

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
FEBRUARY 21, 2007**

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

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Chuck McGrady, Commissioner Larry Young, Commissioner Mark Williams, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, County Attorney Russell Burrell, and Clerk to the Board Elizabeth W. Corn.

Also present were: Public Information Officer Chris S. Coulson, Research/Grants Coordinator Amy Brantley, Finance Director J. Carey McLelland, County Engineer Gary Tweed, Planner Matthew Card, Deputy Clerk to the Board Terry Wilson, Associate County Attorney Sarah Zambon, Tax Assessor Stan Duncan, Planning Director Anthony Starr, and IT Director Becky Snyder.

CALL TO ORDER/WELCOME

Chairman Moyer called the meeting to order and welcomed all in attendance.

PLEDGE OF ALLEGIANCE

Commissioner Messer led the Pledge of Allegiance to the American Flag.

INVOCATION

Steve Wyatt gave the invocation.

INFORMAL PUBLIC COMMENTS

1. Bruce Hatfield – Mr. Hatfield lives at 144 Black Jack in Hendersonville. Mr. Hatfield spoke in regards to the Timberwolf Subdivision. The development begins at the headwaters of Little Mud Creek which feeds into Kanuga Lake which feeds into Mud Creek. A complaint was filed with NCDENR because of silt in the pond. An inspection on August 28, 2006 showed no silt fence. On October 12, 2006 the Erosion Control Plan was not followed, grading was done over the creek. To grade on or fill in a creek requires Corp of Engineer provisions. There is no such document on file. This is a Federal Offense. On January 27, 2007 the pond was once again heavily silted.
2. Dick Baird – Mr. Baird lives at 511 Hidden Lake Road in Hendersonville. Mr. Baird spoke in regards to the repayment of \$63,000.00 from Blue Ridge Community College to Henderson County. The Board of Trustees for BRCC had met the previous Thursday and Mr. Baird had attended. The repayment plan negotiated with Henderson County was explained and Trustee Tom Orr questioned where BRCC would get the funds. Chief Financial Officer Whitson replied from various funds including the book store, vending, or unrestricted funds in the special funds account. Mr. Orr inquired as to how the funds were normally used. Whitson's reply was that they were contingency funds for institution use for student related activities and the funds sit there until they are needed. For the last 2-3 years they have been used heavily for the baseball program. This is the only place available to draw from. The Board of Trustees approved sending this agreement on to the Board of Commissioners for ratification. Mr. Baird feels that a small group of students are being unfairly targeted. He feels that the right thing to do is to forgive the \$63,000.00. This fund has already been tapped for roughly \$100,000.00 which will be paid to the state.

Mr. Baird also commented on the Adequate Facilities Ordinance. He had sent in a draft ordinance to the Board of Commissioners approximately 6 months prior. Mr. Baird feels that the real question is how the ordinance will be administered fairly and equitably to avoid lawsuits. He asked that the Board be sure that the request for payment (RFP) and provisions for the \$80,000.00 contract be used to determine how the ordinance would be administered.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Moyer suggested that Discussion Item H, Blue Ridge Community College Issues, be pulled. He also noted that closed session Item 1 would no longer be necessary.

Commissioner McGrady made the motion to approve the agenda as indicated above. All voted in favor and the motion carried.

CONSENT AGENDA

Chairman Moyer noted there were structural changes to the October 2, 2006 minutes. The approval would be noted for the reformatted minutes. Item H, Proposal from PBC&L, needed to be moved to Item H as a Discussion Item.

Commissioner McGrady made the motion to adopt the Consent Agenda with the revisions to the October 2, 2006 minutes and without Item H, Proposal from PBC&L. All voted in favor and the motion carried.

Minutes

Draft minutes were presented for the Board's review and approval for the following meetings:

September 25, 2006
October 2, 2006 (reformatted set)
December 4, 2006

Tax Collector's Report

Terry F. Lyda, Henderson County Tax Collector, had provided the Tax Collector's Report dated February 12, 2007 for the Board's review and consent approval. Collection information through February 9 for the 2006 bills mailed on August 18, 2006 as well as vehicle bills was included as follows:

Annual Bills G01 only:

2006 Total Charge:	\$49,390,710.20
Payments & Releases:	45,784,159.72
Unpaid Taxes:	3,708,912.63
Percentage collected:	92.87%

Motor Vehicle Bills G01 only:

2006 Total Charge:	\$3,708,912.63
Payments & Releases:	2,651,689.35
Unpaid Taxes:	1,057,223.28
Percentage collected:	71.50%

Fire Districts All Bills

2006 Total Charge	\$5,140,460.28
Payments & Releases:	4,656,667.89
Unpaid Taxes:	483,792.39
Percentage collected:	90.80%

Tax Refunds

A list of 23 tax refund requests was presented for the Board's review and consent approval.

Tax Releases

A list of 21 release requests was presented for the Board's review and consent approval.

2006 Strategic Plan and Capital Projects Update

This February report was presented for the Board's review and consent approval.

Improvement Guarantee for Soapstone Creek Estates

Mr. Timothy Phillips with Soapstone Creek Estates, LLC, owner and developed, submitted an improvement guarantee application for Phase II and Phase III of the Soapstone Creek Estates major subdivision. These phases of Soapstone Creek Estates were conditionally approved by the Planning Board on January 18, 2007. The improvement guarantee application was proposed to cover the cost of completing and paving the roads within Phase II and Phase III.

On August 18, 2004 the County approved an improvement guarantee application for Phase I of Soapstone Creek Estates. The developer failed to complete the improvements as required and therefore violated the terms of the performance agreement. This caused the County to file a lawsuit against the developer. Subsequently the developer brought the subdivision into compliance and Phase I was completed as required.

According to Sections 170-38 and 170-39 of the Henderson County Subdivision Ordinance, where the required improvements have not been completed or in lieu of completing all of the required improvements in order to obtain Final Plat approval, the developer may post an improvement guarantee for the improvements. Section 170-38 of the Henderson County Subdivision Ordinance also states that the installation of the improvements must be completed within two years of the date of approval of the improvement guarantee.

The developer intends to post with the County an irrevocable letter of credit in the amount of at least \$67,500.00 to cover the cost of the improvements (\$54,000.00) as well as the required twenty-five percent (25%) contingency (\$13,500.00). The Developer has requested the full two years allowed by the Subdivision Ordinance and has a proposed completion date for the improvements of February 1, 2009.

A draft Performance Guarantee Agreement was attached for the Board's consideration. If the application is approved, the developers must submit an irrevocable letter of credit in accordance with the terms of the Agreement. Once the County receives a letter of credit in proper form, the relevant parties must execute the Agreement.

If the Board is so inclined, the following motion was suggested:

I move that the Board of Commissioners find and conclude that the request for an improvement guarantee complies with the provisions of the Subdivision Ordinance and be approved.

Recreation Fee Adjustment

The Recreation Department Staff had been meeting with outside sports organizations such as the local Little League Baseball and Girl's Youth Softball programs, Middle School baseball and USSSA traveling youth baseball teams to plan for the upcoming season and to discuss fees for utilizing the ball fields at Jackson Park and Etowah Park for regular season and tournament play.

Both the Recreation Department and these organizations are in agreement on charging a fee that is reasonable and will help cover the County's cost of using the ball fields at these two parks including field preparation and lighting. The fees agreed upon do not present a hardship for the programs offered by these organizations. The proposed fees, which are not in the current fee schedule, are as follows:

Little League Baseball - \$10 per player

Girl's Youth Softball - \$10 per player

Middle School Baseball program - \$13 per player

Jackson Park/Etowah Park ball field practice reservations - \$10 per hour

If the Board is so inclined, the following motion was suggested:

I move that the proposed fees be incorporated into the current Recreation Facilities Fee Schedule for these programs during the current fiscal year.

Proposal from PBC&L

This item was pulled from Consent and moved to "Discussion Item H".

NOMINATIONS

A. NOTIFICATION OF VACANCIES

The Board was notified of the following vacancies which will appear for nominations on the next agenda:

1. Juvenile Crime Prevention Council – 2 vac.

B. NOMINATIONS

1. Adequate Public Facilities Task Force Charter – 4 vac.

Commissioner McGrady nominated Bo Caldwell and Ron Stephens. There were no other nominations and this item was rolled to the next meeting.

2. Blue Ribbon Committee on Illegal Immigration – 11 vac.

Commissioner Williams nominated Danny McConnell. Chairman Moyer nominated Patrick Tapia. There were no other nominations and this item was rolled to the next meeting.

3. Blue Ridge Community College Board of Trustees – 2 vac.

Commissioner Young nominated Grady Hawkins and Shannon Baldwin. Chairman Moyer nominated David Arnold and Garrett Mynatt. There were no other nominations and this item was rolled to the next meeting.

4. Child Fatality Prevention Team – 1 vac.

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

5. Environmental Advisory Committee – 1 vac.

Commissioner McGrady nominated Ron Ehlinger subject to receipt of application. There were no other nominations and this item was rolled to the next meeting.

6. Henderson County Transportation Advisory Committee – 2 vac.

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

7. Henderson County Zoning Board of Adjustment – 2 vac.

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

8. Hendersonville City Board of Adjustment – 1 vac.

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

9. Housing Consortium, Asheville Regional – 1 vac.

Assistant County Manager Selena Coffey recommended Amy Brantley. *Commissioner McGrady made the motion to appoint Amy Brantley. All voted in favor and the motion carried.*

10. Juvenile Crime Prevention Council – 5 vac.

United Way had recommended Sheriff Rick Davis as their Representative. *Chairman Moyer made the motion to accept Sheriff Davis by acclamation. All voted in favor and the motion carried.*

11. Nursing/Adult Care Home Community Advisory Committee – 9 vac.

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

12. Planning for Older Adults Block Grant Advisory Committee – 3 vac.

Chair of the Committee recommended Catherine Lee, Silvia Crouse, and Howard Hess. *Commissioner McGrady made the motion to appoint Catherine Lee, Silvia Crouse and Howard Hess. All voted in favor and the motion carried.*

13. Senior Volunteer Services Advisory Council – 1 vac.

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

DISCUSSION ITEMS

Consideration of a Proposal to prepare an Adequate Public Facilities Ordinance (APFO) for Henderson County

County Manager Steve Wyatt stated there were issues developing at the legislature regarding this issue. It is somewhat controversial. It was the consensus of the staff to go ahead and put the Task Force together but to give them a charge at the front end to investigate the subject matter and come back with a feasibility study to identify both the positive and negative implications of moving forward. It would also be useful to get with individuals from other counties. This needs to be done prior to committing to the dollars.

Planning Director Anthony Starr agreed with staff. In Henderson County's case there is language in the State Zoning Statutes that says one of the reasons to adopt zoning and other provisions is to provide for the adequate provision of schools.

Chairman Moyer requested that as part of the Task Force they reexamine the issue as to whether the County can do this in-house. Several counties have adopted ordinances that could be examined. Staff and the Board need to determine what the feasibility to do this in-house would be and what it would take to accomplish it. Everyone was shocked at the \$80,000 price tag.

It was the consensus of the Board to go along with the County Manager's recommendation of bringing the charge back to staff to investigate the subject matter including a feasibility study to identify both the positive and negative implications of moving forward and bring it back to the Board.

Discussion of the Extension Request for Improvement Guarantee for the Timberwolf Subdivision (formally known as Jeter Mountain Subdivision)

Planner Matt Card stated that Mr. Jon Laughter on behalf of Mr. Mike Hunsader, agent for Jeter Mountain, LLC (property owner and developer), had submitted an application and Combined Master and Development Plan for the Timberwolf subdivision. Timberwolf is located on two parcels of land totaling approximately 70 acres in size located off of Jeter Mountain Road. The project site is located in the County Open Use (OU) zoning district, which does not regulate residential uses of land and is not within a designated Water Supply Watershed area. Timberwolf was approved with 37 single-family lots that will be developed in one phase. The developer plans for all of the homes to be served by private individual water and septic systems. Private roads will serve the development, with one main entrance on Jeter Mountain Road.

On April 18, 2006 the Planning Board conditionally approved the Application and Plans for Timberwolf. Condition #2 of the conditional letter of approval stated the developer should submit notice from NCDENR that a soil erosion and sedimentation control plan had been received, or provide documentation that no plan was required prior to beginning construction. According to Mr. Wayne Watkins with NCDENR, Timberwolf had an approved soil erosion and sedimentation control plan. Originally when the project started there was one notice of violation issued for soil erosion and sedimentation control. Mr. Watkins informed Mr. Card that during the last inspection the development was in compliance with state standards and the report states such.

On January 4, 2007 the Planning Department received a letter from Mr. Hunsader requesting to extend the completion date to August 31, 2007 from January 31, 2007. Staff went to the subdivision earlier to take pictures of the road and infrastructure in place. Mr. Card distributed copies of photos taken by the Planning Department to the Board.

Mr. Jon Laughter, Engineer for the project, stated that his last indication from NCDENR was that the project was within compliance with their requirements. The last road to be graded was Black Willow Trail which was in the process of being hydro-seeded. Stone was down on all of the roads. The property owner was requesting the Board to approve the guarantee for paving so that he can delay the paving until power and utilities are in. Mr. Laughter has monitored the work and there are no violations with the Corp of Engineers or Fish and Wildlife. Paving of roads and establishment of permanent seeding was all that was not completed. No active streams had been filled in. At the beginning of the project a road was proposed to go in a different location than it was actually built; however, when clearing was done and a stream found NCDENR requested that the cul-de-sac be moved back to avoid conflict with a stream.

County Attorney Russell Burrell explained that the Board should focus on what was in front of them at the meeting. This was a typical situation where a subdivision posts cash or a letter of credit as security that would enable the county to fulfill the role if the developer defaults. The request was for an extension of the deadline by which the road system must be completed. The extension is from January 31, 2007 to August 31, 2007. The amount of collateral existing is the amount that was required to do all of the road work. A portion is already complete so therefore, the collateral would more than amply cover the work that remains to be done and would cover the county for a period of 2 months after the deadline to complete the work. The amount of collateral is typically 125% of the estimated cost.

Commissioner McGrady made the motion that the Board approve the request to extend the completion date for the improvement guarantee. All voted in favor and the motion carried.

Offer to purchase former Land Development Building

County Manager Steve Wyatt explained that an offer to purchase the former Land Development building located at 101 East Allen Street was received. The appraised value of the property was \$1,338,000.00. The County has elected to sell this property. Mr. Wyatt had held two meetings with perspective buyers and subsequent to those meetings one letter had been received, of which the Board received a copy, with an offer to purchase for \$1,340,000.00. Based upon that offer, which is a fair and earnest offer from a local resident, the staff requests the Board authorize the upset bid process that is outlined under state law.

Commissioner Williams verified that at this point the Board was not saying that they were going to accept the offer; the Board is only opening it up for upset bid. He also requested that when the sell went through the money go into a capital project fund.

Commissioner Williams made the motion that the Board give preliminary approval, subject to publication and upset bid as required by Section 160A-269 of the General Statutes, of the offer to purchase the former Land Development building. All voted in favor and the motion carried.

EMS Billing and Collection

Finance Director Carey McLelland informed the Board that since the last meeting, one of the EMS billing employees had again left on medical leave. Due to this medical leave and the additional backlog that it could affect, two temporary employees had been hired, one with medical billing background to fulfill the billing and collections function in place of the employee who is out on medical leave. The other temporary employee will field phone and office inquiries, thus freeing up the billing clerks to process additional bills. Mr. McLelland expects that having an experienced billing clerk coupled with a temporary assistant to manage phone and office inquiries, they should be able to increase processing of billing charges from 2 per hour to 3 per hour. The billing and collections function requires only 2 positions as a standard; therefore the temporary positions can be given up once the backlog is eliminated.

Staff has analyzed the cost-benefit of contracting with an outside company to perform the EMS billing and collections functions versus continued in-house provision of these services. Two companies have provided quotes for performing this function on the County's behalf. These quotes range from \$131,250 to \$178,904. The County's current cost for performing these functions in-house is approximately \$75,880 annually. Therefore,

contracting with either of these 2 companies would cost the County between \$55,370 and \$103,024 more than the current in-house cost. Staff recommends that the EMS transport billing and collections functions remain in-house.

Commissioner Young made the motion that the Board approve that the EMS billing and collections functions remain in-house with the goal of bringing the billing current sooner, but not later than the current fiscal year end. All voted in favor and the motion carried.

Chairman Moyer recognized Julie Ball who covered Henderson County formerly with Asheville-Citizens Times. Ms. Ball is currently an Editor with Pisgah Mountain News.

Aerial (ortho) photography and surveyor choice

Research/Grant Coordinator Amy Brantley stated that in December of 2005, staff was contacted by the NC Center for geographic information and analysis regarding a grant opportunity for Henderson County. The grant was being offered because the state wanted to do land slide mapping post hurricane Ivan and Francis. At the time that the grant was offered it was for \$10,000.00 and an additional \$10,000.00 was offered to Haywood County. Staff proceeded to get informal quotes from bidders. The state then notified staff that Haywood County was not going to proceed and Henderson County would be able to get the full \$20,000.00 grant. If Henderson County elects not to proceed, the state will go ahead and do ortho for us however, they will not do us any good because of the scale that they are done at. The other issue was timing. If Henderson County is going to proceed the photos need to be done while leaves are not on the trees.

County Assessor Stan Duncan stated that orthophotography is what assessors refer to as corrected aerial photography. If you think about a typical aerial photograph shot with a conventional camera we might have in our home there is a foreshortening in the center of the image and an elongation of lines on the outside of the images, it's parallax distortion and is typical of any type of photography. Orthophotography corrects this. State standards require a digital elevation model be developed and that aerial triangulation be put into place and those standards are control devices that allow us to correct for distortions on the service of the curvature of the earth which is compounded by the lens distortion. Orthophotography is used as part of land records. Land records set the inventory bases for all real property; lots, acreage tract, any kind of deed correction that comes through. If a surveyor has already plotted out a development with lot line, roads, and so forth and sends it to land records in a digital file they are able to import it and with orthophotography set in place where it belongs and it can port to what the surveyor has as well. It does not require land records to go through trying to fit something into place. This was essential for the County going forward with accurate land records data from an assessment standpoint.

County Attorney Russell Burrell explained that frequently all the Counties that he was aware of which had done Ortho-photography in the last five years had exempted themselves. There are elements of surveying; which is one of the disciplines for which the request for qualification procedures is normally done. This is not the kind of surveying that you think of; man on the ground with transit shooting lines. There's more use of the plotting lines on corrected Ortho-photography. For the Ortho-photography services to be valid they must meet certain state standards that would not apply if you were just getting a survey.

Amy Brantley advised the Board that if the County did not proceed at this time they would essentially forfeit the grant. The cost should be covered by project money in the IT budget along with the grant money.

Katie Brewer of the IT Department stated that it was her understanding with the NC Flood Mapping that Henderson County does not qualify because we did not meet the criteria. We are getting, from the Flood Plain Mapping Program, lidar technology which is included in the RFP which lowers the over all cost. We are getting the benefit of the Flood Plain Mapping Program through data that is being received at no cost from the state which lowers our over all project cost for elevation data.

Commissioner McGrady made the motion that pursuant to G.S. §143-62.32(b), that the County exempt itself from the "Request for Qualification" procedure of Article 3D of Chapter 143 of the General Statutes, as to the selection of a surveyor for the County's orthophotography project, as (1) the orthophotos developed under this project will follow North Carolina Land Record Management Mapping Specifications, (2) the county has obtained orthophotos

in the past using the state Land Records Management Mapping Specifications, and (3) a number of mapping firms have experience using the state Land Records Management Specifications. All voted in favor and the motion carried.

Authority for Staff to award contract on Orthophotography (aerial photography)

Commissioner McGrady made the motion that the Board grant the Manager and his staff authority to accept the lowest acceptable bid compliant with the Request for Proposals for Orthophotography, and to enter into a contract for the same and not to exceed \$85,000 including the \$20,000.00 grant. All voted in favor and the motion carried.

Blue Ribbon Committee on Illegal Immigration Progress Report

There was nothing further at this time.

Blue Ridge Community College Issues

This item was removed from the agenda.

Proposal from PBC&L

This item was moved from Consent Agenda to a Discussion Item.

County Manager Steve Wyatt stated that after the agenda was set, he had received a call from NCDOT, wanting to discuss 6th Avenue Clubhouse and the right-of-way. He informed them that they would have to meet before the next meeting. They did meet the day before this meeting.

County Engineer Gary Tweed reported that he and the County Manager had met with NCDOT the prior day to consider the widening or improvements to US Highway 64 (Brevard Road). The 6th Avenue Clubhouse Property is approximately 4.68 acres. The widening and realignment of the road is requiring NCDOT to come into the property approximately 15 feet on the front of the property. The existing building and parking set back. The total acreage that NCDOT wants to acquire from the County is three hundredths of an acre. Mr. Tweed feels this would be a minimal impact to operation of the Clubhouse.

Steve Wyatt stated that the offer from NCDOT was \$32,100.00.

Another issue was that when the property was purchased there was a team put together to look at the status of the property and improvements that need to be made. Substantial issues were found with the property mostly with fire related issues. A budget was put together of \$100,000.00 to address the issues. Services of an architect were sought and two proposals have been received. The primary concern is a wooden fire escape on the back of the building that is in very poor condition and other issues inside the facility that need to be addressed by an architect. Mr. Tweed is unsure if the \$100,000.00 will cover the items listed for repair:

- Upgrade fire safety
- Protect gas meter with bollards
- Upgrade exterior stairs from second story
- Widen the interior stairs, if possible
- Update range hood
- Add fire extinguishers at appropriate locations.
- Address drainage to the side of the structure.

Commissioner McGrady made the motion that PBC&L Architects be approved for architectural services for the 6th Avenue Clubhouse rehabilitation project. All voted in favor and the motion carried.

UPDATE ON PENDING ISSUES

Mental Health Update

No updates at this time.

STAFF REPORTS

County Attorney's Report

There was nothing further at this time.

County Manager's Report

County Manager Steve Wyatt informed the Board that the Soil erosion and Sedimentation Control Grant was approved but for a much less amount. The states overall budget for this grant program was a little over \$100,000.00. There were four counties who applied for this grant. Three counties were qualified and split the money between them. Henderson County's application was for \$89,000.00 and we were awarded \$33,000.00. Action was taken based upon the quote of 40% that the state offered and within 48 hours prior to the meeting of the land records committee making this grant award Henderson County was notified that we would be \$55,000.00 short. This prompted a call to the Governor's Office where concerns were shared. Commissioner McGrady followed up with calls to the Legislative Delegation. The grants will actually go into effect October 1 and based on conversations with the Governor's Office and Representative Carolyn Justice's Office we believe that there is a benefit to the state in providing an incentive to counties. The suggested course of action is to draft a letter requesting additional funding in the amount of \$250,000.00 to \$300,000.00 which would be a great investment. This would allow the three counties; Henderson, Caldwell, and Lincoln to be funded and the state to get out of the sedimentation and erosion control business. The County is still on track to begin our program this fall but we will need to continue pursuing the grant funding in a different way.

Assistant County Manager Selena Coffey reported information in regards to the municipalities. Hendersonville is planning on looking at the resolution for enforcement of the ordinance in April. Laurel Park is doing the same in March. Flat Rock has already agreed for the county to enforce the ordinance. Mills River and Fletcher are planning meetings for discussion. The interest is high with all municipalities.

IMPORTANT DATES**Set Public Hearing on Vested Rights Application (VR-2007-01) for the development known as "The Glen and Highlands at Flat Rock"**

Commissioner Williams made the motion to accept the vested rights application (VR-2007-01) and schedule a quasi-judicial public hearing for Monday, March 26, at 7:00 P.M in the Board of Commissioners' meeting room. All voted in favor and the motion carried.

Land Development Code

Planning Director Anthony Starr stated that West Henderson High School is available on April 17 for a Public Input Meeting and therefore, the Public Hearing could be scheduled for April 24.

Chairman Moyer made the motion to set the dates for 5 special called meetings for public input and 1 public hearing in accordance with the schedule Anthony Starr had prepared as follows:

March 20 at 7:00 P.M. at the Patterson Center at Fletcher Academy

March 27 at 7:00 P.M at Atkinson Elementary School Gym

April 3 at 7:00 P.M. at Blue Ridge Community College in Thomas Auditorium

April 10 at 7:00 P.M. at Justice Academy Gym

April 17 at 7:00 P.M. at West Henderson High School Auditorium

Final Public Hearing-April 24 at 7:00 P.M. in Board of Commissioners' meeting room

All voted in favor and the motion carried.

CANE CREEK WATER & SEWER DISTRICT - no business

Commissioner McGrady made the motion for the Board to go into closed session as allowed pursuant to NCGS 143-318.11 for the following reason: All voted in favor and the motion carried.

CLOSED SESSION

1. (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.

Commissioner McGrady made the motion for the Board to go out of closed session. All voted in favor and the motion carried.

ADJOURN

Commissioner McGrady made the motion to adjourn. All voted in favor and the motion carried.

Attest:

Deputy Clerk to the Board Terry Wilson

Chairman William L. Moyer