MINUTES

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

BOARD OF COMMISSIONERS JUNE 16, 1993

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 Vollie G. Good, Vice-Chairman J. Michael Edney, Commissioner Hugh D. Randall, Commissioner William McKay, Commissioner Renee Kumor, County Manager David F. Thompson, Assistant County Manager David E. Nicholson, County Attorney Don H. Elkins, and Clerk to the Board Elizabeth W. Corn.

Also present were: Finance Director Peter A. Molleur, Staff Attorney Angela M. Skerrett, and Planning Director Matt Matteson.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Edney led the Pledge to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson added new items:

"H" Etowah Library Contracts, under Discussion Items.

"I" Hidden Valley Subdivision Concerns, under Discussion Items.

Former item "H" Discussion of Proposed FY 93-94 Budget was moved till after these two additions.

CONSENT AGENDA

Review of Minutes

The minutes from the May 31 meeting were presented for review and approval.

Tax Releases

A list of twenty-five (25) tax release requests were presented for the Board's approval. Robert Baird has reviewed all release requests and believes the findings to be in order. Supporting documentation is on file in his office.

Tax Refunds

A list of eleven (11) tax refund requests were presented for the Board's approval. Robert Baird has reviewed all refund requests and believes the findings to be in order. Supporting documentation is on file in his office.

Property Tax Release Request

Mr. Guy Clark sold a business to Mr. Fowler in 1990. Mr. Fowler did not list any Business Personal Property in 1991. An arbitrary Assessment was made and billed for 1991.

Mr. Fowler's accountant listed his Business Personal Property in 1992. The tax bill included a full assessment on both real and personal for 1992.

North Carolina General Statutes make any Business Personal Property tax a lien on Real Estate.

No taxes were paid by Mr. Fowler in 1991 or 1992.

The Assessor does not have any authority to release these tax bills.

Robert Bairds opinion was, if amended returns were filed for year 1991 and 1992, the Board may choose to adjust the value and grant this requested release.

David Thompson concurred that this was a release that could be approved by the Board of Commissioners.

Commissioner McKay made the motion to approve the consent agenda. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

There were none.

PUBLIC HEARING - N.C. Department of Transportation (Secondary Rds.)

Commissioner Kumor made the motion to go into the Public Hearing on Secondary Roads. All voted in favor and the motion carried.

Chairman Good introduced: Marvin Raper, Highway Commissioner for this district.

Mr. Raper stated that this year Henderson County received approx. \$2,103,718.00. Of this amount, they propose to spend \$1,682,974 for paving of unpaved secondary roads and \$420,744 for spot stabilization, paved road improvement, replacement of small bridges with pipe, safety projects, widening of existing curves, property owner participation, road additions, cemetery roads, and steep-grade paving. This is based on a ratio of our unpaved miles in the county to the state road total of unpaved miles. These funds cannot be spent in another county but must be spent in Henderson County on secondary roads. The program may vary depending on revenues from gasoline tax.

Mr. Raper introduced Verlon Edwards, Division Engineer. Mr. Edwards stated that Henderson County is the largest county in his division (the 10 western counties of N.C.). Mr. Edwards introduced Jay Swain, District Engineer; Sammy Brittain, Maintenance Engineer for Henderson County; and Bobby Corn, Road Maintenance Supervisor for Henderson County.

RATING SYSTEM

Jay Swain discussed the rating system explaining that it is primarily based on road usage. Points are given for number of houses on the road, businesses on road, schools, churches, industries, recreational facilities, etc. Points are given for a bus route.

If actual road count is not taken, 6 points are allowed per house(full time house) and 3 points per house (part time house).

Roads are divided into two categories: 1. Residential/Subdivision and 2. Rural. Rural roads exceed a mile in length and is usually a through road with low density. Residential/Subdivision roads are usually less than a mile in length, usually dead-end, with an average density of two or more homes per tenth mile.

Presently funds are divided 50% for residential and 50% for rural roads.

PUBLIC INPUT

These citizens all inquired about the status of their roads on the priority list. They requested either maintenance to their road and/or paving:

- 1. Grace Albritton SR# 1710 Ball Rock Road.
- 2. Lucille Lyda SR# 1799 Deep Gap Road.
- 3. Dewitt Dowdle SR# 1189 Ransier Road.

- 4. Mary Ann Steppy SR# 1189 Ransier Road.
- 5. Jan Pettit SR# 1850 Bell Mountain (Heatherly Heights).
- 6. Norma Felsmaier SR# 1799 Deep Gap Road.
- 7. B. Walk SR# 1842 Tramble Gap Road.
- 8. Larry Hensley SR# 1736 Lytle Road.
- 9. Troy Pace SR# 1850 Bell Mountain Road.
- 10. Brenda Miller SR# 1326 Banne Road.
- 11. Elaine Owen SR# 1323 McKinney Road.
- 12. Preston Mintz SR# 1832 Macedonia Road.
- 13. Jimmy Nix SR# 1861 Neilson Road.
- 14. Nancy Hanna SR# 1572 Kyles Creek Road.
- 15. Abe Revman SR# 1125 Walnut Cove Road.
- 16. James Wilkerson SR# 1125 Walnut Cove Road.
- 17. Doyle Capps SR# 1103 Ward Road (Andrews Road).
- 18. James Barnett SR# 1332 Presbyterian Church Road.
- 19. James Valentine Roads in East Flat Rock Jody Drive, B Street, Valentine , and Ferndale.
- 20. John Loor SR# 1528 Featherstone Road (Locust Grove Road).
- 21. Dramer Turner SR# 1861 Neilson Road.
- 22. Ila Boyd SR# 1861 Neilson Road.
- 23. Nellie Jones SR# 1861 Neilson Road.
- 24. Bill Price SR# 1341 Whitaker Lane.

- 25. Mrs. Reginald Hoots SR# 1311 Camp Ground Road.
- 26. Betty Livingston SR# 1555 Pattys Chapel Road.
- 27. Gloria Burnham SR# 1616 Mark Freeman.
- <u>28. William Enloe</u> Challenged the Commissioners to put paving roads as a priority on their list and try to get some additional funds for paving.
- 29. Hazel S. May SR# 1525B Oleta Road.
- 30. Rhoda Suez SR# 1188 Davis Mtn. Road.
 SR# 1215 Turley Falls (Brightwater).
- 31. Stephanie Cass SR# 1799 Deep Gap Road.
- 32. Dwight Gilbert SR# 1861 Neilson Road.
- 33. Allen Bush SR# 1443 Lance Road.
- 34. Rebecca Dinsmore SR#
- 35. Lonnie Osteen SR# 1562 Harper Road.
- 36. Jeanne L. McCoy SR# 1422 Forge Mtn. Road.
- 37. Wayne M. Link SR# 1850 Bell Mountain Road.
- 38. John Love SR# 1739 Hill Road.

Commissioner Kumor made the motion to close the public hearing at 11:53 a.m. All voted in favor and the motion carried.

COMMISSIONER REQUESTS

Commissioner Kumor requested that the Department of Transportation:

- 1. notify the Board of Commissioners as they experience right-of-way problems.
- 2. publish the priority list of road rankings (by SR numbers).
- 3. a weekly update in the newspaper or that they take advantage of the Info-Line in the newspaper. This update should inform the public as to the roads that are being worked on and paving.
- 4. take advantage of the courtesies offered by WHKP for a weekly update.

Commissioner Edney requested that a letter be mailed to all the DOT Commissioners to ask that they take into consideration the fact that it costs more money per mile to build roads in the mountains.

Chairman Good requested that the DOT Commissioners consider road hazards (safety) when considering priorities.

Commissioner Edney made the motion that the Board adopt the Resolution as proposed by N.C. Department of Transportation. All voted in favor and the motion carried.

BOARD OF EQUALIZATION & REVIEW/Annual Report

This item was rolled to the next meeting. Mr. Harmon was unable to stay through the public hearing.

SAFETY COMMITTEE REPORT

David Nicholson informed the Board that the Safety Committee has been reactivated within Henderson County. This Committee and its subcommittees have been meeting regularly over the past few months.

Projects the Safety Committee has been working on:

- 1. Safety Manual they are working on revising the manual with each department head.
- 2. Accident Reporting they are reviewing our current method of reporting accidents to County Administration and to our insurance carrier. An accident reporting policy will be included in the completed Safety Manual. This subcommittee reviews all accidents and makes recommendations concerning risk control measures necessary to avoid such accidents. This subcommittee recently recommended that Maintenance Services and Landfill Employees receive Hepatitis B vaccinations.
- 3. Defensive Driving This subcommittee is working to provide a defensive driving program during the next fiscal year. This training will be sponsored for employees driving either County-owned vehicles or personal vehicles in the performance of their job duties.
- 4. North Carolina Association of County Commissioners Safety Incentive Program Henderson County is a member of the Commissioners' Association Property and Liability Insurance pool. This pool has allocated \$15,693 to Henderson County for the purchase of risk control/safety equipment.

Mona Quinn presented the Safety Committee's recommendation concerning the use of these funds. The Incentive Fund was only authorized for one year.

June 16, 1993

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TOTAL FUNDS ALLOCATED TO HENDERSON COUNTY =	\$15,693.00
Less Purchase of EMS Safety Boots	- 4,500.00
Total Remaining Funds =	\$11,193.00

Remaining Safety Equipment to be purchased and distributed among Henderson County Departments:

20 Hard Hats at \$8.00 ea.	\$160
12 boxes Dust Masks	180
12 doz. Work Gloves	204
100 pr. Safety Glasses	430
5 boxes Ear Plugs	250
20 OSHA Blood & Bodily Fluids Clean-up Kits	300
160 First Aid Kits Vehicles	4,800
39 First Aid Kits Buildings	2,535
50 Fire Extinguishers Vehicles	800
2 Safety Showers & Eye Wash	1,100
1 Storage Cabinet	434
Total =	\$11,193

There was much discussion. The Department heads/supervisors would be in charge to require employees to use the safety equipment. It was the consensus of the Board that they were pleased that County Government will be paying more attention to safety issues.

JETER MOUNTAIN TERRACE ZONING REQUEST

The Public Hearing was held June 7, 1993. Commissioner Kumor made the motion to approve the recommendation of the Planning Board to zone the area as requested.

Commissioner Edney reminded the Board that all the property owners are in agreement. No opposition to the zoning has been heard. This zoning request is consistent with the Land Use Plan.

All voted in favor and the motion carried.

AMENDMENT TO THE SOLID WASTE ORDINANCE

Angela Skerrett reviewed the Solid Waste Ordinance with some proposed amendments.

Commissioner Edney made the motion that the Board amend the Ordinance (sections 908 & 912) as presented and to delete section 1100.

After some discussion, Commissioner Edney withdrew his motion.

There was discussion and the Board requested that they see a clean copy with discussed changes before taking a vote.

No action was taken; this will be on an up-coming agenda for action.

FORECLOSED PROPERTY OF James Franklin, Et Ux

On May 21, 1993, Henderson County received an Offer to Purchase Lot #7, Block 4, Green Meadows Subdivision, PIN No. 01-00502, from Dennis C. and Marie I. Waters of Hendersonville, North Carolina, in the amount of \$1,000.00. The bidders currently own no interest in the property and are of no relation to the prior owner.

Henderson County received title to this property pursuant to a Tax Deed from the Sheriff, dated July 23, 1983. The taxes on this property total \$399.38, representing the tax years of 1988 through 1992. There is currently a tax lien against Henderson County on this property which was docketed on April 29, 1993 by the Employment Security Commission.

This Offer to Purchase was presented for the Boards' proposed acceptance. Pursuant to NC GS 160A-269 and the Henderson County Policy on the Sale of Foreclosed Property, the Board may issue a proposed acceptance of the bid, or the Board may reject the bid. If the Board issues a proposed acceptance, the bid will be advertised for a period of ten days during which time upset bids may be received. When a final bid has been submitted without the receipt of further upset bids, the final bid will then be presented to the Board for final approval.

Don Elkins stated that the paperwork is in order.

Commissioner Edney made the motion that the Board accept the proposed offer and advertise. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Good reminded the Board of 1 vacancy on the Land of Sky Regional Council, Area Advisory Council.

Commissioner Kumor nominated Mr. John Berube to fill this vacancy. Commissioner Edney made the motion to suspend the rules and appoint Mr. Berube. All voted in favor and the motion carried.

2. Chairman Good reminded the Board of 1 vacancy on the Land Of Sky Regional Council, Advisory Council on Aging.

Commissioner Kumor nominated Mrs. McClain to serve an additional term. Commissioner Edney made the motion to suspend the rules and reappoint Audrey McLane, PhD. All voted in favor and the motion carried.

IMPORTANT DATES

The calendar of important dates was reviewed briefly.

ETOWAH LIBRARY RENOVATIONS

EADENDILIBES

David Thompson reminded the Board that they previously approved a project for the renovation of the Etowah Library in the amount of \$95,000. Authorization was given for this project within the limitations of available funding that the library could pull together from sources other than local appropriations. Low bidder was Buncombe Construction Company. The project is within budget.

Funds available include \$100,000 from the Molly Wells Estate, a \$5,000 donation from the Etowah Lions Club, and \$7,700 in grants. The proposed expenditures total \$108,700 including fees, construction, and septic system. A reserve fund of \$4,000 for change orders is available.

TOTAL =	\$112,700	TOTAL =	\$112,700
Reserve	4,000		
*Septic	6,450	Grants	7,700
Fees	7,250	Etowah Lions	Donation 5,000
Construction	\$95,000	Molly Wells Es	state \$100,000
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^{*} This repair item is under a separate purchase order. Expected completion date is October 15, 1993.

Commissioner McKay made the motion that the Board approve award of contract to Buncombe Construction for \$95,000. All voted in favor and the motion carried.

Commissioner McKay made the motion to approve the new project budget of \$112,700. All voted in favor and the motion carried.

HIDDEN VALLEY SUBDIVISION CONCERNS

David Thompson reviewed briefly the history of the water system. The Hidden Valley Campground Estates Community is a platted subdivision (1974), some 37 acres in size and 136 lots located on Judd Wilson Mountain in Etowah and accessed from River Road. The subdivision was developed by Bruce Williams and was intended to be a campsite development; however, most of the homes are permanent structures including both conventional and manufactured dwellings.

Mr. Thompson informed the Board that Hidden Valley is a community without a viable homeowner's association or other structured organization to take over their community well system and insure collections. The County has no precedence for involvement in matters where the community has control of their own destiny. Upcoming community development grant eligibility may be possible but well systems could not be installed unless the respective homes qualify for rehabilitation. Otherwise, there appears to be immediate remedy for re-establishing the water system.

After much discussion, it was the Boards' position that Matt Matteson try to follow up with property owners on this issue.

EXECUTIVE SESSION

Commissioner Edney made the motion that the Board go into Executive Session as allowed under General Statute 143-318.11 to discuss the following matters:

- A. To consult with the County Attorney to the extent that confidentiality is required.
- B. To consider the validity, settlement, or other disposition of a claim against or on behalf of the public body or an officer or employee of the public body or in which the public body finds that it has a substantial interest; or the commencement, prosecution, defense, settlement, or litigation of a potential or pending judicial action or administrative proceeding in which the public body or an officer or employee of the public body is a party or in which the public body finds that it has a substantial interest.

All voted in favor and the motion carried.

Commissioner Edney made the motion that the Board go out of Executive Session. All voted in favor and the motion carried.

BUDGET WORK SESSION

June 16, 1993

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After lunch the Board reconvened for the purpose of a budget work session. The Board reviewed the following departments:

Inspections
Emergency Medical Services
Animal Shelter
Utilities
Planning
Cooperative Extension

There being no further business, the meeting was adjourned to Monday, June 21 at 7:00 p.m.

ATTEST:

Elizabeth W. Corn, Clerk

Vollie G. Good, Chairman

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rolina, met in regular session at	at soot	, on	June 16, 1993 -
usual place of meeting, at 1	00 N. King Street Airman Good, Commissio	ners Edney, McKay Rand	dall and Kumor.
PRESENT: Cha	airman Good, Commissio	ners – 1	
Nor	ne.		****
ABSENT:		**************************************	**************************************
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Chalrman -	COOO		
Chairman — of Transportation and a resolution	on recommending a program o	County.	This program details
of Transportation area	. In	HENDERSON County.	hru June 30, 1994 .
Secondary Road Improvements	to for the period	July 1, 1993 t	TIEU GUITE
proposed expenditure of Se	econdary Funds for the period	the following manner:	
A sea gram recomi	mends that the funds be expen	PERCE	TN
e proposed program	AMOUNT		
EMENT	\$1,682,974.0		
ving of Secondary Roads	\$420,744.0		
Other: Spot Stabilization, Pav	ed Small	U	
Road Improvements, 110	ects,	· · · · · · · · · · · · · · · · · · ·	
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Commissioner	TOTALS \$2,103,718. Edney	moved that the foregoing	County be approved.
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	The Board of Commissioners for the County of Henderson , North Carolina, met in regular session at the 100 N. King St. in, Hendersonville , NC, the usual place of meeting, at Commissioners' , on June 16 ,1993. Meeting Room PRESENT: Chairman Good, Commissioners Edney, McKay, Randall, and Kumor.
	ABSENT: None

	Chairman Good introduced a resolution recommending the attached list of unpaved roads in County, as presented by the representatives of the Department of Transportation, be paved in order of their priority rating as established by criteria formulated and approved by the N.C. Board of Transportation:
	Commissioner <u>Edney</u> moved that the foregoing resolution be approved.
	AYES: Chairman Good, Commissioners Edney, McKay, Randall, and Kumor. NOES: None. ***********************************
	I, Clirabeth W. Corr., Clerk to the Board of Commissioners for the County of Nerdenson, 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 Sure 16, 1993 as relates in any way to Secondary Road Priorities for Paving in said County, and that said proceedings are recorded in Minute Book #3 of the minutes of said Board, beginning at page and ending at page and
	witness my hand and the official seal of said County, this 244 day of your , 1993. Clerk to the Board of Commissioners

HENDERSON COUNTY PAVING PRIORITY SUB/RES. 93-94

PRIORI	TY R/W STATUS	SRNO.	NAME	LENGTH	FROM TO
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approved 3 mc

CUMMISSIONER'S REFURT 06-08-93 RELEASES PAGE 1

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Nase	Releases	TOTAL TAX. & PENALTY.	Keasons for Wel/Refunds
BETSCHMANN, HERBERT H BELUHM, GEORGE W	92473152.01 91473152.01 92485650.01	*55.57 *115.65 *21.65	MUVED TO SWITZERLAND IN 1990 MOVED TO SWITZERLAND IN 1990 PP WAS LISTED IN BUNCUMBE CO FOR 92
BLUHM, KUSEMAKY L BRACKEN, JUDY B	9280802693	\$412.69	TAXPAYER TRANSFERRED WRONG PARCEL
DAVIS, NALPH GARFIELD	898998688	\$ 39.73	PACCEL IS INACTIVE, BILL PAID UNDER
FISHER, MYRUN EDDIE	92A87327. 01	\$65.74	99-JEJIE 86 CHEV WAS TAGGED IN GA FUR 1992
FOSKEY, EMMETT DAVID & WIFE	9180700771	\$139.38 *197.50	MH DBL LISTED AS REAL AND PERSUNAL
משעורשותם הסעדוקונה ע	0670179496	+ 13 * 1.55 T.	
GARLAND, CORINNE R	9180116596	\$111. ²⁴	UP AS REAL FUR 1993 BILL PAID UNDER ACCOUNT # 34109 AS EFRSGNA PRIPERTY, WILL BE DICK-
GORDON, EDDIE	91917159.06	\$16.34	
HENDERSONVILLE CHUKCH OF GUD	9260110829	\$436.63	PAKCEL SHOULD BE EXEMPT
HUWARD, FLOYD B TRUSTEE TABOR, VOLNEY D TRUSTEE SIMMONS. GEORGE N TRUSTEE			•
HOLLIDAY, RUSSELL E	92A51576.01.1	\$3.8 ₩	70 FUKD SULD IN 1991
HOWARD, SANDY	89838405.02	\$240.71	BILL WAS VOIDED BUT WAS NOT TAKEN
LEMASTER, KAREN S	90468291.02	\$17.86	63 MH SULD IN 1989
LEMASTER, KAKEN S	91968291.02	\$14.37	Ĭ.
LEMBSTER, KOREN S	900068091.60	\$11.81 416 56	63 MH SULD IN 1989 65 Minger 1675h IN PINNOMBE CO 60
FICELINA, UTChie	19 - Co o 1 Huic	0	מכתפה בזפונה זו הבוערפונה בכ
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n wrank former			
USWALD, LAWRENCE R & WIFE	92A35441.01	\$36.78	S WAS NOT A RESIDENT OF HENDERSON CO
	92A70516.01	\$ 5.5. 79	IN 1992 MOVED TO GA IN 1991
PEARSON, TERESA MIMS PELTIER, BILLY L.	92874366.08	36 °33 \$	MUVED TO TN FEB 1991 AND TAGGED ALL
RUBERTS, JODY M F JR	92868938.01	\$ G1.98	PEKSUNAL PKUPEKIY IHEIK FUK 1992 89 NISSAN LISTED IN PULK CU. FOR 92
ROBERTS, MICHELLE WARREN, STEVE ALLEN	92495480.04	\$37.94	89 FUKD TK LISTED IN TRANSYLVANIA

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101AL TAX. Releases & PENALTY. Reasons for Rel/Refunds	52895575.08 *44.96 89 HUND WAS SULD 9-91 ==================== \$2.096.38
Releases	92A95575. W
9X	WERTZ, HELEN GREGORY 926
	WERTZ,

25 records listed.

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COMMISSIONER'S REPURT	REFUNDS PAGE

TOTAL, TAX. Refunds & PENALTY. Reasons for Rel/Refunds	91A9942556 \$595.97 BLDG NOT TRANSFERRED IN SPLIT AND	FERSUNAL PRUFERTY BILLED ON WRUNG PARCEL \$282.91 ALDG NOT TRANSFERRED IN SPLIT AND	FERSONAL PROFERTY WAS BILLED ON WAS WATTY WAS BILLED ON WATCH WAS BILLED ON SEMBOLING PARCEL SERVIT ASSENT OF IQUIDON SEMBOLING ARBITHARY ASSENT OF IQUIDON PARTICLES 14.890 AND 7100 THOSE	WERE SULD IN 1991 9≥A9901.342 +30.39 85 NISS SULD IN 1991	92A94578.1 \$25.58 87 TUYT TAKGED IN TEXAS	92A94578 \$59.24 LIVED IN GERMANY SU SHUULD	NUT HAVE BEEN BILLED FUK 2 CAKS 92A94578.2 \$25.00 87 FUYT FABSED IN TEXAS	92494578.3 \$17.91 87 TUYT WAS 1AGGED IN TEXAS	92494578.4 \$18.62 87 TUYT WAS 1AGGED IN TEXAS	92489325.01 *69.16 TKADED CAR IN 1991 FUK A NISSAN	92469848.01.1 \$10.78 DBL LISTED AND BILLED UNDER	9240169848.01
Name	CAULDER, P.C CAULDER, FAYE L	CAULDER, P C CAULDER, FAYE L	CHRYSLER MUTURS CURP	HOLLIDAY, RUSSELL E	MILLER, MARK DELMAR MILLER, MARK DELMAR	MILLER, MAKK DELMAR MILLER, CHARLOTTE GREENWELL		MILLER, MORK DELMAR MILLER, MORK DELMAR	MILLER, MARK DELMAR MILLER, CHORLOTTE CORTINITI	MULLINGX, CLIFTON LEWIS JR	WOODEN NICKEL WOODWORKS	

1 records listed