

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
SEPTEMBER 16, 1992

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.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, and Clerk to the Board Elizabeth W. Corn. Absent was County Attorney Don H. Elkins.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Baker led the pledge to the American Flag.

INVOCATION

Rev. Greg Mathis of Mud Creek Baptist Church gave the invocation.

REVIEW OF MINUTES

Minutes of the August 24 Breakfast meeting were presented for review. Minutes were approved as presented.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson added item "G" under New Business - Request from Asheville Jet Center.

DEATH OF AN EMPLOYEE

Chairman Edney expressed the Board's sorrow in the passing of Mrs. Pauline Ward last Thursday. The Board extends their sympathy to Mrs. Ward's family.

NOMINATIONS

Chairman Edney informed the Board of 1 vacancy on the Nursing Home/Domiciliary Home Advisory Committee. Mrs. Juliet Brussel has indicated an interest in serving on the committee. Her name has already been submitted to the Nursing Homes and Domiciliary Homes.

Commissioner Good nominated Mrs. Brussel to fill this vacancy. There were no other nominations. All voted in favor of appointing

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Mrs. Brussel to the Nursing Home/Domiciliary Home Advisory Committee.

"LET'S TALK MONTH" PROCLAMATION

Ms. Kaye Thompson, Health Educator, requested the Board to adopt a Resolution proclaiming October as "Let's Talk" Month in Henderson County. "Let's Talk" is a statewide event in which community organizations join together in providing programs during October which focus on pertinent issues for families and youth.

"Let's Talk" month has been proclaimed in our county for the past four years. The participation of our community has been very good and we are looking forward to an even more successful 1992 event.

Ms. Thompson handed out calendars for the Month of October 1992.

Commissioner Good made the motion to adopt the proclamation as presented and authorize the Chairman's signature. All voted in favor and the motion carried. A copy of the resolution is attached.

REQUEST TO SELL SURPLUS EQUIPMENT & VEHICLES

David Nicholson presented a list of surplus equipment and vehicles. The equipment is currently stored at Stoney Mountain Activity Center and various other storage areas. He requested permission to sell the equipment through a public auction. The general statutes authorize the Board of Commissioners to name an appropriate official to sell personal property. Should the Board authorize the sell of the surplus vehicles, Mr. Nicholson suggested they be sold using sealed bids. Following the required advertising, bids would be accepted at the County Garage and opened in David Nicholson's office.

David Nicholson asked the Board to allow him to add two more vehicles to the list:

- #8712 Chevy Caprice
- #2714 Chevy Caprice

Piedmont Community College has expressed an interest in several of the vehicles for their training school. It was decided to allow them to submit a sealed bid, just like anyone else.

Several actions are requested of the Board to begin this process:

1. The Board needs to declare these items as surplus property,
2. authorize their sell through public auction for the equipment and sealed bids for the vehicles, and
3. appoint an appropriate official to handle these transactions.

Commissioner McKay made the motion to declare these items as surplus property (including the two Caprices), to authorize their

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sell through public auction for the equipment and sealed bids for the vehicles, and to appoint David Nicholson as the official to handle these transactions. All voted in favor and the motion carried.

REQUESTS FOR REMOVAL OF LATE PENALTY

David Nicholson presented two requests from local motels for removal of the late penalty associated with the Henderson County Room Occupancy Tax. Both situations are similar due to the checks being mailed to other governmental units instead of Henderson County.

Days Inn

The Days Inn mailed their July room tax collections to Buncombe County. Their evidence is a memorandum to the motel by their Finance Department. The motel was assessed a late charge of \$181.75.

Holiday Inn

The Holiday Inn mailed their June room tax payment to the North Carolina Department of Revenue. Their check was also returned to them from the State. The Holiday Inn was assessed a late penalty of \$684.93.

The local act establishing the room tax indicates that the Board of Commissioners may for good cause shown forgive or compromise the late penalty.

There was much discussion. Commissioner Baker made the motion to compromise the penalties in light of the fact that they were most likely mailed on time, but to the wrong governmental offices. He moved to charge Days Inn \$25.00 penalty (minimum) and Holiday Inn 10% or \$68.49. There was more discussion and a vote was taken. The motion carried four to one. Commissioner Good voted in opposition.

TAX REFUNDS (25)

Chairman Edney informed the Board of an accumulation of tax refund requests. Robert Baird has reviewed all requests and submitted them for the approval of the Board.

Commissioner Good made the motion to approve the tax refunds as presented, providing all the paperwork is in order. All voted in favor and the motion carried.

TAX RELEASES (15)

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Chairman Edney informed the Board of an accumulation of tax refund requests. Robert Baird has reviewed all requests and submitted them for the Board's approval.

Commissioner McKay made the motion to approve the tax releases as presented, providing all the paperwork is in order. All voted in favor and the motion carried.

COST OF LIVING INCREASE

David Nicholson reminded the Board that discussion took place during the budget process of providing a cost of living increase for County Employees. Funds in the amount of \$325,000.00 were appropriated in the Contingencies line item for the increase. The Board has traditionally granted the increase at the end of the first quarter of the fiscal year.

Mr. Nicholson presented information on the Consumer Price Index (CPI) for the Board's consideration. This year's index for all items increased 3.1% from July 1991 through June 1992. The amount necessary to increase salaries and associated fringe benefits by the CPI would be \$239,128.00. This calculation was based on making the increase effective for the payroll period beginning September 21, 1992 or the first pay check received in October.

The Board had previously asked staff to review our longevity program. The Employee Advisory Committee has been asked to review the current program and submit their recommendations to staff. Staff would like to continue working with the Employee Advisory Committee and will then submit a new plan for the Board's consideration.

Chairman Edney requested that this longevity process be reviewed and put back on the agenda for the December 7 meeting with recommendation from the Employee Advisory Committee and staff.

After much discussion, Commissioner McKay made the motion to grant the cost of living increase at 3.1% as presented and recommended by staff. All voted in favor and the motion carried.

REQUEST FROM ASHEVILLE JET CENTER

Sam Laughter informed the Board that Joel Barker had contacted him last week concerned about a radio tower that is proposed to be built in the Brickton community. This would be located within the flight path at the Asheville airport. Mr. Barker stated that a company from Washington, D.C. has applied to the FAA with notice that they intend to build the tower. The preliminary review shows that the tower will exceed FAR 77.23A5 by 97 feet. This would cause a change in flight patterns and cause for a higher landing approach which may reduce some flights and create problems for the

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Asheville airport which could end up costing the region flights as well as industry.

A letter addressed to Chairman Edney explains the stand that the Asheville Jetport is requesting the Board to take on the issue. The Jetport does not support the new tower/antennae at the proposed location.

After much discussion, Commissioner Randall made the motion to support the Asheville Jetport authority in their endeavor to prevent having to change their approach methods because of the tower. All voted in favor and the motion carried. David Thompson was asked to draft a letter stating the Board's stand on this issue.

MUD CREEK WATER AND SEWER DISTRICT

The Henderson County Board of Commissioners adjourned and convened as the Mud Creek Water and Sewer District Commissioners.

The Mud Creek Water and Sewer District Commissioners adjourned and reconvened as the Henderson County Board of Commissioners.

EXECUTIVE SESSION

Commissioner Good made the motion for the Board to go into Executive Session as allowed under General Statute 143-118.11 to discuss the following:

- A. To discuss the acquisition of real property.
- B. To consult with the County Attorney to the extent that confidentiality is required.

All voted in favor and the motion carried.

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

There being no further business to come before the Board, the meeting was adjourned at approximately 12:45 p.m.

ATTEST:

Elizabeth W. Corn

 Elizabeth W. Corn, Clerk

J. Michael Edney

 J. Michael Edney, Chairman

HENDERSON COUNTY
 BOARD OF COMMISSIONERS
 100 NORTH KING STREET
 HENDERSONVILLE, N.C. 28792-509
 PHONE 704/697-4808
 FAX 704/692-9855

*attachment
 to minutes*

9/16

J. MICHAEL EDNEY
 CHAIRMAN
 VOLLIE G. GOOD
 F. RICHARD BAKER
 HUGH D. RANDALL
 WILLIAM MCKAY

PROCLAMATION
 FOR
 "LET'S TALK MONTH"

WHEREAS, the family has always been and remains the source of community values in a society; and,

WHEREAS, open communication enables family members to share their joys, sorrows, successes and failures, and thereby build honesty, trust, self-respect, and love among each other; and,

WHEREAS, broken lines of communication among family members fracture traditional stability of domestic life and increase the likelihood of young people being drawn into the confusion of teenage pregnancy, substance abuse, delinquency and suicide; and,

WHEREAS, parents should retain an open mind and listen to their children, whatever their questions, problems, and concerns; and,

WHEREAS, children should learn to talk to their parents, honestly sharing with them their thoughts, feelings, and concerns; and,

WHEREAS, the family should be given community support in this vital area of parenting to improve the quality of family life;

NOW, THEREFORE BE IT RESOLVED that the Henderson County Board of Commissioners does hereby proclaim October 1992 as "Let's Talk Month" in Henderson County, and urges all family members to open the lines of communication and work to solve adolescent pregnancy, drug abuse, and other problems in our county.

Adopted this the 16th day of September, 1992.

Elizabeth W. Corn
 Elizabeth W. Corn, Clerk

J. Michael Edney
 J. Michael Edney, Chairman

Name.....	REFUNDS.....	Tax.....	Reasons for Rel/Refunds.....
BETTS, DR J G	91A9933409*F	\$2.78	PORTION OF PROPERTY TAKEN BY HWY 280 PROJECT; PURCHASED BY DOT VALUE ADJ. -HWY 280 PROJ; RECEIVED EARLIER REFUND ON #3400 IN VALUE (\$18.87); TOTAL VAL CHG WAS \$5000
CLAY, JAMES LUTHER & WIFE	91A9904991*F	\$8.88	PORTION OF PROP TAKEN BY HWY 280 PROJECT
DILLARD, TERRY G.	91A0800835*F	\$5.55	PORTION OF PARCEL TAKEN BY HWY280 PROJECT
GRANT, J MAX	91A9902222*F	\$0.51	PORTION OF PARCEL TAKEN BY HWY280 PROJECT
GRANT, HELEN	91A9929720*F	\$8.88	PORTION OF PARCEL TAKEN BY HWY280 PROJECT
HALL, GARY M & WIFE	91A0803417*F	\$7.22	PORTION OF PARCEL TAKEN BY HWY 280 PROJECT
HOLBERT, MELBA WARREN	91A0500643*F	\$3.92	PARCEL BILLED IN EDNEYVILLE FIRE PROJECT
JOHNSON, WILLIAM L	90A0500643*F	\$3.64	IN ERROR; NO IN FIRE DISTRICT PARCEL BILLE IN ERROR IN EDNEYVILLE FIRE; NOT IN FIRE DISTRICT
JOHNSON, HELEN	91A0801512*F	\$53.84	PORTION OF PARCEL TAKEN BY HWY280 PROJECT
JONES, GARY D & WIFE	91A9943048*F	\$135.72	DOUBLE WIDE MOBILE HOME DOUBLE LISTED AS REAL TO THIS ACCOUNT & ACCT. #82146
JUSTUS, MARY P	91A0801563*F	\$14.43	PORTION OF PARCEL TAKEN BY HWY 280 PROJ; RECEIVED EARLIER REFUND ON PER PROP VALUE OF \$1420 (#8.66)
JUSTUS, FURMAN H	91A9903638*F	\$8.88	PORTION OF PARCEL TAKEN BY HWY280 PROJECT
KIDD, GEORGE S & WIFE	91A0801588*F	\$10.55	PORTION OF PARCEL TAKEN BY HWY 280 PROJECT
KILBY, RICHARD BRUCE	91A9927969*F	\$106.96	BILLED ON HOUSE BELONGS ON 99-4670; REC'D REFUND OF \$8.96 FOR \$1600 VAL 8/93--NEW DEED; TOT REF VAL = \$20700
KILBY, GERALDINE S	90A9927969*F	\$101.43	HOUSE BILLED INCORRECTLY TO THIS PARCEL; BELONGS ON 99-46707
KITCHEN, LOREN J & WIFE	91A0801819*F	\$10.55	PORTION OF PARCEL TAKEN BY HWY 280 PROJECT
LINDSEY, J R (MRS)	91A0700104*F	\$36.72	ACREAGE BILLED INCORRECT; PART OF PARCEL IN BUNCOMBE CO
LINDSEY, J R (MRS)	90A0700104*F	\$32.40	ACREAGE BILLED INCORRECT; PART OF PARCEL IN BUNCOMBE CO
MCCRARY, A L	91A0109307*F	\$9.18	PARCEL HAS BEEN IN LAUREL PARK SINCE AUGUST 1990; REFUND F02; LAUREL PARK WILL DISCOVER FOR 1991
METCALF, ROBERT ERNEST	91A0802278*F	\$2.22	PORTION OF PARCEL TAKEN BY HWY 280 PROJECT
METCALF, MARY MELITA			
METCALF, ROBERT ERNEST			
METCALF, MARY MELITA			
MINTZ, FRED & WIFE			
FALMER, DANIEL MCCANEY			

*Approved
9/16/92 ewk*

Name.....	REFUNDS.....	Tax.....	Reasons for Ref/Refunds.....
PALMER, DANIEL MCCANEY	91A0802279*F	\$9.99	PROJECT PORTION OF PARCEL TAKEN BY HWY280
POTTS, JOHN F	91A9906065*F	\$95.70	PROJECT ACREAGE INCREASED INCORRECTLY BY TAX OFFICE; POSSIBLY OCCURRED DURING 1990 REVAL; ONLY 18.53 ACRES
POTTS, JOHN F	90A9906065*F	\$84.15	ACREAGE INCREASED INCORRECTLY BY TAX OFFICE; POSSIBLY OCCURRED DURING 1990 REVAL; ONLY HAS 18.53 ACRES
SOUTHER, THOMAS W & WIFE	91A0802757*F	\$23.04	BILLED ON INCORRECT VALUE FOR UTILITY TRLR; BILLED ON \$4550; SHOULD HAVE BEEN \$400
YOUNG, FREDERICK ALFRED & WI FE	91A0803178*F	\$7.77	PORTION OF PARCEL TAKEN BY HWY280
		=====	PROJECT
		\$784.91	

25 records listed.

Name.....	RELEASES.....	Tax.....	Reasons for Rel/Refunds.....
HARRIES, WILLIAM G	91A56092.01*R	\$17.16	DID NOT OWN MOBILE HOME IN 1991 SOLD IN 1990; NEW OWNER UNKNOWN
HYATT, BILL HYATT, MILDRED	90A60694.01*R	\$16.72	MOBILE HOME WAS DOUBLE LISTED
HYATT, BILL HYATT, MILDRED	91A60694.01*R	\$19.21	TO ACCT #79921 MOBILE HOME WAS DOUBLE LISTED TO
HYATT, MELLIE	91A90969.08*R	\$19.38	ACCT #79921 MOBILE HOME WAS DOUBLE LISTED TO ACCOUNT #79921
MILLS, MARY G EST	89A0109157*R	\$40.55	PARCEL DOUBLE LISTED TO U. MILLS, JR; 1ST RELEASE REMOVED HOUSE VALUE (\$33430/\$217.29); TOT VAL RELEASED
MILLS, MARY G EST	90A0109157*R	\$22.44	PARCEL DOUBLE LISTED TO U. MILLS, JR. 1ST RELEASE REMOVED HOUSE VALUE (\$45600/\$232.56); TOT VAL RELEASED
MILLS, MARY G EST	91A0109157*R	\$25.08	THIS PARCEL IS SAME GEOGRAPHIC LOCATION AS PARCEL BELONGING TO ULYSSES MILLS, JR; DOUBLE LISTING PROPERTY BILLED IN ERROR; SHOULD
NORTH CAROLINA BAPTIST HOSPI TALS, INC	91A9906182*R	\$42.92	BE IN FORECLOSED STATUS
ORR, CARL T & CHRISTINE	90A9941578*R	\$122.91	DW MH DOUBLE LISTED AS PERSONAL TO ACCT #72381, JOSEPH PATTON HENSLEY WHO IS OWNER
ORR, CARL T & CHRISTINE	87A26029.01*R	\$92.40	1983 (14 X 69) MH CARRIED FORWARD IN ERROR; ABSTRACT NOT SIGNED; MH REPOSSESSED BY CONNER MH IN 1986
ORR, CARL T & CHRISTINE	91A9941578*R	\$139.78	DW MH DOUBLE LISTED AS PERSONAL TO ACCT #72381, JOSEPH PATTON HENSLEY, WHO IS OWNER
ORR, CARL T & CHRISTINE	91A26029.01*R	\$54.50	1983 (14 X 68) MH AND TWO (2) DOGS CARRIED FORWARD IN ERROR; MH RE- POSSESSED IN 1986 BY CONNER MH
OSTEEN, HARLEY & WIFE	89A9926628*R	\$25.87	PROPERTY WAS BILLED IN ERROR; IT IS UNMAPPED/UNLOCATABLE PER LRM
OSTEEN, HARLEY & WIFE	90A9926628*R	\$30.15	PROPERTY WAS BILLED IN ERROR; IT IS UNMAPPED/UNLOCATABLE PER LRM
OSTEEN, HARLEY & WIFE	91A9926628*R	\$34.17	PROPERTY BILLED IN ERROR; IT IS UNMAPPED/UNLOCATABLE PER LRM

=====
\$703.24

15 records listed.

*Approved
9/16/92 ew*