

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
MAY 23, 1991

The Henderson County Board of Commissioners reconvened at 7:00 p.m. on Monday, May 23. This was a continuation of the regularly scheduled meeting of May 22. The meeting was held in the Commissioners' Meeting Room of the Henderson County Office Building. This meeting is a joint meeting with Board of County Commissioners, The City Board of Education, and the County Board of Education.

Those present were: Chairman J. Michael Edney, Vice-Chairman Vollie G. Good, Commissioner Hugh D. Randall, Commissioner William McKay, Commissioner F. Richard Baker, Interim County Manager Jerry D. Myers, Finance Director David E. Nicholson, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn. Also present were both School Board Chairmen, both School System Superintendents, and members of both School Boards.

CALL TO ORDER

Chairman Edney called the meeting to order and asked Commissioner McKay to give the invocation.

Chairman Edney stated that he would like to keep the meeting very informal. The first issue to be addressed is the execution of the agreement to agree. The County School Board has accepted it and all members of the County Board have signed it. The City Board requested two modifications to it; one being to change the language to 25% County Commissioners' funding, the other being to request making the Board of Commissioners the arbitrator on any issue which the two Boards do not agree on.

The Board of Commissioners' concern is that we need to go ahead and execute this agreement as is at this time. Concerning the 25%, the Board of Commissioners feel that the Board's past record of support on funding for the School Boards is clear and needs no further clarification. Concerning the issue of the arbitrator, at this point the Board of Commissioners is not refusing but feels that this issue can be cleared up at a later date if the need arises. There will be a Consultant to work with Boards or Committees from those Boards and if at some point an issue arises that cannot be resolved through that process, there is no reason why it could not be brought back to the County Commissioners at that time and arbitration might be considered as an option.

Funding was discussed at some length with alot of input from the County Finance Director. The County Commissioners would have to make up \$800,000 to replace the Special School District Tax.

Chairman Edney stated that none of these documents discussed are legally binding, the only legally binding document we will have out

May 23, 1991

Page 2

of the entire process is the Merger Agreement signed by the City School Board, the County School Board, the County Commissioners, and approved by the Board in Raleigh. What the County Commissioners are requesting is a moral commitment by all parties concerned to go forward with this process. The two issues that have been raised are not issues that need to bog us down at this point, those are minor issues that can be addressed as need be. The final Merger Agreement Document can be specific.

The Consultant issue was discussed as was Arbitration. Also discussed was putting the issue to referendum.

Both School Boards were in agreement to decide on a consultant and meet with the consultant to start talking things out. Some of the City School Board members had a problem with signing an agreement stating that both School Boards **shall merge** by a certain date, feeling that they had already signed an agreement stating they would enter into negotiations in good faith.

Commissioner Baker stated that it is his feeling that if we do not have a signed agreement from both Boards of Education, then he is not for the County funding a consultant.

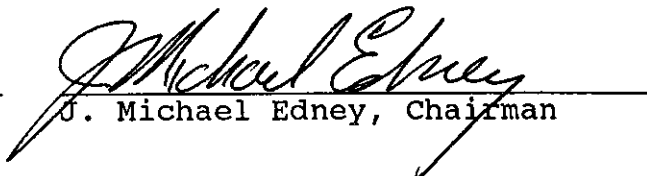
**BREAK**

After a break, Chairman Edney stated that basically we had hoped to reach a compromise that all seven members of both School Boards could agree on, that has not been done. The position of the County Commissioners is that we go with the Agreement that we have signed by all of the County Board of Education members and the majority of the City Board of Education members. The next step will be for the two Superintendents to agree on a facilitator/consultant and report back to the County Commissioners with a recommendation.

Chairman Edney recessed the meeting till 9:00 a.m. next Monday, May 29, 1991.

ATTEST:

  
Elizabeth W. Corn, Clerk

  
J. Michael Edney, Chairman