

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JUNE 3, 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, Acting County Manager Jerry D. Myers, and Clerk to the Board Elizabeth W. Corn.

Absent was Finance Director David E. Nicholson and County Attorney Don H. Elkins.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Randall led in the pledge to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

REVIEW OF MINUTES

Minutes were presented for review of the May 6, 1991 meeting. The minutes were approved as corrected.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Edney added one item under New Business, as the first order of business "Proclamation, proclaiming the Month of June as Dairy Month in Henderson County".

PUBLIC HEARING

Chairman Edney stated that the Public Hearing tonight is on the amendments to the Ordinance Regulating Cable Television. It is not a hearing on whether or not we will renew Multivision's Franchise, that hearing will be held at a later date. The comments tonight need to be directed to the proposed amendments to the Ordinance.

Chairman Edney asked the Clerk to call the names of those who have signed up to speak. He also asked that they limit their comments to 2-5 minutes each.

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W.F. Stern - Mr. Stern is concerned about the fact that the Board may give Multivision a contract for 15 years. He is unhappy with the present service from Multivision. Mr. Stern said that he personally had called Multivision every day for the past two weeks to get service and every day he has been promised service the next day.

R.L. Roper - Mr. Roper spoke regarding the Multivision fees, stating that the basic service here is above the national average for Cable service. He is asking the Commissioners to try to get the basic service here reduced by \$3.00 month and feels that 15 years is too long for the contract.

Houser - Mr. Houser lives across from Multivision on Oakland Street. He is unhappy with some annoyances that he and his neighbors have from the Multivision crew: parking, trash, mail and paper delivery, weeds on the grounds, and the new sign Multivision has installed that is blue neon.

Jim Cameron - Mr. Cameron stated that after two and one half years he has a good picture finally. He also spoke against giving Multivision a 15 year contract.

Buck Weaver - Mr. Weaver is unhappy with Multivision's service.

Irving Seid - Mr. Seid lives in Edneyville and has had Cable for one week, so far he is happy with it. He thinks that one channel should be set aside for the city or the county, so they can program educational or informational programs. He said possibly the Commissioners could broadcast a meeting if they wish.

Commissioner Baker stated that in the new Ordinance is a provision which states that we will be granted access to a channel for public service items, not one entire channel though.

Virginia Thompson - Ms. Thompson is upset about the cable fees and the service provided by Multivision. She complained that her cable would go off for the entire weekend, week after week, in three different parts of the county.

Charles Joiner - Mr. Joiner feels that the cable company is spending too much money out of the county, that some of this money should stay in the county for expansion, etc. Mr. Joiner also feels that a 15 year contract is too long.

Charles Gilbert - Mr. Gilbert lives on Pace Road in Dana and spoke regarding cable service.

Chairman Edney thanked everyone for coming and their input and stated that the Board of Commissioners will take this input into consideration.

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PUBLIC INPUT

There was no one signed up to speak.

AMENDMENTS TO ZONING ORDINANCE -Accessory Buildings

Matt Matteson stated that on March 26 the Planning Board recommended to the Board of County Commissioners amendments to the zoning ordinance regarding accessory buildings. The Public Hearing was held May 6.

The Board of Adjustment for many years has been experiencing many requests for variances from property owners that live on corner lots and lots that have two streets (double sided streets). By our definition in the zoning ordinance of a front yard, any lot on a corner street has two front yards which limits where an accessory building can be put. Mr. Matteson stated that this is the rural method for defining a front yard as opposed to an urban method where you have systemized streets that front all in the same direction.

The Planning Board looked at the situation and came up with a set of recommendations that are fairly simple. They will allow in cases of corner lots or double fronted lots, an accessory building to be put either in the side yard or the rear yard and the determinations would be made administratively with specific guidance in the ordinance by the zoning administrator. Mr. Matteson went into further detail regarding these amendments.

Mr. Matteson stated that the request by the Planning Board would be for the County Commissioners to consider the above recommendations. There was discussion.

Commissioner McKay made the motion to approve the recommendation of the Planning Board for these zoning amendments. All voted in favor and the motion carried.

PROCLAMATION-Proclaiming the Month of June as Dairy Month in Henderson County

Grover Westmoreland is requesting that the Board of Commissioners proclaim June 1991 as Dairy Month in Henderson County.

Commissioner Randall made the motion to adopt the Proclamation and proclaim the month of June as Dairy Month in Henderson County. All voted in favor and the motion carried.

LAW LIBRARY/Bar Association

Elizabeth Weitz, a member of the Bar Association addressed the Board and introduced two other members, William L. Gardo, II, and

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Walter Carpenter, all three are members of the law library committee.

Ms. Weitz stated that the law library is currently officially on the third floor of the county courthouse. The current condition of that room is very undesirable with plaster falling off the walls, bare lightbulbs, and ductwork taking up alot of the flooring. There is no other room on the third floor being used for any purpose other than storage. It is extremely hot and totally inadequate to meet the needs according to Ms. Weitz. Various sections of the books have been stored in other rooms of the courthouse, they have two rooms in the courthouse annex.

Mr. Gardo and Mr. Carpenter also spoke and they showed pictures of the current situation.

If the group can secure a good library room, they are willing to arrange for a librarian to maintain it.

The Bar Association is requesting that the County Commissioners allocate funds for this renovation project. It will be a good capital expenditure for the County, as the library will be useful for the rest of the time that we use the present courthouse, and it will remain a good office at such time as we move into the new courthouse. Also, this will give the Henderson County Bar Association the time necessary to organize their library, so that it will be a functional and useful library at such time as it is moved into the new courthouse.

There was much discussion about the cost of renovation and "facilities fees".

Chairman Edney rolled this item to the June 19 meeting and asked that the Bar Association leave the pictures they had brought for the Board's review.

GOVERNOR'S DECLARATION

Renee Kumor addressed the Board regarding a recommended response to Executive Order 142. Governor Martin has signed an Executive Order requiring each county to create a Community Child Protection Team. The order includes additional local Social Services requirements. The order is a response to the growing numbers of abused and neglected children across the state and the concern for the adequacy of services provided on the local level to protect children and families.

The Board has the option of recommending 3-5 people to serve on a Community Child Protection Team. Mrs. Kumor requested that before the team is started that the Board allow an Ad Hoc Committee of Liston and his staff and some of the Focus staff to draw up an

operating procedure for this task team. They anticipate reviewing 25 cases per month, 15-20 hours per month. They would like 30 days to develop this blueprint and present it to the Board of Commissioners. The Ad Hoc Committee will be designing the parameters within which the persons on the task force will be required to operate. There will be alot of time required to serve on the Community Child Protection Team.

Commissioner McKay made the motion to appoint Liston Smith as Chairman of the Ad Hoc Committee and defer any other action until the first meeting in July, at which time the Board will deal with their appointees. All voted in favor and the motion carried.

LIBRARY BIDS-Furnishings

William Snyder, Director of the Henderson County Library, informed the Board that we are now to one of the last steps on completing the building project at the Library. Three months ago the Board gave them permission to take bids on furnishings. This has been accomplished and the results are included in the agenda package. The bids came in a little higher than was expected.

Mr. Snyder requested the Board to grant permission to the Library and to the Finance Director to let contracts totalling \$266,415.00 for the furnishings for the library.

Mr. Snyder informed the Board that at the present time, with what is already contracted and with the telephone and equipment that was requested in next year's budget, the entire project is expected to cost approx. \$2,128,000.00 or \$49.49 per square foot. There have been gifts, interest, and state grants received. The total cost to the County is less than \$600,000.00 assuming that the Board awards these contracts tonight.

After much discussion it was the consensus of the Board to extend the bids for another two weeks. The Board wants to confer with the Finance Director before approving these bids.

CRIMESTOPPERS MONTH

There is a draft resolution in the agenda package for the Board's review.

Commissioner Baker made the motion to adopt the resolution as presented, naming the month of June 1991 as Crimestoppers Month in Henderson County. All voted in favor and the motion carried.

OPTION TO PURCHASE SCHOOL BOARD PROPERTY

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Chairman Edney informed the Board that Henderson County Board of Education wishes to dispose of the old Flat Rock School property, established price of \$525,000.

Mr. Myers stated that in accord with the General Statutes, the School Board has offered the Board of Commissioners the first option on this property. He is not aware of any needs the county currently has for the property. He suggests that the Board of Commissioners decline the first option and advise the School Board.

Commissioner Baker made the motion to decline the first option and advise the School Board. All voted in favor and the motion carried.

ROAD PETITIONS

Chairman Edney informed the Board of three road petitions received requesting addition to the state maintenance system:

1. Patriots Drive
2. Old Town Way
3. Estate Drive

Commissioner McKay made the motion to approve the three road petitions as recommended. All voted in favor and the motion carried.

TAX RELEASES

Robert Baird, County Tax Assessor, informed the Board of some '88-'89 bills based on mineral rights and interest in mineral rights. He recommends release of these seven (7) bills.

Commissioner Baker made the motion to approve the release of these tax bills as recommended. All voted in favor and the motion carried.

TAX REFUNDS

Robert Baird informed the Board of one refund and recommends approval.

Commissioner Baker made the motion to grant the request. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Edney reminded the Board of 2 vacancies on the Job Training Partnership Act (JTPA). There were no nominations so the item was rolled to the next meeting.

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2. 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.

3. Chairman Edney reminded the Board of 1 vacancy on the Nursing Home/Domiciliary Home Advisory Committee. There were no nominations so the item was rolled to the next meeting.

4. Chairman Edney reminded the Board of 1 vacancy on the Henderson County Board of Health, must be a Veterinarian.

Commissioner Baker nominated Dr. Karen Davis to fill this position. Commissioner Good made the motion to close nominations and appoint Dr. Davis. All voted in favor and the motion carried.

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

6. Chairman Edney reminded the Board of 1 vacancy on the United Way Priorities Committee.

Chairman Edney nominated Norma Pryor, Election Board supervisor. Commissioner Baker made the motion to suspend the rules and appoint Mrs. Pryor. All voted in favor and the motion carried.

EXECUTIVE SESSION

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

Commissioner McKay 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.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

J. Michael Edney
J. Michael Edney, Chairman