

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
AUGUST 18, 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.

Absent was County Attorney Don H. Elkins. Mr. Randall was expected to arrive late as he was attending an opening ceremony at North Henderson High School this morning.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Chairman Good led the Pledge to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Kumor made a request to add two items to the agenda for the September mid-month meeting:

1. Zoning of two I-26 interchanges, and
2. Ask Mr. Raper from DOT (Department of Transportation) to meet with our Board and update them on the TIP (Transportation Improvement Plan).

There were no adjustments to the agenda.

CONSENT AGENDA

Commissioner McKay made the motion to approve the Consent Agenda. All voted in favor and the motion carried.

Items on the consent Agenda were:

Notification of Vacancies:

1. Land-Of-Sky, Retired Senior Volunteer Program (RSVP) 1 vacancy.
2. Henderson County Council on Women - 1 vacancy.

These were for information only, will appear on the agenda next time as "nominations".

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Tax Release Requests - An accumulation of eight (8) tax release requests were submitted for the Board's approval at the recommendation of the County Tax Assessor, Robert Baird.

Tax Refund Requests - An accumulation of fifteen (15) tax refund requests were submitted for the Board's approval at the recommendation of the County Tax Assessor, Robert Baird.

Tax Collection Order - As per General Statute 105-321 the Board of County Commissioners must order the Tax Collector to collect taxes levied by the County on or before the first day of September each year.

Proposed Manufactured Home Park Ordinance and Companion Zoning Ordinance Amendment. This was given to the Board for their review and later discussion.

Commissioner Edney requested that the Planning Department look at the actual cost that it would cost a developer to attempt to comply with this massive document (Proposed Manufactured Home Park Ordinance).

INFORMAL PUBLIC COMMENTS

Dutch Burdette - Mr. Burdette wants an indentation in the road pavement in front of his home repaired. If the road cannot be repaired, he wants his mailbox moved. There was considerable discussion regarding this problem. It was decided that Chairman Good, Mr. Burdette, Jim Erwin, and David Thompson would sit down together and discuss resolving the problem and bring a recommendation back to the Board of Commissioners.

Noel Watts - Mr. Watts read a thank you letter to the Board for the funding the county provided to Something Special. With the Boards' help, they have reached 30% of their capital fund goal. They now have slightly more than \$300,000. The remainder will be obtained through grants, fund drives, the sale of their remaining property on Ehringhaus Street and a mortgage, if necessary.

Paul Prosky - Mr. Prosky is President of the Western North Carolina Manufactured Housing Association. He expressed concerns with the Mobile Home Park Ordinance. Two questions were asked of the Planning Board at their July 27 meeting:

1. Are the restrictions appropriate? What goals is the ordinance trying to serve and do the regulations meet those goals without unanticipated detrimental consequences?
2. Are the restrictions fair? Are manufactured home parks being treated more harshly than other forms of development and, if so, why?

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HENDERSON COUNTY KIDS COUNT

Grace Poli informed the Board of some of the activities of the KIDS COUNTY Project Steering Committee. She gave a brief update and a presentation of the written goals that have been developed for the children of Henderson County.

SMART START RESOLUTION

Grace Poli informed the Board that the N.C. Partnership for Children will oversee the Smart Start pilot programs. Smart Start affords us the opportunity to involve the whole community.

Mrs. Poli was part of a Henderson County delegation that attended a seminar in Durham on how to organize a local public-private partnership and apply to become one of the 12 pilot projects this year. Only one county from each of the state's 12 congressional districts will be chosen as a pilot project.

Smart Start is a comprehensive early childhood inapt to provide quality, affordable day care to every child who needs it in North Carolina.

No county monies are required. Commissioner McKay expressed concern that children from good homes might be mandated to participate in this program and asked for Mrs. Poli's assurance that this would not happen. Mrs. Poli agreed this program will be on a voluntary basis.

After much discussion, Commissioner Edney made the motion to adopt the Resolution to support the efforts of the Henderson County Smart Start Team. All voted in favor and the motion carried.

SMOKING REGULATIONS IN HENDERSON COUNTY

Angela Skerrett, Staff Attorney, reminded the Board that on July 17, 1993, the General Assembly passed House Bill 957, entitled "An Act to Regulate Smoking In Public Places and to Establish Standards for Local Governments Electing to Regulate Smoking". The purpose of the bill was to "address the needs and concerns of both smokers and nonsmokers in public places by providing for designated smoking and nonsmoking areas."

Under HB 957, a local government has until October 15, 1993 to enact smoking regulations. After October 15, 1993, a local government will only be able to prohibit smoking in any public building or facility for a maximum of eighty percent (80%) of the interior space. All public facilities (unless exempt) will be required to provide both smoking and nonsmoking areas.

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One avenue for regulation is to allow the Board of Health to adopt, implement and enforce smoking regulations for Henderson County. It is staff's opinion that public smoking is a public health issue that should be regulated in the same manner, and by the same agency, as other public health issues. In addition, the Board of Health's jurisdiction extends into any municipality within the County.

There was considerable discussion. Commissioner Edney raised many questions as a smoker and it was suggested that he serve on the Health Department Committee to provide the views of a smoker while they establish Smoking Regulations.

Under State Statutes there are certain buildings that are exempt from regulation:

Primary/Secondary Schools or Day Care Centers (except for teacher lounges)

Enclosed Elevators

Public School Buses

Health Facilities (Hospitals, Nursing Homes, Rest Homes, the local Health Departments)

Any nonprofit organizations whose primary purpose is to discourage the use of tobacco products and tobacco manufacturing, processing, and administrative facilities.

Under the Health Departments' Proposed Rules, Private Clubs and Private Residences would also be exempt.

Tom Johnson, Director of the County Health Department, informed the Board that the Board of Health has reviewed the Wake County regulations as a possible model for Henderson County Rules and Regulations.

Mr. Johnson stated that Wake County's rules state that when a smokers rights and nonsmokers rights conflict, the nonsmoker is entitled not to be exposed to tobacco smoke.

Commissioner Edney made the motion to direct the Health Department not to address this issue, to follow the State Standards. A vote was taken as follows:

AYES: Commissioner Edney

NAYS: Chairman Good

Commissioner McKay

Commissioner Kumor

The motion failed three to one.

David Thompson asked for some flexibility in establishing smoking regulations for county buildings.

Excused

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Commissioner Edney was excused and left the meeting at 10:30 a.m. (between the Smoking Regulations and Rental Space for DSS Programs).

RENTAL SPACE FOR DSS PROGRAMS

The Department of Social Services requested additional temporary space to house the Low Income Energy Assistance Program and group interviewing for both Income Maintenance and Child Support Programs.

The additional space they will be gaining at the beginning of September will help alleviate some of the more immediate needs for office space; however, it does not allow any extra space that can be utilized to accommodate large groups of people.

They are asking for this additional space only through December 31, 1993, at which time the Low Income Energy Assistance Program will be complete and they will gain the additional space on the third floor.

David Thompson's immediate concern is that the third floor renovations are not scheduled to be completed until the end of November. The anticipated moving of the current departments out of the administration building ground floor will not accommodate the short term needs of the Low Income Energy Assistance Program by itself.

David Thompson recommended the rental option as it appears to be the most viable solution.

After much discussion, Commissioner Kumor made the motion to approve the Manager's recommendation and approve the rental space for DSS, with the funds to come from lapsed salaries (\$4,800) in the DSS budget. All voted in favor and the motion carried.

Returned

Commissioner Edney returned and Commissioner Randall arrived at approximately 10:40 a.m. (during Realignment of Emergency Management Functions).

REALIGNMENT OF EMERGENCY MANAGEMENT FUNCTIONS

David Thompson reminded the Board that currently the County's emergency management responsibilities are assigned to the Director of Emergency Medical Services (EMS), Mr. Tom Edmundson. He proposed that this function be reassigned to the Fire Marshal's Office under Mr. Rocky Hyder. He gave several reasons for making this recommendation.

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Don Bowen, Chief of Fletcher Fire Department, favored the recommendation and felt that all the Fire Departments would feel the same and would work with the Fire Marshal.

Commissioner McKay made the motion to approve the request of the County Manager for realignment of Emergency Management Functions. All voted in favor and the motion carried.

RADIO PROGRAM PROPOSAL

David Thompson reminded the Board that during budget deliberations, \$5,000 was put into the budget to attempt to communicate better with our citizenry about the activities of County Government.

He presented a proposal presented by WHKP 1450. Mr. Thompson feels it is beneficial to develop a program that will provide information not only on current "hot topics", such as landfill siting and zoning, but also to keep the public informed on day-to-day items. This contract is for one one-hour program per month or two half hour programs per month. The cost of the proposal from WHKP is \$3,900 for radio air time. Mr. Thompson feels we will need to contract on an hourly basis for assistance in bringing the program together each month. This should be a minimal amount.

Commissioner Edney made the motion to approve the proposal as presented by the County Manager, expenses not to exceed the budgeted \$5,000. All voted in favor and the motion carried.

JAIL - Health Care Providers

David Nicholson reminded the Board that during budget deliberations, the Board approved funds within the Jail budget to improve the health care provided to the inmates. Two requests were reviewed from the Sheriff to improve this required medical care. The first request is a contract with Blue Ridge Community Health Services and James C. Irion, MD. This contract outlined the provision of care that Blue Ridge Community Health Services and Dr. Irion would provide on an outpatient basis.

The second request was to approve a new position for the Jail. This position would be a part-time Physician's Assistant. This position would provide on-site medical services at the Jail. If this position is approved, the Physician's Assistant would work under the supervision of Dr. Irion at Blue Ridge Community Health Services.

Henderson County would need to provide malpractice insurance for the Physician's Assistant. Staff has spoken to our insurance carrier concerning this policy. The annual cost of providing this coverage would be approximately \$3,000.00. It is the recom-

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mendation of both Mr. Nicholson and Mr. Thompson to approve these two items.

After much discussion, Commissioner Kumor made the motion to allow the Sheriff to hire a Physician's Assistant. All voted in favor and the motion carried.

Commissioner Edney made the motion to authorize the County Manager and/or Chairman to execute a contract with Blue Ridge Community Health Services and James C. Irion, M.D. after approval by the Staff Attorney/County Attorney. All voted in favor and the motion carried.

VARIOUS ZONING ORDINANCE AMENDMENTS - Setting Public Hearing

Matt Matteson requested the Board set a public hearing on seven (7) non-controversial amendments (house-keeping in nature) to the Henderson County Zoning Ordinance.

Commissioner Kumor made the motion to set the Public Hearing for October 4, 1993 at 7:00 p.m., here, to consider the following seven zoning amendments:

1. Section 1202
2. Section 1203
3. Section 401-12
4. Section 401.32
5. Section 401.33
6. Section 401.021
7. Section 901, 902

All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Good reminded the Board of 1 vacancy for a regular member on the **Motor Vehicle Valuation Review Board (MVVRB)** and two vacancies for alternates. There were no nominations at this time so the item was rolled to the next meeting.

2. Chairman Good reminded the Board of 3 vacancies on the **Nursing Home/Domiciliary Home Advisory Committee**. Two of these vacancies can be filled at this time. Two names placed in nomination previously for these vacancies were Argie Taylor and Molly Sue Lyda.

These two people have gone through the process. Commissioner Kumor nominated Molly Sue Lyda and Argie Taylor. Commissioner Edney made the motion to suspend the rules and appoint these two. All voted in favor and the motion carried.

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3. Chairman Good reminded the Board of 1 vacancy on the **Land-Of-Sky Regional Council, Action Committee**. Chairman Good nominated Bill Read to fill this vacancy. Commissioner Edney made the motion to suspend the rules and appoint Mr. Read. All voted in favor and the motion carried.

4. Chairman Good reminded the Board of 1 vacancy on the **Solid Waste Advisory Committee (SWAC)**. There were no nominations at this time so the item was rolled to the next meeting.

5. Chairman Good reminded the Board of 2 vacancies on the **Western Carolina Community Action, Inc.** There was a question as to whose terms were expiring or who was being replaced. This item was rolled until this question could be answered. Commissioner Kumor will not be at the next meeting; therefore, she nominated Sue Jensen and Joy Blazey to fill these two vacancies.

6. Chairman Good reminded the Board of 5 vacancies on the **Community Child Protection Team**. Commissioner McKay made the motion to recommend all five members to the Director of Social Services for reappointment, subject to them being willing to serve again. All voted in favor and the motion carried.

7. Chairman Good reminded the Board of 1 vacancy on the **Henderson County Planning Board**.

Commissioner McKay made the motion that this item be rolled until it can be reviewed thoroughly.

IMPORTANT DATES

The list of important dates was reviewed. David Thompson requested a Solid Waste Issues work session. This work session was set for August 24 at 9:00 a.m. (9-11:00 a.m.), here.

COUNTY MANAGER'S UPDATE

1. Emergency Medical Services Space Needs Assessment -

The Board authorized the County Manager's Staff to contact with Emory Jackson to do a needs assessment. The hospital has agreed on an additional 4-5 rooms in the Nurses Quarters for EMS. Mr. Edmundson is working on how these rooms will be utilized. Non-load bearing walls will need to be moved to provide some large spaces for training.

After more review, they will come back to the Board with a recommendation for use of these additional rooms.

2. One Stop Shopping Concept for Development -

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David Thompson stated that he would like to have all the development functions either located in the Allen Street building or so that people can go to that building to get their permits.

He will bring a full blown proposal to the Board at a later date.

3. Allen Street Property Conversion -

When the budget was approved, we did not own the Allen Street property. Staff is working on what are the minimal costs to move into the facility. An analysis has also been done of the parking. The project budget is \$100,000.

David Thompson requested the Board approve up to \$70,000 for renovation of the Allen Street property.

Commissioner Edney made the motion to approve up to \$70,000 for renovation of the Allen Street property from undesignated fund balance contingent upon receipt of an unencumbered title to the property. All voted in favor and the motion carried.

4. Third Floor Renovations -

David Thompson informed the Board of a bid opening tomorrow at 1:30 p.m. for these renovations. Everything is on schedule to award the contract September 8 and begin construction September 13. Completion of the construction is scheduled for December 3.

EXECUTIVE SESSION

Commissioner McKay made the motion to go into Executive Session as allowed under General Statute 143-318.11 to discuss the following:

- A. To consult with the County Attorney to the extent that confidentiality is required.
- B. To consider the selection of a site or the acquisition by any means or lease as lessee of interests in real property.
- C. To consider a personnel matter.

All voted in favor and the motion carried.

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

1:00 p.m. NEW COUNTY COURTHOUSE CONSTRUCTION BRIEFING/ Award of Construction Contracts

Alan Antoine of Grier-Fripp Associates, reviewed the alternates:

G-4. This alternate is a time alternate - to reduce the time from 16 months to 12. This alternate was not recommended.

G-3. This is to add a shell parking lot which would be constructed within the first month of construction. This would give county employees a place to park while construction is underway on Grove

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Street. This lot would be at the intersection of Pine Street and First Avenue East. The cost of this alternate is \$14,000. He recommended that this alternate be accepted.

G-1. This is to widen Grove Street right-of-way by 10 feet. This would help the traffic flow, giving an additional lane, at a cost of \$8,500. This alternate was recommended.

G-2. This is for concrete pavers on the Grove Street side of the building (the front) instead of poured concrete sidewalks. It would be attractive and would match the exterior of the building, creating an attractive entry. This would cost an additional \$29,000. He recommended approval of this alternate.

G-5. This is for an alternate type of roof insulation. This alternate was not recommended.

M-1. This is a mechanical alternate for a computerized system for the Heating/Ventilation/Air Conditioning, at an additional cost of \$11,500. This alternate was highly recommended. This would help keep the system more efficient.

Votes were taken on the recommended alternates as follows:

G-3 Employee/Public Parking Lot. Commissioner McKay made the motion to approve this alternate. All voted in favor and the motion carried.

G-1 Widening of Grove Street. Commissioner Randall made the motion to approve this alternate. All voted in favor and the motion carried.

G-2 Concrete Pavers. After much discussion, Commissioner Edney made the motion to approve this alternate. A vote was taken as follows:

AYES: Commissioner Edney
Commissioner Kumor
Commissioner Randall

NAYS: Chairman Good

Commissioner McKay. The motion carried three to two.

M-1 Computerized Mechanical System for H/V/AC. Commissioner McKay made the motion to approve this alternate. All voted in favor and the motion carried.

Peter Molleur, Finance Director, discussed briefly the financing package.

Carolyn Kibler discussed the interior color choices and finishes for the courthouse. The interior colors will be grays, greens, and burgundies. The first floor will be done mainly in grays, the

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second floor in greens, and the third floor in burgundies and cherry wood.

RESPONSIVENESS OF COURTHOUSE BIDS -- Recommendation for Award

Angela Skerrett reviewed the responsiveness of the bids received for the Henderson County Courthouse Construction project. She outlined the procedural history of the bid process, summarized the law concerning the responsiveness of bids. The Bid Tabulation sheet was reviewed for Multiple Prime and for Single Prime. The bid tabulation sheet is attached as part of these minutes.

Motion

Commissioner Edney made the motion that a single prime contract for the construction of the Henderson County Courthouse be awarded to M.B. Kahn, conditioned upon the receipt of favorable references from the owners of projects completed or currently under construction by M.B. Kahn for the following reasons:

1. The standard of awarding a public construction contract in North Carolina is the lowest responsible bidder taking into consideration quality, performance and time specified in the contract.

2. North Carolina law requires that a bid be responsive before it is eligible for consideration for award by the Board of Commissioners.

3. Several of the bidders for the project failed to submit all of the information requested by the bid specifications, particularly financial data, minority business utilization and comment forms, contractor's qualification statements, and resume information for key individuals in the contracting firm, by the July 22, 1993 deadline. The Board feels that these documents are necessary to evaluate the responsibility of the bidders; therefore, failure to submit any of the above documents renders a bid non-responsive and ineligible for contract award. The Board rejects all such bids.

4. Several omissions surfaced on July 15, 1993, when the bids were read aloud. In particular, several bidders put "No Bid" for some of the alternates listed. It is the Board's position that leaving alternates blank, or entering "No Bid" on the bid form is non responsive and renders a bid ineligible for award. The Board rejects all such bids.

5. After rejecting all non responsive bids received, the single prime bid of M.B.Kahn Construction Company for this project is the lowest responsive bid for the project.

6. It is the Board's position that monies expended for this project should be expended so as to ensure quality workmanship for the project. The Board has received a favorable recommendation from the Finance Director, Peter Molleur, that the Company has the financial ability to perform this project. Mr. Molleur has also represented to the Board that M.B. Kahn Construction Company has

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received a favorable recommendation from the Boyle-Vaughn Agency, Columbia, S.C., the Insurance Agency that M.B. Kahn Construction Company uses for its general purpose insurance and its bond insurance. Based on these favorable references, it is the Board's opinion that M.B. Kahn Construction Company is financially able to perform under the terms of the Courthouse construction project. The Board is desirous of receiving information from project references as well so that the quality of workmanship provided by the M.B. Kahn Construction Company can be determined.

Commissioner McKay seconded the motion. A vote was taken and the motion carried unanimously.

3:00 p.m. Work Session - Carriage Park - Special Use Permit

Matt Matteson, Planning Director, informed the Board that acting on a request by Carriage Park Development Corporation dated June 11, 1993, for a Special Use Permit to replace existing Special Use Permit N. 87-2, the Henderson County Planning Board at its meeting on July 27, 1993, reviewed and discussed the application and recommended it favorably with conditions and comments. Mr. Matteson reviewed the conditions and comments which were incomplete because the Planning Department Staff is still in the process of reviewing the application. These conditions and comments are attached as part of these minutes (list of 18).

Chairman Good asked if Mr. Johnson were in attendance and asked him to come forward and be sworn in. Chairman Good wanted to question him about a right of way/boundary line dispute. Chairman Good asked him about a dispute regarding the gravel road, off of Hwy. 191, below the welcome center, that winds around and goes to 4 or 5 property owners.

Mr. Johnson stated that the matter has not been resolved at this time. He has met with Mr. Hamlin and Mr. Smith and spoke of the problem.

Mr. Hamlin came forward and was sworn in. Mr. Hamlin stated that he had met with Mr. Ray and Mr. & Mrs. Johnson relative to the right of way issue. A wide variety of alternative rights of way were discussed. He recognizes that these property owners have a deeded right-of-way.

Mr. Hamlin stated that the boundary dispute is highly complex and could take years to resolve. He hopes that this will not be a zoning condition.

There was considerable discussion of the conditions and comments.

Mr. Joe Hope came forward and was sworn in. He spoke regarding silt damage to his property from the construction of the Carriage Park

Club House. There is approximately 30 tons of silt that has come onto his property from the Carriage Park property. He has gotten three estimates for removal/repair to this property, \$65,000, \$75,000, and \$80,000.00. More damage has been done since the estimates (approx. October) and no restoration has been done to his property. He has been offered \$10,000 for damages to his property at this point.

Chairman Good informed the Board of a letter he has received from Mr. James Creekman regarding Mr. Hopes' concerns. Mr. Good read the contents of the letter.

An additional work session was set for the Carriage Park Special Use Permit for August 24 at 1:00 p.m.

There being no further business the meeting was adjourned at 5:25 p.m. by Chairman Good.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

Vollie G. Good
Vollie G. Good, Chairman

COMMISSIONER'S REPORT 08-10-93
 RELEASES PAGE 1

Name.....	Releases.....	TOTAL TAX. & PENALTY.	Reasons for Rel/Refunds.....
APODACA, THOMAS M APODACA, LISA T	91A0113321	\$192.09	PARCEL BGT BY HEND CO; \$76.99 REC'D
GUICE, MAUDE FLORA HARTMANN, LOUISE	92A38198.03 90A22253.01	\$10.88 \$14.01	RELEASE MODIFIED TO INCLUDE PERSONA ON 7-27-93 MH SOLD IN 1988 TO ARNOLD MULLINAX MH WAS SOLD TO ACCT# 81090 IN 1989
HARTMAN, OTTO HARTMANN, LOUISE	91A22253.01	\$15.56	MH WAS SOLD TO ACCT# 81090 IN 1989
HARTMAN, OTTO OWENSKY, JIMMY L & DARLENE	92A3189.02 91A3189.02	\$53.92 \$57.08	MH LISTED AS REAL ON 81330 MH LISTED AS REAL ON 81330
RYAN, RONALD	92A76584.01	\$22.01	WAS NOT A RESIDENT OF HENDERSON CO IN 1992
WATKINS, LISA	92A74729.07	\$25.68	WAS IN DALTON'S MHP WHICH IS TOWN OF FLETCHER
		=====	
		\$392.33	

3 records listed.

*Approved
8/18/93
zwc*

COMMISSIONER'S REPORT 08-10-90
 REFUNDS PAGE 1

Name.....	Refunds.....	TOTAL TAX. & PENALTY.	Reasons for Rel/Refunds.....
CRAWFORD, JOHN L III	91A9904608	\$43.50	PER LAUREL PARK S/B C02
JACOBSEN, JANET K	91A9901129	\$33.24	PER LAUREL PARK S/B C02
JACOBSEN, JANET K	92A9901129	\$33.24	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	92A9901126	\$31.50	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	92A9901127	\$34.38	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	91A9901126	\$31.50	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	91A9901127	\$34.38	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	91A9901129	\$36.84	PER LAUREL PARK S/B C02
JACOBSEN, THOMAS H TRUSTEE	92A9901126	\$36.84	PER LAUREL PARK S/B C02
PACE, ROBIN DALE	92A2552.01	\$10.72	PH WAS SOLD IN '91 TO ACCT 6806
SCHWALL, JULIE C	91A9901125	\$31.50	PER LAUREL PARK S/B IN C02
SCHWALL, JULIE C	92A9901125	\$31.50	PER LAUREL PARK S/B IN C02
TOWN AND COUNTRY HOMES INC	92A9943998	\$45.00	PER LAUREL PARK S/B C02
TOWN AND COUNTRY HOMES INC	91A9943998	\$45.00	PER LAUREL PARK S/B C02
W J & VIDEO LIMITED PARTNERS HIP	92A24133.01	\$341.50	INCORRECT TRENDING RATE APPLIED TO VIDEO TAPES

15 records listed.

=====

\$621.04

*Approved
8/18/93
ewc*

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097
PHONE 704/697-4808
FAX 704/692-9855

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

DAVID F. THOMPSON
COUNTY MANAGER

RESOLUTION

**TO SUPPORT THE EFFORTS OF
HENDERSON COUNTY SMART START TEAM**

WHEREAS, services for children age zero to five have been identified as a need in Henderson County;


WHEREAS, Governor Hunt and the State legislature have approved funding for the Smart Start initiative;

WHEREAS, twelve pilot counties will be selected to receive funding for early childhood services;

WHEREAS, Henderson County wishes to participate in this collaborative effort and become one of the twelve selected Smart Start counties:

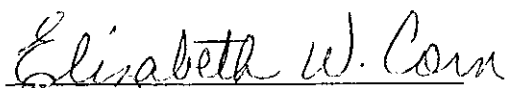
NOW, THEREFORE, BE IT RESOLVED, that the Henderson County Board of Commissioners supports the Henderson County Smart Start Team in its efforts to become one of the twelve selected pilot counties.

Adopted this the 18th day of August, 1993.



Vollie G. Good, Chairman
Henderson County Board of
Commissioners

Attest:



Elizabeth W. Corn
Clerk to the Board

HENDERSON COUNTY
BOARD OF COMMISSIONERS

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097
PHONE 704/697-4808
FAX 704/692-9855

DAVID F. THOMPSON
COUNTY MANAGER

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


8/18/93

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

TO THE TAX COLLECTOR OF THE COUNTY OF HENDERSON

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Henderson County Tax Assessor and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Henderson, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 18th day of August, 1993.



Vollie G. Good, Chairman
Henderson County Board of
Commissioners

VGG/ewc

ATTEST:



Elizabeth W. Corn, Clerk
to the Board of Commissioners
of Henderson County

HENDERSON COUNTY

Memorandum

TO: David F. Thompson, County Manager
FROM: Matt Matteson, Planning Director
DATE: August 17, 1993
SUBJECT: Carriage Park Planned Unit Development - Request for Special Use Permit (Application No. SP 13-93)

Acting on a request by Carriage Park Development Corporation dated June 11, 1993, for a Special Use Permit to replace existing Special Use Permit No. 87-2, the Henderson County Planning Board at its meeting on July 27, 1993 reviewed and discussed the application and recommended it favorably with conditions and comments. I have listed in bold type both the Planning Board's general conditions and comments followed by proposed specific conditions drafted by staff, to be considered by the Board of Commissioners in the issuance of a Special Use Permit. Please note that this is not a complete listing of comments as the Planning Department Staff is still in the process of reviewing the application.

1. **Each section (development parcel) should be reviewed by the Planning Board. Specific language regarding such procedure should be drafted.**

METHOD OF REVIEW AND APPROVAL. Each development parcel (section) shall be reviewed by the Henderson County Planning Department. Application shall be made pursuant to Section 700.6 a(7) of the Henderson County Zoning Ordinance. Final Plan approval may be given by the Planning Board however sections or sub-section approval may be made by the Planning Department staff if specifically delegated by the Planning Board and only upon review and approval of the development plan for each section.

2. **Developer may not exceed 663 total units (on a 377 ac. tract). The maximum number of the types of units (single family attached, single family detached, townhouse units, and condominium units) are not fixed except apartment units (definition to be drafted) may not exceed 120.**

NUMBER OF UNITS. The total residential development in the Planning Unit Development consisting of 377 acres shall be limited to 663 units defined as Single Family Detached Lots, Single Family Attached Lots, townhomes, condominiums, and apartments within those areas depicted on the Research Master Plan drawn by Luther E. Smith & Associates, P.A. The

development shall however have no more than 120 apartment units. An apartment unit is defined as any dwelling unit which comprises not more than 25 percent of the gross floor area of the building nor more than 750 square feet. No more than eight (8) attached units may be contained in any one structure, except that no more than 15 such structures (8 units) may be permitted.

3. **Right-of-way and boundary line disputes must be resolved prior to approval of each respective section so affected.**

RIGHT OF WAY AND PROPERTY LINE DISPUTES. All right-of-way, property line and other such disputes shall be resolved to the satisfaction of the Henderson County Planning Board for any affected area or development parcel before such area or parcel shall be first considered for development. Upon resolution of a boundary dispute, the project land area and number of allowable units will be adjusted administratively to reflect the boundary resolution.

4. **Accessory commercial uses for the general use of the residents may be permitted with conditions.**

ACCESSORY COMMERCIAL USES. The developer may seek approval from the Henderson County Planning Department for the construction of amenities including accessory commercial uses for the residents of the development, not to exclude office space for homeowner's association administration, project maintenance facilities, snack bar or sundries shop and office space for in-home nursing of a home health care coordinator. Such approval will be based on a demonstrated need for such uses and may be approved by the Planning Board with conditions.

5. **Setback and buffer requirements will be set for the perimeter of the tract and between each development parcel.**

PERIMETER BUFFERS. A thirty (30) foot vegetated buffer shall be maintained along the exterior boundary of the project, except in those areas adjacent to public roads. Development within the buffer area shall be restricted to emergency or service access roads, park facilities (excluding parking), trails and public utilities, excluding storage tanks. Other above ground public utility improvements may only be permitted within the 30 foot buffer if location is necessary to serve the development and if the structure is designed to conform

architecturally with proposed or existing adjacent development. Minimum building setback requirements for each development parcel will be approved by the Planning Board on a section by section basis.

6. **Open space will be dedicated on a section by section basis.**

OPEN SPACE DEDICATION. Prior to or concurrent with the recordation of any development lots, townhomes, condominiums, or apartments the Applicant shall record or provide evidence that required open space has been placed on record.

7. **Improvement guarantees will be instituted for main roads and utilities which are not complete at time of plat recordation.**

(Specific language for condition, incomplete at this time)

8. **Off-site improvements will be approved along with section improvements as required.**

(Specific language for condition, incomplete at this time)

9. **Building height restrictions shall be set.**

(Specific language for condition, incomplete at this time)

10. **Minimum road grade and road construction standards will be set.**

(Specific language for condition, incomplete at this time)

11. **Stormwater runoff must be controlled to minimize impacts within the project site and on adjacent properties.**

(Specific language for condition, incomplete at this time)

12. **Periodic permit renewal or review benchmarks will be set (Board of Commissioners and/or Planning Board).**

PERMIT RENEWAL. The developer shall renew this permit three (3) years from the date of issuance. Renewal shall consist of submitting a written status report of the project and oral

presentation to the Board of Commissioners. The Board of Commissioners may call on the Planning Board or Planning Staff for comment. Requests for renewal shall be made 60 days from the expiration date of the permit.

13. **Unless modified, all elements of the applicants proposal shall become part of the permit conditions.**

REVOCATION OF PERMIT. This Special Use Permit granted by Henderson County, incorporates by reference those applications, maps, plans, documents, and verbal commitments made or presented during the application process unless otherwise addressed herein, and that failure to comply with these conditions, may result in the termination of the permit in accordance with Section 907 of the Henderson County Zoning Ordinance.

14. **(Staff Comment)**

PERMIT RESCINDED. Special Use Permit No. 87-2 (issued in March of 1988 and amended January, 1992) is hereby rescinded. Any lots on units designated in a development plan previously approved by the Henderson County Planning Board may however be built under the conditions of their respective permit.

15. **(Staff Comment)**

APPLICATION BY ANOTHER PARTY. Each section application shall be made by the developer and may not be made by any other party than the developer's designated agent unless such delegation is approved by the Henderson County Board of Commissioners.

16. **(Staff Comment)**

CHANGE IN OWNERSHIP. The owner shall advise the Henderson County Planning Department of any change in ownership of any tract or group of parcels prior to such sale. The subdivision of a development parcel for building and development purposes may be handled through the non-standard subdivision procedures of the Henderson County Land Development Ordinance.

17. **(Staff Comment)**

ANNEXATION. Upon annexation of part or the entirety of the development by a municipality, the developer shall continue to conform with any and all requirements of this permit for any section under development at the time of such annexation unless the County and such municipality otherwise mutually agree to other acceptable means of project administration.

18. **(Staff Comment)**

ZONING ORDINANCE AMENDMENTS. Any amendments to the Henderson County Zoning Ordinance shall not preclude the developer from compliance with such ordinance except where a section has been previously approved but not completed, in which case completion shall be under the rules existing at the time of section approval.

+ Vested Rights

BID TABULATION

FOR

SINGLE PRIME - GENERAL CONTRACT

A CERTIFIED TRUE COPY

BIDS RECEIVED: JULY 15, 1993

GF PROJECT NUMBER 2270100

Alex B. Arpino, AIA

CONTRACTOR	LIC. NO.	BID BOND	ADDENDA RECEIVED		BASE CONTRACT SUM	ALTERNATES										
			#1	#2		G-1 GROVE STREET	G-2 UNIT PAVERS	G-3 PARKING	G-4 TIME	G-5 ROOF INSUL	M-1 HVAC CONTROLS	M-2 TIME	P-1 TIME	E-1 TIME		
BEAM CONSTRUCTION CHERRYVILLE, NC 28021					\$7,710,580.00	\$11,000.00	\$66,000.00	\$14,000.00	NO BID	<\$4,000.00>	\$11,000.00	NO BID	NO BID	NO BID	NO BID	NO BID
M.B. KAHN CONSTRUCTION CO. GREENVILLE, SC 29605					\$7,572,354.00	\$8,500.00	\$29,000.00	\$14,000.00	\$328,000.00	\$14,000.00	\$11,500.00	\$90,000.00	\$11,000.00	\$11,000.00	\$10,000.00	\$10,000.00
N.C. MONROE MANAGEMENT GREENSBORO, NC 27420					\$8,163,000.00	\$20,000.00	\$22,400.00	\$23,000.00	\$60,000.00	<\$6,560.00>	\$8,000.00	\$172,000.00	\$10,500.00	\$10,500.00	\$18,000.00	

Grier-Fripp Architects PA
AN AFFILIATE OF PERMANENT ARCHITECTS, INC.
 8001 Arrowridge Blvd.
 Charlotte, NC 28278
 (704) 523-2230

HENDERSON COUNTY COURTHOUSE COMPLEX
HENDERSONVILLE, NORTH CAROLINA

BID TABULATION
FOR

MULTIPLE PRIME - ELECTRICAL CONTRACT

A CERTIFIED TRUE COPY

Alan B. Antoine
Alan B. Antoine, AIA

BIDS RECEIVED: JULY 15, 1993

GF PROJECT NUMBER 2270100

CONTRACTOR	LIC. NO.	BID BOND	ADDENDA RECEIVED		BASE CONTRACT SUM	ALTERNATE		REMARKS
			#1	#2		E-1 TIME		
BASIC ELECTRIC CO. INDIAN TRAIL, NC 28079					\$771,354.00		\$30,000.00	
ELDECO, INC. N. CHARLESTON, SC 29418 (GREENVILLE, SC 29602)					\$685,053.00		-0-	
EMORY ELECTRIC, INC. ASHEVILLE, NC 28801					\$755,505.00		\$115,000.00	
HAYES & LUNSFORD ELECTRICAL ASHEVILLE, NC 28801					\$747,460.00		<\$10,000.00>	
M.B. HAYNES CORPORATION ASHEVILLE, NC 28806					\$744,500.00		\$18,000.00	
WATSON ELECTRICAL CONST. WILSON, NC 27895					\$814,730.00		<\$3,000.00>	
WEST GEORGIA ELECTRIC CARROLLTON, GA 30117					\$864,000.00		-0-	

Grier-Fripp Architects, P.A.
AN AFFILIATE OF PERSIMMON ARCHITECTS, INC.
8001 Arrowridge Blvd.
Charlotte, NC 28278
(704) 523-2230

**HENDERSON COUNTY COURTHOUSE COMPLEX
HENDERSONVILLE, NORTH CAROLINA**

BID TABULATION
FOR
MULTIPLE PRIME - GENERAL CONTRACT

A CERTIFIED TRUE COPY

BIDS RECEIVED: JULY 15, 1993

Alan B. Antoine
 Alan B. Antoine, AIA

GF PROJECT NUMBER 2270100

CONTRACTOR	IS	BID BOND	ADDENDA RECEIVED		BASE CONTRACT SUM	ALTERNATES					REMARKS	
			#1	#2		G-1 GROVE STREET	G-2 UNIT PAVERS	G-3 PARKING	G-4 TIME	G-5 RO/F INSUL		
J.H. ALLEN, INC. ASHEBORO, NC 27203					\$5,405,440.00	\$14,317.00	<\$40,000.00>	\$12,744.00	NO BID		\$9,757.00	
BEAM CONSTRUCTION CHERRYVILLE, NC 28021					\$5,473,420.00	\$11,000.00	\$66,000.00	\$14,000.00	NO BID		<\$4,000.00>	
CENEX-GREAT SOUTHWEST CORP. ORLANDO, FL 32824					\$5,698,990.00	\$11,777.00	\$41,777.00	\$21,777.00	\$77,777.00		\$33,777.00	
L.P. COX CO. SANFORD, NC 27330					\$5,234,000.00	\$22,000.00	\$99,000.00	\$14,000.00	N/C		\$9,800.00	
DONCHOE CONSTRUCTION CO. RALEIGH, NC 27604					\$5,411,620.00	\$12,500.00	\$27,250.00	\$7,250.00	\$20,000.00		\$9,750.00	
GEM CONSTRUCTORS MARION, NC 28752					\$6,124,586.00	\$12,681.00	\$49,407.00	\$9,026.00	\$250,000.00		\$9,015.00	
HIGHLAND RIM CONSTRUCTION FAYETTEVILLE, TN 37334					\$5,938,794.00	\$6,754.00	\$44,009.00	\$14,674.00	\$750,000.00		\$7,236.00	
M.B. KAHN CONSTRUCTION CO. GREENVILLE, SC 29605					\$5,430,160.00	\$8,500.00	\$29,000.00	\$14,000.00	\$375,000.00		\$14,000.00	
T.A. LOVING CO. GOLDSBORO, NC 27530					\$5,547,580.00	\$11,000.00	\$50,000.00	\$13,500.00	NO BID		\$32,000.00	

Grier-Fripp Architects, PA

AN AFFILIATE OF FERRARIS ARCHITECTS, INC.
 8001 Arrowridge Blvd.
 Charlotte, NC 28278
 (704) 528-2280

HENDERSON COUNTY COURTHOUSE COMPLEX
HENDERSONVILLE, NORTH CAROLINA

BID TABULATION

FOR

MULTIPLE PRIME - MECHANICAL CONTRACT

A CERTIFIED TRUE COPY

BIDS RECEIVED:

JULY 15, 1993

Alan B. Anderson
 Alan B. Anderson, AIA

GF PROJECT NUMBER

2270100

CONTRACTOR	C. NO.	BID BOND	ADDENDA RECEIVED		BASE CONTRACT SUM	ALTERNATES		REMARKS
			#1	#2		M-1 HVAC CONTROLS	M-2 TIME	
BOLTON CORP. ASHEVILLE, NC 28804					\$1,434,910.00	\$4,500.00	<\$60,800.00>	
DIXIE CONSTRUCTORS GAFFNEY, SC 29340					\$1,200,000.00	\$11,000.00	\$85,000.00	
FREEMAN MECHANICAL GREENVILLE, SC 29607					\$1,228,552.00	\$7,700.00	\$172,000.00	

Grier-Fripp Architects, PA.
 AN AFFILIATE OF FERRARINI ARCHITECTS, INC.
 8001 ATTYWILDE RD.
 CHARLOTTE, NC 28275
 (704) 523-2230

**HENDERSON COUNTY COURTHOUSE COMPLEX
 HENDERSONVILLE, NORTH CAROLINA**

BID TABULATION

**FOR
MULTIPLE PRIME - PLUMBING CONTRACT**

A CERTIFIED TRUE COPY

BIDS RECEIVED: JULY 15, 1993

GF PROJECT NUMBER 2270100

Alan B. Antoine
Alan B. Antoine, AIA

CONTRACTOR	LIC. NO.	BID BOND	ADDENDA RECEIVED		BASE CONTRACT SUM	ALTERNATE		REMARKS
			#1	#2		P-1 TIME		
BOLTON CORP. ASHEVILLE, NC 28804					\$297,360.00		<\$2,000.00>	
HOYLE PLUMBING SHELBY, NC 28152					\$332,690.00		\$500.00	
PACE HEATING & PLUMBING HENDERSONVILLE, NC 28739					\$259,560.00		\$10,500.00	
REA BROTHERS PLUMBING PINEVILLE, NC 28134					\$294,688.00		DELETE P-1 AS PER ADDENDUM #1	

Grier-Fripp Architects P.A.
AN AFFILIATE OF FERRAS/ANTHONY ARCHITECTS, INC.
9001 Arrowridge Blvd.
Charlotte, NC 28273
(704) 533-2230

**HENDERSON COUNTY COURTHOUSE COMPLEX
HENDERSONVILLE, NORTH CAROLINA**