

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF MARCH 20, 2012 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on March 20, 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:

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

David Gantt, Chairman  
Bill Stanley, Vice Chairman  
Holly Jones, Commissioner  
Carol Peterson, Commissioner  
K Ray Bailey, Commissioner

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

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

Chairman Gantt gave the invocation.

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

*The Chairman reminded the Board that in accordance with the Code of Ethics as adopted by this Board, 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 February 21 Regular Meeting**
- **Resolution Authorizing the County Manager to Enter into a Memorandum of Understanding with the City of Asheville Regarding the Parcels of Land on Which the Courthouse Addition will be Located**
- **Resolution Approving Donation of Surplus Vehicle to Asheville Humane Society**
- **Resolution Declaring Intent of the county to Reimburse itself for Capital Expenditures Incurred in Connection with Various Community College Improvements from Proceeds of Certain Tax Exempt Obligations to be Executed in 2012**
- **Resolution Declaring Intent of the County to Reimburse itself for Capital Expenditures Incurred in Connection with County Communications Improvements from Proceeds of Certain Tax Exempt Obligations to be Executed in 2012**
- **Resolution Declaring Intent of the County to Reimburse itself for Capital Expenditures Incurred in Connection with the Completion of Construction of the Public Safety Training Facility, additional Renovation of the Courthouse and the Acquisition of Department of Social Service Technology from Proceeds of Certain Tax Exempt Obligations to be Executed in 2012**
- **ABTCC Capital Projects Ordinance**
- **Capital Projects Ordinance**
- **Grant Projects Ordinance**
- **Budget Amendments: Fund 10—Recreation Program Revenues \$12,525; AB Tech Sales Tax Referendum Reimbursement \$89,800**
- **Release Report**
- **Resolution Amending the County's Information Technology Policy Acceptable Use Policy and Deleting the County's Cell Phone Policy**

- **Resolution Granting the City of Asheville Permission to Use the College Street Parking Deck for the July 4, 2012 Downtown Fireworks Display**
  - **Pyrotechnic experts**

Vice Chairman Stanley seconded the motion and it was approved 5-0.

## **GOOD NEWS**

- **Women Veterans History Day**

Commissioner Peterson said that the County had an Office of Veterans Services here in Buncombe County located at 199 College Street to help veterans and their families. Commissioner Peterson read the proclamation and moved for its approval. Vice Chairman Stanley seconded and the motion passed 5-0.

Cynthia Breyfogle, VA Medical Center Director and Sharon West, VA Women's Director thanked the Board for the proclamation and their support to address the needs of the increasing number of women's veterans.

## **NEW BUSINESS**

- **Land Conservation Advisory Board Report**

Albert Sneed, Chair of the Land Conservation Advisory Board, introduced the members of the Board including Carl Silverstein, Nancy Nelson, Nancy Melear and Karen Cragolin. He gave the report that is attached to the minutes of this meeting. He said that there were about 2,000 acres being added as conservation easements every year.

Chairman Gantt thanked the Land Conservation Advisory Board for their hard work to make land conservation extremely successful.

- **Resolution Declaring the Intent of the County to Reimburse Itself for Capital Expenditures Incurred in Connection with Improvements to Asheville Middle School and Dickson Elementary School from Proceeds of Certain Tax Exempt Obligations to be Executed in 2012**

Wanda Greene, County Manager, said that staff had met with the Asheville City School Board and staff to discuss their capital needs. They had agreed that Isacc Dickson and Asheville Middle Schools need to be replaced. The reimbursement resolution being considered would allow funds of \$2 million to start the planning process toward construction/renovation of these schools. The process would take from 12 to 18 months.

Vice Chairman Stanley moved to approve the resolution. Commissioner Jones seconded the motion.

Gene Bell and Al Whitesides, members of the Asheville City School Board, said they are happy with the process. Alan Johnson, City School Superintendent, thanked the Board for this action. Steve Dykes, Vice Chairman of the Asheville City Schools Foundation, thanked the Board and staff for their work.

Jerry Rice said the City school system deserves these new buildings.

The motion passed 5-0.

- **Memorandum of Understanding Between Asheville Buncombe Technical Community College Board of Trustees and Buncombe County**

Wanda Greene, County Manager, said this MOU would authorize the County to act as agent to manage the construction projects for Asheville Buncombe Technical Community College that will begin as a result of the sales tax.

Commissioner Bailey moved to approve the MOU as presented. Commissioner Peterson seconded and the motion passed 5-0.

- **Western Highland Area Authority 2<sup>nd</sup> Quarter Report**

Donna Clark, Finance Director, gave the report as attached to the minutes.

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

## **Board Appointments**

Vice Chairman Stanley moved to appoint **Michelle Rippon** to the **Town of Weaverville Board of Adjustment**. The motion passed 5-0.

Commissioner Peterson moved to appoint **Joshua O'Neil** to the **Crimestoppers Board of Directors**. The motion passed 5-0.

Commissioner Jones moved to appoint **Charlie Ball and Damen Hearne** to the **Land Conservation Advisory Board**. The motion passed 5-0.

Commissioner Bailey moved to appoint **Taylor Foss** to the **Economic Development Coalition**. The motion passed 5-0.

Vice Chairman Stanley moved to appoint **Carol Peterson** to serve on the **Riverfront Development Committee**. The motion passed 5-0.

## Announcements

*The Chairman made the following announcements:*

- *The next regular meeting of the Board will be April 3, 2012 at 4:30 p.m.*
- *Commission meetings can be seen on BCTV Charter Cable Channel 2; AT&T U-Verse Channel 99; live during the meetings and online at [buncombecounty.org](http://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.*

Judy Maddox, Chair of the WNC Sierra Club, spoke regarding a State law involving cutting trees around billboards in the NCDOT right of way. She reported on a hearing from Wake County.

Linda Southard requested that the Board give favorable treatment to existing Buncombe County businesses for the AB Tech construction.

Susan Roderick spoke against the State legislation that she felt would result in the loss of thousands of trees.

Monroe Gilmore with Swannanoa Valley Alliance asked for the Board's support to stop the legislation that endorsed cutting of the trees surrounding the billboards.

Michele Pace Wood asked for local businesses to be used whenever possible. She asked for transfer of land rights without use of tax dollars.

Tim Braine asked the Board to get involved with the cutting of trees around billboards.

Milton Byrd spoke about clear cutting and the need to rebuild public trust.

Herman Lanker said that billboards are roadside litter and was opposed to clear cutting.

Bernard Assaurie asked the Board to commit to an effort to save the mountain views.

Alice Naplick, Chair of the Buncombe County Veterans Council announced their next meeting on April 12 at 5 p.m.

Jerry Rice criticized the cutting of trees by NCDOT and Progress Energy. He questioned the status of the GED program at AB Tech and the failure of the school system to identify and meet the special needs of students.

Commissioner Bailey moved to go into closed session pursuant to NCGS 143.318-11a(3) and (6) for a legal matter and personnel matter. Commissioner Peterson seconded and the motion passed 5-0.

## Closed Session

The County Manager updated the Board on a personnel issue at the Landfill. No action was taken.

The County Attorney reviewed the legislation passed by the NC General Assembly in July of 2011 regarding cutting of trees for billboards and the possibility of joining a lawsuit opposing the legislation. 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 6:15 p.m.

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KATHY HUGHES, CLERK TO  
THE BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS