

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS
OCTOBER 2, 1989

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.m. at the Henderson County Office Building in the Commissioners' meeting room.

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

Chairman Drake called the meeting to order and welcomed Rev. Jimmy Calloway of the First United Methodist Church who gave the invocation.

MINUTES

The minutes of the September 20 meeting were presented for review. The minutes were approved as presented.

DISCUSSION/ADJUSTMENT of AGENDA

Chairman Drake made some necessary adjustments to the agenda. item J under New Business was added - Position Classification Study/Hal Scott. Also the Board will need to adjourn as the Board of Commissioners and convene as Cane Creek Water and Sewer District. These were all the necessary changes.

PUBLIC INPUT

Shirley Willis - asks for a speedy resolution of the Henderson/Buncombe County Line Dispute. She considers herself a Henderson county resident and would like to remain so. She has been paying taxes in Henderson County since about 1942 and in Buncombe County since about 1955. The line goes through her property but she also feels she is being double taxed on part of her property.

There was no other public input.

APPOINTMENTS

Chairman Drake informed the Board that there are still 4 vacancies on the Henderson County Board of Adjustment and requested nominations. There were no nominations and the item was rolled to the next meeting.

Chairman Drake informed the Board that there is still 1 vacancy on the Henderson County Council on the Status of Women. Commissioner Baker nominated Frances Sherman. There were no other nominations. Commissioner Randall made a motion to suspend the rules and appoint Ms. Sherman to the Council. All voted in favor and the motion carried.

Chairman Drake informed the Board that there are still 2 vacancies on the Retired Senior Volunteer Program (RSVP). There were no nominations and the item was rolled to the next meeting.

Chairman Drake informed the Board that there is still 1 vacancy on the Private Industry Council. There were no nominations and the item was rolled to the next meeting.

HENDERSON/BUNCOMBE COUNTY LINE

Chairman Drake stated that for about 1 1/2 yrs now the Board has been discussing with Buncombe County the location of the county line at Fletcher. Henderson County has been working

to keep the 19 or so residents who have been paying taxes for years in Henderson County in our County. The procedure for establishing the county line, it appears, was never followed by the two counties back in the 1800's. Statutes require that both counties agree on the location and adopt resolutions accordingly, record those resolutions in the Register of Deeds office, and send copies to the Secretary of State. If the two counties can now agree on the location the State Land Records Office will provide the paperwork necessary to officially establish the line.

Chairman Drake requested a motion stating this is the position we will take. He has been requested to attend the Buncombe County Commissioners' meeting tomorrow and needs the Board to adopt an official position. By concensus it was decided to roll this item until after Executive Session.

VEHICLE FUEL OPTIONS

Jerry Myers, County Administrator, submitted options for fuel storage for the county. Two companies have submitted informal bids for both aboveground and inground tanks. Southern Pump and Tank Company and Cason Oil with Cason Oil being the low bid. Mr. Myers has currently been unable to locate any insurance coverage for the 10-15 year old storage tanks the county now uses. Because of the approx. cost of \$20,000.00, formal bids will have to be received. It was decided to include the options of an additional 10,000 gallon tank in the formal bids.

Commissioner Maybin made a motion to accept formal bids for the installation of aboveground fuel tanks with the option of the additional 10,000 gallon tank. All voted in favor and the motion carried.

MILLS RIVER WATER SUPPLY PROTECTION PROJECT/PROJECT PLANNING REPORT.

Tom Kilpatrick, Director of Water and Sewer Dept. for the City of Hendersonville recognized William Eaker from Land-Of-Sky Regional Council to present the project findings.

This has been a cooperative project of the City of Hendersonville and the County of Henderson, the Dept. of Natural Resources and Community Development, and the Land-Of-Sky Regional Council and some other agencies here in the county. In 1987 the City became concerned about the threats to the water supply, mainly because of the construction of the Brevard connector and development along the project. At that time Tom Kilpatrick requested assistance from planners with NRCD and Land-Of-SKY in developing a water supply protection program. The planning phase of the project is now complete and the implementation phase can begin.

Mr. Eaker presented a map of the whole watershed area showing the water intakes. This area is about 45,000 acres and it produces about 7 1/2 million gallons per day to the system. The existing plant is designed to treat a maximum of 9 million gallons per day, the City is in the process of upgrading that plant from 9 million to 12 million gallons per day.

Regarding the quality of the water - the State conducts both chemical and biological monitoring of streams within the area on a monthly basis on Mills River, just upstream of one of the intakes and they have determined that the water quality is either good or excellent. It is in good shape now and our objective is to keep it that way.

Because of the WS-3 classification for some of these streams, we don't have any protection from additional discharges going in. If a large industry that has a potential for discharge of toxic materials wanted to locate into this watershed area, the State would not be in a position to deny that permit. We are working for reclassification of Mills River Water

District from WS-3 to WS-2 at least. We would request the County's continued cooperation in implementing this program and will come back to the Board with various alternatives and staff recommendations.

Chairman Drake suggested getting some of the property owners of the area involved in the discussions, let them know what is going on and keep them well informed of the activities. Chairman Drake gave the okay to procede with developing plans and then go from there.

Tom Kilpatrick stated that he is now at the point of entering into a contract with Land-Of-Sky to continue into the implementation phase of this, to be done hopefully within the next year or so. Without serious objections from the Board of Commissioners, he will continue with this and develop draft and model ordinance for the Board's consideration at a future date. There were no objections.

NOTIFICATION OF VACANCIES

Chairman Drake informed the Board of 1 vacancy on the Land-Of-Sky Regional Council Advisory Council on Aging.

NOTICE OF GRANT AWARD/ARC

Chairman Drake informed the Board that the Appalachian Regional Commission has approved the \$200,000 grant for the Cane Creek Sewer District project and will be used at the end of the project to supplement the Farmer's Home funds.

NOTICE OF GRANT AWARD/SOIL & WATER CONSERVATION DISTRICT

Chairman Drake informed the Board that the Henderson Soil and Water Conservation District will receive \$86,595.00 to protect water quality in our county.

Bob Carter said that all this money goes to farmers to cost share water management projects.

NOTICE OF GRANT DENIAL/Valley View

Chairman Drake informed the Board that the Community Development Block Grant for Henderson County did not score high enough to be funded, according to a letter received from N.C. Department of Natural Resources and Community Development.

HOUSING ASSISTANCE PROGRAM/Sharon Busch

Sharon Busch introduced Rev. Al Kissling to address the Board and give the purpose and goals of the Housing Assistance Corporation. Mr. Kissling stated that this is a pilot project and will serve as a model for the State. It is an agency that wants to do things like the Valley View Project.

The Housing Assistance Corporation was formed to address housing needs in Henderson County. The purpose of the group is to serve as an advocate for all persons who are without adequate housing or lack a means to acquire adequate housing. Their goal is to respond to a variety of housing needs as opportunities arise. They are currently seeking funds through FmHA to establish a Farm Labor Housing Project.

Mr. Kissling stated they have two requests of the Board today:

- 1) They request help in funding.
- 2) They request that the Commissioners appoint a representative to the Housing Assistance Corporation Board.

Chairman Drake said the Board will consider the two requests.

At this time we jumped to item K on the Agenda.

POSITION CLASSIFICATION STUDY/Hal Scott

Mr. Scott is representative from David M. Griffith and Associates, Ltd., a personnel management group. Mr. Scott just completed a pay and classification update on county employees. The last one was conducted in 1985. He announced that Henderson County has become the standard for comparison for Western North Carolina Counties. He also indicated that for the population, budget, and services offered, Henderson County staffing levels were lower than the norm. In this respect, it is necessary for the county to maintain competitive salary levels to facilitate recruitment and retention of highly qualified personnel.

He presented the study to the Board and proposed a 5.1% pay increase for all county employees. Ultimately he will provide updated job classifications on all county employees. He presented this recommendation to the Board today for their implementation.

This item will be reviewed and discussed further in Executive Session.

EXECUTIVE SESSION

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

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

HENDERSON/BUNCOMBE COUNTY LINE - Commissioner Edney made a motion that the Board work to keep those taxpayers who have been paying taxes in Henderson County in our County. A vote was taken and the motion carried unanimously.

FLETCHER LAW ENFORCEMENT CONTRACT - Commissioner Baker made a motion to approve the Law Enforcement Contract between Henderson County and Fletcher subject to approval by Sheriff Jackson. All voted in favor and the motion carried.

POSITION CLASSIFICATION STUDY - Commissioner Maybin made a motion to adopt the study as presented with pay increase effective payroll period beginning October 9, 1989. All voted in favor and the motion carried.

COUNTY SATELLITE JAIL/Availability of Funds

Commissioner Maybin asked for more information and stated he'd like to see the Bill that set these funds up. By consensus it was decided that staff would start work on this project and provide more information at a future meeting.

SPECIAL USE PERMIT #SP-25-89/Matt Matteson

Matt Matteson, County Planner requested SP-25-89. He received application for this permit from Mr. Todd Moss for property located on U.S. 64 approximately one mile west of Hendersonville. The request is to build six (6) apartment units on a 3.0 acre lot owned by F. Richard Baker. The property is zoned R-20 which allows apartments as a special use. The applicant has met the requirements under Section 703.01 of the Henderson County Zoning Ordinance and has received a favorable recommendation by the Planning Board. A public hearing for the Special Use Permit Application is required and should be scheduled by the Board of Commissioners.

Commissioner Baker asked to be excused from voting since he had a financial interest in this project. Commissioner Randall made a motion to excuse Mr. Baker from voting. All voted in favor and the motion carried.

Commissioner Maybin made a motion to set a Public Hearing for November 6 at 7:00 to hear Special Use Permit #SP-25-89. All voted in favor and the motion carried.

OFFERS TO PURCHASE TAX FORCLOSED PROPERTY

Chairman Drake informed the Board of an offer to purchase the county's rights to #27 Block 10, Laurel Park. Michael L. Martin offered \$275.00. This item was rolled so the property in question could be located and identified.

Chairman Drake informed the Board of an offer to purchase the county's rights to Lots 89, 91, and part of 90, Dameron Place, in Hoopers Creek township. Bobby Branks and wife offered \$2,500.00. Commissioner Baker made a motion to receive the offer and advertise for upset bids. All voted in favor and the motion carried.

Chairman Drake informed the Board of an offer to purchase the county's rights to 1 33/100 acres - Shaws Creek, in the Hendersonville township. Richard J. Campbell offered \$300. Commissioner Maybin made a motion to receive the offer and advertise for upset bids. All voted in favor and the motion carried.

ROAD PETITION

Chairman Drake informed the Board of a Road Petition to add Pine Tree Lane to the state system. Commissioner Baker made a motion to forward the petition to N.C. Dept. of Transportation for consideration. A vote was taken and the motion carried unanimously.

Commissioner Maybin made a motion that the Board recess as Henderson County Commissioners and reconvene as Cane Creek Water and Sewer District.

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

There being no further business, the meeting was adjourned.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

William T. Drake
William T. Drake, Chairman