

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF OCTOBER 1, 2013 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on October 1, 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; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Curt Euler, Attorney; Kathy Hughes, 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.

Don Yelton wanted the Board to use some common sense and not be so happy together. He wanted more discussion of issues and commented on zoning, the land use plan and the lack of leadership.

Jerry Rice commented on the Culture and Recreation Authority and said he felt that the public should be asked if they want a tax. He was opposed to the Culture and Recreation Authority and said that it would not be an independent authority.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

Vice Chair Jones moved to approve the consent agenda as presented.

- Approval of September 17 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Displays
- Capital Projects Ordinance
- Grant Projects Ordinance
 - Governor's Highway Safety Program
- Budget Amendment: Fund 10 Soil and Water Conservation; Social Services
- Resolution Granting a Waterline Easement to the City of Asheville

Commissioner Frost seconded and the motion passed 7-0.

PUBLIC HEARING

- **Rural Operating Assistance Program**

Denise Braine, County Planner, said that the Rural Operating Assistance Program was the annual grant from Department of Transportation for the operating assistance for Mountain Mobility.

Hope Bleeker with Land of Sky Regional Council explained the grant process through the rural operating assistance program. She outlined the uses of these funds with other agencies throughout the community.

The Chairman opened the public hearing at 4:51 p.m.

Jerry Rice said that he advocates for the special needs population and wants more accountability. He wanted to know if the people were being served by the funds or if the money was all for administration. He asked if federal funding losses would impact these services.

The Chairman closed the public hearing at 4:54 p.m.

Denise Braine said that she would be glad to address any concerns that anyone had about Mountain Mobility and could share quarterly, semi-annual and annual reports that were filed with the state for the use of the grant funds. She said that there were over 90,000 trips provided by the grant funds last year.

Commissioner Newman moved to approve the ROAP funding resolution as presented. Vice Chair Jones seconded and the motion passed 7-0.

- **Rezoning Request Wade Watkins R-1 to R-3 9679-09-0385**

Debbie Truempy, County Planner, explained the request to rezone 1.3 acres of wooded, undeveloped property from R-1 to R-3. The Planning Board held a public hearing on September 9 and voted to approve the rezoning request. The Planning Department also recommended the rezoning of the property.

The Chairman moved to open the public hearing at 5:07 p.m.

Lindsey Thompson represented Mr. Watkins, the petitioner and presented a map outlining the property and the mobile home parks in the area. She also presented a petition with over 100 signatures endorsing the rezoning. She felt the rezoning was consistent with the land use plan and compatible with the neighborhood.

Jerry Rice asked if the infrastructure is set up to handle what might be put on this property.

The Chairman closed the public hearing at 5:11 p.m.

Commissioner Belcher said that he was in favor of more affordable housing and this rezoning and moved to approve the rezoning request finding it consistent with the County's land use plan. Vice Chair Jones seconded and the motion passed 7-0.

- **Rezoning Request Teresa Beeman 9618-93-0359**

This item of business was continued to October 15, 2013.

OLD BUSINESS

- **Designation of Representation and Term for Tourism Development Authority Members**

Commissioner Frost moved to designate Chip Craig to represent more than 100 rooms and serve a 1 year term on the Tourism Development Authority filling the unexpired term of Ron Morin. Vice Chair Jones seconded and the motion passed 7-0.

Commissioner Belcher moved to designate John McKibbon to represent less than 100 rooms and serve a 2 year term on the Tourism Development Authority filling the unexpired term of Doug Bowman. The motion passed 7-0.

BOARD APPOINTMENTS

- **Culture and Recreation Authority**

The Chairman gave the history of the Culture and Recreation Authority (CRA) and how it was created by the legislature in 2013. The Board of Commissioners currently sit as the Authority.

All Board members took action to resign as authority members with the exception of Chairman Gantt who will remain as the Chairman of the CRA (with consensus of the other 6 Commission members) and Commissioner Frost who chose to remain on the CRA.

Vice Chair Jones indicated that she would like to be appointed to the Authority representing the City.

Commissioner King moved to nominate Joe Belcher to the Authority. Commissioner Frost seconded.

Commissioner Newman moved to nominate Holly Jones to the Authority. Vice Chair Jones seconded.

Vice Chair Jones complemented the City of Asheville for coming up with the idea for the authority and that she felt that by not allowing her to participate it would be sending a message to the City.

Commissioner Belcher said that the Chairman represents all the districts and he really wants to be on the CRA and would be his intent to continue to monitor the funding for this authority.

Commissioner King said that the legislature had authorized the entity and if it was not successful, the Board had the power to pull the plug on the Authority.

After a poll of the Board, **Joe Belcher** was appointed to serve a three year term along with **Ellen Frost** and **David Gantt** who would serve as Chairman on the CRA. Commissioners Fryar, King, Chairman Gantt, and Commissioner Belcher voting for Joe Belcher and Vice Chairman Jones, Commissioners Newman and Frost voting for Holly Jones.

After a poll of the Board, **George Briggs** and **Matthew Kern** were appointed for 1 year terms and **Eleanor Johnson** and **Karen Tessier** for 2 year terms on the **Culture and Recreation Authority**.

ANNOUNCEMENTS

- *The next meeting will be October 15 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 192*
 - *AT&T U-Verse Channel 99*
 - *Live on BCTV Channel 192 and on buncombecounty.org during the meetings or*
 - *Online anytime at buncombecounty.org*

Commissioner Frost moved to go into closed session as the request of the Associate County Attorney and pursuant to GS 153A-318.11a4 to consider an economic development matter. Commissioner Belcher seconded and the motion passed 7-0.

CLOSED SESSION

The County Manager presented a possible economic development incentive involving workforce housing. The Board gave consensus for further investigation. No action was taken.

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

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

The meeting was adjourned at 5:55 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS