

MINUTES**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON****BOARD OF COMMISSIONERS
FEBRUARY 12, 1996**

The Henderson County Board of Commissioners met for a Special Called meeting at 6:00 p.m. in the cafeteria at Upward Elementary School to hold a work session followed by a public hearing on the proposed zoning for the I-26/Upward Road interchange study area.

Those present were: Chairman Renee Kumor, Vice-Chairman Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Ecklund, Commissioner Don Ward and County Manager David F. Thompson. Also present were: Planning Director Matt Matteson and Senior Planner Karen Collins.

CALL TO ORDER/WELCOME

Chairman Kumor called the meeting to order and welcomed all in attendance. She announced that the purpose of the work session was to allow area property owners to review maps showing the proposed zoning and to ask questions of staff. She added that the work session would be followed by a public hearing during which those present could make formal comments on the proposal to the Board of Commissioners.

Property owners interacted with County Staff and members of the Board of Commissioners and asked questions for about thirty minutes after which Planning Director Matt Matteson briefly summarized the history of the zoning proposal and reviewed the uses allowed in the proposed zoning districts. Mr. Matteson then offered to answer additional questions. One individual asked if, in the RM-1 district, one had to go through a review to expand a business that had been passed down through a family. Mr. Matteson answered that if the business was listed as permitted with a Conditional Use Permit, for example, the Board of Adjustment would review the proposed expansion. Mr. Allan Henderson asked if agricultural uses had to meet the setbacks in the C-4 district. Mr. Matteson told him that bona fide agricultural uses were exempt from all zoning requirements. Mr. Henderson also asked if C-4 zoning would affect his property value. His property is now under use value taxation because it is agricultural. County Manager David Thompson and Mr. Matteson explained that unless he or a future owner converted the use to commercial, for example, the property would continue to be taxed at use value.

There were no further questions therefore Chairman Kumor announced that the Board would take a ten minute break before beginning the public hearing portion of the meeting.

CALL TO ORDER

Chairman Kumor called the meeting back to order and Commissioner Good made a motion to open the public hearing. All voted in favor and the motion carried.

PUBLIC INPUT

1. William McKay - Mr. McKay is concerned about the impact of the proposed zoning on the people on McMurray and Ballenger Roads. He believes that these property owners will be affected differently than those who own land, but do not live, on Upward Road. He said the area to the north of Upward Road is a stable community and some of the land has been in families for 75 years. I-1 and C-4 zoning would prevent people in this area from building homes or placing mobile homes on their property. He said that he agrees that over time the land will change to commercial and industrial uses but no one knows what that time frame is and until then, people should be able to make reasonable use of their land. He ended by saying that if the Board decides to zone the area and he hoped they would not, that they would zone it to allow people to use their land. He added that the people should know if public water and sewer, which is not yet available on the north side of Upward Road, were factors in the proposed zoning.

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2. Ben Eaton - Mr. Eaton lives across from the school on Upward Road and is concerned about the proposed zoning in the area around the school because there are already problems with traffic congestion. He believes that C-4 zoning and O&I, to some degree, will increase congestion. He is afraid that if school traffic has to pass through commercially zoned area that this could increase the risk of injuries to children. He said Upward Road is poorly constructed and that the curve between the camp and the school entrance is dangerous. He would like the area around the school to remain residential.
3. Kathryn Hudgens - Ms. Hudgens said her family owns property in the proposed I-1 district and she is not in favor of zoning it I-1 because it would not allow the children and grandchildren in the family to come back and build homes on the property. She believes that the things that are making the area attractive to industry will still be there in the future and she prefers RM-1 if it has to be zoned.
4. Allan Henderson - Mr. Henderson thinks zoning is getting out of hand. He believes that natural evolution will happen, changing farmland to industrial land. Zoning prime agricultural land will put up a red flag, indicating to everyone that it is prime commercial/industrial land. He said zoning takes control from the owner. He also said something similar happened in Mecklenburg County where the zoning of a small area of land led to the zoning of the entire county. He said that the real question is whether the Board wants to zone the whole county. He ended by saying that the county got to be the way it is through natural evolution.
5. Tom Ledbetter - Dr. Ledbetter said that he is an Assistant Superintendent of Henderson County Public Schools and that he was speaking on behalf of the Board of Public Education. He read a statement which outlined changes to the zoning proposal which the Board of Public Education had recommended: (1) include areas 0652 and 2877 in the O&I district; (2) zone areas 1825, 4424, 5150 and 0239 O&I instead of C-4; (3) zone property adjacent to Crest Road from the intersection of Upward and Crest Roads to the intersection of Howard Gap Loop as RM-1; and (4) zone property on the north side of Upward Road from the newly proposed zoning area through property owned by the Seventh Day Adventist Church as RM-1.

Planning Director Matt Matteson pointed to the areas on a map as they were described by Dr. Ledbetter. County Manager David Thompson stated that the changes proposed by the Board of Public Education, particularly the last two which would add land to the study area, would be significant and would therefore require another public hearing if the Board of Commissioners were to consider them.

6. Anthony Hoots - Mr. Hoots said he understands that RM-1 may allow some of the things that people want but he questioned putting site conditions on uses especially for current owners, for example, the size limit on sawmills is 2 acres, which is a site condition. He said he could see putting conditions on bigger uses such as a 50 acre sawmill or applying conditions when someone sells their property.
7. Ruby King - Ms. King has lived on Ballenger Road for 45 years and she has a business on McMurray Road. She said she is not against progress but she wants to be able to control what goes on her property as long as she owns it.
8. Jeff Justus - Mr. Justus said it sounds like people are opposed to the zoning but if the County does zone the area, he asked that his family's property on Crest Road, which fronts along I-26, be zoned for commercial use. He said that there are 20 acres between this property and the school. He also does not think that Crest Road is a good dividing point because having one side of the road in the zoned area and the other side out does not protect both sides.

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9. Eric Goodman - Mr. Goodman said he represents the estate of Reginald Revis which owns property adjacent to the school property on Upward Road which is currently zoned C-4 but the School Board wants to change it to O&I. He said that the County may need to let economic forces dictate and drop the idea of zoning, however if the County does zone the area, the Revis property should be C-4.
10. George Bradshaw - Mr. Bradshaw owns property adjacent to the school which is proposed as C-4. He said he bought the land six years ago and built a small plant (a race shop) which brought 22 jobs and a payroll of \$840,000 to the county. He now leases the business but he plans to develop the rest of the property; however, the O&I district which the Board of Education is proposing for his property would not let him do what he wants. He said the County should let supply and demand take care of the zoning and he noted that he has not heard too many saying to zone the area.

Chairman Kumor asked if anyone else wanted to speak and the Board heard from two more individuals, as follows:

11. Ginger Smathers - Ms. Smathers said that three generations of her family live on a few acres and she would like to raise her kids in the area like it is now, not near a gas station, for example.
12. Lynn Savage - Ms. Savage said that she is a native of Henderson County and that she has seen the county change a lot. She thinks that we can predict what can happen and she asked if anyone would consider Four Seasons Boulevard to be our most scenic road. She said that the area being studied is scenic and our scenic areas and our farmland are as important to our progress as business and industry. She hates to hear people say that the county is already ruined and that there is nothing one can do about it. She thinks that zoning is a tool we can use to shape our land.

There being no further speakers, Commissioner Good made a motion for the Board to close the public hearing. All voted in favor and the motion carried. Chairman Kumor thanked all present for attending.

No action was taken.

ATTEST:


Elizabeth W. Corn, Clerk


Renee Kumor, Chairman

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MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
FEBRUARY 19, 1996

The Henderson County Board of Commissioners met for a special called meeting at 7:00 p.m. in Kaplan Auditorium at the Henderson County Public Library. The purpose of the meeting was a Capital Improvements Program (CIP) work session.

Those present were: Chairman Renee Kumor, Vice-Chair Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Eklund, Commissioner Don Ward, County Manager David F. Thompson, Assistant County Manager David E. Nicholson, Staff Attorney Angela M. Skerrett, and Clerk to the Board Elizabeth W. Corn.

Also present were: Finance Director Carey McLelland and Planning Director Matt Matteson, and Budget Analyst Selena Coffey.

CALL TO ORDER/WELCOME

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

CIP WORK SESSION

David Thompson gave a brief overview of the criteria and the rankings. He explained that we would rank each proposal against our own criteria and then rank them along with other proposals.

Absolute Criteria

Angela Skerrett explained that each project must meet all three of the absolute criteria before they would even be considered:

1. The total capital and operating costs must exceed \$100,000 over the life of the project.
2. The project must be one for which General Obligation Bonds would be authorized under NCGS 159-48.
3. The project, organization, and process must be legally permissible, both administratively and financially.

Evaluative Criteria

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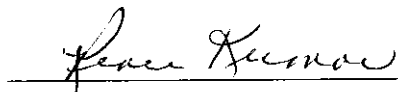
Ms. Skerrett reviewed the ten evaluative criteria. She then explained the four-step process and passed out individual rating forms for each Commissioner to fill out and give back to staff. Staff will compile information from the forms before the next work session. Each Commissioner would rank the ten criteria on a scale of 1 - 10:

1. Demonstrated community support
2. Risk Management
3. Project Cost-effectiveness
4. Conformance with Mission Statement
5. Level of outside funding sources
6. Life expectancy relative to cost
7. Requesting group(s) level of participation
8. Possibilities for privatization
9. Conformance with adopted plans and studies
10. Initial two year operational cost ratio

There being no further business, the meeting was adjourned.

ATTEST:


Elizabeth W. Corn, Clerk


Renee Kumor, Chairman