

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS  
AUGUST 6, 1990

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

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

Chairman Drake called the meeting to order.

MINUTES

The minutes of the June 5, 1990 meeting were presented for review and approved as presented.

The minutes of the June 18, 1990 meeting were presented for review and approved as presented.

The minutes of the July 3, 1990 bid opening for the Courthouse Dome and Roof were presented for review and approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

There was none.

PUBLIC INPUT

Chairman Drake asked the Clerk to call the names of the people who have signed up for Public Input and asked that each person limit themselves to five minutes.

Stan Kumor - Mr. Kumor distributed a hand-out to the Commissioners. He informed the Board that by profession he is a Research Chemical Engineer but tonight he is here as a private citizen. Mr. Kumor spoke about incinerators and landfills and recycling. He feels that we should be concentrating on heavy recycling now and spoke on shredding and high density baling. The basic principal of shredding and baling (per hand-out) is to reduce volume by 75%. He feels this is environmentally more acceptable than incineration.

Ed Miller - Mr. Miller is the Chairman of the Pollution Committee for the Property Owners League. It has come to his attention that the Citizens for Responsible Waste Management has written a proposed Ordinance for the control of incinerators in Henderson County. The Property Owners League feels that this Ordinance deserves serious consideration.

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Steve Juchnowycz - Mr. Juchnowycz chose to give up his speaking time.

Carole Dunn - Mrs. Dunn and her husband are members of the Citizens for Responsible Waste Management (she is the co-chair) and they thought that they would be given a chance to speak after the proposal by the "Citizens". They are interested in being of service to the Commissioners in any way that they can.

CRAB CREEK FIRE DISTRICT/VALLEY HILL FIRE DISTRICT

Chairman Drake informed the Board that he was delivered a letter today by Valley Hill Fire Dept. Chief, John Hill, indicating that they have made an offer on a tract of land near the intersection of Evans Road and Crab Creek Road. The Fire Dept. has not heard a reply from the property owners as yet. Mr. Drake stated that by our next meeting we should have a location identity of the proposed fire district, then the Board can be in a position to make a determination as to whether this area will cover the entire district to the county line or whether Little River Fire Dept. will be able to cover a portion of Henderson County. Our Land Records Dept. will prepare us a map of the entire area.

GREEN RIVER BRANCH LIBRARY-Lease

Chairman Drake informed the Board of a draft of a proposed lease in the agenda packet. The County Attorney has reviewed the proposed lease. Chairman Drake asked Commissioner Maybin if he had any comments since he has been working closely with this project.

Commissioner Maybin stated that in the lease the name of the library should be changed to read Green River Branch-Henderson County Public Library. Commissioner Maybin stated that if the proposed lease meets with the approval of the County Attorney he would make the motion to authorize the Chairman's signature on a cleaned-up copy of the Lease Agreement, Henderson County to pay \$1.00 a year rent.

Chairman Drake stated that there is a blank that needs to be filled in in order to renew the lease after the initial three (3) years "Lessor shall give written notice" 6 months written notice was suggested and agreed on by consensus.

A vote was taken and the motion carried unanimously.

Commissioner Baker made the motion requesting that Chairman Drake write a letter of appreciation to Mr. Roscoe Green for making this property available. All voted in favor and the motion carried.

Chairman Drake then informed all who were present that Roscoe Green, owner of Six Oaks Mall in Tuxedo, has built a new brick building for the purpose of establishing the Green River Branch Library. It is nearing completion now and books and shelving are

being installed. This shows a commitment on the part of Mr. Green to support his community in Green River.

BROOKLAND MANOR PROPERTY OWNERS ASSOCIATION- Petition

Chairman Drake asked if Mr. Bill Bates is in attendance, he is not. He then asked if there is a representative in attendance from the Home Owners Association.

Marvin Ware - Mr. Ware is the treasurer of the Brookland Manor Property Owners Association. At their Association meeting on July 13, they voted to have the Commissioners proceed with the Mud Creek Sewer Plan for the benefit of Brooklyn Manor. They also circulated petitions and had the people sign who were not at that meeting.

Commissioner Baker made the motion to proceed immediately with this project. All voted in favor and the motion carried.

Chairman Drake then asked Bill Lapsley to give a brief status of the engineering work on that project because there is still some engineering work to be done.

Bill Lapsley is Consulting Engineer working for the Board of Commissioners on this project. Mr. Lapsley said the County is down to sixteen (16) right-of-way parcels left to be decided on, whether to proceed to condemnation or try to reroute the sewer project. As far as the plans and the specifications, they are ready to go pending those final decisions.

Chairman Drake asked Mr. Lapsley to be ready to make a final presentation at the next meeting as to exactly which parcels need to be dealt with and how.

Mr. Lapsley stated that this phase of the Mud Creek project is the key to providing sewer service for the whole area south of Hendersonville.

Commissioner Baker stated, for the benefit of the folks present from the Brooklyn Manor area, that the Commissioners have heard nothing from the City in regard to the 1986 Sewer agreement. He stated that regardless of whether the City honors the 1986 agreement or not, even if we have to build a package plant, the Commissioners will not hold up the project because of that.

LANDFILL SCALES & ENTRANCE RENOVATIONS

Chairman Drake recognized Jerry Myers to address this item. Mr. Myers reminded the Board that at the end of the last fiscal year the Board of Commissioners allocated about \$40,000 toward the purchase and installation of landfill scales and the development of some detailed plans to complete the project which include some entrance renovations for the landfill. Mr. Lapsley has completed the preliminary plans and submitted a cost estimate. The plans and the cost estimates have been reviewed with Eldon Owens, Landfill

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Supervisor. An additional \$55,000 is necessary to complete this project. Mr. Myers is requesting that the Board allocate \$55,000 from contingencies to capital improvements at the landfill to complete the entrance renovations.

There was discussion. Mr. Owens and Mr. Lapsley were in attendance and participated in the discussion.

Commissioner Maybin made the motion to take \$55,000 from contingencies and place it in the landfill budget for the installation of the scales. All voted in favor and the motion carried.

#### CHANGE ORDERS - Henderson County Library

Chairman Drake stated that these are the first change orders for the construction for the addition and renovation to the Henderson County Public Library. He recognized Bill O'Cain to explain these change orders.

Mr. O'Cain is requesting change order # 1 in the amount of a \$9,233 addition to bring the library construction into conformity with all of the code requirements. This normally takes place during the design development and construction documents phase. These compliances are in regard to fire proofing and handicap toilets.

Commissioner Maybin made the motion to approve change order # 1 in the amount of \$9,233 for the Library project. All voted in favor and the motion carried.

#### FLEET FUEL SALES

Chairman Drake acknowledged Jerry Myers to address this item.

Mr. Myers informed the Board that the Fleet Fuel System is now on line and operational. They have issued driver cards to all routine county drivers and the system appears to be working very well. The computer and software have been ordered to begin the fleet management information system. They plan to pave and fence the facility within the next 30 days. Mr. Myers stated that he has received requests from a number of agencies, primarily the rescue squad, WCCA, and Trend Mental Health, for permission to purchase gasoline from the county and to use the new facility.

Mr. Myers is requesting the Board to consider some guidelines and a policy statement concerning the sale of fuel from the county system. He briefly summarized the policy. A copy of the policy statement is attached.

Commissioner Maybin made the motion to adopt this fleet fuel system policy. All voted in favor and the motion carried. The county will be serving other agencies with gasoline at a pro-rated invoice cost.

PROPERTY ADDRESS ORDINANCE

Chairman Drake acknowledged Susan Sneed to address this item.

Mrs. Sneed presented the Property Address Ordinance to the Board, this Ordinance will complement our E-9-1-1 Emergency Reporting System. She asked the Board to give this Ordinance their careful consideration since the policies set will most likely be in effect for many years and will effect most of the residents of the unincorporated area of Henderson County.

Presently our county has the basic 9-1-1 system where when a caller dials 9-1-1 they have to supply the dispatcher with their name, location, and possibly some landmarks so that the emergency vehicle can locate them. With the E-9-1-1 system the information will all be on the screen to tell the dispatcher which fire dept., EMS unit, and Sheriff's dept. to dispatch and will make the emergency vehicle arrival sooner than if they had to supply that information to the dispatcher.

Mrs. Sneed said that the Ordinance has six basic purposes:

1. Provide a uniform property numbering system for the private and public streets in the county so that the emergency vehicles can get there quicker.
2. Eliminate any duplicate or phonetically similar street names within the county.
3. Uniformly mark all of our public roads.
4. Assign house numbers or property numbers to all of our properties in the county so they can be identified once they call.
5. Establish a map and listing of all our streets in the county and the procedure by which our county can name or rename any of the streets within our county.
6. This Ordinance will give the County of Henderson within the unincorporated area the authority to name and rename any of the streets within the county and also to assign or reassign property numbers to those streets.

Mrs. Sneed went through the Ordinance item by item with the Board. There was some discussion.

Chairman Drake stated that this Ordinance is a semi-final draft, based on a number of workshops that we have had. He requested each Commissioner to review it carefully and any questions the Board may have can be addressed at our next meeting, at which time we should be able to come up with a final draft. A public hearing is not required but it was felt that it would be good to have one.

Mr. Matteson addressed how the Planning Dept. would come up with these lists of addresses. Mr. Matteson stated that copies of this draft will be made available to the general public. He will send copies to EMS, US Postal Service, respective Postmasters, and to the Sheriff's office.

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Chairman Drake stated that Mr. Matteson needs to follow the same procedure that is usually followed for Ordinances, that is wait until the Commissioners get their final draft so that when we have a public hearing we won't have people talking on draft I, II, or III. That way we would only have one draft out that people could come to the public hearing on.

#### TREND request

Chairman Drake informed the Board of a request from Trend Mental Health and recognized Ron Metzger to address this request.

Mr. Metzger stated that for several years now Trend has come to the Board and asked for their consent to upgrade its salaries for psychiatrists above the rest of their salary plan, in order to be able to recruit and retain psychiatrists and be competitive. That means that the salary ranges for psychiatrists exceed the salary range for the types of physicians that are employed by Henderson County and Transylvania County in their Health Departments.

In the agenda packet is a proposed Resolution that would provide the Board's consent for the salary grade assignment for series 4900, called Professional Medical Class Titles, to be plus four grades, even though the salary range for the class title will exceed the highest paid county in the Trend catchment area.

Commissioner Randall made the motion to approve the Resolution and that the salary grade assignment for the series 4900 employees "Professional Medical Class Title" be plus four grades even though the salary range for this class title will exceed the higher paid county in the Trend catchment area. All voted in favor and the motion carried.

#### CITIZENS FOR RESPONSIBLE WASTE MANAGEMENT

Lucinda Guthrie- President of Citizens for Responsible Waste Management. Mrs. Guthrie stated that they have composed an Ordinance to regulate the location, operation, and management of an incinerator for Henderson County. An Ordinance was also drafted for the establishment of an environmental advisory board. They have submitted these Ordinances to the Henderson County Board of Commissioners for examination and serious consideration. Mrs. Guthrie then called on the next speaker for the group.

Bill Reed- Mr. Reed is an engineer. He stated that this Ordinance was patterned after the Lee County Ordinance which was adopted in October of 1989. It has been tailored to the specific needs and conditions in Henderson County to best serve and protect this county, its citizens, and its resources. Mr. Reed read the Ordinance in full and discussed or explained sections as he reviewed them. Atmospheric conditions were of major concern and the uniqueness of our mountainous terrain coupled with our weather conditions.

There was discussion of the two Ordinances and it was requested that the Planning Board review these Ordinances and make recommendations.

Commissioner Edney made the motion to refer these two Ordinances to the Planning Board for their immediate consideration. Commissioner Baker added that the Planning Board should be empowered to employ any technical advisors they might see fit to properly evaluate the entire subject, including the proposed Ordinances.

Commissioner Randall suggested that this entire project be presented to Region B of Land-Of-Sky Planning Council for their review and consideration.

Chairman Drake suggested that the group of Citizens meet with the individual Boards of Commissioners in Transylvania, Buncombe, and Madison counties.

A vote was taken and the amended motion carried unanimously.

#### TAX DEED-Resolution

Chairman Drake informed the Board of a request from Edward Featherstone and wife to pay the back taxes on their property, \$2,443.93.

Commissioner Maybin made the motion to approve the Resolution since the Featherstones are the owners of the property. All voted in favor and the motion carried.

#### TAX RELEASE REQUESTS

Chairman Drake informed the Board of seven (7) requests from Robert Baird for tax releases.

Commissioner Maybin made the motion, if all paperwork is in order, to grant these seven (7) requests. All voted in favor and the motion carried.

#### NOMINATIONS

1. Chairman Drake asked for nominations to fill the 1 vacancy on the Nursing Home/Domiciliary Home Advisory Committee.

Commissioner Baker nominated Katherine Adams.

Commissioner Maybin made the motion to suspend the rules and appoint Mrs. Adams to fill this one vacancy. All voted in favor and the motion carried.

2. Chairman Drake asked for nominations to fill the 1 vacancy on the WCCA Board of Directors.

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Commissioner Baker nominated Herbert Coolidge to serve again on this Board. There were no other nominations.

Commissioner Maybin made the motion to suspend the rules and reappoint Mr. Coolidge to fill this vacancy. All voted in favor and the motion carried.

3. Chairman Drake asked for nominations to fill the 1 vacancy on the Land-Of-Sky Economic Development Interest and stated that this is a new position created by the revisions in the by-laws.

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

4. Chairman Drake asked for nominations to fill the 1 vacancy on the Land-Of-Sky Advisory Council on Aging. He stated that he was able to contact Mrs. Nelson and she is unable to serve again.

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

#### ROAD PETITIONS

Chairman Drake informed the Board of five (5) road petitions we have received requesting that each be added to the state maintenance system, along with recommendations from the Planning Dept. The five are:

1. Red Bird Lane
2. Ethan Pond Way
3. Lovida Lane
4. Windsor Court
5. Limestone Lane

Limestone Lane is also requesting paving and maintenance improvements. It has been the policy of the Board not to recommend that roads be taken out of priority.

Commissioner Maybin made the motion to forward these petitions on to the State DOT with the exception of Limestone Lane and that we forward it but note on it that it is not recommended to be taken out of priority on the paving list. All voted in favor and the motion carried.

#### NOTIFICATION OF VACANCIES

Chairman Drake informed the Board of 3 vacancies on the Youth Development Committee.

Chairman Drake informed the Board of 4 vacancies on the City Zoning Board of Adjustment.

Chairman Drake informed the Board of 1 vacancy on the Henderson County Zoning Board of Adjustment.

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



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Chairman Drake informed the Board of 1 vacancy on the Land-Of-Sky Retired Senior Volunteer Program (RSVP) Advisory Council.

EXECUTIVE SESSION

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

Genealogical Society

Commissioner Baker made the motion to respond to the Genealogical Society and declare that the material purchased by the Sesquicentennial Committee for the Sesquicentennial has no monetary value to the county and to allow them to dispose of it. All voted in favor and the motion carried.

Being there was no further business, the meeting was adjourned at 10:35 p.m.

ATTEST:

  
Elizabeth W. Corn, Clerk

  
William T. Drake, Chairman

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NAME & ADDRESS REASON REAL/ PERSONAL ACCT # TOWNSHIP FIRE DISTRICT GO1 AMT FIRE AMT TOTAL VALUE RELEASED

1986 HENDERSON COUNTY COMMISSIONERS

Jones, Loran E.  
1816 Old Spartanburg Rd  
Hendersonville, N.C.  
1973 Chev  
Double-  
listed P 23758 H'ville F01 \$ 1.48 \$ .17 \$ 1.65 \$ 290.

1987  
Jones, Loran E.  
1816 Old Spartanburg Rd.  
Hendersonville, N. C.  
1973 Chev  
Wrecker-  
Double listed P 23758 H'ville F01 \$ 2.70 \$ .33 \$ 3.03 \$ 500.

1988  
Campbell, Kenneth  
P.O. Box 32  
Barling, AR 72923  
Mobile Home  
Repossessed-  
Taxpayer moved out of state P 66433 H'ville F01 \$ 64.01 \$ 6.99 \$ 71.00 \$10,580.

Jones, Loran E.  
1816 Old Spartanburg Rd.  
Hendersonville, N.C.  
1973 Chev  
Wrecker  
Double Listed P 23758 H'ville F01 \$ 3.03 \$ .33 \$ 3.36 \$ 500.

1989  
Campbell, Kenneth  
P.O. Box 32  
Barling, AR 72923  
Mobile Home  
Repossessed  
Taxpayer out of State P 64433 H'ville F01 \$ 87.15 \$ 12.02 \$ 99.17 \$13,660.

Jones, Loran E.  
1816 Old Spartanburg Rd  
H'ville, N.C. 28739  
1973 Chev  
Wrecker-  
Double Listed P 23758 H'ville F01 \$ 3.19 \$ .44 \$ 3.63 \$ 500.

Hunt, Howard  
30 Woodhaven Road  
Arden, N.C. 28704  
Real Property  
Double Listed  
to Nora Dill/ Carolina Lundy R 11411 Hoop. Crk. F05 \$ 17.41 \$ 1.65 \$ 19.06 \$ 2,730.

1986 Total \$ 1.65

1987 Total \$ 3.03

1988 Total \$ 74.36

1989 Total \$ 121.86

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