the 14th time she had presented the Comprehensive Annual Financial Report. Her presentation is attached to the minutes of this meeting. Ms. Clark said that she was very proud of the fact that the report was clean and included no management letter which meant there were no areas needing improvement. She thanked the County department heads, employees and Finance staff for doing great work reflected in the success of the report.

Chuck Killian with Gould Killian CPA Group addressed the results of the audit and the county's compliance and explained the role of the Governing Accounting Standards Board. He said he was pleased that there were no findings and no management letter this year. He complimented the Audit Committee for their work on the report.

- **Long Mountain Conservation Easement**

Debbie Truempy, County Planner, presented the funding request for \$69,300 to protect 121 acres in Upper Hominy and near the Pisgah National Forest with a conservation easement. Ms. Truempy said that the area was highly visible from the Blue Ridge Parkway and would be important for headwater stream protection. A power point outlining the purchase is attached to the minutes of the meeting. The Chairman said that this would be a voluntary easement on behalf of the property owner.

Commissioner Newman said this was a great project and a unique property that needed to be protected. He thanked the conservation organizations involved including the County Land Conservation Advisory Board and the land owners who were giving away a tremendous value on the property. Commissioner Newman moved to approve the request.

Vice Chair Jones seconded the motion thanking Chairman Gantt for making sure land conservation in Buncombe County became a reality and resulting in thousands of acres in conservation.

Commissioner Belcher said this was a beautiful piece of property that should be conserved.

Commissioner Fryar was opposed to using tax dollars for conservation in light of other projects in which the County was involved.

The motion passed 6-1 as follows:

AYES: Chairman Gantt, Vice Chair Jones, Commissioners Belcher, King Frost and Newman.

NOES: Commissioner Fryar

ANNOUNCEMENTS

- *The next meeting will be December 3 beginning at 4:30 p.m. in Room 326 at 200 College Street in downtown Asheville.*
- *Commission meetings can be seen on:*
 - *BCTV Charter Cable Channel 192*
 - *AT&T U-Verse Channel 99*
 - *Live on BCTV Channel 192 and on buncombecounty.org during the meetings or*
 - *Online anytime at buncombecounty.org*

The Chairman reviewed the recent groundbreaking for the GE plant stating that the County was proud to have played a large part in making Buncombe the first location in the world to build parts that will help save over \$1 million per plane in the aviation industry. He thanked the County Manager and Assistant County Manager for making the deal happen that saved over 400 jobs statewide.

Commissioner Newman moved to cancel the Commissioner's regularly scheduled meeting for December 19. Commissioner King seconded the motion passed 7-0.

Commissioner Frost moved to adjourn the meeting. Vice Chair Jones seconded the motion and it passed 7-0.

The meeting was adjourned at 5:30 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS