

November 6, 2017
5:30 p.m.

PUBLIC HEARING

Public Hearing regarding economic development incentives for "Project Mountain".
Sign-up Sheet

Please Print

Name:

Address:

1.	Dennis Justice	31 Tanis Lane Fletcher NC 28732
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HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
Hendersonville, North Carolina 28792
Phone: 828-697-4808 • Fax: 828-692-9855
www.hendersoncountync.org

J. MICHAEL EDNEY
Chairman
GRADY H. HAWKINS
Vice-Chairman

CHARLES D. MESSER
WILLIAM G. LAPSLEY
THOMAS H. THOMPSON

NOTICE

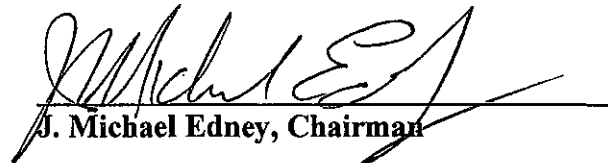
*PUBLIC HEARING

DATE: Monday, November 6, 2017

TIME: 5:30 p.m.

PLACE:
Commissioners' Meeting Room
1 Historic Courthouse Square, Hendersonville

SUBJECTS TO BE CONSIDERED: **Public Hearing regarding economic development incentives for "Project Mountain"**



J. Michael Edney, Chairman

- = Action may be taken with respect to any of the items to be discussed at this meeting.

Times-News

BlueRidgeNow.com
Times-News Online

Order:	J000603207	Pubs:	2,3	Rate:	LE
Phone:	(828)697-4719	Class:	0001	Payments:	\$ 0.00
Account:	32002034	Start Date:	10/26/2017	Balance:	\$ 48.00
Name:	N/A,	Stop Date:	10/26/2017	Lines:	89
Caller:		Insertions:	2		
Taken By:	S037	Columns:	1		
Schedule:	HTN Times News	10/26 1x		Taken On:	10/19/2017
SalesRep	Nancy Mullinax				

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to N.C. Gen. Stat. §158-7.1 that the Henderson County Board of Commissioners will hold a public hearing at a special meeting on November 6, 2017, at 5:30 p.m. or as soon thereafter as the Board can consider the matter, to consider the request of economic development "Project Mountain", for economic development incentives. The company has requested to remain anonymous at this time due to competitive pressures.

Project Mountain, is a manufacturing concern located inside and outside the United States (and Henderson County) contemplating expansion at its site in Henderson County. The expansion is competitive internally in the company, competing against a sister plant located in another state.

Under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by Project Mountain of at least \$3,300,000.00 in real property (not including any land acquisition costs), and \$4,000,000.00 in business personal property (equipment). The project would result in the creation of fifteen (15) new jobs, at an average wage in excess of \$41,000 (which is in excess of the average wage in Henderson County for full-time employment), plus other benefits. The contemplated incentives would last for a period of five years. The first year's

incentive, if granted, would be not more than \$28,871.50, based on the new investment, the number of new employees, and the Board's incentives guidelines. The maximum amount of incentives to be considered in this grant over the five years would be \$127,468.00

Henderson County will consider granting assistance toward the investment of Project Mountain.

If approved, the request would be funded through the general property tax revenue. The hearing will be held in the Commissioners Meeting Room of the Historic Courthouse, located at 1 Historic Courthouse Square, Hendersonville, NC. The public is invited to attend and comment.

Teresa L. Wilson, Clerk to the Henderson County Board of Commissioners

10/26

603207HC

Attention: _____ Fax: _____

This is a final proof. If any information is incorrect, please contact your sales representative prior to the deadline of the first insertion. Otherwise your order is accepted as having been approved.

November 6, 2017

5:30 p.m.

PUBLIC HEARING

Public Hearing to consider the issue of a moratorium on certain residential development in order to allow for the consideration of the revision of the County's land development ordinance (Chapter 42 of the Henderson County Code)

Sign-up Sheet

Please Print

Name:	Address:
1. Douglas Jenkins	28 Hunters Lane
2. RUSSELL WILLIAMS	50 SAGEBRUSH CTR. ETOWAH
3. Laura Branister	11 Surrey Run Hvl
4. Peggy Smith	21 Hunters Lane
5. KEN WORKMAN	P.O. BOX 127 ETOWAH
6. Wynn Halper	26 Hunters Lane, Hillside 28771
7. Susane Brown	103 SILVERPINE DR, LAUREL PARK 28739
8. GLEN ENGRAM	230 MILLARD J DR, HVILLE 28739
9. Susan Pfeiffer	12 Caroline Drive Etowah
10. LUTHER SMITH	129 Third Ave West
11. MARIANNE PELL	2400 W. Creek Dr. Church
12. MATT HOLBANG	134 Rolling Hills Rd Mt. Hills Road
13. CHIP HOLTZ	203 W King St, EF Rock NC 28759
14. Chris Berg	6 Rosemary Trail Flat Rock 28731
15. WARD SEGUIN	69 W FAIRWAY DR, ETOWAH 28729
16. MARTHA ROLLEFSON	27 Moland Drive
17. RICHARD CUYLER	30 FOXBORO CT, ETOWAH 28729
18. David Weintraub	711 S Grove St, Hvl, NC 28792
19. Suzi Leonard	295 Blatow Place Etowah 28729
20. JERRY A. DAVID	324 BENJAMINE WAY 28792
21. Tom Christ	5250 HENDERSONVILLE RD 28757
22. SUSAN BUTTERMORE	6 Wickham Way Hville 28791
23. RICHARD FRIEDENBERGER	255 Waveren Hville NC 28739
24. Katie Breckheimer	1393 Macedonia Rd Saluda 28773
25. Sarah Gyms	602 Kanuga Rd Hville NC

Please Print

Name:

Address:

- | Name: | Address: |
|----------------------------------|--|
| 26. Ken Fitch | 1046 Patton St Hendersonville |
| 27. TONY LAUGHTER | 110 Laughter Farm Lane Etowah |
| 28. Gray Jernigan | 611 N. Church St. Suite 101 Hendersonville |
| X29. Jeff Michels (Not speak) | 924 TOXAWAY CT |
| 30. | |
| 31. | |
| 32. | |
| 33. | |
| 34. | |
| X35. Michael Roberts (Not Speak) | |
| 36. | |
| 37. Lori FRANZONI | Cummings Cove |
| 38. | |
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WILLIAM G. LAPSLEY

NOTICE

*PUBLIC HEARING

DATE: Monday, November 6, 2017

TIME: 5:30 p.m.

PLACE:
Commissioners' Meeting Room
1 Historic Courthouse Square, Hendersonville

SUBJECTS TO BE CONSIDERED:

Public Hearing to consider the issue of a moratorium on certain residential development in order to allow for the consideration of the revision of the County's land development ordinance (Chapter 42 of the Henderson County Code)



J. Michael Edney, Chairman

- Action may be taken with respect to any of the items to be discussed at this meeting. At the conclusion of the hearing, if the Board is so inclined, it may consider adoption of an ordinance adopting a temporary moratorium pursuant to N.C. Gen. Stat. §153A-340(h). The moratorium could be defined by any or all of parcel size, area in the County, or proposed development intensity.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to N.C. Gen. Stat. §153A-340(h) and §153A-323, that the Henderson County Board of Commissioners will hold a public hearing at its regular meeting on November 6, 2017, at 5:30 p.m., or as soon thereafter as the Board can consider the matter, to consider the issue of a moratorium on certain residential development in order to allow for the consideration of the revision of the County's land development ordinance (Chapter 42 of the Henderson County Code). At the conclusion of the hearing, if the Board is so inclined, it may consider adoption of an ordinance adopting a temporary moratorium pursuant to N.C. Gen. Stat. §153A-340(h). The moratorium could be defined by any or all of parcel size, area in the County, or proposed development intensity.

The public hearing will be held in the Commissioners Meeting Room of the Historic Courthouse, located at 1 Historic Courthouse Square, Hendersonville, NC. The public is invited to attend and comment.

Teresa L. Wilson, Clerk to the
Henderson County Board of Commissioners



Request for Legal Advertisement Publication

TO: The *Times-News*

Note: This form should be emailed as an attachment, along with another Microsoft Word document of the advertisement itself, to legals@blueridgenow.com, with copy to nancy.mullinax@gatehousemedia.com.

FROM: Charles Russell Burrell
DEPARTMENT: Office of the County Attorney
EMAIL ADDRESS: rburrell@hendersoncountync.org
TELEPHONE: 828-697-4719

Enclosed is a legal advertisement for publication.

The attached advertisement should be published **two (2)** times, on the following schedule: run on October 25, 2017, and November 1, 2017.

Billing information:

Please bill for this publication, pursuant to the agreement between the *Times-News* and the County under the RFP approved by the Board of Commissioners on July 19, 2017, to the following department or office of Henderson County government (unless special instructions are given, below; department/office heads, please use no more than one address for this to insure that all bills and affidavits are properly addressed):

Ms. Teresa Wilson
Clerk to the Board of Commissioners
1 Historic Courthouse Square
Hendersonville, NC 28792

A short description of this advertisement for billing purposes is:

Moratorium public hearing

I understand that the bill will be mailed to the address stated above, unless special instructions are given, below.

Publisher's Affidavit:

The completed publisher's affidavit will be mailed to the same address as the Department billed.



Planning Department
100 North King Street
Hendersonville, NC 28792

June 13, 2014

RE: White Oak

Dear VCG Properties LLC:

The White Oak subdivision was originally approved in December 21, 2004 by the Henderson County Planning Board. On October 22, 2007 the Planning Director determined a common law vested right shown in Attachment 1.

For the following reasons we would like to agree to a June 30, 2018 deadline for subdivision development:

- The subdivision was granted vested rights on October 22, 2007 as described in Attachment 1.
- The Permit Extension Act of 2009 (S.L. 2009-406) and its amendment S.L. 2010-177 tolled the remaining approval time from January 8, 2008 to December 31, 2011.
- While case law does not define an established timeframe for a common law vested right, related legal precedent indicates a "reasonableness" standard would apply.
- In an effort to avoid confusion and possible litigation, Henderson County Planning Department would like to negotiate with you a deadline for development of this subdivision.

If this deadline is acceptable to you, please sign below and return to our office no later than June 27th, 2014. If you do not find this deadline acceptable please call our office and provide an alternative deadline with documentation proving this need. You must contact our office no later than June 27th, 2014, either by calling our office or sending this letter back signed. If we do not hear from you by this date we will assume the project is completed or abandoned and the project will no longer have common law vested rights. Please let me know if you have any questions or if I may be of further assistance.

Sincerely,

Autumn Radcliff
Senior Planner

I understand and agree to the development deadline of **June 30, 2018** for the above stated reasons and understand that if the development is not completed by that date, the development will need new approvals for the plans based on the Henderson County Land Development Code.

For Development:

Print name: VGC Properties LLC

HOWARD GEORGE

Sign: [Handwritten Signature]

Date: 6-27-14

Phone: 828.697.4819

www.hcplanning.org

Word version

Board of Commissioner Meeting Comments for Monday, November 6, 2017

Proposed Moratorium on Certain Residential Development

- On September 16, 2009, the Board of Commissioners voted to implement the Etowah and Horse Shoe Communities Plan
- The plan contains eight topic areas and 40 sub-bullets referred to as goals and objectives
- My contention is the plan failed to live up to its potential for five reasons:
 - It does not have action items with defined target dates/milestones
 - It does not have some key metrics which could be used to manage community growth against
 - Annual progress reviews are not held
 - It has not received a significant update
 - The vast majority of the citizens probably don't know the plan exists.
- With this in mind, I would like to propose the Commission take the following immediate steps to revise and update the plan
 - Ask the Planning Department to reconstitute the Etowah and Horse Shoe Communities Advisory Committee by December 15th, next month and identify Planning Dept. resources for the purpose of updating the Plan
 - Convene a meeting of the Advisory Committee on or before January 5th, 2018, and charge the Committee.
 - Ask the Committee to identify revisions to the Plan by February 28th.
 - Working with the Planning Dept., have the Committee complete revisions by May 30.
 - This body could approve and implement the revised plan at your first meeting in June 2018.
 - To insure approval, the Commissioners should stay abreast of progress each month and review drafts as they become available.

- In January 2019, Commissioners would then review Plan milestone accomplishments for the previous six months, entertain updates to the Plan, and review likelihood of success those milestones falling in 2019.
 - Each 2019 milestone would be assigned a green, yellow, red designation to allow Commissioners to focus ON potential problem areas.
- This sort of annual review would then be performed every January thereafter.
- The Commissioners should not implement a moratorium without a Plan for moving forward.
- Let's make the Etowah-Horse Shoe Plan part of whatever process the County implements to address future growth in the County.
- This proposal will move the County from being in a "reactive mode" to a "proactive mode."
- It will provide measureable action items to track progress and identifiable metrics against which future growth can be assessed.
- It provides for a way to revise the plan annually, if necessary
- Our communities stand ready to work with you in a structured-organized way.
- If it serves the County, use this proposal as a prototype for updating other Community plans.
- Please give this proposal serious consideration.
- Thank you

Prepared by Ward Seguin

Etowah,NC

PUBLIC COMMENT SIGNUP SHEET

NOVEMBER 6, 2017

Pursuant to N.C. Gen. Stat. §153A-52.1, the Henderson County welcomes public comment at its meetings. Please note that each speaker is limited to three (3) minutes, unless a different time limit is announced. Also, the Board may adopt rules limiting the number of persons speaking taking the same position on a given issue, and other rules regarding the maintenance of good order.

Each speaker should be aware and by their signatures hereto they agree that their comments may be recorded (by audio-visual recordings, photography or other means), and may be (but are not required to be) broadcast by the County as a part of the broadcast of this meeting, or as a part of the County's programming on its local video channel(s). By their signature they further agree that Henderson County is and will be the sole owner of all rights in and to such programming. The undersigned hereby indemnifies Henderson County, its employees and agents, against any and all claims, damages, liabilities, costs and expenses arising out of the use of the undersigned's images and words in connection therewith.

1. Doug Jenkins
PRINTED NAME SIGNATURE
Doug Jenkins
Topic
28 Hunters Lane
MAILING ADDRESS

2. ~~KENNETH WORKMAN
PRINTED NAME SIGNATURE
P.O. Box 127
Topic
ETWING, N.C. 28729
MAILING ADDRESS~~

3. ~~Laura Bannister
PRINTED NAME SIGNATURE
11 Surrey Road
Topic
HVL NC 28791
MAILING ADDRESS~~

4. Peggy SMITH
PRINTED NAME SIGNATURE
21 Hunters Lane
Topic
MAILING ADDRESS

5.

~~Michael ROBERTS~~

~~PRINTED NAME~~

~~15 CARRINGP Ct~~

~~HENDERSONVILLE NC~~

~~MAILING ADDRESS~~

~~Michael Roberts~~

~~SIGNATURE~~

~~Hwy 64 Development~~

~~Topic~~

6.

~~WARREN HALPER~~

~~PRINTED NAME~~

~~26 Hunters Lane~~

~~Hendersonville NC 28791~~

~~MAILING ADDRESS~~

~~Warren Halper~~

~~SIGNATURE~~

~~Hwy 64 Development~~

~~Topic~~

7.

~~SUSANE BROWN~~

~~PRINTED NAME~~

~~103 Silver Pine Dr~~

~~Lamel Park 28739~~

~~MAILING ADDRESS~~

~~Susane Brown~~

~~SIGNATURE~~

~~Hwy 64 Devl Monatorium~~

~~Topic~~

8.

~~GLEN ENGRAM~~

~~PRINTED NAME~~

~~230 MILLARD J DR~~

~~HVILLE 28739~~

~~MAILING ADDRESS~~

~~Glen Engram~~

~~SIGNATURE~~

~~monatorium~~

~~Topic~~

9.

~~Sarah Graynes~~

~~PRINTED NAME~~

~~602 Kanuga Rd~~

~~Hville 28739~~

~~MAILING ADDRESS~~

~~Sarah Graynes~~

~~SIGNATURE~~

~~monatorium~~

~~Topic~~

10.

~~Susan Buttermore~~

~~PRINTED NAME~~

~~6 Wickham Way~~

~~Hville 28791~~

~~MAILING ADDRESS~~

~~Susan Buttermore~~

~~SIGNATURE~~

~~Topic~~

11.

Ken Fitch
PRINTED NAME
1046 Patton S
Hendersonville NC
MAILING ADDRESS

Ken Fitch
SIGNATURE
Edneyville Sewer Kamgo
Topic

12.

PRINTED NAME

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16.

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MAILING ADDRESS

SIGNATURE

Topic

From The New World Atlas
of Sky Brightness

5/15/21 [unclear]

Ratio to natural brightness	Artificial brightness ($\mu\text{cd}/\text{m}^2$)	Approximate total brightness (mcd/m^2)	Color
<0.01	<1.74	<0.176	Black
0.01-0.02	1.74-3.48	0.176-0.177	Dark gray
>0.02-0.04	>3.48-6.96	>0.177-0.181	Gray
>0.04-0.08	>6.96-13.9	>0.181-0.188	Dark blue
>0.08-0.16	>13.9-27.8	>0.188-0.202	Blue
>0.16-0.32	>27.8-55.7	>0.202-0.230	Light blue
>0.32-0.64	>55.7-111	>0.230-0.285	Dark green
>0.64-1.28	>111-223	>0.285-0.397	Green
>1.28-2.56	>223-445	>0.397-0.619	Yellow
>2.56-5.12	>445-890	>0.619-1.065	Orange
>5.12-10.2	>890-1780	1.07-1.96	Red
>10.2-20.5	>1780-3560	>1.96-3.74	Magenta
>20.5-41	>3560-7130	>3.74-7.30	Pink
>41	>7130	>7.30	White

