

PUBLIC COMMENT SIGNUP SHEET

4/18/2022

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. ✓ Barbara Hill White
PRINTED NAME
P.O. Box 13
Edneyville, N.C. 28727
MAILING ADDRESS

Barbara Hill White
SIGNATURE
Solar Energy
Topic

2. ✓ Richard Freudenberger
PRINTED NAME
255 Wla
H'ville, NC
MAILING ADDRESS

Richard Freudenberger
SIGNATURE
Solar
Topic

3. ✓ Angela Fernandini
PRINTED NAME
POB 775
Horse Shoe, NC
MAILING ADDRESS

Angela Fernandini
SIGNATURE
Solar
Topic

4. ✓ BARBARA A. Barnett
PRINTED NAME
602 Water Oak Lane
Hendersonville, NC
MAILING ADDRESS 28791

Barbara A Barnett
SIGNATURE
Solar Farms
Topic

5. ✓ Wanda Case Tolar
PRINTED NAME
11 Greenbriar Ave
Flat Rock, NC
MAILING ADDRESS

Wanda Case Tolar
SIGNATURE
4 foot Retaining Wall @
Topic Hwy 176 / Upward Rd
Blocking Businesses.

6. ✓ Janica Parker
PRINTED NAME
506 Glover St
Hendersonville 28792
MAILING ADDRESS

Janica Parker
SIGNATURE
Solar Farms
Topic

7. ✓ Ellen W. Rogers
PRINTED NAME
PO Box 1126
Saluda NC 28773
MAILING ADDRESS

Ellen W R
SIGNATURE
Solar
Topic

8. ✓ DANNY BARNWELL
PRINTED NAME
239 Jackson Rd
Fletcher NC 28732
MAILING ADDRESS

D B O
SIGNATURE
Solar
Topic

9. ✓ RICHARD Green
PRINTED NAME
91 DESANT View DR
Asheville NC
MAILING ADDRESS

Richard H. Green
SIGNATURE
SOLAR
Topic

10. ✓ JOHN Green
PRINTED NAME
171 Rolling Meadow Rd
Fletcher, NC
MAILING ADDRESS

John E. Green
SIGNATURE
Solar
Topic

11. ✓ Dennis Justice
PRINTED NAME
31 Tamis Lane
Fletcher, NC 28732
MAILING ADDRESS

Dennis Justice
SIGNATURE
Pardee / Mission Joint Venture
Topic

12. ✗ Angela Robbs
PRINTED NAME
502 B Ciccione Dr.
Hvillie NC 28791
MAILING ADDRESS

left

Angela Robbs
SIGNATURE
BRCC
Topic

13. ✓ Marcia Pace
PRINTED NAME
PO 301
Edneyville 28727
MAILING ADDRESS

Marcia Pace
SIGNATURE
solar
Topic

14. ✓ GLEN ENGRAM
PRINTED NAME
230 MILLARD J DR
MENPERSONVILLE 28799
MAILING ADDRESS

Glen Enggram
SIGNATURE
County Budget
Topic

15.

PRINTED NAME

MAILING ADDRESS

SIGNATURE

Topic

16.

PRINTED NAME

MAILING ADDRESS

SIGNATURE

Topic

17.

PRINTED NAME

SIGNATURE

Topic

MAILING ADDRESS

18.

PRINTED NAME

SIGNATURE

Topic

MAILING ADDRESS

19.

PRINTED NAME

SIGNATURE

Topic

MAILING ADDRESS

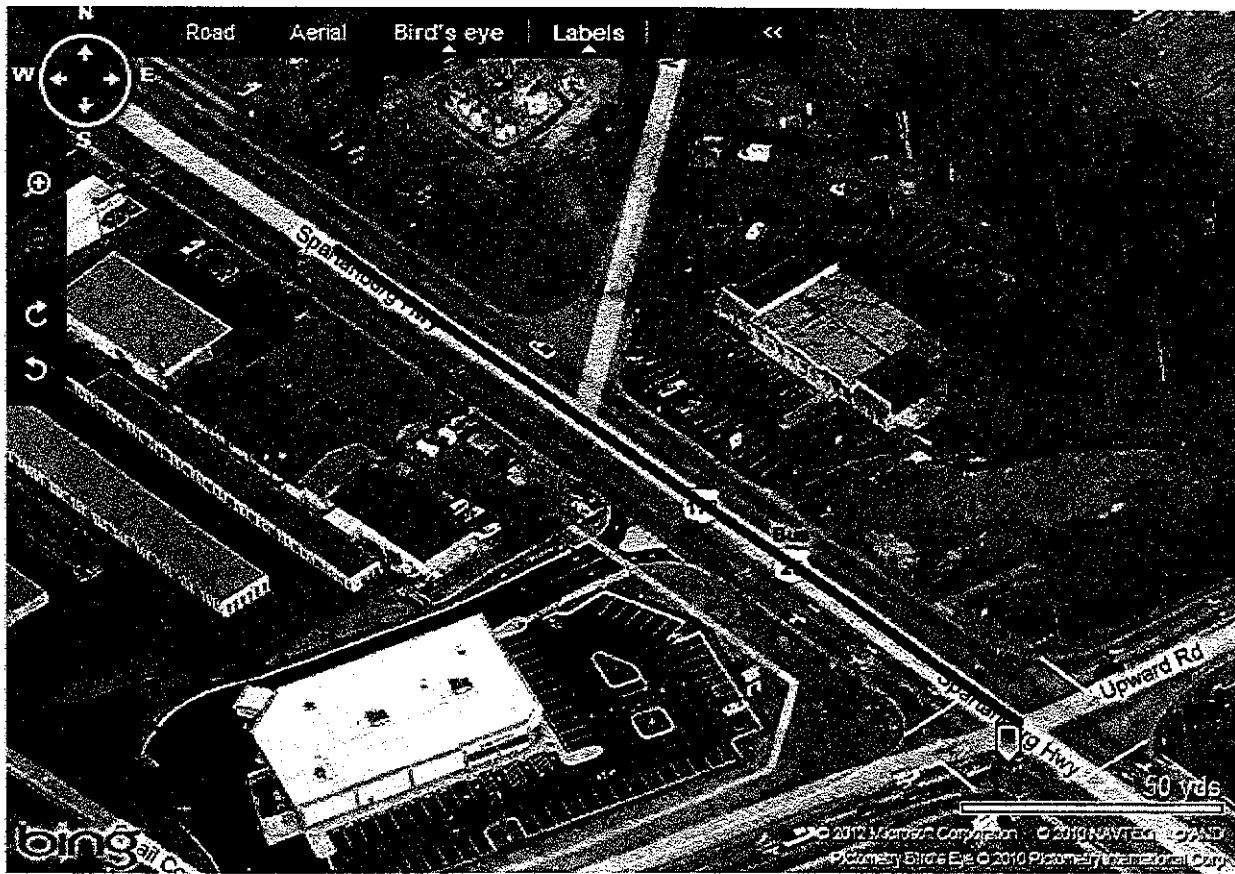
20.

PRINTED NAME

SIGNATURE

Topic

MAILING ADDRESS



County Commissioners Meeting April 18, 2012 9:00am.

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

| | |
|---------------------------------|--|
| Petition summary and background | NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Airy Street and into the Village Square Shopping center businesses from Hwy. 176/Spartanburg Hwy. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses. |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|--------------------------|--|---|---------|
| Rebecca Bradley | <i>Rebecca Bradley</i> | 4454 Howard Loop Rd. | focus on ^{on} something else | 4-7-12 |
| Mark King | <i>Mark King</i> | 616 Stone Hill Rd. | like the Old Bridge | 4-7-12 |
| Nicole Ames | <i>Nicole Ames</i> | 962 Mid Allen Rd | It would be making a bad situation worse | 4-7-12 |
| Megan Neal | <i>Megan Neal</i> | 165 Stagecoach Rd | It would not be good | 4-7-12 |
| Kathy Neal | <i>Kathy Neal</i> | 207 Rogers Rd. | Just like everything else wasting money need less | 4-7-12 |
| Wayne Davis | <i>Wayne Davis</i> | 165 Stagecoach Rd | It's a stupid idea making a turning lane into a divider | 4-7-12 |
| WANDA TOLAR | <i>Wanda Tolar</i> | 11 Greenbriar Ave Flat Rock, NC 28731 | IF IT'S NOT BROKE ... DON'T BREAK IT! RIDICULOUS | 4-7-12 |
| Michaela Campbell | <i>Michaela Campbell</i> | 968 mid Allen Rd | | 4-7-12 |
| Leslie Morgan | <i>Leslie Morgan</i> | 284 McKinney Dr | Waste of money / in convenient | 4/8/12 |
| Bryan Binkmore | <i>Bryan Binkmore</i> | 200 Tracy Green Rd | WASTE OF MONEY | 4/9-12 |
| Charlie Jones | <i>Charlie Jones</i> | Burgess Jones 486 Guice Rd | | 4/28/12 |

Please Sign

| Printed Name | Signature | Address | Comment | Date |
|------------------|------------------|-------------------------|-----------------------|---------|
| B. Dethloff | B. Dethloff | 109 N. Mapleton Dr. EFR | WHY | 4/9/12 |
| S. Talley | Shae Talley | 112 Brookdale | Inconvenience | 4-10/12 |
| E. Cecilia Aiken | E. Cecilia Aiken | 1332 W. Fork Crk Rd | ??? Here's your sign! | 4-11-12 |
| Wanda Clayton | Wanda Clayton | Hillside Dr. H.ville | Don't want it | 4-12/12 |
| Walter Gibson | Walter Gibson | 5909 Green River Rd | Stupid | 4/12/12 |
| RONALD HYDER | Ronald Hyder | 210 JEANS WAY H. VILLE | DON'T WANT IT | 4/12/12 |
| Joseph Overton | Joseph Overton | 105 Hicks Lake Dr. | Waste of money | 4/13/12 |
| Morgan Bryant | Morgan Bryant | 144 CHWOOD dr. | STUPID | 4/13/12 |
| Sue Fleming | Sue Fleming | 107 Loop Rd H'ville | MORONS | 4/14/12 |
| JOHN KARUTZ | John Karutz | 1992 HAYWOOD RD H'VILLE | DOESN'T MAKE SENSE | 4/14/12 |
| Pam Beck | Pam Beck | Hendersonville | DONT MAKE NO SENSE | 4/12/12 |
| mmacuey | mmacuey | Flat Rk | Waste of money | 4/14/12 |
| MARYHEE | Mary Lee | Hendersonville | Why | 4/14/12 |
| BRENDA DURHAM | Brenda Durham | 4315 Allen Rd Flat Rock | Waste of money | 4/16/12 |
| Rosanna Nodine | Rosie Nodine | 146 Troy Lane | WHY | 4/16/12 |
| Billy Nodine | Billy Nodine | 2000 Spangburg Hwy | I need the Biss. | 4/16/12 |

County Commissioners Meeting 4/18/12 9:00 am

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

| | |
|---------------------------------|---|
| Petition summary and background | NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Street and into the Village Square Shopping center businesses. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses. |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|--------------------------|---------------------------------------|----------|--------|
| Jaime Blunt | <i>Jaime Blunt</i> | 115 Mockingbird Dr. ^{AVILLE} | | 4/5/12 |
| Megan Gravely | <i>Megan Gravely</i> | 115 Mockingbird Dr | | |
| Stephanie Jackson | <i>Stephanie Jackson</i> | P.O. Box 22 Flat Rock | | 4/5/12 |
| Jess Cooper | <i>Jess Cooper</i> | 2321 GR Hills NC | | |
| Sunday Brown | <i>Sunday Brown</i> | 11 COUNTRY MEADOWS LN | Don't Do | 4/6/12 |
| MADÉLINE ESSIG | <i>Madeline Essig</i> | 10 COUNTRY MEADOWS | | 4-5-12 |
| Michael Cook | <i>R. Michael Cook</i> | 202 Roper Rd | Why?? | 4-5-12 |
| ALVIN HARRIS | <i>Alvin Harris</i> | 329 ^{AVILLE} HIGHLAND LAKE | | 4-6-12 |
| Joe Maddock | <i>J. P. Maddock</i> | 13 Secretariat Dr | | 4/6/12 |
| Tom Davis | <i>Tom Davis</i> | 34 Highland Golf Dr. | | 4-6-12 |
| Jim Sparks | <i>Jim Sparks</i> | 34 Highland Golf Dr | | 4-6-12 |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|--------------------|----------------------------|-------------------------------------|----------|
| Margaret Reynolds | <i>[Signature]</i> | 2416 Hubbard | Why?? | 4/6/12 |
| Charles Johnson | Charles Johnson | 208 Kammur Dr | | 4/6/2012 |
| William Mitchell | <i>[Signature]</i> | 306 Upper Laurel dr. | that would be really bad | 4/6/12 |
| Catherine Lieber | <i>[Signature]</i> | 2086 Watrosled Rd | | 4/6/12 |
| Neal Lieberman | <i>[Signature]</i> | 2086 Watrosled Rd | | 4/6/12 |
| Theresa Wise | Theresa Wise | 827 Forest St | | 4/6/12 |
| JAMES COEN | James M. Coen | 206 JUNIPER LN Hville | | 4/6/12 |
| Becky Meadows | Becky Meadows | 208 S. Hillandale EFR | | 4/6/12 |
| Bu Lutz | <i>[Signature]</i> | 7097 WINDY AVE | WHY?? | 4/6/12 |
| Karen Hubert | Karen R Hubert | 2806 Kanuga Rd | Boo! | 4/6/12 |
| Brett Sues | <i>[Signature]</i> | 2806 Kanuga Rd. | Why Not?! | 4/6/12 |
| Todd Kirmess | <i>[Signature]</i> | PO 1657 Flat Rock 2731 | Duh! | 4/6/12 |
| BOBBY MORRIS | <i>[Signature]</i> | P.O. BOX 361 DAMA NC 28724 | | 4/6/12 |
| Ray Wiener | <i>[Signature]</i> | 121 Highland Golf Dr FL | | 4/6/12 |
| Tom Sheeny | <i>[Signature]</i> | 64 Old Orchard Ln | Waste of money to start business | 4-7-12 |
| May Sheeny | <i>[Signature]</i> | 64 Old Orchard Trail | Why? | 4-7-12 |

County Commissioners Meeting April 18, 2012 9:00 am.

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

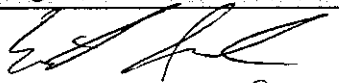
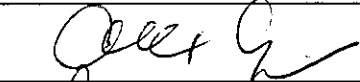



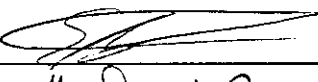
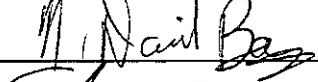


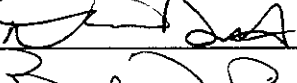

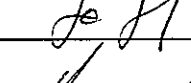
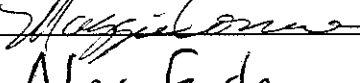
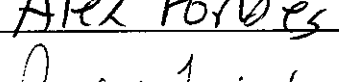
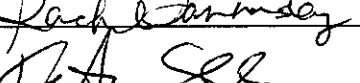
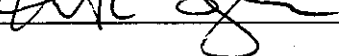
| | |
|---------------------------------|--|
| Petition summary and background | NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Airy Street and into the Village Square Shopping center businesses from Hwy. 176/Spartanburg Hwy. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses. |

| Printed Name | Signature | Address | Comment | Date |
|----------------|-----------|------------------------------|---------------|---------|
| Pam Lawson | | 2602 W. ... Way | not necessary | 4/17/12 |
| Denise Large | | 194 Douglas Dr | not necessary | 4-17-12 |
| Chip Chandler | | | " " | 4-17-12 |
| Matt Milanes | | | " " | 4-17-12 |
| Robin Bradley | | | " " | 4-17-12 |
| Jason Cagle | | | " " | 4-17-12 |
| Ira Smith | | | " " | 4-17-12 |
| M. Maybin | | | " " | 4-17-12 |
| Colby Coren | | 91 Corvis Lane FR, NC 28731 | | 4-17-12 |
| Jara Knox | | 45 Insight Ln FR, NC 28731 | | 4-17-12 |
| Lindsey Dillon | | 927 Brooklyn Ave Hendo 28724 | | 4.17.12 |

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

| | |
|--|---|
| <p>Petition summary and background</p> | <p>NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Airy Street and into the Village Square Shopping center businesses from Hwy. 176/Spartanburg Hwy.</p> |
| <p>Action petitioned for</p> | <p>We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses.</p> |

| Printed Name | Signature | Address | Comment | Date |
|---------------------|-------------------------|--|--------------|--------|
| MARTHA WANKEL | <i>Martha Wankel</i> | 36 Dono Lane ^{Hills} NC 28792 | Dont want it | 4/4/12 |
| VINCENT PALUMBO | <i>Vincent Palumbo</i> | 445 ^{Hendersonville} Huntus Lane | 11 | 4/4/12 |
| DOLORES FOCARINO | <i>Dolores Focarino</i> | P.O. Box 22 ^{Hendersonville} | Dont want it | 4/4/12 |
| Jim Kirkpatrick | <i>Jim Kirkpatrick</i> | PO Box 415 ^{Zirconia} NC | Dont want | |
| Jennifer Bradley | <i>Jennifer Bradley</i> | 41 Remembrance Ridge | Do not want | 4/4/12 |
| Robert Wilson | <i>Robert Wilson</i> | | | |
| Linden Jones | <i>Linden Jones</i> | 238 Spicewood Ln. | Do not want | 4/4/12 |
| Ashley Ballard | <i>Ashley Ballard</i> | 158 McCauson Dr. ^{Hend.} NC 28739 | | 4/4/12 |
| Daniel Lefter | <i>Daniel Lefter</i> | 5766 Greenville Hwy | NO | 4-4-12 |
| Micah Baldwin | <i>Micah Baldwin</i> | 429 Justice Rd ²⁸⁷⁹² Drive | Never | |
| GEORGE & JUDY FUCHS | <i>George Fuchs</i> | 191 William ^{Madison} Loop 28739 | NO | 4/4/12 |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|---|-------------------------------|-------------|---------|
| Erik Israel |  | 96 Bennison Ln. FR | Unnecessary | 4/4/12 |
| Alex Gellen |  | 72 Gold Jordan Ln | Unnecessary | 4/4/12 |
| Dean Norton |  | 48 Stony Creek Rd | Unnecessary | 4/4/12 |
| Mike Jones |  | 77 Upward Rd E. Flat Rock, NC | Unnecessary | 4/4/12 |
| Jim Pura |  | new me | " " | 4/4/12 |
| Ed Orell |  | Howard Gap Rd | unnecessary | 4/4/12 |
| David Bailey |  | 510 Old Mt Olin Rd | unnecessary | 4/4/12 |
| Stan Makowski |  | 215 ESTATE DR. HENDONVILLE NC | redundant. | 4/14/12 |
| JUDAH HUTCHER |  | 115 Fairway DR. | | 4/4/12 |
| Donnie Burnett |  | 1105 Wild Horse Trl | | 4-4-12 |
| Betty DePina |  | 4 Frost Mt | why?? | 4-4-12 |
| Sam Sills |  | 210 Wild Horse Way | not needed | 4-4-12 |
| Maggie Connor |  | 125 Broadhollow | not needed | 4-4-12 |
| Alex Forbes |  | 5700 Sugarloaf Rd | | 4-4-12 |
| Rachel Tankersley |  | 291 Jebel Utard Rd 28755 | problem!! | 4/4/12 |
| Katie Sykes |  | PO Box 676 Flat Rock NC | NOT needed! | 4/4/12 |

| Printed Name | Signature | Address | Comment | Date |
|-----------------|-----------------|----------------------------|--|---------|
| Eric Boehm | Eric Boehm | 229 Allen RD | will cause more congestion At Light. | 4.4.12 |
| Charles Frels | Chas Frels | 222 chateau St | Traffic Problem | 4-4-12 |
| CONNIE PRUITT | Connie Pruitt | | STUPID IDEA!! | 4-4-12 |
| PAULA WITT | Paula Witt | 404 Smythe St | TOO much congestion | 4-4-12 |
| KERRY WITT | Kerry Witt | 404 Smythe St | NOT USER FRIENDLY | 4-4-12 |
| Kellie Bell | Kellie Bell | 692 Berea Church Rd. | Very stupid! | 4-4-12 |
| Sue Raybuck | Sue Raybuck | 147 Largo Ln | CREATES MORE havoc !! | 4-4-12 |
| BRAD RAYBUCK | Brad Raybuck | 147 Largo Ln | Why WASTE Money! | 4-4-12 |
| HASKEA A. DAVIS | Haskea A. Davis | 16 Lantern Drive Zircin | What? MORE confusion?? | 4-05-12 |
| Diane Oradula | Diane Oradula | P.O. Box 6493 Hadesonville | try something else. | 4/5/12 |
| DENNIS WIND | Dennis Wind | 240 STONECROOK Hville | EDUCATE DRIVERS! NOT NEEDED! | 4-5-12 |
| John Beard | John Beard | 663 Gladys Rd | | 4/5/12 |
| Kim Stanley | Kim Stanley | 601 Louisiana ave | PAIN in the ASS | 4-5-12 |
| William Turpin | William Turpin | 304 Poverwood LN | Don't do it | 4-5-12 |
| Drew Taylor | Drew Taylor | 233 Allen Rd | NO NO Dont | 4-5-12 |
| JOHN A. FIORI | John A. Fiori | 48 HALFTIMBER LN | IT WOULD CREATE A SERIOUS PRO TRAFFIC PROBLEMS | 4/05/12 |

County Commissioners Meeting April 18, 2012 9:00 am

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

| | |
|---------------------------------|--|
| Petition summary and background | NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Airy Street and into the Village Square Shopping center businesses from Hwy. 176/Spartanburg Hwy. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses. |

| Printed Name | Signature | Address | Comment | Date |
|-----------------|-----------|------------------------------|---|---------|
| JOHN CALURE | | TRYPON, NC | WHY? | 4/9/12 |
| Cathy Calure | | TRYPON, NC | not needed | 4-9-12 |
| Anne Barbara | | Flat Rock NC | Wastes Taxpayers money. Hurts Businesses again | 4-9-12 |
| Chris Coleman | | Flat Rock N.C | not needed/inconvenient | 4-9-12 |
| KEN STODDIS | | 4108 PASHAN AVE LIDL, NC. | Not Needed | 4/9/12 |
| BARBARA KEITZ | | Flat Rock NC | Why? | 4/9/12 |
| Courtney Bishop | | Hendersonville | Why? Crazy | 4-9-12 |
| GREG JUNGE | | TRYPON, NC | NOT SURE WHY ITS NEEDED | 4-9/12 |
| Dot Miller | | HENDERSONVILLE | CRAZY | 4-9-12 |
| LEWIS W. HARRIS | | " | Bad Idea | 4/9/12 |
| Julie Lafont | | Hendersonville | Not Needed | 4/10/12 |

| Printed Name | Signature | Address | Comment | Date |
|-----------------|-----------------|--|---|----------|
| JIM VINT | James Vint | HENDERSONVILLE NC ████████████████████ | ↳ FIRE HAZARD IT WILL HURT BUSINESSES | 4/11/12 |
| PATTY VINT | Patricia Vint | H'ville, NC | Possible fire hazard ↳ business for stores | 4/11/12 |
| DEVOIS FOREMAN | Devois Foreman | H'ville, NC | WHOS STUPID IDEA WAS THIS? | 4/11/12 |
| ALAN B WINSON | Alan B. Winton | H'ville NC | must have been done by DOT | 4-11-12 |
| Bobie Gilbreath | Bobie Gilbreath | Hendersonville NC | ??????? | 4-11-12 |
| HL KING | HL King | HENDERSONVILLE, NC | WHAT HAPPENED TO THE THOUGHT PROCESS! | 4/11/12 |
| Mike Mullin | Mike Mullin | 143 McMichael Lane Flathead | we do not have the money | |
| DARIN MAYBIN | Darin Maybin | 3159 CABIN CR RD | RETARDED | 04-12-12 |
| Ann Story | Ann Story | 106 Exeter | FORGET IT! | 4/12/12 |
| Richard Sykes | Richard Sykes | 144 Farside Drive | Bd Ideas | 4/12/12 |
| CHUCK PALMER | Chuck Palmer | 23 SPRING LAKE MILLS DRIVE | PLEASE DON'T! | 4/12/12 |
| Julianne Gmyrek | Julianne Gmyrek | 1572 N. Rugby ^{HILL} NC | ???? | 4/12/12 |
| Crystal Hoots | Crystal Hoots | 52 SHADY SUMMIT RD HENDERSONVILLE, NC | FIRE HAZARD | 04/12/12 |
| Rick Mann | Rick Mann | 599 Ash Fox Ln 28731 | Dumb | 4/13/12 |
| Mark | Mark | SALUDA | SAVE THE DAMN MONEY | |
| Anthony Burr | Anthony Burr | 2399 Turnpike NE | NO ↓ | 4/13/12 |

| Printed Name | Signature | Address | Comment | Date |
|--------------------------|--------------------------|--|--|--------------------|
| William C Gurney | <i>William C Gurney</i> | 213 Deerpark Ln | NOT NEEDED | 4/13/12 |
| Kelly Strickland | <i>Kelly Strickland</i> | 89 Rolling Hills Ln Saluda, NC | Spend our tax \$ on something, Needed quit washing! Fix potholes | 4/14/12 |
| Rob Jackson | <i>Rob J</i> | Hendersonville | Fine hazard | 4/14/12 |
| Teak Lastein | <i>Teak Lastein</i> | 125 continental Dr. | What is the purpose of such ridiculous crap! | 4/16/12 |
| Jake Kraustuber | <i>Jake K</i> | 302 Ridgeway Ave | Keep as is | 4/16/12 |
| WENDY B WEBBER | <i>Wendy B Webber</i> | 4 WHIRLAWAY CT | Keep road as is | 4-16-12 |
| Misty Hodge | <i>Misty Hodge</i> | 75 Christina Heather Dr. Flat Rock, NC 28731 | No need - | 4/16/12 |
| TRICIA GILBERT | <i>Tricia Gilbert</i> | Etowah | Serves no purpose | 4/16/12 |
| Burt Greenberg | <i>Burt Greenberg</i> | 125 Mathew Dr. Hurd-28739 | BAD IDEA | 4/16/12 |
| Chris Kiehn | <i>Chris Kiehn</i> | 124 Apache Drive | Keep Roads Is | 4/16/12 |
| Natalie Kiehn | <i>Natalie Kiehn</i> | 124 Apache Drive | " | 4/16/12 |
| Ingrid Ander | <i>Ingrid Ander</i> | Hendersonville | what for?? | 4/17/12 |
| Paul Anderson | Paul Anderson | 889 Hendersonville | NOT NEEDED | 4/17/12 |
| TIMOTHY BOOTH | <i>Timothy Booth</i> | 2443 WINTERWOODS LN W-5 | IT'S GOING TO HURT LOCAL BUSINESS | 4/17/12 |
| Bryan Pope | <i>Bryan Pope</i> | 1223 Old Salem Rd. Kernersville | Will hurt businesses | 4/17/12 |
| Tina Brooks | <i>Tina Brooks</i> | 3235 Brightwater Farm Dr | " | 4-17-12 |

County Commissioner Meeting April 18, 2012 9:00 am
@ OLD COURT HOUSE

Petition to STOP NCDOT from building a 4 Ft. Concrete Divider on Hwy. 176

| | |
|---------------------------------|--|
| Petition summary and background | NCDOT has a plan to build a 4 foot concrete island that will prevent travelers on Hwy. 176 Southbound from making left hand turns. The wall will begin in front of the Power Substation, passing Mt. Airy Street and extending past Village Square shopping center to the intersection of Hwy. 176 at Upward Rd./Highland Lake Rd. This will STOP all left hand turns onto Mt. Airy Street and into the Village Square Shopping center businesses from Hwy. 176/Spartanburg Hwy. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to stop this 4 foot concrete divider from blocking access to our neighborhood and businesses. |

| Printed Name | Signature | Address | Comment | Date |
|---------------------|---------------------|---|-------------------------|--------|
| Elinor Welch | Elinor Welch | 107 E. Blue Ridge | Please do not | 4/3/12 |
| Veter Logan | Nelly Logan | P.O. Box 1106 DANA NC 28724 | it is useless | 4-3-12 |
| Victor ROSS | Victor ROSS | 720 E. Blue Ridge Rd | DONT! | 4-3-12 |
| Kashaiva JACKSON | Kashaiva Jackson | 720 E. Blue Ridge Rd Hwy 176 NC 28792 | Its an inconvenience | 4-3-12 |
| TAMMY AREWOOD | Tammy Arewood | 1505 Summit Springs Dr. | Please Dont | 4-3-12 |
| Brandon G | Brandon Gray | 209 upward | Dont | 4-3-12 |
| John Maybin | John Maybin | 365 Zionia 913 W. Blue Ridge Rd | why do we need it | 4-3-12 |
| Judy Hickman | Judy Hickman | | why | 4-4-12 |
| J.C. Ward | J.C. Ward | | Dont | 4-4-12 |
| Debbie Gilliland | Debbie Gilliland | Highland Lake Rd | Dont | 4-4-12 |
| Melissa Morrissette | Melissa Morrissette | 491-King Creek Blvd. | will Cause Traffic Jams | 4-4-12 |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|-------------------|--|--|--------|
| Jamilla Griffin | Jamilla Griffin | 501 Oval Cove Ln Apt 17B | No Thanks Keep the same | 4-4-12 |
| JENNI NOAH | Jenny Noah | 217 Fleming ST. APT 2 | | 4-4-12 |
| Jenny I Noah | Jenny Noah | 317 Stacy B Way | Use Money for other things. | 4-4-12 |
| Sue Fleming | Susan Fleming | 107 loop rd Hville NC | How stupid can you people get | 4-4-12 |
| ZAC STUFORN | Zac Stuforn | 216 S. HILLDALE DR | BAD, BAD IDEA. | 4-4-12 |
| Savannah Gies | Savannah Gies | 535 Barnadway ST | people dont know how to drive around here, and that would cause major problems | 4.4.12 |
| Emerald Gordon | Emerald Gordon | 51 Secinda dr | wrong! | 4-4-12 |
| Shannon Taylor | Shannon Taylor | 603 Thornbird Ave. Hendersonville | It will really mess things up more so than already. Listen to the people | 4/5/12 |
| Peter Millington | Peter Millington | 203 Thornbird Ave Hendersonville | WASTE our money ON IGNORANCE!!! | 4/5/12 |
| Sharon Robinson | Sharon Robinson | 2780 Greenville Hwy Fkt Road | Terrible Idea | 4/5/12 |
| Ann Millington | Ann Millington | 203 Thornbird Ave Henvi | How we stupid supposed to be. | 4/5/12 |
| Hollis Ward Jr | Hollis Ward Jr | 210 Spartan HES | Bad Decision | 4/5/12 |
| Doug | Doug | 376 Big Horn Rd P.O. Box | keep alone | 4/5/12 |
| WANDA HOUSTON | Wanda Houston | 501 Oval Cove Ln. Flat, Rock | Best Stupid | 4/5/12 |
| PAUL GARBER | Paul Garber | Z. RECORD, A. N. C. 28790 3030 GREEN RIVER RD | DUMB | 4/5/12 |
| Elizabeth Stanley | Elizabeth Stanley | 4005 Asheville Hwy | Why would you do that? | 4/5/12 |

M

| Printed Name | Signature | Address | Comment | Date |
|-----------------|-----------------|----------------------------------|------------------------------|--------|
| Dylan Cutchens | Dylan Cutchens | 20 Allison rd. | A waste of taxes | 4/5/12 |
| Nina Barnwell | Nina Barnwell | --- | WASTE | 4-5-12 |
| Nina Barnwell | Nina Barnwell | 144 Westview X'ville NC 28791 | CANNED GET INTO Tabac Outlet | 4-5-12 |
| CHARLES WHITSON | Charles Whitson | 625 TABAC ROAD E.F.R. | PLEASE DON'T | 4-5-12 |
| Kim Myslik | Kim Myslik | 1720 Hummingbird Lane | Waste/makes no sense | 4-5-12 |
| Jackie Taylor | Jackie Taylor | 216 Highland Lake Rd | PLEASE DON'T | 4-5-12 |
| HAROLD CRANE | Harold Crane | 3 Joshua Ridge | Don't | 4/5/12 |
| Doag Fortune | Doag Fortune | N/A | Don't | 4-5-12 |
| Michael Lamb | Michael Lamb | 78 Cureton pi Henderson | DON'T DO IT | 4-5-12 |
| XAVIER McMINN | Xavier McMin | 1916 Old Spartan Burg Hwy | DON'T NEED IT | 4-5-12 |
| Harold Gosnell | Harold Gosnell | 4247 Zirconia NC | DON'T NEED IT | 4-6-12 |
| Donna Rhodes | Donna Rhodes | 156 E. Hilltop Dr Jeloca | leave it alone | 4/6/12 |
| Will Haly | Will Haly | 415 N. FAIRGROUND AVE | LEAVE IT ALONE | 4/6/12 |
| Tishela Collins | Tishela Collins | 95 Crest Hill Rd Lot 75 | NOT NECESSARY | 4/6/12 |
| Connie Sinead | Connie Sinead | 453 Loop Rd H'ville | IT IS OK how it is | 4/6/12 |
| Will Wilson | Will Wilson | 708 Clearview Dr | IT SOCKS | 4-7-12 |

- Coates' Canons: NC Local Government Law Blog - <http://sogweb.sog.unc.edu/blogs/localgovt> -

Land Use Regulation of Internet Sweepstakes Cafes

Posted By [David Owens](#) On [April 17, 2012](#) @ 10:39 AM In [General Local Government, Land Use & Code Enforcement](#) | [No Comments](#)

Regulating video gaming and gambling of one sort or another has vexed state and local governments in North Carolina for the better part of two decades. A recent court opinion held the current version of the state's ban on internet sweepstakes to be unconstitutional, violating First Amendment rights to free speech. A second case held that local governments may impose privilege license taxes on these businesses. But what about local land use regulation of these businesses? Can a small town zone them out? Can a city or county impose minimum separations between the businesses or between the business and other sensitive land uses?

Before addressing land use regulation, a quick recap on the current status of the law on the criminality and taxation of internet sweepstakes and video gaming businesses is in order.



^[1]The initial and most critical question is whether an internet sweepstakes operation is a lawful business or is illegal gambling. These operations provide video machines where customers pay for internet time to play a sweepstakes, with the machines revealing cash prizes.

Gaming machines have a colorful and largely illegal history in North Carolina and elsewhere. Slot machines have been illegal since the Depression era (G.S. 14-296). In the 1990s the question arose as to whether video game technology could be adapted to avoid this criminal ban. Initial video gaming restrictions were created by S.L. 2000-151. That law was enacted after South Carolina outlawed video poker gambling, prompting concern that this might result in an influx of video gaming machines into North Carolina. So G.S. 14-306.1 was created to ban all but those machines lawfully in operation and listed for taxes in the state in 2001 and that any location with machines had to be at least 300 feet from another location containing machines. There were also restrictions on the age of players, hours of operation, placement of machines, and advertising. This statute specified that it did not preempt more restrictive local ordinances.

This experiment in limited legalization of the machines did not last long. In 2006 the General Assembly shifted from regulation to an attempt to ban video gambling. S.L. 2006-6 repealed the limits on video poker and banned them effective July 1, 2007. [G.S. 14-306.1A](#) ^[2]. The industry responded to the ban with a shift from video poker machines to video sweepstakes machines. So in 2010 the General Assembly expanded the prohibition to include video sweepstakes and similar devices. S.L. 2010-103 created [G.S. 14-306.4](#) ^[3] to prohibit use of electronic machines and devices for playing sweepstake games (defined as any game you enter and for which you become eligible to receive a prize). The ban includes any use of electronic machines for real or simulated video poker (and any other card game), bingo, craps, keno, lotto, pot-of-gold, eight liner, and similar video games.

It was this 2010 legislation that was the subject of the recent North Carolina court opinion. On March 6, 2012 the state court of appeals held that the ban was unconstitutional in [Hest Technologies, Inc. v. North Carolina](#) ^[4] (2012 WL 695984) and [Sandhill Amusements v. North Carolina](#) ^[5] (2012 WL 705420). The cases are summarized by Jessica Smith [here](#) ^[6] (and Rich Ducker summarized the trial court's 2009 initial ruling [here](#) ^[7]). The court held the restriction on displaying sweepstakes results through an "entertaining display" was an overly broad restriction of free speech. Further appeals of the case are likely. But for now the courts have invalidated the current legislative version of the ban these video gaming machines. This has prompted renewed efforts to open and operate "video sweepstakes" cafes and parlors around the state.

As long as the machines remain legal, the questions of local taxation and land use regulation arise. On the taxation front, on February 21, 2012 the court of appeals in [IMT, Inc. v. City of Lumberton](#) ^[8] (2012 WL 540739) upheld Lumberton's imposition of a \$5,000 per establishment and \$2,500 per machine privilege license tax on internet sweepstakes businesses. That decision is summarized by Chris McLaughlin [here](#) ^[9] (with additional links to his earlier posts on this topic). As with the criminal ban case, appeals are likely, as is additional litigation on the amount of the fees and taxes that can be imposed.

This leaves us with the question of the scope of permissible land use regulations of these businesses. Unlike the prior two issues, there is no appellate litigation pending challenging zoning or similar restrictions on these

businesses. So for the foreseeable future we have to rely on general land use law principles as a guide to what can be done.

Here are some answers to questions that arise with land use regulation of internet sweepstakes cafes:

1. Do the rulings that the state criminal ban is unconstitutional mean the businesses are exempt from local land use regulation?

No. The state law challenged in the *Hest* case deals only with the question of whether the regulation on the means of revealing sweepstakes "wins" were legal. The constitutional issue involved was whether the machines can use a particular means to reveal results (here an "entertaining display," such as simulated poker hands). The state law that was invalidated only addressed this narrow issue, not the location or regulation of businesses featuring these or similar machines. They don't violate the criminal laws of the state, but they can be regulated

2. Can a local government use its land use regulatory authority to ban location of these businesses throughout their entire jurisdiction?

Maybe. In an earlier [post](#) ^[10] I discussed the legality of banning an otherwise lawful use from an entire jurisdiction. The law is not entirely clear on this point, but absent some constitutional or statutory protection of the use itself, it is unlikely that every city and county must provide some space for every conceivable lawful land use. It is likely a court would examine a ban with an "arbitrary and capricious standard." This would entail examining whether there is any legitimate rationale for an exclusion and whether it is reasonable in the context employed (considering the potential impacts on neighbors and the community, the size of the jurisdiction, and so forth). Certainly a total jurisdiction-wide ban is a serious step and should be carefully discussed with legal counsel before enactment. But it may be possible in some circumstances.

The fact that the court of appeals found some First Amendment protection for the means of display of sweepstakes wins raises a cautionary note about a total ban. In the adult entertainment context, the courts have held that a jurisdiction may not totally ban protected speech, but can severely restrict its location as long as "reasonable alternative avenues" for expression are provided. For more on this, see my earlier post on adult business limits [here](#) ^[11]. Here the court held the restriction on display of sweepstakes results was overlybroad, not that a particular form of internet gaming was protected speech. But caution on a total ban is advisable.

3. Can minimum separation requirements and other restrictions be applied to these businesses?

Yes. A local government can certainly consider the land use impacts of these businesses and craft appropriate restrictions. Local regulations can address typical land use issues such as parking and traffic considerations. They can also address compatibility with surrounding land uses. Three alternative zoning approaches have been used around the state. First, some local governments treat these businesses the same as other commercial recreational operations of similar size and nature, such as video arcades or bowling alleys (recognizing that despite the name, these "internet cafes" are far more similar to entertainment uses than business centers). A second approach is to treat them similarly to other businesses with a predominately adult clientele or where there are large cash transactions, such as bars, nightclubs, or pawn shops. A third another alternative is to treat them similarly to adult entertainment businesses with reasonable separations from each other and from other sensitive land uses. In addition to regulations on where the businesses can locate, it may also be reasonable to consider operational restrictions, such as limits on hours of operation or limits on co-location with facilities with ABC licenses. If these restrictions are applied to existing businesses, existing zoning limits on nonconformities could be imposed (such as limits on expansion). It would also be possible to require existing nonconforming operations to come into compliance with a reasonable grace period (such as moving to an authorized location).

Local governments crafting restrictions must focus on the land use impacts of the business, not a moral disdain for the use itself. There are certainly those who object to the presence of the business as a form of thinly disguised gambling. That consideration, however, is best addressed in debates, legislation, and litigation about the legality of the use, not through land use regulations. The courts have been clear that any use of the zoning and other land use regulatory power must be limited to addressing the purposes stated in the authorizing statute. Noise, traffic, safety, negative impacts on neighbors, and the like certainly constitute legitimate grounds for land use regulation, but enforcement of community morality likely does not.

Finally, jurisdictions with no zoning or only partial zoning may use their general police power authority for these regulations. However, if locational restrictions are involved it will be necessary to cite zoning authority as an additional basis for the regulations. The jurisdiction should also follow mandated procedures for adoption and amendment of land use regulations (such as planning board referral and a public hearing on the ordinance with two published notices).

So, for now internet sweepstakes cafes are legal and may be taxed locally. They can also be required to comply with reasonable local land use regulations regarding where they are located and how they are operated.

URL to article: <http://sogweb.sog.unc.edu/blogs/localgovt/?p=6577>

URLs in this post:

- [1] Image: http://sogweb.sog.unc.edu/blogs/localgovt/?attachment_id=6581
- [2] **G.S. 14-306.1A**: http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_14/GS_14-306.1A.html
- [3] **G.S. 14-306.4**: http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_14/GS_14-306.4.html
- [4] *Hest Technologies, Inc. v. North Carolina*: <http://appellate.nccourts.org/opinions/?c=2&pdf=MjAxMi8xMS00NTktMS5wZGY=>
- [5] *Sandhill Amusements v. North Carolina*: <http://appellate.nccourts.org/opinions/?c=2&pdf=MjAxMi8xMS0zMDEtMS5wZGY=>
- [6] here: <http://sogweb.sog.unc.edu/blogs/ncclaw/?p=3382>
- [7] here: <http://sogweb.sog.unc.edu/blogs/localgovt/?p=991>
- [8] *IMT, Inc. v. City of Lumberton*: <http://appellate.nccourts.org/opinions/?c=2&pdf=MjAxMi8xMS04MTMtMS5wZGY=>
- [9] here: <http://sogweb.sog.unc.edu/blogs/localgovt/?p=6399>
- [10] post: <http://sogweb.sog.unc.edu/blogs/localgovt/?p=2397&print=1>
- [11] here: <http://sogweb.sog.unc.edu/blogs/localgovt/?p=2622>

Copyright © 2012 School of Government at the University of North Carolina. All rights reserved.

Considerations Regarding Solar Farm Installations and the Effect on Real & Personal Property Valuations

For the

Henderson County Board of Commissioners

18 April 2012

Prepared by Stan C. Duncan
Henderson County Assessor & Tax Collector

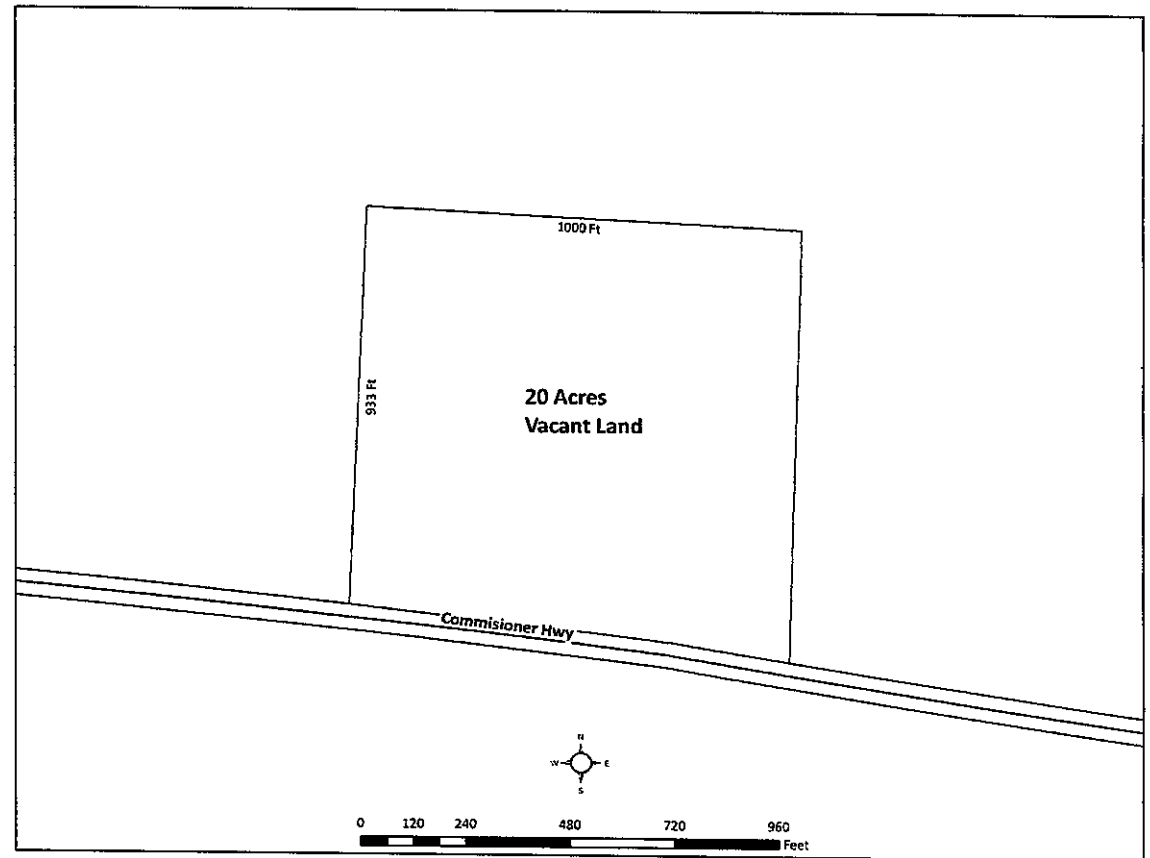
Presumptions for This Example:

- **A vacant parcel of 20 acres located outside of any municipal or subdivision boundary.**
- **Current Highest & Best Use as open land**, and possibly used for agricultural purposes (pasture or crops).
- **No adjustments** (either positive or negative) to the base land rates for size, shape, access, topography, etc.,.
- Once improved with a solar generating installation, **the Highest & Best Use would be changed for the site acreage to a Comm/Ind rate; \$25K /ac minimum - \$40K maximum.**
- **All land rates based on 2011 Schedule of Values.**

Parcel Valuation as Raw Land

20 acres, undeveloped
@ \$8,500 / acre

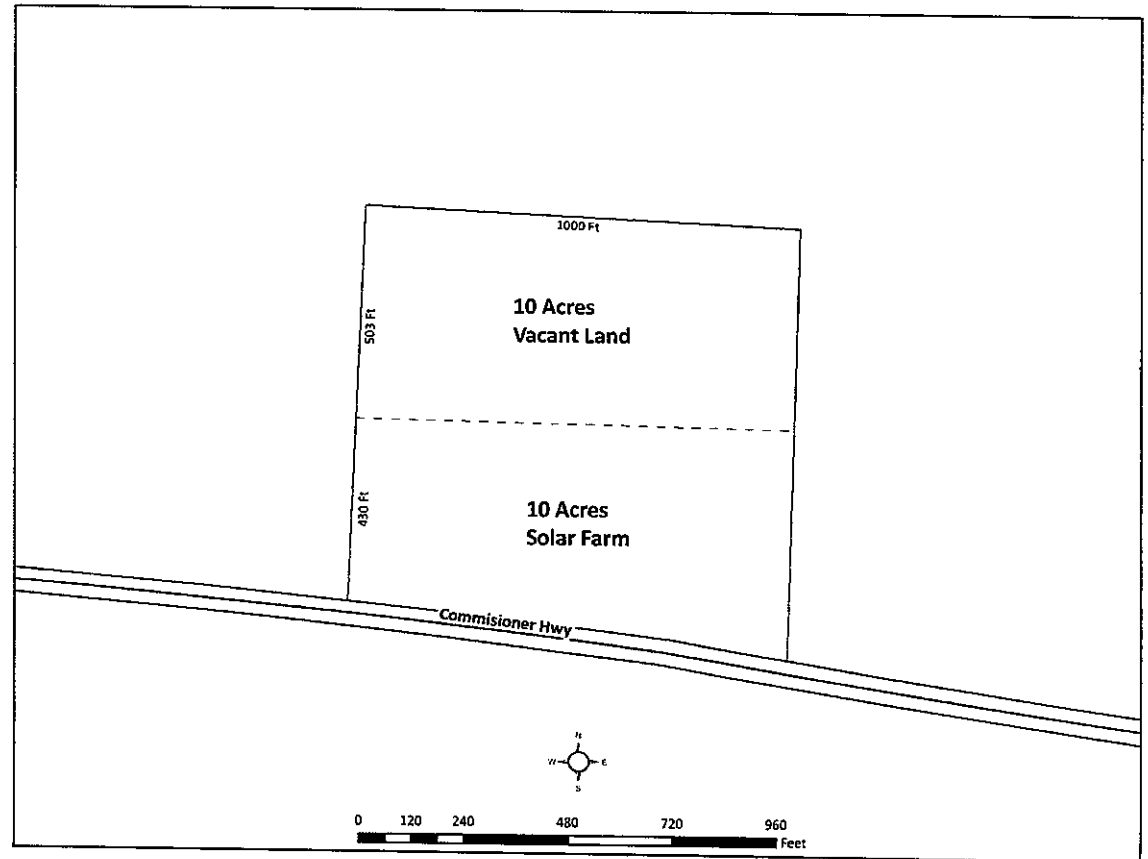
**Appraised
Market Value:
\$170,000**



Parcel Valuation as Partially Improved

10 acres, undeveloped
@ \$8,500 / acre
10 acres, improved w/
a solar installation
@ \$25K / acre

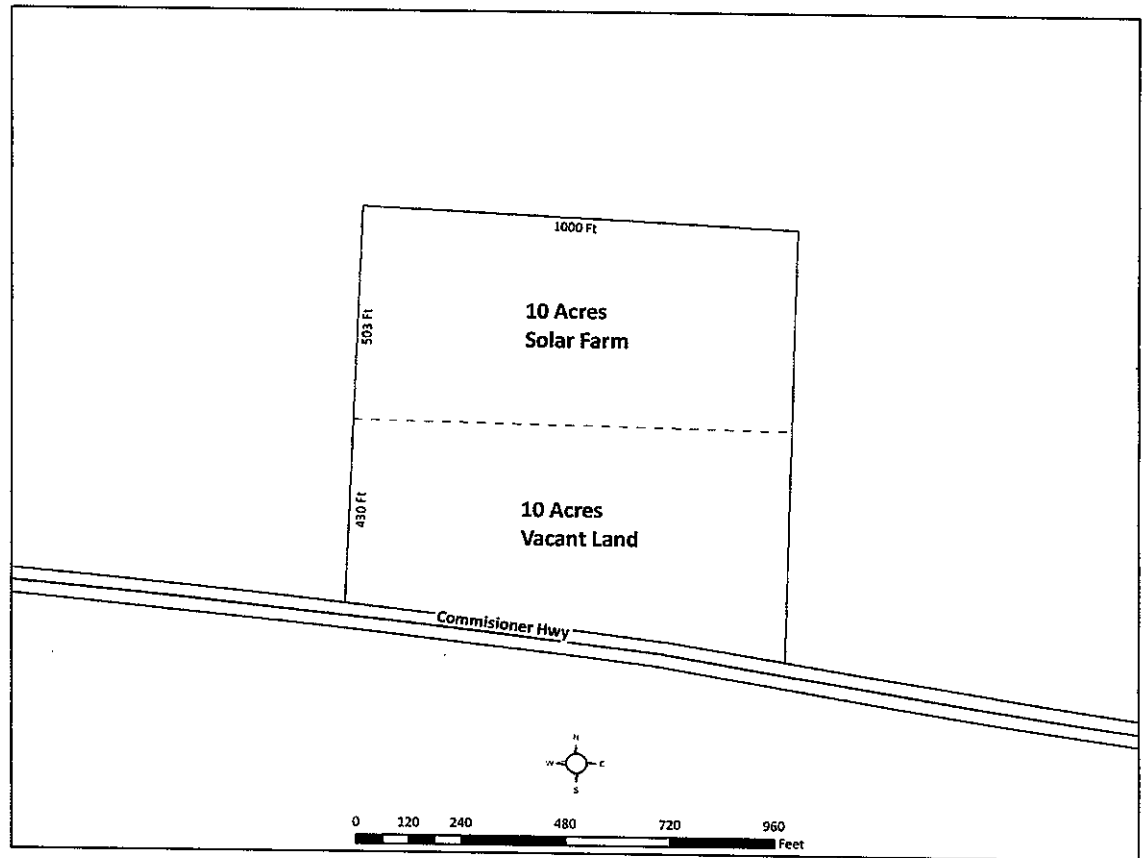
**Appraised
Market Value:
\$335,000**



Parcel Valuation as Partially Improved

10 acres, undeveloped
@ \$8,500 / acre
10 acres, improved w/
a solar installation
@ \$40K / acre

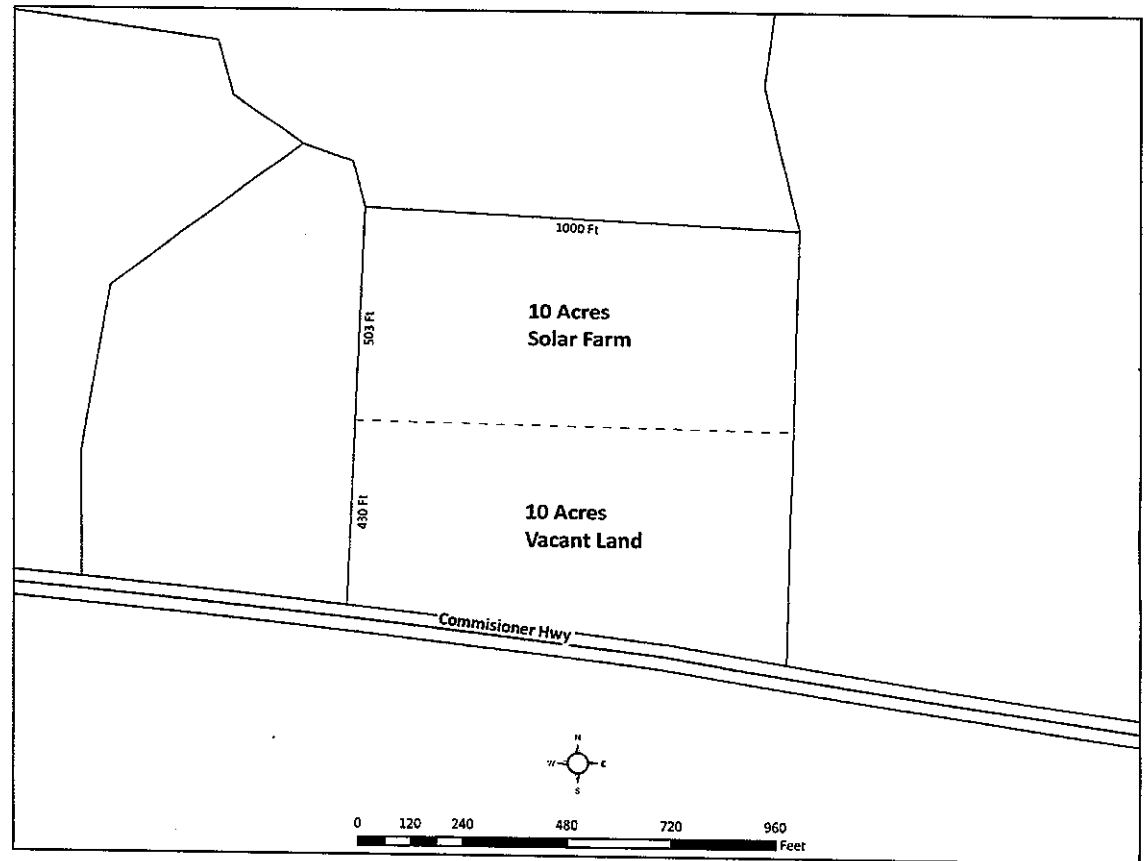
**Appraised
Market Value:
\$485,000**



Impact on Adjoining Parcel Valuations

In all likelihood, if all the adjoining land is undeveloped open land or forestland, there would not be a negative impact on the market value of those parcels. Instead, there could be a positive impact.

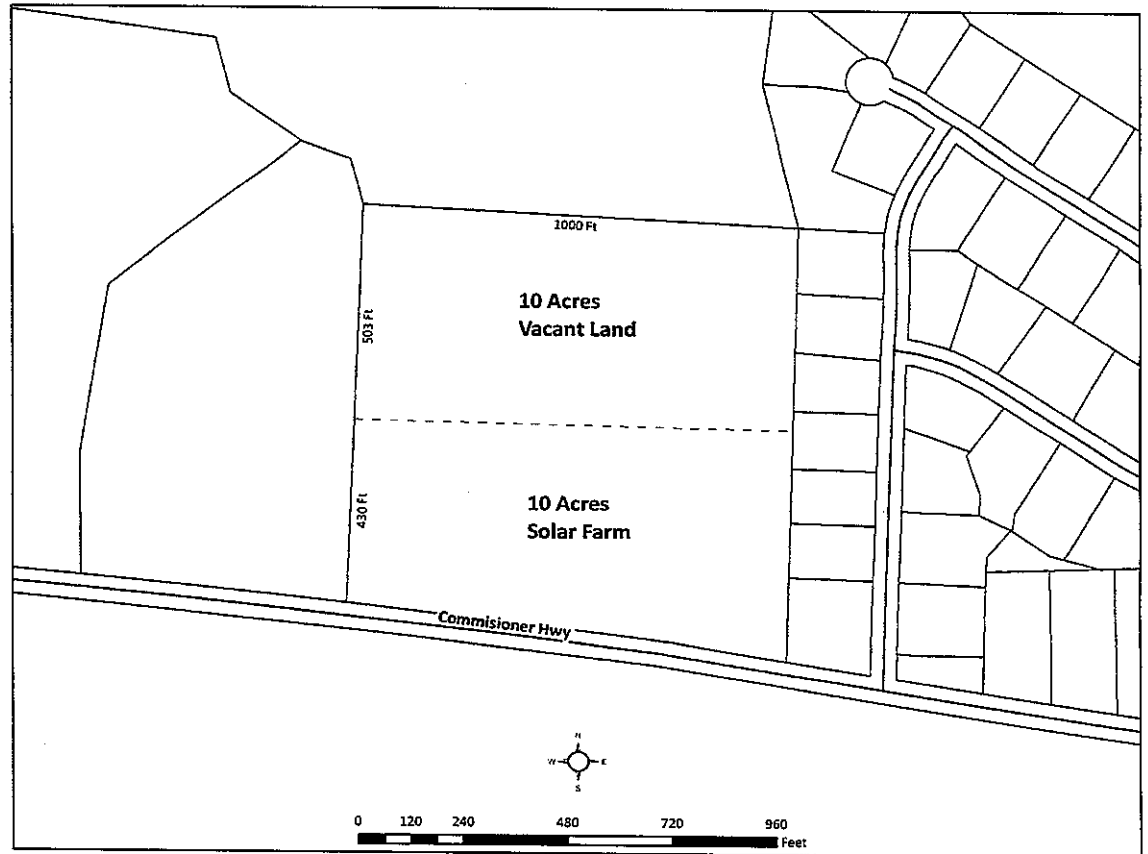
The market will determine any future adjustments.



Impact on Adjoining Parcel Valuations

As an example, if any of the adjoining parcels are improved with single-family residences, an on-site review would be undertaken with consideration given based on the market evidence available and a view as to the market value of those parcels had the solar installation existed as of 1 January 2011.

The market will determine any future adjustments.



Business-Personal Property Value

- The owner of the “solar farm” will be required to list their business-personal property as of 1 January 2013, in the same manner as any other owner of personal property used for the production of income.
- The owner of the land, if different, from the owner of the personal property, will be required to list *changes* made to the real property.
- Per G.S. 105-275(45), the business-personal property may qualify for reduction of 80% upon timely application for exclusion and showing that the property is “*used directly and exclusively for the conversion of solar energy to electricity*”.

SERVICE AGREEMENT

This agreement is between Consolidated Waste Services and Henderson County.

Service will be billed monthly to Henderson County Engineering, 320 Williams Street, Hendersonville NC in the amount of **\$2498.00** for the following service.

| Address | # of weekly Pickups | Container Size |
|--------------------------------------|----------------------------|-----------------------------|
| 100 North King Street | 2 | 8 yard |
| 1347 Spartanburg Hwy | 1 | 8 yard |
| 100 North Grove Street (LEC) | 1 | 8 yard |
| 375 East First Avenue | 5 | 2 -8 yards |
| 1 Firehouse Road | 1 | 4 yard |
| Justice Street (EMS Station) | 1 | 4 yard |
| Vance Hill Drive (EMS Station) | 1 | Roll out (Curbside Pick up) |
| 100 Commercial Blvd (EMS Station) | 1 | Roll out (Curbside Pick up) |
| School House Road (Etowah Park) | 1 | 4 yard |
| 318 4th Ave East (Impound Lot) | 1 | 4 yard |
| 1 Historic Courthouse Square | 1 | 4 yard |
| 1200 Spartanburg Highway | 3 | 8 yard |
| 801 Glover Street (Jackson Park) | 1 | 2 -4 yards |
| 201 North Washington Street | 1 | 8 yard |
| 200 South Main Street | 1 | 4 yard |
| 75 Central Street | 1 | 4 yard |
| Cooperative Extension (Jackson Park) | 1 | 8 yard |

SERVICE INITIATION

Service at 100 North King Street will commence July 10, 2012. Service at Cooperative Extension will commence July 20, 2012. Service at 100 North Grove Street will commence September 29, 2012. All other service will commence July 1, 2012.

TERMS AND CONDITIONS

Consolidated Waste Services agrees to furnish the solid waste collection and disposal services (excluding all hazardous, toxic, infectious, explosive or illegal waste) and equipment specified herein and Customer agrees to make the payments as provided for herein and abide by terms and conditions of this Agreement.

This is a legally contract on the part of Consolidated Waster Services and the Customer in accordance with the terms and conditions set forth herein.

This Agreement is for a term of one (1) year, and may be extended by the Customer, Henderson County, for up to two (2) additional one (1) year terms, by giving written notice, sent by certified mail, to Consolidated Waste Services at least sixty (60) days prior to the expiration of each such term.

Customer shall protect and care for the Consolidated Waste Services equipment in its possession and accept the responsibility for said equipment, its contents and all damage thereto beyond ordinary wear and tear except when the equipment is being physically handled by Consolidated Waste Services. Customer shall not overload or place unacceptable material in the equipment or use it for incineration purposes and any spillage or problems arising from such misuses shall be considered the Customer's responsibility. Customer agrees to defend, indemnify and hold harmless Consolidated Waste Services from and against any and all claims for loss of or damage to property or injury to or death of person or persons resulting from or arising in any manner out of Customer's use or possession of any equipment furnished under this Agreement.

The Customer agrees to provide clear access to the equipment Consolidated Waste Services vehicles on schedule or requested collection days. If the equipment is blocked, thus prohibiting collection, and the Customer requests collection, it will be classified as an extra pickup and duly charged as such.

Customer acknowledges that consolidated Waste Services shall not be liable for any damages to Pavement or driving surface resulting from its trucks servicing and agreed upon area.

Notwithstanding, no adjustment of the monthly rate shall be allowed for changes in the cost of fuel used by CWS.

Notwithstanding anything in this Agreement to the contrary, the Customer's obligations to pay the cost of performing its obligations under this Agreement, including without limitation its obligations to pay all payments referenced herein shall be subject to and dependent upon appropriations being made from time to time by the Board of Commissioners for such purpose; provided, however, that the County Manager shall include in the Manager's proposed budget for each fiscal year the amount of such payments and all other amounts required to be paid under this Agreement during such fiscal year, and the County Manager or such other officer shall use his best efforts to obtain the annual appropriations of the payments throughout the term hereof.

Customer grants to the undersigned (Consolidated Waste Services) the exclusive right to collect and dispose of all of Customer's Waste Materials.

1. Payment Terms: Receipt of payment within 10 billing days of billing date
2. Default: In case of by failure of receipt of payment within 10 days of billing date, Applicant and Guarantor hereby agree to pay Consolidated Waste Services and an all court costs, collection costs, plus interest all interest and principal amounts due.

3. **Service Charge:** It is understood and agreed that a service charge of one and one-half (1-1/2%) percent a month will be charged to the account if the account is not paid in full within 25 days from the billing date.
4. **Applicants and Guarantor's Responsibility:** Applicant and Guarantor attests financial responsibility, ability, and willingness to pay our invoices in accordance with the payment terms.
5. **Credit Inquiry:** The information on this application is for the purpose of obtaining credit and is warranted to be true. Applicant and Guarantor hereby authorize Consolidated Waste Services to investigate my credit and references pertaining to my/our credit and financial responsibility.

The undersigned individual signing this Agreement on behalf of the Customer acknowledges that he or she has read and understands the terms and conditions of this Agreement and that he or she has the authority to sign the Agreement on behalf of the Customer.

CUSTOMER

CONTRACTOR

Authorized Signature

Representatives Signature

Title

Date

Date

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 18 April 2012

SUBJECT: Closed Session

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the following reason(s):

Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(5), to establish, or to instruct the staff or agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

Proposed Motion:

I move that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the reasons set out in the Request for Board Action in the Board's agenda packet.