

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS  
NOVEMBER 15, 1989

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 Myers, Finance Director David E. Nicholson, County Planner Matt Matteson, Clerk to the Board Elizabeth W. Corn, and the media. Absent was County Attorney Don H. Elkins.

Chairman Drake called the meeting to order.

MINUTES

There were no minutes to review at this time due to the shortness of time between the last meeting and this one.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Drake stated there would be time for Public Input today and asked if anyone else wanted to sign up for Public Input. Anyone signed up will be given 3 minutes to speak.

Jerry Myers deleted item "F" from New Business.

PUBLIC INPUT

W.H. (Bill) Hudson Rt. 1, Box 143 Hendersonville

Mr. Hudson wanted to address the subject of Revaluation. He stated that he last spoke to the board in 1982 when the last revaluation was conducted. He has 29 1/2 acres that are mainly goatland. In 1981 the land was valued at \$24,000, he then built a home on it and the value of land and house rose to \$68,500. In 1982 revaluation value was \$132,860 which was an increase of 94%. The new 1990 revaluation value is \$228,200, up 71.8%. He asked that the Board step in and bring some sense to this current reappraisal. He feels that the Board is responsible for ensuring that the citizens get a fair shake.

Chairman Drake made a brief statement concerning the revaluation process.

"During the next few weeks, the County Commissioners will be reviewing the total revaluation process. All values that have been set higher than market value will be changed. If anyone feels that their property is valued higher than market value, please fill out an appeal form so that we can be sure that final values are set at market value. The County Commissioners can assure you that our goal is to see that no one pays taxes on property higher than State Law requires, that is market value. The County Commissioners will do whatever is necessary and take the steps necessary to see that no value is set for tax purposes greater than market value. After the reviews have been completed final notices will be sent to each property owner in January or February. These values will be no greater than market value. During this period, informal appeals will continue in an effort to gather the necessary information needed to evaluate this total process."

Mr. Hudson stated that he had at least 30 neighbors who would be delighted to hear that.

Chairman Drake asked if there were anyone who had not signed up for Public Input who wished to speak at this time. There

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was no one.

OFFERS TO PURCHASE FORECLOSED PROPERTY

"A" Chairman Drake stated the County has received an offer from Michael L. Martin of \$275.00 for a quit claim deed for Lot 27, Block 10, Laurel Park. Total taxes due are in excess of \$2,000. This was advertised and no upset bids were received.

Commissioner Maybin made a motion to accept the bid. A vote was taken and the motion carried unanimously.

"B" Chairman Drake stated the County has received an offer from Richard J. Campbell of \$300.00 for a quit claim deed for 1 33/100 acres in Shaws Creek. Taxes due are \$313.57. This was advertised and no upset bids were received.

Commissioner Baker made a motion to accept the bid. A vote was taken and the motion carried unanimously.

"C" Chairman Drake stated the County has received an offer from Bobby Branks & Wife of \$2,500 for a quit claim deed for Lots 89, 91, and part of 90, Dameron Place. Total taxes due in excess of \$1,205. This was advertised and no upset bids were received.

Commissioner Baker made a motion to accept the bid. A vote was taken and the motion carried unanimously.

ROAD PETITION

Chairman Drake informed the Board that a petition has been received to abandon Morris Road from the State System. He suggested waiting on the County Attorney to arrive to act on this item.

HOUSING ASSISTANCE CORPORATION

Chairman Drake informed the Board of a letter from Rev. Al Kissling requesting \$1,000 assistance. He recognized Rev. Kissling to speak.

Rev. Al Kissling addressed the Board. He handed out copies of their updated revised budget from their Board Meeting two days ago. He stated that Jim McNeil is doing a "Needs Survey" for the farm labor project and preliminary indications are that he is going to recommend 50 units instead of 40 units that were anticipated, because of both need and opportunity. This is the program they are farthest along on and it will provide low income housing for farm laborers in the community. He stated that their biggest problem has been getting funding for this year since they have only been in existence for 6 months.

The Housing Assistance Corporation is appealing to the Board at this time for \$1,000.00 assistance so they can expand their program.

The units they build will be rental units initially but hope that eventually they will become ownership units somewhere down the road.

Habitat is a spin-off of Housing Assistance Corporation but they are presently not working together. Habitat is building homes and has more stringent requirements as to who can qualify for a Habitat home.

Commissioner Baker made a motion to grant their request and take the \$1,000 out of contingencies. Commissioner Maybin would like to see their "Needs Report" before making a commitment. Mr. Kissling expects to have the report by the end of November. Mr. Baker accepted this as a friendly amendment to the motion. A vote was taken and the motion carried unanimously.

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#### APPOINTMENTS

Chairman Drake informed the Board that there is 1 vacancy on the Land of Sky Regional Council Advisory Council on Aging. There were no nominations so the matter was rolled to the next meeting.

Chairman Drake informed the Board that there is 1 vacancy on the Private Industry Council. This vacancy must be filled with a person representing a minority owned or managed small business. There were no nominations so it was rolled to the next meeting.

Chairman Drake informed the Board that there are 6 vacancies on the Henderson County Alcohol and Substance Abuse Prevention Task Force (ASAP). Mr. Jack Culbreth has furnished him with a list of 6 resignations including: Ms. Judy Duvall, Mr. C.J. Chipley, Ms. Brenda Bradshaw, Mr. Bruce Meurer, Mr. James Thorndyke, and Sgt. John Delk. Mr. Culbreth suggested Mr. Rodney Locks to fill one of those vacancies.

Commissioner Maybin nominated Mr. Rodney Locks to fill one of those vacancies. Commissioner Baker made a motion to suspend the rules and appoint Mr. Locks. All voted in favor and the motion carried.

#### TRANSPORTATION DEVELOPMENT PLAN (TDP)

Chairman Drake acknowledged Jerry Myers to present this report. Mr. Myers stated that for a number of months a steering committee made up of Mr. Drake, many of the directors of the human service agencies, and himself have been working with Mr. Jon Burkhardt from Ecosometrics to put together a Transportation Development Plan for the provision of transportation for the clients of our human services agencies. Copies of the proposed Transportation Development Plan have been provided for the Board's review.

Mr. Myers acknowledged Mr. Jon Burkhardt, Vice-President of Ecosometrics to provide details of the plan. Mr. Burkhardt stated that the N.C. Department of Transportation awarded a contract to Ecosometrics to perform Transportation Development Plans and Management Performance Reviews throughout N.C. Henderson County and the N.C. Department of Transportation prepared a scope of work and authorized Ecosometrics to proceed.

Every N.C. county that wishes to receive certain funds from the N.C. Department of Transportation must have a Transportation Development Plan (TDP) and that plan must have three features: 1. It must be adopted and approved by the County Commissioners, 2. It must be approved by the Public Transportation Division of N.C. Department of Transportation, and 3. It must be used as a guide for local transportation funding and policy decisions.

The funds that are vital to Henderson County's human services agencies are the Federal 16-B-2 program which the D.O.T. administers and the new State Elderly and Handicapped Transportation Assistance Program. TDP's are also necessary to qualify for the Section 18 program but Henderson County doesn't participate in that program. The exercise conducted was for the purpose of qualifying Henderson County for the D.O.T. funds. That process is now complete except for the Board's adoption and the final approval by the D.O.T.

Mr. Burkhardt recommended that the Board of Commissioners adopt this plan as Henderson County's guide and transmit a notification of adoption to N.C. Department of Transportation to qualify for additional funds. Total new dollars required by the County at this time are none.

Mr. Myers anticipates greater efficiency in the use of the transportation dollars that the Board is funding indirectly to Trend, Social Services, Health Dept. and various other

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human services agencies.

It is recommended that WCCA continue as the lead transportation agency for this plan. Mr. Whit Turner spoke for WCCA stating that WCCA is willing to meet the requirements but things are going to be tight, they do want the program to go forth.

The TDP was delivered to the State yesterday and they are reviewing it at the present time. The State's approval is expected any moment.

Commissioner Baker made a motion to delay action at this time to give the Board time to review and digest this extensive plan. All voted in favor and the motion carried.

#### CATV FRANCHISE AMENDMENT

Chairman Drake reminded the Board that last meeting was first reading for the CATV Franchise amendment.

Chuck Heimerlich, Phoenix Cable, stated that last Friday afternoon Multivision applied for pole positions on 102 poles in the County and Monday they applied for 75 more. Therefore, Phoenix is withdrawing their request for amendment at this time.

Mr. Heimerlich stated that if the Board would consider waiving the performance bond, Phoenix would come back and look at the situation in 4-6 months from now.

By consensus it was decided to await the County Attorney's arrival and look at this again after Executive Session.

Ken Hensley, District Manager for Multivision addressed the Board stating that every pole Multivision has will have cable on that pole. He also stated that Multivision is getting involved in the community and will air a special Drug Program this Sunday filmed for HBO. Multivision also plans to televise the Christmas Parade, delayed. They also welcome any ideas for public service programs.

Jerry Myers, County Administrator, asked Mr. Hensley to please send him a copy of employees names and their titles with Multivision so he could know who is who at Multivision.

Commissioner Edney made a motion to require Multivision to submit a proposal for franchise renewal in accordance with the new County Ordinance within a 4 month period, in accordance with 1984 Communications Act. All voted in favor and the motion carried.

#### DOWNTOWN HENDERSONVILLE

Terri Thompson, Executive Director of Downtown Hendersonville addressed the Board. She stated that Downtown Hendersonville is committed to the revitalization of Hendersonville. Some of the things they have accomplished lately:

1. Welcome signs were commissioned for Hendersonville.
2. Received national coverage for the Apple Breakfast.
3. Obtained historic district designation and printed brochures as such and an audio cassette.
4. Have helped bring new shops to main street. P.W. Leonard and Mitchell White moved to main street.

Ms. Thompson thanked the Board for their support and will keep them updated. She informed the Board of the project they have undertaken to outline the tops of the buildings along main street between First Avenue and Sixth Avenue with white lights. They will be permanently installed by Shealy Electric and inspected annually for safety. The lights will be turned on from Thanksgiving to New Years only.

#### REQUEST FOR VARIANCE - GREENBRIAR SUBDIVISION

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County Planner, Matt Matteson, briefed a request from Greenbrier Subdivision for a variance. The Henderson County Planning Board conditionally approved the preliminary plan to allow the creation of a new 1.09 acre lot (#42) that will have less than the required 45 ft. right-of-way. The developer, Brian Mooney, sold lots on three sides of Lot #42 prior to the adoption of the Ordinance and in effect "land-locked" the property except for access to the rear on extremely steep terrain.

The Planning Board unanimously recommended approval of the variance.

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

#### LAUREL PARK REQUEST

Mr. Myers has received a letter from the Town of Laurel Park requesting Henderson County Maintenance Dept. to mount and balance new tires or recapped tires and repair flats on Town vehicles. The Town of Laurel Park will purchase all tires and will pay for the mechanics time plus a 15% administrative fee.

Commissioner Baker made a motion to provide this service for the Town of Laurel Park on a trial basis. All voted in favor and the motion carried.

#### ROAD PETITION

Chairman Drake informed the Board of a petition he had received to add Cane Creek Road and a road running westerly along an industrial subdivision to the State Maintenance System. Property owners - Figgie International Real Estate, Inc.

Commissioner Maybin made a motion to accept this petition, grant the request, and forward it to the N.C. Department of Transportation for consideration. All voted in favor and the motion carried.

#### ELECTRICAL SERVICE AT JACKSON PARK

Jerry Myers informed the Board of a problem with inadequate electrical service that was experienced at Jackson Park on Farm/City Day. Les Capps has given Mr. Myers a proposal from Nix Electrical Company to correct this problem.

Doug Moon informed the Board that out of 47 booths, 20 of them required electricity. He stated that the participation in Farm/City Day has doubled in 1 years time.

Commissioner Maybin requested that no action be taken today, that the matter be studied for all possible options. He asked that the Recreation Committee look at this and come back with a recommendation to the Board.

#### HENDERSONVILLE POLICE DEPARTMENT

Hendersonville Police Department is interested in purchasing a County Van that has recently been taken off-line. This van was previously used as an ambulance vehicle.

Commissioner Randall made a motion to transfer the van to the City Police Dept. for their use at no charge. All voted in favor and the motion carried.

#### ROAD PETITIONS

Chairman Drake informed the Board of a petition to add Summit Drive and Forest Hill Road to the State Maintenance System.

Commissioner Maybin made a motion to receive the petition and forward it to N.C. Department of Transportation.

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Chairman Drake informed the Board of a petition to add Orchard Park Road to the State Maintenance System.

Commissioner Maybin made a motion to receive the petition and forward it to N.C. Department of Transportation.

#### LAND DEVELOPMENT ORDINANCE

Chairman Drake recognized Matt Matteson. Mr. Matteson stated that in April of this year the Board saw a text of the proposed amendments to the Land Development Ordinance. The Board had some questions, some legal in nature. The Planning Board, with input from the County Attorney has come up with this new Land Development Ordinance. The Planning Board made approximately 30 or more changes. Before any amendments can be made a Public Hearing must be held. We need to set a Public Hearing date today.

Commissioner Maybin made a motion to set a Public Hearing for January 2, 1990 at 7:00 p.m. to accept public comment on the Land Development Ordinance. All voted in favor and the motion carried.

In the meantime, copies of the Ordinance will be available here at the County Office for inspection.

#### HOSPICE RESOLUTION

Chairman Drake informed the Board of a request to adopt a Resolution recognizing November 1989 as National Hospice Month in Henderson County.

Commissioner Randall made a motion to adopt this Resolution as presented and to authorize Chairman Drake to sign same. A vote was taken and the motion carried unanimously.

#### VALLEY HILL FIRE DEPARTMENT REQUEST

Valley Hill Fire Department is requesting that the Board appoint John A. Strickland to the FIREMAN'S RELIEF FUND BOARD to replace Gary C. Ward. Mr. Strickland would serve as First Assistant Chief for the term 11/13/89 through 11/13/90.

Commissioner Maybin made a motion to approve Valley Hill's request. All voted in favor and the motion carried.

#### SPECIAL USE PERMIT (MICD) SP-28-89

Matt Matteson addressed the Board and stated that the Planning Board has received and approved with conditions an application for a Special Use Permit for Cambridge Forest at Carriage Park. This is the first to be reviewed under the newly adopted Medical, Institutional Care Development (MICD) Section of the Zoning Ordinance.

The applicant, Aaron Enterprises, Inc., has submitted plans to build 60 two-family dwellings (120 units), a 40 bed health care facility, a recreational facility and a maintenance support facility on a 39 acre parcel adjacent to the Carriage Park Subdivision.

The Planning Board, at its October 31 meeting, approved the development plan subject to a list of conditions. A Public Hearing is required. The Planning Board recommends that the Public Hearing be set for December 4, 1989.

Commissioner Baker made a motion to set a Public Hearing for December 4, 1989 at 7:00 p.m. to accept public comment on the Special Use Permit (SP-28-89). All voted in favor and the motion carried.

#### LUNCH

Chairman Drake announced that the Board will break for lunch and be back at 1:00 p.m. to meet with the Board of Elections.

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to discuss voting machines and have Executive Session.

BOARD OF ELECTIONS

The Board of Elections is happy with their new facility and thanked the Commissioners for their new quarters to work in.

Mr. Gregory stated that there are 33 precincts, 6 of them are approximately 2,000 voters each. He stated that there is need for 92 machines. The Shouptronic is what the Board of Elections recommends to the Board of Commissioners to purchase.

Members of the Board of Elections discussed the reports that have been conducted on the Optech P-3 and the Shouptronic and compared the two. They feel that although the Shouptronic requires alot of initial investment that it will become cost effective over a period of time and expect the machines to last for 20 years or more.

Chairman Drake asked Mr. Gregory how many (minimum number) machines could they get by with, to phase in the new machines. Mr. Gregory stated that they could make do with 35 new machines.

Commissioner Edney asked Mr. Gregory if the Board of Elections had actually approved the Shoupe Machine at one of their meetings. Mr. Gregory stated that it may not have been officially approved at one of their meetings (appear in their minutes). This needs to be done.

Commissioner Edney requested that we acquire a financial statement from the company that makes the Shouptronic for review.

Chairman Drake requested that the Board of Elections provide a financial statement from the maker of the Shouptronic and an official statement that the Board of Elections has approved this machine unanimously. Chairman Drake said the Board of Commissioners would review the financial statement when it comes and then they will see what can be done.

EXECUTIVE SESSION

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

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

No action was taken.

This meeting will be continued next Monday (11-20-89) at 5:00 p.m. at the Revaluation Building, 315 Second Ave. East.

ATTEST:

Elizabeth W. Corn  
Elizabeth W. Corn, Clerk

William T. Drake  
William T. Drake, Chairman  
Henderson County Board of  
Commissioners

HENDERSON COUNTY  
BOARD OF COMMISSIONERS

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WILLIAM T. DRAKE  
CHAIRMAN  
TROY L. MAYBIN  
F. RICHARD BAKER  
J. MICHAEL EDNEY  
HUGH D. RANDALL

JERRY D. MYERS  
COUNTY ADMINISTRATOR

RESOLUTION

WHEREAS, hospice care has been demonstrated to be a humanitarian way for terminally ill patients to approach the end of their lives in relative comfort with appropriate, competent, and compassionate care in an environment of personal individuality and dignity; and

WHEREAS, the hospice concept advocates care of the patient and family by attending to their physical, emotional, social, and spiritual needs; and

WHEREAS, hospice care is provided by an interdisciplinary team of physicians, nurses, social workers, pharmacists, psychological and spiritual counselors, and community volunteers trained in the hospice concept of care; and

WHEREAS, hospice care is proving to be an effective and economical alternative to unnecessary institutionalization for many terminally ill people; and

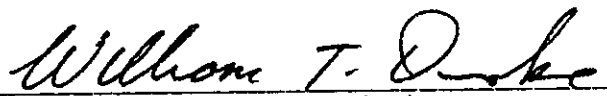
WHEREAS, hospice care is rapidly becoming a full partner in the nation's health care delivery system; and

WHEREAS, the enactment of a hospice benefit under Medicare, which became effective November 1, 1983 makes it possible for many more elderly Americans to have the opportunity to elect to receive hospice care; and

WHEREAS, there remains a great need to increase public awareness of the benefits of hospice care;

THEREFORE BE IT RESOLVED that Henderson County, officially recognizes November 1989 as National Hospice Month and calls on all its citizens to participate in appropriate forums, programs, and activities designed to encourage county-wide recognition of and support for hospice care as a humane response to the needs of terminally ill people and their families, and as a viable component of the health care delivery system in this county.

Adopted this 15th day of November 1989.

  
\_\_\_\_\_  
William T. Drake, Chairman  
Henderson County Board of  
Commissioners