

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JULY 6, 1992

The Henderson County Board of Commissioners met for a regularly scheduled meeting on Monday, July 6, at 7:00 p.m. in the Commissioners' Meeting Room of the Henderson County Office Building.

Those present were: Chairman J. Michael Edney, Vice-Chairman Vollie G. Good, Commissioner F. Richard Baker, Commissioner Hugh D. Randall, Commissioner William McKay, County Manager David F. Thompson, Assistant County Manager/Finance Director David E. Nicholson, County Attorney Don H. Elkins and Acting Clerk to the Board, Avalina B. Merrill. Elizabeth W. Corn, Clerk to the Board, was absent.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Good led the pledge to the American Flag.

INVOCATION

Invocation was given by Rev. Bill Jones of Bethany Bible Church.

REVIEW OF MINUTES

Minutes were presented for review as follows:

May 20, 1992
June 2, 1992
June 3, 1992
June 15, 1992
June 17, 1992
June 18, 1992
June 22, 1992
June 24, 1992
June 29, 1992

Commissioner Baker requested that more detail of the discussion about the motion that was made by Chairman Edney to send the request for zoning in East Flat Rock back to the Planning Board be included in the minutes of June 17, 1992. The corrected minutes of June 17, 1992 will be presented to the Board for approval again on Wednesday, July 15, 1992.

All minutes, with the exception of the minutes of June 17, 1992, were approved as corrected.

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DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Edney explained that the public hearing date would be set at which time citizens could discuss the Ladson Road/Banner Farm Road zoning issue at length with the Board.

Chairman Edney also explained that new information had been received on Soapstone Drive and Connelly Road and as result of that information Soapstone Drive had been removed from the list of roads scheduled for the public hearing on 7/6/92 and Connelly Road would be on the public hearing at a later date.

PUBLIC HEARING-PUBLIC ROAD NAMES AND PRIVATE ROAD NAMES

Commissioner McKay made a motion to go into the public hearing for public road names and private road names. All voted in favor and the motion carried.

Ms. Susan Sneed, E-9-1-1 System Coordinator, explained that notice of the public hearing on (60) road names had been advertised as required in the Procedure for Official Adoption of Street Names of Conflicting and Non-Conflicting Streets. Citizens requested that the spelling be changed on Ogdon Road. Formerly the spelling was Ogden but according to the information Ms. Sneed gathered, the correct and legal spelling should be Ogdon.

Due to new information that had been received on Connelly Road that had to be reviewed by the Board, Connelly Road was removed from the list and will be placed on the public hearing for public and private road names to be held on Tuesday, September 8, 1992 at 7:00 p.m. in the Commissioners' Meeting Room in the County Office Building.

Two citizens, Ms. Susan Lyda and Mr. Jim Ashburn, signed up to address the Board during the public hearing on Soapstone Drive but since that matter had been resolved previously, those citizens withdrew. No other citizens spoke during the public hearing.

Commissioner Good made a motion to close the public hearing. All voted in favor and the motion carried.

Commissioner Baker made a motion to approve the road names, excluding Connelly Road, as presented. All voted in favor and the motion carried.

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PUBLIC INPUT

These citizens spoke during public input:

1. **Thomas R. Mangan**, 31 Amber Drive, spoke in favor of the proposed R-30 zoning in the Ladson Road/Banner Farm Road area.
2. **Keith Loveless**, 5 Bannerwood Drive, spoke in favor of the proposed R-30 zoning in the Ladson Road/Banner Farm Road area.
3. **Robert Gibson**, 23 Amber Drive, spoke in favor of the proposed R-30 zoning in the Ladson Road/Banner Farm Road area.
4. **Jack Mewhorter**, 14 Carolewood Drive, spoke in favor of the proposed R-30 zoning in the Ladson Road/Banner Farm Road area.
5. **Walter L. Ray**, 36 Ladson Road, spoke in favor of the proposed R-30 zoning in the Ladson Road/Banner Farm Road area.
6. **Craig Justus**, 100 Gibbs Road, who is the attorney representing the citizens in the Ladson Road/Banner Farm Road area urged the Commissioners to vote for the proposed R30 zoning in that area.

NOMINATIONS

Chairman Edney reminded the Board of (3) vacancies on the Board of Health. Commissioner Good nominated Dr. Douglas Barker, Executive Director of Personnel of Henderson County Schools, and Tommy Shipman for appointment and Dr. Donald J. Draper for re-appointment. Commissioner McKay made a motion to suspend the rules and make these appointments. All voted in favor and the motion carried.

Chairman Edney reminded the Board of (2) vacancies in the Mountain Valleys Resource Conservation and Development Program. Commissioner Good nominated J. B. Osteen to be re-appointed. Commissioner McKay made a motion to suspend the rules and make the appointment. All voted in favor and the motion carried. One vacancy was rolled over to the next meeting on Wednesday, July 15, 1992.

SUBSTANCE ABUSE POLICY

Finance Director/Assistant County Manager David E. Nicholson reminded the Board that at the last Commissioners' meeting on Wednesday, June 17, 1992 a Substance Abuse Policy was presented to the Board for review. Mr. Nicholson proposed that the Board adopt the policy so that training could begin with the department heads and employees and also satisfy the current Federal requirements.

Chairman Edney, Commissioner Good and Commissioner Baker suggested some amendments be made to the policy. Commissioner Good made a motion to adopt the Substance Abuse Policy as amended. All voted in favor and the motion carried.

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PLANNING ORDINANCE

County Planner Matt Matteson reminded the Board that at the June 17, 1992 meeting, the Board deferred action on the proposed Planning Ordinance until it had been reviewed by Staff Attorney, Angela Skerrett. Mr. Matteson explained that Ms. Skerrett had reviewed the ordinance and a public hearing must be held on the Planning Ordinance. Mr. Matteson recommended that the public hearing be set for Monday, August 3, 1992 at 7:00 p.m. in the Commissioners' Meeting Room of the County Office Building.

Commissioner McKay made a motion to hold a public hearing on the Planning Ordinance on August 3, 1992. All voted in favor and the motion carried.

WCCA-ELDERLY DISABLED TRANSPORTATION ASSISTANCE AND MEDICAID TRANSPORTATION ASSISTANCE PROGRAMS

Mr. David White of Western Carolina Community Action (WCCA) requested approval from the Board to continue the services offered by the Elderly and Disabled Transportation Assistance and Medicaid Transportation Assistance Programs.

Commissioner Good made a motion to approve the request. All voted in favor and the motion carried.

DESIGNATION OF NON-CONFLICTING STATE ROAD NAMES

Ms. Susan Sneed, E-9-1-1 System Coordinator, presented a list of (129) public roads that are in agreement with State road names and numbers and requested the Board to re-adopt this list.

Commissioner McKay made a motion to re-adopt the list, excluding Connelly Road. All voted in favor and the motion carried.

PUBLIC HEARING-PUBLIC AND PRIVATE ROAD NAMES

Ms. Susan Sneed, E-9-1-1 System Coordinator, requested the Board to set a date for a public hearing to be held to name or rename both private and public roads in Henderson County.

Commissioner McKay made a motion to set the public hearing for Tuesday, September 8, 1992 at 7:00 p.m. to be held in the County Office Building in the Commissioners' Meeting Room. All voted in favor and the motion carried.

AMENDMENT TO BYLAWS FOR PARKS AND RECREATION DEPARTMENT

Commissioner Baker explained to the Board the need to amend the by-laws of the Parks and Recreation Advisory Board to allow members to serve more than (2) consecutive terms. The sentence "No member shall serve more than two (2) consecutive terms after initial

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appointment" was removed and the following sentence was inserted: "Members shall be appointed by the Henderson County Board of Commissioners, and may be reappointed by Commissioners upon expiration of terms".

Commissioner Good made a motion to incorporate the amendments into the by-laws of the Parks and Recreation Advisory Board upon the review and approval of County Attorney, Don Elkins. All voted in favor and the motion carried.

LADSON ROAD/BANNER FARM ROAD-PROPOSED ZONING AMENDMENTS

County Planner, Matt Matteson, explained to the Board that the Planning Board voted at their meeting on June 30, 1992 to submit to the Board of Commissioners a favorable recommendation of the proposed amendments for R-30 zoning to the Zoning Ordinance and Zoning Map for the Ladson Road/Banner Farm Road area and recommended that a public hearing be held on that issue.

Commissioner Good made a motion to set the public hearing as a special-called meeting on Monday, July 27, 1992 at 7:00 p.m. at the County Office Building in the Commissioners' Meeting Room. All voted in favor and the motion carried.

PUBLIC HEARING--SOLID WASTE DISPOSAL FACILITY SITE SELECTION CRITERIA

County Manager, David Thompson, requested the Board to set a public hearing to obtain input from the citizens of Henderson County on the final site selection criteria for the new Solid Waste Management Facility to be held Monday, July 13, 1992 at 7:00 p.m. Due to the large anticipated crowd, he suggested the public hearing be held in the Opportunity House.

Commissioner McKay made a motion to set the date of the public hearing as requested and hold the public hearing in the Opportunity House. All voted in favor and the motion carried.

RURAL DEVELOPMENT ADMINISTRATION AREA OFFICE LOCATION

County Manager David Thompson explained to the Board that under the 1990 Farm Bill the Farmers Home Administration (FmHA) water and wastewater programs would be moved to the Rural Development Administration office in Hickory, North Carolina. He suggested that the Board write a letter to Congressman Charles Taylor, Congressman Cass Ballenger and Senator Jesse Helms expressing opposition to the re-location.

Commissioner McKay made a motion to send a resolution expressing the Board's opposition to the re-location. All voted in favor and the motion carried.

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LAND RECORDS MANAGEMENT PROGRAM GRANT APPLICATION

Mr. Robert Baird, Tax Assessor, explained to the Board a resolution that is necessary to complete the application for a grant in the amount of \$110,000 to assist in the funding of the Land Records Program.

Commissioner Randall made a motion to adopt the resolution. All voted in favor and the motion carried.

VOTING DELEGATE DESIGNATION FOR 1992 NCACC CONFERENCE

County Manager David Thompson reminded the Board of the need to designate a delegate to represent the Board for the North Carolina Association of County Commissioners' annual conference that will be held in Charlotte in August.

Commissioner McKay made a motion to designate Vice-Chairman Vollie Good as the delegate for the NCACC meeting. All voted in favor and the motion carried.

TAX RELEASE REQUESTS

Mr. Robert Baird, Tax Assessor, presented (17) tax release requests to the Board for their approval.

Commissioner McKay made a motion to approve the tax release requests, if all the necessary paperwork is in order. All voted in favor and the motion carried.

TAX REFUND REQUESTS

Mr. Robert Baird, Tax Assessor, presented (5) tax refund requests to the Board for their approval.

Commissioner Good made a motion to approve the tax refund requests, if all the necessary paperwork is in order. All voted in favor and the motion carried.

ROAD PETITIONS

Road petitions were presented to the Board for their approval as follows:

East Laurel Lane	Addition to State System
Penny Court	Addition to State System/Maintenance Improvement
Fenwick Court	Addition to State System/Maintenance Improvement
Thorngate Drive	Addition to State System/Maintenance Improvement

Commissioner Randall made a motion to approve the road petitions as presented. All voted in favor and the motion carried.

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NOTIFICATION OF VACANCIES

Chairman Edney reminded the Board of (2) vacancies on the Western Carolina Community Action Committee. There were no nominations so those vacancies were rolled over to the next meeting to be held on Wednesday, July 15, 1992 at 9:00 a.m.

EXECUTIVE SESSION

Commissioner McKay made a motion to go into Executive Session to discuss the following matters:

- A. To discuss a personnel matter.
- B. To discuss the acquisition of real property.
- C. To consult with the County Attorney.

All voted in favor and the motion carried.

Commissioner Baker made a motion to go out of Executive Session. All voted in favor and the motion carried.

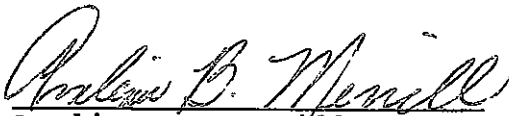
CONTRACT WITH BILL O'CAIN FOR EXPANSION OF BUILDING AT HEALTH DEPARTMENT

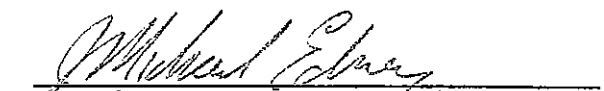
Commissioner McKay made a motion to approve the contract with Bill O'Cain for the expansion of the building at the Health Department. All voted in favor and the motion carried.

ADJOURNMENT/CLOSING

Commissioner Randall made a motion to adjourn the meeting. All voted in favor and the motion carried.

ATTEST:


Avalina B. Merrill
Acting Clerk to the Board


S. Michael Edney, Chairman
HENDERSON COUNTY COMMISSIONERS

Refunds 7-6-92

Name.....	REFUNDS.....	Total..... Tax.....	Reasons for Ref/Refunds.....
PHILLIPS, SHERMAN M & WIFE	91A00002350	\$31.64	PART OF NC280 ROW DEEDED TO DOT
PRIDE, THOMAS H	90A9935230	\$186.78	PARCEL NOT IN SPEC SCHOOL DIST
PRIDE, ELIZABETH C	91A99943937	\$12.76	OVERPAYMENT MADE TO WRONG PARCEL
WALLACE, JAMES R		\$231.18	Subtotal
Krueger, AP	85A0600757	\$ 30.61	Parcel does not exist; billed in error
Krueger, AP	87A0600757	\$ 21.57	Parcel does not exist; billed in error
		<u>\$ 273.36</u>	Total

5 items

Approved 7/6/92

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Name.....	RELEASES.....	Total..... Tax.....	Reasons for Rel/Refunds.....
ALBRITTON PROPERTY PARKING L OT	91A9906537.2	\$28.60	DOES NOT OWN PARCEL; UNKNOWN OWNER
ALBRITTON PROPERTY PARKING L OT	91A9906537.4	\$192.78	DOES NOT OWN PROPERTY; UNKNOWN OWNER
ALBRITTON PROPERTY PARKING L OT	91A9906537.5	\$219.24	DOES NOT OWN PARCEL; UNKNOWN OWNER
ALBRITTON PROPERTY PARKING L OT	91A9906537.3	\$219.45	DOES NOT OWN PARCEL; UNKNOWN OWNER
ALBRITTON PROPERTY PARKING L OT	91A9906537.1	\$224.25	DOES NOT OWN PARCEL; UNKNOWN OWNER
BARBER, T CHRISTOPHER	91A57633.08	\$51.62	DID NOT OWN 88 FORD TRK 1-1-91
HUNNICUTT, BATHANIE E ALLEN	91A9938934	\$221.16	MH ON LEASED LAND DOUBLE LISTED
JONES, M B	91A23762.01	\$17.61	MH DEL LISTED TO ACCT #A6891
JONES, MARGARET J	91A50727.01	\$3.50	NO DOG LISTED 1-1-91
PRIDE, THOMAS H	91A9935230	\$192.80	PARCEL NOT IN SPEC SCHOOL DIST
PRIDE, ELIZABETH C			
RICE, JANA MICHELLE	91A89544.03	\$43.27	89 CHEV TK TOTALLED 2/17/90
RITCHIE, L E	91A63561.01	\$36.87	MH DOUBLE LISTED TO #30793
RITCHIE, CARRIE			
TINSLEY, CHARLES MICHAEL	91A0180752	\$315.52	PROPERTY DOUBLE BILLED AFTER SPLIT
TOMS, MARION F JR ETAL	87A0113810	\$27.50	PARCEL INACTIVE & UNMAPPED; UNK OWN
WOLFF, MEYER	91A81187.01	\$21.57	MH DOUBLE LISTED TO #71379
WOLFF, EVE			
WOODRUFF, ARTHUR PRESTON & W IFE	90A9927798	\$63.75	PARCEL DOUBLE LISTED TO #99-41762
YOUNGBLOOD OIL CO INC	92A35647.01.1	\$18.63	RECEIVED LL PENALTY IN ERROR
		\$2,098.12	

*Approved
7/6/92*

17 records listed.