

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF FEBRUARY 21, 2012 AT 4:30 P.M.**

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**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on February 21, 2012, in the Commissioner Chambers, 30 Valley Street in downtown Asheville, North Carolina at 4:30 p.m. where and when the following business was transacted:

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

David Gantt, Chairman  
Holly Jones, Commissioner  
Carol Peterson, Commissioner  
K Ray Bailey, Commissioner

Bill Stanley, Vice Chairman, was attending a meeting in Raleigh and was absent from the meeting.

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

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

Commissioner Bailey gave the invocation.

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

*The Chairman reminded the Board that in accordance with the Code of Ethics as adopted by this Board, 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 stated.*

Commissioner Peterson moved to approve the consent agenda as presented:

- **Approval of Minutes of January 3, 2012 Regular Meeting & January 17 Regular Meeting**
- **Resolution Authorizing Acquisition of Property**
- **Resolution Authorizing the Negotiation and Execution of a Contract for Architectural Programming Services for an Allied Health and Workforce Development Building**
- **Resolution Approving Pyrotechnic Experts for Fireworks Displays**
- **Resolution Approving Easement for the City of Asheville**
- **Resolution Accepting and Approving a Report from the County Purchasing Agent Concerning the Sale and Disposal of Surplus County Property**
- **Release Report**
- **Approval of Amended Vehicle Policy**
- **Budget Amendments: Fund 65—Mental Health Sale; Fund 63 Human Services Facilities; Fund 10 –DSS Low Income energy Assistance;**
- **Capital Projects Ordinance**
- **Grant Projects Ordinance**
- **School Capital Commission Fund Project Ordinance**

Commissioner Jones seconded the motion and it passed 4-0.

- **Approval of Green Opportunities—Kitchen Ready Training Program**

Mark Rosenstein, Project Manager, said that the Kitchen Ready Training Program was a partnership with Asheville City Schools, Asheville Buncombe Technical Community College and the Restaurant Association to target adults with barriers to employment for culinary training. The project was

initiated last year with Asheville City Schools for use of the Randolph kitchen as a test facility to teach culinary skills to 20 people at a time, putting them back to work and back on the right track. AB Tech will hire the instructor and manage the 12 week program of instruction.

Commissioner Bailey moved to approve the request for funding in the amount of \$50,000. Commissioner Peterson seconded and the motion passed 4-0.

## **GOOD NEWS**

- **Valley Child Care Center Update**

Fran Thigpen of Parks, Greenways and Recreation Services, said that the Valley Child Care Center is having great success with their partnership with Buncombe County Schools for teen moms and their children in care at the Center. She said that that the Center had achieved the 5 star licensing status along which is the highest license that the state provides.

## **PUBLIC HEARING**

- **Rezoning Request – Kashka DeBruhl-Cawthorn R-3 from R-2**

Debbie Truempy, County Planner, said that the request for rezoning is for two parcels to be rezoned from R-2 to R-3 on Bee Ridge Road in the Reynolds Community. The lots contain mobile homes and majority of the property is zoned R-2 but there is R-3 zoning in the vicinity. She said that the Planning staff found that the request would be consistent with land use plan update and with surrounding neighborhood. The Planning Board held a public hearing and the majority of the speakers were against the request. The Planning Board voted to deny the request.

The Chairman opened the public hearing at 4:50 p.m.

Jack Sorrells of Rose Hill Road said that his family bought the valley in 1850 and they have the last two acres. He was opposed to the rezoning.

Lisa Landis asked what the mobile home park was for—homeless or low income.

Jessie Messer lives in the area and was not opposed to mobile homes; however he was not in favor of a rezoning.

Andy Biggert lives near the property in question and was opposed to the rezoning because of what R-3 would make possible in the area.

Sabrina Cobin spoke in favor of the rezoning and the fact that her sister wanted a mobile home on their property.

Bill Ruff said he lives less than a mile from the property and as a professional engineer was opposed to the change in zoning. He was concerned about soil contamination, water problems and population density.

John Scroggs of Bee Ridge Road said that he felt the rezoning would be inconsistent with the community and the surrounding property and would increase noise and traffic.

Denise Nolen from Bee Ridge Road did not want the zoning changed.

Debbie DeBruhl said that she was one of the petitioners and would like to have a trailer put on their property for her daughter because they could not afford a modular home.

Monroe Coates was opposed to the possibility of a mobile home park on the property.

Charlotte Cassida brought pictures of the area on Bee Ridge Road and asked that the zoning change be denied.

Joe Belcher said that rezoning from R-2 to R-3 is a big change. He suggested a variance for this property without changing the entire community. He wanted the people to be able to put a mobile home on their property.

Charles Powell of Bee Ridge Road did not want the zoning changed.

Susan Lewis presented a letter of opposition from Gene and Norma McClendon. Ms. Lewis also spoke against the zoning change. She suggested that a house be built on the property instead of changing the zoning for the area.

Sandy Sonders of Bee Ridge Road was opposed to the rezoning.

Mary Mulig of Bee Ridge Road was opposed to the rezoning.

The Chairman closed the public hearing at 5:22 p.m.

The County Attorney reviewed the options available to the Board. Commissioner Jones moved to deny the rezoning request because it was inconsistent with the area and the land use plan. Commissioner Peterson seconded the motion and it was passed 4-0.

## **NEW BUSINESS**

- **Asheville Buncombe Community Relations Council Members**

Linda McDaniel, member of the ABCRC, said that the Council had been in transition and was ready to reorganize and get going again. She requested that the 6 existing board members, one appointed by the City and 5 appointed by the ABCRC, be allowed to remain on the Council for consistency during the transition. They would rotate off within two years. Ms. McDaniel introduced Sara Nunez, the new Director who said that she was happy to begin working for the Council. Commissioner Bailey said that Sara had been employed by AB Tech and she was an awesome employee.

Commissioner Jones moved to follow the recommendations of ABCRC and allow the existing members to fill terms up to two years as requested. Commissioner Bailey seconded and the motion passed 4-0.

## **BOARD APPOINTMENTS**

Commissioner Peterson moved to appoint **Suzanne Molloy** to the **Board of Health** in the engineer position; reappoint **John Whitener**, Optometrist; and reappoint **Linda Morgan** as the Pharmacist for terms of three years. The motion passed 4-0.

Commissioner Bailey moved to appoint **James Edmonds, Jerome Jones, Brad Freeman, Karen Donatelli** and **Kendall Wright** for one year terms on the **Board of Equalization and Review**. The motion passed 4-0.

Commissioner Jones moved to appoint **Michael Fisher** to the **Crime Stoppers Board of Directors**. The motion passed 4-0.

Commissioner Peterson moved to appoint **Peggy Bierer** to the **Adult Care Home Community Advisory Committee** for a one year term. The motion passed 4-0.

Commissioner Bailey moved to appoint **David Hinton** to the **Nursing Home Community Advisory Committee** for a one year term. The motion passed 4-0.

## **ANNOUNCEMENTS**

*The Chairman made the following announcements:*

- *The next regular meeting of the Board will be March 20, 2012 at 4:30 p.m. (The March 6 meeting was cancelled)*
- *The Board members would attend a meeting with the Asheville Chamber Board and the Asheville City Council on February 23 beginning at 10:30 a.m. at the Asheville Chamber Boardroom*
- *Commission meetings can be seen on BCTV Charter Cable Channel 2; AT&T U-Verse Channel 99; live during the meetings and online at [buncombecounty.org](http://buncombecounty.org)*

## **PUBLIC COMMENT**

The Chairman reviewed the rules for public comment.

*The official business of the County has concluded and we will now hold public comment.*

- *The time limit for any comment to the Board is three minutes.*
  - *If your time expires then you may leave any questions along with your name, address and phone number with the County Manager.*
- *Board members are not expected to comment on matters during public comment.*
- *Comments should be limited to subjects that are within the jurisdiction of this Commission or pertain to matters upon which it may act.*
- *Any individual speaking during public comment shall address the entire Board. Any polling of Board members is inappropriate.*

- *Persons addressing the Board are expected to observe the decorum of the Chamber, and to be respectful of everyone in the room.*
- *Any person who willfully interrupts, disturbs, or disrupts the session will be asked to leave the meeting.*
- *The Board reserves the right to deny public addresses on a subject previously presented to the Board.*

Jerry Rice said he would like to see the Board go back to having public comments as part of the business meeting.

Dr. Milton Byrd said he wants more communication and education and has filed to run for the office of County Commission Chairman.

Lisa Landis talked about corruption and the violation of her first amendment rights.

Commissioner Bailey moved to adjourn the meeting. Commissioner Peterson seconded and the motion passed 4-0.

The meeting was adjourned at 5:46 p.m.

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KATHY HUGHES, CLERK TO  
THE BOARD OF COMMISSIONERS

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DAVID GANTT, CHAIRMAN  
BOARD OF COMMISSIONERS