MINUTES

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

BOARD OF COMMISSIONERS OCTOBER 23, 1991

The Henderson County Board of Commissioners met for the regularly scheduled mid-month meeting at 9:00 a.m. in Room 209 of the Henderson County Office Building.

Those present were: Chairman J. Michael Edney, Vice-Chairman Vollie G. Good, Commissioner F. Richard Baker, 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 Acting Clerk to the Board Avalina Merrill.

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

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Baker led in the Pledge to the American Flag.

INVOCATION

Invocation was led by Major Robert Bridge of the Salvation Army.

REVIEW OF MINUTES

Minutes of the September 3 and October 7 meetings were presented for review. On page 6 of the September 3 minutes, Chairman Edney directed the clerk to insert Commissioner Baker's name in the blank under "Notification of Vacancies" in the section where Mr. McKay was nominated to serve again on the Library Board of Trustees.

Commissioner Baker made the motion that the minutes stand approved as presented after the correction of the September 3 minutes. All voted in favor and the motion carried.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson advised the Board that an addition to the agenda would be under "Unfinished Business", Item D to discuss REACT.

PUBLIC INPUT

W. A. Read of 3085 Napier Drive in Hendersonville addressed the Board regarding his concern about the incinerator ordinance.

Lela McBride of 1401 Valmount Drive in Hendersonville informed the Board of an upcoming workshop on November 16, 1991 sponsored by Natural Heritage Inventory of Henderson County.

October 23, 1991

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ORDINANCE TO REGULATE INCINERATION FACILITIES

The September 26, 1991 draft of the Ordinance to Regulate Incineration Facilities was presented to the Board of Commissioners. The ordinance will regulate the location, operation and management of incineration facilities in Henderson County with a total incineration capacity greater than 250 pounds per hour. Mr. David Thompson reminded the Board that the six-member committee of professionals which the Board had appointed to draft the ordinance had unanimously approved the draft.

There was no discussion from the Board on this matter.

Commissioner Good made the motion to adopt the ordinance as presented. All voted in favor and the motion carried.

PROPOSED WATER SUPPLY WATERSHED CLASSIFICATIONS

Chairman Edney reminded the Board of watershed classifications for four watersheds in Henderson County which fall under the North Carolina Division of Environmental Management's (DEM) new watershed regulations and which will be regulated by Henderson County. Chairman Edney proposed to the Board a resolution which would support the proposed watersupply watershed classifications as follows:

Colt Creek Watershed

Classification WS-II.

Reasonover Creek Watershed

Classification WS-II for the portion of the Reasonover Creek (Lake Julia) watershed which lies in Henderson County.

French Broad River Watershed

Recommended that this watershed be removed from the State mandated watershed regulation.

North Fork Mills River Watershed

Classification WS-I for the North Fork of the Mills River Watershed.

Bradley Creek Watershed

Classification WS-I.

Mills River Watershed

In view of the fact that many substantial changes may be made to the watershed regulations, the Board requested that DEM amend their rules to allow Henderson County to submit to DEM a detailed land use plan for protecting this watershed and use that plan and existing ordinances in lieu of the "WS" classifications.

Chairman Edney re-stated his motion to submit the resolution to DEM. All voted in favor and the motion carried.

REQUEST FOR ADDITIONAL SOCIAL SERVICES STAFF

Mr. Liston Smith, Director of Henderson County Social Services, presented a request to the Board for three additional people for his staff. This need arose due to the continuing recession and rise in applicants for services. The positions requested were:

Permanent Part-Time Receptionist (20 hours/week) Reclassification of IMUII to IM Supervisor III Income Maintenance Worker II Medicaid Income Maintenance Worker II

After much discussion, a three-part motion was made as follows:

- a. Commissioner Baker made a motion that the Board draft a resolution or letter to Flaherty registering a complaint about the fines assessed to the Department of Social Services for clerical errors and the large volume of paperwork required for welfare applicants.
- b. Commissioner McKay made a motion to accept the request for additional staff subject to getting an outside consultant to study the utilization of the current DSS staff;
- c. Money for these salaries would be taken out of the contingency fund if DSS budget was not sufficient to cover these expenditures for this current fiscal year.

All voted in favor of this three-part motion and the motion carried.

FOUR SEASONS REACT

Mr. David Thompson reminded the Board that Four Seasons REACT had presented all of the necessary information to be certified. Chairman Edney made a motion to grant the certification to Four Seasons REACT subject to adding Henderson County to the insurance coverage as loss payee.

INTRODUCTION OF NEW YOUTH DEVELOPMENT DIRECTOR

Mr. Matt Matteson, County Planner, introduced the new Youth Development Director, Ms. Elizabeth Macdonald. Mr. David Thompson explained to the Board that he would appoint a mentor for each new department head and that Mr. Matteson had been assigned as mentor for Ms. Macdonald.

GREEN RIVER MANAGEMENT BOARD PRESENTATION

Mr. Tom McHugh, Chairman of Green River Management Board, discussed safety concerns that Green River Management Board has with the increased flow of water through the Green River for recreational purposes. Mr. Vollie Good agreed to continue to represent the Board on the Green River Management Board.

ENVIRONMENTAL IMPACT ORDINANCE

Mr. David Thompson, County Manager and Mr. Matt Matteson, County Planner recommended to the Board that a copy of the Orange County Environmental Impact Ordinance be sent to groups in the community for their review and written comments before the Board schedules any type of hearings on such an ordinance. By using that input, the County staff can prepare a rough draft of the ordinance for deliberation by the Board and the community.

Commissioner Edney made a motion to send out the Orange County Environmental Impact Ordinance to citizens groups that were recommended by Board members and the County Manager, David Thompson and that the ordinance be used as a guideline in drafting a Henderson County Environmental Impact Ordinance. All voted in favor and the motion carried.

REFUNDING OF 1983 BOND ISSUE

Mr. David Nicholson, Assistant County Manager/Finance Director, requested that the Board consider refunding (re-financing) the remaining portion of the 1983 bond issue. The total savings as a result of the refunding would be approximately \$700,000 during the current and future fiscal years.

Commissioner McKay made a motion to start the legal process to refund the remaining portion of the 1983 bond issue but first get an opinion of the interest rate cycle with a major banking institution to determine if the interest rate cycle had bottomed out. All voted in favor and the motion carried.

PROPOSED BUILDING INSPECTIONS AGREEMENT WITH THE CITY OF HENDERSONVILLE

Mr. David Thompson, County Manager, presented to the Board a proposed merger agreement and resolution to provide North Carolina State Code Enforcement for the City of Hendersonville.

Commissioner McKay made a motion to adopt the merger agreement and resolution as presented. All voted in favor and the motion carried.

UPDATE OF SCHOOL MERGER

Dr. Andy Miller and Dr. Guy Birchfield of Educational Planning Associates of Asheville, consultants hired to forge a merger plan between Hendersonville City Schools and Henderson County Schools, gave an update on the merger plan.

UNITED NATIONS DAY PROCLAMATION

Chairman Edney read a proclamation to proclaim October 24, 1991 as United Nations Day.

Commissioner Good made a motion to issue the proclamation. All voted in favor and the motion carried.

COUNTY MANAGER'S UPDATE

Mr. David Nicholson, Assistant County Manager/Finance Director, gave the financial report based on the fiscal year 1990/1991 audit.

Mr. Jim Erwin of the Henderson County Sewer Department gave an update on the progress of William Lapsley and Associates regarding an engineering report evaluating wastewater collection/treatment alternatives for the Naples area.

Mr. David Thompson, County Manager, reported that five requests for proposals for consultants for the Comprehensive Land Use Plan were received. Mr. Thompson will summarize the proposals and make a recommendation of a consultant at the November 4 meeting and an appointment of a consultant will be made at the mid-month meeting in November.

Mr. David Thompson gave an update on the proposal from William G. Lapsley & Associates for the Henderson County Demolition Landfill.

Mr. David Thompson gave an update on the status of the courthouse/jail/law enforcement center facility.

ROAD PETITIONS

Petitions to add Birch Lane to the maintenance improvement system and Creekstone Lane to the State System were presented to the Board.

Commissioner McKay made a motion to approve the petitions as presented. All voted in favor and the motion carried.

NOTIFICATION OF VACANCIES

Chairman Edney reminded the Board of a vacancy on the Youth Advisory Board due to the resignation of Ms. Jane Apple.

NOMINATIONS

Chairman Edney reminded the Board of a vacancy on the Henderson County Board of Adjustment due to the expiration of the three-year term of Mr. Marvin Smith on 12/31/91. Commissioner Good made a motion to appoint Mr. William A. Read as a full-time member and Mr. Grady Hawkins to serve as an alternate. All voted in favor and the motion carried.

Chairman Edney reminded the Board that Mr. Liston Smith, Director of Henderson County Social Services, needs three to five members appointed to the Community Child Protection Team. No nominations were made and those vacancies were rolled over to the November 4 meeting.

Chairman Edney reminded the Board of two vacancies on the Jobs Partnership Training Act (JTPA) Committee. No nominations were made and those vacancies were rolled over to the November 4 meeting.

TAX RELEASES

Robert Baird, County Tax Assessor, submitted a list of 125 tax releases totalling \$13,362.36 to the Board for their approval. Commissioner Baker made a motion to approve the tax releases as presented. All voted in favor and the motion carried.

TAX REFUNDS

Robert Baird, County Tax Assessor, submitted a list of 4 tax refunds totalling \$239.36 to the Board for their approval. Commissioner Baker made a motion to approve the tax refunds as presented. All voted in favor and the motion carried.

EXECUTIVE SESSION

Commissioner McKay made a motion to go into Executive Session to discuss matters as allowed under General Statute 143-381.11. All voted in favor and the motion carried.

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

Chairman Edney adjourned the meeting at 5:00 p.m.

ATTEST:

Avalina Merrill, Acting Clerk

J. Michael Edney, Chairman

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MARTIN, IRA D MARTIN, MARTHA SUE	DANIELS, MARGARET	CAPELL, MARGIE LAMPLEY	BOST, JAMES ALLEN & WIFE	TAX REFUND REFORT THE REFUND REFUND REFUNDED CODE AMOUNT ACCOUNT. PID TAX. FIRE MISC. AMOUNT TAXES FIRE TOTAL REASON FOR REFUND CODE CODE REFUNDED CODE AMOUNT AMOUNT
74105	82664	83952	6802	T. PID
SØ1	9943423 GØ1 F	w	0500135 G01 F	TAX REFUND REPORT TAX. FIRE MISC. AMOUNT CODE CODE
) 1	FØ2 \$34.17	501	F10 \$143.10	ID REPORT MISC. AMOUNT TAXES FIRE TOT CODE CODE CODE REFUNDED
\$64.58	\$4.00 20	\$10.77	\$12.72	AL RECODE
\$34.58 DOES NOT LIVE IN SPEC SCHOOL O R C02	\$38.19 LT 78,LAND VALUE ADJUSTED (\$67	10.77 DOESN'T LIVE IN SPEC SCHOOL/CI	√\$155.82 NO HOUSE ON PARCEL;ACRE CHG(\$3 1800)	TAX REFUND REFORT CODE CODE REFUNDED AMOUNT ACCOUNT. PID TAX. FIRE MISC. AMOUNT TAXES FIRE TOTAL REASON FOR REFUND

\$177.27 \$62.09 \$239.36