

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 16, 2017 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 16, 2017, in the Commission Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 5 p.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

Brownie Newman, Chairman
Ellen Frost, Vice Chair
Joe Belcher, Commissioner
Mike Fryar, Commissioner
Jasmine Beach-Ferrara, Commissioner
Robert Pressley, Commissioner
Al Whitesides, Commissioner

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

PLEDGE OF ALLEGIANCE

(Scouts from Boy Scout Troop 61 lead the pledge of allegiance).

INVOCATION

As we approached Memorial Day on May 29, the Chairman asked for a moment of silence in memory of those that gave their lives for the protection of our Country.

PUBLIC COMMENT

Marsha Bomburg, President of the Friends of Greenways, spoke in favor of greenways as an investment. She felt that greenways would bring businesses to the community and increase real estate values.

Don Yelton reviewed the memorandum of agreement for the solar farm on the landfill, questioning several of the aspects of the agreement.

Timothy Sadler thanked the Board for support in assisting veterans and praised Fletcher Tove for his work on this issue. He asked for clarification as to comments made by Commissioner Fryar about his opposition to all drugs.

Jerry Rice urged the Board to lower the tax rate. He complained about the school system and the amount of funding that was budgeted for them and that the fund balance being held by the schools was excessive.

CONSENT AGENDA

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

- **Approval of the Minutes of the May 2, 2017 Meeting**
- **Budget Amendment: Fund 10 & Fund 20** *(Tim Flora, Finance Director, clarified that this was an accounting transaction to protect the revenues of occupancy tax (2% hotel tax that goes into the fund and is distributed to the Tourism Development Authority) that passes through the County's budget)*
- **Special Projects Ordinance**
- **Grant Projects Ordinance**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Resolution Authorizing Execution of Easement to Leicester Volunteer Fire Department**
- **Vaya Health Financial Report**

GOOD NEWS

- **Recognition of Special Olympics Events**

Josh O'Connor, Parks and Recreation Director, and some of the Special Olympic athletes were present to be recognized. Robert Powell said that he had been part of Special Olympics for 38 years and loved the program. Matt Pelay said he had been a part of Special Olympics for over 20 years and loved the program. Anthony Watinsky and two more athletes also expressed their love for the program and staff.

Commissioner Belcher thanked the staff for their work and the athletes for their competitiveness that made this a great community program.

PUBLIC HEARING

- **Economic Development Coalition Appropriation**

Ben Teague with the Economic Development Coalition (EDC) gave a power point outlining what the EDC is and what they do as part of the Chamber of Commerce. He reviewed their accountability system, research and future plans for the funding provided by the County. He requested additional funding above the \$300,000 that is budget. The Chairman opened the public hearing at 5:35 p.m.

Don Yelton was critical of the return on investment made by the EDC and urged the Board to question the investment into the EDC saying that it does not help the taxpayer.

Jerry Rice criticized the EDC saying that they did nothing to benefit the taxpayers. The Chairman closed the hearing at 5:41 p.m.

NEW BUSINESS

- **Budget Presentation from Fire Chiefs**

Anthony Penland, representing the Fire Chiefs Association, presented a handout that is attached to the minutes that outlines their request to keep their fire tax amounts at the same rate as the prior year. He said that the departments were facing issues including keeping fire class ratings at a good level for the citizens through the department of insurance rating standards process. He said that volunteers help supplement the paid staff but volunteers were very hard to find leading to increased personnel costs. He said that the starting salary for a firefighter is \$27,000.

Commissioners Fryar, Belcher, Whitesides and Vice Chair Frost thanked the fire chiefs for what they do and expressed support of their request. Commissioner Fryar suggested that the County help them with grant writing for equipment.

- **County Schools Budget Presentation (Dr. Tony Baldwin)**

Tony Baldwin, County School Superintendent, thanked the fire chiefs for all their work in keeping the school districts safe. He presented the County schools budget request for FY18. His presentation is attached to the minutes of this meeting. Buncombe is 13th out of 115 school systems in the County. He said that the per pupil expenditure ranked the County 87th in the state. He warned that an additional 45 teachers would be needed in the FY18/19 school year as a result of changing state requirements. His total increased request was \$4,584,823.

Commissioner Beach-Ferrara asked for more information on the compassionate schools program and what was achieved from this grant funding. Mr. Baldwin asked to have a presentation at a future meeting.

- **Solar Farm Memorandum of Understanding with Duke**

The Chairman reviewed the memorandum of understanding (MOU) for the solar farm on the old landfill in Woodfin. Duke Energy would provide the funds necessary to study the feasibility of the project. Duke Energy would provide the funding for construction of the project and operating the project once completed. Either party could discontinue the project at any time. He mentioned a change in the version that was before the Commissioners involving the protection of confidential information and agreed that all documents will be public information.

Jason Walls with Duke Energy, said that this feasibility study was part of the ongoing modernization project to build at least 15 megawatts of solar in the area. He said that this MOU was a non-binding but formal way to secure the partnership on this potential project.

Commissioner Fryar asked what would happen to the property if solar panels were no longer useful to the project. Mr. Walls said he was confident that Duke Energy would do the right thing with the life cycle of the panels; however, these were better questions for the project as it moved forward. The MOU would be replaced by a more formal agreement before the solar panels were placed.

Commissioner Beach-Ferrara asked why the County should execute the MOU before the feasibility study is done. The Chairman said that Duke Energy was doing the study and this MOU formalized their right to be on the property and do the study. Commissioner Beach-Ferrara asked if there were any discussion with other parties interested in the project. Chairman Newman said that NC is the second largest solar state and there were other companies that were willing to review the project; however, none of them were in the position to make the same offer.

Vice Chair Frost said that she was in favor of the project but felt it looked like a process that should have had more discussion.

Mike Frue, Senior Staff Attorney, presented the new Section 5 that would be added to the memorandum of understanding.

Commissioner Belcher moved to approve the memorandum of understanding adding the new wording for Section 5, and replacing SC with NC under item 11 understanding that a public hearing would be required before anything other than the feasibility study was approved. Commissioner Whitesides seconded the motion.

The motion passed 4 to 3 as follows:

YEAS: Chairman Newman; Commissioners Belcher, Whitesides and Fryar

NOES: Vice Chair Frost; Commissioners Pressley and Beach-Ferrara

Don Yelton thanked the Board for clarifying the problems with the memorandum.

Jerry Rice criticized the process of working with Duke Energy and the ball fields on the landfill in Enka.

Emily Patrick, reporter from the Asheville Citizen Times, said that she no longer had a concern about the content of the MOU and appreciated work with Duke.

BOARD APPOINTMENTS

Commissioner Belcher moved to reappoint **Randy Flack** to the **County Board of Adjustment**.

Commissioner Whitesides seconded and the motion passed 7-0.

ANNOUNCEMENTS

The Chairman made the following announcement and adjourned the meeting:

- *June 6 -- 5 p.m. Regular Meeting Board of Commissioners in Room 326 @ 200 College Street in downtown Asheville*

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

The meeting was adjourned at 7:45 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS