

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JANUARY 9, 2018 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on January 9, 2018, in the Commission Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 5 p.m. where and when the following business was transacted:

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

Brownie Newman, Chairman
Mike Fryar, Vice Chair
Joe Belcher, Commissioner
Ellen Frost, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

Staff present: Mandy Stone, County Manager; Jim Holland, Assistant County Manager/HHS Director; Tim Flora, Finance Director; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman asked for a moment of silence to reflect upon the life of Dr. Martin Luther King, Jr. and those that work toward equality for all.

CONSENT AGENDA

At the request of Commissioner Belcher, the Finance Director explained the Public School ADM Capital Fund Project Ordinance and the lottery fund application that was on the consent agenda below. Mr. Flora said that this covered pass through funds for the Boards approval.

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

- **Approval of Minutes of the December 5, 2017 Closed Session**
- **Approval of Minutes of the December 5, 2017 Regular Meeting**
- **Release Report**
- **Resolution Authorizing Assignment of Bid (Boyd)**
 - **Assignment**
 - **Ad**
- **Resolution Authorizing Assignment of Bid (D'Ambrosio)**
 - **Assignment**
 - **Ad**
- **Resolution Amending the Substance Abuse Policy for Mountain Mobility**
- **Resolution Amending the System Safety Program Plan for Mountain Mobility**
- **Public School ADM Capital Fund Project Ordinance**
 - **Lottery Fund Application**
- **Budget Amendments:**
 - **Interfund Transfer to Special Project Funds (\$115,000)**
 - **Special Projects Ordinance**
- **Grant Project Ordinance - Governor's Crime Commission - Family Justice Center (\$1,109,598)**
- **Grant Project Ordinance - Governor's Crime Commission - Internet Crimes Against Children (\$19,928)**
- **Grant Project Ordinance - Health & Human Services, Triple P (\$750,089)**
- **Grant Project Ordinance - Governor's Crime Commission - Body Camera (\$27,000)**
- **Grant Project Ordinance - Governor's Crime Commission - Service Weapon Replacement (\$17,996)**
- **Grant Project Ordinance - NC Department of Homeland Security - Equipment (\$45,000)**
- **Public School Capital Needs Fund Project Ordinance**
- **Cross Functional Budget Transfer**

COUNTY MANAGER'S REPORT

- **Asheville Humane Society Report**

Tracey Elliott, Director of the Asheville Humane Society, gave the report that is attached to the minutes of this meeting. He thanked the Board for their investment in the shelter/adoption facility making it a model across the country. He told the Board about a new program the Society started in public housing that encourages pet safety and the grant they received from Pet Smart charities that will enable their continued work with Asheville Housing Authority.

NEW BUSINESS

- **Resolution Accepting Offer to Purchase County Property Located Off Ferry Road**

Mike Frue, Senior Staff Attorney, said that this 137 acre property off Ferry Road had been purchased by the County as an economic development incentive. He explained payment outlined below made by the City of Asheville at the time of purchase.

Ferry Road Land Purchase		
Date	Transaction	Amount
4/28/2015	Ferry Road Purchase	\$ 6,823,903
5/4/2015	City of Asheville Payment	(3,407,477)
	Net County Cost	\$ 3,416,426

Mr. Frue said that the County had declared the property for sale and a developer had shown interest in purchasing the property for \$5,000,000. The result will be that the County will realize a net gain of approximately \$1.6 million dollars. The property included a greenway easement to the City and would be in the City of Asheville and would require a city development review and approval.

Commissioner Belcher moved to approve the resolution. Commissioner Frost seconded.

Mary Standaert questioned the details of the upset bidding process.

Jerry Rice asked that the Board give the citizens tax relief. He was not in favor of more apartments and housing that was too expensive in the County. He wanted a traffic study on the impact of this development.

Nate Pennington, Interim Planning Director, said that there was no development application on file yet and when it was ready it would be submitted to the City of Asheville since the property lies in the City of Asheville. He said that the City has conditions for development.

Mr. Frue said that if the Board accepted this bid it would be advertised in the newspaper and for 10 days any party could make a minimum upset bid of at least \$5,251,550.

Commissioner Belcher said that sale of the property would put it back on the tax rolls and make it part of the tax base. Commissioner Fryar said that the buyer would have to work with the NCDOT to improve the road into the property.

The motion passed 7-0.

- **School Capital Fund Commission Recommendations**
 - **Public Schools Capital Needs Fund Project Ordinance**

Tim Flora, Finance Director, gave the power point that is attached to the minutes of this meeting. He said that any project savings would come back to the School Capital Fund for other projects.

Commissioner Whitesides moved to approve the recommendation. Commissioner Frost seconded the motion.

Jerry Rice commented on the funds that were set aside for school capital needs asking that the Board look at the individual projects and schools and how much was being spent per child. He suggested that the Board have a workshop to discuss.

The motion passed 7-0.

BOARD APPOINTMENTS

Commissioner Belcher moved to appoint **Eric Robinson** to the **Juvenile Crime Prevention Council**. Commissioner Pressley seconded and the motion passed 7-0.

Commissioner Frost moved to appoint **Deborah Kania** and **Maria Hines** to the **Nursing Home Community Advisory Board**. Commissioner Pressley seconded and the motion passed 7-0.

PUBLIC COMMENT

Mary Standert was a former Council person for the Town of Montreat asked that the Commissioners investigate the disconnect that surrounded the legal addresses of the residents of Montreat. Her voter registration card says Black Mountain but her physical address is Montreat. She said that she had tried to settle the matter as a citizen and again when she was on the Town Council but had no luck. The Chairman asked staff to follow up on this issue.

Jerry Rice commented that the Commissioners talked more about dogs and cats than the children in HHS custody in a department that is highly funded. He said that the number of kids in custody is increasing and that is not considered.

Thomas VanSlamblock said he attended the Commissioners' workshop with local fire departments and he wanted the Board to considering finding more funding for these departments without increasing taxes in the county.

ANNOUNCEMENTS

The Chairman made the following announcements:

- January 15 - County Offices Closed for Martin Luther King Jr. Day
- January 16 @ 5 p.m. - Next Meeting of the Board of Commissioners at 200 College Street, Room 326 in downtown Asheville
- January 30 @ 6 p.m. - Opioid Town Hall @ A-B Tech/Mission Conference Center hosted by Commissioners

Commissioner Frost moved to go into closed session per NCGS 143-318.11a(3) to discuss a worker's compensation claim settlement. No action would be taken in the session. Commissioner Whitesides seconded and the motion passed 7-0.

Closed Session

Discussion was held concerning a worker's compensation claim involving a County employee. The Senior Staff Attorney recommended a settlement amount and the Board gave consensus for him to proceed with negotiations. No action was taken.

Commissioner Frost moved to return to open session. Commissioner Beach-Ferrara seconded and the motion passed 7-0.

Commissioner Frost moved to adjourn the meeting. Commissioner Whitesides seconded the motion which passed 7-0. The meeting was adjourned at 6:15 p.m.

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS