

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 19, 1990

The Henderson County Board of Commissioners met for a regularly scheduled midmonth meeting at 9:00 a.m. in the Commissioners' Conference Room of the County Office Building.

Those present were: Chairman William T. Drake, Vice-Chairman F. Richard Baker, Commissioner J. Michael Edney, Commissioner Hugh D. Randall, County Administrator Jerry D. Myers, County Attorney Don H. Elkins, Finance Director David E. Nicholson, Clerk to the Board Elizabeth W. Corn, and the media. Commissioner Troy L. Maybin was absent.

Chairman Drake called the meeting to order.

MINUTES

The minutes of the July 2, 1990 meeting were presented for review. The minutes were approved as corrected.

DISCUSSION/ADJUSTMENT OF AGENDA

Under Unfinished Business item "E" was added, Asheville-Buncombe Water Supply Task Force.

Also added under New Business: item "J," Grant Application - Department of Social Services; item "K," Resolution for Land Records and Tax Payment Options; item "L," Proclamation for EMS Week.

Property Address Ordinance - Susan Sneed

Chairman Drake recognized Susan Sneed of the Planning Department to address the Board and give a brief overview of the Ordinance. She stressed the importance of careful consideration because this Ordinance will affect most residents of the county and be in place for many years. Mrs. Sneed stated that there had been no changes to the Ordinance and then requested that a public hearing date be set for the property address ordinance. [Page 6, Section 402, Item C] Commissioner Baker questioned why addresses should be changed to driveway and not left as the front of the house (street addresses). Mrs. Sneed stated that the EMS and fire departments will be looking for driveway entrances. [Section 305] Commissioner Edney questioned the legality of the statement that street names should not be in poor taste, whose poor taste? It was requested that the Planning Department supply a copy of the Ordinance to the City Planning Staff. After much discussion there were several questions raised about the legality of some of the wording in the ordinance and the County Attorney and Commissioner

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Edney will look over the ordinance after the public hearing and possibly make some wording modifications. Commissioner Edney made the motion to set the public hearing for October 17, and to accept written comments for those that cannot attend the meeting. All voted in favor and the motion carried.

Chairman Drake requested that Mr. Matteson notify the media of the upcoming public hearing.

Valley View CDBG Project and Fair Housing Plan - Matt Matteson

Chairman Drake recognized Matt Matteson, County Planner to give background on this subject. Matt Matteson introduced the Project Officer, Cynthia Milner of Land-of-Sky.

Ms. Milner stated that the first item to be taken care of is the appointment of the Local Advisory Committee. She had a list of 5 individuals to serve on the Local Advisory Committee, which will act as a complaint board if Ms. Milner cannot help the complainer. The nominees are Scott Dedman with Pisgah Legal Services; Mattie McClain; Anne Lippincott; Sharon Bush from the Housing Assistance Corporation; and Rev. Odell Suber a neighbor of the affected area. They have all agreed to serve on the committee. If the board approves of these nominees, then they will meet and elect a chairman. There was much discussion.

Commissioner Edney made the motion to appoint the five nominees suggested above as members of the Local Advisory Committee for the Valley View project. All voted in favor and the motion carried.

Chairman Drake requested that Ms. Milner officially notify the members and send him copies of the letters.

Ms. Milner then explained the "Recipients Plan to Further Fair Housing," which is required by the state and mainly consists of educating the residents of Henderson County regarding their rights concerning Fair Housing. The plan states that Matt Matteson will receive complaints that pertain to Fair Housing. Ms. Milner stated that she had developed a brochure concerning Fair Housing, FHA, and other things and called the Board's attention to it.

Chairman Drake asked Mr. Matteson if he had any comments. Mr. Matteson emphasized that the brochure states that this plan is only in unincorporated areas of Henderson County. Commissioner Edney asked who the brochures will go to. Ms. Milner stated they will be available at lending institutions, realtors, DSS, county offices, among other places. Chairman Drake asked what standing Pisgah Legal Services has in settling Fair Housing complaints. Ms. Milner stated that they are a legal service for low income individuals. There was much discussion.

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Commissioner Edney requested that they carry this over until the first of the month meeting, defer any action until that time.

Ms. Milner then explained the "Citizens Participation Plan", the "Written Code of Conduct", and the "Rehabilitation Procedures and Policies". These are her attempts at taking the regulations that govern the project and putting them into something that you can read so that the citizens will have something they can understand. She is requesting approval from the Board that she be able to use these. The "Citizens Participation Plan" outlines how we will have citizens involved through publications and public hearings. The "Written Code of Conduct" states that no employee, officer, or agent of the county will benefit financially from this project. The "Rehabilitation Procedures and Policies" outline what can be done in home repairs, income guidelines, and what contribution from the recipients will be, if any.

There was discussion on these three items and it was decided to defer action on these till the next meeting also.

MILLS RIVER WATERSHED

Chairman Drake informed the Board that he has received a letter from Mr. Ingle requesting that the Board write a letter supporting WS-II classification for the Mills River. He discussed this with Mr. Matteson. The rules have not been adopted officially and will not be adopted until January of 1991 so based on his conversations with Mr. Matteson it was decided it would be premature to request a classification at this time since we are not sure what the rules will be. There was much discussion.

Commissioner Edney requested that the Board send a letter stating their position and it was decided by consensus to do so.

Mr. Matteson stated that after the rules are set it would be proper for the Board to endorse the plan and send it on to Raleigh as our recommended classification.

NOMINATIONS

1. Chairman Drake informed the Board of 1 vacancy on the Land-Of-Sky Development Interest. There were no nominations so the item was rolled to the next meeting.
2. Chairman Drake informed the Board of 1 vacancy on the Land-Of-Sky Advisory Council on Aging. There were no nominations so the item was rolled to the next meeting.
3. Chairman Drake informed the Board of 1 vacancy on the Youth Development Committee. There were no nominations so the item was rolled to the next meeting.

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4. Chairman Drake informed the Board of 1 vacancy on the Henderson County Zoning Board of Adjustment, there is a requirement that they live in a zoned area. There were no nominations so the item was rolled to the next meeting.
5. Chairman Drake informed the Board of 1 vacancy on the Land-Of-Sky Retired Senior Volunteer Program (RSVP) Advisory Council. There were no nominations so the item was rolled to the next meeting.
6. Chairman Drake informed the Board of 1 vacancy on the Recreation Committee. There were no nominations so the item was rolled to the next meeting.
7. Chairman Drake informed the Board of 1 vacancy on the Henderson County Planning Board. There were no nominations so the item was rolled to the next meeting.

ASHEVILLE BUNCOMBE WATER SUPPLY TASK FORCE

Chairman Drake stated that after several stories appeared in the newspapers concerning meetings, he received a letter from Michael Plemmons who is Chairman of the Asheville Buncombe Water Supply Task Force. Their opinion seems to be that since they are no longer considering an impoundment on the Mills River that our opposition may have changed. He received a call from the newspapers asking if the Boards standing had changed? He replied to the press that the original letter requesting that the Mills River be taken off of their list of possible water sources was written purposely for that and is still the same feeling of the Board. Mr. Plemmons is asking if our Board would like to meet with them and discuss their new proposal. Chairman Drake explained that he would be happy to present that idea to the Board and get an official response about a meeting. Mr. Myers and Mr. Matteson attended the last meeting and made no commitment on behalf of Henderson County. Based on previous discussions, Chairman Drake felt that the letter was clear. There was discussion.

Mr. Myers stated that at the meeting he attended the Transylvania officials were quite concerned that the installation of a major water intake on the upper French Broad River would expand the water shed area and limit any growth or development that may potentially occur in that portion of the county. They were also concerned about the installation of a raw water intake and transporting raw water the entire length of the county from the Rosman area all the way out the #280 corridor to Buncombe County. They expressed that if a water line was run that distance, they should be able to pull some water off that line to serve the area it would be passing through so instead of raw water transporting that distance, it should be treated water. They were suggesting that perhaps a water treatment plant be developed in that area if they got to that point.

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Chairman Drake stated that when he attended the Transportation meeting at City Hall, the Mayor made the comment that possibly the City of Hendersonville would be requiring the maximum capacity that the Mills River could supply, some years down the road.

The Board decided by consensus to send a letter stating that the Board's position had not changed.

Commissioner Baker stated that we should reject the idea of any water being taken out of the Mills River by Asheville Buncombe Water Supply Task Force. Commissioner Randall stated that he was in agreement with Commissioner Baker.

Chairman Drake stated that a letter will be sent.

HENDERSON COUNTY SOIL & WATER CONSERVATION DISTRICT

Chairman Drake stated that we have a letter from Governor Martin indicating that we have a \$101,000 grant for the Soil & Water Conservation District. Chairman Drake recognized Bob Cathey to address the Board on this item.

Mr. Cathey, a Soil Conservationist with the Henderson County District, stated that he coordinates the N.C. Agriculture Cost Share Program. This program is intended to reduce the input of sediment and nutrients, animal waste and pesticides in our water sources in this state. In order to qualify for this program, each soil and water conservation practice must improve the water quality. Originally there were 16 counties on this program in N.C. It was so successful that the legislature chose to include 56 counties and we were included then, 4 years ago.

In 1990 all 100 counties in the state of N.C. went on this program. Mr. Cathey stated that we were very fortunate that the legislature didn't cut our funds. We were allocated \$600,000 on the statewide basis. This program has been a huge success in the state of N.C. and this success is attributed to the fact that it is administered locally by the local Soil & Water Conservation Board or district supervisor. Several other states have adopted a program very similar to our program and several have been designed after the N.C. program. In the program year of 1988 we received \$96,810, in program year 1989 we received \$133,896, in the program year 1990 we received \$86,595. He said that about three weeks ago they received program year 1991's allocation of \$101,564. Total for the four years for Henderson County, for the improvement of water quality, is \$418,865. They have averaged writing from 25-30 agreements each year that they have been on the program.

RECYCLING PRESENTATION-Nippy Page

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Chairman Drake informed the Board that he had asked Ms. Page, our Recycling Coordinator, to be here today to give us an update on what is happening in recycling, new programs, projects, etc. that are in the works.

Ms. Page addressed the Board stating that the school systems are now into the recycling program. Hendersonville Middle School has a full-fledged drop off center at the school. Seneca Foods has donated 55 gallon plastic containers. They are recycling the same materials that are accepted at the City Recycling Center. They are also recycling cardboard and white office paper. Cathy St.Clair, who is the Health & P.E. teacher, has incorporated environmental awareness and an ecology program into her curriculum and she is teaching the students there about recycling. She initiated the program along with Cathy Childers who is the principal.

Charles Byrd, the Superintendent of City Schools is going to monitor the program, along with Ms. Page, at the City Schools until Thanksgiving and work out any bugs there might be. Ms. Page is going to do a presentation to the other principals in the city school system after Thanksgiving and let them know what is being done and encourage them to expand the recycling programs into the other schools.

Ms. Page stated that the city maintenance crew is transporting the materials to the City Recycling Center when the bins get filled. The white office paper and the cardboard are being taken to Curbwaste and Recycle. Each classroom has a box in the class where the students deposit any kind of white paper and notebook paper and the box is taken by the students to a 40 gallon container that Curbwaste has donated to the school. When the container gets full it is taken to Curbwaste.

All the aluminum collected there is going to the High School because they have a scholarship fund that they are saving for.

The county schools are getting started. Dr. Ledbetter has given Ms. Page the O.K. to start some programs in the county schools. She has done several lectures at East High and West High. She has an appointment on Friday with Ms. Love, the interim principal at Fletcher (their principal is in the Reserves and is gone now). She will be setting up a recycling center at Fletcher.

East High is starting to collect white paper and as soon as the bugs are worked out of the program and it is flowing smoothly, they wish to start collecting other materials at East High.

Ms. Page did a presentation at West High. One of the teachers there started a recycling program last year on a voluntary basis and was transporting the material himself. They will be starting a program there as soon as she can get containers in place and have a full-fledged program at West High. The school maintenance crew

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) will be transporting those materials to the recycling center at the landfill.

Ms. Page said that we have an informal paper and aluminum recycling project going on in the county buildings. She is in the process of checking into some cost figures for recycling containers for all the buildings. In the meantime the buildings that want to participate are collecting white office paper and aluminum cans. She stated that project is going very well in the buildings that are participating.

The Health Department initiated the aluminum recycling and want to use the proceeds to buy smoke detectors for low income housing. We have been saving money since April and have approx. \$40.00 through August. Ms. Page will be taking the containers again this month and hopefully will have enough money to buy several smoke detectors. Fire Prevention Week is Oct. 6-8 and the money will be turned in then and buy the smoke detectors so they can be handed out that week.

Commissioner Edney asked Ms. Page what she is doing or planning on doing with local industries as far as recycling.

) Ms. Page said that she is working on local industry on an individual basis. She stated that we do have the BIRAB in place, the Business and Industry Recycling Advisory Board. She has met with the chairman of that Board once and they decided that it would be best, since each industry has such specific waste, to meet with industries on an individual basis. She has been doing that. Most of the industry in Henderson County is already recycling their cardboard. Some are starting to recycle plastic, shrink-wrap, glass, and aluminum.

1990 CENSUS FIGURES-Matt Matteson

Chairman Drake recognized Matt Matteson to address this item.

) Mr. Matteson stated that the preliminary 1990 census count for Henderson County is 69,031, which is 1,139 fewer than the most recent state estimate of 70,370. As a whole the state estimates have been higher than the cities and counties across the state. The 1990 U.S. Census count of 34,090 housing units, reflected a 25% increase over the 1980 numbers. Of the 1990 housing units counted 5,456 or 16% were listed as vacant. The vacancy rate is a substantial increase compared to only 7% ten years ago but it was less than some of our neighboring counties. U.S. Census only provided four numbers to us: population, housing units, vacant housing units, and the group quarters population which was 1,057. The housing counts were made on a per block basis. There were over 3,200 separate blocks in the county including the cities. Many of those outside the urban areas had extremely large perimeters and it was difficult to try to pinpoint where numbers were.

Mr. Matteson stated that Henderson County is the 15th fastest growing county in the state. In the last ten years our population grew 1.8% per year or 17.8% over the ten year period. We are also the fastest growing county in Western N.C. We are the 30th most populous county out of the 100 counties in the state, coming up five notches since 1980.

Commissioner Edney questioned what the Revaluation figures showed on the total improved parcels in the county. Chairman Drake asked Robert Baird and he said it was between 30,000 and 31,000. Chairman Drake stated that the fact that about 40-45% of our tax bills are mailed outside of Henderson County would represent the fact that we have 5,000 or so vacant housing units.

There will be no challenge of these figures at this time.

N.C. WILDLIFE FEDERATION/National Hunting & Fishing Day

Chairman Drake informed the Board of a request from the N.C. Wildlife Federation to proclaim September 22 as National Hunting & Fishing Day in Henderson County. He stated that this is basically to encourage activities that recognize the amount of money that has been contributed by sportsmen to wildlife conservation throughout Henderson County.

Commissioner Edney made the motion to adopt the Resolution proclaiming September 22, 1990 as Hunting and Fishing Day in Henderson County. All voted in favor and the motion carried.

TAX REFUND

Chairman Drake stated that we have received one tax refund request for William S. Gadd in the amount of \$78.70. We have a recommendation from the County Assessor.

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

"LET'S TALK MONTH" October

Chairman Drake recognized Kay Thompson to present this proclamation.

Ms. Thompson works with the Henderson County Teen Pregnancy Prevention Project. She is here today requesting that the Board of Commissioners proclaim October as "Let's Talk Month" this year, as it has done the past two years. The teen project is responsible for coordinating the program and they invite community organizations to provide programs during the month of October that pertain to issues relating to children, teens, and anything that is necessary for family communication. They have 15 organizations

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participating this year and have had 10,000 calendar of events printed for the program which are being distributed throughout the community.

Governor Martin has proclaimed the month of October as "Let's Talk Month" for the state of N.C.

Chairman Drake stated that this is basically the same proclamation that we have adopted every year.

Commissioner Randall made the motion to adopt the proclamation proclaiming October as "Let's Talk Month" in Henderson County. All voted in favor and the motion carried.

RESOLUTION-Certify Bond Election Results

Chairman Drake recognized David Nicholson to address this item.

Mr. Nicholson stated that the next step following a successful bond referendum is to certify the bond election results. Mr. Nicholson will read the Resolution and the Commissioners need to approve the Resolution in the agenda book, it will have to be a motion and a second.

* * * * *

The Clerk to the Board of Commissioners placed before the Board of Commissioners a Certificate of Canvass of the Henderson County Board of Elections certifying to the Board of Commissioners the results of the Special Election held for the County of Henderson on August 28, 1990. The Certificate was read and considered.

CERTIFICATE OF CANVASS OF THE HENDERSON COUNTY BOARD OF ELECTIONS FOR THE SPECIAL ELECTION OF THE COUNTY OF HENDERSON ON THE 28TH DAY OF AUGUST, 1990

WE, the undersigned Chairman and Members of the Henderson County Board of Elections, DO HEREBY CERTIFY that we met on August 30, 1990 at the hour of 11:00 o'clock, A.M., in the office of the Board of Elections in Hendersonville, North Carolina, to canvass the returns of the special election held in the County of Henderson on August 28, 1990, and that the result of such canvass is as follows:

1. The total number of voters who voted "YES" in answer to the question, "SHALL the order authorizing \$24,000,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing additional school facilities and improvements to existing school facilities in the Hendersonville City School Administrative Unit and the Henderson

County School Administrative Unit, including construction of a new high school and renovation and expansion of existing high schools, junior high schools/middle schools and elementary schools, and the acquisition and installation of necessary furnishings, equipment and machinery and the acquisition of land or rights-in-land required therefor, and a tax to be levied for the payment thereof, be approved?", was 7,126. The total number of voters who voted "NO" in answer to such question was 1,905.

2. The total number of voters who voted "YES" in answer to the question, "SHALL the order authorizing \$4,900,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing improvements to Blue Ridge Community College, including construction of an Applied Technology Building and renovation of the existing Vocational and Life Science Building and the acquisition and installation of necessary furnishings, equipment and machinery, and a tax to be levied for the payment thereof, be approved?", was 6,939. The total number of voters who voted "NO" in answer to such question was 2,081.

3. All persons voting at said election were required to use ballots or ballot labels setting forth the questions to be voted upon in the form prescribed by the Board of Commissioners of Henderson County.

4. Only the persons who had been duly registered were permitted to vote at said election. The total number of voters who were registered and qualified to vote at said election was 38,482.

5. The polls for said election were opened at the polling places in the County on August 28, 1990, at the hour of 6:30 o'clock, A.M., and were closed at the hour of 7:30 o'clock, P.M. on that day.

IN WITNESS WHEREOF, we have set our hands for the purpose of certifying the result of the special election held for the County of Henderson on August 28, 1990 to the Board of Commissioners of the County, this 30 day of August, 1990.

Hartwell Gregory
Chairman, Henderson County
Board of Elections

Dolly Godehn
Member, Henderson County
Board of Elections

Norma W. Frost
Member, Henderson County
Board of Elections

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Commissioner Baker moved the adoption of the following resolution:

WHEREAS, the Board of Commissioners has considered the Certificate of Canvass of the Henderson County Board of Elections canvassing the referendum held for the County of Henderson on August 28, 1990 and certifying the result thereof to the Board of Commissioners and has canvassed the result of said Special Election; NOW, THEREFORE,

BE IT RESOLVED by the Board of Commissioners of the County of Henderson that it be and hereby is certified and declared that the number of voters registered and qualified to vote at said Special Election was 38,482.

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$24,000,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing additional school facilities and improvements to existing school facilities in the Hendersonville City School Administrative Unit and the Henderson County School Administrative Unit, including construction of a new high school, a junior high school/middle school and an elementary school and renovation and expansion of existing high schools, junior high schools/middle schools and elementary schools, and the acquisition and installation of necessary furnishings, equipment and machinery and the acquisition of land or rights-in-land therefor, and a tax to be levied for the payment thereof, be approved?",
was 7,126. The total number of voters who voted "NO" in answer to such question was 1,905.

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$4,900,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing improvements to Blue Ridge Community College, including construction of an Applied Technology Building and renovation of the existing Vocational and Life Science Building and the acquisition of necessary furnishings, equipment and machinery, and a tax to be levied for the payment thereof be approved?"
was 6,939. The total number of voters who voted "NO" in answer to such question was 2,081.

FURTHER RESOLVED, that a statement substantially in the form hereinafter set forth declaring the result of said election shall

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be prepared, delivered to the Clerk to the Board of Commissioners for filing and recordation and published in accordance with law:

**STATEMENT OF RESULT OF SPECIAL ELECTION
HELD FOR THE COUNTY OF HENDERSON
August 28, 1990**

WHEREAS, by direction of the Board of Commissioners of the County of Henderson, in the State of North Carolina, a special election was duly called and held for said County on August 28, 1990 for the purpose of submitting to the qualified voters of said County the questions hereinafter set forth, and the said Board of Commissioners has received from the Henderson County Board of Elections certifications of the results of the election, and has determined the result of said election to be as hereinafter stated; NOW THEREFORE,

The Board of Commissioners hereby makes the following statement of the result of said election pursuant to The Local Government Bond Act:

(1) The number of voters registered and qualified to vote at said election was 38,482.

(2) The total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$24,000,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing additional school facilities and improvements to existing school facilities in the Hendersonville City School Administrative Unit and the Henderson County School Administrative Unit, including construction of a new high school, a junior high school/middle school and an elementary school and renovation and expansion of existing high schools, junior high schools, middle schools and elementary schools, and the acquisition and installation of necessary furnishings, equipment and machinery and the acquisition of land or rights-in-land required therefor, and a tax to be levied for the payment thereof, be approved?"

was 7,126. The total number of voters who voted "NO" in answer to such question was 1,905. The question in the form submitted was approved by the affirmative vote of a majority of those who voted thereon at said election.

(3) The total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$4,900,000 of bonds secured by a pledge of the faith and credit of the County of Henderson to pay capital costs of providing improvements to Blue Ridge Community College, including construction of an Applied Technology Building and renovation of the existing Vocational and Life Science Building and the acquisition and installation of necessary furnishings,

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equipment and machinery, and a tax to be levied for the payment thereof, be approved?", was 6,939. The total number of voters who voted "NO" in answer to such question was 2,081. The question in the form submitted was approved by the affirmative vote of a majority of those who voted thereon at said election.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after Thursday, September 20, 1990.

Board of Commissioners of the
County of Henderson,
North Carolina

Commissioner Edney seconded the motion, and the motion was adopted by the following vote:

AYES: Chairman Drake
Commissioner Baker
Commissioner Randall
Commissioner Edney

NAYS: None

* * * * *

ROAD PETITION

Chairman Drake informed the Board of a petition for Azalea Way to be added to the state maintenance system.

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

NOTIFICATION OF VACANCY

1. Chairman Drake informed the Board of one vacancy on the Henderson County Planning Board.

GRANT APPLICATION/DSS

Chairman Drake asked Mr. Myers to try to contact Liston Smith of DSS to present this item. So it was rolled until Liston could be contacted.

RESOLUTION/Land Records

Chairman Drake recognized Robert Baird, County Tax Assessor, to address this item.

Mr. Baird addressed the Board stating that as of last year the Board of Commissioners did adopt a Permanent Listing Resolution however there were some inconsistencies in the statute that did not provide for permanent mailing addresses through the recordation of an instrument. He presented to the Board for consideration a Resolution which basically provides for the Register-Of-Deeds not to accept instruments unless they have the person's name, to whom the map or instrument is to be returned, and the permanent address of that person.

Commissioner Edney made one wording modification "mailing address" instead of permanent address. Commissioner Edney made the motion to adopt the Resolution with this one modification. All voted in favor and the motion carried.

2nd RESOLUTION

Chairman Drake stated that the next item is Property Tax Payment Options. Chairman Drake stated that these options, if adopted or if legal, will only apply to property owners that still have an appeal being considered by the Henderson County Board of Equalization & Review but does not apply to all property owners in the county.

Mr. Baird stated that the Resolution conveys the possible three options:

1. Payment in full, the amount of the bill subject to a refund if the Board of E & R reduces the value.
2. Payment on a valuation that you believe you can successfully maintain before the Board of E & R subject to the differences between the bill amount and the amount found to be due by the action of the Board.
3. Payment of nothing until your appeal has been heard by the Board of E & R.

However, if option #2 or #3 is selected the interest penalties apply according to G.S. 105-360, that is penalty due after January 6, 1991.

There was much discussion.

Chairman Drake deferred this to the next meeting for action. The County Attorney wishes to review.

GRANT APPLICATION/DSS

Chairman Drake recognized Liston Smith to present this item.

Mr. Smith said that he is here representing the County but also as a spokesman for the committee that has gotten together to try to get some grant money from Z. Smith Reynolds Foundation. This committee activity was initiated with Dave Knotts of United Way. Z. Smith Reynolds has set aside these grant monies to try to

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encourage each county in the state of N.C. to look at the ways they are dealing with poverty in a creative, innovative, cost-effective approach. It is almost like a contest.

Mr. Smith stated that this is currently underway so he does not have an actual document to present to the Board today but did want to let them know the direction they are taking. He is here to present a summary of the "planning proposal" for the Board's review.

One thing they wish to focus on in the grant application is what is unique in Henderson County, our strengths and our weaknesses and how we can use them in addressing poverty. One significant item is our elderly population or retiree population in Henderson County. We are ranked third in the state as far as percentage of elderly relative to the population, currently 17.6% of our population is elderly. We have a huge population of talented, dedicated people who have time and can be used as a volunteer resource. Another unique characteristic of Henderson County is the mountain community atmosphere, people with community pride. We are a small county with large resources.

This is incentive money to encourage a planning process. We would be applying for one of the fifteen \$20,000 planning expense grants.

There was much discussion.

Chairman Drake asked if there were any objections to them proceeding with their proposal to Z. Smith Reynolds for this grant. There were none.

PROCLAMATION/EMS WEEK

Chairman Drake recognized Tom Edmundson, EMS Director, to address this item.

Mr. Edmundson is requesting that the Board proclaim the week of September 16-23 as Emergency Medical Services Week in Henderson County.

Mr. Edmundson stated that there has been an ambulance service maintained in Henderson County since 1920, first through private funeral homes. In 1961 the Henderson County Board of Commissioners were advised by the directors of the three funeral homes of the decision to terminate the ambulance service as of February 1962. At a special meeting in January 1962 the Commissioners unanimously agreed and resolved that an emergency situation existed and that the county must provide ambulance service to the people of Henderson County. The City of Hendersonville also began an ambulance service in 1961 which continued through 1969. The first step toward a complete county operated ambulance service came in February of 1967 when the County Commission resolved that the Board

of Commissioners be responsible for the operation of the county ambulance service. At that time the Henderson County Ambulance Service took complete charge of all ambulance service within Henderson County. In 1975 a new Board of Commissioners taking office had made a commitment to upgrade emergency medical service as their top priority, a commitment that has continued with every administration since. At that time the name was changed to cover the broad spectrum of activities involving Emergency Medical Services, it became known as the Henderson County Emergency Medical Service.

Mr. Edmundson stated that today the people of Henderson County are served by a staff of 18 Paramedics, 6 EMT Intermediates, a Director, and Assistant Director, and two Secretaries. There are 10 auxiliary personnel and about half of the volunteer fire and rescue personnel in this county serve as first responders and provide on-the-scene emergency medical care.

Commissioner Baker made the motion to adopt the proclamation. All voted in favor and the motion carried.

CANE CREEK WATER & SEWER DISTRICT

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

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

EXECUTIVE SESSION

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

Chairman Drake requested Jim Erwin and William Lapsley to come into Executive Session.

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

MUD CREEK WATER & SEWER DISTRICT

The Board recessed and convened as Mud Creek Water & Sewer District Commissioners.

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

WORKSHOP - Upward Road Zoning and Zoning Amendments

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Chairman Drake stated that at the last meeting the Board requested Mr. Matteson to come up with a proposal that would identify a commercial area of some description providing a corridor between the interstate and Hwy. #176 along Upward Road. There are several attachments to our agenda materials that lay out various options. He asked Mr. Matteson to review these attachments with the Board.

Mr. Matteson stated that Map A reflects the Planning Board's recommendations and the Board of Commissioners' pencil changes from the August 15th workshop.

Map B shows the proposed Upward Road Commercial Corridor.

Map C shows proposed combined Commercial and Business Corridor.

There was very much discussion concerning zoning district regulations.

Commissioner Baker stressed that between the high school and Bat Fork Creek there are approximately 10 nice houses in that area and he can't see zoning that area commercial. He would like to prevent the same kind of thing from happening on Upward Road that happened on Four Seasons Boulevard and feels if it is zoned commercial all the way through the Upward Road corridor we will end up with the same thing.

Chairman Drake stated that our contact with the Planning Board, as reflected in the minutes, was that they consider this being a commercial area with frontage roads where businesses would locate to take some of the traffic off of Four Seasons Boulevard. The Planning Board did not recommend frontage roads to relieve the traffic problem.

Commissioner Edney stated that for long-term commercial growth you have to have some place planned for them to grow.

Commissioner Baker stated that one person is in the audience who lives in the area he is speaking of that would like to keep their residential zoning, maybe she can speak for some of the rest of the people in that area.

Chairman Drake stated that if we are going to have a public hearing, we need to advertise it as a public hearing. Commissioner Baker then asked if there was any reason why she could not speak in response to his question? Chairman Drake stated that we need to be fair and consistent to everyone in the area, if we are going to use that information to make a decision on.

Commissioner Baker asked Doris McCrain (in the audience) if she could speak for any of the other property owners in the area as to their wishes?

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Mrs. McCrain asked if the Board would like for her to present signatures from those residents between the high school and Bat Fork Road who are requesting to be zoned residential? She stated that she could speak for many of them and they do want to be zoned residential. Mrs. McCrain pointed out the area in question on the map for the Board. There are approximately ten houses in question.

There was considerable more discussion.

There was conflict in comments the Board members had received from area residents concerning their wishes for zoning; therefore, Chairman Drake asked Mr. Matteson to contact all the residents of the area in question and see exactly what they want. He asked Mr. Matteson to explain to them what the "commercial" zoning would mean and what the "O & I" zoning means and explain to them that they could still continue to live there even with commercial zoning and make sure they understand. He asked Mr. Matteson to bring that information to the Board at the next Commissioners' meeting, and to prepare a map with their wishes listed on it (using Map B). Chairman Drake deferred action until this additional requested information is received.

Amendments to the Zoning Ordinance

Mr. Matteson reviewed a summary of the proposed amendments to the Henderson County Zoning Ordinance with the Board. Some were clerical changes and some were modifications recommended by the Board.

Chairman Drake stated that we had reviewed all the other amendments at our last meeting. There were some inconsistencies noted in the description of the O & I Zoning (Office and Institutional), these were discussed. There was much discussion.

EXECUTIVE SESSION

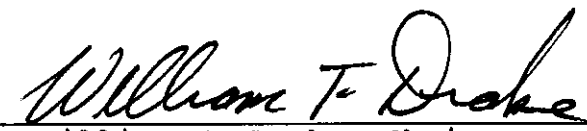
Commissioner Edney made the motion for the Board to go into Executive Session to discuss legal and personnel matters. All voted in favor and the motion carried.

Commissioner Edney 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 at 3:45 p.m. by Chairman Drake.

ATTEST:


Elizabeth W. Corn, Clerk


William T. Drake, Chairman