

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JANUARY 15, 2013 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on January 15, 2013, 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
Joe Belcher, Commissioner
Ellen Frost, Commissioner (sworn in during recess, attended closed session)
Mike Fryar, Commissioner
Holly Jones, Commissioner
David King, Commissioner
Brownie Newman, Commissioner

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

PLEDGE OF ALLEGIANCE

INVOCATION

The Chairman 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 Newman moved to approve the consent agenda as presented.

- Approval of Minutes of the December 3 and 4 Regular Meetings
- Grant Projects Ordinance
- Budget Amendments – Fund 10
- Resolution Authorizing the Submission of an Application to the Asheville Regional Housing Consortium for Home Funds and Approval of Housing Projects
- Resolution Authorizing Assignment of Bid
- Resolution Accepting and Approving a Report from the County Purchasing Agent Concerning the Sale and Disposal of Surplus County Property
- Road Petition: Bee Tree Village Parkway
- Resolution Setting Hours of Operation for the Buncombe County Register of Deeds

Commissioner King seconded the motion and it passed 6-0.

The Chairman welcomed newly sworn Commissioner from District 2, Mike Fryar. Commissioner Fryar thanked everyone for helping him become a commissioner and he promised to work with everyone to get the work of the County done.

PUBLIC HEARINGS

- **Economic Development Incentive for Reich, LLC**

Jon Creighton, Assistant County Manager, said that Reich, LLC had chosen Buncombe County as their

first North American location. They had been in operation for over one year and received an economic development incentive based on One NC Funds which the County had to match by paying \$350,000 in three installments over three years. Their incentive was based on the employment of 35 people with an average salary of \$40,000 and the company making a \$22 million investment. The Finance Director for Reich LLC said that the company would grow this year to 50 employees with several major contracts to supply. Mr. Creighton said that they are running three shifts six days a week and are on schedule to surpass what they promised for their incentive. He reviewed the effect the jobs created have on the community.

The Chairman opened the public hearing at 4:52 p.m.

Jerry Rice asked the Board to look at other ways to help companies lower their overhead to help the consumer.

The Chairman closed the public hearing at 4:55 p.m.

Commissioner Belcher moved to approve the economic development incentive for Reich LLC as stated. Commissioner King seconded and the motion passed 6-0.

NEW BUSINESS

- **Reappraisal Update (Gary Roberts Tax Director)**

Gary Roberts, Tax Director, gave an update that is attached to the minutes as a power point presentation. He said that the Tax Department would send out 120,000 notices of value to County residents beginning on January 22. The purpose of the reappraisal was to get values at the current market value. Mr. Roberts outlined the reasons requiring a reappraisal and the laws that apply. He said that the Board of Equalization and Review was a very important Board and very technical in reviewing values, schedules, and the law and its application. They hear the appeal of the citizens and make decisions on the value. He said that the Board of E&R will hear between 74 and 100 cases. Mr. Roberts reviewed the exclusions and deferrals that are offered to offset taxes for citizens including the elderly and veterans.

Commissioner Jones asked when the reappraisal schedule would be back on its regular 4 year schedule. Mr. Roberts said that he would work with the County Manager on this decision but felt that the County would stay on a four year plan going forward for the foreseeable future.

- **Release Reports for November and December 2012**

Mr. Roberts explained that the release report contained the corrections and adjustments that were done throughout the year and sent to the Board of Commissioners for their release every month.

Commissioner Jones moved to approve the release reports as presented. Commissioner King seconded and the motion passed 6-0.

- **Affordable Housing Update**

Cynthia Barcklow, County Planner, gave a report outlined in the power point attached to the minutes. She reviewed the different funding options available and funded by the County as well as the workforce housing loan funds provided.

Donna Cottrell, County Planner, reviewed the rental and tenant based assistance funding that helps low income citizens achieve home ownership and funds assistance for those that are homeless or potentially homeless. The County works with various local non-profits in distribution of these funds.

Commissioner Newman asked if the Commissioners could have a simple excel document that outlined the programs and how they have been traditionally funded.

- **Land Conservation Update (Albert Sneed & John Ager)**

Albert Sneed, Chairman of the Land Conservation Advisory Board, explained conservation easements and the voluntary structure of the program as outlined in the power point attached to the minutes of the meeting. He said that conservation easements are gifts to the future of the County and that the Board began their support in 2004. Since that time, the County had done 19 easements conserving 3,911 acres. The County's investment of just over \$5 million had levered over \$24 million. He asked for the Board's

continued leadership on this.

John Ager, Agricultural Advisory Board, thanked Debbie Truempy, County Planner and Maria Wise with Cooperative Extension for their help with this Board. Mr. Ager gave the history of this Board stating that they had completed 11 easements protecting 806 acres. The County's investment of \$467,150 of County funds had leveraged more than \$5 million.

- **Resolution Clarifying the Number of Board Members for the Integrated Health and Human Service Board and Appointing a Consumer Advisory Member**

Mandy Stone, Assistant County Manager, said that Buncombe was the first county in the state to adopt the integrated model of consolidation. She said that the request was to appoint Terry Van Duyn as the consumer advisory member and to increase the membership of the Health and Human Services Board to 19 to allow the Chairman of the Parks and Recreation Board to be a voting member.

Commissioner Jones moved to adopt the resolution and recommendation as presented. Commissioner Fryar seconded the motion and it passed 6-0.

- **Capital Projects Ordinance**

Donna Clark, Finance Director, explained the Capital Projects Ordinance and what they include. A information report is attached to the minutes.

Commissioner Belcher moved to approve the ordinance as presented. Commissioner King seconded and the motion passed 6-0.

BOARD APPOINTMENTS

Commissioner Jones moved to reappoint **Dwight Butner** to the **Downtown Commission**. The motion passed 6-0.

Commissioner Jones moved to appoint **Denise Braine** and **Steve Garrison** to the **Regional Housing Consortium**. The motion passed 6-0.

ANNOUNCEMENTS

- *The next regular meeting of the Board will be February 5 at 4:30 p.m. in Chambers at 200 College Street, Room 326, 3rd Floor*
- *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 stating that the official business of the County had concluded and public comment would be taken under the following rules:

- *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.*

Angela McCoy, representing her elderly father, who she said was having his property foreclosed based in part to a failed retention pond. She asked that someone review the issue and set aside the judgment. The Chairman asked that the County Attorney speak with Ms. McCoy.

Jerry Rice spoke about family care homes and asked the Board to try and get the money the County is owed for the homeless population and the mentally ill.

Mary Standard from Montreat asked that the land use plan be updated to cover solar farms. She said that the utilities commission will hold a hearing on plans by a company to locate a 90,000 panel solar farm on both sides of I-40. She said that these do not have to be certified or bonded and despite the size and cost no engineering studies have been done on this project.

Joyce Hughes from Black Mountain spoke against the solar panels in Ridgecrest and asked the Board to help stop this project.

Nelly Dawson spoke against genetically alternated and processed food. She asked the Board to endorse labeling.

Commissioner King moved to go into recess to allow Commissioner-elect Ellen Frost to be sworn in. Commissioner Jones seconded and the motion passed 6-0.

The Chairman called the meeting back to order introducing newly sworn Commissioner Ellen Frost.

Commissioner King moved to go into closed session pursuant to GS 143-318-11a(4) for one economic development discussion with no action to be taken. Commissioner Belcher seconded and the motion passed 6-0.

CLOSED SESSION

The County Manager reported on a possible economic development incentive for an existing company that would make a \$300 million investment bringing 270 jobs to our area and have a further statewide impact. The Board gave consensus to have the Manager negotiate a deal to solidify the company's expansion in the County.

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

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

The meeting was adjourned at 7:45 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS