

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JUNE 2, 2015 AT 4:30 A.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 2, 2015, 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
Mike Fryar, Commissioner
Holly Jones, Commissioner
Miranda DeBruhl, Commissioner
Brownie Newman, Commissioner

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

PLEDGE OF ALLEGIANCE

INVOCATION

In accordance with the Code of Ethics adopted by the Board, all County Commissioners have a duty to obey all applicable laws regarding official actions; to uphold the integrity and independence of the office; to avoid impropriety in the exercise of official duties; to faithfully perform the duties of the office; and to conduct the affairs of the governing board in an open and public manner. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Board member? Also, does any Board member have a financial interest in any public contract coming before this Board today? There being none all Board members have a duty and obligation to vote.

PUBLIC COMMENT

Don Yelton read a quote about doing the right thing for the right reasons. He suggested that the Board try and establish policy that required consideration of how decisions effected the taxpayers.

Angelica Wind from Our Voice thanked the Board for the Family Justice Center and spoke in favor of the District Attorney's request for funding for prosecution of domestic violence cases.

April Burgess Johnson from Helpmate asked the Board to send a strong anti-domestic violence message by funding the District Attorney's proposal for the prosecuting unit.

Jerry Rice shared and agreed with the New York Times story ranking Buncombe County as one of the worst places in the US to grow up poor.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

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

- **Approval of the Minutes of the May 19, 2015 Regular Meeting**
- **Resolution Awarding a Service Firearm to Retiring Deputies of the Buncombe County Sheriff's Office (Bissinger & McDevitt)**
- **Endorsement of Recommendations of the NC Cooperative Extension Agency to Approve Black Mountain Children's Home to Operate Programming at the 4H Camp in Swannanoa**
- **Resolution Authorizing Execution of Storm Drainage Easement to the City of Asheville**
- **Approving the FY16 Health Billing Guide**
- **Grant Project Ordinance**
- **Budget Amendment: Fund 10- DSS Public Assistance (\$120,000)**
- **Release Report**

GOOD NEWS/PROCLAMATIONS

- **Vulnerable Adults & Elder Abuse Awareness Month**

Dawn Warren with Health and Human Services accepted the proclamation from Commissioner Belcher who read the proclamation and made the presentation. Commissioner DeBruhl seconded the motion and it passed 7-0.

Ms. Warren introduced the staff that worked to make sure this vulnerable segment of the population were protected and their rights were preserved.

- **Korean War Veterans Recognition Day**

Commissioner Jones read the proclamation and moved for its approval. Commissioner Fryar seconded the motion and it passed 7-0.

PUBLIC HEARING

- **Economic Development Incentive for AVL Technologies**

Jon Creighton, Assistant County Manager/Planning Director, said that AVL Technologies was expanding the company with an \$11.5 million investment and 90 additional employees at an average wage of \$40,000. The County's incentive would be an investment of \$301,047 over five years. He reviewed the impact of the incentive and the expansion on the economy.

Jim Oliver, CEO of AVL Technologies, said that he was proud of the company's achievements and expansion.

The Chairman opened the public hearing at 5:14 p.m.

Jerry Rice spoke against incentives and questioned who and how many would get the \$40,000 jobs.

The Chairman closed the hearing at 5:17 p.m.

Commissioner Newman moved to approve the incentive as outlined. Commissioner Frost seconded and the motion passed 7-0.

- **Rezoning Request – Thomas Montgomery – R-2 to CS**

Debbie Truempy, Zoning Administrator, said that the request was to rezone a property from R-2 to CS. The Planning Board had approved the request and the Planning staff found it consistent with the Land Use Plan, reasonable and in the public interest.

The Chairman moved to open the public hearing at 5:21 p.m.

No comments were taken and the hearing was closed at 5:22 p.m.

Commissioner Jones moved to find the request to rezone consistent with the Land Use Plan as outlined by the resolution and staff report. Commissioner Frost seconded and the motion passed 7-0.

Vice Chair Belcher moved to approve the rezoning as requested. Commissioner DeBruhl seconded and the motion passed 7-0.

- **County FY16 Budget**

The County Manager highlighted the budget for FY16 as presented at the May 19 meeting stating that it did not include a tax rate increase.

The Chairman opened the public hearing at 5:26 p.m.

Taylor Foss, Economic Development Coalition, spoke regarding the success and continued funding of the Asheville 5x5 job creation plan.

Ben Hamrick, Chair of the Asheville Chamber, also asked for continued financial support of the 5x5 strategy.

Kim McGuire, member of the Art Museum, asked for support to help meet their funding goal.

Hardy Holland spoke on behalf of the Park Square Cultural Collaboration asking for the County's continue financial support.

Lisa Baldwin wanted tax dollars focused on teaching and learning and not construction. She criticized pay for sport coaches but not for academic coaches. She wanted grant funded positions to be discontinued when the funding was gone and more money spent on text books.

Don Yelton reviewed the tax rate history and asked what happened to the CRA funds that were collected separately. He asked where the increase in the budget came from and wanted the budget presented in a simpler format to show growth and change.

Jerry Rice said the County had a good manager that had to deal with too many politicians who didn't understand the budget. He wanted a tax rate decrease and did not like people begging for money especially the Chamber of Commerce.

The Chairman closed the hearing at 5:48 p.m.

NEW BUSINESS

- **Designation of Voting Delegate to the National Association of Counties Conference**

Vice Chair Belcher moved to nominate Chairman Gantt to serve as the voting delegate. Commissioner Newman seconded the motion and it passed 7-0.

- **Resolution Instructing the County Manager to Seek Advice from the NRA and /NC Wildlife Regarding the Outdoor Shooting Range**

The Chairman reviewed the history of the issue regarding the construction of the firing range and said that consideration of the resolution was not allowed by the Commission's existing rules.

Vice Chair Belcher said that the range previously considered an indoor firing range and this resolution was regarding an outdoor range.

Commissioner Newman said that once the Commission chooses to fund something, that decision was made and the policy not to bring it up again was to avoid dysfunction in handling an issue.

Commissioner Frost said that staff had already sought the advice of the NRA and NC Wildlife Commission and the resolution was a waste of staff time. She did not want to back up and review the issue again and instead move forward.

Commissioner Fryar said that the range proposed would only cover 75 percent of what law enforcement needed, and he wanted a solution for their outdoor needs. He thought the NRA and NC Wildlife would be able to give a final word in meeting the full needs for the range.

Chairman Gantt said that the resolution was out of order; however, he asked that the County Manager continue discussions with the NRA and NC Wildlife as requested by Commissioner Fryar.

ANNOUNCEMENTS

The Chairman made the following announcements:

- *June 16 – 4:30 p.m. – The next regular meeting of the Board in Room 326 at 200 College Street in downtown Asheville*

Commissioner Frost moved to go into closed session under GS 143-318.11a4 to discuss an economic development issue. Vice Chair Belcher seconded and the motion passed 7-0.

CLOSED SESSION

The Board discussed a potential economic development incentive for a new company that would invest \$100 million and bring 100 plus jobs to our area. No action was taken.

The Board discussed an incentive for a company making a potential investment of \$135 million and bringing 135 jobs. No action was taken.

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

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

The meeting was adjourned at 6:18 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS