

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF JANUARY 5, 2016 AT 4:30 A.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on January 5, 2016, 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, Vice Chair  
Ellen Frost, Commissioner  
Mike Fryar, Commissioner  
Holly Jones, Commissioner  
Miranda DeBruhl, 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; Tim Flora, Finance Director; Bob Deutsch, County Attorney; Kathy Hughes, Clerk to the Board.

#### **PLEDGE OF ALLEGIANCE**

#### **INVOCATION**

#### **PUBLIC COMMENT**

Don Yelton questioned the use of consensus in closed sessions; the difference in a consensus and a vote and how the consensus was determined in a closed session. He referenced the North Carolina General Statute 153-40.

Jerry Rice commented on the proceeds from the Mary Benson House and how they should be used. He asked about Linamar and if they were on track to pay back their incentive investment. He criticized their creation of jobs in Henderson County.

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

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

- **Approval of the Minutes of the December 1, 2015 Regular Meeting**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Approve County Tax Department Advertisement of Delinquent Real Estate Property Tax Liens (3/20/16)**
- **Release Report**
- **Budget Amendment – Fund 10- JCPC Funding (\$67,500)**
- **Grant Projects Ordinance**

#### **GOOD NEWS/PROCLAMATIONS**

- **Proclamation Radon Action Month**

Commissioner Jones read the proclamation and moved for its approval. Commissioner Belcher seconded and the motion passed 7-0. Commissioner Jones presented the proclamation to Jessica Silvers with the Environmental Health Division of Health and Human Services Department. Ms. Silvers thanked the Board and said that the County would have 100 free radon test kits to give away.

#### **PUBLIC HEARING**

- **Amendments to the Zoning Map of Buncombe County to Adopt Zoning In Certain Unincorporated Areas**

Debbie Truempy, County Zoning Administrator, said that all the parcels included in this rezoning request were less than one square mile and not originally zoned because they were included in the extra-territorial zoning. She referenced the property formerly in the Town of Woodfin's extra-territorial zoning district stating that the Planning Board had found that zoning it R-3 as outlined on the attached map was consistent with the Land Use Plan and reasonable and in the public interest for this area. However, Jason Young, Town Manager for the Town of Woodfin had appeared in pre-session stating the Town's opposition to the proposed zoning designation. Mr. Young, said that the Crest Mountain properties had requested voluntary annexation into the Town of Woodfin.

Commissioner Jones moved to send this zoning request involving properties in Woodfin (North of Ben Lippen Road and West of Gorman Bridge Road, inclusive of Desperate Lane, Race Path Way, Impala Trail, View Street, Lorenz Lane, Shelby Road, Antebellum Drive, Renee Road, S. Old Rymer Drive, Old Rymer Drive, Begonia Gardens, Sienna Drive and Smith Road) back to the Planning Board for further consideration. Commissioner Frost seconded.

Commissioner Newman said he wanted Woodfin authorities to have a voice in the future of this property and he would hope that correct zoning designations could be determined.

The motion to refer this back to the Planning Board passed 7-0.

Ms. Truempy, zoning administrator, addressed the remaining zoning changes stating that these changes were heard by the Planning Board who along with Planning Staff found them consistent and reasonable and in the public interests as recommended.

The Chairman opened the public hearing on all the suggested re-zonings at 5:26 p.m.

Jerry Rice asked that all the rezoning requests be sent back to the Planning Board like the one in Woodfin.

The Chairman closed the hearing at 5:30 p.m.

Commissioner Frost moved to approve the proposed zoning for PIN 9730.90-5225 and 9730.90-5112 to R-2, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest.

Commissioner Fryar seconded and the motion passed 7-0.

Chairman Gantt moved to approve the proposed zoning for PIN 9639.49-8003; a portion of lot 9639.48-9978 and 9639.48-4335 to R-3, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner Frost seconded and the motion passed 7-0.

Commissioner Jones moved to approve the proposed zoning for PIN 9639.48-1568 to Public Service, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner DeBruhl seconded and the motion passed 7-0.

Commissioner Belcher moved to approve the proposed zoning for PIN 9639.76-2633 and a portion of tax lot PIN 9639.76-1594 to Commercial Service, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner Jones seconded and the motion passed 7-0.

Commissioner Jones moved to approve the proposed zoning for PIN 9628.26-0839 and a portion of tax lot PIN 9628.26-2754 to R-3, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner Frost seconded and the motion passed 7-0.

Commissioner Jones moved to approve the proposed zoning for PIN 9645.63-7476 and a portion of tax lot PIN 9645.62-2963 to R-1, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner DeBruhl seconded and the motion passed 7-0.

Chairman Gantt moved to approve the proposed zoning of PIN 9645.02-4648 to Commercial Service, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner Frost seconded and the motion passed 7-0.

Commissioner Jones moved to approve the proposed zoning of PIN 9627.95-5515 to Public Service, finding it consistent with the County Comprehensive Land Use Plan, reasonable and in the public interest. Commissioner Fryar seconded and the motion passed 7-0.

## **COUNTY MANAGER REPORT**

Mandy Stone, Assistant County Manager/HHS Director, introduced Genny Pugh with Smoky Mountain LME, who gave an update on the coordination of safety net services with the local management entity who provides behavioral health services for the 23 western most counties. She reported on the Comprehensive Care Center project --outlined in information attached to the minutes--that will be housed at 356 Biltmore Avenue. She said that a model like that did not exist anywhere in the state at that time. The model included co-locating all behavioral health services under one roof which would divert patients from emergency departments.

## **NEW BUSINESS**

- **Resolution Accepting Bid for Sale of Surplus Property (Mary Benson House)**

The County Manager asked the Board to approve the resolution accepting the \$595,000 bid and authorizing the advertisement of the property in Montford. She said that the funds received from this sale would be used in the Family Justice Center. *(The Chairman allowed public comment on this item)*

Jerry Rice talked about the failure of the State of North Carolina to properly fund mental health issues. He was opposed to the County's designation of these funds for the Family Justice Center. He felt the proceeds should go to Smoky Mountain Services.

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

- **Coburn Earth Science Museum Funding Request (Asheville Museum of Science)**

Anna Priest, Director of the Coburn Earth Science Museum, said that the museum was half way to their fund raising goal of \$1.2 million. They asked for \$50,000, which Ms. Priest acknowledged was an out of cycle funding request, for branding of the museum. They have moved out of Pack Place, relocating to the Wells Fargo Building and becoming the Asheville Museum of Science. They will double their classroom and exhibit space and anticipate increased traffic.

Commissioner Frost moved to approve this funding and have it taken from the art museum funding already budgeted. Commissioner Jones clarified that the art museum funding promised would come later. Commissioner Fryar suggested funding the Art Space Charter School flooding problem instead. Chairman Gantt seconded the motion.

Commissioner Belcher said he was opposed to this funding because it was requested out of cycle but supported the facility.

The motion passed as follows:

AYES: Chairman Gantt, Vice Chair Newman and Commissioners Jones and Frost

NOES: Commissioners DeBruhl, Belcher, and Fryar

- **Realignment and Reallocation of Health & Human Services Positions**

Mandy Stone, Assistant County Manager/HHS Director, presented a power point presentation outlining the realignment and reallocation of Health and Human Service positions. She said that the federal and state governments set all the rules and requirements that the County was responsible for carrying out. *The power point is attached to the minutes of this meeting.* Ms. Stone outlined the redesign of positions in economic and social work services.

Commissioner Jones moved to approve the request to allocate the net additional funding needed to realign HHS staffing to increase Social Work staffing by one (1) Social Work Supervisor and five (5) Investigative Assessment & Treatment Social Workers and Economic Services staffing by 2 Supervisors and 11 direct services staff. (In FY16 the total dollars required is \$119,925). Commissioner Belcher seconded the motion.

The motion passed 7-0.

- **Resolution Amending the Economic Development Coalition Bylaws**

The County Manager reviewed the proposed changes that clarified aspects of the bylaws. Commissioner Frost moved to approve the resolution. Chairman Gantt seconded and the motion passed 7-0.

- **Budget Amendment (Ridgeview Farms)**

The County Manager said that this budget amendment included conservation easement funding that was previously approved in a split vote after the public hearing. Commissioner Jones moved to approve the budget amendment as presented. Commissioner Frost seconded and the motion passed as follows:

AYES. Chairman Gantt, Vice Chairman Newman, Commissioners Frost, Jones

NOES: Commissioners Belcher, DeBruhl, Fryar

- **Special Projects Ordinance**

The County Manager said that this ordinance also included the conservation easement funding that had passed in a previous meeting by a split vote.

Vice Chairman Newman moved to approve the ordinance as presented. Commissioner Frost seconded and the motion passed as follows:

AYES: Chairman Gantt, Vice Chairman Newman, Commissioners Jones, Frost

NOES: Commissioners Fryar, DeBruhl and Belcher

## **BOARD APPOINTMENTS**

Commissioner Belcher moved to appoint **Laura Culp** to the **Adult Care Home Community Advisory Board**. The motion passed 7-0.

Commissioner Frost moved to appoint **Deborah Kania** and **Steve Henry** to the **Nursing Home Community Advisory Committee**. The motion passed 7-0.

## **ANNOUNCEMENTS**

The Chairman made the following announcements:

- **January 18** – County Offices will be closed for the Martin Luther King Holiday
- **January 19** – Commissioners will hold a retreat beginning at 8:30 a.m. at 200 College Street in the First Floor Conference Room at 200 College Street in downtown Asheville

- **February 2** – *the next regular meeting of the Board of Commissioners will begin at 4:30 p.m. in Room 326 at 200 College Street in downtown Asheville.*

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

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KATHY HUGHES, CLERK TO THE  
BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS