

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF SEPTEMBER 20, 2016 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on September 20, 2016, in the Commission 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
Brownie Newman, Vice Chair
Joe Belcher, Commissioner
Ellen Frost, Commissioner
Mike Fryar, Commissioner
Holly Jones, Commissioner
Tim Moffitt, Commissioner

Staff present was: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager/HHS Director; Jon Creighton, Assistant County Manager/Planning Director; Tim Flora, Finance Director; Mike Frue, Staff Attorney; Brandon Freeman, Staff Attorney; Kathy Hughes, Clerk to the Board.

PLEDGE OF ALLEGIANCE

INVOCATION

PUBLIC COMMENT

T. J. Ammos asked the Board to support additional sidewalks near the county line. Her children could not ride the bus because there were no sidewalks.

Laura Paltry spoke against the refugee resettlement program. She felt it would drain the country's resources and she wanted the Board to make a public announcement if they were considering the program.

Charlotte Danageral spoke in opposition to the refugee resettlement program and did not want any refugees accepted locally at this time. She listed several counties that had passed resolutions opposing the resettlement.

Christy Sluder spoke as a social worker asking the Board to investigate the County's failure to complete investigations. She felt that the Health and Social Services Board was not taking seriously the concerns of its citizens.

Jerry Rice complained about the budget, revaluation of county property, and the number of poor people. He felt that the budget was exploding with too much in the fund balance. He did not want any County property revalued.

Chaddy Hess was concerned by the possibility of refugee resettlement and felt it should be common sense not to bring them here but to help them in their own Country. She was concerned with the security risk and felt it was the Board's obligation to protect citizens and property. She wanted the public to be alerted to the arrival of any refugees.

David Brown wanted the County to find ways to embrace people who need a home. He asked for open arms and hearts to help the folks who were looking for a home.

Sharon Settleman agreed with Mr. Brown and wanted refugees to be included into our society. She wanted the County to embrace them.

Mike Ligiver said that the refugees issue is controversial and he understood both sides.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

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

- **Approval of the Minutes of the August 2, 2016 Regular Meeting**
- **Approval of Smoky Mountain LME Financial Report**
- **Release Reports July and August**
- **Budget Amendment: Fund 10-Transfers; Fund 30**
- **Grant Projects Ordinance**
- **Capital Projects Ordinance**
- **Special Projects Capital Projects Ordinance**
- **ABTCC Capital Projects Ordinance**
- **Resolution Authorizing the County Manager to Execute Necessary Documents Regarding Asheville Airport Grant Agreements**
- **Resolution Approving Donation of Surplus Bicycles to Trips for Kids WNC**

- **Resolution Calling for Boundary Relocation in Certain Adjoining Service Districts**
- **Resolution Approving NC Governor's Highway Safety Program Application**
- **Resolution Awarding a Service Firearm for a Retiring Deputy**

GOOD NEWS

- **Recognition of TC Roberson Girls Swim Team**

Commissioner Belcher presented certificates to the TC Roberson High School Girls Swim Team who were named the smartest female swim team in the nation. The team members were: *Nicole Anand; Katherine Anderson; Layton Bell; Savanah Caudle; Celeste Costa; Moodstar Davis; Kaelyn Hixson; Patsy Hogoboom; Isabel Horak; Abby Hudspeth; Camile Jenkerson; Camille Long; Anna Newman; Emily Orr; Avery Ryan; Addison Skigen; Fenata Socarras; Ashley Teague; Seanna Tjung; Casey Warren; Maddy Widmann.* James Cottam, Swim Coach, said the team's GPA was 4.2 and they were recognized in Swimming World Magazine and ranked number 1 in the nation.

- **Proclamation of Day of Peace**

Commissioner Jones read the proclamation and moved for its approval. The proclamation was presented to the owners of the Papa and Mama Bear Peace Garden who also spoke in favor of the refugee resettlement.

- **Proclamation of Senior Suffrage Month**

Vice Chair Newman read the proclamation and presented it to Anne Butzner. Ms. Butzner outlined the difficulties that seniors and disabled citizens face and asked the Board to help improve senior access to public transit and the ballot box.

- **Proclamation of Civil Air Patrol Day**

Commissioner Moffitt read the proclamation and presented it to Clint Parker with the Civil Air Patrol. Mr. Parker accepted the proclamation and thanked the Board for the recognition. He invited everyone to attend the Civil Air Patrol Open House on September 29 at general aviation area at the Asheville Airport.

PUBLIC HEARING

- **Economic Incentive for STF Precision**

Jon Creighton, Planning Director, said that STF Precision made diamond tip cutting tools and were located in South Buncombe. They had expanded their business making a \$5 million investment and adding 32 additional jobs with an average wage of \$38,100. Based on these improvements, he recommended an incentive of \$54,180 for this company.

Mr. David Novak, VP of STF Precision, expressed his gratefulness for the incentive saying that it really made a difference to their small business.

The Chairman opened the public hearing at 5:30 p.m.

Jerry Rice was critical of this incentive saying that the average salary should not include high paid executive salaries in the average.

The public hearing was closed at 5:33 p.m.

Commissioner Belcher asked the company to consider offering entry level positions to high school students that can't afford college.

Commissioner Moffitt moved to approve the incentive. Commissioner Fryar seconded and the motion passed 7-0.

COUNTY MANAGER'S REPORT

The County Manager reported that she was able to close out the 2016 budget without using any of the appropriated fund balance.

NEW BUSINESS

- **Resolution Supporting the Designation of the Craggy Mountain Wilderness Area**

Matt McCombs, District Ranger within the Pisgah National Forest, said they were thrilled with the enthusiasm of the community and their interest in the management and conservation of the land. Since

2012 they had been working on the forest plan for management activities and had recommended areas that might be suitable for wilderness inclusion. The Craggy area had been included in all four alternatives. He said that the current management plan would allow for active management and logging. Only Congress could designate a wilderness area and when designated, the area would be wild with no logging allowed.

Wil Harlan with Friends of Big Ivy showed a power point presentation of the Big Ivy area with its old growth forest and biological diversity. He spoke in support of complete protection of the area saying that the community wanted this area to be protected, not logged but permanently protected with a wilderness designation. No roads or trails would be closed with the wilderness designation, just logging and clear cutting would be prohibited.

Doc Kelly with Mountain True thanked the Board for the resolution and gave some history of the craggy area. He was in support of the resolution and making a very strong statement in support.

Tara Harlan wants to protect Big Ivy and was in favor of the resolution.

J J Appodocacas from Warren Wilson College spoke in favor of the conservation of this property.

Natalie Bobwalker; David Clark, Biologist from UNCA; Donald Smith, Professor from Mars Hill; spoke in favor of the wilderness designation.

Following some consideration about postponing comment until after the meeting, the Board agreed to continue hearing everyone who was in favor of the wilderness designation.

Stewart Cawl and Michael Newman spoke in favor of the designation.

Carol Diamond spoke in favor of the preservation and read the following poem by Mary Oliver:

When I am among the trees, especially the willows and the honey locust, equally the beech, the oaks and the pines, they give off such hints of gladness. I would almost say that they save me, and daily. I am so distant from the hope of myself, in which I have goodness and discernment, and never hurry through the world but walk slowly and how often around me the trees stir in their leaves and call out, "Stay awhile". The light flows from their branches and they call again, "It's simple" they say, "and you too have come into the world to do this, to go easy, to be filled with light and to shine."

Jeremy Brookshire; Rady Peeler; Rachel Isreal; Hugh Erwin; Judy Maddox; Robert Lane; Eric Schichocski; William Goodson; David Reid; Katie Hicks; Maryann Bradcoft; Sean Deaveroux; Jessica Anderson; Sam Adams; Brea O'Connor; Ben Trainer; Amanda Grooms; Marla Tambalena; Jerry Rice; Mark Muflinfaller all spoke in favor of the preservation of Big Ivy.

Lena Runeissta spoke in support of the preservation of the Big Ivy wilderness area and sang a song for the Board.

Irene Dillingham Richards said she was 97 and was born in Dillingham community near the Big Ivy area and was in favor of this wilderness designation.

Vice Chair Newman said that the wilderness area designation would have to be made by an act of Congress but would be permanent and that is the designation that the County desires.

Chairman Gantt moved to adopt the resolution in support of the wilderness area. Commissioner Moffitt seconded the motion and it passed 7-0.

All the Board members thanked the folks for coming out and expressing their support for the Big Ivy area.

- **Resolution Acknowledging Receipt of the Proposed Schedule Standards and Rules to be Used in Appraising Real Property for the 2017 Reappraisal and Setting the Schedule of Final Approval**

Gary Roberts, Tax Director, said that adoption of this resolution was the first step in the reappraisal process. The resolution included the official receipt of the schedule of values and rules governing the reappraisal as well as the timeline including the public hearing that would be set for October 4.

Keith Miller, Reappraisal and Real Estate Manager, explained the schedule of values and how the schedule would be used as part of the 2017 reappraisal and beyond. He said that breweries, tree houses, and solar farms were several of the new things to be considered in this reappraisal. There were 127,000 parcels in the County that had to be valued and they were on schedule to be complete by January 1, 2017.

Mr. Roberts asked the Board to set a public hearing for October 4 with potential adoption of the schedule on October 18.

Commissioner Frost moved to approve the resolution as presented. Commissioner Moffitt seconded and the motion passed 7-0.

BOARD APPOINTMENTS

Chairman Gantt moved to reappoint **Frank Castelblanco, Dr. Ed Coryell, Stephanie Kiser, Ken Putnam, Jennifer Wehe, Dr. Rick Weigel** and **Sharon West** to the **Health and Human Services Board**. Commissioner Fryar seconded and the motion passed 7-0.

Commissioner Moffitt said that he was opposed to the reappointment of Terry VanDuyn because she was currently serving in elected office. He was not opposing Senator VanDuyn personally, he was opposing the practice of appointing elected officials to boards and commissions.

Commissioner Newman moved to reappoint **Terry VanDuyn** to the **Health and Human Services Board** and felt this might be something for the Commissioners to consider as a policy decision in the future. Commissioner Frost seconded and Ms. VanDuyn was reappointed as follows:

AYES: Chairman Gantt; Vice Chair Newman; Commissioners Jones, Fryar and Frost
NOES: Commissioners Moffitt and Belcher

Commissioner Jones moved to appoint **Katherine Calhoun Cutshall** to the **African American Heritage Commission**. The motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcement:

- **October 4** - *Commissioners' Regular Meeting beginning at 4:30 p.m. in Room 326 at 200 College Street in Asheville.*

Commissioner Frost moved to go into closed session for the response stated by the County Attorney pursuant to NCGS 143-318-11(3)(4) to consider legal matters (*USDC Western District of North Carolina Case No. 14 cv 00146 Lisa Bain Landis vs. Buncombe County NC Government; Nathaniel Alan Ross Rhodes, Jr. Case No 1:16cv00279 Vs. Buncombe County; Jack Van Duncan; Charles Samuel Kielson; Stuart Tyrus Maynard Jr. File No. 16 CvS 3019 vs. Buncombe County; Commissioners; Mike Goodson; Wanda Greene; Ridgeview MHP and Bryan Merklin*) and an economic development incentive. There would be no action after the session. Commissioner Belcher seconded and the motion passed 7-0.

CLOSED SESSION

Discussion was held regarding an announcement of an economic development incentive for a local company preparing to expand to 551 jobs with a \$25 million investment in a new facility in the Black Mountain area. The County would hold a public hearing to consider a possible \$881,000 incentive.

Discussion was held regarding three lawsuits involving the County. No action was taken.

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

Commissioner Jones moved to adjourn the meeting. Commissioner Belcher seconded and the motion passed 7-0.

The meeting was adjourned at 8:45 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS