

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
APRIL 5, 1993

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

Those present were: Chairman 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. Absent were County Attorney Don H. Elkins and Staff Attorney Angela Skerrett.

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

Chaplain Bill Clevenger, of Blue Ridge Prison Ministries, gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Good added Crimestoppers Resolution under Preliminary Discussion Items as "B-1". He also added Solid Waste Tipping Fee as item "K".

Commissioner Edney made the motion to approve the two additions to the agenda. All voted in favor and the motion carried.

CONSENT AGENDA

Review of Minutes - Minutes were presented for review and approval from the March 11 meeting and the March 17 meeting.

Designation of Non-Conflicting Road Names - A list of 77 road names was presented for the Board's approval. The list has been reviewed by the Planning staff for duplication and/or multiple identity. Because there were no conflicts with the street names, no Public Hearing is required. The Board of Commissioners must take action to adopt these street names. Upon approval by the Board, the Planning staff will order street signs.

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Request to Set Public Hearing/Road Names - A request from the Planning Department to set a public hearing for public and private road names for June 7, 1993.

Streets tabled from previous meetings & Property Addressing Report

These were included for the Commissioners' information only.

Tax Release Requests (10)

Robert Baird submitted a list of 10 tax release requests for the Board's approval. It was his opinion that the findings were in order. Supporting documentation is on file in his office.

Tax Refund Requests (5)

Robert Baird submitted a list of 5 tax refund requests for the Board's approval. It was his opinion that the findings were in order. Supporting documentation is on file in his office.

Register of Deeds request/plat size

The Register of Deeds, having met all requirements, requested the Board of Commissioners to adopt, by resolution, a size of 18x24 inch as the map size to record a plat in the Register of Deeds Office.

Commissioner Edney made the motion to adopt the consent agenda. All voted in favor and the motion carried.

INTRODUCTION OF FINANCE DIRECTOR

David Thompson informed the Board that we had seventy-five applicants for the position of Finance Director. Five candidates were interviewed. From the five interviewed, Mr. Thompson selected the individual whom he felt was best suited by his experience and professional qualifications to fulfill the duties of Finance Director. He introduced Peter Molleur, Finance Director. Mr. Molleur began work with Henderson County today.

Proposed Procedure for Public Hearings on Street Names

David Thompson reminded the Board that public hearings for naming streets in the past have proven to be confusing at times for both citizens and our staff due to the number of streets and the various categories into which each street falls. In order to facilitate a more orderly public hearing in which everyone who wants to talk feels that they have an opportunity to talk and to help clarify the procedure for citizens that have not participated previously at public hearings, Mr. Matt Matteson has proposed a new procedure. This may not be the best solution but hopefully, it will allow the

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Board to conduct more efficient hearings. Mr. Thompson suggested that the Board try it and provide input back to staff on whether they think this procedure is good or not.

Commissioner Edney made the motion to try the new procedure. All voted in favor and the motion carried.

PUBLIC HEARING - Public & Private Road Names

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

A Non-Conflicting Private Streets -- New Names (Undocumented)

East Mullinax Cove Road
Kapfer Lane
Lloyd Barnwell Road
Mullinax Cove Road
North Mullinax Cove Road

These five roads were posted. No one was present to speak to these names.

The following roads are also in section A but are not required to be posted:

Lilly's Lane
Tracy Ridge Drive
Claremont Drive
Crest Hill Road
Deep Woods Drive
Kenmure Drive
Middleton Place
Mountain Valley Drive
Old Town Way
Sugar Hollow Road
Warbler Drive

B Non-Conflicting Private Streets -- Existing Names (Documented)

Alabama Avenue
Arrowhead Trail
Azalea Drive
B Street
Beddingfield Drive
Brightwater Farm Estate Drive
Carlisle Road
Carolina Hills Drive
Caroline Drive
Cranbrook Circle
Crest Boulevard

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Crestwood Road
Cumberland Drive
Cummings Parkway
Davis Circle
Deerfield Court
Dotson Road
Eastbrook Lane
Epple Lane
Evans Avenue
Fairway Lane
Finlay Ridge Road
Finley Court
Fortson Street
Haven Road
Hawkins Spring Road
Holiday Drive
Hollywood Street
Indian Ridge Trail
Iowa Street
Joyce Street
Kanuga Ridge Road
Keith Street
Larchmont Lane
Laurel Park Place
Little Hungry Creek Lane
Little Willow Road
Louisiana Avenue
Marlowe Drive
Mary Place
Masters Crest Court
Meadowbrook Court
Mill Terrace
Orr Street
Paula Place
Prosperity Avenue
Quail Hollow Road
Ravenswood Loop
Road-To-Daniel Street
Rocky Street
Sandra Way
Shadow Brook Drive
Summit Avenue
Tara Place
Tarkiln Mountain Drive
Teaneck Circle
Teaneck Trail
Texas Street
Trenholm Woods Drive
Virginia Avenue
Westside Drive
White Oak Drive

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White Oak Street
 Wildwood Road
 Willow Lake Drive
 Willow Ridge Drive
 Willow Springs Drive

There were speakers to address some of these road names:

Thomas Daniel Carlisle, Sr. - Carlisle Road. Mr. Carlisle stated that the road name is Carlisle Drive and they would like to see it remain as Carlisle Drive.

Andy Austin - Little Hungry Creek Lane. Mr. Austin stated that this has been known as River Road since 1982. He would like to keep it as River Road.

Sam Jackman - Little Hungry Creek Lane. Mr. Jackman also wants River Road.

After some discussion, Commissioner Edney asked that this road name be pulled from the list and reviewed.

James R. Bishop - Orr Street. Mr. Bishop opposes naming this road. He stated that it is his private driveway, approx. 158 feet in length. He gets his mail addressed as South Carolina Avenue. His home is the only home on this road.

After some discussion, Commissioner Good asked that this road name be pulled from the list and reviewed.

Linda Gibson - Ravenwood Loop. Ms. Gibson is opposed to Ravenwood Loop. She stated that the correct road name should be Ravenswood Road and favors that name.

It was the consensus of the Board to change this name to Ravenswood Drive.

Donald C. Jones - Summit Ave. Mr. Jones favors this name. He also asked that Overlook Terrace remain the same.

D Conflicting Private Street -- Existing Names (Documented)

Andrew Johnstone Lane (renaming Lovingood Place)
 C.M.C. Road (renaming section of Bayne Ford Road)
 Ferndale Street (renaming 4th Street)
 Greenwood Lane (renaming Greenwood Drive)
 Stanton Drive/Viking Trail (renaming Crest Drive)
 Valentine Street (renaming 2nd Street)

No one wished to speak to these names.

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E Conflicting State Roads

Barnett Street (SR 1800) renaming Barnett Subdivision
Boyleston Drive (SR 1485) renaming Longview Drive
Pleasant Grove Road (SR 1191)
River Road (SR 1191)
Laurel Forest Drive (SR 2111) renaming Forest Drive
Laurel Hill Drive (SR 2110) renaming Laurel Drive
Laurel Way (SR 2112) renaming Laurel Court
East Chestnut Gap Road (SR 1742) renaming unpaved portion of
Chestnut Gap Road
Lloyd Williams Road (SR 1704) naming Lloyd Williams Road/
Neilson Road

Shirrey Devinney - River Road. Mrs. Devinney favors River Road for SR 1191, not Pleasant Grove Road.

David Mallett - River Road. Mr. Mallett favors River Road for SR 1191 also. He handed out pictures of a road sign for Pleasant Grove Road (SR 1201), stating that there already exists a Pleasant Grove Road. Mr. Mallett showed the roads on a map. There was much discussion.

Commissioner Kumor made the motion that the Board go out of Public Hearing. All voted in favor and the motion carried.

ACTION

Commissioner Edney made the motion to adopt the names of the roads under section A as presented. Under section B, all except Carlisle Road change to Carlisle Drive, delete Little Hungry Creek Lane, delete Orr Street, and change Ravenwood Loop to Ravenswood Road. Under section D approve all names except Stanton Drive/Viking Trail. Under section E approve all names except Pleasant Grove Road and River Road. Reschedule Southern Run Road, Wetmur Street, Moffitt Street, Indian Cave Drive, and Fred Nix Road.

There was discussion of the motion. Commissioner McKay questioned the pronunciation of the name Epple Lane. He requested that this name be pulled and reviewed.

Commissioner Edney changed his motion to include Mr. McKay's request.

A vote was taken and the motion carried unanimously.

CRIMESTOPPERS RESOLUTION

The Henderson County Crimestoppers Program requested that the Commissioners declare the month of May 1993 "Crimestoppers Month". The Board has done this in years past.

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Commission McKay made the motion that the Board adopt the Resolution and declare the month of May as Crime\$toppers Month. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

No one had signed up to speak.

STATUS OF STANTON DRIVE/VIKING TRAIL

Susan Sneed informed the Board that the road is presently known as Crest Drive. Two petitions have been submitted, one for Stanton Drive and one for Viking Trail. Forty-seven and six tenths percent of the road frontage is owned by those residents requesting Stanton Drive. Fifty-two and four tenth percent of the road frontage is owned by those residents requesting Viking Trail. Because the petitioners requesting Viking Trail are full-time residents, the Planning staff would make the recommendation to accept the name Viking Trail. These residents will be using the street name for mailing addresses for 12 months while the other residents may only be there for a few months. Also there currently exists a Staton Road and a Staton Avenue that could be mistaken for the name "Stanton".

Commissioner McKay made the motion to accept the Planning Department's recommendation and rename Crest Drive Viking Trail. All voted in favor and the motion carried.

STATUS OF PLEASANT GROVE ROAD/RIVER ROAD

Susan Sneed informed the Board that two separate road petitions have been filed with the Planning Department in regard to the name of SR 1191. One petition requests the name "Pleasant Grove Road", the other petition requests the name "River Road".

Twenty-five percent of the road frontage is owned by those residents requesting Pleasant Grove Road. Seventy-five of the road frontage is owned by those residents requesting River Road.

This street extends into Transylvania County and has officially been adopted as "Talley Road" by their Board of Commissioners. This street was posted by the Planning staff in November as Talley Road, but was tabled by the Board due to the unsatisfactory response received by the Planning staff. This street was again on the agenda in February as River Road/Pleasant Grove Road, but was again tabled by the Board.

After some discussion, Commissioner McKay made the motion to defer action on the naming of SR 1191. Mr. Thompson asked that the Planning department get input from the citizens and come back to the Board of Commissioners. All voted in favor and the motion carried.

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SUBDIVISION IMPROVEMENT GUARANTEES/ Hawthorn Hills, Phase II, Lots 1-21

Browning Enterprises, Inc. has requested that the Board of Commissioners approve a guarantee for road construction and waterline improvements for Hawthorn Hills, Phase II, Lots 1-21. The developer intends to provide cash on deposit with the County in the amount of \$64,314.06 which includes a 25% overhead factor.

Matt Matteson stated that the developer has made some improvements already. He also made an April 5 payment of \$17,665.65. The new bond figure would be \$42,232.81 including the 25% overhead. He will make a cash deposit in an interest bearing account with the account to cover the improvements.

After some discussion, Commissioner McKay made the motion to approve the request. All voted in favor and the motion carried.

SUBDIVISION IMPROVEMENT GUARANTEES, Southchase, Section I

Matt Matteson informed the Board that the method of bonding in this case is an irrevocable letter of credit in the amount of \$241,290.00 which includes a 25% overhead factor. The Windsor-Aughtry Company has requested that the Board of Commissioners approve a guarantee for road construction, drainage, water and sewer improvements for Southchase, Section I. The date of completion would be April 30, 1994.

After some discussion, Commissioner McKay made the motion to approve the request subject to review by the Staff Attorney. All voted in favor and the motion carried.

Set Public Hearing/ Request for new Zoning

The Board of Commissioners must decide if and when to set 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.

To allow time for public notice and related staff work, the hearing should be held no sooner than May 3, 1993.

Commissioner Edney had some unanswered questions and therefore moved that this item be rolled to the next meeting. All voted in favor and the motion carried.

PROCLAMATION - County Government Week

Each year the Henderson County Board of Commissioners proclaims a week in April as Henderson County Government Week. To coincide

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with both the national and state-wide proclamations, the Board of Commissioners has chosen to designate April 17 through 24 as County Government Week.

We have a committee working on various activities during County Government Week. A schedule of events will be provided to the Board of Commissioners as soon as it is available.

Commissioner Kumor made the motion to adopt the Proclamation. 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. This must be a low-income individual. Joan Tuttle is working on getting some names of persons interested who qualify. 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. There were no nominations at this time so this item was rolled to the next meeting.

3. Chairman Good reminded the Board of 1 vacancy on the Library Board of Trustees. Commissioner McKay stated that the by-laws have been changed and the two ex-officio members are no longer a part of the Library Board; therefore, we do not have two vacancies.

4. Chairman Good reminded the Board of 2 vacancies on the Nursing Home/Domiciliary Home Advisory Committee. Both ladies whose terms are expiring in May are willing to continue to serve.

Commissioner Edney nominated Ruth Good to fill one vacancy. Commissioner Kumor nominated Mary Lucille Lehmann to fill one vacancy. Commissioner McKay made the motion to suspend the rules and appoint Mrs. Good and Mrs. Lehmann. All voted in favor and the motion carried.

5. Chairman Good reminded the Board of 1 vacancy on the Henderson County Planning Board. Commissioner McKay nominated Larry Roper to succeed himself. Commissioner Edney made the motion to suspend the rules and appoint Mr. Roper. All voted in favor and the motion carried.

6. Local Emergency Planning Committee (LEPC). David Thompson requested permission to look at expanding this committee. Since the recent emergency (Blizzard of '93) he has had numerous inquiries regarding this committee. He would also like to include some citizens on the committee.

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IMPORTANT DATES

David Thompson reminded the Commissioners to bring their Facilities Evaluation to the Courthouse Worksession on April 6.

Dates were discussed for the Annual Employee Christmas Luncheon. December 15, 1993 was the preferred date.

SOLID WASTE TIPPING FEE

David Thompson discussed the problem of debris removal for the people who suffered damage from the recent snow storm. He anticipates a large volume of limbs, trees, shingles, roofing, etc. to be brought to the landfill soon. He recommended a \$13 reduction in the tipping fee for anything that is debris related from the snow storm. It would have to be verified by the landfill operator or through the County Manager's office. He recommended allowing 30 days at the reduced rate after advertisement in the Times-News.

After some discussion, Commissioner Edney made the motion to approve the request. All voted in favor and the motion carried.

MUD CREEK WATER & SEWER DISTRICT

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

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

EXECUTIVE SESSION

Commissioner Edney made the motion for the Board 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 validity, settlement, or other disposition of a claim against or on behalf of the public body or an officer or employee of the public body or in which the public body finds that it has a substantial interest; or the commencement, prosecution, defense, settlement, or litigation of a potential or pending judicial action or administrative proceeding in which the public body or an officer or employee of the public body is a party or in which the public body finds that it has a substantial interest.

All voted in favor and the motion carried.

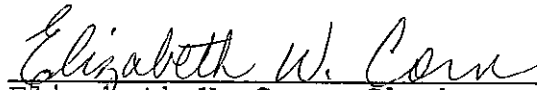
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Commissioner Edney made the motion for the Board to go out of Executive Session. All voted in favor and the motion carried.

There being no further business, the meeting was adjourned at 9:05 p.m.

ATTEST:


Elizabeth W. Corn, Clerk


Vollie G. Good, Chairman

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
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VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
HUGH D. RANDALL
WILLIAM McKAY
RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

PROCLAMATION

WHEREAS, County Government is the oldest form of local government in the United States and 98 percent of the nation's population reside in counties; and

WHEREAS, County Government in North Carolina has been a major partner in providing services to citizens since 1663, and today the 100 counties of our State are involved in providing dozens of services to our people; and

WHEREAS, Counties are on the front line of addressing many of our nation's most critical issues including: environmental protection; indigent health care; special assistance for the elderly; job training; child welfare; and drug/alcohol abuse; and

WHEREAS, Henderson County is a major partner in the public education system, having provided \$8,314,737 in 1992-93 to elementary-secondary schools and \$884,732 to Blue Ridge Community College; and

WHEREAS, serving as an elected or appointed county official today requires dedication, hard work, and a strong sense of purpose. The mission of Henderson County Government is to meet the needs of our citizens without placing an undue burden on local taxpayers and to find solutions that are of benefit to all of us.

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners does hereby proclaim the week of April 17 - 24, 1993 as "Henderson County Government Week" and urges all citizens to be more involved in and aware of issues affecting County Government.

Adopted this the 5th day of April, 1993.



VOLLIE G. GOOD, CHAIRMAN
HENDERSON COUNTY BOARD OF
COMMISSIONERS

ATTEST:


Elizabeth W. Corn
Clerk to the Board



**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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DAVID F. THOMPSON
COUNTY MANAGER

RESOLUTION
ADOPTING PLAT SIZE FOR RECORDING PLATS IN THE HENDERSON COUNTY
REGISTER OF DEEDS OFFICE

WHEREAS, all plats presented to the Register of Deeds for recording, pursuant to North Carolina General Statute 47-30, must meet specific requirements as to size, and; and

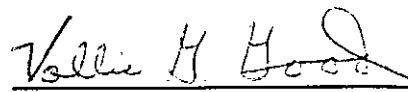
WHEREAS, the North Carolina General Statutes state the Register of Deeds shall select the size best suited for his/her needs, then the Register of Deeds shall be required to submit the size chosen to North Carolina Association of Register of Deeds for inclusion on Master list of all counties; and

WHEREAS, Henderson County Register of Deeds' method of recording Plats is by aperture slides. The size 18x24 in. is best for this procedure, not only for aperture slides, but for storing.

WHEREAS, the Register of Deeds Office has complied with all requirements and has been included on the Master list with the North Carolina Association of Register of Deeds for several years joining 69 other counties who have adopted the 18x24-in. size.

NOW, THEREFORE BE IT RESOLVED, that the Henderson County Board of Commissioners recommends and approves the Register of Deeds' use of 18x24-in. size plat to record deeds.

Witnessed this the 5th day of April, 1993 at Hendersonville.



Vollie G. Good, Chairman
Henderson County Board of Commissioners

ATTEST:



Elizabeth W. Corn
Clerk to the Board

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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WILLIAM McKAY
RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

**RESOLUTION
May / Crime\$toppers Month 1993**

WHEREAS, crime in Henderson County and across this nation continues to rise,
and

WHEREAS, there are many occasions where the citizens of Henderson County could be of great assistance to law enforcement in solving various crimes but for various reasons wish to remain anonymous, and

WHEREAS, CRIME\$TOPPERS OF HENDERSONVILLE - HENDERSON COUNTY, INC. is an organization which allows citizens to provide information about a crime without anyone knowing who they are, and

WHEREAS, this service can prove to be invaluable to the law enforcement and the citizens of this County,

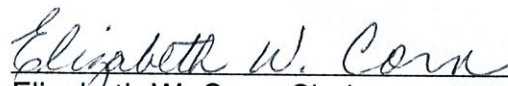
NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners does hereby proclaim the month of May 1993 as **CRIME\$TOPPERS MONTH** in Henderson County.

This the 5th day of April, 1993.



Vollie G. Good, Chairman

ATTEST:



Elizabeth W. Corn, Clerk

COMMISSIONER'S REPORT 03-30-93
 REFUNDS PAGE 1

Name.....	Refunds.....	Total..... Tax.....	Reasons for Ref/Refunds.....
BANE, RANDY M BANE, DONNA J	92A9945071	\$36.96	PROPERTY WAS TAXED ON THE INCORRECT
BEDDINGFIELD, GARY M	92A0600143	\$43.63	ACREAGE. REFUND THE DIFFERENCE 87 CHEV WAS TRADED IN 1991. FOR A 1991 FORD TK
CROSSMAN, LIONEL A CROSSMAN, LUCILLE C	92A0103642	\$20.99	DID NOT OWN 87 CHRYSLER ON JAN.1
INGLE, KEITH	92A9941608	\$73.83	BOAT MOTOR AND TRAILER WERE VALUED TOO HIGH
ROBINSON, SANDRA	92A0301309	\$97.54	TAXES WERE PAID IN SC ON 87 CHEV AND 86 FORD
		=====	
		\$262.95	

5 records listed.

*Approved
 4/5/93
 ewc*

COMMISSIONER'S REPORT 03-30-93
 RELEASES PAGE 1

Name.....	Releases.....	Total..... Tax.....	Reasons for Rel/Refunds.....
BLANCHARD, SHARON NANCY BLANCHARD, DANA M	92A9939496	\$386.58	HOUSE BURNED DOWN SEPT. 91
CORN, JAMES D FEDERICK, CORNELIOUS FEDERICK, KAREN W	91A9943131 92A50792.01	\$14.16 \$23.25	BEING APART OF PARCEL 9555-90-3371 CAR WAS TOTALLED IN NOV. 91
GILLIAM, CARRIE M	91A0104892	\$158.79	HENDERSON COUNTY PURCHASED PROPERTY 6-5-91
OWENSBY, DANIEL L OWENSBY, MARIAN A	92A0105822	\$170.03	BOARD OF EDUCATION PURCHASED THIS PROPERTY IN 1992
TINSLEY, TED E ETAL TINSLEY, TED E ETAL	92A9935117 92A9935116	\$34.20 \$41.19	PROPERTY IS FORECLOSED PROPERTY IS FORECLOSED
TRUSTEES FIRST BAPTIST CH HENDERSONVILLE, NC	92A9927625	\$2,186.21	PROPERTY SHOULD BE EXEMPT
VALLEY NATIONAL BANK LEASING WILSON FARMS CO	92A95335.01 92A9943409	\$39.89 \$11.40	VEHICLE WAS IN FLORIDA ON JAN 1 92 CITY OF H'VILLE PURCHASED PROPERTY IN 1992
		=====	
		\$3,065.70	

10 records listed.

*Approved
4/5/93
ewc*