

**MINUTES****STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON****BOARD OF COMMISSIONERS  
SEPTEMBER 15, 1993**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Conference Room of the Henderson County Office Building.

Those present were: Chairman Vollie G. Good; Vice-Chairman J. Michael Edney; Commissioner William McKay; Commissioner Renee Kumor; County Manager David F. Thompson; Assistant County Manager David E. Nicholson; and Clerk to the Board Elizabeth W. Corn.

Also present were Finance Director Peter a Molleur; Staff Attorney Angela M. Skerrett; and Planning Director Matt Matteson.

Absent were: Commissioner Hugh Randall and County Attorney Don Elkins.

**CALL TO ORDER/WELCOME**

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

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Edney led the Pledge to the American Flag.

**INVOCATION**

Thad Dowdle, Pastor of Ebenezer Baptist Church, gave the invocation.

**DISCUSSION/ADJUSTMENT OF AGENDA**

David F. Thompson, County Manager, added Downtown Hendersonville (H.5.) under Nominations and Certificate of Achievement as Item "J: under discussion items.

Commissioners Kumor asked staff to follow up with the School Board concerning a monthly financial report that the Commissioners had requested during the budget process.

Chairman Good asked all those present to stand for a moment of silence in memory of Ruby Maxwell, Register of Deeds, who had recently died.

**CONSENT AGENDA****FINANCIAL REPORT--JULY 1993**

The July 1993 Financial Report was presented for the Commissioners' review.

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**PUBLIC HEALTH ASSESSMENT OF THE GE/SHEPHERD FARM SUPERFUND SITE**

The Board was notified that the U. S. Department of Health and Human Services is conducting a public health assessment of this site. Comments may be sent directly to the Department of Health and Human Services.

**NOTIFICATION OF VACANCIES**

The vacancy on the Solid Waste Advisory Committee will be listed under Nominations at the next regularly scheduled Commissioners' meeting.

**INFORMAL PUBLIC COMMENTS**

1. Evelyn Nichols: Ms. Nichols represented the East Flat Rock School Site Group. Ms. Nichols encouraged the Board to explore all options for the East Flat Rock School Site including the use of the facility for elderly housing.
2. Lucy King: Ms. King spoke in favor of exploring the option of using the East Flat Rock School Site for elderly housing.

**RULES OF PROCEDURE FOR QUASI-JUDICIAL PROCEEDINGS**

Angela Skerrett, Staff Attorney, reviewed the proposed Rules of Procedure for Quasi-Judicial Proceedings. These Rules of Procedure would need to be used for the September 27, 1993 Carriage Park PUD Public Hearing. Ms. Skerrett informed the Board that their decisions could be reviewed by a Court to assure that the petitioners were given due process rights. These procedures would need to be used when hearing Animal Control Appeals, preliminary plat approvals, and special use permits.

Following the Board's discussion, Commissioner Kumor made the motion to adopt the Rules of Procedure for Quasi-Judicial Proceedings excluding the proxy provisions included in the draft. All voted in favor and the motion carried.

**FISCAL YEAR 1993-1994 HIGHWAY PROJECTS**

Matt Matteson, Planning Director, reviewed the highway projects approved for this Fiscal Year by the North Carolina Department of Transportation. Chairman Good reminded the Board that priority projects as approved by the Department of Transportation were not the same as those recommended by the Chamber of Commerce's Transportation Committee.

**PRELIMINARY DISCUSSION OF ZONING OF THE I-26 INTERCHANGES**

Matt Matteson, Planning Director, presented to the Board maps of the existing zoning and possible study areas of the Naples and Upward Road exchange areas. The Commissioners discussed the proposed study areas.

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Commissioner Kumor made a motion to request the Planning Board to begin the process of developing a zoning plan for these areas and make a recommendation to the Board of Commissioners. All voted in favor and the motion carried.

### **APPOINTMENT TO NCACC BOARD OF DIRECTORS**

Chairman Good informed the Board that Vice-Chairman Edney has been appointed to a one-year term on the Board of Directors of the North Carolina Association of County Commissioners. Congratulations were offered to Commissioner Edney.

### **RESOLUTION ENDORSING ECONOMIC DEVELOPMENT FINANCING**

The Commissioners reviewed a Resolution provided by the North Carolina Economic Developers Association concerning the Constitutional Amendment which will be placed on the 11/02/93 ballot. David Thompson, County Manager, reviewed the proposed Constitutional Amendment and its affect on attracting industry to Henderson County. Vice-

Chairman Edney made the motion to endorse this Resolution changing it to allow for the expansion of existing businesses also. All voted in favor and the motion carried.

### **COST OF LIVING SALARY INCREASE**

David Nicholson presented to the Board of Commissioners a request to approve a cost of living increase for all County Employees. The increase was computed at 3.7 percent based on the Consumer Price Index for the Southern United States Non-Metropolitan Urban Area. In the Fiscal Year 1993-1994 Budget funds were allocated for this increase in the Contingencies Line Item.

Commissioners McKay made the motion to approve the across-the-board increase at 3.7 percent. All voted in favor and the motion carried.

### **SUPPLEMENTAL STATE FUNDING FOR IN-HOME AND CARE GIVER SUPPORT SERVICES**

David F. Thompson, County Manager, informed the Board that Henderson County will receive an additional \$14,238 in aging funds. Mr. Thompson requested that the Board grant him the authority to distribute these funds based on a recommendation from the Planning Committee for Older Adults.

Commissioner Kumor made the motion to give the County Manager the authority to accept and disburse these funds based on the recommendation from the Planning Committee for Older Adults. All voted in favor and the motion carried.

### **NOMINATIONS**

1. **Motor Vehicle Valuation Review Board (2 Vacancies):** There were no nominations. Therefore, this item was rolled to the next agenda.

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2. **Nursing Home/Domiciliary Home Advisory Board** (1 Vacancy): Elizabeth Corn, Clerk to the Board, informed the Board that the appointment of Kenneth A. Erwin has gone through the appointment process and the Board may formally appoint him to this board.

Commissioner Edney nominated Kenneth Erwin for re-appointment. Commissioner McKay made the motion to suspend the rules and appoint Mr. Erwin. All voted in favor and the motion carried.

3. **Hendersonville Zoning Board of Adjustment** (4 Vacancies): Vice-Chairman Edney nominated Malcolm Allen and Argie Taylor.

Chairman Good nominated Malcolm Morgan. Vice-Chairman Edney nominated Michael Case. Chairman Good requested that Staff verify the residency of these nominees to determine if they live in the extra-territorial jurisdiction of the City of Hendersonville. These nominations were carried over to the next meeting. Vice-Chairman Edney made the motion that the nominations be closed. All voted in favor and the motion carried.

4. **Local Emergency Planning Committee** (1 Vacancy): Sheriff Albert Jackson has requested that Chief Deputy Tom Hatchett replace Captain George Erwin as his representative on this committee.

Vice-Chairman Edney nominated Tom Hatchett to the Local Emergency Planning Committee. Commissioner McKay made the motion to suspend the rules and appoint Chief Deputy Hatchett. All voted in favor and the motion carried.

5. **Downtown Hendersonville**: David Thompson, County Manager, informed the Board that he had received a request from Sue Painter that the Commissioners appoint two additional board members to Downtown Hendersonville.

Following discussion, the Board requested that Staff contact Ms. Painter and clarify the apparent urgent need to appoint these two members to Downtown Hendersonville. The Commissioners took no action on this request at this time.

### CERTIFICATE OF ACHIEVEMENT

David Nicholson, Assistant County Manager, informed the Board that for the fourth consecutive year Henderson County has received the Certificate of Achievement for Excellence in Financial Reporting. Henderson County's Annual Comprehensive Financial Report for the Fiscal Year ending June 30, 1992 received this highest award in governmental financial reporting.

### IMPORTANT DATES

The Commissioners reviewed the upcoming calendar of events. Vice-Chairman Edney made the motion to set a Public Hearing to close out the Valley View Community

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Development Block Grant Project for October 4, 1993 at 7:00 p.m. All voted in favor and the motion carried.

### MUD CREEK WATER & SEWER DISTRICT

The Commissioners adjourned as the Board of Commissioners and convened as the Mud Creek Water and Sewer District Board.

The Commissioners adjourned as the Mud Creek Water and Sewer District Board and reconvened as the Henderson County Board of Commissioners.

### EXECUTIVE SESSION

Vice-Chairman Edney made a motion to go into Executive Session. All voted in favor and the motion carried. Chairman Good left the meeting during Executive Session due to another appointment.

Commissioner Kumor made the motion to go out of Executive Session. All voted in favor and the motion carried.

### **Action**

Following Executive Session, Commissioner Kumor made the motion to approve a contract between Henderson County and First Church of the Nazarene for additional Library parking. All voted in favor and the motion carried. The Board requested a letter of appreciation be sent to the congregation.


### LAND USE PLAN WORK SESSION

David Thompson, County Manager, announced to those present at the meeting that the Land Use Plan Work Session which had been scheduled for 2:00 p.m. this date had been cancelled by the Board of Commissioners. The Land Use Plan Work Session will be rescheduled in the future.

There being no further business, the meeting adjourned at 3:40 p.m.

ATTEST:

  
Elizabeth Corn  
Clerk to the Board

  
Vollie G. Good  
Chairman

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

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VOLLIE G. GOOD  
CHAIRMAN  
J. MICHAEL EDNEY  
HUGH D. RANDALL  
WILLIAM McKAY  
RENEE KUMOR

DAVID F. THOMPSON  
COUNTY MANAGER

**RESOLUTION  
TO NAME N.C. HWY. 191 BRIDGE  
DAVENPORT BRIDGE**

**WHEREAS**, Mr. James Davenport was a lifelong resident of the community of Mills River and owned a store there for years; and

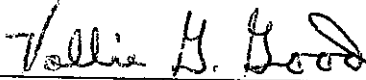
**WHEREAS**, the citizens of Mills River wish to honor Mr. Davenport and his family for their service to the community; and

**WHEREAS**, more than 800 citizens signed a circulated petition to name such bridge Davenport Bridge; and


**WHEREAS**, N.C. Department of Transportations' current policy for naming roads and bridges states that they will take action within 60 days of said nomination;

**THEREFORE BE IT RESOLVED** that the Henderson County Board of Commissioners endorses the naming of the Hwy. 191 bridge as Davenport Bridge.

This the 15<sup>th</sup> day of September, 1993.

  
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Vollie G. Good, Chairman

ATTEST:

  
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Elizabeth W. Corn, Clerk