

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JUNE 19, 1996

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 Renee Kumor, Vice-Chair Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Eklund, Commissioner Don Ward, County Manager David E. Nicholson, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn.

Absent was: Assistant County Manager/Staff Attorney Angela M. Skerrett.

Also present were: Finance Director J. Carey McLelland and Planning Director Matt Matteson.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Good led the Pledge to the American Flag.

INVOCATION

Morris Kaplan, Agudas Israel, gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Kumor added to Pending Issues, a #3 which was Travel & Tourism appointment. She moved item #2 of the Pending Issues to the end of the meeting per Attorney's request. Mrs. Kumor also deleted #7 from item "D" - Nominations.

David Nicholson added two items to Pending Issues: Recycling Programs and request from the YMCA.

CONSENT AGENDA

Commissioner Ward made the motion to approve the CONSENT AGENDA as presented. All voted in favor and the motion carried.

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Included in the CONSENT AGENDA were:

Review/Approval of Minutes - Minutes were presented of the following meetings: May 30, June 3, and June 10, 1996.

Certificate of Achievement for Excellence in Financial Reporting

The Government Finance Officers Association of the United States and Canada has awarded Henderson County's Comprehensive Annual Financial Report for Fiscal Year ended June 30, 1995, the Certificate of Achievement for Excellence in Financial Reporting. This Certificate is the highest form of recognition in the area of governmental accounting and financial reporting.

The Comprehensive Annual Report, which was judged by an impartial nationwide panel, meets the high standards of full financial disclosure in communicating to the users of the annual report.

The Henderson County Finance Department was assisted by an independent auditing firm, Dixon, Odom and Company, L.L.P., in preparation of this report for submission to the Board of Commissioners, various state agencies, national bond rating agencies and the citizens of Henderson County.

Notification of Vacancies - The Board was notified of the following vacancies which will appear under "Nominations" on the next agenda:

1. Nursing/Adult Care Home Community Advisory Committee - 2 vac.
2. Henderson County Board of Health - 2 vac.
3. Mountain Area Workforce Development Board - 4 vac.

SHERIFF ERWIN/ROCKY HYDER - Presentation of Awards

Chairman Kumor presented a certificate to the Sheriff congratulating him on two programs: 1. Volunteers in Partnership Program (awarded by the National Association of Counties NACo), 2. Mounted Volunteer Patrol.

Chairman Kumor presented a certificate to Rocky Hyder for QUICK (Quality Unified Incident Command Key).

Chairman Kumor asked Mr. Hyder and Sheriff Erwin to describe briefly the programs that have won the awards.

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Rocky Hyder stated that in a project to totally revise the emergency operations plan, he realized that even with taking out a lot of the repetition in the plan and reducing it as much as possible, this document would still contain approx. 200 pages of information. That is a tremendous amount of information to try to absorb in the time of an emergency or disaster when you are trying to identify what your responsibilities are.

He developed an organizational type chart that basically identifies what each agency's responsibilities are and who is in charge for each particular disaster. This is a one page reference. Agencies that are responsible for responding, can look at the one page reference and see what their responsibilities are. They can also see what everyone else is doing so that they do not duplicate services. There is more specific information in the plan if needed.

Mr. Hyder stated that he was very pleased that the project received National recognition.

Sheriff Erwin explained that the Volunteers in Partnership Program (VIPPP) is a program that he began right away when elected. The idea was to get more community involvement in local government and to have individual participation. Land Of Sky Regional Council says that we have the largest group of volunteers in any law enforcement organization in the State of North Carolina, in excess of 120 volunteers. These are citizen volunteers who come in and give of their time. Last year they donated 4,500 hours to the county.

Sheriff Erwin explained that the Mounted Volunteers in Partnership Program is the largest mounted patrol in the State of North Carolina. They recently were trained by Denver, Colorado Mounted Police Instructors. This was the first training of its kind in N.C. They also donated 4,500 hours last year.

Sheriff Erwin stated that he accepts the certificates on behalf of his teams of volunteers.

David Nicholson reminded the Board of the Excellence in Financing Award that was won again this year by our Finance Department. He also mentioned the Departments that submitted awards for consideration by NACo that were not chosen as winners. In

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Henderson County they are considered winners and are saving our county thousands of dollars on a monthly basis.

INFORMAL PUBLIC COMMENTS

1. Argie Taylor - Mr. Taylor spoke regarding a building within the Pardee Hospital complex. He asked how Pardee (a County facility - non profit) incurred an obligation to build Doctors Offices within the hospital complex for a professional segment of our society that earns from \$150,000 a year up to \$1million. He asked for the specific mission and purpose of our county hospital.

PUBLIC HEARING - to consider Renewal of Industrial Park Option

Commissioner Eklund made the motion for the Board to go into Public Hearing. All voted in favor and the motion carried.

David Nicholson reminded the Board that this public hearing was held as required by NCGS 158-7.1 to consider the renewal of the Option which the County currently has for the development of the Appleland Business Park. The County entered into an option on 69.4 acres of property owned by Mrs. Cynthia Whitted, located at the intersection of Upward Road and the I-26 connector. The total purchase price for this property is \$1,500,000.00. The County has partially exercised the option and purchased the Roadway, the Park Property, Lot 8, Lots 1, 1-A, 2, 3, 4, 7 (revised), 7-A, two lots to be dedicated to NCDOT, and recently the County purchased Lots 3-A, 4-A, and 6 for a total acreage purchased of 47.0131 acres at a price of \$1,099,697.20.

The current option will expire on June 30, 1996. If approved, the renewal will extend the option for another three month period to expire on September 30, 1996. The price to renew the option until September 30, 1996 will be the quarterly interest at the Nationsbank prime rate of interest determined as of June 10, 1996 on the unpaid portion of the purchase price of \$400,302.76 (the remaining acreage to be purchased includes Lot 5, 22.3709 acres). Nationsbank prime rate on June 10, 1996 was 8.25%, which would put the option payment at \$8,256.24.

The payment to renew the option for an additional three month term is due on June 20, 1996. If the Board desires to renew the option, it would be appropriate to approve this renewal at the close of this public hearing.

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Public Input - There was none.

Commissioner Good made the motion for the Board to go out of Public Hearing. All voted in favor and the motion carried.

Commissioner Good made the motion to renew the Boards' Option on Appleland Business Park. All voted in favor and the motion carried.

HOSPITAL AUTHORITY DIRECTION

There has been much discussion regarding a "A" Authority and a "a" Authority. There was also discussion of control vs. liability. David Nicholson asked what degree of authority the Board of Commissioners wished to grant to Pardee? He stated that staff needs some direction.

Four basic issues:

1. Ownership of real property
2. Power of eminent domain
3. Appointment of Board members
4. Mission of Hospital/not in competition

There was discussion of a "Big Authority" with specific legislation. By statute, a "Big Authority" includes the 40 items the Board has reviewed. With a "Small Authority" the Board can pick and choose from the 40 items.

The Board favored most of the 40 items of a "Big Authority" except the entire Board of Commissioners would appoint the Board of Trustees, the Board of Commissioners would have eminent domain, and the Board of Commissioners would have title to real property. Staff will look at the powers and bring back a "Model" for the Board of Commissioners at the July 1 meeting.

The Board of Commissioners does not wish to interfere with the operation of Pardee Hospital.

RETIREE HEALTH INSURANCE PROPOSAL

David Nicholson informed the Board that Henderson County does not have a health insurance program which allows employees who have retired to continue their health insurance benefits. Because we do not offer this benefit, many employees are postponing retiring with

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full retirement benefits until they reach the age for eligibility for Medicare. Staff is proposing a limited program that will assist these employees to retire under the North Carolina Local Government Employees Retirement System and continue with medical benefits.

This program covers retirees who have either a full thirty (30) years of service retirement or are between the ages of 55 and 64 with at least ten (10) years of actual service with Henderson County and whose combined age and years of actual service totals at least seventy (70) years.

The proposal is conservative in nature but will meet the need for long-term County employees. This proposal was developed through the efforts of the Management Team, Department Heads and Manager's Advisory Council. Board action is required for implementation.

David Nicholson informed the Board that currently there are five (5) employees who would be eligible for entire county contribution.

Chairman Kumor made the motion to adopt the Retiree Health Insurance Proposal including Commissioner Edney's suggestion to delete any reference to age 65 from the proposal as the Medicare eligible age. All voted in favor and the motion carried.

UPDATE ON PENDING ISSUES/Request for Direction to the Chair

1. Nuckolls Building - letter from Ed Nuckolls

Commissioner Edney made the motion for Henderson County to acknowledge the building at the corner of Second Avenue and Main Street as the Nuckolls Building from this day forward. All voted in favor and the motion carried.

2. School Board Property Purchase/County Attorney Don H. Elkins

This item had been moved to later in the agenda at the request of the County Attorney.

3. Economic Development Committee

Chairman Kumor stated that at the last meeting, the Board appointed an Economic Development Committee which both Commissioners Good and Eklund will serve on. The Board of Commissioners should name a Chairperson. Commissioners Good and Eklund suggested David Reeves as the Chairman. Commissioner Eklund made the motion to appoint David Reeves as Chairman. All voted in favor and the motion

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carried. It was the consensus of the Board of Commissioners to allow the Committee to nominate and elect a Vice-Chair.

4. Travel & Tourism resignation

Chairman Kumor informed the Board that Pat O'Brien resigned as Chairman of the Travel & Tourism Board.

Chairman Kumor nominated Bob Ross to serve as Chairman for the remainder of the year (12/96). Commissioner Ward made the motion to suspend the rules and appoint Mr. Ross. All voted in favor and the motion carried.

5. Recycling Programs

Presently Transylvania County is using Henderson County's Material Recovery Facility (MRF). They have reviewed our proposal and have found that they can dispose of the materials more cost effectively at another location.

Therefore, effective July 1, 1996, they will no longer bring materials to the Henderson County MRF. Mr. Nicholson just made the Board of Commissioners aware of this information.

6. YMCA request

David Nicholson informed the Board of a request from the YMCA for Henderson County to assist them in funding the "Summernites" program. In order to meet the needs of the teens, they need to be able to provide some live entertainment at some of the teen nite programs. (DJ's, Bands, Comic Acts, etc.) They requested a contribution of \$2,000 to apply only for the use of entertainment.

Commissioner Edney made the motion to appropriate \$2,000 to YMCA for the "Summernites" program. He also asked that letters be sent to the kids to let them know that Henderson County is doing this. All voted in favor and the motion carried.

NOMINATIONS

Chairman Kumor reminded the Board of the following vacancies and opened the floor for nominations:

1. Senior Companion Program Advisory Council of Land of Sky - 1 vac. There were no nominations at this time so this item was rolled to the next meeting.

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2. **Motor Vehicle Valuation Review Board - 3 vac.** There were no nominations at this time so this item was rolled to the next meeting.

3. **Henderson County Industrial Facilities & Pollution Control Authority - 1 vac.** There were no nominations at this time so this item was rolled to the next meeting.

4. **Youth Advisory Board - 3 vac.** Four nominations were made at the last meeting: Ellen Moss, Julia Reveille, Dolly Ward, and Stuart Stepp. The Clerk polled the Board. By vote, the three appointees were Ellen Moss (new), Dolly Ward and Stuart Stepp (reappointments).

5. **Land Of Sky Regional Council - Advisory Council on Aging - 1 vac.** Commissioner Good nominated Audrey McLain for reappointment. Commissioner Good made the motion to suspend the rules and reappoint Ms. McLain. All voted in favor and the motion carried.

6. **Board of Equalization & Review - 1 vac.** There was discussion that the Board of Equalization & Review are finished meeting for this year. They must be reappointed in March for next year. This Board will be removed from list - can take care of this one in March also.

7. **Asheville Buncombe Water Authority (ABWA) - 1 vac.** There were no nominations at this time so the item was rolled to the next meeting.

IMPORTANT DATES

David Nicholson informed the Board that this Friday (6/21) at noon WCCA has appealed the Board of Commissioners' decision to provide the Home Delivered Meal Program to the Council on Aging. Friday, at noon, the Land Of Sky Regional Council will hear the appeal. He plans to attend the appeal.

Following much discussion regarding services/fees for Land Of Sky Regional Council, it was the consensus of the Board to have staff from Land Of Sky make a presentation to the Board of Commissioners at an up-coming Commission Meeting. David Nicholson will ask for them to give an up-date to the Board of Commissioners.

CLOSED SESSION

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Commissioner Good made the motion as allowed by NCGS 143-318.11 for the Board to go into Closed Session for the following:

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, which privilege is hereby acknowledged. To consult with an attorney employed or retained by the public body in order to consider and give instructions to the attorney with respect to a claim.
2. (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

All voted in favor and the motion carried.

Commissioner Ward made the motion for the Board to go out of Closed Session. All voted in favor and the motion carried.

FY 1996-1997 BUDGET WORK SESSION

The Board reconvened in Open Session at 1:00 p.m. for the Budget Work Session. The following were reviewed:

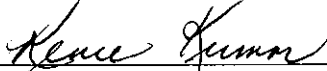
- Inspections
- Risk Management
- EMS - Emergency Medical Services
- Animal Control
- Planning
- Cooperative Extension
- Land Records
- Health Dept.
- Sheriff Dept.
- Jail

There being no further business to come before the Board, the meeting was adjourned at approximately 4:55 p.m.

ATTEST:



Elizabeth W. Corn, Clerk



Renee Kumor, Chairman

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