

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'
REGULAR MEETING OF JUNE 19, 2012 AT 4:30 P.M.**

BE IT REMEMBERED: That the Board of Commissioners met in regular session on June 19, 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; Mandy Stone, Assistant County Manager; Donna Clark, Finance Director; Kathy, Hughes, Clerk to the Board; Mike Frue, County Attorney.

PLEDGE OF ALLEGIANCE

INVOCATION

Commissioner Peterson gave the invocation.

DISCUSSION/ADJUSTMENT/APPROVAL TO FOLLOW AGENDA

The Chairman reminded the Board that in accordance with the State Government Ethics Act, 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 June 5, 2012 Regular Meeting**
- **Acceptance of Western Highlands 3rd Quarter Report**
- **Resolution Approving Acquisition of Approximately 2 acre Tract on High Top Mountain**
- **Resolution Approving the Solid Waste Management Plan Update**
- **Resolution Authorizing the Negotiation and Execution of a Contract for Architectural and Design Services for the Allied Health & Workforce Development Facility at AB Tech**
- **Budget Amendments:**
 - **Fund 10: interfund transfers for grants & capital projects; OPED payments \$965,486**
 - **Fund 30 ROAP funds for Transportation \$87,314**
- **Capital Projects Ordinance**
- **FY12 Final Budget Summary**
- **Grant Projects Ordinance**
- **Special Project Capital Projects Ordinance (FY13)**
- **School Capital Commission Fund Ordinance (FY13)**
- **Resolution Approving Donation of Surplus Blackberries to Montreat College Campus Police and Safety**

- **Resolution Authorizing County Manager to Execution A Grant Agreement for Project Number 3-39-0005-041-2012 at the Asheville Regional Airport**
- **Resolution Authorizing Execution of Easement with Metropolitan Sewerage District**
- **Resolution Approving Pyrotechnic Experts for Firework Displays (*board polled*)**

Vice Chairman Stanley seconded and the motion passed 5-0.

PUBLIC HEARING

- **Acquisition of Property at 93 Victoria Road**

Mike Frue, County Attorney, said that this property was requested by Asheville Buncombe Technical Community College as part of the sales tax resolution. He said that a public hearing was required to approve the sale--details of this sale are attached to the minutes.

The Chairman opened the public hearing at 4:34 p.m.

Don Yelton asked if the building would be used or torn down.

Lisa Landis commented on the price of the property and questioned what the college planned to do with the property.

Jerry Rice asked why this property was being purchased.

The Chairman closed the hearing at 4:37 p.m.

Mr. Frue said that he was not familiar with the programming needs at the College but that this building was part of the campus plan.

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

COUNTY MANAGER'S REPORT

- **Bond Rating Upgrade**

Donna Clark, Finance Director, reported that the County had its bond rating raised to AAA making Buncombe is the 6th County in NC to receive this rating. Since 1994 Buncombe has increased the rating by 3 notches--2 during an economic downturn. She said that AAA reflects a good financial condition, bonds will trade better and the County will receive lower interest rates and lower cost of capital.

OLD BUSINESS

- **Adoption of FY13 Budget**

The County Manager gave a summary of the FY 2013 budget that would be effective July 1. She noted that changing the Fairview Fire tax, as requested by the Fire Department, would take a motion to amend the budget as presented.

Clint Gorman with Information Technology made comments regarding the history of the County's longevity plan and compensation package including the tiered plan currently in place. He reviewed the growing need for county services and the pride with which the services are provided by county employees every day.

Lisa Eby, HSST, gave a report on the County's compensation philosophy that is attached to the minutes. She said that all aspects of the County's pay and benefit plan are being examined so any adjustment made will be part of a well-crafted and thought out compensation and benefit plan. The results of the study, with recommendations, will be released for the August 7 Commissioners' meeting.

Commissioner Jones said she was happy that there would be a study report coming in August and wanted to make sure it compared what Buncombe was doing with other counties. She expressed her continued support for the shorter 30 day waiting period for health insurance in an effort to advocate for employees that the County hasn't employed yet.

Commissioner Peterson moved to approve the budget as presented. Vice Chairman Stanley seconded the motion.

Commissioner Jones questioned the annual raises that were based on the consumer price index and whether or not it would be in the budget. The County Manager said that this was not currently included in the budget but would be reviewed after the 2012 CPI was set. Commissioner Jones requested it be factored into the overall budget in the future.

Commissioner Peterson moved to amend the budget by adding funding as follows:

Asheville Greenworks = \$8,625; **The Arc of Buncombe County** = \$3,000; **Habitat for Humanity** = \$100,000 (*they should apply for Affordable Housing Coalition Funds*); **Appalachian Sustainable Agriculture Project** = \$20,000; **Asheville Art Museum** = \$100,000.

Vice Chairman Stanley seconded the amendment. Commissioner Jones requested a better process for considering outside agencies in future budgets.

Chairman Gantt said that he knew the County had asked employees to do more with less and they had done an excellent job. He said he felt that every budget should include an increase for employees and he pledged to fairly compensate employees. He said that more can be done with less because of the quality of the workforce.

Commissioner Peterson thanked the staff for their work.

Vice Chairman Stanley said that this was his 24th budget and the last one of which he would be a part. He said that he was, and had always been, proud of the staff.

The motion to adopt the budget as amended passed 5-0.

- **WastePro Rate Increase Request**

Mike Frue, County Attorney, said that the June 5 vote granting a 4 percent rate increase for WastePro required a second vote. Vice Chairman Stanley moved to approve the 4 percent increase. Commissioner Bailey seconded the motion and it passed as follows:

AYES: Commissioners Stanley, Bailey and Jones

NOES: Chairman Gantt, Commissioner Peterson.

NEW BUSINESS

- **Nursing Home Community Advisory Committee Report**

Sonya Friedrich, Chair of the Nursing Home Community Advisory Committee, gave the Committee's annual report attached to the minutes.

- **Minnie Jones Health Clinic Report**

Mandy Stone, Assistant County Manager, gave a power point that is attached to the minutes outlining the success of the Western North Carolina Community Health Services (WNCCHS) takeover of primary and prenatal services. They are seeing more patients for less cost in a more efficient way and at a decreased cost to taxpayers. She recommended a lease extension for FY 13 at \$1 year with the requirement that WNCCHS provide care for 1500 additional patients. Ms. Minnie Jones thanked everyone for the work that they do at the health center and especially Vice Chairman Stanley for his many years of service.

Commissioner Peterson moved to approve the **Resolution Approving Amendments to Extend the Initial Term of the Lease with Options to Purchase Between Buncombe County and WNCCHS**. Vice Chairman Stanley seconded and the motion passed 5-0.

- **Resolution Authorizing the County Manager to Apply for NC Water Quality Loan Funds**

The County Manager proposed that the County apply for funding for a water line that would serve the 150 homes that currently have wells monitored in the CTS area. The City's Water Department estimates a cost of \$3.9 million. She asked that the Board approve the Resolution and authorize the County to attempt to recover funds from the CTS owners.

Vice Chairman Stanley moved to approve the resolution as presented and authorize the recovery of these funds from the responsible parties. Commissioner Peterson seconded the motion and it passed 5-0.

The County Attorney asked the Board to add to the agenda and approve a **Resolution Authorizing Execution of an Easement for the City of Asheville** across about 65 feet of County property. Commissioner Peterson moved to add this resolution to the agenda for consideration and approve the resolution as stated. Commissioner Jones seconded and the motion passed 5-0.

BOARD APPOINTMENTS

Commissioner Bailey moved to appoint **Joseph Meliski** to the **Woodfin Water Board** replacing Robin Cape. Commissioner Jones moved to appoint Joan Walker. Mr. Meliski was appointed. (Commissioners Bailey, Peterson and Stanley voted for Mr. Meliski and Chairman Gantt and Commissioner Jones voted for Ms. Walker)

Commissioner Peterson moved to appoint **Jerry Roberts**, and reappoint **Chase Hubbard, Margaret Duckett, John Ager and Michael Crowell** to the **Agriculture Advisory Board for Farmland Preservation**. The motion passed 5-0.

Commissioner Bailey moved to reappoint **Jeff Piccirillo** to the **Airport Authority**. The motion passed 5-0.

ANNOUNCEMENTS

- *The next regular meeting of the Board will be August 7 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.*

Don Yelton asked how much the sustainability plan cost. He praised the efforts to get a waterline for the Mills Gap Road residents and suggested that their wells be left open for monitoring.

Michelle Pace Wood thanked the Board for the CTS decision and asked for an ordinance that addressed panhandling.

Lisa Landis wanted to see an itemized budget.

Alan Ditmore was opposed to longevity pay and long term employees.

Laurie Murphy thanked the Board for the waterline for the homeowners.

Erin Penland thanked the Board for the waterline stating that he wanted to see CTS owners pay for the line.

Lynn Smith thanked the Board for the waterline and gave a status report on EPA's work in the area involving sampling and filtration systems.

Tate McQueen thanked the Board for the waterline and pledged the community's support to help the County recover the funding from CTS. He requested further help with the vapor issues in the area.

Jerry Rice said that the water line was a band-aid approach and he wanted the same treatment for every area of the County with bad water and a tax cut.

Commissioner Peterson moved to adjourn the meeting. Commissioner Bailey seconded and the motion passed 5-0.

The meeting was adjourned at 6:43 p.m.

KATHY HUGHES, CLERK TO THE
BOARD OF COMMISSIONERS

DAVID GANTT, CHAIRMAN
BOARD OF COMMISSIONERS