

DRAFT MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MAY 7, 2009**

The Henderson County Board of Commissioners met for a special called meeting at 7:00 p.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Larry Young, Commissioner Chuck McGrady, Commissioner Mark Williams, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, Associate County Attorney Sarah Zambon and Clerk to the Board Teresa L. Wilson.

Also present were: Public Information Officer Pam Brice, Finance Director J. Carey McLelland, PIO Intern Christina DeStefano, Planning Director Anthony Starr and Planner Autumn Radcliff.

CALL TO ORDER/WELCOME

Chairman Moyer called the meeting to order and welcomed all in attendance. The purpose of the meeting is a Public Hearing in regards to the Etowah and Horse Shoe Communities Draft Plan.

Commissioner McGrady made the motion that the Board go into public hearing for purposes of considering the Etowah and Horse Shoe Communities Plan. All voted in favor and the motion carried.

Chairman Moyer stated that this is the Board's opportunity to hear from the public in respect to the plan. We have heard from the committee, the Planning Board, and the Planning Department. He explained the process for addressing the Board, stating that the Clerk to the Board will identify the person who is first on the list and then will give the name of the next person who will speak so they can be ready. Each person will have three minutes to speak. When the timer beeps your time is up so please wrap up your comments at that time. He explained that this is a time for the public to make comments, not a time for dialogue. After the Board has heard from everyone that would like to speak, the public hearing will be closed and the Commissioners may or may not have discussions and/or take action with respect to what is heard.

Public Input

1. Nancy Glowacki – Ms. Glowacki is the President of the League of Women Voters (LWVHC) of Henderson County. She lives in the county but not in the Etowah district. The LWVHC believes that land is a finite resource and carries with it the responsibility of immediate and forward reaching stewardship. Respect for the environment, economic and social consequences of land use must be the basis of all planning, regulations, implementation and enforcement. They believe that the elected officials are entrusted with and responsible for all aspects of land stewardship in Henderson County including consistent implementation of and further improvement of the County's established Land Development Code and the Soil and Erosion Ordinance. Our elected officials are also responsible for and accountable for the secondary impacts of growth and development on human resources. The League has had a land use position since 1988 and they find the Etowah and Horse Shoe Plan to be consistent with their positions. Specifically the League supports identification and limitations in the use of fragile environments. The Etowah / Horse Shoe Plan includes appropriate steep slope regulations, storm water regulations and restrictions on public waterlines in rural areas. The League also supports the implementation of positive land use goals and plans. The Etowah / Horse Shoe Plan includes an open plan that protects woodlands and other open space. The League supports the review of environmental, social and economic impacts on major and private developments. In addition to the restrictions and regulations already mentioned, the Etowah / Horse Shoe Plan includes requiring water supply studies by developers before development approval. Additionally the League has had a solid waste position since 1989 and they find that the Etowah / Horse Shoe Plan is also consistent with this position. Specifically the League supports an integrated

DATE APPROVED:

solid waste management position that ensures the safe treatment, transportation, storage and disposal of solid waste in order to protect public health and air, water and land resources. The Etowah / Horse Shoe Plan includes provisions for waste water treatment that does not rely on so called package plants. For these reasons and many others which have been enumerated by the members of the Etowah / Horse Shoe Communities Advisory Committee and by other concerned citizens of Henderson County. The League of Women Votes of Henderson County supports the draft Etowah / Horse Shoe Communities Plan. They request and hope that the Board approves the draft plan as presented without delay.

2. Bruce Bell – Mr. Bell has lived in Etowah his entire life. He applauded the Commissioners for taking an interest in the community and believes that this is a good concept. It is a concept that is good for all areas of the county. He is unsure if the following items are needed in Etowah: a Main Street, a bridge at McKinney Road or any road widening along Brickyard Road. A couple of the main concerns he has heard discussed are traffic congestion and over development. If the roads are widened and the ability to carry traffic is increased in infrastructure he felt that it would guarantee congestion and over development. He is for the sewer monitoring, and noticed at a recent meeting the Board discussed the possible purchase of the Etowah Sewer Company. He encouraged the Commissioners to explore this possibility. He also encouraged the Commissioners to develop and tailor this plan for all the people of Etowah and Horse Shoe, not any special interest groups; what's best for everybody.
3. Dave Lowles – Mr. Lowles lives in the County but not the Etowah district. He is the Chair of the Environmental Advisory Committee which has discussed this plan several times and voted unanimously to recommend that it be adopted. He pointed out a couple of things the committee continues to work on; prohibition of waterline extensions in rural areas, storm water regulations and steep slope issues.
4. David Hudelson – Mr. Hudelson lives in the Etowah district. He commended the Small Area Committee for a marvelous job of putting the plan together. He commended the Planning Commission for endorsing the plan unanimously. Mr. Hudelson is glad to see that the Commissioners saw fit to vote on the water issue announced in the paper the week prior. The issues with the plan that he is concerned with are water issues, particularly ground water and well water. It is very difficult to monitor ground water in the development in the high mountains according to the state hydrographic survey. He was gratified that the plan talks about the need to consolidate package plants; not only the ones that exist today but the ones which may be developed in the future. These package plants have a very high failure rate and when they do fail it is a threat to water quality. It is a superb plan and he hopes the Commissioners will see fit to approve it.
5. Marijane Pell – Ms. Pell lives in the Etowah district. She feels that the Board is moving in the right direction in some of their recent decisions. The public wants the Commissioners to protect open spaces and water rights. The Etowah / Horse Shoe plan speaks to these issues and many more. It is a rural area and one that wants to stay rural and undeveloped as possible. This can be helped by adopting the land development act to implement the needs and desires of this area. She would like the steep slope rule changed to a lesser degree so that people in Etowah can only build on slopes of 25% or less. She believes that discussions were held in regards to consolidating waste water treatment plants and hopes the Board will move forward with this. The current plant in Etowah has had several overflows which of course impact Gash Creek which runs beside the Etowah Park where children play ball and ride bikes. She understands that the Board recently voted that new plants must be approved by the Commissioners or at least the Planning Board. Please vote for this plan and take the necessary steps to implement it.

Chairman Moyer reminded the speakers to keep their comments to the Etowah / Horse Shoe Plan.

6. David Nicholson – Mr. Nicholson lives in the Etowah district. He thanked the Committee for all their hard work. The community is fortunate that growth has slowed down across the county because of the economic situation. Etowah will continue to grow but not at the same rate we are used to. His main concern was the discussion of Main Street on Brickyard. He lives on Brickyard

Road but not in the area discussed for Main Street. It does not make sense to add commercial development along that portion of Brickyard Road. Also the idea of keeping Etowah self-contained was one of the reasons he felt it was included. They are pretty much self-contained now. There is plenty of commercial along Hwy. 64. Mr. Nicholson discussed the zero front backs on commercial property. He did not feel this was a good idea and offered reference to the property across from Fletcher Town Hall.

7. Richard Freudenberger – Mr. Freudenberger does not reside in the Etowah district. He believes the plan is an excellent model for future plans and supports it especially with regard to the consolidation of the package plants into a more controllable single reliable system and the restriction of public water lines in the rural agricultural areas. The steep slope guidelines are critical as there is potential for mudslides, erosion and lack of control in weather situations. He is not concerned that this will stop development. He requested the Board vote in favor of the plan as it would be a positive plan for the future.
8. Angela Fernandini – Ms. Fernandini lives in the Etowah district. She was in hope of the plan being approved. In the section discussing community facilities and services she felt that if major subdivisions are coming in that would affect the school capacity the developers should be ready to provide some of the funding for improvements. She did not feel that the parks or greenways needed expanding and was against making a greenway on the railroad line. The water tower had been there for many years and was part of their rural character and Ms. Fernandini did want to see this changed. She felt that the transportation issues covered in the plan should be left to the NCDOT. She was not in favor of the Main Street on Brickyard Road. Ms. Fernandini was against changing any of the R40 zoning.
9. David Weintraub – Mr. Weintraub does not live in the Etowah district. He represents 50 members of ECO that do live in the Etowah district. He was impressed by the hard work of citizens from the community to gather a plan that if implemented could go a long way with protecting this communities rural character. In looking at a plan that develops open space plans, restricts water line extensions, remediates the compromise of watersheds, adopts storm water regulations, looks at waste water treatment and steep slopes, and helps to promote sustainable agriculture, the County could make some major headway in protecting its natural heritage. Several conditions mentioned have brought up concern of the cost of implementation. The NC State Department of Agriculture reports that farming brings in \$428 million per year to Henderson County. NC Department of Commerce reports that the County brought in over \$200 million last year in tourism. Presumably tourists come here to visit our farms, enjoy our mountains...uncovered by development, boat and fish in unpolluted streams and drive along country roads that are still country roads. These are the things the plan was designed to protect. The effect of residential development on the economy is that Henderson County lost nearly \$14 million per year as a result. He encouraged the Boards support for the Etowah / Horse Shoe plan.
10. Jeri Peterson – Ms. Peterson lives in the Etowah district and is a member of the Etowah / Horse Shoe Small Communities Planning Committee. The study began eighteen months ago and a great deal of time was spent interviewing people, looking at information from the planning staff and other sources to develop the plan. There is an overwhelming concern by the community about growth predicted. The committee feels that the plan is a sensible approach for future growth. The committee understands the concern about money for some of the recommendations made and some may have to be put on the back burner. Some of the plans however can be done immediately because they feel that there may be development, even though stalled at this time by the economy that could affect the community immediately. She spoke in regards to possible development on Horse Shoe Mountain. The committee urges the Board to work with Land-of-Sky Regional Councils study on steep slope and ridge line.
11. Jerry Merrill – Mr. Merrill lives in the Etowah district. He questioned what would slow the rapid growth in Henderson County. Mr. Merrill noted possibly steep slope laws, economical downturns, public opinion. He felt that one of the most critical issues we have is water; its distribution and who gets to use it. (Chairman Moyer asked Mr. Merrill to stick to the issue of the Etowah / Horse Shoe

Small Communities Plan) He applauded the Board on their action of securing water resources before starting development.

12. Phil Alexander – Mr. Alexander does not live in the Etowah district. He feels the plan is a very good start. He would like to see a stop to the come-one, come-all policy of allowing development to move into Henderson County. He was in support of the plan and hoped for more strict regulations on hillside development in Henderson County. Mr. Alexander supports the expansion of local parks and greenways. This promotes wildlife preservation and improves the quality of life for people who live there. He would like to see that plan implement a local recycling center in the Etowah / Horse Shoe area. The Main Street should be considered more on Hwy. 64, as Brickyard Road is more residential area.
13. Katie Breckheimer – Ms. Breckheimer does not live in the Etowah district. When guests come to visit they question the names of local towns; Horse Shoe, Bat Cave. What this plan is doing is what has been promised to all areas of the county. The Board must look at what we have and do what is necessary to protect it.
14. Richard Naylor – Mr. Naylor does not live in the Etowah district. He moved here because of the beauty of the area from California. He is in support of the plan and stated that we need to practice stewardship of the area.

Close the Public Hearing

Commissioner McGrady made the motion for the Board to close the public hearing. All voted in favor and the motion carried.

Board Discussion

Chairman Moyer thanked Ken Allison and the committee for the tremendous amount of work that were put into this plan. He also thanked the residents of Etowah / Horse Shoe for their inputs. These are long difficult processes with ups and downs. Based on the plan seen so far a great product has been produced that is good for the area.

Commissioner McGrady supports the plan. He feels that portions of the plan may be reflective of the Etowah / Horse Shoe vision but are not our bailiwick like roads, etc. At the end of the process aside from adopting a plan, we may need to then look at a potential of putting into place an overlay district of some sort that would reflect the proposals Etowah / Horse Shoe are asking to have applied to their small portion of this county. He questioned when we might expect the implementation of recommendations within our bailiwick.

Chairman Moyer stated that the Board would need to look at the plan section by section in order to determine if the Board wanted to adopt all or any of a portion of the plan. Sections, for example that deals with roads, may be referred to the Transportation Advisory Committee. When you look at lane use restrictions, steep slopes, etc the Planning Department would have to study how to address these issues in ordinances that would apply to the area. He was troubled by the issue of the Main Street as he wasn't sure how it would be implemented or stopped. Chairman Moyer was not ready to adopt a plan that has portions that he did not endorse.

Commissioner McGrady, though generally supportive of the plan, also had two or three things that he did not agree with.

Chairman Moyer would be in favor of endorsing the plan but with a list of areas that were not being endorsed but left in the plan for further study at an appropriate time.

After further discussion the consensus of the Board was to look at the plan further and commit to

May 7, 2009

5

action by the end of July.

ADJOURN

Commissioner McGrady made the motion to adjourn at 7:55 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

William L. Moyer, Chairman