

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF MAY 1, 2018 AT 5 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on May 1, 2018, 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 Vice Chairman called the meeting to order with the following members present:

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

Brownie Newman, Chairman, was absent from the meeting.

Staff present: Mandy Stone, County Manager; Jim Holland, Assistant County Manager; Tim Flora, Finance Director; Rachael Nygaard, Strategic Partnership Director; Diane Price, Administrative Services Director; Kathy Hughes, Clerk to the Board; Mike Frue, Senior Staff Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

The Vice Chair asked for a moment of silence in memory of lives that the community had lost in April and in memory of the many blessings that we have.

Commissioner Frost asked for an additional moment to honor the lives of those tragically killed in a domestic violence incident urging anyone facing domestic violence to go to the family justice center.

CONSENT AGENDA

Commissioner Whitesides moved to approve the consent agenda as presented. Commissioner Frost seconded and the motion passed 6-0.

- **Approval of Minutes of the April 17, 2018 Regular Meeting**
- **Release Report**
- **Resolution Approving Pyrotechnic Experts for Firework Displays**
- **Resolution Awarding a Service Firearm to a Retiring Deputy of the Buncombe County Sheriff's Department**
- **Budget Amendment :**
 - **Sheriff Federal Forfeiture Fund**
 - **Sheriff State Forfeiture Funds**
 - **BCAT Federal Forfeitures Fund**
 - **BCAT State Forfeiture Fund**
 - **Forfeiture Fund – Appropriate Additional Cash**
 - **Forfeiture Fund – Combined Fund**
- **Public School ADM Capital Fund Project Ordinance**
- **Capital Project Ordinance – Property Acquisition 52 Coxe Avenue**
- **Capital Project Ordinance – IT Storage Equipment Needs**

PRESENTATIONS

- **Proclamation of Motorcycle Awareness Month**

Commissioner Pressley read the proclamation and presented it to Jodie Martin with the Concerned Bikers Association of North Carolina. Mr. Martin thanked everyone for remembering to give extra attention and space to motorcyclists.

- **Preservation Month**

Commissioner Whitesides read the proclamation and presented it to Jack Thompson, Executive Director of the Preservation Society, who thanked the Board for the recognition and the importance of historic preservation.

- **National Day of Prayer**

Commissioner Belcher read the proclamation and asked for prayer and remembrance for Pastor Ralph Sexton and his family in the death of his wife who recently lost her battle with cancer and for others that were struggling with loss.

- **State of the Airport Presentation**

Lew Bleiweis, Airport Director, gave a report that is attached to the minutes of this meeting. His report reflected a successfully operating airport.

PUBLIC HEARING

- **Zoning Text Amendment**

Nate Pennington, Planning Director, presented the proposed text amendments in three parts:

1. He explained the first proposed amendment involving Section 78-624 to modernize the ordinance and bring it into state compliance.

The Vice Chair opened the hearing at 5:29 p.m.

An unidentified women questioned what was changing with this text amendment.

Jerry Rice said he was confused by the description of this change.

The hearing was closed at 5:31 p.m.

Mr. Pennington said that this section simply cross referenced the correct state statute.

Commissioner Belcher moved to approve this text amendment finding it consistent with the Land Use Plan, reasonable and in the public interest. Commissioner Frost seconded and the motion passed 6-0.

2. Mr. Pennington explained that this text amendment involved off-street parking requirements and the deletion of obsolete language and uses--a modernization change.

The Vice Chair opened the hearing at 5:36 p.m.

No comments were taken.

The hearing was closed at 5:37 p.m.

Mr. Pennington said that the standard that was used to help the Planning Department request the changes included in these text amendments was used across the country in rural and urban situations.

Commissioner Frost moved to approve this text amendment as presented finding it consistent with the Land Use Plan, reasonable and in the public interest. Commissioner Pressley and the motion passed 6-0.

3. Mr. Pennington said the final requested text amendment involved the requirement of a traffic impact analysis. This amendment would require the traffic impact analysis for conditional use permits for multifamily dwellings of 75 units or more for actions before the Board of Adjustment. The Planning Board approved this recommendation.

Commissioner Whitesides asked about the cost of the study and how it might impact affordable housing. He felt this should be required for 100 units or more.

Mr. Pennington said that the recommendation of 75 was based on a review of the trending applications, pointing out that many developers were submitting traffic studies without being required.

Vice Chairman opened the hearing at 5:47 p.m.

Carter Webb, President of the Oak Forest Property Owners Association, said that he lived off Overlook Road which was in the County but surrounded by the City. The Association was recently concerned about a proposed 198 apartment complex planned for the area and wanted a traffic study. He asked the Board to support the requirement for a traffic study for a minimum of 75 units. He told of a dangerous traffic incident on Overlook Road. He felt that the traffic study was reasonable and pointed out that the units being built were not affordable housing units.

Jerry Rice agreed with Mr. Webb and expressed his concern with all the apartments being built.

The Vice Chairman closed the hearing at 5:52 p.m.

Mr. Pennington said that the state standard was lower than what the amendment was proposing.

Commissioner Frost thanked Mr. Webb for his work and endorsed the 75 homes limit.

Commissioner Frost moved to approve the recommendation of the Planning Board as presented finding it consistent with the Land Use Plan, reasonable and in the public interest. Commissioner Whitesides seconded and the motion passed 6-0.

- **Request for Rezoning R-2 to R-3 Hawkins at 258 Starnes Cove Road**

Nate Pennington, Planning Director, stated this rezoning was a request to place a manufactured home on the property and was recommended by staff and Planning Board.

The Vice Chair opened the public hearing at 6:04 pm

Jerry Rice said that Mr. Hawkins should be allowed to place his manufactured home on this property.

The hearing was closed at 6:06 p.m.

Commissioner Belcher moved to approve this rezoning as presented finding it consistent with the Land Use Plan, reasonable and in the public interest. Commissioner Frost seconded and the motion passed 6-0.

COUNTY MANAGER'S REPORT

- **Quarterly Financial Update**

Diane Price, Budget Officer and Tim Flora Finance Director gave the budget and finance quarterly update that is attached to the minutes of the meeting. Mr. Flora highlighted the County's credit rating as an indicator of the County financial health. Commissioner Belcher noted that a large amount of the County's debt was held for education and funded through sales tax.

BOARD APPOINTMENTS

Commissioner Belcher moved to reappoint **Matthew Burrell** to the **Greater Asheville Regional Airport Authority**. Commissioner Whitesides seconded and the motion passed 6-0.

Commissioner Frost moved to appoint **Benjamin Mitchell** to the **Historic Resources Commission**. Commissioner Belcher seconded and the motion passed 6-0.

Commissioner Beach-Ferrara moved to appoint **Susan Schiemer** to the **Nursing Home Community Advisory Committee**. Commissioner Whitesides seconded and the motion passed 6-0.

Commissioner Pressley moved to appoint **John Allen Barnard** to the **Riceville Volunteer Fire Department Relief Fund**. Commissioner Beach-Ferrara seconded and the motion passed 6-0.

PUBLIC COMMENT

Harry Best from Swannanoa commented on a zoning issue from several years ago.

Jerry Rice commented on the budget presentation. He wants a tax reduction based on the sale of Mission Hospital. He spoke about poor people and education.

Vonda commented about zoning and planning and the bad infrastructure. She wanted more recreation facilities and parks in the County

ANNOUNCEMENTS

The Vice Chairman made the following announcements:

- **May 8 @ 11 a.m. – Commissioners will hold a special closed session per NCGS 143-318.11a (6) to consider a personnel matter at 200 College Street in Room 326.**
- **May 8 @ 12:30 p.m. – Commissioners will hold a work session to hear budget presentations. This work session will be held in the First Floor Conference Room at 200 College Street in downtown Asheville**
- **May 15 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street in Room 326.**

Commissioner Belcher moved to adjourn the meeting. Commissioner Frost seconded and the motion passed 6-0.

The meeting was adjourned at 6:35 p.m.

KATHY HUGHES, CLERK
BOARD OF COMMISSIONERS

BROWNIE NEWMAN, CHAIRMAN
BOARD OF COMMISSIONERS