

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF SEPTEMBER 17, 2013 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on September 17, 2013, in the Commissioner Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 4:35 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  
Holly Jones, Vice Chair  
Joe Belcher, Commissioner  
Ellen Frost, Commissioner  
Mike Fryar, Commissioner  
David King, Commissioner  
Brownie Newman, Commissioner

Staff present was: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Curt Euler, Attorney; Stacey Woody, Deputy Clerk to the Board.

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

The Chairman gave the invocation.

*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.*

### **PUBLIC COMMENT**

*The Chairman reviewed the rules for 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.*

Jerry Rice asked that the Board shorten the rules for public comment. He felt that they censor the public. He was concerned about the LME transition and that mental health care will be eroded because too many counties will be connected.

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

Commissioner Frost moved to approve the consent agenda as presented.

- Approval of August 27 Regular Meeting Minutes
- Ordinance Amending Chapter 14 of the County Code of Ordinances Adult Establishments
- Approval of Interlocal Agreement for Law Enforcement Communications
- Approval of Register of Deeds Records Retention Amendment
- Resolution Approving Pyrotechnic Experts for Firework Displays
- Resolution Authorizing the County Manager to Execute Grant Agreement for Project 3-37-0005-43-2013
- Release Report – July and August
- Resolution Authorizing the Transfer of Certain Property to the City of Asheville
- School Capital Commission Fund Project Ordinance
- Grant Projects Ordinance
- Capital Projects Ordinance

Commissioner King seconded and the motion passed 7-0.

### **GOOD NEWS**

Commissioner Gantt announced that in competition with the communication departments and public relation firms representing the largest cities and counties across the country, Buncombe County was

recently awarded the Silver Circle and Award of Excellence by the City/County Communication and Marketing Association. The awards were for outstanding graphic design and electronic media for the Slave Deeds Exhibit. Cataldo Perrone of the Buncombe County PR Team said that the Forever Free project started when Deborah Miles from UNCA Center for Diversity Education and her students started researching and transcribing slave deeds which the Register of Deeds had begun converting to digital form to make them available to the public on Buncombe's website. The project then used professors and local talent to bring the words from the slave deeds to life.

Dr. Greene recognized that David Nicholson and Patrice Roesler of NCACC were attending the meeting and thanked them for their support.

## **PROCLAMATIONS**

- **Minority Enterprise Development Week**

Commissioner Jones read the Minority Enterprise Development Week proclamation, and presented it to Sharon Oxendine, MED Week Board member. Commissioner Jones noted that it is a joint county/city proclamation that helps to highlight that the county and city goals are in sync.

- **YMI Anniversary**

Commissioner Frost thanked the YMI Board for all they have done for the community and presented the YMI 120<sup>th</sup> anniversary plaque to Sharon West. Ms. West thanked the Commissioners on behalf of YMI and said they are thrilled to still be going strong after 120 years.

## **COUNTY MANAGER'S REPORT**

- **LME Transition Update**

Assistant County Manager Mandy Stone explained the mental health transition stating that Smoky Mountain Center would run the delivery system with 11 local management entities across the state. Her power point presentation is attached to the minutes of this meeting.

Ms. Stone explained that the transition was likely to grow to include 35 counties and emphasized that it was very important that Buncombe have a voice on the combined board because no other county can represent the same issues as Buncombe County. The current board has 16 members – 2 from each county. She emphasized to the Commissioners the need to advocate for additional representatives to make sure Buncombe's voice is heard.

## **NEW BUSINESS**

- **Land Use Plan Update**

Debbie Truempy, County Planner, gave a power point presentation that is attached to the minutes of the meeting updating the land use plan and explaining the recommendations for changes. In developing the updated plan, the Planning Board reviewed each section, took public comment, and made changes. The plan recommends several new zoning districts to accommodate uses that are already occurring on certain properties.

Commissioner Frost said this seems to work hand in hand with the County's sustainability plan and moved to have staff put language in the Land Use Plan Update that links to the sustainability plan. Commissioner King seconded, and the motion to add the sustainability language to the plan passes 7-0.

Commissioner Frost made a motion to approve the plan with the amendment, Commissioner Newman seconded, and the motion passes 7-0.

## **BOARD APPOINTMENTS**

Vice Chair Jones moved to reappoint **Steve Frabitore** to the **Tourism Development Authority**. Commissioner King seconded and the motion passed 7-0.

The Clerk was asked to poll the Board for the other two appointments to the Tourism Development Authority and **John McKibbon** and **Chip Craig** were appointed with the Commissioners voting as follows:

*McKibbon – Vice Chair Jones, Commissioners Frost, Newman, Belcher, and Fryar  
Craig – Chairman Gantt, Vice Chair Jones, Commissioners Frost, Newman, and King  
Winkenwerder – Chairman Gantt, Commissioners Belcher, King, and Fryar*

Commissioner Frost nominated **Carol Peterson** to the **Asheville Regional and Greater Asheville Airport Authority**. Commissioner Belcher nominated **Ken Hawkins**.

The Clerk was asked to poll the Board for appointment to the Airport Authority and **Carol Peterson** was appointed with the Commissioners voting as follows:

*Peterson – Chairman Gantt, Vice Chair Jones, Commissioners Frost, Newman, and Fryar  
Hawkins – Commissioners Belcher, and King*

## **ANNOUNCEMENTS**

- *The next meeting will be October 1 beginning at 4:30 p.m. in Room 326 at 200 College Street in downtown Asheville.*
- *Commission meetings can be seen on:*
  - *BCTV Charter Cable Channel 2*
  - *AT&T U-Verse Channel 99*
  - *Live on [buncombecounty.org](http://buncombecounty.org) during the meetings or*
  - *Online anytime at [buncombecounty.org](http://buncombecounty.org)*

Commissioner

Frost moved to adjourn the meeting and Commissioner King seconded. The motion passed 7-0 and the meeting was adjourned at 5:35 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS