

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MAY 7, 2007**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 5:30 p.m. in the Commissioners' Conference Room of the Henderson County Office Building.

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Larry Young, Commissioner Mark Williams, Commissioner Chuck McGrady, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, County Attorney Russell Burrell, and Clerk to the Board Elizabeth W. Corn.

Also present were: Fire Marshal's Administrative Assistant Cathy Justice, Planning Director Anthony Starr, Finance Director J. Carey McLelland, Deputy Clerk to the Board Terry Wilson, Interim County Engineer Marcus Jones, Associate County Attorney Sarah Zambon, Senior Planner Autumn Radcliff, Code Enforcement Director Toby Linville, Library Director Bill Snyder, HR Director Jan Prichard, and Planner Matt Card.

### CALL TO ORDER/WELCOME

Chairman Moyer called the meeting to order and welcomed all in attendance.

### PLEDGE OF ALLEGIANCE

Commissioner Young led the Pledge of Allegiance to the American Flag.

### INVOCATION

Commissioner Williams gave the invocation.

### INFORMAL PUBLIC COMMENTS

1. Barbara Barnett – Ms. Barnett lives at 602 Water Oak Lane in Hendersonville. She was a spokesperson for the Four Seasons Sierra Club of Henderson County. Ms. Barnett stated that global warming and climate change are household words. Ninety percent of the public are concerned. They do not know how to fix the problem and they look to Government for leadership according to a Stanford University study. The North Carolina State Energy Plan proposed a sole school program incorporating a renewable electricity generation, solar water heating, and day-lighting to reduce fossil fuel use by schools; to improve the quality of education, to provide real world energy training lab and to make the citizens more aware of the potential for renewable resources. Ms. Barnett stated that the Henderson County Commissioners had taken the first step in approving two new elementary schools; Mills River and Hillandale. She hoped that the Commissioners would choose a 21<sup>st</sup> Century state of the art environmentally sound design. Senate Bill S927 creates the green school construction revolving loan fund where interest free loans are provided to local school boards of education and it establishes the green school construction program for construction or major renovation of high performance school buildings. Ms Barnett, as a representative of the Four Seasons Sierra Club urged the considerations, active participation and support of the bill by the Board of Commissioners because it addressed the major financial road block to building green schools. Ms. Barnett provided a copy of the bill to the clerk to the Board to copy for the Commissioners.
2. Eva Ritchey – Ms. Ritchey lives at 1928 Brevard Road in Hendersonville. She is a member of the Global Warming Task Force. She stated that the issue is no longer just outside of Henderson County. She reminded the Board of comments made by Henderson County farmers in the local paper acknowledging that because of early blooming of the apple trees they were unable to sustain the cold which came in afterwards. Her question was if the County would have crop failures every fifty, five or ten years. If nothing is done and it is assumed that the County is so small that it can

DATE APPROVED \_\_\_\_\_

not affect the problem then they will continue to be a part of the problem. The Global Warming Task Force was formed to raise the awareness of this problem in Henderson County and to help seek solutions. Representatives of the Global Warming Task Force Committee were present to offer solutions. Ms. Ritchey gave a copy of "Understanding Global Warming for North Carolina" to the clerk to share with the Commissioners. She stated that fifty percent of all carbon energy in the world is used in buildings. She considered the Health and Human Services Building as a perfect example of where an opportunity was missed. She felt that the building could have been designed with energy efficiency in mind at the time it was built and was not. The Waste Reduction Partners were brought in after the design was set on the building. She would like to see any buildings built in the future take advantage of the new technology and incorporate solar and passive design which would help minimize the impact of global warming on the community and even with tax dollars.

Ms. Richey was upset that there were no professional level soccer fields in Henderson County. She feels that the community is not sufficiently youth oriented.

3. Carole Repici – Ms. Repici resides at 609 Carriage Commons Drive in Hendersonville. She was speaking on the issue of recycling. Ms. Repici would like to see Henderson County more involved in recycling. She would like to see the new compact florescent light bulbs used but sees resistance because of the mercury in them.
4. Jim Wohlgemuth – Mr. Wohlgemuth lives at 44 Springside Court in Hendersonville. He is part of the local Faith-based portion of the Global Warming Task Force. Mr. Wohlgemuth stated that there is a need for more recycling centers. Mr. Wohlgemuth had located, on the internet, the top ten things you can do to reduce global warming. He shared a copy with the clerk for the Board of Commissioners. The list included the following:

- Reduce, Reuse, Recycle
- Use less heat and air conditioning
- Change light bulbs to compact florescent light bulbs
- Drive less and drive smart
- Buy energy-efficient products
- Use less hot water
- Use the "off" switch"
- Plant a tree
- Get a energy audit from your utility company
- Encourage others to conserve

5. Stan Dienst – Mr. Dienst lives at 622 Rugby View Place in Hendersonville. Mr. Dienst shared a brief outline of significant measures that may be taken locally as follows:

Public Buildings

- A formal program of "Turn Off" monitoring, i.e., lights, computers, printers, and fax machines that are not being used, particularly at closing.
- Reduce Paper use and storage. Use recycled paper for copying.
- Replace incandescent light source with compact florescent.
- LED's for signs, desk lamps and parking areas.
- Minimize air conditioning. Use cross ventilation.
- Regular review of electricity consumption and cost

Transportation

- Hybrid cars for municipal and county use
- More public transportation

- More bike paths, lanes and racks
- Reward companies that organize car pooling and shorten the commuter routes and number of commutes by its employees.
- Require public school students to use the school busing system

#### Homes

- Promote an energy audit for every home owner
- Arrange financing for the installation of renewable energy sources
- Support green housing developments and city-based multi-unit private housing

#### New Construction\*

- Natural ventilation and solar lighting
- Passive structural design
- Heat pumps for cooling and heating
- Renewable on-site sources of electricity generation (solar panels)

\*Approximately five percent additional construction cost which is recouped in lower energy cost with five years.

6. Robert Armstrong – Mr. Armstrong resides at 160 Mt. Valley Drive in Hendersonville. He commended the Board of Commissioners and County Managers Office for the work on the Strategic Plan. Mr. Armstrong shared information from the internet in regards to the General Assembly of North Carolina's 1993 Session Ratified Bill. This Bill states that the local Board of Education should use the Energy Guidelines for school design and construction and should use energy goals and standards in order to insure the construction of energy efficient new schools and school renovations.
7. Theron Maybin – Mr. Maybin resides in Hendersonville and thanked the Board of Commissioners for purchasing the best possible vehicle for the Soil and Water Board.
8. Susan Stewart – Ms. Stewart lives at 80 Bay Willow Court in Hendersonville. She supported the other speakers in regards to global warming. Ms. Stewart spoke of a film in relation to "green schools" that she wanted to share with the Board at their convenience. She commended Assistant County Manager Selena Coffey on the job she did on the draft strategic plan.
9. Randy Neall – Mr. Neall lives at 3033 Timber Trails in Hendersonville. He had attended the Saturday meeting at the library with Moseley Architects. He stated that if "lead schools" would reduce asthma, flu, energy use, water use and increase student performance then there should be no choice that lead schools be built. He questioned why no solar panels had been contemplated.

#### **DISCUSSION/ADJUSTMENT OF AGENDA**

Chairman Moyer requested the addition of a Closed Session for personnel issues.

*Commissioner McGrady made the motion to approve the agenda as revised above. All voted in favor and the motion carried.*

#### **CONSENT AGENDA**

Commissioner McGrady requested discussion on Consent Agenda Item I – Improvement Guarantee – Pinnacle Falls Renaissance (Water System). Commissioner McGrady requested the 5 sets of draft minutes for LDC Input dated March 20, 2007 through April 17, 2007 be pulled from the consent agenda and moved to the next meeting.

*Commissioner McGrady made the motion to approve the consent agenda as revised above. All voted in favor and the motion carried.*

Commissioner McGrady stated that Item I related to an improvement guarantee on Pinnacle Falls Subdivision. This subdivision sits on Pinnacle Mountain Road on the other side of the mountain which is on the Board River Basin side and not the French Board River Basin side. There was an issue in regards to inter-basin transfers in connection with the expansion of the Kenmure sewer system at a January meeting. This was the first time that he knew of that the Board had addressed the issue of water being pumped into another river basin. He doesn't feel that the Board should be "in the business" of transferring water from one river basin to another.

Chairman Moyer reopened the question of allowing transfer of water from one basin to another. When the comprehensive plan was done he did not recall any discussion or thought in regards to transfer of water between basins. Chairman Moyer requested that Planning Director Anthony Starr look at the issue and get back to the Board.

*Commissioner McGrady made the motion to approve the Improvement Guarantee – Pinnacle Falls Renaissance (Water System). All voted in favor and the motion carried.*

### **Minutes**

Draft minutes were presented for the Board's review and approval for the following meeting:

January 2, 2007

### **Tax Collector's Report**

Terry F. Lyda, Henderson County Tax Collector, had provided the Tax Collector's Report dated April 27, 2007, for the Board's review and consent approval.

Collections information was included through April 26<sup>th</sup> for the 2006 bills mailed out on August 18<sup>th</sup>, as well as vehicle bills.

#### Annual Bills G01 Only:

2006 Total Charge:	\$49,390,710.20
Payments & Releases:	47,487,979.29
Unpaid Taxes:	1,902,730.91
Percentage collected:	96.15%

#### Motor Vehicle Bills G01 Only:

2006 Total Charge:	\$4,534,766.03
Payments & Releases:	3,610,968.27
Unpaid Taxes:	923,797.76
Percentage collected:	79.63%

#### Fire Districts All Bills:

2006 Total Charge:	\$5,232,707.94
Payments & Releases:	4,931,589.78
Unpaid Taxes:	301,118.16
Percentage collected:	94.37%

### **County Financial Report/Cash Balance Report – March, 2007**

These two reports were presented for the Board's review and consent approval.

Non-Departmental costs include insurance premiums paid to date for Property and Liability insurance coverage and Worker's Compensation costs. These costs are being allocated out to all departments on a pro rata basis during the fiscal year.

The current YTD deficit in the Emergency 911 Communications Fund is due to the purchase of new technology and equipment during the first quarter that was budgeted in the current fiscal year and paid for from unreserved fund balance appropriated in this Fund.

The YTD deficit in the CDBG-Scattered Site Housing Project and the Lewis Creek Restoration Project is temporary due to timing differences in the expenditure of funds and the subsequent requisition of Federal and State grant funds to reimburse project expenditures.

The YTD deficit in the new Etowah Branch Library Project will be covered by \$1,750,000 in new loan proceeds that will be available in early May 2007.

The YTD deficit in the Mills River Elementary School Project includes architectural fees that have been paid on the project to date that will be reimbursed from the issuance of debt in the future.

The YTD deficit in the Balfour Automotive Training Center Project will be paid from sales tax refund proceeds which have accumulated in the School Capital Projects Fund.

The YTD deficit in the Solid Waste Landfill Fund is due to construction expenditures incurred on the new transfer station project. The total cost of this project is being paid from \$1.8 million of unreserved fund balance appropriated in this Fund.

#### **Henderson County Public Schools Financial Report – March, 2007**

This March report was presented for the Board's review and consent approval.

#### **EMS Accounts Receivable Report**

This report was provided for the Board's review and consent approval.

#### **Western Highland Area Authority – Quarterly Fiscal Monitoring Report (FMR) for the period ended March 31, 2007**

G.S. 122C-117C requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The county finance officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. This report was presented for the Board's review and consent approval.

If the Board is so inclined, the following motion was suggested:

*I move that the Board of Commissioners approve the Western Highlands Area Authority Fiscal Monitoring Report for the period ended March 31, 2007 as presented.*

#### **Approval to create Chief Public Information Officer Position**

Staff requested approval to hire a Chief Public Information Officer. A solid public information program is necessary for Henderson County Government. The employee in this position will be responsible for the County's overall public information program to keep the public, county employees, and the Board of Commissioners informed of county programs, issues, and accomplishments.

If the Board is so inclined, the following motion was suggested:

*I move that the Board of Commissioners establish the Chief Public Information Officer position and authorize staff to begin recruitment for the position immediately.*

#### **Water Line Extension – North Course Village**

The City of Hendersonville had requested County comments on proposed water line extension for North Course Village.

A City of Hendersonville Project Summary sheet, with backup documents and County review sheet with staff comments was included in the agenda for the Board's review and consent approval.

If the Board is so inclined, the following motion was suggested:

*I move that the Board approve the water line extension for North Course Village and direct staff to convey the County's comments to the City of Hendersonville.*

**Improvement Guarantee – Pinnacle Falls Renaissance (Water System)**

Mr. A.J. Ball, agent for the owner Pinnacle Falls, LLC, submitted a request for an improvement guarantee. The improvement guarantee would cover the installation of a public water system in the Pinnacle Falls Renaissance major subdivision. Pinnacle Falls Renaissance was originally approved by the Planning Board for community and individual wells. After initial testing of well sites it appeared that there was not enough water to supply the subdivision. Pinnacle Falls, LLC is currently working with the City of Hendersonville to extend public water to the site from the Kenmure subdivision.

The developer intends to post with the County an irrevocable letter of credit in the amount of at least \$704,075.00 to cover the cost of the improvements (\$563,260.00) as well as the required twenty-five percent (25%) contingency (\$140,815.00). The proposed completion date for the improvements is October 30, 2007.

A draft Performance Guarantee Agreement was provided for the Board's consideration. If the application is approved, the developers must submit an irrevocable letter of credit in accordance with the terms of the Agreement. Once the County receives a letter of credit in proper form, the relevant parties must execute the Agreement.

If the Board is so inclined, the following motion was suggested:

*I move that the Board of Commissioners find and conclude that the request for an improvement guarantee complies with the provisions of the Subdivision Ordinance and is approved.*

**Designation of plat review officers**

N.C. Gen. Stat. §47-30.2 requires that all persons appointed as plat review officers be so appointed by a resolution recorded in the Register of Deeds office. "Plat review officers" insure that all plats to be recorded comply with the plat requirements set out in the General Statutes.

On September 17, 1997 this Board first adopted a plat review officer resolution. This resolution also sets out certain other procedures that all plat review officers must follow. The Board has from time to time updated its appointments of plat review officers.

The Board needs to again consider updating the list of those persons appointed as plat review officers. The Planning Director and the Land Records Supervisor recommend that Alexis Baker and Dennis Foresman be added to the resolution, and correct Judy Gilmore to Judith Gilmore. A proposed resolution had been prepared and was provided for the Board's consideration in order to accomplish this update. This proposed resolution restates all other persons currently appointed as plat review officers.

If the Board is so inclined, the following motion was suggested:

*I move that the Board adopt the proposed resolution appointing a new list of plat review officers for Henderson County.*

### **Juvenile Justice and Delinquency Prevention Grants**

The Henderson County Juvenile Crime Prevention Council (J.C.P.C.) had approved funding for local juvenile crime prevention programs. These funds for Fiscal Year 2007-2008 in the amount of \$202,985.00 are available for this purpose through the State of North Carolina. Each program is required to provide a 30% match.

The programs approved by the J.C.P.C. are as follows:

1. J.C.P.C. Administrative Expenses	\$ 4,506.00
2. DJJDP/29 <sup>th</sup> Henderson County Emergency Temp Shelter	5,832.00
3. DJJDP/29 <sup>th</sup> Henderson County Psychological Services	8,470.00
4. Henderson County Public Schools/C-Stop Counselor	20,529.00
5. Project Challenge (Restitution)	66,589.00
6. Boys and Girls Club of Henderson County	22,000.00
7. Dispute Settlement Center	69,708.00
8. Horse Sense of the Carolinas	<u>5,351.00</u>
<b>TOTAL</b>	<b>\$202,985.00</b>

These grant applications had been recommended for approval to the Board of Commissioners by the J.C.P.C.

If the Board is so inclined, the following motion was suggested.

*I move the Board of Commissioners approve the J.C.P.C. recommendations for distribution of the FY 2008 Juvenile Crime Prevention Program funds.*

### **NOMINATIONS**

#### **Notification of Vacancies**

The Board was notified of the following vacancies which will appear for nominations on the next agenda:

- 1. EMS Quality Management Committee – 1 vac.**
- 2. Environmental Advisory Committee – 1 vac.**
- 3. Planning for Older Adults Block Grant Advisory Committee – 2 vac.**
- 4. Smartstart – 1 vac.**

#### **Nominations**

Chairman Moyer reminded the Board of the following vacancies and opened the floor to nominations.

- 1. Adequate Public Facilities Task Force Charter – 1 vac.**

Commissioner Young nominated Hall Waddell. *Chairman Moyer made the motion to accept the nominee by acclamation. All voted in favor and the motion carried.*

- 2. Blue Ribbon Committee on Illegal Immigration – 1 vac.**

Commissioner Williams nominated Mark Hunnicutt. Commissioner McGrady nominated Tom Sheppard. The Board was polled with the following results:

Chuck McGrady	Mark Williams	Bill Moyer	Charlie Messer	Larry Young
Passed – no vote	Mark Hunnicutt	Mark Hunnicutt	Mark Hunnicutt	Mark Hunnicutt

Mark Hunnicutt was appointed to position #1 with four votes.

- 3. Child Fatality Prevention Team – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**4. Hendersonville City Board of Adjustment – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**5. Juvenile Crime Prevention Council – 5 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**6. Nursing/Adult Care Home Community Advisory Committee – 4 vac.**

The Committee Chairperson Nuala Fay recommended the appointment of Joyce Mazzochi to position #19. *Chairman Moyer made the motion to accept the recommendation by acclamation. All voted in favor and the motion carried.*

**7. Senior Volunteer Services Advisory Council – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**8. Smartstart – 1 vac.**

Assistant County Manager Selena Coffey stated that Chris Coulson had been serving in the County Manager Designee position and due to circumstances was no longer able to serve. Ms. Coffey was previously on the Smartstart Board and she volunteered to serve again in this position. *Chairman Moyer nominated Selena Coffey for position #2. All voted in favor and the motion carried.*

**9. Solid Waste Advisory Council – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**DISCUSSION ITEMS**

**Branch Library Extension Policy**

On April 13, 1993, the Henderson County Library Board of Trustees approved the Branch Library Extension Policy. A subsequent addendum to the policy was also approved by the Board of Trustees on February 8, 2007. The Library Director and Library Board of Trustees had requested that the Board of Commissioners also review, and formally approve the Extension.

The Henderson County Public Library's Branch Library Extension Policy was reviewed as follows:

**BRANCH LIBRARY EXTENSION POLICY**

It is the policy of the Henderson County Library to provide library services to all residents of Henderson County.

The primary service point is the main library located in Hendersonville, North Carolina. This facility provides a full range of services and programs to all who wish to use them.

A secondary level of service may be provided in communities eight or more miles distance from the primary library. Such libraries will provide a basic collection of books, periodicals, and audio-visual materials. These libraries will also house a basic collection of reference materials and a basic level of programming, primarily for young children. It is anticipated that these libraries will be at least 3,000 to 5,000 square feet in size and house 10,000 to 20,000 volumes. Larger service population and demand may dictate large facilities and collections.

A third level of service may be provided to communities that are closer than eight miles to an established primary or secondary level library. These libraries will provide popular book services, periodicals and audiovisual materials. Such libraries are expected to house not less than 3,000 volumes and may be only a few hundred square feet in size.



The County of Henderson owns the primary service library and may own or enter into long term leases to acquire secondary level library facilities. The County will not own or lease third level libraries. These must be provided by the community in which they are located.

The Libraries will be staffed in relation to their levels of use. At present the library will provide one full time paid staff for a library circulating 16,500 items each year. A library circulating 30,000 items will qualify for a second paid staff member. Libraries circulating smaller numbers must be staffed by volunteers from the community. It is required that no library be open with less than two staff, paid or volunteer, in attendance.

Implementation of this policy and extension of new service outlets is subject to the approval of the Henderson County Board of Commissioners. The Board reserves the right to approve or disapprove such requests as they may impact county resources and service priorities.

## **ADDENDUM TO BRANCH LIBRARY EXTENSION POLICY**

### **THIRD SERVICE LEVEL LOCATIONS**

- 1) Should a third tier service library maintain an annual circulation level of 16,500 checkouts for two consecutive twelve months periods the Library Board may petition to recommend the provision of staffing by the Henderson County Board of Commissioners.

Approved by Board of Trustees on February 8, 2007

Library Director Bill Snyder stated that the purpose of the policy was to guide the Library Board and the Board of Commissioners on deciding where there is a need for additional library services beyond the facility currently available and the level of services and support available at those facilities. At this time Henderson County has three levels of service including the main library in Hendersonville located in the center of the County with 40,000 square feet and providing the bulk of all library services. The second level of service is identified by areas that are approximately eight miles from the main library in different directions that would provide the ability to reach 90% or more of Henderson County geographically and provide library services to these citizens with only a eight to ten minute drive. This has been established with services in Fletcher, Etowah, Edneyville and Green River/Tuxedo. Because of the growth of communities within Henderson County the Board had decided to look ahead and determine if a third level of service could be offered in geographic areas that may have the population to support a library but are in a reasonable driving distance to an existing facility. Mills River Library was established two years ago and has been doing quite well. The Libraries policy has been that the main library and the second levels of service would be the County's responsibility to provide facilities, staffing and maintenance. The third level of service, which was determined to be an inferior level of service by design (types of services offered), would have the responsibility of the sponsoring organization for volunteers. The Henderson County Library provides materials, furniture, equipment and some training and guidance to the volunteers. The Town of Mills River came to the Library Board in fall of 2006 and asked the Board to take another look at the policy to see if the Board may consider recommending a higher support from Henderson County. The Library Board looked at the policy and entertained the request with a positive recommendation to the Board of Commissioners for their consideration, if the local third level library could maintain a reasonable circulation level (annually 16,500 items or more) over a two year period. The Library Board at that time would possibly recommend to the Board of Commissioners that Henderson County provide a staff member to the Mills River library.

Mills River Mayor Roger Snyder commented that at the end of April of 2005 the third level library was opened and it had done extremely well. They have approximately twenty-two volunteers in which training and supplies were provided by the Hendersonville Library. It now needs to be taken to the next level. The Town of Mills River pays for the lease, power, gas and utilities. The Mills River Library has outgrown its space. They were asking for monetary assistance.

*Commissioner McGrady made the motion that the Board of Commissioners approve the Branch Library Extension as presented. All voted in favor and the motion carried.*

### **Wellness Program Contract**

Human Resources Director Jan Prichard stated that the HR Staff had provided a detailed presentation on the proposed Wellness Program at the April 18, 2007 Board Meeting. Staff, at that time, had requested the Board to consider the proposal and approve the program at this meeting in order for staff to implement the program by July 1, 2007. Staff had also provided projections of the impact of the wellness program on cost avoidance in the upcoming fiscal year.

### **Wellness Program Administrative and Start-up Costs and Analysis of Cost Avoidance**

#### **Wellness Program**

Health Risk Assessments (\$28.90 x 757 <sup>1</sup> )	\$ 21,877
One-time Administrative fee for start-up	2,800
Health Registry (\$1.85 x 757x12)	17,414
Educational Materials (\$1.02 x 560 <sup>2</sup> x 12)	6,855
On-going program administration fee (\$490 x 12)	5,880
Nurse Practitioner contract (\$45/hr x 20 x 49 wks)	53,900
Physician Supervision contract (\$10/hr x 20 x 49 wks)	9,800
Consumable supplies <sup>3</sup>	4,488
Initial and on-going lab testing	14,880
Minor equipment	3,900
HC Medical Office Assistant wages & benefits (\$13/hr x 20 hrs/wk)	22,481

**Projected total program costs FY 07-08** **\$164,575**

#### **Projected Cost Avoidance FY 07-08**

Wellness program impact	
Reduction in claims expense	\$380,438
Reduction in office visit expense	<u>65,596</u>
Projected total reduction in expenses	\$446,034
Less projected total program costs	<u>-164,575</u>

**Total cost avoidance through wellness FY 07-08** **\$281,459**

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<sup>1</sup>Projected for all benefit employees

<sup>2</sup>Projected that 74% of benefit eligible employees will require educational materials

<sup>3</sup>Projected at 61% of program participant population

#### **Cost Avoidance is achieved by:**

- The number of ER visits decline by 31%
- The number of Specialty Physician visits decline by 13.7%
- The number of Primary Care visits increase by 7.1%
- The average cost of physician visits decline by 9.4%
- The number of radiology and reference lab visits decline by 5.1%. The average cost of these visits will decline by 11.3%
- The number of outpatient procedures decline by 6.7%
- The number of acute care days decline by 4.7%

- The utilization of generic and O-T-C medications increases by 31%

There will be further reductions in the 2<sup>nd</sup> year, such as no administrative fee start up, potential for reduced costs for health risk assessments, the health registry, educational materials, and consumable supplies. Staff would be working toward furnishing the clinic with currently available furniture and supplies as much as possible to further reduce start-up costs this fiscal year.

Ms. Prichard informed the Board that she would be monitoring this program along with HR Staff, the Broker, Health Care Providers and Informed Health Management Company.

Commissioner Young requested that Ms. Prichard provide the Board of Commissioners with quarterly reports.

Commissioner Williams questioned the cost of the facility and utilities.

Ms. Prichard responded that no rent would have to be paid and that the plan was to use an existing facility that is currently County owned next to the Detention Center. It would require some modest cosmetic renovations to make it work. There are two large offices available and bathroom facilities.

There was discussion in regards to the cost to the program for this space.

Chairman Moyer requested that Ms. Prichard provide a quarterly estimate of the reduction in claims expense and reduction in office visit expenses.

Commissioner Williams asked what the impact would be on the county employee who uses these services.

Ms. Prichard responded that there were several positive changes. If the employee utilizes this service there would be no office co-pay and they would not be required to use sick leave accrual. This is an opportunity for those who do not have a primary care physician to have someone to go to and talk on a one-to-one basis about their specific health care. The plan incentive encourages the employees to use the program and therefore they receive a discount on premiums for employee health care, if they use the clinic. If they are not complying their premium will increase by 8%.

This is an annual contract that is intended to self-renew. Human Resources, prior to renewal, will be looking at the experience and determine if they want to renew. Informed Health had informed Ms. Prichard that they are willing to put a percentage of their program administrative fees at risk based on how well they perform. If Henderson County achieves their savings goal the entire administration fee is paid however, if we do not reach the goal there is a sliding scale based on how close we come. Our cost would then be less.

Commissioner Williams recommended that other providers be solicited 90 days prior to the anniversary date of renewal.

Chairman Moyer requested that a survey be provided to employees prior to renewal.

*Commissioner Young made the motion that the Board of Commissioners approve the proposed Wellness Program and direct staff to begin preparing for the program to be effective July 1, 2007 and that the Human Resources Department provide quarterly reports to the Board. All voted in favor and the motion carried.*

#### **PUBLIC HEARING – Rezoning Application #R-2007-01**

*Commissioner Messer made the motion to go into public hearing. All voted in favor and the motion carried.*

Senior Planner Autumn Radcliff stated that Rezoning Application #R-2007-01, which was submitted on February 14, 2007, requested that the County rezone approximately 4.87 acres of land (PIN 9652-73-0943),

located off Naples Road (SR 1534), from a T-15 (Medium-Density Residential with Manufactured Homes) zoning district to an I-2 (General Industrial) zoning district. The applicant and owner is Matthew W. Dyer.

The Henderson County Planning Board considered rezoning application #R-2007-01 at its regularly scheduled meeting on March 15, 2007. During that meeting, the Board voted 8 to 0 to send the Board of Commissioners a favorable recommendation to rezone the Subject Area from an existing T-15 zoning district to an I-2 zoning district. The property is approximately 4.87 acres.

The public notice was advertised in the Times-News on April 18, 2007 and April 25, 2007. A copy of the notification was included in the packet (attachment 4) for the Board's review. Notices were also sent to all adjacent property owners including the applicant on April 26, 2007. Signs were posted advertising the hearing on the subject area on April 26, 2007.

The Subject Area is currently zoned T-15 (Medium-Density Residential with Manufactured Homes), which was applied on May 9, 2005, as part of the US Highway 25 North Zoning Study. The Subject Area is surrounded by T-15 (Medium-Density Residential with Manufactured Homes) zoning including a portion of an I-2 (General Industrial) zoning district that touches the bottom portion of the Subject Area to the southwest. Land adjacent to the Subject Area to the north across Old Hendersonville Road was recently annexed into the Town of Fletcher and zoned a Fletcher M-1 (Manufacturing/Industrial) zoning district.

The Subject Area appears to be vacant according to the Henderson County tax records.

Surrounding area uses include agricultural and single-family residential uses to the south and west (including a manufactured home park and Brickton Baptist Church to the east of the Subject Area), and industrial uses to the north and east) including Owen Manufacturing (formerly Cranston Printing), Carolina Pipe Supply, Guaranteed Supply Company, Ryder and Stone Truck Parks).

The 2020 County Comprehensive Plan did recommend that the Subject Area be identified as an industrial area. The Industrial Study that the Planning Board recommended also showed this area as identified for industrial uses. The US 25 North Zoning Study did not recommend industrial on the Subject Area because the parcel did not currently have access to public water and sewer as surrounding recommended I-2 parcels. There is no proposed expansion for water and sewer to the site. Water and sewer is within close proximity to the area. It is currently, in the draft LDC, proposed to go to a residential zoning district. If it were to be rezoned to industrial it would also be reflected in the LDC map.

Staff supports the recommendations of the US Highway 25 North Zoning Study and Draft Industrial Study. Staff supports the recommendation that the Subject Area is in a prime industrial location and recognizes that although the Subject Area does not currently have access to public water and sewer, it is available nearby on surrounding industrial properties.

### **Public Input**

There was no public input.

Commissioner Williams suggested as the Board moves forward with the LDC they consider the others tracts, the small island in the middle of the area identified as an industrial area, as industrial also. There may be some nonconforming uses there though residential use at the moment but it clearly should be developed as an industrial area. It is in close proximity to the interstate, water and sewer.

*Commissioner McGrady made the motion that the Board approve rezoning application #R-2007-01 to rezone the Subject Area from a T-15 (Medium-Density Residential) zoning district to an I-2 (General Industrial) zoning district as recommended by the Planning Staff Report and Planning Board and in accordance with the recommendations of the County Comprehensive Plan. All voted in favor and the motion carried.*

*Commissioner McGrady made the motion to go out of public hearing. All voted in favor and the motion carried.*

**PUBLIC HEARING – Rezoning Application #R-2007-02**

*Commissioner Williams made the motion to go into public hearing. All voted in favor and the motion carried.*

Planner Matt Card stated that rezoning application #R-2007-02, which was submitted on February 14, 2007, requests that the County rezone approximately 0.37 acres of land, located off Upward Road, from T-15 (Medium-Density Residential with Manufactured Homes) zoning district to a C-4 (Highway Commercial) zoning district. The Subject Area consists of one parcel (parcel identification number 9578909195) owned by Mr. Chris Kiefer, Applicant.

The Henderson County Planning Board considered rezoning application #R-2007-02 at its regularly scheduled meeting on March 15, 2007. During that meeting, the Planning Board voted 8 to 0 to send the Board of Commissioners a favorable recommendation to rezone the Subject Area from an existing T-15 zoning district to a C-4 zoning district. The Planning Board also requested that the Board of Commissioners consider rezoning two adjacent parcels totaling approximately 1.39 acres of land from an R-20 zoning district to a C-4 zoning district. These parcels are located to the north of the Subject Area across Upward Road and are currently owned by Doris McCrain (parcel identification numbers 9578908356 and 9578907454).

The property owner for the other two parcels (Doris McCrain) was present. Ms. McCrain had submitted a letter to Mr. Card saying that she would like to remain in the R-20 zoning district. She was opposed to the county rezoning her property to commercial. Ms. McCrain's property is also contiguous with an R-20 residential zoning district.

In accordance with Section 200-76 of the Henderson County Zoning Ordinance and State Law, notices of the May 7, 2007, public hearing regarding rezoning application #R-2007-02 were published in the Hendersonville Times-News on April 18, 2007 and April 25, 2007. The Planning Department sent notices via first class mail to the owners of properties adjacent to the Subject Area on April 26, 2007 and the applicant on April 27, 2007 and posted signs advertising the hearing on the Subject Area on April 26, 2007.

Planning Staff recommends that the Board approve the application to rezone the Subject Area from a T-15 zoning district to a C-4 zoning district. Staff does not recommend that the Board rezone the two (2) additional parcels owned by Doris McCrain from an R-20 zoning district to a C-4 zoning district.

The Subject Area is located in the Urban Services Area. The Draft Land Development Code Zoning Map identifies the Subject Area as transitioning to the R1 (Residential One) zoning district. Properties to the east of the Subject Area, which are currently zoned C-4 (Highway Commercial) are identified as transitioning to an RC (Regional Commercial) zoning district. Properties to the west of the Subject Area, which are currently zoned C-4 (Highway Commercial) are identified as transitioning to a CC (Community Commercial) zoning district.

Chairman Moyer addressed the Board, stating that an application had been received from Mr. Kiefer. The Planning Board on their own asked for the two additional properties. Technically they did not have an application for the two adjoining properties.

County Attorney Russ Burrell stated that the Board can start their own motion to rezone and send it to the Planning Board. He doesn't feel that the Planning Board has their own authority to start a motion for rezoning at their level. The Board would have to refer it back to the Planning Board.

Chairman Moyer affirmed that the two things the Board could do would be to act on the current application and if they were interested in doing the other (which the staff did not recommend) they could send it back to the Planning Board. The Board of Commissioners did not wish to send it back to the Planning Board.

**Public Input**

There was no public input.

Chairman Moyer explained to Ms. McCrain that what the Board had determined was that the application referred to the one parcel only for the owner Chris Kiefer.

*Commissioner McGrady made the motion that the Board approve rezoning application #R-2007-02 to rezone the Subject Area from T-15 (Medium-Density Residential) zoning district to a C-4 (Highway Commercial) zoning district. All voted in favor and the motion carried.*

Commissioner McGrady did not agree with the recommendation of the Planning Board with respect to the rezoning of the additional two parcels owned by Ms. McCrain. At the time the Planning Board did not know the desires of the property owner. This tract could be zoned either way given its boundaries. If the property owner has a preference for the current zoning the Board should leave the parcel zoned as is.

*Commissioner McGrady made the motion to decline the opportunity to start a rezoning process with respect to the McCrain tracts. Commissioner McGrady made the motion that the Board advise the Planning Board not to undertake a study of rezoning of the McCrain tracts. All voted in favor and the motion carried.*

*Commissioner McGrady made the motion to go out of public hearing. All voted in favor and the motion carried.*

**RECESS**

Chairman Moyer called a 5 minute recess, to change videotapes.

**Storm Water Management Program**

This item was rolled to the next meeting.

**CONTINUATION OF DISCUSSION ITEMS****Budget Amendment**

Finance Director Carey McLelland reported that the schools recurring capital budget for the current fiscal year is \$2,839,000. Included in this number is a total of \$525,000 in one-time capital funds to purchase furniture and equipment for the new Sugarloaf Road Elementary School. This school project will not be completed until next fiscal year 2008. Staff was requesting for the Board's consideration a budget amendment to move the \$525,000 from the General Fund to the Schools Capital Project Fund to be available in the next fiscal year when the project is completed and the need to purchase the furniture and equipment becomes necessary.

*Commissioner Williams made the motion that the Board approve the proposed budget amendment moving \$525,000 appropriated in the General Fund to the Schools Capital Project Fund to purchase furniture and equipment for the new Sugarloaf Elementary School in FY 2008. All voted in favor and the motion carried.*

**County Manager's FY 2008 Budget Presentation**

County Manager Steve Wyatt stated that the Board had received, in compliance with North Carolina General Statutes, a proposed budget for FY 2007-08. The fiscal year begins July1, 2007. This budget proposal was developed upon the priorities that the Board discussed during the drafting of the 2007-2011 Henderson County Strategic Plan and Draft 2008-2019 Capital Plan. At this point they are both draft plans yet to be adopted by the Board of Commissioners. They are subject to a companion discussion and revision during the budget process. This budget challenges the funding agencies to the best use of limited financial resources

and balances the need for public services with the taxpayers willingness to pay. The County is growing and this growth adds revenue but it also adds to the cost of county government services. This cannot be seen anywhere in a more bricks and mortar term than in the building construction requests from the county school system. This proposal implements the Board's plan for a cost effective solution to Mills River, Hillandale and Dana Elementary Schools which are long standing goals of the school system and the Board of Commissioners. Construction cost is estimated at \$29.2 million. The debt service on this for the next fiscal year is \$2.148 million. The general fund budget is recommended to be \$112,489,760. Mr. Wyatt asked the Board to keep in mind that the locally funded share of this budget is \$93,736,504. The tax rate recommended is 46.2 cents which is the statutory revenue neutral tax rate. When you look at revenues, the sales tax revenue is projected by the finance office to increase at 6.11%. There is a concern about the results of the April freeze on the crops and related industry sales. It will be difficult to quantify this.

All county budgets including this one are heavily influenced despite the best efforts of the Board of Commissioners, its management and employees. We are subject to adverse actions by the state and federal government. These mandates are a fact of life and they absorb local generated revenues and right now we have no alternative to the property tax. At the top of the list of mandates is the Medicaid match. We have no choice at this time other than to fund the full share. Medicaid will absorb 10.33% of the proposed 2007-08 tax levy. The General Assembly continues to talk about Medicaid reform but as the budget message says "talk does not pay the bill". Until this talk becomes action the property tax rate of 4.88 must be levied for this program. The County is looking at an increase of 2.1 million dollars in this mandate over the last four years. The property tax base has grown on average of 3.71%. Assistant Manager Coffey had outlined the revenue neutral tax calculation and again statutory requirement is outlined in the budget message.

Should the Board adopt this rate in the ordinance it will achieve the goal of limiting the growth of County Government to the normal tax base growth. The rate will also reduce motor vehicle tax bills because it is such a reduction in the tax rate. It is estimated that motor vehicles tax bills will be reduced by about 18%.

Sales tax revenue again at about 6.1% growth should be just short of \$23 million with \$22.9 million as the projection.

The on-going commitments of the school projects will increase the level of debt service by \$2.148 million.

When looking at the trend analysis, the increase of County Government operational costs have gone from 4.17% to 13.27% to 18.61% to 3.21% in the last five years. These are annual percentage increases for operational costs of County Government. The estimate for this year based on the budget contains those cost at 3.5%. Further evidence of the departments and the County Governments commitment to cost containment; positions are being eliminated in Information Technology, Planning Department and Parks and Recreation in an effort to keep costs down.

The draft four-year strategic and twelve-year capital planning models are visionary. The Board of Commissioner leadership was commended. Mr. Wyatt felt that Henderson County Board of Commissioners set the standard in Western North Carolina if not state wide. It will be up to the management, employees, and the Board of Commissioners to review these plans to make sure that the ship is heading in the right direction.

The enrollment projections provided by the school system indicated a 1.68% growth in enrollment for year 2007-08. These growth projections are included as part of the budget. The County continues to invest heavily in debt service. This debt service for schools is about \$58,500,000 and will be heading up to an excess of \$83,000,000. There were several pages based on the Board of Commissioners comments about obligations to the local school system. There is a comparison of the thirteen school systems that have an enrollment of between 10,000 and 15,000. When looking at total county appropriation, Henderson County ranks second in total appropriation, current expense, debt, and capital outlay. Mr. Wyatt asked the Board of Commissioners to work with the Board of Education to develop a school funding formula for consideration

by the end of the calendar year. The funding proposal for the school system is \$18,002,573 for operations which is the single largest element of operational funding in the budget. On-going capital outlay is \$2,098,675,000.

Blue Ridge Community College requested \$7.8 million includes capital facilities in the amount of over \$4,000,000,000. Staff's recommendation, including debt service, totals \$3.73 million which breaks down to \$1.984 million for operations and \$1.7 million for debt.

The County is researching a new pay system along with a new benefits proposal that will attempt to slow down the staggering increase in health benefit costs. Staff's commitment is to continue to find better ways to do this. It will be up to the employees who use this plan to determine the fate of the plan.

The CIP is a comprehensive document. Capital improvement funding is funded at \$15.7 million. Outlined in the budget is a breakdown of this. One of the substantial goals of the Commissioners informally is the establishment of a capital reserve fund. Staff is recommending \$1.4 million in the capital reserve fund. This is money to be set aside for future projects at the discretion of the Board. This is a one time transfer primarily from fund balance. It is not generated by dedicated revenue stream. This would be a perfect place for a land transfer fee to move right into the capital project but this is not an option. During the LDC the Board was chastised for not having a land transfer fee or impact fees. The Board of Commissioners does not have the authority. The General Assembly would have to act to make that available to us.

The Strategic Plan in regards to soccer fields includes an objective to develop a county wide master plan for parks and facilities. There is implementation on the environmental front for the Soil Erosion and Sedimentation Program and Storm Water Management Control. Economic Development faces specific challenges; growth generates both cost and revenue. There has been discussion of a cost of community services study.

Steve Wyatt stated that it is our charge to effectively promote, protect and preserve the health, safety and welfare of 100,000 Henderson County citizens. To be successful we must concentrate our efforts and our limited resources in ways that make a difference in peoples lives.

## **STAFF REPORTS**

### **County Attorney's Report**

There was nothing further to report at this time.

### **County Manager's Report**

There was nothing further to report at this time.

## **IMPORTANT DATES**

### **Schedule Strategic Plan/CIP Budget Meeting Workshop**

*Commissioner McGrady made the motion to set a workshop on the draft Strategic Plan/CIP, followed by the draft Budget including the Sheriff's Department for Tuesday, May 15, at 6:00 PM in the Commissioners' Conference Room. All voted in favor and the motion carried.*

*Commissioner McGrady made the motion to set a workshop on the draft Budget to include Schools and Blue Ridge Community College for Monday, May 21, at 5:30 PM in the Commissioners' Conference Room. All voted in favor and the motion carried.*

### **Schedule Public Hearing on the FY 2008 Budget**

*Commissioner McGrady made the motion to set a public hearing on the FY 2007-2008 Budget for Thursday, May 24, at 7:00 PM in the Commissioners' Conference Room. All voted in favor and the motion carried.*

### **Set Public Hearing on New Road Names**



*Chairman Moyer made the motion to set a public hearing on new road names for June 4, at 7:00 PM in the Commissioners' Conference Room. All voted in favor and the motion carried.*

**Set Public Hearing on Vested Rights Application (VR-2007-04) for Matthew Cooke and William Beckford Mini-Storage Buildings**

*Commissioner McGrady made the motion to set a public hearing on Vested Rights Application (VR-2007-04) for Matthew Cooke and William Beckford Mini-Storage Buildings for Thursday, June 7, at 7:00 PM in the Commissioners' Conference Room. All voted in favor and the motion carried.*

**CANE CREEK WATER & SEWER DISTRICT – no business**

**CLOSED SESSION** - The closed session was deferred to the next meeting.

**ADJOURN**

*Commissioner Williams made the motion to adjourn. All voted in favor and the motion carried.*

Attest:

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Terry Wilson, Deputy Clerk to the Board

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William L. Moyer, Chairman