

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
OCTOBER 21, 1992

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 J. Michael Edney, Vice-Chairman Vollie G. Good, Commissioner Hugh D. Randall, Commissioner William McKay, County Manager David F. Thompson, Assistant County Manager/Finance Director David E. Nicholson, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn. Absent was Commissioner F. Richard Baker. Commissioner Randall was excused at 11:00 a.m.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Good led the pledge to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

REVIEW OF MINUTES

Minutes of the September 8, October 5, and October 12 meetings were presented for review. Minutes were approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson added one item under Unfinished Business, item "B" Sale of Surplus Vehicles.

PUBLIC INPUT

There was none.

NOMINATIONS

1. Chairman Edney reminded the Board of one vacancy on the Retired Senior Volunteer Program (RSVP) Advisory Council. Barbara King (Mrs. Henry) was suggested by Juanita Storm of Land-Of-Sky to fill this vacancy created by a resignation.

Commissioner McKay nominated Barbara King to fill this vacancy. There were no other nominations. All voted in favor and the motion carried.

October 21, 1992

2

SALE OF SURPLUS VEHICLES

David Nicholson reminded the Board that at a previous Board Meeting the Commissioners authorized him to take bids for surplus vehicles. Results of those bids were handed out for review. There were 15 vehicles with total high bids of \$10,452.

Western Piedmont Community College's Law Enforcement Center submitted a proposal for five vehicles. These vehicles would be used solely for their training program. The General Statutes do allow the Commissioners to transfer vehicles to another Governmental Agency at any terms the Commissioners choose. The Commissioners reserved the right to accept or reject any and all bids. Western Piedmont Community College did not submit the highest bid on any of the vehicles on which they bid.

Commissioner Good made the motion that the high bids be accepted on all 15 vehicles. All voted in favor and the motion carried.

BLUE RIDGE COMMUNITY COLLEGE CAPITAL IMPROVEMENTS/Request for Release of Funds

David Thompson informed the Board that Dr. David Sink was present to update them on the capital improvements that are being planned by the BRCC Board of Trustees. He requested that the County Commissioners release funding from two separate sources to support this plan.

Mr. Thompson requested and received detailed documentation concerning this request. The funding request is for a release of funds from the College's Capital Outlay Reserve, and as a separate issue, release of the bond interest for equipment for the new Applied Technology Building.

Dr. Sink reminded the Board of the Planning Retreat for BRCC that will be held Saturday, October 31. He also invited the Commissioners to the dedication of the Bullington Green House at 1:00 p.m. tomorrow.

1. The College Trustees have approved the spending of the monies from the construction reserve account at the College in the amount of \$154,500 for four capital improvement projects:

1. New roof for Home, Family, Life Building.
2. New roof for Patton Building.
3. General area pole lights around Patton and Home, Family, Life Buildings.
4. Move Cosmetology Lab to Hendersonville.

After much discussion, Commissioner Randall made the motion to approve the release of capital reserve monies as requested for

October 21, 1992

3

these projects. A vote was taken and the motion carried three to one with Chairman Edney voting against.

2. Dr. Sink requested the release of bond interest monies to purchase some state-of-the-art equipment for the new Applied Technology Building. Staff recommended approval of the bond interest monies requested based on the following percentages:

County Schools	78.6%
City Schools	9.7%
Blue Ridge Community College	11.7%

Commissioner Randall made the motion to release these monies for expenditures as presented. All voted in favor and the motion carried.

#3. Dr. Sink informed the Board that the State Board of Community Colleges has asked the State President (former Governor Bob Scott) to survey the capital outlay needs of the 58 Community Colleges as a system. All were asked to submit their top two or three capital outlay needs in an effort to compose a legislative proposal to the members of the General Assembly for supporting a state-wide bond referendum for capital outlay needs for the community college system. The state-wide community college capital outlay needs total \$234,000,000.

Before the state will hold a referendum, they want input from each community college regarding the support that the community college would get from their local county commissioners if the state gave monies to the college to meet their capital outlay needs. Blue Ridge Community College's share would be \$11,000,000, 10,000,000 for Henderson County and \$1,000,000 for Transylvania County.

Dr. Sink stated that the \$10,000,000 has been broken down to two new buildings:

1. Construction of an Allied Health Building to meet the needs of the nursing program and all existing allied health programs as well as housing new programs.
2. Construction of a Center for Life-long Learning to meet the needs of space for continuing education programs as well as the increasing program in the arts and college transfer. It could have the option of serving as a Community Cultural Art Center Auditorium.

The State must also have an indication from the County Manager that the County Commissioners are willing to pick up the maintenance and on-going expenses of the new buildings. Commissioner McKay voiced reservations about long-term commitment.

Dr. Sink requested the Board to authorize David Thompson to initial a form that says if the State gives Blue Ridge Community College \$10,000,000 over the next 5-7 years to build these two buildings,

October 21, 1992

4

that the county will keep the maintenance up and pay the utility bills. There was much discussion.

It was the consensus of the Board for David Thompson to draft a letter of endorsement with qualifications that this is not a commitment for future boards. The Commissioners wish to review this in light of their five year capital improvements program to establish priorities in the future. It was also the consensus of the Board that the draft letter be brought back before the Board at the next meeting so it can be incorporated into the minutes.

HEALTH DEPARTMENT RENOVATION/EXPANSION

Chairman Edney recognized Tom Johnson, Director of the Health Department, to address this issue.

The Health Department is planning a \$174,000 addition plus a covered entrance and renovations to the present structure for a grand total estimate of \$267,515. The Health Department has retained William O'Cain as an architect to develop a preliminary design. They reviewed the design and discussed the budget.

They requested the Board's approval to move forward with the design. David Thompson recommended approval of the project. If time, money, or scope of work changes during the course of the project, he will report back to the Board at the next Board meeting after the change. He also requested permission to approve, as County Manager, any change orders up to \$5,000. He would be obligated to inform the Board of the change at the next meeting after its approval and any change order would require the County Manager's prior approval and Tom Johnson's prior approval.

Commissioner Good made the motion to approve the project budget and approve the County Manager's proposal regarding change orders, as well as approval of the project itself. All voted in favor and the motion carried.

MARGARET R. PARDEE MEMORIAL HOSPITAL SURGERY DEPARTMENT RENOVATION/EXPANSION

Mr. Frank Aaron, Hospital Administrator, reviewed the following proposal:

1. Increase the number of operating rooms by two, bringing the total to six;
2. Of the six, four will be newly constructed, the remaining two will be renovated and expanded;
3. Expand the endoscopy/bronchoscopy suite;
4. Relocate the pain clinic;
5. Consolidate central sterile processing on the ground floor with separate elevator access to surgery;
6. Add significantly to storage space, and
7. Expand all pre-operating, recovery and other surgery

October 21, 1992

5

department support spaces. The construction will be planned and phased to minimize disruption to the existing surgery program.

This project will enable the Surgery Department to accommodate the ever-increasing volume of surgery performed at Pardee Hospital, to continue to provide a high level of quality for its patients and assure that Pardee Hospital stays current with technological changes in surgery. The project will increase the square footage of the Surgery Department from 16,500 to approximately 27,000. The capital cost of the project is estimated at \$5,000,000 and requires Pardee Hospital to file a Certificate of Need application. The application deadline is November 13, 1992. A decision from the Certificate of Need Section is anticipated by April 29, 1993. If there is no appeal, the Certificate of Need would be issued by May 30, 1993.

The schedule for the renovation/expansion project is estimated as follows:

Schematic Drawings Complete	Fall,	1994
Final Drawings Complete	Winter,	1994/1995
Bid Opening	Summer,	1995
Construction Complete	Winter,	1995/1996

Mr. Aaron requested approval of the submittal of a Certificate of Need Application. He requested approval of the concept but did not request any monies at this time.

Commissioner McKay made the motion to authorize a letter of support for the project to be drafted by the County Manager and the Chairman. All voted in favor and the motion carried.

AGRICULTURAL ADVISORY BOARD BY-LAWS

David Thompson informed the Board that they have copies of the proposed by-laws for the Agricultural Advisory Board. The Agricultural Advisory Board approved these by-laws at their September 23, 1992 meeting.

Mr. Bob Carter of the Henderson County Soil and Water Conservation District presented the by-laws to the Board for its consideration and approval. Angela Skerrett, Staff Attorney, helped draft the By-Laws. There was some discussion.

Commissioner McKay made the motion to approve the By-Laws subject to a clause being added stating that the meeting time could be changed if desired by the Advisory Board members. All voted in favor and the motion carried.

October 21, 1992

6

STREET NAME SIGN POLICY AMENDMENT

Susan Sneed reminded the Board that this item was tabled at the August 19, 1992 Board meeting. She stated that the purpose of bringing these amendments to the Board at this time was so that the Planning Department can begin making arrangements for interior subdivision streets, some of which are public roads with "alternate style signs". These amendments should give the Planning Department what they need to properly address what could be a sensitive issue.

There was much discussion on:

"E" Private, Alternate Style Sign Installation

"F" Street Sign Specifications -- Private, Alternate Style Signs.

"G" New Subdivision Street Name Signs

All are items from the Street Name Sign Policy.

Susan Sneed read a letter addressed to the Board of Commissioners and signed by eight Fire Chiefs. The letter showed support from the County Fire Chiefs for county street signs being placed on all streets in all subdivisions.

Fire Chief Gary Brown and EMS Director, Tom Edmundson, spoke regarding public safety and street signs. They spoke in favor of the continuity of the green and white signs throughout the county.

Commissioner McKay made the motion that on all state maintained roads the Board of Commissioners require the standard green and white road signs. All voted in favor and the motion carried.

Commissioner Good made the motion to amend the policy adopted on September 3, 1991 to require under section "G" of the Land Development Ordinance new subdivisions to use the standard green and white signs. An addendum to the motion was to amend the Land Development Ordinance to state as such. All voted in favor and the motion carried.

LAND OF SKY RESOLUTION

Bob Shepherd of Land of Sky informed the Board by letter that the General Assembly has approved \$48,015 in State Technical Assistance funds for our Regional Council under House Bill 1340 Chapter 900, Section 180. Legislation requires that they seek a resolution from each member government before these funds can actually be received. Without such a resolution, these funds would revert to the state treasury, as they can only be used by the council of governments.

After discussion on the item, Commissioner McKay made the motion that the Board adopt the Resolution as presented requesting the release of Henderson County's share of these funds, \$13,075.20 to the Land-of-Sky Regional Council of Governments at the earliest possible time in accordance with the provisions of the Chapter 900,

October 21, 1992

7

House Bill 1340, Section 180 of the 1992 Session Laws. All voted in favor and the motion carried.

GERTON FIRE DEPARTMENT - Designation of Trustees

The Gerton Fire Department membership in the Firemen's Relief Fund expired in 1987 due to lack of documentation. This was discovered after their Chief died approximately two weeks ago. The members of the department would like to file another application to renew their membership in the Firemen's Relief Fund. The membership voted on Mr. Fred Kiehle and Mr. Norris Lyda to be named as their trustees. The Board of Commissioners must approve these trustees before the membership application can be completed.

Commissioner Good made the motion to approve Fred Kiehle and Norris Lyda, Directors of the Gerton Volunteer Fire Department, as trustees of the Firemen's Relief Fund. All voted in favor and the motion carried.

RULES OF PROCEDURE/AGENDA PREPARATION

David Thompson informed the Board of the following items in their agenda packet:

- A. Current Rules of Procedure.
- B. Draft of Proposed Rules of Procedure.
- C. September 16, 1992 Agenda.
- D. Mock September 16, 1992 Agenda.
- E. Request for Board Action Form.

Mr. Thompson reviewed these items briefly with the Board but recommended that a detailed review be deferred until the Board has had adequate time to review the drafts. This is a draft to work with and revise.

COUNTY MANAGER'S UPDATE

A. Solid Waste Management -- Nippy Page

1. Site Selection Update - Nippy Page stated that the soil surveys data and land records maps have now been applied and decreased the sites to 44 areas with 112 potential sites. The Technical Overview Committee (TOC) then met and reviewed the process. The TOC suggested to Mr. Tweed that he take the top 20 areas of the 44 areas and choose one primary site in each area. Those final 20 sites would then be reviewed and ranked further. The Solid Waste Advisory Committee then approved this concept. At this time Mr. Tweed has 12 of those 20 sites completed and hopes to complete the rest by mid November. He has made some actual site visits. Ms. Page stated that most of the sites are approximately 400 acres with the largest site being 600 acres and the smallest 150 acres.

October 21, 1992

8

When Mr. Tweed has completed the 20 sites he will present them to the Technical Overview Committee and then will present them to the Solid Waste Advisory Committee.

Recommendation

It is recommended that the Technical Overview Committee, the Solid Waste Advisory Committee and the Board of County Commissioners accept the area rating prepared by Lapsley & Associates and authorize further detailed investigation of the top 20 areas. Once additional information has been gathered it can be presented to the site selection review committee for final evaluation and site ranking.

2. Increase in per vehicle cost at landfill - Nippy Page requested the Board to increase the per vehicle cost at the landfill from \$1.50 to \$2.25. When the Board approved the increase in the per ton fee from \$17 per ton to \$26 per ton it was approx. a 50% increase. To be fair to all the landfill users, the per vehicle fee should be increased also. This should go into effect January 1, 1993 as does the per ton fee.

Commissioner Good made the motion to increase the per vehicle fee from \$1.50 to \$2.25 to become effective January 1, 1993. All voted in favor and the motion carried.

3. Solid Waste Ordinance - Nippy Page stated that the Solid Waste Advisory Committee has been working for the last three months and has a good final draft of the Ordinance. They have had input from several different organizations and from several other county ordinances. It will be presented to David Thompson, Angela Skerrett, Robert Smith, and Eldon Owen for review and comments. It will then go back to the Solid Waste Advisory Committee and those comments will be incorporated into a final draft. The draft Ordinance will be presented to the Board of Commissioners and then will go to the municipalities to see if they want included under the regulations.

C. Comprehensive Land Use Plan -- Matt Matteson

Matt Matteson informed the Board that the Land Use Plan Steering Committee will hold its 15th meeting October 22, 1992 at 4:00 p.m. The Land Use Plan is a very voluminous document. The plan has been divided into goals, objectives, and action items. Approximately 15 very specific items will be emphasized including land use, zoning, subdivision regulations, use of flood plains, transportation network, economic development, parks and recreation facilities, water and sewer authorities, etc. They will refine their recommendations at the October 22 meeting. The Committee and consultant will probably have the final document ready to present to the Board of Commissioners in December.

October 21, 1992

9

D. Upward Elementary School Sewer Project --

David Thompson read a letter from Dan Lunsford accepting the stipulations/agreement with the county regarding sewer for the Upward Elementary School. He requested the County Attorney's help with the rights-of-way.

B. Courthouse Complex --

David Thompson informed the Board that the architect will be coming on October 29 to show how they have resolved some issues. He requested that Chairman Edney and Commissioner Good be in attendance at that meeting. He expects the cool storage report back this week which will show the different alternatives and operational costs for heating/cooling the facility. He also expects the results of the soil borings. The architect has been requested to bring different exterior finishes for review.

David Thompson requested a work session for November 10 on the courthouse facility.

A cost estimate is also due back on the law enforcement and courthouse facilities.

EXECUTIVE SESSION

Commissioner Good made the motion for the Board to go into Executive Session as allowed under General Statute 143-118.11 to discuss the following matters:

- A. To discuss a personnel matter.
- B. To discuss the acquisition of real property.
- C. To consult with the County Attorney to the extent that confidentiality is required.


All voted in favor and the motion carried.

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

The meeting was adjourned to Monday, October 26, at 7:00 a.m. at Denny's Restaurant in Hendersonville.

ATTEST:


Elizabeth W. Corn, Clerk


J. Michael Edney, Chairman

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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WILLIAM McKAY

DAVID F. THOMPSON
COUNTY MANAGER

R E S O L U T I O N

WHEREAS, in North Carolina, the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established productive working relationships with the cities and counties across this state; and

WHEREAS, the 1992 General Assembly recognized this need through the appropriation of \$864,270 to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and other activities as deemed appropriate by their local governments; and

WHEREAS, the funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by the Henderson County Board of Commissioners for release of these funds to our regional council, the available funds will revert to the state's General Fund; and

WHEREAS, in Region B, funds in the amount of \$48,015 will be used for grant assistance, infrastructure assistance, economic development planning assistance, economic development training, labor force development, maintenance and distribution of socio-economic data and projections, and other programs to help develop the region in an orderly manner.

NOW, THEREFORE BE IT RESOLVED, that the Henderson County Board of Commissioners requests the release of its share of these funds, \$13,075.20 to the Land-of-Sky Regional Council of Governments at the earliest possible time in accordance with the provisions of the Chapter 900, House Bill 1340, Section 180 of the 1992 Session Laws.

Witnessed this the 21st day of October 1992.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk
to the Board

J. Michael Edney
J. Michael Edney, Chairman
Henderson County Commissioners