

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF SEPTEMBER 4, 2012 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on September 4, 2012, in the Commissioner Chambers, 30 Valley Street 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
Bill Stanley, Vice Chairman
K. Ray Bailey, Commissioner
Carol Peterson, Commissioner
Holly Jones, Commissioner

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

PLEDGE OF ALLEGIANCE

INVOCATION

Commissioner Bailey gave the invocation.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

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 Peterson moved to approve the consent agenda as presented.

- **Approval of Minutes of August 21, 2012 Regular Meeting**
- **Resolution Endorsing the Living Wage**
- **Budget Amendment: Fund 10**
- **Special Project Ordinance**
- **Grant Projects Ordinance**
- **ACTCC Capital Projects Ordinance**
- **School Capital Commission Fund Projects Ordinance**

Commissioner Jones seconded and the motion passed 5-0.

Vice Chairman Stanley thanked everyone for their prayers during his recent illness.

PROCLAMATION

- **Minority Enterprise Development Week**

Commissioner Peterson read the proclamation and moved for its approval. Vice Chairman Stanley seconded and the motion passed 5-0. Commissioner Peterson presented the proclamation to James Lee with the Minority Enterprise Development Committee who thanked the Board and pointed out that this was the 29th MED week campaign.

- **International Day of Peace**

Commissioner Jones read the proclamation and moved for its approval. Vice Chairman Stanley seconded the motion and it passed 5-0. Commissioner Jones presented the proclamation to John Spitzburg with Veterans for Peace who thanked the Board for passage of the proclamation.

PUBLIC HEARING

- **Tax Revaluation—Schedule of Values**

Gary Roberts, Tax Administrator, said the hearing was legally required as part of the tax revaluation process and that the schedule set the values for home, land and commercial appraisals. Once approved, the schedule will be used until the next revaluation.

The Chairman opened the public hearing at 4:48 p.m.

Jerry Rice expressed his concern that the public did not understand the process.

Don Yelton requested that the process be flexible and felt that properties were overvalued.

Alan Ditmore questioned possible changes to the process since the last revaluation.

Joe Belcher felt that homes should be undervalued or not based on retail values.

George Humphries from Barnardsville said that taxes were too high, the current values did not reflect the economy, were inequitable and he was concerned with the protection of private property rights.

The public hearing was closed at 5 p.m.

Mr. Roberts said that there would be an appeals process that would be explained on the notices of value sent to citizens in January. He said that he was required to value homes at 100 percent of market value and that the Department of Revenue would review the assessments for accuracy. The schedule of values would be back for adoption by the Board on September 18.

NEW BUSINESS

- **Greenways Master Plan**

Fran Thigpen, Parks, Greenways and Recreation (PGR) Director, said that the Greenways Master Plan had been in the works for a long time and was the result of many hours of work by a multitude of volunteers.

David Begley, Chairman of the PGR Advisory Board, introduced Dwayne Stutzman, Chairman of the Greenways and Trails Commission, who reviewed the Greenway Master Plan as attached to the minutes.

David Tuch of Equinox Environmental reviewed the maps of the proposed greenways located in 8 different corridors of the County.

Ms. Thigpen announced that New Belgium Brewing had donated \$50,000 for promotion of the greenway effort in the County.

Commissioner Peterson asked how the Greenways Plan fit into the overall parks and recreation master plan. Ms. Thigpen said that there were separate master plans for the Sports Park, Lake Julian Park and an aquatic center and how the greenway's plan fit into the overall plan would take further guidance.

The Chairman allowed public comment on the plan.

Jerry VeHaun, Mayor of Woodfin, spoke in favor of the proposed Greenway Master Plan.

Linda Humphries felt this was an unnecessary \$40 million plan; Barnardsville did not need greenways and she was opposed to taxpayer dollars being used to fund the planning and creation of greenways in the county.

Dr. Gary Currin spoke in favor of greenways in the County as an accessible form of exercise.

Kelly Allen, realtor and member of the Asheville Track Club, was in favor of the greenways in the county, stating that homes on greenways sell for more and faster.

Alan Ditmore said that he was opposed to greenways because it would require cutting trees and installing sidewalks that would never be used for essential transportation.

Paul Black, with Land of Sky MPO, endorsed the greenway plan.

Christina Kelly Merrill said that the money that would be spent on this plan would come from the taxpayers and county residents could not afford additional costs. She said that citizens living outside the city don't need a pathway for connection.

Marsha Blomberg, City of Asheville Greenway Commission, said that the City has reviewed the plan and are happy that it complements the Asheville plan. She pointed out that the city's greenway plan is part of their transportation department and that approval of the plan would make it eligible for funding from outside sources.

George Humphries was opposed to the greenways and concerned with the costs of this master plan.

Jane Bululaow with the Tea Party was opposed to the greenway plan. She felt it was a private property right problem and a scheme to take private property.

Mike Fryar said that he was opposed to the cost of the plan since he had learned that 23 percent of the population is on social service help. He was opposed to special interest groups deciding what would happen across the county.

Mike Soule spoke in support of the plan so he can ride his bike safer and easier.

Jerry Rice said he was concerned with the toxins on greenways. He listed the airport and the enka complex as toxic sites.

Lisa Landis suggested that the homeless be recruited to build the greenways instead of spending more money.

Hope Herrick was opposed to the greenways master plan and did not want any more money spent.

Don Yelton was concerned with the cost of the plans for maintenance.

Claudia Nix, owner of Liberty Bicycles, was in favor of the plan.

Mark Sparksdale spoke in favor of greenways.

Commissioner Jones thanked the volunteers, municipalities, staff and others for working to bring the comments about greenways forward. She felt the plan had broad community support and needed to move forward. She moved to adopt the plan as presented.

Commissioner Bailey seconded the motion stating that the plan should NOT* include eminent domain as an option for acquiring property for greenways. *(Commissioner Jones agreed with this addition to the motion)

Vice Chairman Stanley said that he would support the plan without imminent domain. He said that the new commissioners to be elected in November would be the ones to move the plan forward. He felt that the funding for this plan should be placed as a vote of the people of the county and perhaps be part of a GO bond.

The Chairman said that he was in favor of the master plan and approving the plan would allow staff to begin to work on funding sources for the overall plan.

The motion passed 5-0.

- **Appointment of Integrated Health & Human Services Board**

Mandy Stone, Assistant County Manager/Health & Human Services Director, presented the appointment of the integrated health and human services board which was a result of the legislative changes enabling the integrated health and human services departments. The human services support team had saved \$4.5 million and legally mandated services have increased without requiring additional County resources.

Vice Chairman Stanley moved to appoint:

Psychologist - Dr. Candrice Thull, Lead Psychologist Asheville City Schools 3 yrs

Pharmacist - Stephanie Kiser, RPh, Director 4 yrs
Community Health Education Mission Hospital

Engineer - Ken Putnam, PE, Director Transportation City of Asheville	4 yrs
Dentist - Dr. Bill Ryals, DMD, Director MAHEC Division of General Dentistry	4 yrs
Optometrist - Dr. John Whitner, OD, MPH, FAAO	3 yrs
Social Worker - Jennifer Wehe, MSW, Executive Director Community Care of WNC	4 yrs
Registered Nurse - Winnie Ziegler, RN, MA, CCRC	3 yrs
Physician - David McClain, MD, Asheville Infectious Disease	3 yrs
Psychiatrist - Dr. Rick Weigel, MD, Board Certified Forensic Psychiatry Mission Health System	4 yrs
Veterinarian - Richard Oliver, D.V.M. NC Department of Agriculture & Consumer Services	3 yrs
County Commissioner - Carol Peterson, County Commissioner Buncombe County	N/A
Bill McElrath	3 yrs
Frank Castelblanco, MSN, RN, RACE Coordinator Mission Hospital	4 yrs
Susanne Swanger, Associate Superintendent, Buncombe County Schools	3 yrs
Sharon West, RN, MHS, Women's Veteran's Program Manager, VA Hospital	4 yrs
Exofficio Chair Buncombe County Parks, Greenways and Recreation	N/A

Commissioner Bailey seconded and the motion passed 5-0.

- **Resolution Providing for the Issuance of Not to Exceed \$32,500,000 General Obligation Refunding Bond Series 2012**

Donna Clark, Finance Director, said adoption of this resolution would complete the refunding bonds moving to fixed rates.

Commissioner Peterson moved to approve the resolution as presented. Vice Chairman Stanley seconded and the motion passed 5-0.

BOARD APPOINTMENTS

Commissioner Peterson moved to appoint **Zane Cole, Ann Franklin, Nancy Nelson and Barbara Sverson** to the **Town of Weaverville Planning and Zoning Board**. The motion passed 5-0.

Vice Chairman Stanley moved to reappoint **Doug Bowman** to the **Tourism Development Board**. The motion passed 5-0.

Commissioner Peterson moved to appoint **Keith Levi** and **Mychal Bacoate** to the **County Board of Adjustment**. Commissioner Jones moved to appoint Toni Grace and Mychal Bacoate. Following a poll of the Board, Keith Levi and Mychal Bacoate were appointed.

ANNOUNCEMENTS

- *The next regular meeting of the Board will be September 18 at 4:30 p.m.*
- *Commission meetings can be seen on:*
 - *BCTV Charter Cable Channel 2*
 - *AT&T U-Verse Channel 99*
 - *Live on buncombecounty.org during the meetings or*
 - *Online anytime at buncombecounty.org*

PUBLIC COMMENT

The Chairman reviewed the rules for public comment.

The official business of the County has concluded and we will now hold 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.*

Vicki Meith, with Just Economics, a local non-profit, supporting living wage in the community, thanked the Board for endorsing the living wage in the county. She said that over 300 employers have joined the living wage program.

Shirley Dosier thanked the Board for their help.

Jerry Rice predicted that arrests and convictions will increase because of the new courts building.

Alan Ditmore said that tourism is pollution and bad for the community. He supported contraception.

Lisa Landis read a warning about the constitution and naked bodies.

Mike Fryar spoke against land conservancy and the costs to the taxpayers.

Commissioner Bailey moved to go into closed session per NCGS 143-318-11(a)4 to consider an economic development incentive. Commissioner Peterson seconded and the motion passed 5-0.

CLOSED SESSION

Discussion was held concerning an economic development incentive for an existing business and the possibility of paying a reduced incentive based on lower than promised wages for the jobs created. No action was taken.

Commissioner Bailey moved to return to open session. Commissioner Peterson seconded and the motion passed 5-0.

Vice Chairman Stanley moved to adjourn the meeting. Commissioner Peterson seconded and the motion passed 5-0.

The meeting was adjourned at 7:30 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS