

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
SEPTEMBER 16, 1998

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

Also present were: Staff Attorney Jennifer O. Jackson, Finance Director J. Carey McLelland, and County Planner Karen Collins.

Absent was: Assistant County Manager Angela M. Skerrett.

CALL TO ORDER/WELCOME

Chairman Eklund called the meeting to order and welcomed all in attendance. Chairman Eklund announced that the Grand Opening of the Western North Carolina Justice Academy was scheduled for this morning. The Board of Commissioners would meet until 10 a.m. and then would adjourn to attend the Grand Opening and would reconvene the meeting at 1 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Hawkins led the Pledge of Allegiance to the American Flag.

INVOCATION

David Nicholson gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Hawkins requested that items "E" and "F" be pulled from the Consent Agenda for discussion - two financial reports.

Commissioner Hawkins also requested that the Tax Collector's report be pulled from the Consent Agenda and put on the next agenda. The Commissioners had just received the report this morning and had not had time to review it. Commissioner Hawkins requested that the Tax Collector's Report be received with the other agenda items so that it will be in the agenda book, giving the Board time for review.

There was much discussion and it was the consensus of the Board to hold a work session with the Tax Collector and the County Attorney.

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Commissioner Hawkins then addressed the questions he had concerning the Public Schools Financial Report for July and the County Financial Report for July. He was then comfortable with the reports and they were put back into the Consent Agenda.

CONSENT AGENDA

Commissioner Kumor made the motion to approve the Consent Agenda deleting only item "D" - Tax Collector's Report. All voted in favor and the motion carried.

The CONSENT AGENDA included the following:

Minutes

Minutes were presented to the Board for review and approval of the September 8 meeting.

Tax Releases

A list of 58 release requests was presented for the Board's review and approval.

Tax Refunds

A list of 21 refund requests was presented for the Board's review and approval.

County Financial Report - July 1998

The July Financial Report was presented to the Board for information purposes only, no action was required.

Public Schools Financial Report - July 1998

The July Financial Report was presented to the Board for information purposes only.

Justice Academy - Standby Generator

The Board of Commissioners adopted a Resolution on August 20, 1997 which authorized the County Manager to receive and award bids for equipment that is less than \$100,000 in cost. This Resolution requires that the County Manager report to the Board on any awards that he makes under the Resolution.

The County Manager authorized the receipt of informal quotes on a standby generator for the Justice Academy. Three bids were received and the County Manager awarded the contract to the lowest bidder. The Award form was submitted along with quotes. Pursuant to this award the standby generator was purchased from Power Systems, Inc. with the purchase price of \$14,362.00.

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INFORMAL PUBLIC COMMENTS

Bryan Aleksich - Mr. Aleksich spoke regarding a joint Resolution that was drafted by the Board of Public Education showing the need for spending large amounts of money to replace and renovate school facilities. Mr. Aleksich requested the Board of Commissioners to please wait to sign the Resolution until after the November election.

Charles Tindal - Mr. Tindal spoke on behalf of residents of Henderson County who have desperate needs and are unable to qualify for any other assistance, other than that which is covered by the general assistance funds. He was requesting \$18,000 for Interfaith Assistance Ministry for emergency assistance to county residents. There was an item on the agenda dealing with this issue.

Jane Lindsey - Ms. Lindsey was not present. She had called and asked that her name be put on the list to speak.

JOINT RESOLUTION

The JOINT RESOLUTION prepared by the Board of Public Education for them and the Board of County Commissioners to adopt was discussed. This Resolution was just received so the Commissioners had not had time to review it. It was the consensus of this Board that this Resolution be sent to the Facilities Committee for their recommendation to the Board of Commissioners.

EMERGENCY SERVICES COALITION

Brenda Wilson spoke in general support of what Mr. Tindal said under Informal Public Comments.

Debra Detterman requested that the \$18,000 donation to Interfaith Assistance Ministries be restored in this year's budget. Through Donations to Not for Profits, Henderson County has made a contribution to Interfaith Assistance Ministries for the past several years to assist with emergency assistance.

David Nicholson and Liston Smith addressed this issue.

Mr. Nicholson stated that the County's funding for emergency assistance in the Fiscal Year 1998-99 Budget was placed in the Department of Social Services' budget. Our funds were placed there to assist us with the maintenance of effort requirements for the Work First Program.

Interfaith (IAM) was provided \$75,000 in Fiscal Year 1997-98 with an additional \$50,000 in Fiscal Year 1998-99 Budget to assist in

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handling emergency services. Liston Smith assured the Board that these funds can be used to assist with the type of cases addressed in the Coalition's letter.

Following much discussion, Commissioner Kumor made the motion to follow Commissioner Hawkin's recommendation and send this as a global long-term issue to the Blue Ribbon Committee for a recommendation and that we fund the \$18,000 in quarterly payments with a request that we receive quarterly reports from IAM. All voted in favor and the motion carried.

NOMINATIONS

Chairman Eklund reminded the Board of the following vacancies and opened the floor to nominations:

Nursing/Adult Care Home Community Advisory Committee - 4 vac.

There were no nominations at this time so this item was rolled to the next meeting.

Hendersonville City Zoning Board of Adjustment - 2 vac.

Mr. Elkins has written the Attorney General for an opinion and has not received an answer. He said that it would take awhile.

Youth Advisory Board - 1 vac.

David Nicholson had received a letter from Larry Harmon recommending a Parks & Recreation employee to serve on this committee - Tim Hopkin. Tim has worked closely with the Youth Development Department in the past and will be glad to continue this relationship.

Commissioner Ward nominated Tim Hopkin. Commissioner Good made the motion to suspend the rules and appoint Mr. Hopkin. All voted in favor and the motion carried.

Community Child Protection Team - 6 vac. (Due to expiration of terms)

Commissioner Kumor nominated Mary Murray, Grace V. Poli, Dorothy J. Effinger, Jane Lindsey, DeWayne A. Moore, and Walter Harper for reappointment. Commissioner Kumor made the motion to suspend the rules and reappoint all six nominees. All voted in favor and the motion carried.

Jail Planning Advisory Committee - 1 vac.

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Commissioner Kumor had requested at the last meeting that an African-American be appointed to this vacancy to replace an African-American. Sheriff Erwin stated that any minority appointment would be appreciated.

The Clerk to the Board had contacted the Sheriff's recommendation, Rev. Oveido, by phone and sent him an application. Rev. Oveido wanted some time to review the roster and talk with some members to see if he would qualify and if he could meet at their meeting times. We are awaiting Rev. Oveido's completed application.

Hendersonville City Planning Board - 1 vac.

There were no applications at this time so this item was rolled to the next meeting.

Henderson County Zoning Board of Adjustment - 2 vac.

1 from East Flat Rock area and 1 from Kanuga area.

Don Elkins discussed the Board composition with the Board of Commissioners. Mr. Elkins' recommendation was that we have a regular member from each area as well as an alternate from each area serving on the Zoning Board of Adjustment.

It was the consensus of the Board to get print-outs of all the zoned areas as well as the unzoned area and for Commissioners Eklund and Good to review the print-outs and make recommendations to the Board of Commissioners.

REQUEST FOR REZONING ON GREENVILLE HIGHWAY

Application #R-03-98 by Linda Ann Moxley & Helen Moxley Pace

On August 3, 1998, the Board of Commissioners held a public hearing on an application (#R-03-98) to amend the Official Zoning Map of Henderson County submitted by Linda Ann Moxley and Helen Moxley Pace. The application requested that the County rezone approximately 14.5 acres of property on Greenville Highway (US#25 South) from R-20 (low density residential) and R-T (residential transient) districts to R-10 (high density residential) and C-1 (residential commercial) districts.

On the evening of the public hearing, the Board of Commissioners decided to solicit comments on the rezoning proposal from the City of Hendersonville and the Village of Flat Rock. Letters from the Mayors of Hendersonville and Flat Rock were reviewed. Since the public hearing, Ms. Linda Moxley and Mr. Joe Crowell have submitted letters requesting that the Board consider applying R-10 zoning to

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all of the subject property, rather than R-10 and C-1. Copies of those letters were reviewed.

On September 8, 1998, the Board of Commissioners decided to table action on the rezoning request pending receipt of an opinion from the County Attorney as to whether the item needed to be sent back to the Planning Board for a recommendation.

County Attorney's recommendation

Don Elkins stated that he had reviewed the law and the application (particularly the zoning ordinance) and it was his opinion that the Board of Commissioners could legally proceed to hear this matter or in the Board's discretion they could return it to the Planning Board for a formal opinion. He had talked with the Chairman of the Planning Board and felt that they would not be offended if this request did not come back to them.

Bill Moyer, Chairman of the Planning Board, came forward and stated that he had spoken to members of the Planning Board and they do not feel that it has to come back to the Planning Board. He did feel that an additional public hearing was warranted.

Following discussion, it was the consensus of the Board that an additional public hearing be set because of the change in the request. Commissioner Good made the motion to set a Public Hearing for Monday, October 5 at 7:00 p.m. All voted in favor and the motion carried.

REZONING REQUEST By Phillip B. Cole - Application #R-04-98

Mr. Elkins distributed a hand-out regarding this item.

Phillip B. Cole had submitted an application to have approximately 6.15 acres of property located on Allen Road in East Flat Rock rezoned from an R-20 (low density residential) district to an R-10 (high density residential) district. In September of 1997, Mr. Cole submitted an application requesting that the same property be rezoned from R-20 to a T-15 (medium density residential with manufactured homes) district. Following a public hearing, the Board of Commissioners denied Mr. Cole's request for T-15 in December of 1997.

The Henderson County Planning Board reviewed Mr. Cole's new application at its June 30, 1998 meeting and voted unanimously (8 to 0) to send the Board of Commissioners a favorable recommendation on rezoning the property to R-10.

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On July 15, 1998, while considering whether to set a public hearing on the application, the Board of Commissioners questioned whether Mr. Cole's request for R-10 was, in fact, a "new application" and asked the County Attorney for an opinion. The Board did not set a public hearing at that time.

County Attorney's opinion

Don Elkins distributed a copy of a page of the Zoning Ordinance (section 1201.01). He read the last sentence on page 115 "The Planning Board and the Board of County Commissioners will not consider an application for an amendment denied within the preceding twelve (12) months by the Board of Commissioners." It was the opinion of the County Attorney that this was a new application. The Zoning Ordinance requires that 12 months pass before a new application can be filed. The application could reapply in January of 1999.

GRAND OPENING/OPEN HOUSE OF WNC JUSTICE ACADEMY

Chairman Eklund adjourned the meeting, to reconvene at 1:00 p.m. so the Board could attend the Justice Academy Grand Opening.

AMENDED APPLICATION FOR THE USE OF PUBLIC SCHOOL BUILDING CAPITAL FUNDS FOR IMMEDIATE MAJOR REPAIR/MAINTENANCE SCHOOL PROJECTS (Short Term)

The Board had received a draft copy of the amended application for their review. The amended application is for first and second priority roof replacements at eleven schools, fire safety alarm components at six schools, HVAC installation at one school, and septic system replacement at one school.

Roof replacement bids for the original nine schools received by the school system came in under budget. The excess budgeted funds are being requested to fund additional roof replacements at Etowah and Fletcher Elementary Schools. The addition of these two projects does not change the total funds originally requested from the Public School Building Capital Fund or the required local match.

Carey McLelland reviewed the documents with the Board and informed them that the bid on replacing the Fletcher roof was \$16,354 and the bid on the Etowah roof was \$45,711. The total for roof replacements for eleven schools was \$597,427.00.

Commissioner Hawkins made the motion to approve the amended application and approve the letter authorizing \$100,000 architect fees be released. All voted in favor and the motion carried.

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Mr. Nicholson stated that staff will rework the back page of the amended application and will give the Commissioners a copy before it is presented to the School Board.

HOSPITAL REORGANIZATION

Jennifer Jackson submitted an Agreement for the Reorganization of Margaret R. Pardee Memorial Hospital for the Board's review and consideration.

Some of the documents attached to the Agreement were received immediately prior to the preparation of this agenda item.

At the September 8 meeting, the Board had asked Staff to outline certain options that might be available to the Board of Commissioners with regard to the awkwardness of having two hospital boards (the Board of Trustees and the Board of Directors of the Henderson County Hospital Corporation).

A proposed Resolution was presented for consideration by the Board in the event that the Board considered approving the documents at this time.

Staff recommended the Board's approval of the proposed Resolution and authorization of the execution of the documents.

Jennifer Jackson briefly reviewed the documents with the Board of Commissioners emphasizing the closing date which shall take place on October 30, 1998, to be effective at 12:01 a.m. on November 1, 1998. The Board discussed this and ultimately was in agreement by consensus.

Frank Aaron, Administrator of Pardee Hospital, and Sharon Alexander, Hospital Attorney were present and answered questions.

Following much discussion, Commissioner Hawkins made the motion to approve the proposed Resolution and the Escrow amount of \$130,555. All voted in favor and the motion carried.

IMPORTANT DATES

The Commissioners' calendar was reviewed.

LEGISLATIVE GOALS

David Nicholson reminded the Board that the NC Association of County Commissioners will hold their Legislative Goals meeting in January of 1999. They are currently soliciting state-wide legislative goals from member counties. The deadline for

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submitting proposed state-wide legislative goals is October 8, 1998. These goals will be submitted to their various committees and then to the conference.

Over the past few months, the Board has discussed several issues that could be presented to the Commissioners Association for state-wide consideration. He summarized the issues in question:

1. Non-Residency Homeowners

Both South Carolina and Florida have reductions in their assessed value for homeowners primary residences. The idea in this goal would be that persons owning second homes would pick up a larger portion of the property tax burden.

2. Transfer Tax

Several counties located in northeastern North Carolina have a real estate transfer tax. This tax is collected based on the amount of recorded property sales. Many of these counties utilize these funds for capital projects.

3. Installment Contract Financing

Currently, over 50 counties have the authority to use this alternative method of financing for schools. This method of financing should be available for all counties.

4. School Construction Contracts

Johnston County has a local bill which allows for the negotiation of school construction contracts. Under this bill, Commissioners can bid one project, award bids to the lowest responsible bidder(s) and then negotiate with these successful bidder(s) for future school projects.

5. Trespass on Private Property

This issue was presented by a citizen at a recent Commissioners' meeting. The proposal would be to strengthen the trespass laws for land that adjoins state game, state forest and tourist attractions.

6. 911 Surcharge

The North Carolina Sheriff's Association is supporting legislation that would expand the allowed uses of the telephone surcharge. Currently, the legislation allows for these funds to be used to equip the dispatch centers. The Sheriff Association has proposed that these funds should also be authorized for vehicles and other mobile uses.

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7. Human Services Board

Currently two counties have combined their human services departments into one agency by special legislation. This proposal would allow for every county to have the option to combine their human services departments into one agency.

These were issues that the Board had discussed at some time in the past.

Commissioner Hawkins asked that a couple more items be considered:

8. Annexation

Annexation as it deals with volunteer fire departments and fire district taxes.

9. Volunteers

The ability to volunteer as a volunteer fireman if you are a member of the county EMS, pursuant to a 1993 Department of Labor rule. This would have to go through NACo (National Association of Counties).

It was the consensus of the Board for a letter to be drafted for the Chairman's signature to the NC Association of County Commissioners regarding these Legislative Goals as well as one to the National Association of Counties (NACo).

Manufactured Home Park Ordinance

One of the items from the Quality of Life Issues is the development of a Manufactured Home Park Ordinance. At the September 8 meeting, Commissioner Ward requested that the working draft that Commissioner Kumor and he proposed be presented to the rest of the Board.

The proposed ordinance was reviewed very briefly. Mr. Nicholson stated that the Board may wish to consider sending this draft to the Planning Board for their input and suggestions. There have been several changes to the manufactured home industry over the past several years.

It was the consensus of the Board to submit this ordinance to the Planning Board for review, specifically to assure it addresses recent legislation/court rulings and conformity with the proposed Subdivision Regulations. The Planning Board will review and make a recommendation to the Board of Commissioners. The Commissioners will then hold a Public Hearing.

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CLOSED SESSION

Commissioner Hawkins made the motion for the Board to go into Closed Session as allowed pursuant to NCGS 143-318.11 for the following reasons:

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.
3. (a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (1) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease, (11) the amount of compensation and other material terms of an employment contract or proposed employment contract.

All voted in favor and the motion carried.

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

No action was taken following Closed Session.

2:25 p.m. - Facilities Work Session

Angela Skerrett joined the meeting for the Work Session and thanked the Board for staying late to hold the work session. Also present for the work session: Bill Byrnes, Margaret Street, and Les Capps.

Commissioner Kumor asked the question of whether the Board still had the same goals for county facilities that they had a few years ago when the Land Development Building was acquired and the Nuckolls building was purchased or if the Board should revisit those plans and modify them. She also briefly discussed that the county needed an on-going maintenance plan for our facilities.

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Margaret Street, Angela Skerrett's Administrative Assistant, distributed the Henderson County Facilities' Manuals. Angela Skerrett briefly discussed the make up of the manuals:

behind TAB #4 - Les Capps, Maintenance Supervisor had been working on basic assessments of each county facility.

behind TAB #5 - Bill Byrnes did an assessment of what buildings needed fire alarms or smoke detection systems - what fire safety issues we have.

behind TAB #2 - Staff took pictures of our county facilities with a digital camera and these were under Tab #2. For each facility there is a picture along with which departments are in the facility, how many employees are in each department, and the square footage each department occupies.

There is also a map with the locations of county facilities marked on it.

behind TAB#3 - The Nuckolls building is behind this tab exclusively.

behind TAB#6 - When Sheriff Erwin first took office, he was asked to do some security assessments of some of our facilities. The assessments of these six facilities are located here.

behind TAB#7 - Staff pulled property tax cards for the facilities located in the downtown area.

behind TAB#8 - Insurance information on our county facilities.

behind TAB#9 - Budget information.

behind TAB#10 is nothing. Ms. Skerrett left it empty as a place to put any software information.

All Department Heads were sent a survey. They are most affected by the condition of the facilities because they work in them on a daily basis. Their questionnaires were not included but their information was included in various places.

Ms. Skerrett encouraged each Commissioner to take their manual and read and study it.

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Ms. Skerrett stated that Henderson County owns or leases 55 facilities, including picnic sheds, rest rooms and concession facilities at the parks, not including pump stations.

The oldest facility is the Day Reporting facility, which was constructed in the 1900's. The newest facility is the Edneyville Library which is under construction. The total square footage that the County owns or leases is 432,721 square feet:

Owned buildings	392,631 sq. feet
Leased buildings	24,730 sq. feet
Picnic Sheds	12,173 sq. feet
Restroom/Concession	3,187 sq. Feet

The facility receiving the lowest rating by department heads was a #3 for the Patrol Division Headquarters.

The facilities receiving the highest ratings were our newest facilities:

Courthouse
Edneyville Library
Etowah Park Facilities
Transfer Station

Per the maintenance assessment, the following buildings are in need or soon will be in need:

Roofs - Commissioners' Building, Fletcher Library, Cooperative Extension, Public Health, Travel and Tourism, and the Trust Building.

Paving- Spectrum Youth Shelter, Animal Shelter, Commissioners' Building (back lot), Etowah Library, Fletcher Library, Parks & Recreation Office, Jackson Park Picnic Shelters, and Patrol Division Headquarters.

HVAC - Commissioners' Building and Public Health.

Electrical - Jail.

Ms. Skerrett discussed briefly how a maintenance plan would benefit the County. She had asked this question of the Department Heads and reviewed some of their answers.

Ms. Skerrett then discussed what end result or outcome we are trying to achieve. She asked the question, on a scale of 1 to 10, with 1 being a building in such disrepair that it cannot be occupied by anyone and 10 being brand new, how do we want the

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County's buildings and facilities to rate? (discussion was about a 7 or 8) There was discussion of deterioration of some of our buildings and the increased maintenance budget it would require to maintain some of these buildings.

There was much discussion regarding the level of preventative maintenance Henderson County wants to achieve. There was discussion of putting these facilities out for sale to get them back on the tax rolls and to build a government complex under one roof or several buildings on a campus setting. There was discussion of leasing such a facility or leasing to purchase.

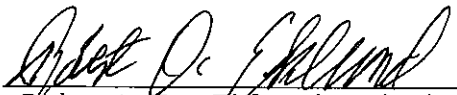
There was discussion of whether to hire a consultant to study our facility needs and come back with a recommendation. The Board should have several options to consider. Staff will seek proposals on a consultant.

Angela Skerrett thanked several people who had helped her put this presentation and manual together: Her Administrative Assistant Margaret Street, Staff Attorney Jennifer Jackson, Risk Management Director Bill Byrnes, and Director of Maintenance Les Capps. Many hours went into this project.

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:


Elizabeth W. Corn, Clerk


Robert D. Eklund, Chairman

REQUEST FOR BOARD ACTION**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: September 16, 1998

SUBJECT: Tax Releases

ATTACHMENTS: Release Report

The enclosed release requests (58) have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office.

These release requests are submitted for the approval by the Henderson County Board of Commissioners.

RELEASE.MNT
09/08/98COMMISSIONER'S REPORT 09/16/98
RELEASESREL. REPORT
PAGE 1

Taxpayer Name	Taxbill	Total	Reason
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BESTER, JOSEPH D/TR BESTER, ELIZABETH M/TR	98A9933679	\$19.65	1989 DEED TRANSFERRED PROPERTY TO DOT
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BOB LAWRENCE POWER EQUIPMENT I	98A85773.01	\$297.95	FILED AMENDED RETURN TO NEGATE ARB ASSESSMENT
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BRANDTJEN, MARGARET A	98A187634.04.1	\$181.79	RELEASE BILL FOR 96 CHAL 14X70 MH DOUBLE LISTED TO SCOTT GOLDSMITH 88-06666
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BROWNING ENTERPRISES INC	98A9956871	\$49.88	PTC APPEAL VALUE REDUCED TO \$100 DRAIN FIELD LOT ONLY
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BROWNING ENTERPRISES INC	98A9956868	\$25.94	PTC APPEAL VALUE REDUCED TO \$100 DRAIN FIELD LOT ONLY
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BROWNING ENTERPRISES INC	98A9956869	\$27.93	PTC APPEAL VALUE REDUCED TO \$100 DRAIN FIELD LOT ONLY
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BROWNING ENTERPRISES INC	98A9956867	\$26.60	PTC APPEAL REDUCED TO \$100 DRAIN FIELD LOT ONLY
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BROWNING ENTERPRISES INC	98A9956870	\$37.91	PTC APPEAL VALUE REDUCED TO \$100 DRAIN FIELD LOT ONLY
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BYRD'S AUTOMOTIVE SPECIALISTS	97A95133.01	\$349.25	BUSINESS CLOSED FOR 1997
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CABLE, CLARENCE CABLE, FRANCES A	96A8605911	\$0.00	MH WAS LISTED AS 1989 OAKWOOD SHOULD BE 1986 LIBE
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CARPENTER, BILLY V CARPENTER, MATHA W (1/3 INT)	95A8804575	\$59.34	1990 SX30 STAR PAID TAXES IN GASTON COUNTY
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CITY LINE	98A128056.10	\$386.10	CHECKED WITH CROSS REFERENCE BOOK NO BUSINESS EXISTS IN 1998
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COOK, GARY STEPHEN	96A118764.07	\$12.48	MOVED IN 1995 TO FLORIDA
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RELEASE MNT
09/08/98

COMMISSIONER'S REPORT 09/16/98

RELEASES

REL. REPORT
PAGE 2

Taxpayer Name

Taxbill

Total

Reason

CORRAL, HECTOR
CORRAL, ROSA

97A9944132

\$211.66

DOUBLE LISTED AS REAL PROPERTY
88-07882

CREATIVE COMMUNICATIONS & YOUT 97A168951.05

\$69.30

NO PERSONAL PROPERTY LOCATED IN
HENDERSON COUNTY IN 1997

DARITY, ANTHONY VARNELL

97A8802985

\$42.91

GILLILAND OWNS MH
DBL LISTED #96183

DAVECOMM COMMUNICATIONS & ELEC 98A88248.01

\$56.43

FILED LISTING IN LIEU OF
ARBITRARYDELIVER IT INC.
GREENE, MICHAEL D/E/A

98A186299.10

\$64.35

FILED AMENDED RETURN, NO
F&F, EQUIP. OR COMPUTER EQUIP
SUPPLY VALUES OF \$25

DRAKE, JEWELL

97A8806818

\$38.11

VALUE OF MH TOO HIGH

FIRST COMMERCIAL BANK

98A50259.01

\$772.20

LISTED ON #179921
CENTURA BANK

FRENCH BROAD GOLF CENTER INC

98A102642.07

\$161.97

NOT IN F05 DISTRICT
FLETCHER WILL DISCOVER FOR
1998 IN C04

GAMBLE TAX SERVICE

98A96732.01

\$61.46

FILED AMENDED RETURN TO NEGATE
ARBITRARY ASSESSMENTGAYLORD, KENNETH J
LAYFIELD, DENISE

98A9960619

\$119.93

PROPERTY SPLIT IN ERROR. CORRECTED
AND DISCOVERED AS ONE FOR 98'GAYLORD, KENNETH J
LAYFIELD, DENISE

98A9960617

\$153.27

PROPERTY SPLIT IN ERROR. CORRECTED
AND DISCOVERED AS ONE FOR 98'GAYLORD, KENNETH J
LAYFIELD, DENISE

98A9960619

\$25.16

PROPERTY SPLIT IN ERROR. CORRECTED
AND DISCOVERED FOR 98'

GOLF AUGUSTA PRO SHOPS

98A162959.20

\$151.93

FILED AN AMENDED RETURN 8/18/98 TO
NEGATE ARBITRARY VALUE OF
\$70,000

RELEASE, MNT
09/08/98

COMMISSIONER'S REPORT 09/16/98
RELEASES

REL. REPORT
PAGE 3

Taxpayer Name	Taxbill	Total	Reason
HENDERSONVILLE LTD. PARTNERSHIP	98A169733.10	\$321.75	ATM IS OWNED BY McDONALD'S, NOT H'VILLE LTD PARTNERSHIP
HENDERSONVILLE WINDOW TINTING	98A77801.01	\$47.87	FILED AMENDED RETURN TO NEGATE ARBITRARY ASSESSMENT
HIGGINS, JEFFREY ALLEN	97A8800233	\$19.54	VALUE OF MH TOO HIGH
HOLBERT, HAROLD E JR	96A68023.02	\$2.78	SCRAP METAL IN 1995, FAILED TO TAKE OFF
JACKSON, RANDY	97A8802997	\$7.62	1974 UNKNOWN MH OWNED BY RANDY JACKSON #100571
JUSTUS, JEFFREY C TODD, ALEX	98A0201197	\$603.45	ERROR IN COMPUTING LAND VALUE
JUSTUS, LEXINE H	97A9940924.2	\$145.85	ROLL-BACK DONE IN ERROR.
JUSTUS, LEXINE H	97A9940924.1	\$244.80	ROLL - BACK DONE IN ERROR.
JUSTUS, LEXINE H	97A9940924.3	\$148.30	ROLL-BACK DONE IN ERROR.
KIRTON, KEVIN KIRTON, MISTY	97A8802539	\$39.68	BELONGS TO A. HEINMILLER #56517
KRAMEK, MICHAEL J	97A8801043	\$111.95	M. KRAMEK IS DECEASED
LANCE, CARROLL E	97A24015.01	\$75.48	MR. LANCE PASSED AWAY ON 4/16/96
LAWSOON, DAVID	97A8807599	\$115.26	1996 T/I WAS REGISTERED IN SOUTH CAROLINA

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RELEASE, MNT
09/09/98COMMISSIONER'S REPORT 09/16/98
RELEASESREL. REPORT
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Taxpayer Name	Taxbill	Total	Reason
MCMINN, JAMES A MCMINN, OLIVIA	96A0701574	\$88.80	HOUSE INCORRECTLY ASSIGNED TO THIS PARCEL.
MCMINN, JAMES A MCMINN, OLIVIA	97A0701578	\$456.12	HOUSE BURNED DOWN 11-22-96 PER FLETCHER FIRE DEPT.
MOORE, MAE G	96A38509.08	\$26.85	'75 MASX 12X70 MH MOVED TO BUNCOMBE CTY IN 1994
MOORE, MAE G	91A38509.08	\$61.45	BILL FOR 75 UNKNOWN 12X69 MH DOUBLE LISTED UNDER #86199
MOORE, MAE G	95A38509.08	\$23.94	'75 MH 12X70 MOVED TO BUNCOMBE COUNTY IN 1994
MOORE, MAE G	92A38509.08	\$36.47	75 UNKNOWN 12X69 MH DOUBLE LISTED #86199
MOORE, MAE G	94A38509.08	\$25.60	'75 12X70 MH DOUBLE LISTED IN #86199
MURPHY-WILSON INVESTMENT CO	98A2946676	\$2296.62	1996 ANNEX BEEN UNDER APPEAL (93 CVS 539) PER TOWN OF FLETCHER THIS IS TO BE TAXED FOR 1998
PAGE ONE PUBLICATIONS GIBBY, DONALD D/E/A	96A23838.01	\$63.48	AMENDED ARBITRARY ASSESSMENT 8/17/98
PRATT, BEATRICE B	97A8801175	\$20.38	MH LISTED TO JACK HUGGINS #140588
REFCO INDUSTRIES	98A64445.01	\$219.42	FILED LISTING IN LIEU OF ARBITRARY
RITCHIEY, JOHNNY RAY RITCHIEY, KIM M	97A8804294	\$44.83	SOLD TO M. BASTARDOS #1592299
SHEHAN, EARL C	97A8803034	\$13.34	VALUE OF MH TOO HIGH

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RELEASES

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Taxpayer Name	Taxbill	Total	Reason
TAKARA MUSHROOMS	98A118971.07	\$433.62	FILED AN AMENDED RETURN TO NEGATE ARB OLD VALUE/RELEASE THE DIFFERENCE
UNKNOWN OWNER OSTEEN, HARLEY	98A9947833	\$19.04	ACREAGE RECONCILIATION. REVIEWED BY 1994 SURVEY
UNKNOWN OWNER OSTEEN, HARLEY	97A9947833	\$20.00	ACREAGE RECONCILIATION 1994 PLAT REVIEWED.
WILLIAMS, CHARLEY E	98A64020.07	\$47.44	FILED AMENDED RETURN INDICATING BUSINESS CLOSED PRIOR TO JAN 1, 98
YANCEY, MARVIN SCOTT HOUSTON, LYNDIA D	97A9804029	\$9.76	DOES NOT OWN A 1967 LIBE
YANCEY, MARVIN SCOTT HOUSTON, LYNDIA D	97A8804030	\$13.35	DOES NOT OWN A 1971 AMERICAN
YOUNG, MARK BRIAN	97A8806879	\$148.15	MH WAS REPOED IN 1996

TOTAL RELEASES >>> \$9346.49

REQUEST FOR BOARD ACTION**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: September 16, 1998

SUBJECT: Tax Refunds

ATTACHMENTS: Refund Report

The enclosed refund requests (21) have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office.

These refund requests are submitted for the approval by the Henderson County Board of Commissioners.

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REFUNDS

REL. REPORT
PAGE 1

Taxpayer Name

Taxbill

Total

Reason

ASHEVILLE PACKING COMPANY

97A75236.10.1

\$2010.93

TAXPAYER PAID BILL ON ORIGINAL TMA
AUDIT FINDINGS RATHER THAN APPEALED
AND AMENDED FINDINGS

BESTER, ELIZABETH M
BESTER, JOSEPH D

96A9933679

\$17.55

IN OFFICE VISIT 8/7/98 BY BESTER-
HAD 89' DEED FOR PARCEL TO DOT

BESTER, ELIZABETH M
BESTER, JOSEPH D

94A9933679

\$36.00

IN OFFICE VISIT 8/7/98 BY BESTER-
HAD 89' DEED FOR PARCEL TO
DOT.

BESTER, ELIZABETH M
BESTER, JOSEPH D

93A9933679

\$36.00

IN OFFICE VISIT 8/7/98 BY BESTER-
HAD 89' DEED FOR PARCEL TO
DOT.

BESTER, ELIZABETH M
BESTER, JOSEPH D

95A9933679

\$16.95

IN OFFICE VISIT 8/7/98 BY BESTER
HAD 89' DEED FOR PARCEL TO DOT

BESTER, JOSEPH D/TR
BESTER, ELIZABETH M/TR

97A9933679

\$18.45

IN OFFICE VISIT 8/7/98 BY BESTER-
HAD 89' DEED FOR THIS PARCEL TO DOT

BROWNING ENTERPRISES INC

97A9956870

\$35.63

PTC APPEAL
VALUE REDUCED TO \$100
DRAIN FIELD LOT ONLY

BROWNING ENTERPRISES INC

97A9956869

\$26.25

PTC APPEAL
VALUE REDUCED TO \$100
DRAIN FIELD LOT ONLY

BROWNING ENTERPRISES INC

97A9956868

\$24.38

PTC APPEAL
VALUE REDUCED TO \$100
DRAIN FIELD LOT ONLY

BROWNING ENTERPRISES INC

97A9956867

\$25.00

PTC APPEAL
VALUE REDUCED TO \$100
DRAIN FIELD LOT ONLY

BROWNING ENTERPRISES INC

97A9956871

\$46.88

PTC APPEAL
VALUE REDUCED TO \$100
DRAIN FIELD LOT ONLY

NIX, JAMES M
NIX, FAY

96A9950188

\$49.61

HOUSE BURNED DOWN IN 1994

NIX, JAMES M
NIX, FAY

95A9950188

\$47.15

HOUSE BURNED DOWN IN 1994

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Taxpayer Name	Taxbill	Total	Reason
NIX, JAMES W NIX, FAY	97A9950188	\$52.07	HOUSE BURNED DOWN IN 1994
TOWN AND COUNTRY HOMES INC	94A9943997	\$60.00	SHOULD HAVE BEEN LAUREL PARK PER LAUREL PARK COUNCIL, CORRECT +4 93-98 (FIRE ONLY)
TOWN AND COUNTRY HOMES INC	96A9943997	\$10.40	SHOULD HAVE BEEN TAXED LAUREL PARK
TOWN AND COUNTRY HOMES INC	95A9943997	\$10.40	SHOULD HAVE BEEN LAUREL PARK
TOWN AND COUNTRY HOMES INC	97A9943997	\$10.40	SHOULD HAVE BEEN LAUREL PARK ANNEX 1984
WILLIS, CARRIE EST	97A0115195	\$102.87	TOOK OFF 100% BASEMENT 100% FINISHED
WILLIS, CARRIE EST	95A0115195	\$93.15	TOOK OFF 100% BASEMENT 100% FINISHED
WILLIS, CARRIE EST	96A0115195	\$98.01	TOOK OFF 100% BASEMENT 100% FINISHED

TOTAL REFUNDS >>> \$2828.08

HENDERSON COUNTY BOARD OF COMMISSIONERS

100 North King Street
Hendersonville, North Carolina 28792-5097
Phone 828-697-4808 • Fax: 828-698-6183
TDD: 828-697-4580

BOB EKLUND
Chairman
GRADY HAWKINS
Vice-Chairman

VOLLIE G. GOOD
RENEE KUMOR
DON WARD

RESOLUTION

WHEREAS, by a resolution adopted May 4, 1998, (with reference being made to a November 17, 1997 Resolution), the Board of Commissioners of Henderson County, North Carolina (the "BOC") authorized the conveyance of substantially all the equipment and intangible assets of the Margaret R. Pardee Memorial Hospital (the "Hospital System") and the leasing of the real property which is a part of the Hospital System to the Henderson County Hospital Corporation, a nonprofit corporation organized and existing under the laws of the State of North Carolina;

WHEREAS, the May 4, 1998, Resolution authorized the County Manager to negotiate a Transfer Agreement and required that such Transfer Agreement be presented to the BOC for final approval;

WHEREAS, the County Manager has negotiated a Transfer Agreement entitled "Agreement for the Reorganization of Margaret R. Pardee Memorial Hospital" and upon its presentation, together with all attachments thereto, the BOC desires to authorize the execution of such Transfer Agreement and the documents and agreements attached thereto;

NOW THEREFORE BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. The Chairman of the Henderson County Board of Commissioners and the Clerk to the Board are hereby authorized to execute the Agreement for the Reorganization of Margaret R. Pardee Memorial Hospital and each document and/or agreement which is attached thereto, said Agreement for the Reorganization being attached hereto as "Exhibit A" and incorporated herein by reference as if fully set forth herein. The terms of said Agreement for the Reorganization and all documents and agreements attached thereto, are hereby agreed to by the Board of Commissioners.
2. The Escrow Deposit Agreement which is attached to the Agreement for Reorganization as Schedule 3.2 is hereby expressly approved and the County Manager, Staff Attorney and Finance Director are expressly authorized to submit the same to the Local Government Commission for approval in accordance with NCGS 131E-8.
3. The Chairman of the Board is authorized to take any further actions necessary to revise said Agreement for Reorganization and any document or agreement referenced therein as long as said revisions are consistent with the intent of this Resolution, the May 4, 1998 Resolution and the Agreement for Reorganization, including necessary adjustments in the amount of money to be deposited by the

Hospital Corporation in accordance with the Escrow Deposit Agreement. The Chairman's execution of such documents shall be evidence of his agreement to such revisions.

THIS the 16th day of September, 1998.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: Grady Hawkins
Grady Hawkins, Vice Chairman

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk to the Board

[OFFICIAL SEAL]

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