

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
FEBRUARY 20, 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 F. Richard Baker, Commissioner Hugh D. Randall, Commissioner William McKay, Finance Director David E. Nicholson, Clerk to the Board Elizabeth W. Corn, and the news media.

Absent were County Attorney Don H. Elkins and Interim County Manager Jerry D. Myers.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Chairman Edney asked Commissioner Good to lead in the Pledge of Allegiance.

INVOCATION

Rev. John Neville of Covenant Presbyterian Church gave the invocation.

REVIEW OF MINUTES

Minutes of the January 9, 1991 meeting were presented for review and were approved as presented.

Minutes of the January 14, 1991 meeting were presented for review and were approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

There were none other than the fact that the EXECUTIVE SESSION (item VI) will be delayed until an individual arrives from Raleigh.

ENVIRONMENTAL ADVISORY BOARD

Chairman Edney informed the Commissioners that in the agenda packet there are three proposed revisions of the original ordinance, these are all resolutions. The three resolutions are labeled A, B, and C.

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County Planner Matt Matteson reviewed the three resolutions and there was discussion on the differences of the three resolutions.

"A" Resolution Establishing The Henderson County Environmental Advisory Committee is a resolution establishing a seven member committee with broad authority.

"B" Resolution Establishing A Solid Waste Advisory Committee is a resolution establishing a solid waste advisory committee of seven members whose specific responsibility would be for solid waste management or other matters as directed by the County Commissioners.

"C" Resolution Establishing The Henderson County Environmental Advisory Committee is a resolution establishing a seven member committee which may appoint subcommittees composed of members of the committee itself and other parties not from the committee. They would study issues as directed by the Board of County Commissioners.

Chairman Edney stated that the basic difference between these resolutions and the original ordinance is that the committee cannot initiate studies on their own but work at the direction or request of the Board of Commissioners.

Commissioner Baker made the motion to adopt resolution "A", Resolution establishing The Henderson County Environmental Advisory Committee.

There was much discussion. A vote was taken and the motion failed three to two:

| | |
|----------------------|-----|
| Chairman Edney | Aye |
| Commissioner Baker | Aye |
| Commissioner McKay | Nay |
| Commissioner Randall | Nay |
| Commissioner Good | Nay |

Commissioner McKay made the motion to adopt resolution "B" Resolution Establishing A Solid Waste Advisory Committee. Commissioner Good asked Commissioner McKay if he would consider adding the word environmental after Solid Waste. Commissioner McKay objected. A vote was taken on Commissioner McKay's motion and the motion carried unanimously. A copy of the Resolution is made part of this record.

EXECUTIVE SESSION

Commissioner Good made the motion for the Board to go into Executive Session to discuss a personnel matter.

Commissioner McKay made the motion for the Board to go out of Executive Session.

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Chairman Edney stated that the Executive Session was to discuss the job of County Manager. The process is ongoing and he hopes to be able to finalize it fairly soon.

FINAL REPORT/BOARD OF EQUALIZATION & REVIEW

Chairman Edney recognized Doyle Freeman and R. E. Harmon to address this item.

Mr. Freeman gave the following report:

The Board of Equalization and Review met 114 days and heard appeals 110 days.

| | |
|---|-------------------------------|
| 4,582 Total Parcels Scheduled | |
| 2,001 New Appeals Since Second Notice | |
| 1,642 Appellants Heard | |
| 3,995 Parcels Heard | |
| 402 No Show (Appellants) | |
| 587 No Show (Parcels) | 13% Of Total Were No Shows |
| 551 Parcels Accepted | 12% Of Total Were Accepted |
| 2,299 Parcels Changed | 50% Of Total Were Changed |
| This is equivalent to approx. 60% decreases and 40% increases | |
| 4,145 Not Changed | 25% Of Total Were Not Changed |
| 97 Appeals to the N.C. Property Tax Commission | |
| 12 Appeals Dismissed by the N.C. Property Tax Commission | |

All the Changes in listings, appraisals, and assessments made by the Board of Equalization and Review have been duly recorded in the records for 1990.

R. E. Harmon summarized a four page report by the Board of E & R of their observations and recommendations. Mr. Harmon felt that the briefing by Doug Holbrook was a big help to all the Board Members even though some of them had 8 or 10 years experience. Overall they were pleased with the 1990 revaluation and feel that the county's records are better now than they have ever been. The Board of E & R recommends more efforts to educate the public, as a minimum perhaps an easily understood brief explanation of why and how could accompany each revaluation notice.

During the discussion it was decided that some sort of door hanger be left anytime one of our people visited properties and it was learned that this was adopted this year (1991) and will be used in the future.

The Commissioners expressed their appreciation to the Board of E & R for handling an unpleasant task in a courteous and professional manner.

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1990 ANNUAL REPORT/Council on the Status of Women

Chairman Edney recognized Diane Masters to present this report.

Ms. Masters is Vice-President of the Henderson County Council on the Status of Women. Ms. Masters reviewed the report naming the 1990 accomplishments:

March - The council celebrated Women's History Month by honoring six Henderson County women. They plan to do this again this year.

August - The council celebrated Women's Equality Day. This program was co-sponsored with Hendersonville Business and Professional Women and Blue Ridge Community College.

September - The council celebrated the Women's Legislative Agenda by sponsoring a bi-annual legislative agenda forum. N.C. Equity presented 32 recommendations to the Assembly in 1989, 8 of which were passed in the long session.

November - The council celebrated their 10 year anniversary.

Ms. Masters reviewed some of the council's plans for 1991. Their main objective is to help women in the workplace and in society.

REQUEST TO USE COURTHOUSE LAWN

Chairman Edney informed the Board of a request from the Sons of Confederate Veterans. They are asking permission to conduct a memorial service at the Confederate monument on the Courthouse lawn and to place two wreaths at the monument as part of the ceremony.

Commissioner Good made the motion to permit the Sons of the Confederate Veterans to conduct a memorial service at the Confederate monument on the Courthouse lawn with the placement of two wreaths planned for May 11, 1991. All voted in favor and the motion carried.

LIBRARY ADDITION AND RENOVATION PROJECTA. Change Order #4

Chairman Edney recognized William Snyder to address this item. Mr. Snyder explained that change order #4 will add an additional \$1,100 to the project cost. Last year when the Commissioners adopted the Capital Projects Ordinance there was a \$25,000 allowance for cabinetwork. At that time they had planned on using Correction Enterprises to do some of the cabinetwork and expected to save 25%-30% on such work.

When he received the proposal from Correction Enterprises, Mr. O'Cain and Mr. Snyder agreed that it was too high. Duyck Construction was asked to give a price, which was felt to be more in line with the original estimates.

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Mr. Snyder is requesting the Board to accept the Duyck proposal and approve the proposed Change Order. The Change Order is for an additional \$26,100, which is the original \$25,000 which was allowed plus the additional \$1,100.

A vote was taken and the motion carried unanimously.

B. Library Furnishings

Mr. Snyder informed the Board that the Library Addition and Renovation Project is approaching 40% completion and he needs to consider accepting bids for furnishings. He supplied a list of furniture and equipment proposed by the Interior Designers. The question of bidding these items was not considered by the Board last year. The list totals \$280,550 at present, but they expect to pare it down to \$250,000.

Mr. Snyder is requesting the Board's approval to release the bid list in March and hopefully award contracts in May.

Commissioner McKay made the motion to authorize Mr. Snyder to proceed as planned within these guidelines. A vote was taken and the motion carried.

Temporary Location

Mr. Snyder commented on the temporary location of the library. We used his staff and some of the maintenance staff and about 105 volunteers and made the move in three weeks.

Mr. Snyder feels that they have gone from being a very good medium sized library to a very good small library. They are not able to offer all their programs but the ones they are offering they are doing just as well with. The part of the building they are using is less than half the size of what they are used to occupying. He commended his staff on selecting what they would keep available to the public and what would have to be stored. He has also heard good response from the public.

ROAD PETITIONS

Chairman Edney informed the Board of a road petition received from the residents to add Woodlawn Terrace to the state maintenance system.

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

NOMINATIONS

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1. Chairman Edney informed the Board of 3 vacancies on the Henderson County Recreation Committee. All three of the vacancies are caused because the people in those vacancies had served two consecutive terms and under their by-laws you cannot serve more than two consecutive terms.

Commissioner Baker stated that the Henderson County Recreation Board meeting was yesterday afternoon and they have requested that the Board of Commissioners change the stipulation on their by-laws so that you could serve more than two consecutive terms. There was much discussion.

Commissioner Good nominated Michael T. Cole to fill one vacancy. Two vacancies will be rolled to the next meeting. Commissioner Baker made the motion to suspend the rules and appoint Mr. Cole to serve on the Recreation Board. All voted in favor and the motion carried.

2. Chairman Edney informed the Board of one vacancy on the Land-Of-Sky Regional Council Advisory Council on Aging, it must be an older individual. There was discussion but no nominations so the item was rolled to the next meeting.

3. Chairman Edney informed the Board of two vacancies on the Nursing Home/Domiciliary Home Advisory Committee. Commissioner McKay nominated Ms. Linda Weimann but after some discussion Commissioner McKay withdrew his nomination.

There were no nominations so the item was rolled to the next meeting.

MUD CREEK WATER & SEWER DISTRICT

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

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

EXECUTIVE SESSION

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

After Executive Session the Board will hold a 1:00 workshop.

Commissioner Baker made the motion for the Board to go out of Executive Session.

WORKSHOP Courthouse/Jail/Law Enforcement Center

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Chairman Edney stated that the last time this Center was discussed there were thoughts brought up about the site. Department heads who are proposed to be housed in the new facility were asked to come to this meeting today to give their input. He asked for everyone in attendance to give their input on the site and state whether they knew of any alternative sites.

Tommy Thompson, Clerk of Court. Mr. Thompson isn't really happy with the site but can see no good alternatives so he feels that we need to purchase additional property to go with what we presently have. One of his biggest concerns is the inadequate parking spaces allotted for the new facility.

Randy Eggen, Adult Probation & Parole. Mr. Eggen would definitely like to see the Criminal Justice Center stay in downtown Hendersonville and would like to see it all on one site. He also feels we need to purchase additional property to go with the present property and to plan on sufficient parking to take us well into the future.

Alan Leonard, District Attorney Mr. Leonard spoke about the lack of necessary parking spaces. He also questioned if the Board of Commissioners had discussed tracts of land outside of town. He personally likes the idea of staying in downtown Hendersonville.

Ken Lanning, Juvenile Services. Mr. Lanning is concerned about the lack of adequate parking spaces.

There was very much discussion. The footprint of the building was discussed, a multilevel facility versus a facility built on just one or two floors. The costs of expanding the facility upwards or outwards and it was stated by the architect that it is less expensive to expand sideways or outwards. Whether to stay in town, keeping Hendersonville as the County seat and helping promote growth in the downtown area was discussed as well as locating outside the city limits on possibly a larger tract of land but likely hurting the economy of downtown.

Mr. Fripp, the Architect for the new facility stated that he will have to redesign the jail because of new state restrictions for jails. No-one indicated any unhappiness with the Architect and one department head voiced his appreciation to the architect for handling the situation in such a pleasant manner.

One piece of property outside the city limits was discussed but not named. There is sewer available, water, telephone, power, and natural gas. The property is 15-20 acres. Mr. Fripp stated that we need roughly in the area of 20 acres.

Jerry Brewer, Trial Court Administrator. Mr. Brewer stated that the Board is in a hopeless situation both with parking and the

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jail. Drawing on experience he stated that the more beds you have in the jail the more people you will find to put in those beds. Also the more parking spots you have the more folks who will drive to the courthouse instead of carpooling. Mr. Brewer is a resident of Rutherford County and feels the site location is a local issue. He personally feels that with the modifications being considered it looks good.

Barbara King, Guardian Ad Litem. Ms. King also spoke of her concern about inadequate parking. She stated that there is no point in moving into a new building that is outdated by the time you move into it.

Attorney Bob Whitmire. Mr. Whitmire prefers a larger site than we presently have. He personally feels that locating outside of the city would have a detrimental effect on the economy of downtown Hendersonville. He feels wherever the new facility goes, new buildings such as lawyers offices will crop up all around the new facility. Mr. Whitmire also spoke of financing.

Sheriff Jackson - Sheriff Jackson spoke about transporting prisoners and thus stated it would be safer to have the entire facility in one location.

Tom Hatchett, of Sheriff Dept. Mr. Hatchett expressed a desire for separate structures connected on the same site.

Bill Bowling, from Etowah. Mr. Bowling feels that if the facility is located outside of town it will have a definite negative effect on the economy of downtown Hendersonville. Mr. Bowling feels that whatever is going to be done, we need to get on with it and quit putting it off.

There was considerable more discussion.

Chairman Edney asked for any other comments and thanked everyone for their input.

EXECUTIVE SESSION

Commissioner McKay made the motion for the Board to go into Executive Session. 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.

ACTION

Commissioner Baker made the motion to approve the Janitorial Contracts as recommended by the County Finance Officer. All voted in favor and the motion carried.

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Commissioner Good made the motion to approve the lease between H.D. McCallister & wife and Henderson County and to move \$46,000 from contingencies to cover renovation of the building and rent. All voted in favor and the motion carried.

A request by the Register of Deeds was discussed and it was decided to defer action until budget time and to remind Ms. Maxwell of the budgetary limitations.

During Executive Session the Clerk to the Board was designated as the enforcement agent for the County in regards to Going Out of Business Sales or Closing Sales in response to G.S. 66-77. The Clerk will act upon these as complaints are received.

There being no further business, the meeting was adjourned until 1:00 Wednesday, February 27.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

J. Michael Edney
J. Michael Edney, Chairman

