

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
AUGUST 21, 1991

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting 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.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Good led in the Pledge of Allegiance to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

REVIEW OF MINUTES

Minutes were presented for review of the August 2 and August 5 meetings. The minutes were approved as corrected. Minutes of the August 13 Bid Opening were presented just for information.

DISCUSSION/ADJUSTMENT of AGENDA

Mr. Thompson requested that item "B", Request to Solicit Proposals for Recycling, be moved to later in the meeting to allow Ms. Nippy Page to be here as she had a conflict in meeting early to present this item.

PUBLIC INPUT

Chairman Edney asked the Clerk to call the names of those who have signed up to speak. He asked each speaker to limit their comments to three minutes.

Robert Hansen - Mr. Hansen resides in Laurel Park. He suggested that the Board consider a Land Use Policy based on the principles of density equity.

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Kenneth Weitzen - Mr. Weitzen resides in Tuxedo. He spoke on the Lake Summit Zoning issue, stating that he feels no action should be taken until the access issue is resolved. He spoke also on joint City/County Planning.

POSSIBLE APPOINTMENTS for COMMUNITY CHILD PROTECTION TEAM

There were no recommendations at this time so Chairman Edney rolled this item to the September 3 meeting.

ADVERTISING OF BOARD APPOINTMENTS

Mr. Thompson informed the Board that staff has taken the following actions:

- 1) Met with Denise Layfield of the Times-News. Ms. Layfield will write an article about the difficulty of filling Board appointments and will be letting people know how they can find out about Board and Committee vacancies.
- 2) Staff has requested that the Times-News examine the possibility of publishing a monthly announcement of the Board vacancies.
- 3) We have received 62 Blue Cards to date, cards given out at the home Food Shop monthly meetings to show interest in serving on Boards and Committees. Avalina Merrill of our office is sending out a cover letter, a list of Boards and Committees that the County Commissioners make appointments to, and an application form for interested persons to complete and return.
- 4) Staff has requested that MultiVision list the various Board vacancies on their information channel on a monthly basis. They have agreed to do so.

COMPREHENSIVE LAND USE PLAN/Matt Matteson

Mr. Matteson and others have met and discussed options available. He stated that this will be an update of the 1977 Comprehensive Land Use Plan which was adopted by the Board of Commissioners in 1979. Additional personnel will be needed to help with this project. There was much discussion.

Mr. Thompson's recommendation:

- 1 additional position, assistant to Mr. Matteson.
- Mr. Matteson acquire RFP's from other counties.
- Mr. Matteson serve as head person for Long Term Planning.
- Draft our own RFP and bring to the Board for a workshop.
- Apply for a grant to help with funding.
- Meet with Consolidated Planning Committee.

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Commissioner McKay made the motion to approve the Manager's recommendation, suggesting that the Governor's Blue Ribbon Study be used as a resource document. There was much discussion on the motion with many questions raised. The motion was rephrased. Commissioner McKay made the motion to approve the Manager's recommendation with the exception of the hiring of new personnel. It was the consensus of the Board to wait until tomorrow night's meeting to act on the personnel issue so Commissioner Baker can be in attendance and vote. A vote was taken and the motion carried unanimously.

PARKS & RECREATION-Presentation of NACO Achievement Award to Sherri Holbert

Chairman Edney presented a plaque to Ms. Holbert which Commissioner Good received for the county in Salt Lake City. The National Association of Counties recognized The Hangar (Hendersonville's Teen Center).

IMPROVEMENT GUARANTEES - Champion Hills, Section 7

Mr. Matteson informed the Board that Champion Hills, Section 7 has been approved by the Planning Board for preliminary plan review. It includes 14 lots in accordance with the master plan. The petitioner, Champion Hill Associates, wishes to post a letter of credit to cover road and utility improvements for this 14 lot section of Champion Hills Subdivision which will be considered for Final Plan Review at the August 27th Planning Board Meeting. They have requested to bond the streets and utilities and have produced an Irrevocable Letter of Credit. They have supplied a cost estimate of the improvements. The recommended amount to be bonded would be 125% of the costs, \$112,500.

Mr. Matteson recommended that the Board consider the bonding in accordance with our previous policy. Mr. Matteson stated that Mr. Royce Carter is in attendance to answer any questions. Mr. Carter is with Champion Hills. He addressed the specific improvements.

Commissioner McKay made the motion to approve the proposal subject to review and approval by the Henderson County Planning Board. All voted in favor and the motion carried.

CABARRUS COUNTY PROPERTY TAX CASE

Mr. Thompson informed the Board that this is a request from the N.C. Association of County Commissioners asking the County of Henderson to participate in the appeal of the determination of the property tax commission. They recently ruled that the contract between Cabarrus County and a private consultant was void.

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It was the consensus of the Board to defer any action at this time as there were some unanswered questions from the Board.

AWARD OF BIDS: 1) County Computer System
2) Library Computer System
3) Landfill Equipment

David Nicholson reminded the Board that during the budget process three large pieces of equipment were discussed that needed replaced this year. There is a legal requirement that should the county purchase any equipment over \$20,000, we must go through a legal process of taking formal bids.

On August 13, 1991, bids were taken on replacement of the County's computer system, the Library computer system and a tractor-scraper (pan) for the Landfill. Below is a summary of the bids:

- | | |
|--|-----------|
| 1. County Computer System - Infocel, Inc. | \$183,710 |
| 2. Library Computer System - Dynix, Inc. | 128,141 |
| 3. Landfill - Tractor/Scraper - Carolina Tractor | 184,997 |

Mr. Nicholson recommends approval of these three bid proposals.

Commissioner Good made the motion to approve the three bids submitted. All voted in favor and the motion carried.

REQUEST TO SOLICIT PROPOSALS FOR RECYCLING

Ms. Page informed the Board that in 1990 Henderson County spent just over \$30,000 for recycling contracted services, a little over \$2,500 per month. In 1991 we are spending over \$36,000 for the year which is a little over \$3,000 a month.

Starting July 1, the contractor who services the recycling centers will charge an additional .03/lb to handle glass. This will increase the expense for recycling an additional \$14,400 per year or \$1,200 per month. If we continue handling the recyclables in this same manner, we will spend approximately \$51,000 this year, an increase of 60% over last year.

Ms. Page informed the Board that at this time we are not collecting white office paper or cardboard. We need to include these and additional materials in our program. Not only would these items generate considerable market revenues, they would also aid in reducing daily volumes at the landfill.

Ms. Page is requesting the service and handling of the recycling centers be renegotiated by sending requests for proposals out. She would like to compare the results of the proposals we receive with estimations of what the program would cost if we were to handle the

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materials ourselves, i.e. buy tractor, trailers, baler, hire an additional employee.

Mr. Thompson recommends that the County put the handling of our recyclables out to bid. He would also like our own staff to cost out how much it would cost if we handled the recyclables ourselves. He recommends; however, to wait until we have our waste stream analysis data back so that the RFP can contain this information.

Commissioner McKay made the motion that the request to solicit bids be granted. The Solid Waste Advisory Committee needs to be involved in this. All voted in favor and the motion carried.

CIVIC EDUCATION PROJECT

Mr. Thompson informed the Board of a project called the "Nickel Offense" the N.C. City and County Management Association's effort to provide textbooks about local government to all ninth grade students by 1993-94. Our requested contribution (based on population) would be \$2,871. The project is designed to educate children about local government.

Commissioner McKay made the motion to approve this project request and transfer the funds from contingency. All voted in favor and the motion carried.

REQUEST FROM HOUSING ASSISTANCE CORPORATION

Mr. Thompson informed the Board that he had met with Pastor Albert Kissling of the Housing Assistance Corporation (HAC). Mr. Kissling is requesting that the HAC be designated as Henderson County's representative to an up-coming meeting on Community Development Block Grant Funds. He has also requested reimbursement for travel expenses of \$100.

Henderson County pays annual dues to Land Of Sky for them to represent Henderson County at various functions and keep Henderson County informed. Land Of Sky is sending a staff person to the meeting. Therefore, Mr. Thompson does not recommend reimbursement for the travel.

Commissioner Good made the motion to deny this request. All voted in favor and the motion carried.

TAX REFUNDS

A list of ^{eight (8) ewc}~~seven (7)~~ refund requests was submitted. Mr. Baird endorses the findings and submits them for approval of the Henderson County Board of Commissioners.

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Commissioner McKay made the motion to approve these refunds, if the paperwork is in order, based on recommendation of the Tax Assessor. All voted in favor and the motion carried.

TAX RELEASES

One release request was submitted. Mr. Baird endorses the findings and submits them for approval of the Henderson County Board of Commissioners.

Commissioner McKay made the motion to approve these releases, if the paperwork is in order, based on recommendation of the Tax Assessor. All voted in favor and the motion carried.

ROAD PETITIONS

Chairman Edney informed the Board of three road petitions received.
Lichen Lane, addition, recommendation from Planning Dept.
Waters Road, request for maintenance improvement.
Middlefork Road, request for paving.

Commissioner Good made the motion to approve the request for Lichen Lane and forward it to N.C. Department of Transportation for their consideration, also to accept the petitions for Waters Road and Middlefork Road and forward them to N.C. Department of Transportation (no recommendation on changing their priority). All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Edney reminded the Board of 1 vacancy on WCCA. There were no nominations at this time so it was rolled to the next meeting.

2. Chairman Edney reminded the Board of 2 vacancies on the Jobs Training Partnership Act Committee (PIC). There were no nominations at this time so it was rolled to the next meeting.

3. Chairman Edney reminded the Board of 1 vacancy on Land of Sky Regional Council Advisory Council on Aging. We have received an application from someone interested in serving on this Council, Audrey M. McLane, PhD, RN.

Commissioner McKay made the motion to recommend Ms. McLane to Land of Sky to serve on the Advisory Council on Aging. Land of Sky makes the final decision. A vote was taken and the motion carried unanimously.

4. Chairman Edney reminded the Board of 1 vacancy on Western North Carolina Tomorrow. There were no nominations at this time so it was rolled to the next meeting.

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CANE CREEK WATER & SEWER DISTRICT

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

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

EXECUTIVE SESSION

Commissioner Good made the motion for the Board to go into Executive Session to consider the acquisition of real property and 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.

After Executive Session and Lunch, the Board will reconvene in Open Session at 1:30 p.m. Clerk, Elizabeth Corn, left during Lunch and Avalina Merrill, Acting Clerk, replaced her in the meeting.

MUD CREEK WATER & SEWER DISTRICT

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

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

LAKE SUMMIT WORKSHOP

The purpose of the workshop is to discuss the request for zoning of Lake Summit. Chairman Edney allowed public input. Those who spoke during public input were:

Mr. W. B. Uhler, Vice-President of Lake Summit Property Owners Association spoke for zoning.

Ms. Sue Samples spoke as opposed to the zoning request.

Mr. Randy Romeo, attorney for Lake Summit Property Owners Association, spoke for zoning.

Mr. Boys spoke as opposed to zoning.

Mr. Roscoe Green spoke as opposed to zoning.

Commissioner William McKay made the motion to table the zoning request for Lake Summit until the public access issue to Lake

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Summit is resolved. Chairman Edney and Commissioner Randall voted to table the zoning request. Commissioner Good voted as opposed to tabling the zoning request. The motion carried and the zoning request for Lake Summit was tabled.

EXECUTIVE SESSION

Commissioner Good made a motion to go into Executive Session to consult with the County Attorney to the extent that confidentiality is required.

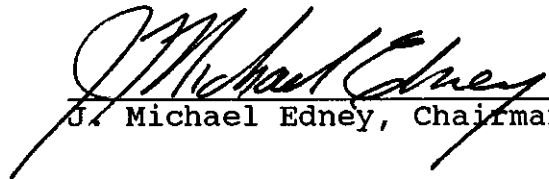
Commissioner McKay made a motion to go out of Executive Session and back into open session. All voted in favor and the motion carried.

OPEN SESSION

Chairman Edney called open session to order. There was no further business to be transacted at the meeting. Chairman Edney recessed the regular session until Thursday, August 22, 1991, which will be held at Hendersonville High School Gymnasium before the North Rugby Road zoning hearing.

ATTEST:


Elizabeth W. Corn, Clerk


J. Michael Edney, Chairman

NAME..... TAX. FIRE AMOU..... TOTAL..... REASON FOR RELEASE.....
 CODE CODE TAXE I... AMOUNT
 RELEASED AMOUNT
 OSTERMAN, EDMUND J OSTERMAN, CHAR 001 F03 \$27.03 \$3.71 \$30.74 STATE OF NC LOWERED VALUE
 LOTTE J

. \$27.03 \$3.71

ONE ITEM LISTED.

*8/21/91
 gdc*

NAME..... TAX. FIRE AMOU. FIRE... TOTAL... REASON FOR REFUND.....
 CODE CODE REFUND... CODE... AMOUNT
 AMOUNT

NAME	TAX. CODE	FIRE CODE	AMOUNT	FIRE CODE	AMOUNT	TOTAL AMOUNT	REASON FOR REFUND
MCGRAW, DAVID SIDNEY JR MCGRAW, B	G01	F01	\$195.75		\$26.10	✓ \$221.85	BILLED ON INCORRECT BLDG VALUE
ULA OATES, JOSEPH L OATES, BETTY S	G01		\$152.10			\$152.10	STATE OF NC LOWERED VALUE
OSTERMAN, EDMUND J OSTERMAN, CHAR	G01	F03	\$23.85		\$3.44	\$27.29	STATE OF NC LOWERED VALUE
LOTTE J THE HADLEY COMPANY INC.	G01	F02	\$142.20		\$18.95	\$161.15	STATE OF NC LOWERED VALUE
THE HADLEY COMPANY INC.	G01	F02	\$42.75		\$5.70	\$48.45	STATE OF NC LOWERED VALUE
THE HADLEY COMPANY INC.	G01	F02	\$44.10		\$5.68	\$49.78	STATE OF NC LOWERED VALUE
THE HADLEY COMPANY INC.	G01	F02	\$55.25		\$8.70	\$73.95	STATE OF NC LOWERED VALUE
THE HADLEY COMPANY INC.	G01	F02	\$43.20		\$5.76	\$48.96	STATE OF NC LOWERED VALUE
			\$709.20		\$74.54		

8/2/91
 app. dnc

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