

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JULY 1, 1991

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.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 F. Richard Baker, Commissioner Hugh D. Randall, Commissioner William McKay, County Attorney Don H. Elkins, County Manager David F. Thompson, Assistant County Manager/Finance Director David E. Nicholson, and Clerk to the Board Elizabeth W. Corn.

CALL TO ORDER/WELCOME

Chairman Edney welcomed all in attendance.

PLEDGE OF ALLEGIANCE

Commissioner McKay led in the Pledge to the American Flag.

INVOCATION

Rev. Sidney Lanier of East Flat Rock United Methodist Church gave the Invocation.

REVIEW OF MINUTES

Minutes of these meetings were presented for review:

May 23, 1991, May 29, 1991, June 17, 1991, June 24, 1991, and June 25, 1991.

Minutes were approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

There was none.

PUBLIC HEARING

Chairman Edney stated that this is a Public Hearing on the "Franchise Grant" for Cable T.V. He asked the Clerk to call the names of all who had signed up to speak and requested that they limit their remarks to 3 minutes each.

Dean Cadle- Mr. Cadle lives in Brookside Manor on Brookside Camp Road two miles off U.S. Hwy. #25. He is concerned about Cable initially coming into a neighborhood, such as where he lives. He is concerned about the extra fee required to hook-up.

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Commissioner Baker felt that Mr. Cadle should discuss this situation with Mr. Mark Jennings of Cable T.V. Mr. Jennings was in attendance.

R.L. Roper- Mr. Roper lives at 140 Roper Road in Hendersonville. Mr. Roper stated that this is the fifth meeting that he has attended and spoken at regarding Cable Television. He is requesting a reduction in Cable T.V. rates. Basic rate for Cable T.V. here is \$5.00 a month higher than the National Average.

PUBLIC INPUT

Marcia R. Grady- Ms. Grady lives on Laurel Park Highway in Hendersonville. Ms. Grady is speaking for the League of Women Voters as Action Chairman. The League is interested in an updated Land Use Plan for the county.

James Macomson- Mr. Macomson lives at 310 Wood Dale Dr. in Hendersonville. Mr. Macomson spoke regarding the Asphalt Plant on N. Rugby Road. He spoke specifically regarding the permitting process for new industry. He requested an Environmental Impact Study for any project that could be harmful to the existing site or surrounding area and that no valid Henderson County Building Permit be issued until all the results of the study have been received.

Richard Foote- Mr. Foote lives at 402 Glenheath. Mr. Foote inquired the status of the Board's action as a result of the petition that was submitted at a recent meeting with 1,748 signatures, requesting that a Public Hearing be held with respect to the validity of the Asphalt Plant on N. Rugby Road.

Chairman Edney responded that the Board has taken no action. The Zoning petition is with the Planning Board. The Planning Board has referred it to a subcommittee which will meet Wednesday night (July 3). The Board will await recommendation from the Planning Board.

FLETCHER FIRE DEPARTMENT/Expansion of District

Chairman Edney reminded the Board of the Public Hearing held at Fletcher Fire Department on June 17, 1991. The requirements have all been met to expand the district into the proposed boundaries.

Commissioner Baker made the motion to approve the Fletcher Volunteer Fire Department's request to expand their district as presented in the petition. All voted in favor and the motion carried.

HENDERSON COUNTY BAR ASSOCIATION/Legal Library Request

There were no members of the Bar Association in attendance.

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Mr. Thompson reminded the Board of the request from the Bar Association for a sum of \$10,500, which is a reduction of their initial request of \$13,000. This request is for renovation of a room across from the current law library on the third floor.

There was much discussion.

Commissioner Baker made the motion not to approve any amount until a response is made from the Bar Association regarding their participation in the renovation costs. A vote was taken, motion failed:

Aye:	Commissioner Baker
Nay:	Chairman Edney, Commissioner Good Commissioner McKay, Commissioner Randall

Commissioner Good made the motion to authorize up to \$8,000, none of it to go towards an Architect's fee. Money would come from the Capital Funds Account. A vote was taken and the motion carried four to one with Commissioner Baker being the opposing vote.

VALLEY VIEW COMMUNITY DEVELOPMENT BLOCK GRANT/
Cinthia Milner-Land Of Sky

Chairman Edney recognized Cinthia Milner of Land Of Sky Regional Council.

Ms. Milner presented three items:

1. She requested an approval from the Board to appoint a new Advisory Committee Member. One member has resigned, Mrs. Mae Alexander has agreed to take her place but it has to be a formal recommendation from this Board.

Commissioner McKay made the motion to suspend the rules and appoint Mrs. Mae Alexander to this Advisory Committee. All voted in favor and the motion carried.

2. She requested formal adoption from this Board of the Optional Coverage Relocation Benefits Policy Manual. These are the relocation benefits that will be used for the citizens in Valley View that won't actually be relocated from their property. Their houses will be torn down and something put back on the same site for the individual. This is a State Manual. Ms. Milner stated that we will have to pay a moving fee which could be up to \$500 per family, there are five families affected.

Commissioner Good made the motion to adopt the Optional Coverage Relocation Benefits Policy Manual. All voted in favor and the motion carried.

Commissioner Baker reminded Ms. Milner that there were many questions earlier regarding who owned what property and acquiring clear deeds for the residents. Ms. Milner stated that Lapsley and

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Associates surveyed the property and the issues have been settled. Some people have been rearranged so that they will be on the proper parcel.

3. Ms. Milner gave a brief status report of the project. There are five units that will be rehabilitated rather than relocated. Recently she submitted a grant to the N.C. Housing & Finance Agency for an incentive grant. They awarded the grant for \$30,000 to be used as rehabilitation money for the Valley View Project.

The project should be complete by Christmas with warm, safe, comfortable quarters with proper water and sewage.

SOLID WASTE ADVISORY COMMITTEE RECOMMENDATION

This item was skipped for awhile, waiting for Mr. Rick Houston to arrive.

PARDEE HOSPITAL

Mr. Thompson informed the Board of a letter from Mr. Aaron of Pardee Hospital. Mr. Aaron is requesting that Pardee Hospital be designated the lead agency for the State's Long Term Care Screening Program and the Community Alternatives Program for Disabled Adults (CAP/DA).

Mr. Thompson recognized Ms. Barbara J. Hammer, Director of Geriatric Services at Pardee Hospital. She was in attendance and available to answer questions.

Mr. Thompson has spoken with Ms. Hammer and with the Director of Social Services. He was concerned because many times there is competition in communities for offering these type of services. Ms. Hammer has worked hard to be sure there is no conflict. Henderson County does not offer this service at the present time.

This proposal came before the Hospital Board of Trustees on June 21 and approved it. This is a Medicaid reimbursed program. There was discussion.

Commissioner Baker made the motion to grant Pardee Hospital's request to be designated the lead agency for the State's Long Term Care Screening Program and the Community Alternatives Program for Disabled Adults (CAP/DA). All voted in favor and the motion carried.

SOLID WASTE ADVISORY COMMITTEE RECOMMENDATION

Mr. Rick Houston addressed this issue, distributing hand-outs. The Solid Waste Advisory Committee was charged with reporting back to the Board of Commissioners within three months of their appointment regarding "Resolution Establishing a Solid Waste Advisory

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Committee". Mr. Houston read the Mission Statement for the Henderson County Solid Waste Advisory Committee (SWAC). He then gave an update on the meetings held, the by-laws adopted, budget sessions, and background reading materials shared. Mr. Lapsley has met with SWAC, giving them a general report of the landfill situation in Henderson County. Tipping fees were discussed, no amount has been determined yet. Tipping fee amounts in other counties were discussed.

BREAK

After a short break, Chairman Edney recognized one gentleman who came in late and did not get to sign up but wishes to speak.

Fred Tharp- Mr. Tharp lives in Acorn Manor Mobile Home Park and spoke regarding cable T.V. service. The residents of the Mobile Home Park want cable but are having no luck at getting it.

NOTICE OF LATE CHARGE

Chairman Edney called on David Nicholson to address this issue. Mr. Nicholson informed the Board of a request from the Briarwood Motel for removal of penalty from room tax. They were 22 days late in making their May payment. Mr. Patel said that this was his first time doing business in this country and he was not sure of the procedures. The following month he did pay on time. The total penalty due is \$220.00.

Commissioner Baker made the motion to compromise the amount of penalty to \$50.00. All voted in favor and the motion carried.

YOUTH DEVELOPMENT-Out of County Travel

David Thompson reminded the Board of a request from Ms. Patti Leonard in May requesting that in the upcoming fiscal year she be allowed to take youngsters to Carowinds or Knoxville from her program. At that time the Board deferred action on this specific request. Mr. Thompson is suggesting that the Board adopt some type of policy to govern all these types of requests in the future.

There was alot of discussion regarding insurance coverage and county liability and Mr. Thompson's recommended policy. Policy as presented to the Board:

Policy Concerning Transportation of Minors Outside Henderson County:

Minors may be transported out of County for special functions upon approval by the County Manager if the following conditions are met:

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1. Written consent is obtained and submitted to the County Manager from each child's custodian, whether the custodian is the parent or the Social Services Director.
2. An appropriate ratio of supervising adults to minor age participants is proposed and approved by the County Manager.
3. The Department Head makes assurances to the satisfaction of the County Manager that every effort has been made to prevent a child's being injured or lost.

If the County Commissioners concur, it is appropriate that they adopt this as a Board policy of Henderson County.

* * *

Commissioner McKay made a motion to approve the policy as proposed by the County Manager. All voted in favor and the motion carried.

SET PUBLIC HEARING-Rezoning Request

Matt Matteson stated that we have a request that was passed and recommended favorably by the Planning Board at their meeting in June. The request is to rezone a 10 acre portion of property in the Champion Hills tract. The petitioner has submitted a plan and he is here tonight. The Planning Board recommends that a public hearing be set at an evening meeting.

Mr. Bill Lapsley and Mr. Royce Carter addressed the Board. There was much discussion.

Commissioner Randall made the motion to set the Public Hearing for August 5, 1991, here, at 7:00 p.m. as part of our regular Commissioners' Meeting. All voted in favor and the motion carried.

ROAD PETITIONS

Chairman Edney informed the Board of a petition to add Stoney View Drive to the State Maintenance System. The Planning Department recommends acceptance.

Commissioner Baker made the motion to receive this petition and forward it to N.C. Department of Transportation for their consideration. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Edney reminded the Board of 5 or more vacancies on the Cable TV Advisory Committee.

Commissioner Baker nominated Ray Smith, Tom Anderson, and Arthur Cooley. Commissioner McKay made the motion to suspend the rules

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and appoint these three. All voted in favor and the motion carried.

2. Chairman Edney reminded the Board of 2 vacancies on the Western Carolina Community Action, Inc. Neither Mr. Baker nor Mr. Coolidge wish to serve again.

Commissioner Good nominated Commissioner McKay to fill one vacancy, replacing Commissioner Baker. Commissioner Randall made the motion to suspend the rules and appoint Mr. McKay. A vote was taken and the motion carried four to one. One vacancy was rolled to the next meeting.

3. Chairman Edney reminded the Board of 2 vacancies on the Jobs Training Partnership Act Committee (PIC). Mr. Moore and Mr. Mims terms expire 6/30/91 and neither are interested in serving again. There were no nominations so the item was rolled to the next meeting.

4. Chairman Edney reminded the Board of 1 vacancy on the Land of Sky Regional Council Advisory Council on Aging. There were no nominations so the item was rolled to the next meeting.

5. Chairman Edney reminded the Board of 1 vacancy on the Nursing Home/Domiciliary Home Advisory Committee. We have one application from Mrs. Ruth Hoots who is interested in serving on this committee.

Commissioner Baker nominated Mrs. Hoots. Commissioner Good made a motion to suspend the rules and appoint Mrs. Hoots. All voted in favor and the motion carried.

6. Chairman Edney reminded the Board of 1 vacancy on the Western North Carolina Tomorrow. There were no nominations so the item was rolled to the next meeting.

TAX RELEASES

Robert Baird presented 14 release requests to the Board for their approval. Mr. Baird has reviewed the documentation, it is in order and he recommends that these releases be approved.

Commissioner Baker made a motion to approve these releases as recommended by Henderson County Tax Assessor. All voted in favor and the motion carried.

TAX REFUNDS

Mr. Baird presented 9 requests for tax refunds to the Board for their approval. Mr. Baird has reviewed the refund requests and supporting documentation is in order and on file in the County

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Assessors' office. Mr. Baird endorses these findings and submits them to the Board for their approval.

Commissioner McKay made a motion to approve these refunds as recommended by the County Tax Assessor. All voted in favor and the motion carried.

EXECUTIVE SESSION

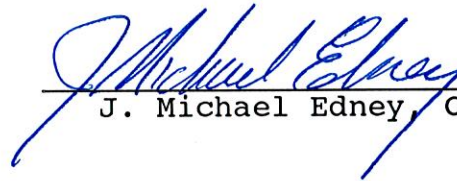
Commissioner Baker made a motion for the Board to go into Executive Session to discuss legal and personnel matters. All voted in favor and the motion carried.

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

Chairman Edney adjourned the meeting.

ATTEST:


Elizabeth W. Corn, Clerk


J. Michael Edney, Chairman

OWNERS NAME.....	ACCOUNT.....	TAX..	FIRE.....	AMOUNT TAXES	FIRE.....	TOTAL.....	REASON FOR REFUND.....
		CODE	CODE	REFUNDED	CODE	AMOUNT	
BABER, ROBERT EDWARD	83279	G01		\$44.84	\$0.00	✓ \$44.84	PERSONAL VALUE/LL/INTEREST REF DUE TO LISTED IN BUNCOMBE COU
CORNWELL, TOMMIE M	10314	G01 F08		\$57.88	\$5.88	✓ \$63.60	LEASED VEH LISTED BY LEASING C O AND TAX PAYER
JOHNSTON, S E JR JOHNSTON, JUANIT A	11919	G01 F05		\$2,936.05	\$216.16	✓ \$3154.21	BILL GENERATED ON INACTIVE PAR CEL/ REFUND REAL VALUE
JOHNSTON, S E JR JOHNSTON, JUANIT A	11919	G01 F05		\$34.27	\$3.05	✓ \$37.32	ACRG INCORRECT IN GV43/VALUE 0 N 333.9 INSTEAD OF 323.02
KOBUS, WILHELM KOBUS, JOHANNA	72500	G01		\$8.55	\$0.00	✓ \$8.55	ACREAGE ASSESSED AT 8.34/CORRE CT ACRG 7.90
RUTH ORIGINALS CORP	31727			\$683.75	\$0.00	✓ \$683.75	INTEREST/ADVERTISING CHG REFUN D DUE TO CHECK LOST
RUTH ORIGINALS CORP	31727			\$8.67	\$0.00	✓ \$8.67	INTEREST/ADVT CHG REFUNDED DUE TO LOST CHECK
SINCLAIR, HENRY B & WIFE	30282		F02	\$0.00	\$43.99	✓ \$43.99	VALUE IN CITY LIMITS NOT VALLE Y HILL FIRE/REFUND FIRE TAX
THOMAS, MIKE E	55548	G01 F07		\$308.25	\$41.10	✓ \$349.35	THREE MH'S DOUBLE LISTED ACCT 22767/62602/81332
				\$4,004.10	\$310.10	\$4394.20	

9 ITEMS LISTED.

Approved 7-1-91 ewc

OWNERS NAME	ACCOUNT	PID	TAX...FIRE... CODE CODE	AMOUNT TAXES REASONED Released	FIRE... CODE AMOUNT	TOTAL... AMOUNT	REASON FOR REFUND: Released
AYERS, CHARLES	7151	07-00071	G01 F05	\$7.80	\$0.64	\$7.84	ASSESSED WITH .75 ACRES/CORREC T ACRES .48
ESPOSITO, JULIA	62510		G01 F07	\$7.88	\$1.05	\$8.93	VEHICLE IN NEW JERSEY JAN 1/PI CKED UP ON CAR LIST FOR 1990
EVANCHICK, FRANK EVANCHICK, GENEV	59017		G01	\$52.54	\$0.00	\$50.54	CAR IN ILLINOIS JAN 1/PICKED U P ON CAR LIST HERE
FEATHERSTONE, EDWARD	62036	99-27980	G01 F05	\$151.86	\$0.00	\$151.86	PARCEL FORECLOSED/NO 88 BILL S HOULD HAVE BEEN CREATED
FEATHERSTONE, EDWARD	62036	99-27950	G01 F05	\$160.14	\$15.19	\$175.33	PARCEL FORECLOSED/NO 99 BILL S HOULD HAVE BEEN CREATED
FEATHERSTONE, EDWARD	62036	99-27980	G01 F05	\$178.20	\$15.84	\$194.04	PARCEL WAS IN FORECLOSED STATU S/NO BILL SHOULD HAVE BEEN CRE ATED
LESLIE, CYNTHIA A	74025		G01 F05	\$8.15	\$0.72	\$8.87	TRADED 34 CHEV FOR 90 HONDA DI D NOT MARK OFF LIST SHEET
PATTERSON, BENJAMIN	29141	01-10974	G01	\$45.98	\$0.00	\$45.98	DOUBLE LISTED ON BILL 90A01199 74
PATTERSON, BENJAMIN	29141	01-10977	G01	\$35.49	\$0.00	\$35.49	DOUBLE LISTED ON BILL 90A01109 77
RAICE, DAVID L	63448		G01 F07	\$29.10	\$3.75	\$32.75	MOVED TO NEW JERSEY IN 89 RELE ASE VALUE AND DCS
SMITH, W DENNIS & WIFE	37414	99-32038	G01 F13	\$0.45	\$0.04	\$0.49	MAPPED IN ERROR TO WD SMITH/ND W IN CORRECT NAME LAKE SHEILA PROP
TURNER, KATHLEEN MCBEE	51712		G01 F11	\$31.46	\$4.13	\$35.59	DOUBLE LISTED ON CAR LIST 1989
WALKER, SUSAN STATION	23025		G01	\$23.81	\$0.00	\$23.81	CAR DOUBLE LISTED UNDER ACCOUNT
WARD, MARK A	61355	99-41939	G01 F04	\$40.00	\$5.33	\$45.33	T 18246 AND 35325 DOUBLE LISTED AS PERSONAL ON A CCT 24520
				\$770.46	\$48.45	\$816.91	

14 ITEMS LISTED.

Approved
7-1-91
ewc