

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS  
FEBRUARY 21, 1990

The Henderson County Board of Commissioners met for a mid-month 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 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

There were no minutes for review.

DISCUSSION/ADJUSTMENT OF AGENDA

There were no adjustments necessary.

PUBLIC HEARING

Chairman Drake stated that the first item on the agenda is a public hearing for Community Development Block Grant. As required by the State, in order to apply for a Community Development Block Grant the first public hearing must be on the advisability of applying for a grant, not a particular grant. The second public hearing, if needed, would be on a particular grant.

Today's public hearing is to decide whether there is a need to apply for any Community Development Block Grant.

Commissioner Baker made the motion to go into Public Hearing. All voted in favor and the motion carried.

Chairman Drake asked the clerk to call names of people who had signed up for the public hearing:

Marian Lowery - League of Women Voters. She stated that her reason for being here today is their concern for Valley View. They would like to see something done for the Valley View area.

Al Kissling - Housing Assistance Corporation. They are familiar with the Valley View project and would like to propose that the Commissioners rewrite the grant and that the Housing Assistance Corp. be a participant and/or writer of that grant. The last time, Henderson County put up \$25,000 toward the Valley View project. Mr. Kissling is suggesting that Henderson County commit \$25,000 a year for two years with the Housing Assistance Corp. matching or exceeding that with commitments to the housing phase of the project.

Scott Dedman - Community Educator with Pisgah Legal Services. Last year out of 1,000 points, Henderson County received 768. Henderson County ranked low on local commitment, very high on severity of need, high on design of the project or treatment of needs.

Local commitment is divided into about three categories:

1. Is the simple calculation of how much money the county itself committed to the project, compared to what other counties with the same "ability to pay" committed. We were

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endorses Rev. Kissling's recommendation.

2. List any Henderson County funds that have been spent for activities that are eligible under Community Development regulations.

3. Committee in place. There was no committee of people from the neighborhood working actively with an elected public official at the time the grant was submitted.

He would like to see the Board of Commissioners do all they can to obtain the grant this year and feels anything that can be done to get more "local commitment" points would help significantly.

There was much discussion on the matter.

Commissioner Randall made the motion to close the Public Hearing. All voted in favor and the motion carried.

Chairman Drake stated that a motion is in order now to hold a second public hearing to consider an application for the Valley View area, based on commitments from Rev. Kissling. A draft should be ready at that time. There was much discussion of the writing of the grant proposal.

Commissioner Baker made the motion to hold the second public hearing at the mid-month meeting, March 21, 1990, and to consult Land-Of-Sky to help prepare a draft of the grant application. All voted in favor and the motion carried.

#### AGRICULTURE EXTENSION SERVICE GRANT APPLICATIONS

Chairman Drake recognized Grover Westmoreland. Mr. Westmoreland stated that the first grant is from Melvin R. Lane Charitable Trust for "Youth at Risk" and the second is for "Nutrition for Youth". The first grant can be disregarded because the date for submitting it has passed. If the second grant is approved, Joy Staton will be administering the program. Mr. Westmoreland recognized Ms. Staton at this time.

Joy Staton is a Home Economist and Nutritionist. Ms. Staton explained that the grant application for the Youth Nutrition Program is for the summer months. As with the adults of this county the youth are at risk of the two major problems of cancer and heart disease. Two risk factors for heart disease are obesity and physical inactivity. Research shows that dietary patterns can influence these health problems, we can help to prevent some of the problems that we are experiencing. One of the most effective times to teach nutrition is to our youth, before their dietary habits are established.

What the Agriculture Extension hopes to have with the summer youth program is someone to work with the youth to help them to increase fiber and calcium and lower sodium, fat, and sugar in their diet. This person would help coordinate the youth part of the Farm/City Day Health Fair. They would also do computer dietary analysis with the youth. They suggest that this person teach a program called "Teen Lighting" which would be a weight control class for young people.

The grant application is for \$3,365.00 and the Extension Service will provide matching funds.

Commissioner Baker made the motion to allow the Agriculture Extension Service to apply for this grant. A vote was taken and the motion carried unanimously.

#### E-911/ Property Addressing, Street Naming, and Street Sign Program

Chairman Drake recognized Matt Matteson. On January 17 Mr. Matteson presented a detailed presentation on this three-part program and some funding was approved for temporary signs for existing roads where street name signs were damaged or

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Mr. Matteson and Ms. Sneed are now in the process of working with Southern Bell on the E-911 emergency reporting system. They are actually assigning people to one of 40 some districts.

Mr. Matteson is now requesting formal action from the County Commissioners on certain parts of the program. The Planning Dept. hopes to take over the job of property addressing very soon, which is now done by the Hendersonville Post Office. Mr. Matteson had a list of 11 action items with 4 marked as priority action items:

1. Set a policy of what name duplications will be accepted.
2. Adopt resolution for a local bill in General Assembly to allow the County to name private streets. #1 priority
3. Adopt a property address ordinance.
4. Select specifications and styles for street signs.

There was very much discussion on this item.

Chairman Drake recognized Mike Gibbs who is Communications Officer for the Henderson County Sheriff's Department and asked him for any suggestions. Mr. Gibbs stated that from an emergency services standpoint he is strongly against any duplications of road names. Prefixes and suffixes don't help much either.

Mr. Matteson stated that at last count, there were 175 exact duplications in road names. Mr. Matteson's recommendation at this time is no more duplications of any sort for new streets and his department will bring a listing of those duplications that they feel will be problems for the emergency response capabilities. Matt is also requesting at this time a resolution from the board to introduce a bill to allow the County to name private streets so it can be handled in the short session of the General Assembly.

Commissioner Baker made the motion to adopt a resolution to go to the General Assembly requesting a local bill allowing the County to name private roads. All voted in favor and the motion carried.

#### NOMINATIONS

Chairman Drake informed the Board of 1 vacancy on the Industrial Facilities & Pollution Control Authority and asked for nominations.

Commissioner Baker nominated R.E. Harmon to fill this vacancy. Commissioner Maybin made the motion to suspend the rules and appoint Mr. Harmon. All voted in favor and the motion carried.

Chairman Drake informed the Board of 1 vacancy on the Henderson County Planning Board and asked for nominations.

Commissioner Maybin nominated Greg Gosnell to fill this vacancy. Commissioner Baker made the motion to suspend the rules and appoint Greg Gosnell. All voted in favor and the motion carried.

Chairman Drake informed the Board of 1 vacancy on the (PIC) Private Industry Council and asked for nominations.

Commissioner Baker nominated Mr. Ernest Mims of Pilgrim's Funeral Home. Commissioner Maybin made the motion to suspend the rules and appoint Mr. Mims. All voted in favor and the motion carried.

Chairman Drake informed the Board of 1 vacancy on the Henderson County Council on the Status of Women and asked for nominations. There were no nominations on this item.

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of Equalization and Review.

It was requested that this item be held until after Executive Session.

N.C. DEPARTMENT OF TRANSPORTATION/ Bob Crisp

Chairman Drake stated that he has had several calls concerning the new road priority system that has been established by the State. They have divided the roads into two categories, rural and residential & subdivision and have prioritized them in the two categories. He explained that Mr. Bob Crisp is here today to explain the new system.

Bob Crisp explained that under the previous priority rating system, there were several problems, one of the biggest was the shorter fully developed roads, those .08 of a mile or .10 mile or so. These short roads would have 10, 15, and sometimes as many as 20 homes on them but they could not compete for paving dollars with the long rural roads that have 60, 70, or more homes on them.

Mr. Crisp said that about a year ago, the Board of Transportation adopted the new policy to split the paving dollars between two categories, one being rural and the other being residential/subdivision. Basically what distinguishes between a rural road and a residential road in Henderson County is one house for every tenth of a mile length. The current funding is approx. 1/3 rural, 2/3 residential/subdivision.

Chairman Drake asked if there is anything being done or anything that can be done to give the older roads some consideration over the newer roads. Mr. Crisp stated that he too had received calls with similar complaints and questions. Mr. Crisp answered that the funding level this year is so much higher than last year that by paving one rural road which is 5.4 miles in length, that would equal the funding received for all systems last year in Henderson County. Approx. 50 subdivision/residential roads will be paved this year plus Bearwallow Road which is 5.4 miles and # 1 on the rural list. According to this year's funding approx. 14.3 miles will be paved in all in Henderson County. In years past, funding has allowed paving of a total of 5 miles for the entire county. Mr. Crisp stated that due to the new highway bill, the funding will increase each year and if the Board of Commissioners so desires they could request that the increase in funding go toward the rural program.

Mr. Crisp stated that it is very difficult to explain the system to the public. He further informed the Board that in another part of the new highway bill if your road was in the top 10 in the last paving priority, then it is "grandfathered in" to the current top 10. They are shown on the paving priority with an asterisk. Any road in the top ten that does not get paved this year will be in the top ten next year. So once a road gets in the top ten, it remains in the top ten until it gets paved.

The Commissioners had many questions for Mr. Crisp. Mr. Crisp stated that many of the roads have been on the system since the 1930's and the State assumed maintenance of all public roads in the 1930's from the counties, this is in addition to the primary system.

Mr. Crisp stated that he would keep the Board informed as to the progress of paving, prior to the Public Hearing this summer.

BAT CAVE VOLUNTEER FIRE DEPARTMENT

Chairman Drake asked if Chief Anderson were here. He was not

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stated that the Bat Cave department serves a 4 mile radius of the county on a budget of tax revenues of about \$8,000 a year. They do pretty good until they need to make major equipment purchases. They are in need of replacing their 1946 mainline pumper which is on a 1967 chasis. This year it failed to meet State criteria for pumpers. They have found a 1974 truck with only 20,000 miles on it (pump time) and is in good shape. They are applying for a State matching grant of \$15,000. Basically they are in need of help with the matching funds or \$15,000. There is a March 15 deadline on getting the grant application in. A brand new truck comparable to this would be \$80,000 to \$100,000. The 1974 used truck is \$30,000.

It was decided by consensus to postpone a decision until after Executive Session.

#### REVALUATION/bi-weekly variance reports

Chairman Drake recognized Ron McCarthy. Mr. McCarthy informed the Board that there are six people in the field doing the call-backs and field checks, these are a result of the informal hearings. They have completed digitizing the soil maps and soil types for the properties that get land use. Those have been turned over to Ron Gates for data entry into the system to calculate values.

Chairman Drake asked if they would be ready to mail out land use values shortly? Mr. McCarthy answered that they should be ready shortly, as soon as they are keyed.

Mr. McCarthy stated that they are making some blanket adjustments in land values in specific areas of the county. In other instances they are visiting the properties where the individuals appealed.

Chairman Drake questioned Mr. McCarthy about whether people who requested a call-back before their property was visited are being called ahead. Mr. McCarthy stated that they are making attempts to call everyone who wanted call-backs. They are having about 75% success rate. He stated that once a person is assigned an area to visit, he goes through the appeals and tries to contact the people who requested contact to set an appointment for that day or the next day. They are leaving door hangers.

Commissioner Edney asked about how many parcels they would be reviewing. Mr. McCarthy said that of the original informals, they estimate about 10,000 parcels will be reviewed of the 4,000 appeals, probably about 3,000 sites.

Commissioner Baker asked how much additional time beyond April 1 this will require. Mr. McCarthy stated that he would have to inventory what is left, as far as the splits, etc. It may require about 2 weeks past April 1. Until the splits are processed, they can't do the other data entry.

#### HEALTH DEPARTMENT/Two Grant Applications

Chairman Drake recognized Tom Johnson who gave some history on the grants. The large grant application is to start a new funding cycle for the Teen Pregnancy Prevention Project. The project now in place runs out in June. The new grant application was written with input from the existing Teen Pregnancy Advisory Council and was approved by the Council and has also been approved by the Board of Health. Mr. Johnson stated that it is basically a continuation of the project in place at the present but the funding is different. If approved, it will start out with a 20% county match and is projected to be a five year funding cycle with the State funds decreasing every year and the local participation increasing. Mr. Johnson informed the Board that this is an education program, intending to promote abstinence until marriage as a way of preventing teenage pregnancies. It

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children and their parents

Commissioner Randall asked if this would be handled during the instructional day of the students. Mr. Johnson answered that they are planning on providing an abstinence based curriculum called "Sex Respect" to the eighth graders with some follow-up for ninth graders. The two school boards have already approved the curriculum as optional material. The job of the Health Department now is to assist the schools with implementing as much of the curriculum as they can with the existing teachers. The Health Department will be responsible for the materials, the program, and the promotion.

Commissioner Baker made the motion to authorize the Health Department to proceed with the grant with the County's obligation of furnishing \$6,697 for the first year. A vote was taken and the motion carried.

Mr. Johnson recognized Linda Charpin to explain the second grant application. No matching funds are required. Bicycle injuries are very serious injuries for children and most deaths are caused by head injuries. Many of these injuries and deaths could be prevented by the wearing of helmets. Helmets are not very popular but this is an effort to make helmets the "IN" thing for children and adults to use. Some of the helmets will be given as prizes. It is basically an education program teaching the negative aspects of not wearing helmets.

Commissioner Maybin made the motion to approve the request to submit the "Prevention Miniproject Application" for the Henderson County Bicycle Safety and Helmet Promotion Project. A vote was taken and the motion carried unanimously.

#### GREEN RIVER MANAGEMENT BOARD LETTER

Chairman Drake recognized Jerry Myers to present this item. Mr. Myers reminding the Board that several months ago they received a letter from Steve Wyatt, the manager in Polk County, the Polk County Board of Commissioners were responding to a request from the Green River Management Board that we reduce the membership, thus the quorum requirements. Mr. Myers presented it to the Board at the Polk County Board's request and the Board gave Jerry direction that the Henderson County representatives of that Board had not been receiving notification of meetings and therefore could not attend. Mr. Wyatt was advised of that and he carried that information back to the Polk County Board. In the agenda book is the correspondence that has occurred since that time.

The Green River Management Board is requesting appointments to the Board.

Commissioner Baker made the motion to appoint Charles Borowa, Rick Stone, and Tom McHugh to the Green River Management Board as Henderson County appointments. All voted in favor and the motion carried.

#### TAX RELEASES (507)

Chairman Drake informed the Board of 507 tax release requests he had received from Allie Stepp, Interim Tax Assessor.

Commissioner Maybin made the motion to approve 55 pages of tax releases, 507 in all, being all the paperwork is in order and since the majority of these are clerical errors or listing errors. All voted in favor and the motion carried. A list of the tax releases is attached.

#### TAX REFUNDS (23)

Chairman Drake informed the Board of 23 tax refund requests he had received from Allie Stepp, Interim Tax Assessor.

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refund requests. All voted in favor and the motion carried.

#### BUDGET AMENDMENT

Chairman Drake recognized David Nicholson. Mr. Nicholson informed the Board that a budget amendment is in the agenda book which would establish a book collection at the Green River branch library, the budget amendment is for \$6,000.

Commissioner Maybin made the motion to take \$6,000 from contingencies and move to the Library fund for the purpose of purchasing books for the Green River Branch Library. All voted in favor and the motion carried.

#### ROAD PETITION (Sunflower Lane)

Chairman Drake informed the Board of a road petition he had received to add Sunflower Lane to the state system.

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

#### MINUTE BOOKS TO THE REGISTER OF DEEDS OFFICE

Chairman Drake recognized the Clerk to explain this item. We are running out of space in the safe. The Register-Of-Deeds office has 13 of our Minute Books and we wish to take two or three more up to the Courthouse for safe keeping and to free up some space in our safe. The dates of the oldest three minute books are December 1958 through March 1975. I have talked with Ruby Maxwell, Register of Deeds and she is willing to accept our books. At this time I am requesting the Board's permission to remove 2-3 Minute Books from the safe and take them to the Register of Deeds office for safe keeping. This action should be recorded in the minutes.

Commissioner Edney made the motion to request the Register of Deeds to store Minute Books #14, #15, and #16. All voted in favor and the motion carried.

#### EXECUTIVE SESSION

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

#### BOARD OF E & R

Chairman Drake stated that the Board had discussed membership on the Board of Equalization and Review. The Statutes require a resolution setting the terms of their office and setting the chairman. He said the members could be named at this meeting and the resolution brought back at our March 5 meeting. He asked for nominations.

Commissioner Edney nominated John Stanley, Marlene Conner, R.E. Harmon as chairman, Blanche Mann, and Glenn Mullinax as regular members and as alternates Eleanor Cosgrove, Jim Tate, and Doris Saltz. There were no other nominations.

Commissioner Maybin made the motion to suspend the rules and appoint the above mentioned 5 members and 3 alternates, subject to bringing the resolution setting forth their terms. All voted in favor and the motion carried.

#### BAT CAVE/GERTON FIRE DEPT. REQUEST

Concerning the Bat Cave Fire Dept. request, Chairman Drake stated the Board has been informed that Gerton has a similar request. He asked for a motion concerning these two fire

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Commissioner Maybin made the motion since both these fire departments' budgets are less than \$10,000 a year each and they do provide essential service, that we take \$18,560 from contingencies to be set in a fund to match the two grant applications submitted by Bat Cave and Gerton Fire Departments. All voted in favor and the motion carried.

LAND DEVELOPMENT ORDINANCE WORKSHOP

Chairman Drake recognized Matt Matteson to go through the Land Development Ordinance with proposed changes.

Mr. Matteson stated that the Land Development Ordinance was adopted in February 1988 and amended in June 1989. The Planning Board made a number of recommendations of a house-keeping nature, the Board set a Public Hearing for January 2 and it was held. A workshop was scheduled for January 17 which was cancelled due to two members of the Board of Commissioners being absent. Today will be the first workshop on the Land Development Ordinance/proposed changes.

Mr. Matteson explained that the items that were scratched through indicate all language that was recommended to be removed. Items that were underlined indicate new language that was proposed. The only exception to this is section 550 which deals with the guarantee for improvements (it was not underlined so that it would be easier to read).

The first footnote is on page 6, additional language requested is "Any plat of property so exempted must be certified by the Henderson County Land Development Administrator as exempt, prior to such plat being recorded".

There was very much discussion on this item. The Board did not get past the Exempt Subdivisions and/or Family Subdivisions. Other items were noted but kept referring back to the first item discussed and not settled. The two concepts of commercial and noncommercial subdivisions were discussed. It was decided to look into what needs to be done to address the situation. Chairman Drake asked Mike Edney, Don Elkins, Matt Matteson, and Jerry Myers to study this to see if it takes a local bill. The workshop could not continue without this item being settled.

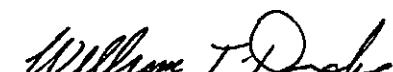
Commissioner Maybin made the motion for the Board to go into Executive Session. All voted in favor and the motion carried.

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

Chairman Drake recessed the meeting until 1:00 p.m. March 2.

ATTEST:

  
Elizabeth W. Corn, Clerk

  
William T. Drake, Chairman  
Henderson County Board of  
Commissioners