

MINUTES

1740

STATE OF NORTH CAROLINA
COUNTY OF HENDERSONBOARD OF COUNTY COMMISSIONERS
OCTOBER 18, 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, County Attorney Don H. Elkins, Finance Director David E. Nicholson, County Planner Matt Matteson, Director of DSS Liston Smith, Clerk to the Board Elizabeth W. Corn, and the media.

Chairman Drake called the meeting to order.

MINUTES

The minutes of the October 2 regular Commissioners' meeting were corrected and approved as corrected.

The minutes of the August 28 meeting with both School Boards were approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

There was no adjustment necessary.

PUBLIC HEARING on Schedule of Land Use Values

Chairman Drake asked for a motion to go into public hearing to hear public comment on the Schedule of Land Use Values.

Commissioner Baker made a motion to go into public hearing to accept public comment on the Schedule of Land Use Values. A vote was taken and the motion carried.

Chairman Drake asked if anyone wished to speak on this subject, there were none. No one had signed up for the public hearing.

Chairman Drake then asked Brenda King, Tax Assessor, if anyone had been in to review the schedule. Ms. King indicated that no one had been to her office to review the schedule of land values.

Brenda King stated that the Schedule of Land Use Values is for the horticulture, agriculture, and forest land. The schedule should be adopted at the next meeting to be held on November 6. She further stated that the State sets the land use values for these properties.

Chairman Drake asked again if there were anyone present who wished to give public comment concerning the Schedule of Land Use Values. There was no one.

Commissioner Baker made a motion to close the public hearing. All voted in favor and the motion carried.

The adoption of the Schedule of Land Use Values is scheduled for the November 6 Commissioners' meeting.

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 are 4 vacancies on the Henderson County Board of Adjustments, 2 full members

and 2 alternates. Mr. Drake informed the Board that he had received letters back from Mark White who is willing to serve again if nominated, Keith Shelley who wishes to remain an alternate, Diane Masters who is willing to serve again if nominated, also from Jane Miller who no longer lives or works in the area so she does not wish to be reappointed.

Commissioner Edney made a motion to nominate Mark White and Diane Masters for full members and Keith Shelley and Gwen Thornburgh as alternate members. There were no other nominations.

Commissioner Baker made a motion to suspend the rules and appoint the above four people to fill these four vacancies. A vote was taken and the motion carried unanimously.

Chairman Drake informed the Board that there is 1 vacancy on the Retired Senior Volunteer Program (RSVP) Advisory Council. There were no nominations so the item 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.

OFFER TO PURCHASE FORECLOSED PROPERTY

Chairman Drake informed the Board of a map Commissioner Edney has brought in showing the alledged location of this piece of property. The Board has received an offer of \$275.00 from Michael L. Martin for #27, Block 10, in Laurel Park. Property is in the Hendersonville township and was in the name of Arthur B. Shepherd at the time of foreclosure.

There was some discussion on the matter. Commissioner Baker made a motion to receive the bid and advertise for upset bids. All voted in favor and the motion carried.

CABLE T.V. COMMITTEE REPORT

Chairman Drake recognized Commissioner Baker who is chairman of the Cable Review Committee to give the report. Commissioner Baker publicly thanked all the members of this committee who spent a great deal of time studying the situation. Mr. Baker then introduced Matt Matteson, a member of the committee, to present the report to the Board.

Matt Matteson stated the committee was formed May 17 of this year. The committee has reviewed the proposals from some of the companies desirous of extending cable into limited portions of the county. The committee then reviewed the existing franchise agreements with all the companies, we now have two, one with Phoenix and the other Multivision which originally was Essex.

After five (5) meetings the committee came up with a recommendation that an ordinance be adopted. The ordinance would be a "stand alone" ordinance that would not reflect the name of any particular cable company. The ordinance can be adopted at any time, it has some new provisions that weren't thought about 13 years ago when we awarded the first franchise to Essex. The committee feels they have a pretty solid ordinance and has given it to the Board for their review and hopefully for their adoption. Following adoption of this ordinance the committee would recommend that the existing franchise be reviewed and that other prospective builders of cable systems in the county be considered.

At this time, Mr. Larry Scudder came forward and introduced himself as the new regional vice-president of Multivision Cable T.V. Mr. Scudder desires a meeting with the County Attorney before the public hearing is held. Mr. Drake stated that there was no problem with this but that he had had no

contact from Mr. Scudder or his office and Mr. Scudder agreed.

Commissioner Edney made a motion to set a public hearing for November 6 at 7:00 p.m. to hear public comment on the Cable T.V. Ordinance.

County Attorney, Don Elkins, stated that Multivision had representatives at at least 2 or 3 of the committee meetings and were given a chance to make public comments. Mr. Baker stated that Multivision representatives were at all except the last committee meeting.

In response to Mr. Scudder stating that Multivision submitted a franchise in June, Chairman Drake stated that this is probably the second or third draft of a franchise that has been submitted over a period of a couple of years. He is not aware that there was a formal presentation of a franchise but believes that Larry Ott dropped a copy off at the office for our review as a continuation of the process started with Essex 18 mos. to 2 years ago.

A vote was taken on the motion of Mr. Edney to set the public hearing. All voted in favor and the motion carried.

DSS Request

Chairman Drake recognized Liston Smith. Mr. Smith was at a regional Director's meeting yesterday in Banner Elk and our Dept. of Social Services received an award for having the least amount of errors in the Medicaid program of any county in the state other than two others, putting our county in the top 3 of efficiency and how the program is run. He also stated that the state of N.C. has the lowest error rate in the nation.

Liston Smith is asking for the authorization of one additional position for child protective services. The monies are available through House Bill 401 to fund this position at this time.

Commissioner Randall made a motion to authorize this one new position covered by funds from H.B. 401, at no cost to the county. All voted in favor and the motion carried.

ASAP RESOLUTION

Chairman Drake called attention to a calendar of events taking place in Henderson County with a proposed Proclamation that outlines Henderson County's involvement in Drug and Alcohol Prevention activities. This includes what is called "Red Ribbon Campaign" through October 22-29, Community Pride Days which will take place Saturday Oct. 21.

The Resolution basically states that the Board of Commissioners encourages citizens to participate in drug prevention education activities making a visible statement that we are strongly committed to a drug free community.

Commissioner Maybin recommended a wording change in the eighth paragraph and made a motion to approve the Proclamation with the suggested changes and to give Chairman Drake authority to sign such. There was no discussion. All voted in favor and the motion carried.

REVALUATION REPORT

Brenda King stated that all the review of commercial and residential properties are complete, it has all been loaded onto the computer system and that the only reason notices haven't already gone out is the need for some verification because of past computer problems. Ms. King projects that everything should be cleaned up and notices printed sometime next week. She stated that problem parcels will have to be handled even after the notices go out, the notices can't be

held up for problem parcels. For everyone that is on the Land Use now, letters are going out ahead of the notices.

Chairman Drake asked Brenda whether she was satisfied with the work that has been done on revaluation, thoroughness of reviews, etc. Brenda is happy with the work that has been done.

On the notices three things are stated, the property owner, the property description, and the new assessed value. Also on the notice is a phone number in case you are dissatisfied and feel this is not true value, you can call and follow procedures. Appointments are then set for an informal hearing. Three phone lines are set up for this only. An appraiser will sit in on the hearing and some parcels may have to be revisited. After that procedure, then a new notice will be sent out, either "no change" and then they could go before the Board of E & R, or if changes are made their new notice would have the new value listed. Appeals will be handled before the Board of E & R starting January 1.

Chairman Drake stressed that we want to be sure that everyone is heard who wishes to be and Brenda agreed. Even the best revaluation is bad in the eyes of the taxpayers and we want to make this experience as pleasant as possible.

ROAD PETITIONS

Chairman Drake informed the Board that a road petition has been received to abandon a portion of Morris Road from the State Maintenance System. The petition was brought in by the Dept. of Transportation. There was some discussion and it was decided to send a letter to Jim Hemphill and get his answers to our questions before acting on this petition.

Chairman Drake informed the Board that a road petition has been received requesting Morningside Drive to be added to the State Maintenance System. Commissioner Maybin made a motion to receive this petition and forward it on to D.O.T. for their consideration. All voted in favor and the motion carried.

HENDERSON COUNTY PARKS & RECREATION DEPARTMENT

Chairman Drake recognized Doug Moon who passed around a plaque award for the Board to see. In May the Chairman of the Advisory Board Committee, Charles Roberts, submitted application for award to the Volunteer Service Bureau for "Outstanding Volunteerism". The Volunteer Service Bureau qualified the award for the top recognition, the Governor's Volunteer Award. In Sept. we received this award from the Governor recognizing the Parks and Recreation Dept. as one of the outstanding agencies for volunteerism in the state of N.C.

Mr. Moon stated his Dept. has over 400 volunteers which put in over 12,000 hours which at minimum wage would add up to a savings of over \$50,000.

Earlier in the year one of the staff people, Jay Merrill, was nominated for an award with the Athletic Director's Association and he received that award last week - "Young Athletic Director of the Year for the State of N.C.". He competed against about 165 other agencies for this award.

TRAVEL & TOURISM COMMITTEE REPORT

Chairman Drake recognized Melody Jenkins. Travel and Tourism has only been in existence for 1 year but has accomplished alot in that year. One of the main goals of the committee is to present an invitation to an upscale visitor with the disposable income to enrich our economy. A number of materials have been published to do just that. Melody passed around a number of materials they have had printed, lovely color pamphlets and booklets. She stated that one reason for

the upswing in tourist activity in our area is that alot of people don't want to fly and therefore are going to places that are within driving distance. We are located only a few hours from Miami, a few hours from New York, a few hours from the midwest. One other thing in our favor is that we have National Forests so close.

Ms. Jenkins stated that the third and fastest growing industry in the state is Travel & Tourism. In Western N.C. it is the second and fastest growing industry. As of our last financial report, we are 11% ahead in room tax collections over last year at the same time.

PROCLAMATION - ALZHEIMER'S DISEASE AWARENESS MONTH

Chairman Drake informed the Board that he had received a request from the Alzheimer's Disease and Related Disorders Association to adopt this Proclamation recognizing November as Alzheimer's Disease Awareness Month. This urges the citizens of Henderson County to learn more about this disease and the impact on the victims and families.

Commissioner Edney made a motion to adopt this proclamation. A vote was taken and the motion carried unanimously.

LAND-OF-SKY REGIONAL COUNCIL RESOLUTION

Chairman Drake stated that this is the same resolution that the Board has approved the last several years authorizing Land-Of-Sky to draw down money from the state for planning purposes. There is \$55,000 allocated to Region B but each county has to adopt a resolution authorizing Region B to draw down its portion of the money. Our share of the monies is \$14,744.93 and is earmarked for Land-Of-Sky.

Commissioner Maybin made a motion to adopt the resolution to allow Region B to receive our share of the funds appropriated by the state. All voted in favor and the motion carried.

LATE LIST PENALTY

Chairman Drake informed the Board that this is a request for a late listing penalty removal from Mr. Zeb Kilpatrick. Mr. Kilpatrick is here and is recognized to address the Board. Mr. Kilpatrick feels that his track record as far as listing and paying taxes is clean and he feels that a mistake has been made by the tax office and requests that a mistake be corrected in order that proper tax can be paid when due.

Chairman Drake stated that the Board will take Mr. Kilpatrick's request under consideration and give an answer shortly.

HURRICANE HUGO RELIEF/Bill McKay

Chairman Drake informed the Board of a letter from Mr. Bill McKay of First Federal. It was written to the Mayor and to our Board also.

Mr. McKay addressed the Board presenting his letter. He stated that this is just one man's effort, he is not representing any one group. After Hugo went through lower S.C. and we all became aware of the widespread destruction of homes, elimination of jobs, loss of crops, and loss of lives, Mr. McKay became very aware that those folks are our neighbors and many of us have connections with lower S.C. Mr. McKay stressed the point that the economy in that area is devastated and what they need is not just help this week and next week but that they need help for years to recover. Mr. McKay's suggestion is that Hendersonville and/or Henderson County adopt a specific area, community, or town and concentrate on rebuilding the adopted area. We, in doing this, might encourage other communities to follow a similar plan.

Chairman Drake stated that at about the same time he received

Mr. McKay's letter, Commissioner Maybin had suggested that we check in N.C. for an affected area in N.C. that has been over-looked. Commissioner Maybin visited a number of areas in mid S.C. last week and stressed that it is a very tragic sight to view. Mr. Maybin stated that there are a number of agencies in N.C. that are handling similar situations, such as churches here adopting a church in the affected area.

Chairman Drake stated concern that with the earthquake in California yesterday, the emphasis will be taken off the Hugo victims and be shifted to the earthquake victims. Chairman Drake stated the Board would continue investigation on this matter.

BUDGET AMENDMENT- ETOWAH LIBRARY

Chairman Drake recognized Bill Snyder who addressed the Board. The Library in Etowah has only 1 staff person there and it has become a problem. The one staff person is missing her lunch break at times and the library is having to close at times to allow her lunch or time off. Even with volunteer helpers, she is alone there alot of the time. Residents of the area are complaining that the library is closed sometimes in the middle of the day (lunch time). Mr. Snyder is requesting an additional part-time position for Etowah Library of approx. 20 hours per week at a cost to the County of \$6,336 per year.

Commissioner Maybin made a motion to grant Etowah Library a part-time assistant because of the growing increase in use of the branch libraries, to be funded from contingencies. A vote was taken and the motion carried.

ADDENDUM-HENDERSON/BUNCOMBE COUNTY LINE

In regard to our efforts to resolve the county line dispute, the 19 or so property owners involved have expressed a desire to be residents of Henderson County.

EXECUTIVE SESSION

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

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

REQUEST FROM SHERIFF JACKSON

Sheriff Jackson is requesting permission to acquire mobile telephone and private radios communications systems, 5 units. These units would be purchased with federal forfeiture funds.

Commissioner Randall made a motion to grant the request. All voted in favor and the motion carried.

RECYCLING

Jerry Myers is requesting that monies be transferred to Landfill contracted services to handle the cost of disposing of recycled materials, \$30,000 total based on an estimate of \$2,500 per month. He is also requesting a new position of Recycling/Solid Waste Coordinator at a cost of approx. \$20,000 a year.

Commissioner Edney made a motion to grant these two requests and transfer the abovementioned amounts. All voted in favor and the motion carried.

LATE LIST PENALTY

Mr. Zeb Kilpatrick is requesting that his late list penalty be removed, feels that the county has made a mistake and

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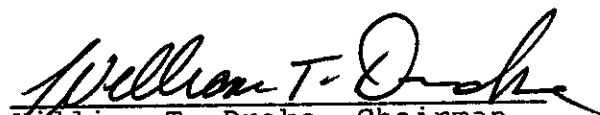
wishes it corrected.

Commissioner Maybin made a motion to deny Mr. Kilpatrick's request. All voted in favor and the motion carried.

There being no further business, the meeting was adjourned.

ATTEST:


Elizabeth W. Corn, Clerk


William T. Drake, Chairman
Henderson County Board of
Commissioners

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PROCLAMATION

Henderson County Pride Days
October 21-30, 1989

WHEREAS, Alcohol/other drug abuse in this nation has reached epidemic stages, and our young people are increasingly suffering the effects of such abuse, both directly through their own use and indirectly due to family and community problems; and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to reduce the demand for drugs and illegal or high-risk use of alcohol; and

WHEREAS, Henderson County has committed resources toward drug prevention education and appropriate measures for encouraging a drug-free lifestyle for Henderson County citizens; and

WHEREAS, the Henderson County Board of Commissioners has authorized and appointed a task force to lead the community in these education and prevention measures and to develop appropriate programs; and

WHEREAS, today, a group of young people is willing to make a commitment to being alcohol and drug free, and to prepare and present a program for the community which publicly addresses their commitment and affords them membership in a growing and exceptional organization known as America's Pride; and

WHEREAS, from this day forward Henderson County joins a growing list of America's Pride communities; and

WHEREAS, the National Red Ribbon Campaign, October 22-29 with its slogan "My Choice...Drug Free," will be celebrated in every community throughout America; With President and Mrs. Bush as National Honorary Chairpersons, and with Governor and Mrs. Martin as Honorary Chairpersons of North Carolina; and

WHEREAS, business government, law enforcement, schools, religious institutions, service organizations, youth, physicians, senior citizens, military persons, sports teams, and individuals will demonstrate their commitment to substance-abuse free and healthy lifestyles by wearing and displaying red ribbons during this campaign; and

WHEREAS, the Henderson County Board of Commissioners, county representatives and members of the Task Force will represent our commitment and report our efforts at the governor's Challenge 1990 in Raleigh on October 24; and

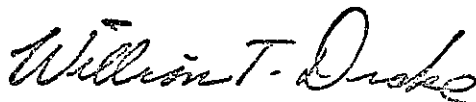
WHEREAS, the Henderson County Alcohol/Substance Abuse Prevention (ASAP) Task Force has scheduled a public forum, October 30, to announce the availability of an outstanding parenting/adult/child guidance course called "Setting the Limits";

NOW, THEREFORE BE IT RESOLVED, the Henderson County Board of Commissioners does hereby proclaim

October 21 - 30, 1989
Henderson County PRIDE DAYS

and encourages citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free community.

This 18th day of October, 1989.



William T. Drake, Chairman
Henderson County Board of
Commissioners