

MINUTES**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON****BOARD OF COMMISSIONERS
MAY 5, 1997**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.m. in the Commissioners' Conference Room of the Henderson County Office Building.

Those present were: Chairman Bob Eklund, Vice-Chairman Grady Hawkins, Commissioner Renee Kumor, Commissioner Don Ward, County Manager David E. Nicholson, Assistant County Manager/Staff Attorney Angela M. Skerrett, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn.

Also present were: Planning Director Matt Matteson, Planner Stacy Merten, Planner Karen Collins, and Assistant Staff Attorney Jennifer O. Jackson.

Absent was Commissioner Vollie G. Good.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

A Commissioner led the pledge to the American Flag.

INVOCATION

William Vanderbloemen, Minister of First Presbyterian Church, gave the invocation.

Chairman Eklund recognized members of Boy Scout Troop # , who were in the audience.

He also recognized the newest member of our staff, Assistant Staff Attorney Jennifer O'Cain Jackson and welcomed her to county government.

DISCUSSION/ADJUSTMENT OF AGENDA

David Nicholson added one item under CONSENT AGENDA as "I" - EMS Week Proclamation.

David Nicholson added as "B-2" - Award of bid for Library Equipment.

He added the need for Closed Session and passed around the statute required for making the motion to go into Closed Session.

David Nicholson informed those present that he had spoken with Commissioner Good this evening. Mr. Good wanted everyone to know that he is home and well and the Doctors expect a full recovery. He will be out of work for about six weeks. He appreciates the cards and the prayers.

Commissioner Ward added one item under "E-2" - a survey he would like the Board of Commissioners to consider.

CONSENT AGENDA

Commissioner Kumor made the motion to approve the consent agenda as presented. All voted in favor and the motion carried. CONSENT AGENDA included the following:

Review/Approval of Minutes

Minutes were presented for review and approval of the March 19, 1997 and the April 16, 1997 meetings.

Relay for Life Day Resolution

The Henderson County Unit of the American Cancer Society requested the Commissioners proclaim May 9 and May 10 as RELAY FOR LIFE DAYS IN HENDERSON COUNTY by Resolution.

Henderson County Financial Report

The financial report was submitted for review by the Board for March 1997.

Henderson County Public Schools Financial Report

The financial report was submitted for review by the Board for March 1997.

Tax Releases (60)

A list of 60 tax releases was submitted for approval by the Henderson County Board of Commissioners.

Set Public Hearing on Special Use Permit Application

#SP-46-96 by Margaret R. Pardee Memorial Hospital

Margaret R. Pardee has submitted an application for a Special Use Permit, #SP-46-96, to develop a 130-bed nursing care facility and a 12-bed in-patient hospice facility on 10.5 acres of land located at College Drive and South Allen Road, adjacent to the Blue Ridge Community College campus. The project site is located in an Office and Institutional (O&I) zoning district which allows extended care facilities such as those proposed by Pardee subject to the Board of Commissioners approving a Special Use Permit for the project.

The Board of Commissioners referred the application to the Henderson County Planning Board on January 6, 1997, for review and a recommendation. On April 29, 1997, the Planning Board voted unanimously to forward to the Board of Commissioners a favorable recommendation on the application subject to some comments and suggested conditions.

The Board of Commissioners must hold a public hearing, under the quasi-judicial procedure, prior to taking action on the application. In order to meet the public notification requirements, the earliest regular meeting at which the public hearing could be held is on **June 2, 1997, at 7:00 p.m.**

Reset Public Hearing to Consider Amendment to Appleland Business Park Restrictions

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At the last Board of Commissioners meeting, the Board authorized staff to proceed with an amendment to Appleland Business Park Restrictions which would allow signs located in the Commercial Areas, Lots 1, 2, 3, & 4, to be higher than 35 feet. In order to proceed with the amendment, however, a public hearing must be set for **Wednesday, May 21, 1997, at 9:00 a.m.** to consider the amendment. The Rules of Procedure for the Board of Commissioners require a public hearing be set by motion of the Board.

Staff therefore requests that a public hearing be set for May 21, 1997 to consider an amendment to Appleland Business Park Restrictions to allow signs located within the Commercial Areas to be higher than 35 feet.

Notification of Vacancies

The Board was notified of the following vacancies which will appear under "Nominations" on the next agenda:

1. Henderson County Board of Health - 3 vac.
2. Jury Commission - 1 vac.
3. Mountain Area Workforce Development Board - 3 vac.
4. Retired and Senior Volunteer Program Advisory Council (RSVP)- 1 vac.
5. Henderson County Child Fatality Prevention Team - 1 vac.

INFORMAL PUBLIC COMMENTS

L. Dr. Sheldon Morne - Dr. Morne, a local podiatrist, spoke as a non-Christian that he took offense at the prayer to open the meeting. He requested a non-denominational, non-sectarian prayer from this point on. He stated that this county has within it Hebrews and Moslems and not all believe in that individual who was named in the prayer. He stated that if the county continues to have a sectarian prayer, he will notify the Civil Liberties Union to have it stopped.

Dr. Morne also stated that he had heard the rumor that the county was going to sell the county hospital. He had called each of the Commissioners and each one denied that anything like that was being considered or had been considered. He talked about plausible denial. He was quite disturbed to think that officials would sell our county hospital or "rob Peter to pay Paul".

PUBLIC HEARING - Request to Amend the Official Zoning Map - Application #R-01-97 Proposed Rezoning of Portion of Jamison Property on Haywood Road from R-30 to R-20

Commissioner Kumor made the motion for the Board to go into Public Hearing. All voted in favor and the motion carried.

Karen Collins informed the Board that Roy L. Jamison has requested that the County rezone a 9.9 acre portion of a 37 acre parcel of property located on Haywood Road (NC Hwy 191) from an R-30 (low density residential) district to an R-20 (low density residential) district. He is requesting that all of this property be in one zoning district rather than split.

On March 25, 1997, the Henderson County Planning Board voted to send the Board of Commissioners a favorable recommendation on Mr. Jamison's application.

In accordance with Section 1204 of the Henderson County Zoning Ordinance and State law, notices of this public hearing were published in the April 18 and April 25, 1997 editions of the Times-News. On April 17, 1997, the Planning Department mailed notices of the hearing to the applicant and to the owners of property adjacent to and near the area proposed for rezoning. A notice was also posted on the Jamison property on April 24, 1997.

Public Input - There was none.

Commissioner Hawkins made the motion to go out of Public Hearing. All voted in favor and the motion carried.

Commissioner Kumor made the motion to approve the request to amend the official zoning map. All voted in favor and the motion carried.

PUBLIC HEARING - On Proposed Amendment to the Carriage Park Research Master Plan (Special Use Permit #SP-93-13)

Commissioner Ward made the motion for the Board to go into Public Hearing. All voted in favor and the motion carried.

Chairman Eklund reminded those in attendance that this proceeding will be conducted as a Quasi-Judicial proceeding. The hearing is held as required by Section 700 of the Henderson County Zoning Ordinance pursuant to the application of Carriage Park Development Corporation for an amendment to Special Use Permit #SP-93-13, to allow the parcel boundary between development parcels #23 and #24 to be redrawn. Issues that are not related to development parcels #23 and #24 will not be considered at this hearing. This will be a public hearing in that the public at large is allowed to be present; however, members of the public will not be allowed to speak.

A Quasi-Judicial Hearing is a hearing in which ones individual rights are being determined under the provisions of a particular ordinance. All who participate will be sworn in before speaking and all who speak will be subject to questioning by the other participants. The Board may ask questions of any participant at any time. The only persons allowed to participate are those who may be affected by the outcome of the decision. In this case that will be the Henderson County Planning Department, Carriage Park Development Corporation, and anyone who can demonstrate that they will be affected by the outcome of the hearing, Mr. Dale Hamlin, General Manager of Carriage Park and Mr. Luther Smith, who will act on behalf of Carriage Park Development Corporation as the petitioner. All other parties to the proceeding will be considered opponents.

Other participants to the proceeding

Mrs. Virginia Burke, a home owner and resident in Carriage Park since February 1989, stated that the value of that property and the value of the view and the change in the environment will affect them. Mrs. Burke became a party to the proceedings.

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Swearing In

Dale Hamlin, petitioner; Luther Smith, petitioner; Matt Matteson, Henderson County Planning Director; Virginia Burke, home owner and resident in Carriage Park, all were sworn in as participants to the proceeding by Clerk to the Board.

Mr. Luther Smith presented the request for amendment to the general development parcel boundary between parcels #23 and #24 as shown on the Research Master Plan. He talked about topographical areas on the property and explained that that is what was used to define development areas.

Mr. Smith stated that in September of 1996, section #24 was presented to the Henderson County Planning Board for technical review. Since this Board approved the general development plan, one of the conditions was to come back with the detail of each section as they are ready to build out that section. The submitted plan was approved by the Planning Board as meeting all the technical requirements of the Ordinance. It contains 44 lots, 43 of which are residential. One lot has the water tank on it. In March of 1997 they went to the Planning Board with section #23. It was approved at that meeting by the Planning Board as having met all technical requirements. Mr. Smith showed (on map) the shift in boundary line that they requested. Because of a ridge line running through the property, it seems to work better in one section ("small community") than the other.

Such a boundary line change is deemed a substantive change requiring approval of the Board of Commissioners. The applicant requested such approval. No changes to the approved number of units in the Planned Unit Development or to any other standards were requested.

Commissioner Hawkins asked if Mr. Smith had computations on how the preliminary plans will apply to the open space. Mr. Smith did not. Commissioner Hawkins asked who was notified of the pending change, is there a list of letters sent for persons affected? Mr. Smith did not. Mr. Smith stated it was his understanding that all adjacent property owners to Carriage Park were notified with regards to this change. Mr. Smith stated that they submitted a list with their application.

Virginia Burke asked the width of the existing buffer. Mr. Smith stated that the existing buffer is 25 feet. The proposed buffer will also be 25 feet. Commissioner Hawkins asked Virginia Burke where she lived in relation to section #23 or section #24. Mrs. Burke stated that she lives on Jenny Lind Drive and showed it on a map. Now she can see the ugly exposed water tower from her home.

County Planning Director Matt Matteson answered a question regarding the ridge law. 3,000 feet was an option that Henderson County chose not to adopt when they adopted their ridge law. Mr. Matteson stated that if you can define the difference between a ridge top and a valley by 500 feet or more, that can be an eligible ridge. If you go down from the defined ridge 100 feet, everything in that area is subject to the ridge law which means that you cannot build anything except antennae, utility structures, etc. You cannot build any kind of dwelling, business, or hotel that exceeds 40 feet. Our zoning restricts the development to 35 feet so the ridge law would not be in effect in this instance. The ridge law would be preceded by the zoning. He stated that it is a designated ridge.

Mr. Matteson testified that the Planning Board has reviewed section #23 and section #24 and given each one a favorable approval. Their approval was subject to conditions which are not untypical.

The conditions for section #23 had to do with approval of water and sewer plans. For section #24 again the conditions had to do with water and sewer plans and erosion and sedimentation control, also that one of the lots not extend into the buffer zone. The developer had to agree to redesign the plat so that at any point in time all those conditions would be satisfied.

Mr. Matteson stated that Planning staff sent 62 notices to adjoining property owners. They also sent notice to the President of the Home Owners Association of Carriage Park.

Angela Skerrett requested Mr. Matteson to read into the record what the conditions were.

For Section #23:

The applicant should provide evidence the water plan serving the project had been approved by the Hendersonville Water & Sewer Department.

The applicant should provide evidence the sewer plan serving the project had been approved by the Hendersonville Water & Sewer Department.

Carriage Park Development Corporation will be available to meet with any property owner that is within 100 feet of the property boundary to review the erosion and sedimentation control plan and how it will affect the property.

For Section #24:

The same item regarding water plan approval and sewer plan approval and erosion and sedimentation control permit would have to be kept up to date for the entire project and lot #41 will be reduced in size so the rear lot line would not extend into the identified undisturbed buffer zone.

Sections #23 and #24, as proposed meet the terms of the zoning ordinance, section 700 regarding planned unit developments and the conditions of the special use permit #93-13.

Virginia Burke - Ms. Burke is a homeowner and resident of Carriage Park since February of 1989. On September 24, the Planning Board approved section #24 with 44 lots, 43 residential and 1 utility lot. There were no lots shown on the map for section #24 on the land now being requested to be moved into section #23. There was also no road which is shown now on section #2 as Carriage West Drive cul de sac. On February 25, 1997, the Planning Board approved 25 lots in section #23. On March 19, 1997, Carriage Park Development Corporation applied for the change in boundary by a letter to the Chairman of the County Commissioners. In effect, moving that boundary line, the land in between the existing and the proposed buffers will be moved into section #23 and six lots will be placed on it as well as the cul de sac road. On March 25, 1997, the Planning Board again approved the 25 lots in section #23 but the order giving the approval has not yet been signed. Although there may be the same number of lots overall, it does change the number of lots in this area, this section, on this piece of land. It adds six lots. At the Feb. 25 and March 25 Planning Board meetings, it was not disclosed by the developer that six of the twenty-five lots were on land that was actually in section #24. Ms. Burke requested the County Commissioners deny moving the boundary because,

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in effect it will move that area into section #23 and six lots will be developed on it and take away some of the green space there and add to the erosion problem since it is on a ridge.

Commissioner Kumor asked Ms. Skerrett a question and Ms. Skerrett's answer was: With regard to extra area in section #24 - no open space has been designated on record yet for section #23 or section #24 because they have not been recorded. The conditional use permit does not require the open space be recorded until the plat is recorded. There is land that they could have developed in section #24. In her opinion, as long as they record the open space somewhere else to offset developing this area, it would be within the boundaries of SP-93-13 to allow development in this area.

Matt Matteson was called back to verify some statements that Virginia Burke made regarding the Planning Board. Mr. Matteson stated that the Planning Board reviewed each development plan on its own and made their comments and each one was fine standing on its own. Together they were not what the conditions require to be general conformance with this. Mr. Matteson felt that it was a line issue, not a planning issue but an administrative issue.

Closing Remarks

1. Luther Smith - Mr. Smith spoke of the density issue and compared some sections of the development. In this section of development, section #23 and #24 the density is relatively the same as some other sections.

2. Dale Hamlin - Mr. Hamlin had no comments other than thanking the Board for their time.

3. Virginia Burke - Ms. Burke quoted some comments from Planning Board meeting minutes:

February 25, 1997 "Chairman Carpenter quoted from the executed order for section #24 as follows "the petitioner stated and the Planning Board found as a fact that the final plat will encompass all of the area of development parcel #24 as shown on the master plan. The final plat will dedicate this open space but not convey the remaining portion of development parcel #24 and there will be no further development in the open space. Mr. Patterson asked Luther Smith if there is any portion of this plat within section #24 as shown on the original master plan that was not to be developed. Mr. Smith said development parcels that are generally identified in the master plan have been followed. The plan shows the parcels that are numbered and is basically going from section #3 all the way around and comprise sections #23 and #24. All the land is section #23. Mr. Patterson said that according to what Chairman Carpenter quoted on the order 'Part of parcel #24 has now been developed into part of section #23". Mr. Smith stated that to the best of his knowledge this has not happened." Ms. Burke stated that there are similar statements in the March 25 minutes.

Ms. Burke said granting permission to move the boundary line will affect her and her family adversely.

Commissioner Ward stated that before doing the FINDINGS OF FACT he would like to visit the site.

Commissioner Ward made the motion to close the Public Hearing. All voted in favor and the motion carried.

Chairman Eklund asked staff to draft a proposed FINDING OF FACTS and schedule a site visit. Staff did not feel that they had enough information to draft the FINDINGS OF FACT, as they didn't have a clear feeling from the Board of Commissioners.

The Commissioners also wanted to see a completed plat map of the request for the change to show where the set-aside or open space would affect it.

The following FINDINGS OF FACT were discussed:

1. No changes in the overall density of the whole plot.
2. No changes in amount of open space required overall.
3. Water plans, sewer plans, sedimentation and erosion control plans.
4. In section #24 a lot was removed from the buffer zone.
5. If the boundary is redrawn, it will still meet the permit approval.

Staff suggested the Board continue the hearing to the site visit which will be a special called meeting. This date will be set under Important Dates on this agenda.

Chairman Eklund called a 10 minute recess.

ANNUAL REPORT OF ADULT CARE HOMES AND NURSING HOME COMMUNITY ADVISORY COMMITTEES

Walter Johnson, Chairman of the Nursing/Adult Care Home Community Advisory Committee, reviewed the annual report with the Commissioners. He expressed some concerns of shortage of staff in the adult care homes and nursing homes in Henderson County. There is as much as 124% turnover of employees during the year, not only in the CNA level but also in administrators and director of nurses.

It was the consensus of the Board for the Chairman to draft a letter from the Board of Commissioners expressing their concerns. The Board of Commissioners congratulated the Committee for working so hard for our community.

PROPOSED FISCAL YEAR 1997-1998 BUDGET

David Nicholson presented his recommended Fiscal Year 1997-1998 Budget. He requested the Board set a Public Hearing and also set a series of budget workshops.

Mr. Nicholson highlighted some issues in the budget message. He recommended an increase in inspection fees and ambulance fees. He recommended a six cent tax increase in his recommended balanced budget. One of his major goals is to increase fund balance in this fiscal year.

Mr. Nicholson discussed growth in Henderson County. He discussed a program named "Direction Henderson County". It will be a major project staff will be undertaking this year as part of county

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government. Staff will take an internal look at all the services that are provided by Henderson County in every department and make a determination of how it is being provided and whether that is the best way to provide those services. Some new services will likely be added in the future as well as some services eliminated as part of the process.

Mr. Nicholson reviewed with the Board a couple of things that the Board has accomplished in the past year:

- 1- implementation of the capital improvements program (CIP)
- 2- enhancement of our economic base, working with both current and new industries in our community

Mr. Nicholson reviewed some of the major expenses in this budget:

- 1- E-911 capital expenses
- 2- E-911 on-going expenses
- 3- Renovation of the Historic Courthouse
- 4- Justice Academy sewer & water project
- 5- Etowah Park, complete
- 6- East Flat Rock park, complete
- 7- Jackson Park development

Mr. Nicholson thanked Finance Director Carey McLelland and Budget Analyst Selena Coffey for their roles in the budget this year. Their roles had increased greatly.

It was the consensus of the Board to set the necessary meetings during Important Dates on this agenda.

Budget notebooks were handed out to each Commissioner. Mr. Nicholson reviewed briefly the layout of the budgets.

The Commissioners requested a budget binder and Mr. Nicholson stated they will be provided.

SURPLUS COUNTY VEHICLES

Carey McLelland presented a list of vehicles that staff requested be declared surplus. These are vehicles that are no longer utilized by Henderson County.

We have received a request from Blue Ridge Community College for four of these vehicles to be used in their Basic Law Enforcement Training program (BLET). Les Capps has indicated that vehicles SH-083, SH-084, SH-085 and SH-092 would be suitable for use in this course.

The remaining vehicles would be sold at an auction scheduled for Saturday, May 31, 1997 at 10:00 a.m. at the County Garage located at 320 Williams Street, Hendersonville, NC and at the County Landfill located at 802 Stoney Mountain Road, Hendersonville, NC. Transfer of the title will take place when the auction is complete and the successful bidder pays for the vehicle(s). Finance Department staff will be present to collect all payments. The auction will be advertised at least ten days before the sale.

Commissioner Kumor made the motion to declare the list of vehicles presented as surplus vehicles and to transfer four of the vehicles to Blue Ridge Community College as requested and to authorize staff to sell the remaining surplus vehicles at public auction. All voted in favor and the motion carried.

AWARD OF CONTRACT FOR BRANCH LIBRARY COMMUNICATIONS

Bill Snyder, Library Director, reminded the Board that the Board of Commissioners approved the bidding of the Branch Library Communications project without bid and performance bonds on April 7, 1997. Bids were advertised as required and opened at 2:00 p.m. on April 30, 1997. The low bid was received from Inacom Information Systems, local office in Greenville, S.C. This bid was within the grant amount.

The Library staff requested that the Board of Commissioners award the contract to Inacom.

Commissioner Hawkins made the motion to award the contract to Inacom Information Systems. All voted in favor and the motion carried.

AUTHORIZATION TO PUT TRANSFER STATION OUT TO BID

Staff has been working with Camp, Dresser, & McKee to plan for the construction of a transfer station at the Stoney Mountain Road Landfill. Staff presented a proposed schedule of construction and requested authorization to proceed with putting out to bid. Gary Tweed, County Engineer, presented this item and answered questions.

Gary Tweed proposed to go to advertising on May 25, 1997, open bids on June 13, and award contracts around July 1, 1997. There is a five month construction window. This would give us a month to get things up and running or make any adjustments.

David Nicholson passed around a memo and reminded the Board that January 1998 is the close-out date for the landfill. Staff is currently asking for permission to start working on the transfer station. Hopefully by June bids will be in for award of contract. Mr. Nicholson talked about the possibility of a separate exit with another set of scales for better traffic flow. Staff needs to start to develop the disposal site bid and the contract for that. Some initial discussions have been held with both county governments and private firms who operate landfills. Staff will continue those discussions. Hauling was briefly discussed but will need to be determined after a disposal site is located.

There will have to be some reorganization of staff at the landfill as we look at going toward closure. Henderson County will have some continuous staff at the site for a long time. We must monitor the site for 40-50 years. Staff will also be needed to operate the transfer station, the recycling program, the tub-grinder, the demolition landfill, etc.

Commissioner Kumor made the motion to authorize staff to proceed to going out to bid. All voted in favor and the motion carried.

UPDATE ON PENDING ISSUES

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1. Pardee Hospital Authority

First of all David Nicholson wanted to clear up a rumor about Pardee Hospital. The rumor is that the county was going to sell the hospital to an HMO. Mr. Nicholson had also heard the name of the HMO, the dollar amount, and also what the county was going to do with the money. Henderson County Board of Commissioners has never shown any interest in selling the Hospital to a private firm.

There was review of the Board of Commissioners' direction to staff concerning the Authority issue (from September 18 work session) regarding powers and limitations of an authority. Ms. Skerrett reminded the Board that the last direction staff was left with was to get with the Attorney that has been retained on this issue, ask that a lease be drawn and articles of incorporation be drafted consistent with the limitations and powers that the Board wanted the hospital to have even if it is formed as a big authority:

CAP ON DEBT?

Debt requires County Consult
Personal Property
Real Property - County Approval
Types of Debt

OWNERSHIP

Little A - County
Big A - Authority - Purchase or Give

JOINT VENTURE

Limitation - Risk Analysis

FORM & DEAL WITH NON-PROFITS

Limit Types
Limit Relationships
Build in Accountability

LEASING - From and To**PARTNERSHIPS - Only Controlled under "Little A"****BUILD-IN REPORTING REQUIREMENTS****PROVIDE INDIGENT CARE****PERIODIC REVIEW OF "LEASE"****TERM LIMITS FOR BOARD MEMBERS****DEVELOP BY-LAWS**

BUILD IN PUBLIC INPUT COMPONENT

NAME HENDERSON COUNTY AS INSURER ON ALL POLICIES

POWER OF REMOVAL - SERVE AT PLEASURE OF BOARD OF COMMISSIONERS

FISCAL YEAR ALIGNMENT

SUNSET

BOARD SALARIES/EXPENSES

SERVICES the Board would like to see the Hospital provide:

EMS

Public Health

School Nurses

County HMO

Medical Career Training

Mental Health Services

Ms. Skerrett also reviewed GOALS the Board had set out at the Sept. work session:

1. Do no harm to health care delivery.
2. Hospital to be competitive
3. Work with other health care providers in county
4. Board appointments by entire Board of Commissioners, not the Chairman
5. Physical Plant Ownership?
 - Big A
 - Little A
 - Prefer county retain ownership
 - (Board of Trustees - wonder if Little A creates Impediment to negotiations)
6. Size of Hospital Board
7. No power of eminent domain
8. Financial - Debt (impact on county debt)
 - Management - deficit responsibility
 - Hospital issuing debt

- 9. Retain limits of control
- 10. Joint venture
- 11. Ability to issue debt, revenue bonds

Following this review, county staff will meet with hospital staff and counsel and begin to negotiate and draft the necessary documents. It is hoped that there can be a joint meeting of both boards in July and by the end of September the Commissioners should be prepared to either approve or deny the formation of a Hospital Authority.

SURVEY

Commissioner Ward asked for a survey of the Doctors on what they think of the proposed Hospital Authority - after it is finished. He would also like to see something in the newspaper.

NOMINATIONS

Chairman Eklund reminded the Board of the following vacancies and opened the floor to nominations:

1. Western Carolina Community Action Board of Directors - 1 vac.

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

2. Solid Waste Advisory Committee (SWAC) - 1 vac.

Commissioner Ward nominated Rocky Holbert. A vote will be taken at the next meeting.

3. Youth Advisory Board - 1 vac.

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

IMPORTANT DATES

A Special called meeting was set for Thursday, May 15 at 7:00 p.m. - to go over School Facilities Study.

A budget work session was set for Monday, May 19 at 5:30 p.m.

A second budget work session was set for the afternoon of May 21. A budget work session was set for May 27 at 5:30 p.m. A budget work session was set for June 9 at 5:30 p.m. A budget work session was set for June 16 at 5:30 p.m. The last budget work session was scheduled for the afternoon of the Commissioners' meeting of June 18.

A site visit was set for Wednesday, May 21 to Carriage Park.

A special called meeting was set for May 27 at 9:00 a.m. for a NC DOT secondary road public hearing.

CANE CREEK WATER & SEWER DISTRICT

Commissioner Ward made the motion for the Board to adjourn as the Henderson County Board of Commissioners and convene as the Cane Creek Water & Sewer District Commissioners. All voted in favor and the motion carried.

Commissioner Ward made the motion for the Board to adjourn as the Cane Creek Water and Sewer District Commissioners and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.

ACTION

David Nicholson asked the Board to set a Public Hearing on the FY 1997-1998 Budget.

Commissioner Kumor made the motion to set the Public Hearing on the Budget for June 9 at 7:00 p.m. All voted in favor and the motion carried.

CLOSED SESSION

Commissioner Ward made the motion for the Board to go into Closed Session as allowed under NCGS 143-318.11 for the following reasons:


1.(a)(1) To prevent disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.


2.(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. To consult with an attorney employed or retained by the public body in order to consider and give instructions to the attorney with respect to a claim.

All voted in favor and the motion carried.

There being no further business to come before the Board, the meeting was adjourned.

Attest:


Elizabeth W. Corn, Clerk to the Board


Robert D. Eklund, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

100 North King Street
 Hendersonville, North Carolina 28792-5097
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BOB EKLUND
 CHAIRMAN
 GRADY HAWKINS

VOLLIE G. GOOD
 RENEE KUMOR
 DON WARD

RESOLUTION**Proclaiming Relay for Life Days in Henderson County**

WHEREAS one in three Americans will be diagnosed with cancer in their lifetime; and

WHEREAS the American Cancer Society, the nation's largest voluntary health agency, is dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives from cancer and diminishing suffering from cancer through research, education, advocacy and services; and

WHEREAS the American Cancer Society's Relay for Life is a fundraising and educational event through which the community can be active in the fight against cancer; and

WHEREAS the Henderson County Unit of the American Cancer Society will hold its third annual Relay for Life at Hendersonville High School from 6:00 p.m. on Friday, May 9, through Noon on Saturday, May 10, 1997;

NOW, THEREFORE BE IT RESOLVED that by way of this resolution, the Henderson County Board of Commissioners proclaims May 9 and 10, 1997, as

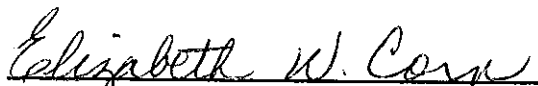
RELAY FOR LIFE DAYS IN HENDERSON COUNTY

and encourages all citizens to support and take part in the American Cancer Society's Relay for Life.

Adopted this 5th day of May, 1997.



Robert D. Eklund, Chairman
 Henderson County Board of
 Commissioners



Elizabeth W. Corn, Clerk to the Board

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HENDERSON COUNTY BOARD OF COMMISSIONERS

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BOB EKLUND
 CHAIRMAN
 GRADY HAWKINS

VOLLIE G. GOOD
 RENEE KUMOR
 DON WARD

PROCLAMATION

**To Designate the Week of May 18-24, 1997 as
 EMERGENCY MEDICAL SERVICES WEEK**

WHEREAS, emergency medical services a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services providers have traditionally served as the safety net of America's health care system; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the alue and accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

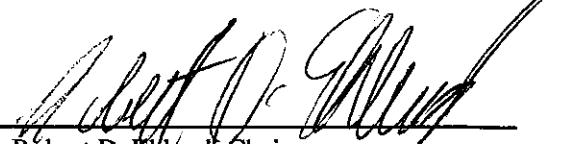
NOW THEREFORE, the Henderson County Board of Commissioenrs, in recognition of this event does hereby proclaim the week of May 18-24, a997, as

Emergency Medical Services Week

and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

Adopted this the 5th day of May, 1997.


 Elizabeth W. Corn, Clerk to the Board


 Robert D. Eklund, Chairman
 Henderson County Board of
 Commissioners

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Name & Address	Account	Bill# & Value	Tax Codes	Tax Amounts, and Penalty Amounts	Total
BAGWELL, B G & LETTIE RR 3 BOX 465 FLETCHER, NC	104058	96A3954227 8900	G01 45.84 0.00		\$45.84
BLACKBURN, DOUGLAS PO BOX 132 DANA, NC	62317	96A62317.02 7710	G01 F09 39.71 6.94 3.97 0.69		\$51.31
BRICKELL, SYLVIA LEMELIA 108 BURGE MTN RD HENDERSONVILLE, NC	107290	96A107290.07 8215	G01 F07 42.31 6.16 4.23 0.62		\$53.32
CALDWELL, SCOTT PO BOX 132 DANA, NC	52960	96A52960.02 2690	G01 F09 13.85 2.42 0.00 0.00		\$16.27
CASE, LARRY JEFFRY RT 4 BOX 186 B HENDERSONVILLE, NC	105627	96A105627.04.1 16420	G01 F04 82.92 9.85 0.00 0.00		\$92.77
CATERPILLAR FINANCIAL 3322 WEST END AVE NASHVILLE, TN	156726	96A156726.03 20000	G01 F03 103.00 18.00 10.30 1.80		\$133.10
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	95A63745.01 2250	G01 11.36 0.00		\$11.36
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	88A63745.01 2560	G01 S01 14.08 5.63 1.41 0.56		\$21.68
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	87A63745.01 1000	G01 S01 4.90 2.50 0.49 0.25		\$9.14
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	90A63745.01 2250	G01 S01 10.13 3.49 1.01 0.35		\$14.98
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	94A63745.01 2250	G01 12.15 0.00		\$12.15
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	92A63745.01 2150	G01 S01 10.97 3.44 1.10 0.34		\$15.85
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	89A63745.01 2560	G01 S01 14.85 5.12 1.49 0.51		\$21.97

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Name & Address	Account	Bill# & Value	Tax Codes	Tax Amounts, and Penalty Amounts	Total
COOTS, DONALD RAY P O BOX 464 DANA, NC	63745	91A63745.01 4040	G01 20.61 2.06	S01 6.46 0.65	\$29.78
EVANS, JAMES E P O BOX 525 ETOWAH, NC	152428	96A8802367.1 18120	G01 F04 93.32 12.68 0.00 0.00		\$106.00
FARMER, OSCAR 10 MORGAN FAIGE RD HENDERSONVILLE, NC	60689	96A60689.01 2410	G01 12.41 0.00		\$12.41
FARMER, OSCAR 10 MORGAN FAIGE RD HENDERSONVILLE, NC	142303	96A8801355 2650	G01 13.65 1.06		\$14.71
FARMER, OSCAR 10 MORGAN FAIGE RD HENDERSONVILLE, NC	60689	95A60689.01 2410	G01 12.17 0.00		\$12.17
FRANKLIN, JOHNNY & WIFE RT 3 BOX 78 HENDERSONVILLE, NC	6594	96A6594.02 2740	G01 F02 14.11 2.19 0.00 0.00		\$16.30
FRANKLIN, JOHNNY & WIFE RT 3 BOX 78 HENDERSONVILLE, NC	6594	96A6594.04 2940	G01 F04 15.14 2.06 0.00 0.00		\$17.20
GEORGES, NANCY HALTER 100 RUTLEDGE DR LOT 96 HENDERSONVILLE, NC	133358	96A8806076 4260	G01 21.94 0.00		\$21.94
GLASPY, ROBERT CARROLL RT 5 BOX 139 HENDERSONVILLE, NC	3162	96A2805646 3040	G01 F03 15.66 2.74 0.00 0.00		\$18.40
GOSNELL PAINT & BODY 610 UPWARD ROAD FLAT ROCK, NC	91262	96A91262.01 66890	G01 F01 344.48 60.20 34.45 6.02		\$445.15
HANDY HARDWARE C/O LEE CRAIG HENDERSONVILLE, NC	117806	96A117806.07 14000	G01 F07 72.10 10.50 7.21 1.05		\$90.86
HANSEN, DORIS 685 BLYTHE ST HENDERSONVILLE, NC	160140	96A8806283 13810	G01 71.12 0.00		\$71.12
INTERNATIONAL TELA-COM 1263 SWEETEN CREEK ROAD ASHEV	98442	96A98442.01 24500	G01 F01 126.18 22.05 0.00 0.00		

Name & Address	Account	Bill# & Value	Tax Codes, Tax Amounts, and Penalty Amounts	Total
LAUGHTER, JACOB D RT 1 BOX 301B HENDERSONVILLE, NC	84483	96A880368B 12970	G01 F09 66.80 11.67 6.53 1.14	\$86.14
LENTINI, HAZEL H 37 RIDGETOP TRACE HENDERSONVILLE, NC	25629	96A25629.01 1110	G01 F02 5.72 0.89 0.57 0.09	\$7.27
MOORE, AMY MAUDE RT 1 BOX 33 D CHELSEA, VT	140534	96A8803538 8090	G01 F08 41.66 5.66 0.00 0.00	\$47.32
ORNELAS, JOSE BURT BLACKWELL RD MILLS SPRINGS, NC	80329	96A8800315 3330	G01 F03 17.15 3.00 0.00 0.00	\$20.15
PEELE, MICHAEL W 206 RED BOW LANE HENDERSONVILLE, NC	140902	96A0114982 164900	G01 F04 849.24 115.43 0.00 0.00	\$964.67
RITCHEY, JOHNNY RAY 235 BELL AVE EAST FLAT ROCK, NC	103048	96A8805447 6570	G01 F01 33.84 5.91 0.00 0.00	\$39.75
RITCHEY, JOHNNY RAY 235 BELL AVE EAST FLAT ROCK, NC	71705	95A8800259 13070	G01 F02 66.00 10.45 0.00 0.00	\$76.45
RIVENBARK, WILL & GLADYS 22 TWIN COACH CT DAYTONA BEACH, FL	147110	96A147110.01.1 3100	G01 F01 15.66 2.17 0.00 0.00	\$17.83
ROBERTS, BILLIE PO BOX 14 HORSE SHOE, NC	51756	96A9932305 41600	G01 F02 214.24 33.28 0.00 0.00	\$247.52
ROBERTS, ZACK 4219 HAYWOOD RD HORSE SHOE, NC	21075	96A21075.19.1 15150	G01 76.51 0.00	\$76.51
SHEHAN, R E RT 2 BOX 259 HENDERSONVILLE, NC	14199	96A8803034 8630	G01 F03 44.44 7.77 0.00 0.00	\$52.21
SMITH, GROVER UNKW ADDRESS HORSE SHOE, NC	60208	92A60208.01 7310	G01 F04 37.28 4.40 3.73 0.44	\$45.85
SMITH, GROVER UNKW ADDRESS HORSE SHOE, NC	60208	89A60208.01 17560	G01 F04 101.25 17.56 0.00 0.00	\$119.41

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Name & Address	Account	Bill# & Value	Tax Codes	Tax Amounts, and Penalty Amounts	Total
SMITH, GROVER UNKW ADDRESS HORSE SHOE, NC	60208	90A60208.01 9410	G01 F04 42.35 5.64 4.24 0.57		\$52.90
SMITH, GROVER UNKW ADDRESS HORSE SHOE, NC	60208	91A60208.01 8650	G01 F04 44.12 5.17 4.41 0.52		\$54.22
STAPP, TIM RT 1 BOX 248-C ZIRCONIA, NC	142007	95A8903533 17410	G01 F06 87.92 12.19 7.88 1.09		\$109.08
SUDDETH, TIM HC 71 BOX 161-M ROSMAN, NC	64991	95A64991.08 3330	G01 F08 16.82 2.00 0.00 0.00		\$18.82
SUDDETH, TIM HC 71 BOX 161-M ROSMAN, NC	64991	96A64991.08 3330	G01 F08 17.15 2.33 1.72 0.23		\$21.43
SUDDETH, TIM HC 71 BOX 161-M ROSMAN, NC	64991	94A64991.08 3100	G01 F08 16.74 1.86 0.00 0.00		\$18.60
SUTTON, DOROTHY D ETAL 262 LAFAYETTE PARKWAY LEXINGTON, KY	17567	96A0702293.5 61400	G01 F05 316.21 52.19 0.00 0.00		\$368.40
TAYLOR, JOANNE RT 2 BOX 118A FLAT ROCK, NC	65958	96A65958.02 2940	G01 F01 15.14 2.65 0.00 0.00		\$17.79
TAYLOR, JOANNE RT 2 BOX 118A FLAT ROCK, NC	65958	96A9933626 16000	G01 F01 82.40 14.40 0.00 0.00		\$96.80
WARD, ZOLLIE F RT 1 BOX 326J CLYDE, NC	100506	96A9949602 400	G01 F05 2.06 0.00		\$2.06
WARD, ZOLLIE F RT 1 BOX 326J CLYDE, NC	28721-9768				
WILKIE, LINDA F 2017 OXFORD DR HENDERSONVILLE, NC	126203	96A126203.08.1 0	G01 F08 0.00 12.37 0.00 0.00		\$12.37
WILSON, CAROLINE E P O BOX 2052 FLETCHER, NC	123271	95A8802541 13190	G01 F05 66.61 11.21 6.46 1.09		\$85.37
WINDOM SHOP 205 ELIDA HOME RD ASHEVI	129189	96A129189.10 10000	G01 51.50		
	28806-9010				

Name & Address	Account	Bill# & Value	Tax Codes, Tax Amounts, and Penalty Amounts	Total
WOLF'S LAIR LTD PO BOX 49163 SARASOTA, FL	6826 34230	96A0401540.1 17400	G01 F06 93.96 12.18 0.00 0.00	\$106.14
WOLF'S LAIR LTD PO BOX 49163 SARASOTA, FL	6826 34230	96A0401540.2 17400	G01 F06 93.96 12.18 0.00 0.00	\$106.14
WOLF'S LAIR LTD PO BOX 49163 SARASOTA, FL	6826 34230	96A0401540.4 19900	G01 F06 96.82 13.16 0.00 0.00	\$109.98
WOLF'S LAIR LTD PO BOX 49163 SARASOTA, FL	6826 34230	96A0401540.3 18600	G01 F06 94.94 13.16 0.00 0.00	\$108.10
WOLF'S LAIR L T D PO BOX 49163 SARASOTA, FL	22079 34230	95A9934778.3 62000	G01 F06 313.10 43.40 0.00 0.00	\$356.50
WOLF'S LAIR L T D PO BOX 49163 SARASOTA, FL	22079 34230	95A9934778.2 62000	G01 F06 313.10 43.40 0.00 0.00	\$356.50
WOLF'S LAIR L T D PO BOX 49163 SARASOTA, FL	22079 34230	95A9934778.4 146500	G01 F06 739.83 102.55 0.00 0.00	\$842.38
WOLF'S LAIR L T D PO BOX 49163 SARASOTA, FL	22079 34230	96A9934778.1 146500	G01 F06 754.48 102.55 0.00 0.00	\$857.03

TOTAL RELEASES >>> \$7061.25

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