

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF SEPTEMBER 2, 2014 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on September 2, 2014, 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  
Ellen Frost, Vice Chair  
Joe Belcher, Commissioner  
Mike Fryar, Commissioner  
Holly Jones, Commissioner  
David King, Commissioner  
Brownie Newman, Commissioner

Staff present was: Wanda Greene, County Manager; Mandy Stone, Assistant County Manager/HHS Director; Jon Creighton, Assistant County Manager/Planning Director; Donna Clark, Finance Director; Mike Frue, Senior Staff Attorney; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

## **PLEDGE OF ALLEGIANCE**

### **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 mentioned.*

### **PUBLIC COMMENT**

Lisa Baldwin, commented on the agenda item regarding funds to be spent on a sports complex in Enka. She asked that this item be tabled until the public could get more information. She doesn't want children to use this property without clean up on this site.

Jerry Rice commented on the Enka property to be used for the sports complex. He felt that there was contamination on the proposed site and had information to share

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

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

- *Approval of Minutes of August 19, 2014 Regular Meeting*
- *Resolution Approving the Grant Application Submission for the Governors Highway Safety Program*
- *Resolution Authorizing Assignment of Bid – Hall*
- *Resolution Authorizing Assignment of Bid – Settings in Black Mtn.*
- *ACTCC Capital Projects Ordinance*
- *Capital Projects Ordinance*
- *Solid waste Capital Projects Ordinance*
- *Resolution Adoption \$10,000 As Minimum Asset Capitalization Threshold*
- *Resolution Approving Pyrotechnic Experts for Firework Displays*

### **GOOD NEWS**

#### **Minority Enterprise Development Week**

Commissioner Holly Jones read and presented the proclamation of Minority Enterprise Development Week to a member of the MED Week Committee. This was the 31<sup>st</sup> year of Minority Enterprise Development week activities.

#### **Asheville Humane Society Shelter and Adoptions Update**

Jennifer Brehler, Interim President of the Asheville Humane Society (AHS) Shelter and John Haas, Chairman of the Asheville Humane Society presented the accomplishments of the society over the last year. In 2014 they have

saved 5,599 animals. They have adopted out over 3000 animals; 1000 were reunited with their families; 900 animals were relocated to communities that need adoptable animals. They have implemented a safety net program to keep animals in the home of their owners by helping with food for the animals or medical services. They offered spay/neuter vouchers to reduce animal over population and gave out over 20,000 pounds of donated pet food for those that were in need. They had 900 citizen volunteers giving 80,000 hours of time to make the shelter and adoption programs work.

Commissioner Frost thanked the AHS for their work to make room for all healthy animals. Commissioner Jones praised the AHS and their work with the County and their collaboration with other animal organizations to reach their goals for the good of the animals.

## **PUBLIC HEARINGS**

- **Road Closing: Oak Street – Unopened Road in Candler**

Betsey Flack, Attorney representing the petitioners, said that the unopened road in Candler has never been maintained. There were three property owners who had petitioned for closing the road.

Commissioner Belcher said he was familiar with the property and was a reasonable request.

The Chairman opened the public hearing at 4:58 p.m.

Jerry Rice asked about the location of the property.

The Chairman closed the hearing at 5:02 p.m.

Commissioner Belcher moved to approve the closing of the road as presented. Commissioner Frost seconded and the motion passed 7-0.

## **COUNTY MANAGER**

The Manager announced that 131 employees would be taking early retirement and that the program had been very successful. She would be reporting on the total savings to the county at future meeting.

## **NEW BUSINESS**

- **Commitment of Spec Building Proceeds – Jacob Holm Way**

Wanda Greene, County Manager, outlined a proposal by a local partnership to build a sports complex. The County would invest proceeds from the sale of the spec building located in Candler. Donation of these funds for this project would depend on: the sale of the spec building making \$1.3 million available for use by the Enka Youth Sports Organization (EYSO) when the building sells to a private investor; the EYSO securing the 90-acre site by donation from Fletcher Partners; EYSO securing \$2.4 million to the Tourism Development Authority Development Fund and \$1 million in private donations. The EYSO is a new non-profit organization that would receive the donation of the property from Fletcher Partners, who would oversee the development of the property.

Martin Lewis, member of Fletcher Partners, outlined their plans for property purchased around the old Enka Plant that included the site for the proposed sports complex. Fletcher Partners would donate 90 acres for a sports complex to the EYSO.

Vice Chair Frost thanked them for working with the community for over 6 years to make it happen. She requested assurance of the completion of the greenways and adequate public access to the property.

Commissioner Jones questioned how the public would access the fields. The fields would be used for tournament play on the weekends and local use during the week. Commissioner Jones pointed out that this organizational strategy was outside the norm but an inventive way to make this project work.

Commissioner King moved to approve the commitment of funding as outlined by the County Manager adding an additional stipulation requiring that greenways be completed as part of the 90 acres in the master plan. Vice Chair Frost seconded.

Commissioner Newman suggested some sort of long term accountability be included as a stipulation requiring that the property continue to be used for recreation and/or public purpose.

Commissioner Belcher amended the motion to require verification of the safety of the site by review of the state and local agencies. Commissioner King and Vice Chair Frost approve this amendment to the original motion making the final requirements read as follows:

- The building sells to a private investor (negotiations are complete and will be presented to the Board of Commissioners for approval on September 16, 2014).
- EYSO, a non-profit organization, secures the 90-acre site by donation from Fletcher Partners.
- EYSO secures \$2.4 million the Tourism Development Authority Product Development Fund.
- EYSO secures \$1 million in private donations.
- EYSO commits to complete the greenways as depicted in the 90 acre portion of the master plan
- EYSO will provide documentation of environmental due diligence from all state and local agencies

- If use of the property changes from recreation sports, any change would require approval of the Board of Commissioners at that time.

The motion as amended passed 7-0.

## **BOARD APPOINTMENTS**

Chairman Gantt moved to appoint **Terri Wells** to the **Agriculture Advisory Board**. The motion passed 7-0.

Commissioner Jones moved to reappoint **Max Queen** and **Wes Wright** to the **Civic Center Commission**.

The motion passed 7-0.

Commissioner Belcher moved to appoint **Michelle Pace Wood** to the **Enka Candler Fire & Rescue Department Firemen's Relief Fund Board**. The motion passed 7-0.

## **ANNOUNCEMENTS**

The Chairman made the following announcements:

- *The next regular meeting of the Board will be September 16, 2014 beginning at 4:30 p.m.*
- *Commission meetings can be seen on:*
  - *BCTV Charter Cable Channel 192*
  - *AT&T U-Verse Channel 99*
  - *Live on BCTV Channel 192 and on [buncombcounty.org](http://buncombcounty.org) during the meetings or*
  - *Online anytime at [buncombcounty.org](http://buncombcounty.org)*

Commissioner Belcher moved to adjourn the meeting. Vice Chair Frost seconded and the motion passed 7-0. The meeting was adjourned at 6:10 p.m.

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS