

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JUNE 5, 2012 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 5, 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:

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

David Gantt, Chairman
K. Ray Bailey, Commissioner
Bill Stanley, Vice Chairman,
Carol Peterson, Commissioner
Holly Jones, Commissioner

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

PLEDGE OF ALLEGIANCE

INVOCATION

Chairman Gantt gave the invocation.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

The Chairman reminded the Board that in accordance with County policy, 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 an amendment to the Resolution Delegating Approval Authority for Certain Contract to the County Manager as noted by the Chairman. (*Changing "in excess of" to "less than" \$50,000*) Vice Chairman Stanley seconded and the motion passed 5-0.

Commissioner Jones moved to approve the consent agenda as presented:

- **Approval of Minutes of May 15, 2012 Regular Meeting**
- **Approval of Health Department Billing Guide For FY 13**
- **Resolution Releasing Certain Portions of Property from the Progress Energy Lease of the Lake Julian Recreation Area**
- **Resolution Approving Pyrotechnic Permits for Fireworks Displays**
- **Resolution Granting the Chairman Authority to Execute a Conveyance of Sewer System and Easement to MSD**
- **Resolution Delegating Approval Authority for Certain Contracts to the County Manager (the Chairman made a note of typo error change—made in this resolution (less than \$50,000)**
- **Budget Amendment: Fund 10-interfund transfer for capital projects; DSS technology and Public Assistance Revenues**
- **Special Projects Capital Project Ordinance**
- **Capital Projects Ordinance**

Commissioner Bailey seconded the motion and it passed 5-0.

PROCLAMATIONS

- Vulnerable Adults and Elder Abuse Awareness Month**

Commissioner Peterson read the proclamation and moved for its approval. Vice Chairman Stanley seconded the motion and it passed 5-0. The proclamation was presented to Cathie Beatty with Buncombe County.

PUBLIC HEARING

- Proposed Use of FY 2013 Rural Operating Assistance Program Funds**

Hope Bleaker with Land of Sky Regional Council presented the grant program request that would assist Mountain Mobility and other providers with transportation services. She reviewed the documents that are attached to the minutes.

The Chairman opened the public hearing at 4:41 p.m.

Lisa Landis asked why the funds were limited to transportation of disabled and elderly.

Linda Southard asked why grant funds could be awarded for an outsourced function.

Jerry Rice asked if the funds were going to be decreased.

The Chairman closed the hearing at 4:44 p.m.

Ms. Bleaker explained that the funds were from the State and that the allocation Buncombe would get this year was a little lower for elderly and disabled but overall a bit higher for general public transportation for rural residents.

Commissioner Peterson moved to approve the resolution as presented. Vice Chairman Stanley seconded and the motion passed 5-0.

- FY2013 Budget**

The County Manager gave a summary of the FY13 budget as presented on May 23.

Commissioner Peterson moved to ask the County Manager to include in the Budget Ordinance the Commissioners' salaries at the current level through November allowing the Commissioners elected in November to set their salaries on December 3. Vice Chairman Stanley seconded the motion.

Commissioner Jones asked for more time to process the motion before a vote.

The County Attorney said that salaries could be amended in December of 2012.

Commissioner Jones said that she wanted to support reduction of Commissioners' salaries and was opposed to this amendment.

The motion was approved as follows:

AYES: Commissioners Peterson, Bailey and Stanley

NOES: Chairman Gantt and Commissioner Jones.

Commissioner Peterson asked if Commissioner Jones planned to make a motion to cap employee benefits at \$3,000. Commissioner Jones said she wanted to hear from the public and gather additional information and planned to make a motion on June 19 that might cap the longevity.

Commissioner Peterson said that she would like to end the discussion of a change in the longevity policy at this meeting. She felt strongly that longevity was part of the hiring package and expressed her desire to put the concern to rest.

Commissioner Jones said that she felt like her job was to grapple with rewarding employees and being a good steward of county funds and planned to consider a motion at the next meeting.

Commissioner Jones moved to change the probationary period for benefits including health insurance from 3 months to 1 month beginning July 1. The motion died for lack of a second. The Chairman opened the public hearing at 5:10

Mike Fryer (given 10 minutes--speaking for 8 people) presented a copy of the filing form for the position of Commissioner stating that the fee was based on the Commissioners' salaries. He reviewed the salaries of the managers and commissioners. He criticized the renovations of the new commissioner chambers at 200 College Street and was opposed to the change in probationary period for benefits to 30 days. He criticized the increase in funding for the YWCA in the past 4 years.

Linda Southard made comments about the growth of the budget and questioned the need for the three satellite offices for social services included in the capital plan.

Lisa Landis said that servants should not be paid much and public access should be funded.

David King questioned why the salaries were an issue now and not four years ago. He was concerned about future funding.

Jerry Rice felt the County was spending too much money, the citizens should get a tax break and the budget should be revenue neutral.

Michelle Wood said that, like any other contract, longevity for employees should be honored.

Leslie Colbert spoke against the County funding the business improvement district and any creation of this tax district.

The Fairview Fire Chief requested a \$.015 fire tax increase to better cover the district and assure low fire rates for residents.

Russ Martin requested funding to expand the work of Blue Ridge Sustainability Institute.

The Chairman closed the public hearing at 5:43 p.m.

OLD BUSINESS

- Waste Pro Rate Increase Request**

Jon Creighton, Assistant County Manager, reviewed the rate increase request from Waste Pro that would increase monthly pickup fees from \$14.20 per month to \$15.34 per month. He said that costs have gone up but he would recommend a 4 percent cost increase instead of the requested 8 percent increase making the totally monthly cost \$14.77 per month.

Bob Christy with Wastepro said that their costs have increased and a 4 percent would not meet their needs.

Roland Joyner, District Manager for Wastepro, said that a 4 percent increase would be appreciated but the 8 percent was what they needed.

Vice Chairman Stanley moved to approve a 4 percent increase. Commissioner Bailey seconded the motion. This would take effect July 1 and require a second reading. Commissioner Peterson said that she would vote against the increase and asked that Wastepro work to get more customers and refine their customer base.

The motion passed as follows:

AYE: Commissioner Bailey, Vice Chairman Stanley, Commissioner Jones

NOES: Commissioner Peterson, Chairman Gantt

NEW BUSINESS

- Designation of Voting Delegate for the NACo Annual Conference**

Commissioner Peterson moved to designate Vice Chairman Stanley as the voting delegate to the annual NACo conference in Pittsburgh. Commissioner Bailey seconded and the motion passed 5-0.

- **Resolution Approving the Sale of 32 Compton Drive to Eliada Homes**

Jim Holland, HSST, gave a history of the County's commercial kitchen which supplied food for the day care centers run by the County. As a result of outsourcing the child care centers, the County no longer needs the kitchen and currently has a lease with option to purchase agreement with Eliada Homes who would like to purchase the kitchen.

Mark Upright, CEO of Eliada said that they have tripled in size and outlined how they have expanded and refined their services. They serve over 512 meals a day and want to purchase the property in order to meet the needs of their new Eliada School of Trade Arts. The kitchen would also meet the culinary arts degree requirements.

Commissioner Peterson moved to approve the resolution as presented. Vice Chairman Stanley seconded the motion and it passed 5-0.

- **Resolution Accepting Grant Funds from NC DENR**

Jon Creighton, Assistant County Manager, said that the grant funds from the State would be used to assist the landfill gas to energy program in the amount of \$2 million. The income from the project is \$400,000 per year.

Commissioner Peterson moved to approve the resolution. Vice Chairman Stanley seconded and the motion passed 5-0.

BOARD APPOINTMENTS

Commissioner Peterson moved to reappoint **Kim MacQueen** and **Nancy Marlowe** to the **Library Board of Trustees**. The motion passed 5-0.

Vice Chairman Stanley moved to reappoint **Peggy Mann**, **Laurie Cammarata**, **James Wilson** and **George Lycan** to the **Board of Adjustment**. The motion passed 5-0.

ANNOUNCEMENTS

- *The next regular meeting of the Board will be June 19 at 4:30 p.m.*
- *Commission meetings can be seen on:*
 - *BCTV Charter Cable Channel 2*
 - *AT&T U-Verse Channel 99*
 - *Live on buncombecounty.org during the meetings or*
 - *Online anytime at 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 praised Eliada Home for their work. He asked that the County assure that Wastepro was bringing their waste to Buncombe landfill.

Kathleen Balough, representing the Mediation Center, requested funding they felt was promised to them at the end of a contract in 2012 regarding the administration of a Gang Prevention grant.

Laura Jeffress, Director of the Mediation Center, said they need the funds to balance their budget.

Mandy Stone, Assistant County Manager, said that in order to continue receiving the grant funds, the County had to become the service provider. The County had paid them \$9,000.

Mike Boyd requested that Wastepro get a 5 percent discount at the landfill to help them offset their losses.

Lisa Landis complained about URTV losing grants and taking her job away.

Erin Penland asked for money to be set aside for a new waterline for the citizens around the CTS plant.

Commissioner Bailey moved to go into closed session pursuant to GS 143-318-11a(4) for two economic development matters. Commissioner Peterson seconded and the motion passed 5-0.

CLOSED SESSION

Discussion was held regarding an economic development incentive for an existing industry that would add 125 jobs paying \$37.91 per hour. The Board gave consensus to offer an incentive of \$750,000.

Discussion was held regarding an economic development incentive to attract a carrier to the Asheville Airport that could provide direct flights to a western regional hub. The Board gave consensus to offer \$125,000 incentive.

An update was given regarding the possible expansion of an existing industry bringing an additional 225 jobs that could require future investment.

Commissioner Peterson moved to go into open session. Vice Chairman Stanley seconded and the motion passed 5-0.

Commissioner Bailey moved to adjourn the meeting. Vice Chairman Stanley seconded and the motion passed 5-0.

The meeting was adjourned at 7:05 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS