

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
MAY 2, 1994

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.m. in the Commissioners' Conference Room of the Henderson County Office Building.

Those present were: Chairman Vollie G. Good, Vice-Chair Renee Kumor, Commissioner J. Michael Edney, Commissioner Hugh D. Randall, Commissioner William McKay, County Manager David F. Thompson, Assistant County Manager David E. Nicholson, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn. Absent was Staff Attorney Angela M. Skerrett.

Also present were: Planning Director Matt Matteson, Planner Karen Collins, Zoning Administrator Sam Laughter, and Zone Enforcement Officer Donna Fain.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Chairman Good led the Pledge to the American Flag.

INVOCATION

John Rhymér, Vice-President for Academic Affairs at Fruitland Bible Institute, gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson added a Resolution for adoption regarding the NC DOT Secondary Road Paving Priority. This was added as item "H".

He also added a sewer line extension application for Kyocera and Printpak. This will require a Mud Creek Water and Sewer District meeting.

He also added a letter to item "A". A letter from the Branigar Organization in Champion Hills withdrawing their petition.

Commissioner McKay made the motion to approve these additions as recommended by the County Manager. All voted in favor and the motion carried.

CONSENT AGENDA

Vice-Chair Kumor made the motion to approve the consent agenda as presented. All voted in favor and the motion carried.

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Vice-Chair Kumor informed the Board regarding the Nursing Home/Domiciliary Home Advisory Committee annual report and resolution. She was at a meeting on April 19 for the state's hearing on elder issues. The Nursing Home/Domiciliary Home Advisory Committee was very active and she was impressed with their concise report and the timeliness of the issues raised. They represented our community very well.

Consent Agenda consisted of the following:

Review of Minutes - Minutes were presented for review and approval of the April 4, 1994 meeting.

Notification of Vacancies - The Board was made aware of two vacancies due to resignations. These will appear under "Nominations" on the next agenda.

Nursing Home/Domiciliary Home Advisory Committee - Their annual report was presented for information. A resolution was also presented for review and adoption.

INFORMAL PUBLIC COMMENTS

1. V. Lingren - Mr. Lingren expressed a need for a county-wide set of zoning laws to provide for the sensible development of industrial and residential areas.

2. Polly Kremer - Ms. Kremer had a hand-out. She spoke on behalf of the League of Women Voters, expressing support for the RC Zoning District.

3. John Humphrey - Mr. Humphrey spoke in favor of the RC Zoning District for the Mills River area.

4. Carolyn Johnson - Ms. Johnson stated that she could not support the RC Zoning District as proposed for the Mills River area at this time.

PUBLIC HEARING - on Proposed Rural Conservation Zoning District (RC) and Five Companion Amendments

Vice-Chair Kumor made the motion that the Board go into Public Hearing. All voted in favor and the motion carried.

Karen Collins stated that the proposed RC District would establish a new zoning district which would be available in the zoning ordinance for application in any of the county zoning jurisdiction. The district allows residential and other compatible uses and is designed to help protect natural resources such as water supply sources while maintaining rural character associated with low density development.

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The five proposed companion amendments include three new or revised definitions of terms that are used in the proposed RC text as well as a definition of perennial streams and a stream buffer requirement in designated watershed areas.

Two additional amendments could apply to all zoning districts, not just to the RC district: (1) To allow public transformer stations in all districts; (2) To allow public recycling drop-off points in all districts. These two amendments are not for consideration at this time due to notice requirements. They will be addressed at a later date.

The five proposed companion amendments are summarized as follows: (1) An amendment which adds a list of typical examples to the definition of Customary Incidental Home Occupations; (2) An amendment which defines a new use called Rural Accessory Business; (3) An amendment which defines a new use called Low Impact Industry; (4) An amendment which adds a definition of perennial stream; and (5) An amendment which adds a requirement for a buffer from perennial streams in designated watershed areas.

Karen Collins explained that a text amendment actually becomes part of the zoning ordinance. A map amendment would show an area where you could apply text.

Matt Matteson used the overhead projector to illustrate the five companion amendments, illustrating much more detail than the above explanations. He then reviewed the text in detail.

Public Input - There was none at this point.

Commissioner Edney made the motion to close the Public Hearing and to bring forward the comments into this Public Hearing that were made during Informal Public Comments. All voted in favor and the motion carried.

Informal Public Comments

1. V. Lingren - Mr. Lingren expressed a need for a county-wide set of zoning laws to provide for the sensible development of industrial and residential areas.

2. Polly Kremer - Ms. Kremer had a hand-out. She spoke on behalf of the League of Women Voters, expressing support for the RC Zoning District.

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After some discussion, a work session was set for May 9 at 2:00 p.m. on the Rural Conservation Zoning District (RC).

PETITION TO ABANDON A PORTION OF INDIAN CAVE ROAD (SR #1192)

David Thompson informed the Board of a letter received from Champion Hills withdrawing their petition. No formal action is required by the Board of Commissioners.

Commissioner Edney formally commended Champion Hills for taking the community's interests to heart, more so than their own personal financial gain. Commissioner McKay agreed. Commissioner Edney felt that a letter of appreciation from the Chairman was in order. It was the consensus of the Board to authorize the Chairman to send a letter of appreciation to Champion Hills.

PROPOSED RESOLUTION ON FLOW CONTROL (Developed by the Coalition of Local Government Solid Waste Professionals)

David Thompson reminded the Board that over a period of a year the Board settled on two sites for the proposed new landfill. The reason the Board has not acted on either site is that some of the parameters have changed for the decision, most of which are economic. It does not presently make good sense to site a \$8,000,000 facility if we could not guarantee the waste going into that facility because of our tonnage disposal fee.

One of the parameters that has changed is a supreme court ruling stating that we cannot stop anyone from taking our garbage out of county, to another state.

Following discussion, Commissioner McKay made the motion to adopt the resolution NORTH CAROLINA LOCAL GOVERNMENT'S ADVISORY RESOLUTION TO NORTH CAROLINA GENERAL ASSEMBLY REGARDING MUNICIPAL SOLID WASTE MANAGEMENT with the one minor correction recommended by the County Manager. All voted in favor and the motion carried.

CABLE TV RATE REGULATION

Chairman Good reminded the Board that this item appeared on the agenda on April 20, 1994. The item was briefly discussed but the Board requested that this item be brought forward again for further discussion.

The Cable TV Advisory Committee felt that since rate regulation could only be applied to the basic service tier and since there were no more than 80 out of 16,000 customers who would be affected, the level of regulation allowed by the FCC would be ineffective.

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The Board's concern was that any change in the basic service would affect every customer because everything else was added on to the basic service.

Commissioner Edney stated that the basic basic service is the broadcast channels, costing \$5.95 month.

David Thompson stated that the bill itself shows basic service as one item for \$5.95, the other packages as add-ons. It was the feeling of the staff attorney (related by the County Manager) that all customers would be affected with a change in the basic rate.

After much discussion it was the consensus of the Board to defer action on this item until the next meeting.

NOMINATIONS

1. Chairman Good reminded the Board of 1 vacancy on the **Motor Vehicle Valuation Review Board (MVVRB)** for an alternate. There were no nominations at this time so the item was rolled to the next meeting.
2. Chairman Good reminded the Board of 1 vacancy on the **Hendersonville Zoning Board of Adjustment** for an alternate. Commissioner McKay nominated Regina P. Heaton. Commissioner Edney made the motion to suspend the rules and appoint Mrs. Heaton. All voted in favor and the motion carried.
3. Chairman Good reminded the Board of 1 vacancy on the **Henderson County Industrial Facilities & Pollution Control Authority**. There were no nominations at this time so the item was rolled to the next meeting.
4. Chairman Good reminded the Board of 1 vacancy on the **Solid Waste Advisory Committee (SWAC)**. Chairman Good nominated John P. Kidd for a one year term. Vice-Chair Kumor made the motion to suspend the rules and appoint Mr. Kidd. All voted in favor and the motion carried.
5. Chairman Good reminded the Board of 1 vacancy on the **Youth Advisory Board**. There were no nominations at this time so the item was rolled to the next meeting.
6. Chairman Good reminded the Board of 2 vacancies on the **EMS Council**. Chairman Good nominated Terry Layne and Greg Gore. Commissioner McKay made the motion to suspend the rules and appoint Mr. Layne and Mr. Gore. All voted in favor and the motion carried.
7. Chairman Good reminded the Board of 2 vacancies on the **Hospital Board of Trustees**. There were no nominations at this time. Vice-Chair Kumor suggested that this item be rolled to Executive

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Session. It was the consensus of the Board to roll this item to Executive Session.

8. Chairman Good reminded the Board of 1 vacancy on the **Youth Advisory Board**. Vice-Chair Kumor nominated Rick Wood to serve an additional term. Commissioner McKay made the motion to suspend the rules and appoint Mr. Wood. All voted in favor and the motion carried.

9. Chairman Good reminded the Board of 2 vacancies on the **Nursing Home/Domiciliary Home Advisory Committee**. Chairman Good nominated Lucille Lehmann. Vice-Chair Kumor nominated Charlotte Shipley. Commissioner McKay made the motion to suspend the rules and appoint Ms. Lehmann and Ms. Shipley. All voted in favor and the motion carried.

FINANCING OF YOUTH DEVELOPMENT EMERGENCY SHELTER

Carey McLelland reminded the Board that at the last Board meeting a resolution was approved to direct staff to send out requests for proposals for the financing of the Youth Development Emergency Shelter. RFPs were mailed on April 21. Eight proposals were mailed out and seven were received by 1:00 on April 28 (the required bid opening date). The proposals from Wachovia Bank of North Carolina and Branch Banking and Trust had alterations on the face of the bid form which disqualified their proposals. Also, Branch Banking and Trust did not have the required addendum included.

The proposal from First Commercial Bank was certified as the lowest responsive bid at an interest rate of 5.00% for the five year fixed installment purchase. There were no alterations to this institution's bid form and the required addendum was included. It was Mr. McClelland's recommendation to accept the bid from First Commercial Bank at an interest rate of 5% for the five year fixed installment purchase with no prepayment penalties.

Commissioner McKay made the motion to accept the recommendation of the Finance Director for the financing of the Youth Development Emergency Shelter, proposal from First Commercial Bank at 5% under the terms of the bid proposal. All voted in favor and the motion carried.

Carey McLelland stated that a public hearing is required on the financing documents.

Vice-Chair Kumor made the motion to set the date for the Public Hearing on the financing documents for the Youth Development Emergency Shelter for May 18 at 9:00 a.m. All voted in favor and the motion carried.

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FORECLOSURE - Offer to Purchase/Joseph Huntley

Don Elkins informed the Board of the need to adopt the submitted Resolution. This item has been before the Board and discussed earlier. Joseph Huntley offered \$550.00 for a small parcel of land on Jeter Mountain Road. This has been advertised with no upset bid. The appraised value of the property is \$500. The county has owned this property for the past ten years.

Commissioner McKay made the motion to approve the recommendation of the county attorney, accept the \$550 for the property in question, and have a deed drawn transferring ownership. All voted in favor and the motion carried.

IMPORTANT DATES

The calendar was reviewed. David Thompson informed the Board of one additional date. Mrs. Polly Kremer, Natural Heritage Inventory, asked him to remind the Board that on Wednesday, May 4 from 3-4:00 there will be an informational meeting at the Henderson County Library to celebrate the completed Natural Heritage Inventory that has been going on for two years.

Vice-Chair Kumor asked David Thompson if he had set any dates yet for budget workshops. He had not but hoped to be able to project some dates at the next Commissioners' Meeting.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RESOLUTION

Chairman Good reminded the Board of the Resolution from the NC DOT regarding secondary road paving priorities.

Commissioner McKay was concerned that the residents of Rhodes Road and Patty's Chapel Road did not get their questions answered at the secondary road public hearing.

Vice-Chair Kumor questioned if there might be some way to factor into the equation the age of the road.

There was very much discussion.

David Thompson stated that because of all the input we've had on Rhodes Road and Patty's Chapel Road, at the same time the Resolution is approved request that those two roads be re-evaluated with a new number count of homes and a new vehicular count.

Commissioner Randall made the motion to pass the resolution in view of the fact that it may jeopardize the starting of work on roads in Henderson County if it isn't passed. There was discussion on the motion and Commissioner Randall withdrew his motion.

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Vice-Chair Kumor made the motion to accept the proposed DOT paving schedule for 1994 on this date, May 2, 1994. All voted in favor and the motion carried.

MUD CREEK WATER & SEWER DISTRICT

Commissioner McKay made the motion to adjourn as the Henderson County Board of Commissioners and convene as the Mud Creek Water & Sewer District Commissioners. All voted in favor and the motion carried.

Commissioner Edney made the motion to adjourn as the Mud Creek Water & Sewer District Commissioners and reconvene as Henderson County Board of Commissioners.

EXECUTIVE SESSION

Commissioner Edney made the motion that the Board go into Executive Session as allowed under General Statute 143-381.11 to discuss the following:

- A. To consult with the County Attorney to the extent that confidentiality is required.
- B. To consider the selection of a site or the acquisition by any means or lease as lessee of interests in real property.

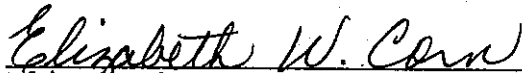
All voted in favor and the motion carried.


Possible nominees were discussed for the **Hospital Board of Trustees**. A list of the names discussed will be displayed in the Clerks office for public inspection. Nominations will be accepted at the next meeting.

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

As there was no further business, the meeting was adjourned at 10:00 p.m.

ATTEST:


Elizabeth W. Corn, Clerk


Vollie G. Good, Chairman

The Board of Commissioners for the County of HENDERSON, North Carolina, met in regular session at ~~TK&XX~~ 100 N. King Street, in Room # 209, the usual place of meeting, at County Office Building, on Thurs., April 28, 1994

PRESENT:

Vollie G. Good, Chairman; Renee Kumor, Vice-Chair
Commissioner Hugh D. Randall; Commissioner William McKay

ABSENT:

Commissioner J. Michael Edney

Chairman Vollie G. Good, introduced representatives of the Department

of Transportation and a resolution recommending a program of total needs for

Secondary Road Improvements in HENDERSON County. This program details

the proposed expenditure of Secondary Funds for the period July 1, 1994 - June 30, 1995.

The proposed program recommends that the funds be expended in the following manner:

<u>ELEMENT</u>	<u>AMOUNT</u>	<u>PERCENT</u>
Paving of Secondary Roads	\$2,076,124.80	80
Other: Spot Stabilization, Paved Road Improvements, Replace Small Bridges with Pipe, Safety Projects, Widening Existing Curves, Property Owner Participation, Road Additions, Cemetery Roads, Steep Grade Paving, etc.	\$519,031.20	20
TOTALS	\$2,595,156.00	100

Commissioner Renee Kumor moved that the foregoing resolution and attached program of total needs for Secondary Roads in HENDERSON County be approved at a meeting on Monday, May 2, 1994.

AYERS: Vollie G. Good, Chairman; Renee Kumor, Vice-Chair
Commissioner Hugh D. Randall; Commissioner William McKay

NOES: none

I, Elizabeth W. Corn, Clerk to the Board of Commissioners for the County of HENDERSON, North Carolina, DO HEREBY CERTIFY that the foregoing

is a true copy of so much of the proceedings of the Board of Commissioners for said

County at a meeting held April 28, 1994 & May 2, 1994, as relates in any way to

Secondary Road Funds for expenditure in said County, and that said proceedings are

recorded in Minute Book _____ of the minutes of said Board, beginning at page

_____ and ending at page _____.

WITNESS, my hand and the official seal of said County, this 5th day of

May 19 94.

Elizabeth W. Corn
Clerk to the Board of Commissioners

CHAMPION HILLS

April 27, 1994

Mr. Vollie Good, Chairman
Henderson County Board of Commissioners
100 North King Street
Hendersonville, NC 28732

Dear Mr. Good:

As you know, the Branigar Organization and other property owners submitted a petition to abandon a portion of Indian Cave Road in February, 1994.

Based upon the traffic count on this road and our contact with all of the County service agencies (i.e., Sheriff, Valley Hill Volunteer Fire Department, etc.), and our immediate neighbors, we honestly believed that there would be no significant opposition to this petition. Obviously, the recent public hearing brought out many people that do not feel that our request at this time is in the overall best interest of the community.

We made the decision to come to Henderson County because we have a great love for the area, its' history, its' beauty, its' charm and its' people. Truly becoming a part of the community has been of major importance to us. Through our involvement in the Flat Rock Playhouse, Apple Festival, the Arts Festival, youth baseball, the Community Foundation, the Rotary Club, ABWA, and other area organizations, we have made many friends in the community and do not want to risk losing many of them because of any one issue.

Quite frankly, we did not anticipate significant opposition to closing the road as it used as a "pass-through" by only 10 or so cars a day and we were willing to give our neighbors a perpetual right to use the road. Obviously, we missed the mark with this assumption and have created a major division between Champion Hills and nearby residents in making this request. Simply put, resolving this difference is at this point more important to us than gating the community.

If at a later date we can generate a broad base of community support for such a proposal, we may again come before the Commission. At this time, however, we would like to instead focus on continuing to build community relations and rebuilding any relations we may have damaged via this request.

Thank you for your consideration of this issue.

Sincerely,



Patrick S. O'Brien
Project Director/Vice President

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097
PHONE 704/697-4808
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VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
HUGH D. RANDALL
WILLIAM MCKAY
RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

**NORTH CAROLINA LOCAL GOVERNMENT'S ADVISORY
RESOLUTION TO NORTH CAROLINA GENERAL ASSEMBLY
REGARDING MUNICIPAL SOLID WASTE MANAGEMENT**

WHEREAS, the North Carolina General Assembly has found that: "Inefficient and improper methods of managing solid waste create hazards to public health, cause pollution of air and water resources, constitute a waste of natural resources, have an adverse effect on land values, and create public nuisances.", NCGS 130A-309.03.(a)(1), and that "Problems of solid waste management have become a matter statewide in scope and necessitate State action to assist local governments in improving methods and processes to promote more efficient methods of solid waste collection and disposal." NCGS 130A-309.03.(a)(2), and

WHEREAS, the General Assembly adopted the Solid Waste Management Act of 1989 to "Regulate...collection, transport...and disposal of solid waste in order to protect the public health, safety, and welfare... for the people of this State...", "NCGS 130A-309.03.(b)(1), and to "Require counties and municipalities to adequately plan and provide efficient, environmentally acceptable solid waste management programs; and require counties to plan for proper hazardous waste management, "NCGS 130A-309.(b)(3), and

WHEREAS, the General Assembly requires "Each county...shall...develop a comprehensive county solid waste management plan...", "NCGS 130A-309.04(e), and

WHEREAS, such plans must reflect the State's "hierarchy of methods of managing solid waste, in descending order of preference:

1. Waste volume reduction at the source;
2. Recycling and reuse;
3. Composting;
4. Incineration with energy production;
5. Incineration for volume reduction;
6. Disposal in landfills."

NCGS 130A-309.04(a), and

WHEREAS, the validity and reliability of each such county solid waste management plan is directly dependent upon a county's ability to direct and control the flow of solid waste within its designated area, and

WHEREAS, the ability of counties and municipalities to minimize the financial risks for both parties to private service agreements is dependent upon the local government's ability to direct and control the flow of solid waste within its service area, and

WHEREAS, the General Assembly has required that "The governing board of a designated local government shall provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas designated to be served by the facility," NCGS 130A-309.09A(a), and

WHEREAS, the State requires the counties that own and/or operate solid waste landfills must demonstrate financial assurance that "...must ensure that the funds necessary to meet the costs of closure, post-closure care, and corrective action for known releases will be available whenever they are needed." 15A NCAC 13B.1628(b)(1)(D)(e)(1), and

WHEREAS, the State encourages "Counties and municipalities...to operate their solid waste management systems through the use of an enterprise fund." NCGS 130A-08(b), and

WHEREAS, the generation of revenues sufficient to operate such State mandated disposal systems as enterprise funds is directly dependent upon the use of such systems by the transporters of solid waste, and

WHEREAS, local governments are fundamentally dependent on their ability to control the flow of solid waste to market debt for solid waste management facilities, and

WHEREAS, NCGS 130A-291 (b) reflects a recognition by the General Assembly that local governments are fundamentally dependent on their ability to control the flow of solid waste facilities they have planned, financed and operate pursuant to State mandate and, provides for such flow control, now, therefore, be it

RESOLVED, that Henderson County strongly urges the General Assembly to continue to provide for local government control of the flow of municipal solid waste and, be it

FURTHER RESOLVED, that Henderson County strongly urges the General Assembly to take action to communicate North Carolina's desire for federal legislation authorizing local government control of the flow of solid waste to the United States Congress and, be it

FURTHER RESOLVED, that Henderson County strongly urges the General Assembly to provide for alternative revenue mechanisms for funding solid waste management programs.

Adopted this 2nd day of May, 1994.



Vellie G. Good, Chairman
Henderson County Board of
Commissioners

ATTEST:



Elizabeth W. Corn
Clerk to the Board

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
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VOLLIE G. GOOD
CHAIRMAN
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DAVID F. THOMPSON
COUNTY MANAGER

**RESOLUTION AUTHORIZING THE USE OF INSTALLMENT FINANCING
FOR THE CONSTRUCTION AND SITE IMPROVEMENTS OF THE
HENDERSON COUNTY YOUTH DEVELOPMENT EMERGENCY SHELTER
AND DIRECTING STAFF TO REQUEST PROPOSALS FROM BANKS**

WHEREAS, the Board finds that the Youth Development Emergency Shelter serves an important purpose for Henderson County youth and the site improvements, construction of a new nine bed residence and the renovation of an existing building for recreational purposes are very much in need; and

WHEREAS, the Board proposes to finance the construction and site improvements of the Youth Development Emergency Shelter through an installment financing contract with a bank licensed to do business in North Carolina over a term of five (5) years at a fixed rate of interest, with the payment of no financing costs by the County, with level monthly payments, and no penalties for prepayment in whole or in part; and

WHEREAS, N.C.G.S. 160A-20 authorizes the financing of the construction or repair of fixtures or improvements on real property by contracts that create in the fixtures or improvements, or in all or some portion of the property on which the fixtures or improvements are located, or in both, a security interest to secure repayment of moneys advanced or made available for such construction or repair"; and

WHEREAS, the Board finds and determines that short term or pay-as-you-go financing would place strains on the budget of the Henderson County Youth Development Department; and

WHEREAS, past audit reports of the County indicate that its debt management and contract obligations payment policies have been carried out in strict compliance with the law and the County has not been censured by the Local Government Commission, external auditors, or any other regulatory agencies in connection with such management; and

WHEREAS, it is the Board's intention to adopt this Resolution for the purpose of approving the use of installment financing for the construction and site improvements of the Youth Development Emergency Shelter and to direct Henderson County staff to request proposals from banks licensed to do business in North Carolina.

NOW THEREFORE, BE IT RESOLVED BY THE HENDERSON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

HENDERSON COUNTY
BOARD OF COMMISSIONERS

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097
PHONE 704/697-4808
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VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
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RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

1. The Board authorizes the use of installment financing pursuant to the authority granted by N.C.G.S. 160A-20 subject to the following terms and conditions:
 - a. The term of the installment contract shall be five (5) years.
 - b. The financing shall be for a fixed rate of interest.
 - c. There shall be no financing costs imposed upon Henderson County by the financing bank for the installment contract.
 - d. There shall be no penalties for prepayment in whole or in part.
 - e. Payments shall be level and shall be made monthly.
2. The Board orders staff to request proposals from banks licensed to do business in North Carolina in accordance with the terms and conditions outlined above.

This the 2nd day of May, 1994.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: Vollie G. Good
Vollie G. Good, Chairman

Attest:

Elizabeth W. Corn
Elizabeth Corn, Clerk to the Board

Approved as to Form:

Don Elkins
Don Elkins, County Attorney