

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
APRIL 21, 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 Hugh D. Randall, 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.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Edney led the Pledge to the American Flag.

INVOCATION

Rev. David DesForge, Pastor of Grace Covenant (PCA) Church, gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

There was none.

CONSENT AGENDA

Commissioner McKay asked that item "C" and item "G" be pulled from the consent agenda for discussion.

Commissioner Kumor asked that item "I-#10" be pulled from the consent agenda.

Commissioner McKay made the motion to approve the consent agenda with the exception of the above items. All voted in favor and the motion carried.

Review of Minutes - Minutes were presented for review and approval of the March 25 meeting.

Proclamation of Soil and Water Stewardship Week
April 25 through May 2, 1993

A sample proclamation was provided with the request from the Soil and Water Conservation District to proclaim 4/25 through 5/2/93 "Soil and Water Stewardship Week."

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Resolution Requesting Constitutional Amendments
To Prohibit Federally Mandated Local Programs

This item was pulled from the consent agenda for discussion.

Tax Release Requests (42)

Robert Baird, County Tax Assessor, submitted a list of 42 release requests for the Boards' approval. Supporting documentation is on file in his office.

Tax Refund Requests (9)

Robert Baird submitted a list of 9 refund requests for the Boards' approval. Supporting documentation is on file in his office.

Budget Amendment - Blizzard '93

David Thompson presented a Budget Amendment for the Board's consideration to appropriate funds to cover the expenses of the Volunteer Fire Departments, Rescue Squad, and other out-of-pocket expenses related to the Blizzard of '93. The amount of the Budget Amendment will be based on invoices provided to Henderson County from the above-mentioned agencies and is for their actual expenses.

Mr. Thompson recommended approval as per previous Board action authorizing reimbursement of the Volunteer Fire Departments and Rescue Squad for their out-of-pocket expenses. He informed the Board that we still have not heard from Federal or State Agencies concerning the possibility of reimbursement through FEMA for these expenses. We are in contact with Federal and State Agencies concerning this reimbursement. Currently, we have not received any formal communication concerning declaration of Henderson County as a disaster area.

Budget Amendment - Valley View Community Development Project

This item was pulled from the Consent Agenda for discussion.

Budget Amendment - E-911

Southern Bell remits to Henderson County the \$0.31 per month paid to Southern Bell by it's customers for the E-911 system. Henderson County began to receive this monthly reimbursement during the current fiscal year. These funds may be used for the original installation costs of \$77,756.00 and the monthly service charge. The monthly service charge is projected at \$7,500.00 per month.

David Thompson recommended adoption of the Budget Amendment to reimburse Southern Bell for the installation costs and accumulated monthly service charges for the E-911 service.

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Notification of Vacancies

These notifications were for the Board's information only. They will be on the next agenda for nominations:

1. Hospital Board of Trustees - 1 vacancy
2. Blue Ridge Community College Board of Trustees - 2 vacancies
3. EMS Council - 1 vacancy
4. Board of Health - 3 vacancies
5. Solid Waste Advisory Committee (SWAC) - 1 vacancy
6. Jury Commission - 3 vacancies
7. Library Board of Trustees - 2 vacancies
8. Private Industry Council - 1 vacancy
9. Recreation Committee - 3 vacancies
10. Social Services Board - 1 vacancy **pulled for discussion**
11. Henderson County Regional Water Forum - 1 vacancy

INFORMAL PUBLIC COMMENTS

There was no one signed up to speak.

ANNUAL REPORT OF THE COMMUNITY ADVISORY COMMITTEE FOR NURSING AND DOMICILIARY HOMES

Michael Martin, Chairman of the Nursing Home/Domiciliary Home Advisory Committee, presented the 1992 annual report of the Community Advisory Committee for Nursing and Domiciliary Homes.

He invited the Commissioners to join them for some of their visits during the year. Chairman Good requested a schedule of their visits so that he can participate.

SOLID WASTE ISSUES

1. Site Utilization Study

William Lapsley and Gary Tweed, Consulting Engineers, were present. Mr. Lapsley reminded the Board that yearly they take a topographic photograph of the landfill for review and study.

Gary Tweed discussed expansion options of the current landfill, available dirt for cover, alternate daily covers, compaction, and rate of waste into the landfill.

David Thompson reminded the Board that the projections for the lifespan of the current landfill will always be a moving target as we implement changes in our handling of the wastestream and the stream itself fluctuates.

The Consulting Engineers recommended the following to extend the lifetime of the current landfill:

1. Use of the approved demolition area.
2. Use of a tarp-type daily cover (fabrisoil).
3. Vertical expansion over the recycling area.

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4. Keep the working face small to achieve better compaction.
5. Continue use of the tub grinder.
6. Control the rate of waste delivery to the landfill. Recommended scheduling of waste haulers delivering waste to the landfill.
7. Continue the county recycling program and expand that program.

He reminded the Board that the required closing date of the current site is October 1996.

Approval of these recommendations was requested.

There was considerable discussion. Commissioner Randall left the meeting during the discussion (approx. 10:00 a.m.). No action was taken.

2. Materials Recovery Facility

Nippy Page, Integrated Solid Waste Planner, discussed the possibility of a Materials Recovery Facility (MRF) and the fact that MRF operations across the state are being analyzed. The results of this study are inconclusive. It was decided to send out a Request For Proposal (RFP). Responses from the RFP were received from 2 out of 7 companies which received the packet; GDS Recycling Service of Hickory and BFI of Charlotte. Staff is studying those two proposals.

Commissioner Edney made the motion to approve:

1. the use of an alternate (tarp-type) daily cover, to begin immediately;
2. vertical expansion of the recycling area; and
3. waste disposal scheduling with the waste haulers.

All voted in favor and the motion carried.

SCHEDULING PUBLIC HEARING ON REQUEST FOR NEW ZONING

The Board of Commissioners must schedule a public hearing on a request for new R-40 zoning for 49 parcels in the Jeter Mountain Terrace area, located off of Crab Creek Road and Jeter Mountain Road. On March 31, 1993, the Planning Board voted unanimously to give this request a favorable recommendation. At the April 5, 1993 meeting, the Board of Commissioners tabled this item.

David Thompson recommended that a public hearing be held on June 7, 1993.

After some discussion, Commissioner Edney made the motion to set the Public Hearing for June 7 at 7:00 p.m. with a work session set for 6:30 p.m. on the same date. All voted in favor and the motion carried.

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LAND USE PLAN EVALUATION PROCEDURE

Commissioners Kumor and McKay met and have made recommendations on an evaluation procedure for the proposed Land Use Plan. The main goal of the plan is to have a land use plan in Henderson County by December 31, 1993.

After discussion, Commissioner Edney made the motion to thank Commissioners Kumor and McKay for their work on this evaluation procedure and to adopt their recommendations. All voted in favor and the motion carried. A copy of this procedure is attached as part of the minutes.

ADMISSION FEES FOR YOUTH BASEBALL LEAGUE

The immediate request is from the State Babe Ruth Baseball League. They request to be allowed to charge admission fees as part of the revenues produced to offset the operational cost of the tournament. Existing county policy (unwritten to Mr. Moon's knowledge) prohibits the use of charging admission fees to any event or park facility.

David Thompson recommended approval of admission fees for this event.

There was much discussion. Commissioner McKay made the motion that the Recreation Department be permitted to charge admission fees for the Youth Baseball Tournaments in 1993. After discussion the motion was changed as follows: Commissioner McKay made the motion to allow the Recreation Department to lease the area in question to the Henderson County Youth Baseball League to hold their two tournaments for 1993 and to allow them to charge an admission fee as a pilot program for this one time event only. Staff was instructed to provide a full report on this event at the first meeting following its conclusion. All voted in favor and the motion carried.

PHYSICIAN EXTENDER SALARIES - Henderson County Health Department

The Health Department has had considerable difficulty in recruiting and retaining Nurse Practitioners and/or Physician Extenders. According to the information provided by Tom Johnson, Health Director, Henderson County's beginning salary for Physician Extender of \$32,727 (Grade 76) is not competitive. Therefore, Mr. Johnson has requested that the Physician Extender class be increased by two grades.

The most recent County-wide study of positions was performed by David M. Griffith, & Associates (DMG). DMG recommended at that time that the Board of Commissioners approve a two-grade increase in the Physician Extender series. Such a two-grade increase from Grade 76 (\$32,727) to Grade 78 would result in a starting salary of \$35,397.

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Based on the difficulty in recruiting/retaining Physician Extenders at the Health Department, David Thompson recommended the two-grade increase be approved.

Commissioner Edney made the motion to grant the request, effective immediately. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Good reminded the Board of 1 vacancy on the **Land Of Sky Regional Council, Area Agency Advisory Council**. There were no nominations at this time so this item was rolled to the next meeting.

2. Chairman Good reminded the Board of 1 vacancy on the **Community Child Protection Team**. Commissioner Kumor nominated Becky Benadyga to fill this position. Mrs. Benadyga has filled out an application showing interest. Commissioner McKay made the motion to suspend the rules and appoint Mrs. Benadyga. All voted in favor and the motion carried.

3. **Local Emergency Planning Committee (LEPC)**. David Thompson requested that this item be rolled to the next meeting. He will update the Board on this item at that time.

IMPORTANT DATES

The calendar for April, May, June and July was discussed briefly. It was requested that the Clerk add the Start up date of July 26 for the Construction of the Courthouse.

ITEMS PULLED FROM THE CONSENT AGENDA FOR DISCUSSION

RESOLUTION REQUESTING CONSTITUTIONAL AMENDMENTS TO PROHIBIT FEDERALLY MANDATED LOCAL PROGRAMS

After discussion, it was decided to rework the resolution, making one for Federal Legislators and one for State Legislators. This was rolled to the next meeting.

BUDGET AMENDMENT - VALLEY VIEW COMMUNITY DEVELOPMENT PROJECT

The Valley View Community Development Project is the third such project done in Henderson County. It was a target project for an area that needed to be redone. The original budget was too small. Additional funds will be required to complete the project. The request is for an additional \$5,250.00.

Commissioner McKay made the motion to approve the Budget Amendment on the Valley View Community Development Project. All voted in favor and the motion carried.

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NOTIFICATION OF VACANCIES10. Social Services Board - 1 vacancy

This is the seat that Commissioner Kumor fills on the Social Services Board. She was not eligible for reappointment because she has served two terms.

Commissioner Kumor stated that the General Statutes say that because she has been elected a Commissioner, she can be reappointed to the Social Services Board. She likes working with the people in Social Services. She sees the value of having a Commissioner on the Social Services Board. As of July, she will decline to serve as Chairman of the Social Services Board. There was discussion. Commissioner Kumor requested some direction from the Board of Commissioners.

It was the consensus of the Board of Commissioners that Commissioner Kumor could be reappointed to the Social Services Board at the appropriate time. This item will appear under Nominations on the next agenda.

MUD CREEK WATER AND SEWER DISTRICT

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

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

EXECUTIVE SESSION

Commissioner Edney made the motion that the Board go into Executive Session. All voted in favor and the motion carried.

Commissioner Edney made the motion that the Board go out of Executive Session. All voted in favor and the motion carried.

There being no further business the meeting was adjourned at 1:15 p.m.

ATTEST:


Elizabeth W. Corn, Clerk


Vollie G. Good, Chairman

M E M O R A N D U M

TO: Henderson County Board of Commissioners
FROM: William McKay, Renee Kumor
DATE: April 15, 1993
SUBJECT: Proposed Land Use Plan Evaluation Procedure

Goal: Adopt a land use plan by December 31, 1993

General Procedure

- (A) Plan for a series of workshops
- (B) Begin May or June as other commission demands permit
- (C) Meet at (2) week intervals
- (D) Schedule specific times for input from Steering Committee, Planning Board and general public

Proposed Calendar

1. Schedule meeting April 26 from 7:00 to 9:00 p.m. with Steering Committee and Planning Board. Invite input from both groups before Board begins serious workshop deliberations.
2. Begin series of (4)-hour workshops in May or June and continue bi-monthly until work is essentially finished.
 - (a) Review Goals and Objectives (Sec. 5) at first meeting.
 - (b) Review Recommendations (Sec. 6) at subsequent meetings.
 - (c) Board may, at its discretion, invite input from outside groups or individuals in discussing Sections 5 and 6.
 - (d) Assess progress and position and make determination on method to begin discussing Implementation (Sec. 7)
3. At some point toward the end of process, consider inviting Steering Committee and Planning Board in for further comments and observations.

**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

PROCLAMATION

SOIL AND WATER STEWARDSHIP WEEK

WHEREAS, our well-being depends on the production of ample food, fiber and other products of the soil; and

WHEREAS, the quality and quantity of these products depend on the conservation, wise use and proper management of soil and water resources; and

WHEREAS, protection of our water from pollution depends on sound conservation practices; and

WHEREAS, conservation districts provide a practical and democratic organization through which landowners take the initiative to conserve and make proper use of these resources; and

WHEREAS, the conservation movement is carrying forward a program of soil and water conservation in cooperation with numerous agencies and countless individuals;

NOW, THEREFORE BE IT RESOLVED, the Henderson County Board of Commissioners in full appreciation of the value of our soil and water to the public welfare, and desiring to honor those who protect those resources, do hereby proclaim April 25, 1993 through May 2, 1993 as Soil and Water Stewardship Week.

Adopted this the 21st day of April, 1993.

VOLLIE G. GOOD, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Elizabeth W. Corn, Clerk to the Board

approved
4/21/93
ewc

HENDERSON COUNTY
BUDGET AMENDMENT

Code	Account Description	Debit	Credit
GENERAL FUND:			
11-9800-08022			
	Transfer to Community Development Fund	5,250.00	
11-9900-08022			
	Contingencies		5,250.00
COMMUNITY DEVELOPMENT FUND:			
22-6520-00003			
	Private Rehabilitation	5,250.00	
22-3840-000002			
	Project Revenues		5,250.00

BUDGET AMENDMENT

Budget Amendment by Board - Appropriate funds to the Valley View
Community Development Project

DEN

4-21-93

Prepared by

Date

Approval

Batch

Batch Date

JV#

HENDERSON COUNTY
BUDGET AMENDMENT

approved
4/21/93
suc

Code	Account Description	Debit	Credit
11-6520-05000	Non-Departmental - Telephone	195,000.00	
11-3540-00002	E911 Reimbursement		195,000.00

TOTALS		195,000.00	195,000.00
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BUDGET AMENDMENT

Budget Amendment by Board - E911 Expenditures

DEN	4-21-93	
Prepared by	Date	Approval

Batch

Batch Date

JV#

*approved
4/21/93
ew/c*

HENDERSON COUNTY
BUDGET AMENDMENT

Code	Account Description	Debit	Credit
11-6520-01920	Non-Departmental-Services	23,960.00	
11-9900-08300	Contingencies		23,960.00

BUDGET AMENDMENT

Budget Amendment by Board on April 21, 1993 to appropriate funds for the volunteer fire departments, rescue squad and other out of pocket expenses related to the snow storm.

DEN	4-21-93	
Prepared by	Date	Approval
Batch	Batch Date	JV#

COMMISSIONER'S REPORT 04-13-93
RELEASES PAGE 1

Name.....	Releases.....	Total..... Tax.....	Reasons for Rel/Refunds.....
BALLEW, S DOUGLAS	92A341.03	\$33.36	MOVED TO GREENVILLE, SC IN 1989
BALLEW, S DOUGLAS	90A341.03	\$46.25	CARS LISTED THERE BUT MH STILL HERE MOVED TO GREENVILLE, S.C. IN 1989
BALLEW, S DOUGLAS	91A341.03	\$54.24	CARS LISTED THERE BUT MH STILL HERE MOVED TO GREENVILLE, SC IN 1989
BASHAM, RICHARD ALAN	92A3455.01	\$12.65	CARS LISTED THERE BUT MH STILL HERE DBL LISTED TO ACCT# 12999
BEACH, LUETTA	92A91612.03	\$35.32	MH INCORRECTLY BILLED SGL WIDE HAS BEEN DISCOVERED AS A DBL WIDE TO BILL 92A91612
CHAPPELL, WILLIAM C	92A67296.07	\$10.39	MH DBL LISTED TO ACCT 37242
COX, JANE ANN	92A90786.06	\$10.42	LIVES AND LISTED IN BUNCOMBE CO.
DAVIS, KAREN	92A96300.07	\$84.45	MH IS LISTED IN BUNCOMBE CO.
DAVIS, SHAWN	91A56093.08	\$76.15	LIVES AND LISTS IN POLK CO.
DUPLER, ROBERT	92A56093.08	\$66.01	LIVES AND LISTS IN POLK CO.
GARRETT, JEANNIE MARIE	91A90649.01	\$12.32	MOVED OUT OF COUNTY
GARRETT, JEANNIE MARIE	92A90649.01	\$11.18	MOVED OUT OF COUNTY
GELCO-CORPORATION	92A74951.01.6	\$49.32	LISTED IN SWAIN COUNTY
GRANITE PROPERTIES INC	92A9926183	\$2.55	FORECLOSED PROPERTY BY SHERIFF'S TAX DEED 818/199
GRANITE PROPERTIES INC	91A9926183	\$2.55	FORECLOSED PROPERTY BY SHERIFF'S TAX DEED 818*199
GRANITE PROPERTIES INC	90A9926183	\$2.25	FORECLOSED PROPERTY BY SHERIFF'S TAX DEED 818/199
GRANITE PROPERTIES INC	88A9926183	\$61.00	FORECLOSED PROPERTY BY SHERIFF'S TAX DEED 818/199
GRANITE PROPERTIES INC	89A9926183	\$58.00	FORECLOSED PROPERTY BY SHERIFF'S TAX DEED 818/199
GUICE, ROY D	92A20799.01.1	\$121.87	MH DBL LISTED TO ACCT 96385
GUICE, ROANNA	89A20799.01	\$54.08	BILL WAS PRINTED INCORRECTLY. WAS DISCOVERED CORRECTLY BUT THIS BILL DID NOT GET RELEASED.
GUICE, ROY D			CAR LISTED IN BUNCOMBE CO.
GUICE, ROANNA			
HANCHEY, SARA HARVEY	92A95309.07	\$48.95	
HANCHEY, GORDON LEE			
HANEY, LISA	92A86158.07	\$7.42	DBL BILLED ON ACCT# 83363
HARRIS, DAVID A	92A94297.06.1	\$16.80	DBL BILLED ON SAME ACCT#
HEIZER, LARRY EDWARD	92A73892.01	\$16.94	MOVED TO WV IN OCT. 91
HENDRICKS, DOUGLAS & WIFE	92A13289.08	\$7.47	CAR WAS SOLD IN 1991
HENSLEY, JAMES ALVIN	92A97956.07	\$9.96	82 BUICK WAS TAKEN BACK BY COMPANY IN 1991
HIGGINS, MARTHA WHITLOCK	92A96334.01	\$38.06	97 OLDS DBL LISTED TO ACCT 84764

approved
4/21/93
ewc

COMMISSIONER'S REPORT 04-13-93
RELEASES PAGE 2

Name.....	Releases.....	Total..... Tax.....	Reasons for Rel/Refunds.....
JONES, LOIS CRISP	92A95905.06.1	\$30.13	DBL LISTED TO ACCT 19269
KRYVICKY, MICHAEL	92A62551.04	\$54.32	DBL LISTED TO ACCT# 90300
KRYVICKY, MINNIE L	91A99149.07	\$30.02	CAR REGISTERED IN S.C.
LITTLE, SHIRLEY JEAN MCKNIGH	92A99149.07	\$27.09	CAR REGISTERED IN S.C.
LITTLE, SHIRLEY JEAN MCKNIGH	92A98466.07	\$23.21	TAXPAYER IS DECEASED AND CAR HAS BEEN TOTALLED
LYDA, TERESA WOMACK	92A86257.08	\$14.65	MH DBL LISTED TO ACCT 60670
MATHEU, DWYEN	92A96393.06	\$23.92	SOLD CAR IN 11/91
MAYBIN, MICHAEL JEFFERSON JR	92A94725.07	\$37.23	LISTED AND PAID IN BUNCOMBE CO.
MELNYK, JAMES S	92A0106856	\$55.29	PROPERTY PAID UNDER BILL 92A0100491
PRIDMORE, JANICE	91A0201294	\$71.54	VAL CHANGE BY BOARD OF E & R
RHODES, JANICE MARILYN	92A95866.06	\$27.78	LIVES AND LISTED IN POLK CO.
RUSSELL, HARDY ALVIN	91A9939397	\$147.90	MH WAS LISTED AND PAID BY ACCT# 83678
SCROGER, CLARENCE	88A99931319	\$1.26	PARCEL MERGED WITH 99-31456 TO CREATE LOT 47 ON 7/7/87.
THE D O THOMPSON CO	92A39061.07	\$3.50	DOES NOT OWN A DOG
WEBB, JAMES DEAN & KAREN	92A97601.01	\$10.79	87 BUICK WAS JUNKED 10/91
WRIGHT, JAMES CLEVELAND		=====	
		\$1,508.48	

42 records listed.

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COMMISSIONER'S REPORT 04-13-93

REFUNDS PAGE 1

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Name.....	Refunds.....	Total..... Tax.....	Reasons for Rel/Refunds.....
BASHAM, RICHARD ALAN	91A3455.01	\$17.81	MH DBL LISTED TO ACCT# 12999
GIBBS, JOHN D	92A79826.03	\$15.56	84 OLDS IS DBL LISTED TO ACCT#79826
GIBBS, KATHY			
HANEY, LISA	91A86158.07	\$17.20	DBL LISTED TO ACCT 83363
LOHRMANN, EDWIN A	92A9927655	\$121.89	VALUE CHANGE BY BOARD OF E&R
LOHRMANN, JOAN L			
MARLOWE, KATHRYN DUNLAP	92A94280.02	\$2.90	CAR DBL LISTED TO ACCT 2024
MAUSOLF, MELVIN J	92A90833	\$2.72	REFUND INTEREST BECAUSE TAXPAYER
MAUSOLF, JOYCE A			
			DID NOT RECIEVE BILL, ONLY A
POLI, JOSEPH			DELINQUENT NOTICE.
POLI, GRACE	93A0701886	\$77.72	VALUE FOR 1992 SHOULD HAVE BEEN
			\$44.800 AND NOT \$58.200
RHODES, TERRY LARNE	92A93935.06	\$47.79	RELEASED BUT ALREADY PAID
RHODES, MELANIE J			
SAIDLA, ROBERT R & WIFE	92A16658.07	\$24.28	DBL ASSESSED UNDER ACCT# 84652
		=====	
		\$327.87	

9 records listed.

Approved
#12/1/93
ewc