

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF JUNE 17, 2014 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on June 17, 2014, 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  
Ellen Frost, Vice Chair  
Joe Belcher, Commissioner  
Mike Fryar, Commissioner  
Holly Jones, 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; Mike Frue, Senior Staff Attorney; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

## **PLEDGE OF ALLEGIANCE**

## **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 mentioned.*

## **PUBLIC COMMENT**

Judy Rosenthal spoke about banning e-cigarettes in the County and that more people need to know that e-cigarettes were not allowed in or around County owned buildings.

Jim Greene said he was a professional engineer who had worked on the design of a new aquatic center for 8 years and felt that a new center would be good for the economy. He was in favor of a new center in the County.

Jerry Rice asked about the tax collection rate and why the County was the 56 highest priced place to live in the nation.

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

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

- **Approval of Minutes of June 3, 2014 Regular Meeting**
- **Resolution Granting Easement to Carolina Power & Light Company/Progress Energy Carolinas, Inc.**
- **Approval of Changes to the FY15 Department of Health Billing Guide**
- **Resolution Approving Pyrotechnic Experts – Camp Rockmont & Inn on Biltmore**
- **School Capital Commission Fund Ordinance 14 & 15**
- **Grant Project Ordinance 14 & 15**
- **Special Projects Ordinance**
- **ABTCC Capital Projects Ordinance 15**
- **Capital Projects Ordinance 14 & 15**
- **Final Budget Summary**
- **Budget Amendments –**
  - **Fund 10 (additional excise tax and ROD revenues and expenditures; environmental assessment studies; JCPC revised program; Energy Savings Reinvestment Fund; transfer for capital projects not completed by year end (\$417,858);**
  - **Fund 34 (potential fund closure at fiscal yearend \$1,200,000)**
  - **Fund 20 Occupancy tax revenues \$200,000**
- **Release Report**

## **GOOD NEWS/PROCLAMATIONS**

- **Mountain Area Health Education Center update**

Dr. Jeff Heck with MAHEC said that the primary purpose of MAHEC was to bring health education to the mountains and thereby improve health care for the region. MAHEC is the largest area health education center in the state and close to the largest in the nation.

Dr. Kellett Letson talked about MAHEC/Women and their success with building relationships among different groups of women and children.

Frank Castelblanco, Director of Regional Services and Continuing Education with MAHEC shared the new partnership between HHS and MAHEC specific to health education and promotion. He highlighted the opportunities this will provide to lead health education efforts within the 22 primary care settings that MAHEC manages for Mission which will impact critical issues specific to health disparities.

- **Proclamation Honoring Liana Murray**

Commissioner Jones read the proclamation and presented it to Ms. Murray, the 2014 National Presidential Scholar in the Arts. Ms. Murray was an Asheville High School graduate and one of 140 seniors in the nation to receive this award. Ms. Murray, who will attend Yale University in the fall, thanked the Board for the recognition.

- **Elder Abuse Awareness Month**

Commissioner Belcher read the proclamation and presented it to Frank LaFountain with Adult Protective Services. Kevin Turner, Adult Protective Services, thanked his staff for the important work that they do in protecting the elderly.

## **PUBLIC HEARINGS**

- **County FY15 Budget**

Wanda Greene, County Manager, gave a power point reviewing the highlights of the budget previously presented for FY2015. She said that the CRA funds would be blended back into the regular county budget making a combined tax rate of 60.4 cents, same rate from 2014. The Manager reviewed the capital plan including the Commissioners' recommendations regarding renovations at 40 Coxe Avenue and a new covered pool. She said that there would be an early retirement option would be included in the budget.

She asked that the meeting be continued to Thursday, June 19 at 7 a.m. for the adoption of an interim budget.

Dr. Bobbie Short, Interim Superintendent for Asheville City Schools, gave a power point that included their budget request for additional funding based on the Governor's budget.

Dr. Tony Baldwin, County School Superintendent, gave a power point that included their budget request. He said they are facing some extreme cuts in state and federal funding. He said that 65 percent of their operating budget was state funded; 26 percent from local and 9 percent federal funding. The county schools requested \$2.658,383 in 2015 funding.

Marylyn Latore, WNC Citizens for Public Education, asked that the Board support additional funding for classroom teachers.

Kitty Shower asked that Pisgah Legal Services be funded their requested additional \$120,000 for this year.

Robin Merrell with Pisgah Legal Services also asked for more funding for FY2015 to help with domestic violence and their children.

Jim Barrett, Director of Pisgah Legal Services asked for funding in the FY2015 budget. He suggested using economic development funds to fund his services.

Jerry Rice questioned the CRA and the tax rate. He questioned the sale of property for schools and recreation.

Christina Merrill criticized the increasing debt and increased taxes on the elderly and young people. She felt all special interest requests should be cut placing funding on core services.

Lisa Baldwin, County School Board member, wanted the school board to redo their budget request and focus on moving all construction funding to learning. She also suggested that the fund balance be used in the classroom. She asked the Commissioners to reject the School Board budget as presented.

Betsy Russell, parent and member of WNC Parents for public education, asked for support in the classrooms

The Chairman closed the public hearing at 6:22 p.m.

- **Rezoning Request for Christmount – Michael Murphy R1/PS to CR**

Josh O'Connor, Zoning Administrator, said that approval of this request would rezone the Christmount property from its current R-1/PS to the Conference and Resort (CR) District. The rezoning request was approved by the Planning Board and staff.

The Chairman opened the public hearing at 6:27 p.m.

Jack Denard, a resident of Christmount community was opposed to the use of pubs, shooting ranges and other uses on this property.

Jerry Rice was opposed the changes to the zoning district.

No other comments were taken and the hearing was closed at 6:30 p.m.

Commissioner King moved to approve the rezoning as requested. Commissioner Newman seconded and the motion passed as follows:

AYES: Chairman Gantt, Commissioners Belcher, Fryar, Jones, King and Newman

NOES: Vice Chair Frost.

- **Rezoning Request for Lutheridge & Lutherock Ministries R1 to CR**

Josh O'Connor, Zoning Administrator, said that approval of this request would rezone Lutheridge from R-1 to CR which the Planning Board and staff found to be in keeping with the Land Use Plan.

The Chairman opened the public hearing at 6:38 p.m.

Jerry Rice asked if alcohol could be served in this district.

The Chairman closed the hearing at 6:40 p.m.

Mr O'Connor said that alcohol would not be prohibited in this district.

Commissioner Newman moved to approve the requested rezoning. Commissioner Fryar seconded and the motion passed 7-0.

- **Rezoning Request from Jack Ohlhaber R1 to CS**

Josh O'Connor said that Mr. Ohlhaber had requested that his property be rezoned from R-1 to Commercial Service. The property was located on Brevard Road. Planning Board and staff denied the request as outlined in the staff report attached to the minutes.

The Chairman opened the public hearing at 6:47 p.m. The Chairman submitted a written objection to the rezoning from Richard Johannsen, Manager of French Broad Quiet Water Farm LLC. His comments are attached to the minutes.

Guy Sygar, lives adjacent to the property and spoke in opposition to the rezoning because he was concerned with long term development on this property.

Gwen Sygar spoke in opposition to the rezoning.

The Chairman closed the hearing at 6:53 p.m.

Commissioner Jones moved to deny the requested rezoning. Commissioner Fryar seconded and the motion passed 7-0.

## **BOARD APPOINTMENTS**

Commissioner Belcher moved to reappointed **Karl Koon** to the **WNC Regional Air Quality Agency**. Commissioner King seconded and the motion passed 7-0.

Commissioner King moved to appoint **Margaret Davis** to the **Nursing Home Community Advisory Committee**. Commissioner Fryar seconded and the motion passed 7-0.

Vice Chair Frost moved to continue the meeting to June 19 at 7 a.m. Commissioner Newman seconded the motion passed 7-0

## **ANNOUNCEMENTS**

The Chairman made the following announcements:

- *This next meeting will be June 19 beginning at 7 a.m. in Room 326 at 200 College Street in downtown Asheville.*
- *The next regular meeting of the Board will be August 5, 2013 beginning at 4:30 p.m.*
- *Commission meetings can be seen on:*
  - *WBCTV 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*

Commissioner Belcher moved to go into closed session pursuant to NCGS 143-318.11a(4) to consider a legal matter and (4) possible economic development incentives. Chairman Gantt seconded and the motion passed 7-0.

## **CLOSED SESSION**

Discussion was held regarding a potential economic development incentive for an existing company with a \$3.8 million investment. The Board agreed by consensus to offer an incentive.

Discussion was held regarding incentives for one new business with a potential investment of \$1.9 million, bringing 65 jobs and the expansion of one existing business making a \$5 million investment and bringing 82 jobs. The Board gave consensus to pursue both businesses with incentives.

The County Attorney updated the Board on a legal matter involving online travel companies and a lawsuit filed a few years ago regarding occupancy tax. The Board gave the attorney consensus to pursue a settlement of this matter.

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

Vice Chair Frost moved to continue the meeting to 7 a.m. on June 19. Commissioner Belcher seconded and the motion passed 7-0.

That the Board of Commissioners met in continued session on **June 19, 2014**, in the Commissioner Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 7 a.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

David Gantt, Chairman  
Ellen Frost, Vice Chair  
Joe Belcher, Commissioner  
Mike Fryar, Commissioner  
Holly Jones, 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; Mike Frue, Senior Staff Attorney; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

The Chairman said that this meeting was called to vote on the an interim budget

The County Manager explained that the County was waiting for a clearer picture of the State's budget and therefore was requesting the adoption of an interim budget. She asked that the Board set July 8 at 4:30 p.m. as the date for FY15 budget adoption.

Commissioner Frost moved to approve an interim budget. Commissioner King seconded the motion and it passed 7-0.

Commissioner Belcher moved to adjourn the meeting. Commissioner Jones seconded the motion and it passed 7-0. The meeting was adjourned at 7:10 a.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS