

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
SEPTEMBER 3, 1991

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.m. in the Commissioners' Meeting Room of the Henderson County Office Building. This meeting was held one day later than usual because the regular meeting date fell on a Holiday.

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 Clerk to the Board Elizabeth W. Corn.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Baker led in the Pledge to the American Flag.

INVOCATION

Commissioner McKay gave the invocation.

REVIEW OF MINUTES

Minutes of the June 3 meeting were presented for review.

Commissioner Good made the motion that the minutes stand approved as presented. All voted in favor and the motion carried.

DISCUSSION/ADJUSTMENT OF AGENDA

Mr. Thompson asked that item "C" under New Business, Request for Release of Capital Funds, be carried over to the September 18 meeting.

PUBLIC INPUT

No one has signed up to speak.

REZONING REQUEST/Champion Hills Assoc.

Matt Matteson, County Planner, informed the Board of a request for rezoning a parcel of property located on Willow Mountain Road from existing R-20 to O & I. Request is made by Champion Hills

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Associates. A Public Hearing was held on August 5, 1991, at which time the Board heard the detail of the project.

Engineer Bill Lapsley and Royce Carter of Champion Hills Associates are in attendance today.

Commissioner Good made the motion to approve the request for zoning from R-20 to O & I for this 10 acre tract.

There was much discussion on the motion. A vote was taken:

Ayes: Commissioner Good
 Nays: Chairman Edney
 Commissioner Randall
 Commissioner McKay
 Commissioner Baker

The motion failed.

COMPREHENSIVE LAND USE PLAN

Mr. Thompson reminded the Board that at the last meeting the Board did approve pursuing the Comprehensive Land Use Plan but decided to wait until Commissioner Baker was here so the full Board would know what staff is planning to do.

County Planner, Matt Matteson, wishes to add resources to the Planning Department and to consider the implementation of updating the existing 1977 Henderson County Land Use Plan. Mr. Matteson discussed the Request For Proposals (RFP).

Mr. Matteson is requesting one additional professional in the department, a Planner III with a grade 70 classification.

Commissioner McKay made the motion to take money from contingencies to hire a planner as recommended. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Edney reminded the Board of 1 vacancy on Western Carolina Community Action, Inc.

Commissioner Baker nominated Liston Smith. Commissioner Good made the motion to suspend the rules and appoint Mr. Smith. All voted in favor and the motion carried.

2. Chairman Edney reminded the Board of 2 vacancies on Jobs Training Partnership Act Committee (PIC). There were no nominations at this time so it was rolled to the next meeting.

3. Chairman Edney reminded the Board of 1 vacancy on Western North Carolina Tomorrow. Chairman Edney nominated David F. Thompson to

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this as he had showed an interest in serving. Commissioner Baker made the motion to suspend the rules and appoint Mr. Thompson. All voted in favor and the motion carried.

4. Chairman Edney reminded the Board of vacancies on Community Child Protection Team. There were no nominations at this time. Chairman Edney rolled this item until after Executive Session.

ELMER MACE DEED

Don Elkins informed the Board that this deed is prepared and awaiting signature. No other action is necessary.

OFFER TO PURCHASE FORECLOSED PROPERTY

1. Don Elkins informed the Board that this property was foreclosed in the name of William R. Oates and wife. A relative, Joan Oates, wishes to pay the back taxes (\$4,375.69) and get a tax deed. This amount is a bid on the property and it can be sold at private sale back to the relative if the Commissioners so desire.

Commissioner Baker made the motion to accept the bid and grant a deed to Joan Oates. All voted in favor and the motion carried.

2. Don Elkins informed the Board that this is a parcel of land that was foreclosed by the county some years ago. The property was foreclosed in the name of Gwin Martin who has since deceased.

Frankie M. Bull, no relative, has offered a bid of \$150.00. The taxes outstanding to date are \$220.72. This would have to go through a public sale. Ms. Bull owns the adjacent lot.

Commissioner Baker made the motion to accept the offer and advertise for upset bids. All voted in favor and the motion carried.

PROCLAMATION - "Let's Talk Month" October

David Thompson informed the Board of a request received from Ms. Kaye Thompson, Health Educator, representing the Henderson County Adolescent Pregnancy Prevention Project. The request is to proclaim October as "Let's Talk Month", urging all family members to open the lines of communication and work to solve adolescent pregnancy, drug abuse, and other problems in our county.

Commissioner McKay made the motion to designate October as "Let's Talk Month" and approve this proclamation. All voted in favor and the motion carried.

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REQUEST FROM PLANNING BOARD FOR ADOPTION OF POLICY
New Zoning Requests

Mr. Matteson informed the Board that on July 30, 1991, the Planning Board adopted a Resolution that some priorities be set and some policies on the way the Planning Board handles requests for new zoning. Presently only 13% of the county is zoned. The Planning Board has recently had numerous requests for new zoning. Mr. Matteson presented the Resolution that was unanimously passed by the Planning Board. He discussed the policy contained in the Resolution. There was much discussion.

Mr. Thompson suggested that if the Board decides to pursue such a policy that any applications already made be excluded. He also suggested that the legality of this type of policy be researched by the County Attorney's Office.

The item was rolled to the next meeting with Don Elkins and Matt Matteson meeting in the interim to look at the legalities of what procedures the Board can use.

INCREASED INSPECTION FEES

David Nicholson informed the Board that during the General Assembly session, the state implemented a Homeowners Recovery Fund (G.S. 87-15.6). The Fund will reimburse homeowners, who have suffered a reimbursable loss while constructing or altering a single-family dwelling unit. A reimbursable loss is one resulting from dishonest or incompetent conduct by a general contractor.

Effective October 1, 1991, all inspection departments are required to collect from any general contractor, who applies for a construction or alteration permit, an additional five dollars (\$5.00). The County is required to pay four dollars (\$4.00) to the state on a quarterly basis, retaining one dollar (\$1.00). This was offered for information, no action was required.

UPDATE ON E-911

Susan Sneed advised the Board of the status of the E-911 project. She is currently working with Southern Bell, updating the data base. The E-911 System Implementation "cut-over" date is scheduled for October 1, 1991. The equipment is being installed at the present time.

The first thing the Board needs to address now is a Notice for Public Hearing. This notice is required to name or rename, number or renumber a road.

Other items Ms. Sneed brought to the Board's attention which need to be discussed in order to advance our E-911 system:

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1. Consider the property addressing appeals board
2. Formally adopt our proposed street sign standards

Ms. Sneed passed around a Draft Notice of Public Hearing. There was discussion. By consensus the Public Hearing Notice was approved by the Board of Commissioners.

The Appeals Board was discussed. This would be a short term Board, 3-5 years, of about five members. Mr. Thompson recommended that staff be allowed to study the matter and bring it back to the Board with nominations at the next board meeting.

Mr. Matteson showed the Board sample signs. There was much discussion on signs.

Commissioner McKay made the motion to approve the recommended 9" blade for Public Roads at major intersections and the 6" blade for other intersections and Private Roads, as proposed by Mr. Matteson. All voted in favor and the motion carried. The 9" blade would have 5" letters and the 6" blade would have 4" letters.

N.C. WILDLIFE FEDERATION - Proclamation

A sample proclamation was submitted for the Board's approval, proclaiming Saturday, September 28, as NATIONAL HUNTING AND FISHING DAY in Henderson County.

Commissioner Baker made the motion to adopt the submitted proclamation. All voted in favor and the motion carried.

PROCLAMATION- Citizenship Day & Constitution Week

A sample proclamation was submitted for the Board's approval, proclaiming September 17 as CITIZENSHIP DAY and the week of September 17-23 as CONSTITUTION WEEK in Henderson County.

Commissioner McKay made the motion to approve this proclamation. All voted in favor and the motion carried.

TAX RELEASES

Robert Baird, Tax Assessor, submitted a list of 31 tax release requests to the Board for approval.

Commissioner Baker made the motion to approve these tax release requests. All voted in favor and the motion carried.

TAX REFUNDS

Robert Baird, Tax Assessor, submitted a list of 23 tax refund requests for the Board's approval. Mr. Baird asked that the first

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item on the list be removed from the list as the name had been deleted, making it 22 refund requests.

Commissioner Baker made the motion to approve these tax refund requests as recommended by the Tax Assessor. All voted in favor and the motion carried.

TAX RELEASES & REFUNDS POLICY

Mr. Robert Baird informed the Board that what they would like to do is try to establish a policy or office procedure that the tax payer must go through to apply for a refund or release. They are trying to make the taxpayer understand the seriousness of requesting a refund or release. The taxpayer needs to provide proof if an item was not owned on January 1. Mr. Baird's staff is being asked to research an item completely before requesting a release or refund.

NOTIFICATION OF VACANCIES

1. Chairman Edney informed the Board of 1 vacancy on the Henderson County Council on the Status of Women.
2. Chairman Edney informed the Board of 2 vacancies on the Henderson County Board of Adjustment.
3. Chairman Edney informed the Board of 1 vacancy on the Library Board of Trustees. Mr. McKay's term as a Commissioner Member expires 12/31/91. Mr. McKay is willing to serve again if nominated. Commissioner Baker nominated Mr. McKay to serve another 1 year term. There were no other nominations. All voted in favor and Mr. McKay was appointed for another term.

NOTICE OF LATE CHARGE - Briarwood Motel

David Nicholson informed the Board of a late payment on room occupancy tax. The payment was 92 days late and the total penalty due amounted to \$966.00. There was much discussion.

Commissioner Baker made the motion to reduce the penalty to \$50.00. All voted in favor and the motion carried.

EXECUTIVE SESSION

Commissioner Baker made the motion for the Board to go into Executive Session to discuss the following matters:

1. Personnel Matters
2. To consider the acquisition of real property
3. To consult with the County Attorney to the extent that confidentiality is required.

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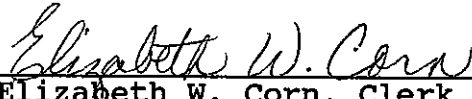
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All voted in favor and the motion carried.

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

Being there was no further business, the meeting was adjourned.

ATTEST:


Elizabeth W. Corn, Clerk


J. Michael Edney, Chairman

OWNERS NAME..... TAX. FIRE AMOUNT TAXES FIRE... TOTAL..... REASON FOR RELEASE.....
CODE CODE REFUNDED AMOUNT CODE AMOUNT

OWNERS NAME	TAX. CODE	FIRE CODE	TAXES REFUNDED AMOUNT	FIRE AMOUNT	TOTAL AMOUNT	REASON FOR RELEASE
BEVERLY HANKS PROPERTIES	G01		\$49.50	\$0.00	\$49.50	VALUE CHANGE BY NC DEPT REV ST
BLAKELY, MILTON Y & WIFE	G01	F01	\$517.05	\$7.02	\$524.07	STATE OF NC APPROVED TO CHG. V ATE APPEAL
BOONE, THOMAS L <i>breakfield, David</i>	G01	F02	\$580.97	\$77.45	\$658.42	STATE OF NC APPROVED TO CHG. V ALUE ALUE PMT MADE IN ERROR FRM ESCROW A
BRESNAHAN, RICHARD A BRESNAHAN, RA CHEL A TRUSTEE	G01	F02	\$99.90	\$13.32	\$113.22	STATE OF NC APPROVED TO CHG. V CCT
CHAPMAN, WILLIAM D CHAPMAN, LEILA	G01		\$76.50		\$76.50	STATE OF NC APPROVED TO CHG. V ALUE
COLE, SUSAN	G01		\$76.05		\$76.05	STATE OF NC APPROVED TO CHG. V ALUE
ELLISON, ROGER S ELLISON, JENNI	G01	F02	\$106.20	\$14.16	\$120.36	STATE OF NC APPROVED TO CHG. V ALUE
HAYWOOD KNOLLS	G01	F07	\$13.95	\$1.86	\$15.81	STATE OF NC CHANGED VALUE
KRUEGER, EDGAR J	G01	F05	\$8.10	\$0.72	\$8.82	STATE OF NC APPROVED TO CHG. V
L AND O INC	G01	F02	\$20.15	\$4.02	\$24.17	STATE OF NC CHANGED VALUE
L AND O INC	G01	F02	\$10.80	\$1.44	\$12.24	STATE OF NC CHANGED VALUE
MAREK, ELMER H MAREK, MILDRED A	G01		\$7.20		\$7.20	STATE OF NC APPROVED TO CHG. V ALUE
MARSHALL, RAY E & WIFE	G01	F04	\$29.79	\$3.97	\$33.76	OWNER DOES NOT HAVE DOG
MILLER, HORACE	G01		\$25.43	\$3.39	\$28.82	TAXES DBL PAID BY FIRST UNION BANK
MURN, CHARLES D & VIRGINIA	G01	F01	\$51.75	\$6.90	\$58.65	MH DBL LISTED AS REAL ON ACC#7 5926
PHILLIPS, CHESTER W & WIFE	G01	F02	\$60.75	\$8.10	\$68.85	STATE OF NC APPROVED TO CHG. V ALUE
RAINEY, JULIUS M RAINEY, AUDREY C	G01	F07	\$26.55	\$2.36	\$28.91	STATE OF NC APPROVED TO CHG. V ALUE
REIMANN, GEORGE J REIMANN, MARY H	G01	F06	\$179.55		\$179.55	STATE OF NC APPROVED TO CHG. V ALUE
STOKES INVESTMENTS	G01		\$17.55	\$2.34	\$19.89	STATE OF NC CHANGED VALUE
THOMPSON, DONALD O SR	G01	F07	\$4.50	\$0.60	\$5.10	STATE OF NC CHANGED VALUE
THOMPSON, DONALD O SR	G01	F07	\$24.75	\$3.30	\$28.05	STATE OF NC CHANGED VALUE
TOD HOMES, INC	G01		\$2,049.64	\$150.95	\$2,200.59	STATE OF NC CHANGED VALUE

9/3/91

Delete this one will appear next time.
OK.

OWNERS NAME.....	TAX. FIRE AMOUNT... CODE CODE RELEASED	FIRE... CODE AMOUNT	TOTAL... AMOUNT	REASON FOR RELEASE.....
/BEVERLY HANKS PROPERTIES	G01	\$585.99	\$769.83	STATE OF NC APPROVED TO CHG. V
/BLAKELY, MILTON Y & WIFE	G01 F01	\$59.67	\$8.19	ALUE
/BRESNAHAN, RICHARD A BRESNAHAN, RA	G01 F02	\$113.22	\$126.54	STATE OF NC APPROVED TO CHG. V
CHEL A TRUSTEE	G01 F02	\$120.36	\$134.52	ALUE
ELLISON, ROGER S ELLISON, JENNI	G01 F02	\$34.68	\$4.08	STATE OF NC CHANGED VALUE
E	G01 F07	\$31.11	\$3.66	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$15.81	\$1.86	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$20.91	\$2.46	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$9.18	\$1.08	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$28.05	\$3.30	STATE OF NC CHGD. VALUE
HAYWOOD KNOLLS	G01 F07	\$28.56	\$3.36	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$22.44	\$2.64	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$39.07	\$3.42	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$35.19	\$4.14	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$8.67	\$1.02	STATE OF NC CHGD VALUE
HAYWOOD KNOLLS	G01 F07	\$22.95	\$2.70	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$20.91	\$2.46	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$13.77	\$1.62	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F07	\$14.28	\$1.68	STATE OF NC CHANGED VALUE
HAYWOOD KNOLLS	G01 F02	\$34.17	\$4.02	STATE OF NC CHANGED VALUE
L AND O INC	G01 F02	\$26.01	\$3.06	STATE OF NC CHANGED VALUE
O INC	G01 F02	\$58.65	\$6.90	STATE OF NC APPROVED TO CHG. V
PHILLIPS, CHESTER W & WIFE	G01 F02	\$68.85	\$8.10	ALUE
RAINEY, JULIUS M RAINEY, AUDREY C	G01 F07	\$30.09	\$2.95	STATE OF NC APPROVED TO CHG. V
REIMANN, GEORGE J REIMANN, MARY H	G01 F06	\$203.49	\$267.33	ALUE
STOKES INVESTMENTS	G01	\$19.89	\$2.34	STATE OF NC APPROVED TO CHG. V
THOMPSON, DONALD O SR	G01 F07	\$5.10	\$0.60	STATE OF NC CHANGED VALUE
THOMPSON, DONALD O SR	G01 F07	\$22.44	\$2.64	STATE OF NC CHANGED VALUE
TOD HOMES, INC	G01 F07	\$30.09	\$3.54	STATE OF NC CHANGED VALUE
TOD HOMES, INC	G01 F07	\$21.93	\$2.58	STATE OF NC CHANGED VALUE
TOD HOMES, INC	G01 F07	\$90.17	\$90.17	DBL LISTED UNDER ACC#82357
WILKINSON, WILLIAM SCOTT WILKINSON	G01			
N, WILLIAM FRANCIS				

*Approved
8/21/91*

\$1,825.70 \$111.88

31 ITEMS LISTED.