

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS
FEBRUARY 5, 1990

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7:00 p.m. in the Conference Room of the Henderson County Office Building.

Those present were: Chairman William T. Drake, Vice-Chairman F. Richard Baker, Commissioner Hugh D. Randall, Commissioner Troy L. Maybin, Commissioner J. Michael Edney, County Administrator Jerry D. Myers, Finance Director David E. Nicholson, County Attorney Don H. Elkins, County Planner Matt Matteson, DSS Director Liston Smith, Clerk to the Board Elizabeth W. Corn, and the news media.

Chairman Drake called the meeting to order. The Rev. Walter Treadway of East Flat Rock First Baptist Church gave the invocation.

MINUTES

The minutes of the January 2, 1990 meeting were presented for review. The minutes were approved as presented.

The minutes of the January 17, 1990 meeting were presented for review. The minutes were corrected and approved as corrected.

DISCUSSION/ADJUSTMENT of AGENDA

Chairman Drake informed the Board that item "G" East Flat Rock Land Use Plan needed to be added to Unfinished Business. Under "M" of New Business- Notification of Vacancies, add #2, Council on the Status of Women-1 vacancy.

PUBLIC HEARING - Single Prime Contract Legislation

Chairman Drake asked for a motion to go into public hearing concerning Single Prime Contract Legislation.

Commissioner Maybin made the motion to go into Public Hearing to hear public comment on this item. All voted in favor and the motion carried.

Chairman Drake asked County Administrator Jerry Myers to give a description of the legislation and the requirements placed on County Government by that legislation.

Mr. Myers stated that in the last session of the General Assembly they granted local units of government the authority to enter into single prime contracts for the construction of new facilities which exceed \$100,000 value. Previously the General Statutes required that local governments enter into several separate contracts in order to construct a facility over \$100,000. With this new authority, we may now bid a facility both ways and choose the approach that is to our advantage. Included within this new authority is a new requirement for minority participation in the bid process.

In order to take advantage of this new authority each local government must hold a public hearing and adopt a resolution implementing this authority and establishing a verifiable percentage goal for minority participation. A model resolution was presented for the Board's review. Also included for the Board's review are Guidelines for Recruitment and Selection of Minority Businesses for Participation in General County Construction Contracts.

Mr. Myers informed the Board that this Legislation affects

February 5, 1990
Page 2

from these organizations and they have tentatively agreed upon establishing a 5% minority participation goal for all. The reason for choosing 5% is based upon the 1980 census, the minority population was then 4.18% of the total population.

Mr. Myers stated that the intent of the Legislation was two-fold: 1. to grant local governments additional authority, many vendors have stated that if they didn't have to enter into all these separate contracts local governments could get a better price on their bids for the construction of new facilities. 2. to involve more minority contractors in the bidding process. The legislation says that we have to establish a notification process of minority contractors.

Chairman Drake asked the Clerk if anyone had signed up to speak on this item. There was no one. There was one gentleman in the audience who wished to speak.

James Cameron of Etowah. Mr. Cameron asked whether the Board favored the legislation or not. Mr. Myers stated that we would be better off to bid facilities using the single prime contract method. Mr. Myers feels that it would be advisable for the County to take advantage of this new authority and may be able to save some dollars in the construction of new facilities. Mr. Cameron suggested the use of multiple prime contracts on the new Courthouse/Jail/Law Enforcement Facility so that subcontractors could be rejected or accepted.

Commissioner Baker made the motion to close the Public Hearing. All voted in favor and the motion carried.

Commissioner Baker made the motion to adopt the Resolution as provided. There was no further discussion. All voted in favor and the motion carried.

Commissioner Baker made the motion to adopt the guidelines for implementation to support the Resolution. A vote was taken and the motion carried unanimously.

STATEMENT

Chairman Drake stated that he would like to make a statement at this time on behalf of the Board concerning the Revaluation Process. A copy of the statement is attached to these minutes.

PUBLIC INPUT

Barry Cosgrove, representing North & South Mills River Community Club. He feels that he represents the majority of the property owners in Mills River. He stated that many of the families have been in the area since the early 1800s. The new families love the valley as much as the old timers. He stated that many people covet the resource of the valley and that they fought off the TVA Engineers three times, they are willing to share their water if approved in a sensible manner. They also want the valley protected for future generations. They are asking that the Board take the following action:

1. They are requesting that the Board write a letter to Mr. Art Rowe, District Engineer of the U.S. Forest Service, and endorse the selection of both North and South Forks of the Mills River as a Wild and Scenic River throughout the entire study area.

2. They request that the Board write Mr. Forest Westall with the N.C. Division of Environmental Management in Asheville and ask that the Mills River with all its tributaries be designated at the highest level of outstanding water resource possible. They request this designation from the headwaters to the Mills Rivers confluence with the French Broad.

3. From the Land-Of-Sky Planning Report dated March 1989, they support alternative # 2 which involves moving the present intake near Hwy. 191 approximately 500 feet upstream. They understand that the City of Hendersonville supports this

February 5, 1990
Page 3

alternative and they want their community to remain rural farmland and residential. They are requesting the help of the county in the development of a land use plan that will protect the water shed and also protect the community.

Mr. Cosgrove further requests that the Board of Commissioners help to get the point across to the County and Mills River neighbors that clean water is a precious resource. Conservation of water must be implemented. The French Broad must be cleaned up, it will be the future water supply of Henderson County and Buncombe County.

LIBRARY CONTRACT/INTERIOR DESIGN FIRM

Chairman Drake stated that at our last meeting there was quite a bit of discussion concerning the interior design contract. In Executive Session the Board discussed the terms of the contract and made sure that the interior design contract did not take from the architects contract.

Mr. Drake informed the Board that they have before them today the actual contract agreement for the interior design services. He stated that the basic services will not exceed \$15,000 and it has been recommended by the Library Board and the Architect that we employ an interior design firm for the Library Construction project.

Commissioner Edney recommended the deletion of "Article 6" of the Interior Design Contract. By consensus the Board agreed.

Commissioner Edney made the motion to enter into the Contract as presented with the deletion of "Article 6". All voted in favor and the motion carried.

AGRICULTURE EXTENSION SERVICE/Grant Applications

Chairman Drake asked if there were anyone here from Ag. Extension. There was no one. The two grants are for submittal to the Melvin R. Lane Charitable Trust to hire supplemental help to expand programs in Henderson County Agriculture Extension Office. Mr. Drake stated that these would not require any county funds. One is for the Henderson County 4-H Program.

There was discussion with several questions left unanswered.

Commissioner Baker asked that the item be rolled to the next meeting so a representative could be here to answer questions.

HENDERSON COUNTY PARKS & RECREATION DEPARTMENT

Chairman Drake stated that shortly after the FARM/CITY DAY it was brought to the Board's attention that there needed to be some extra electrical work done at Jackson Park to provide outlets to meet the demand of activities such as Farm/City Day. There was one proposal at that time and the Board requested that the Recreation Advisory Committee look at the proposals for using field # 6 for these activities and come back to the Board with a recommendation. The Recreation Committee has looked at the request. Troy Maybin is a County Commissioner member of the Recreation Advisory Committee. He recognized Troy to bring the Board up to date on what the Recreation Committee recommends.

Commissioner Maybin stated that the Recreation Committee recommends using the largest softball field to install outlets (drawing supplied). They recommend that all wiring be kept outside the playing areas of the field or outside the fence. They suggest the installation of 40 waterproof, safety type outlets on field # 4 and if it keeps growing like it has in the past couple of years then the same idea would be presented for field # 6 later.

Commissioner Maybin made the motion to authorize a Budget

February 5, 1990
Page 4

Amendment to move \$6,475 from contingencies to fund the installation of 40 outlets on Field # 4 at Jackson Park. A vote was taken and the motion carried unanimously.

TAX REFUND/Mr. Robert Dupler)

Chairman Drake informed the Board of a request from Mr. Dupler and a letter from the County Assessor's office recommending a \$3.50 refund for Mr. Dupler. He was billed for a dog tag and he had already purchased one at the Animal Shelter.

Commissioner Randall made the motion to grant the \$3.50 refund request for Mr. Robert Dupler. All voted in favor and the motion carried.

COMMUNITY DEVELOPMENT BLOCK GRANT/Valley View

Chairman Drake called the Board's attention to a letter in the agenda packet from Cinthia Milner from Land-Of-Sky indicating that timing and scheduling for community block grants is here again. If the Board wishes to apply for a block grant this year, we must set a public hearing to hear comment concerning the desirability of applying. Then a second public hearing must be held to determine the project. Chairman Drake asked what the pleasure of the Board is.

There was much discussion on the matter.

Commissioner Randall made the motion to set the first Public Hearing for applying for a Community Development Block Grant for February 21, 1990. All voted in favor and the motion carried.

NOMINATIONS

1. Library Board of Trustees, one vacancy for a Commissioner member for a one year appointment.

Commissioner Maybin made the motion to appoint Bill Drake to the Library Board of Trustees for a one year term. All voted in favor and the motion carried.

2. Crimestoppers Board, one vacancy for a Commissioner member for a one year appointment.

Commissioner Baker made the motion to appoint Mike Edney to the Crimestoppers Board to serve for one year. All voted in favor and the motion carried.

3. Henderson County Board of Health, one vacancy, a statutory position for a medical doctor.

Commissioner Baker asked that this item be held over.

4. Industrial Facilities & Pollution Control Authority, three vacancies. We have three people whose terms expire March 6, 1990, we have letters from two of them stating they are willing to serve again if nominated.

Commissioner Baker nominated T.D. Hunter, III and Jon Laughter to serve again for a six year term. We have letters from both these gentlemen.

Commissioner Maybin made the motion to suspend the rules and reappoint Mr. Hunter and Mr. Laughter. All voted in favor and the motion carried.

5. Henderson County Planning Board, two vacancies for a three year term. Elizabeth Enloe has indicated her willingness to serve again but Bill Penny has indicated that he is not interested in serving again.

Commissioner Edney asked that this item be held until after Executive Session so a letter could be located.

6. Hendersonville City Planning Board, two vacancies. Both the incumbents have indicated their willingness to serve again.

Commissioner Baker nominated Lee Knight and Alice Porter to serve 4 years and 5 years respectively. There were no other nominations.

Commissioner Baker made the motion to suspend the rules and reappoint Mr. Knight and Ms. Porter to the Hendersonville City Planning Board. All voted in favor and the motion carried.

7. Recreation Committee, three vacancies for a three year term.

Commissioner Maybin nominated Richard Rhodes, C. Ray Gibbs, and George H. Cagle to serve another three year term each. There were no other nominations. Commissioner Maybin noted that Mr. Cagle is Vice-Chairman of the Committee.

Commissioner Baker made the motion to suspend the rules and reappoint these three to serve on the Recreation Committee. All voted in favor and the motion carried.

8. Private Industry Council, one vacancy for a two year term. As required by the statutes, this must be filled with a minority owned or managed small business person.

This item was rolled to the next meeting.

EAST FLAT ROCK LAND USE PLAN

Chairman Drake recognized the County Planner Matt Matteson to present this item.

Matt Matteson informed the Board that at the Jan. 30 meeting the Planning Board recommended to the Board of County Commissioners the East Flat Rock Land Use Plan. This consists of a map and some recommended district uses. The recommendation is to set a public hearing, due to the notification requirements, for April 2. This would give the Planning Board sufficient time to mail notices to approx. 400 people that are either in the district or adjacent to the district.

There was some discussion and it was decided by general consensus to hold one more informal hearing or administrative hearing at East Henderson High School. The date for the formal public hearing would be set after this informal hearing.

U.S. FOREST SERVICE/N. Mills River Stream Classification

Chairman Drake recognized Art Rowe, District Ranger, to present this item.

Mr. Rowe works out of the Ranger Station on Davidson River. He is District Ranger with the Pisgah National Forest which includes part of Henderson, Transylvania, Haywood, and Buncombe Counties.

The United States Congress has asked the Forest Service to evaluate certain rivers for possible inclusion into the National Wild and Scenic River system. One River being evaluated is the South Fork of Mills River. They plan to complete the study this year and make a recommendation to Congress. Preliminary indications are that the river does meet the standards for a wild and scenic river classification. The portion of the river under study is from the confluence of the Mills River and the French Broad River to the headwaters at the Cradle of Forestry. Approx. 11 miles are on private property.

February 5, 1990
Page 6

the North Fork. They have not heard from Congress concerning their answer.

Things to be considered are:

1. Eligibility, some of the physical characteristics of the river.
2. Suitability, looking at private land and its use.
3. Public, State, and local Government interest.
4. Costs of easements or land acquisition, if needed.

Chairman Drake questioned how each of the three designations would affect private land as it is currently used?

Mr. Rowe answered that on private land it would only qualify as a recreational river because of the developments that are already there and the access. Private land cannot be designated as wild or scenic but could qualify as recreational. The main thing is that impoundments would not be permitted.

The river could be one, two, or all three classifications or designations. The Forest Service is not making any recommendation at the present time, just making the Board aware of the study and the possible designations.

Chairman Drake asked Mr. Rowe to keep the Board informed as to how each step of the study is progressing.

COURTHOUSE DOME

Chairman Drake recognized Emory Jackson and Stuart Stepp. Mr. Drake stated that approx. 1 1/2 years ago a study was done concerning the courthouse dome. In the meantime Mr. Jackson was asked to continue working on the project and he is here today to make a report on about 1 1/2 years worth of work.

Mr. Jackson stated that they are almost ready to accept bids on the project. They brought a set of pictures today showing the progression of deterioration on the dome including alot of rust.

To repair the dome, it was decided to use fiberglass. The entire structure would be built up in layers of a fiberglass cloth and resin. It would be fire resistant. The metal covering of the dome would be used as a form. The main support columns would have to be dismantled and looked at and repairs made.

If the renovation is not started right away, some repair work inside and considerable patch work would have to be done right away to hold it until it can be done. The entire roof needs to be reshingled.

Chairman Drake stated that if the Board has no objection, for Mr. Jackson to go ahead and submit plans to the State and let the Board know when they return, then the Board could authorize going to bid. When they get the bids and review them, then a decision can be made as to how to go from there. The projected cost of repair at this time is \$220,000.

TAX REPORT/Terry Lyda

In accordance with G.S. 105-369, Advertisements of Tax Liens on Real Property for Failure to Pay Taxes, Terry Lyda submitted the tax report, a copy of which is attached.

He recommended to the Board of Commissioners that unpaid Tax Liens be advertised twice: on May 8, 1990 and on May 22, 1990.

Commissioner Randall made the motion for the Board to order Tax Collector Terry Lyda to submit

February 5, 1990
Page 7

CARRIAGE PARK - Bonding Proposal

Chairman Drake recognized Matt Matteson. Mr. Matteson stated that in March of 1988, Carriage Park came before the Board and made a request for a master plan for a planned unit development of various phases. Section I was approved with the stipulation that all future phases would go to the Planning Board for their review and approval.

Section II is now in the works, various portions of the second section have been approved by the Planning Board. In May two lots were completed. In December the developer requested plan approval for nine lots, these were bonded with a cash bond. At the last Planning Board meeting on Jan. 30, another request for 19 additional lots out of the 51 total in the second section was requested and approved by the Henderson County Planning Board with the conditions that:

1. The formal utility approvals be submitted from the city and state as required.
2. The County Commissioners approve the completion of improvements as per Section 407 of the Land Development Ordinance.

Mr. Matteson then introduced Mr. Ken Erb to address his request for guarantees of improvements.

Mr. Erb informed the Board that First Federal has "earmarked" and set aside \$200,000 for the completion of phase II. He stated that they are not wanting to sell lots in phase II but wanting to get building permits so they can start homes.

Chairman Drake asked the County Attorney if he had had a chance to review this. Mr. Elkins stated that over the past few months all the guarantees have been either in the form of a bond or a letter of credit. He suggested that the Board might want to discuss this in Executive Session before rendering a vote on whether to grant this or not, that is his recommendation to the Board.

Mr. Erb then stated that because he wished to go ahead and get started that he would post a cash bond for \$37,292.50. He withdrew the first proposal.

Commissioner Baker made the motion that upon presentation of a cash bond for \$37,292.50, the Land Development Administrator can authorize approval of the recording of these plats for phase II. All voted in favor and the motion carried.

ALCOHOL AND SUBSTANCE ABUSE PREVENTION TASK FORCE (ASAP)

Chairman Drake recognized Jack Culbreth.

Mr. Culbreth stated the Board awarded the Task Force \$10,000 in November of 1988 to use to have a Retreat to organize and begin the Henderson County Alcohol and Substance Abuse Prevention Task Force. In March of 1989 the Retreat took place and was successful. Two major projects have been accomplished in Henderson County:

1. A parent education/parent training project related to alcohol and drug problems.
2. "America's Pride" Mr. Culbreth stated that the project started out with approx. 50 Jr. High and High School kids and they have retained 33. These kids have learned routines, alot of singing and dancing. It is a positive peer pressure model to encourage kids to take a stand against alcohol and drugs.

Mr. Culbreth stated that the membership of the Task Force has held well through the first year, they started with approx. 30 members and still have 15 active committed members. Approx. 15 have discontinued their involvement with the Task Force for various reasons. They are now in a recruitment phase to bring in new members.

February 5, 1990
Page 8

Plans are underway for a retreat at Bonclarken for a Friday and Saturday in March. The budget for that retreat will be approx. \$4,000, the money will be spent for food and lodging for about 40-45 task force members. The retreat would begin on a Friday morning and go through Sunday morning. Mr. Culbreth is requesting that the Board of Commissioners consider helping with the cost of the retreat.

Commissioner Baker made the motion to transfer \$4,000 from contingencies to fund the Alcohol and Substance Abuse Prevention Task Force. All voted in favor and the motion carried.

Jack Culbreth recognized Dottie who is very active with the program "America's Pride". She said that students sign a contract that they will stay drug and alcohol free and they meet every Saturday morning to work on their routines and have their meeting. They hope to go to the World Conference in April in Orlando, Florida. It is a four day conference and they would like to take a bus. The idea of "America's Pride" is to promote self worth, as well as the family, the city, and the country. The budget for the World Conference is \$11,624.00 for about 47 people, which amounts to less than \$250 per person. If possible, they would like help with this expense from the County budget whether it be financing one student or 47 students. They are also requesting help from industries and other organizations.

Chairman Drake stated that he feels these are certainly worthwhile projects and thinks that the local industries and business organizations would be interested in participating in fund raisers such as this. Drug and alcohol abuse are problems in business and industry today so if they can help to come up with a corp of prospective employees that are drug and alcohol free, it would be in their best interest to help support such efforts. Chairman Drake asked that Jack keep the Board of Commissioners informed as to what progress they are making on meeting their goals.

DEVELOPMENT OF A COUNTY AGING PLAN

Chairman Drake recognized Joan Tuttle from Region B. Ms. Tuttle called the Commissioners attention to a copy of House Bill 69, which passed during the last session of the legislature. The legislature required that starting in March of 1991 summary plans be submitted for serving older adults. Henderson County has the most rural older adults in the state.

They are trying to get each County to come up with a county plan, compile those into a regional plan and then send them to the State.

Ms. Tuttle stated that in House Bill 69 a plan for older adults is required by the General Assembly of the Division of Aging every two years. The plan will note how to serve older adults including analysis of needs, current services and specific recommendations for expanding services and funding.

What is needed from the Board of Commissioners now is the appointment of a planning committee to develop the County Aging Plan and make recommendations to the Board.

Renee Kumor of DSS stressed the involvement that DSS is willing to have in this plan. WCCA could participate and the local Community Clubs. Most of the funding for this plan comes from Older Americans Act Money.

No action was taken today.

FOCUS GRANT/Nancy O'Leary

Chairman Drake recognized Nancy O'Leary, program chairman. She is asking that the Board of Commissioners review the grant request and approve it. This is a replacement grant for one that just expired and it must be filed by February

February 5, 1990
Page 9

Commissioner Maybin made the motion that since no additional funding is required from the County that the pre-application form be approved for FOCUS. A vote was taken and the motion carried unanimously.

MAINSTAY GRANT APPLICATION/Salley Stepp

Chairman Drake recognized Salley Stepp. Ms. Stepp drew attention to the pre-application on behalf of Mainstay for a Victim Assistance Grant from the Governor's Crime Commission in the amount of \$37,401. Mainstay would provide 20% or \$9,350 from private donations. They are requesting that the Board of Commissioners allow them to submit this pre-application. One additional half-time employee will be needed.

Commissioner Maybin made the motion to approve the pre-application for the Grant from Governor's Crime Commission on behalf of the Mainstay, Inc. All voted in favor and the motion carried.

ROAD PETITION

Chairman Drake informed the Board of a petition that has been received to add Laurelwood Lane to the State Maintenance System. It is in the Laurelwood Lane Subdivision off of South Mills River Road.

Commissioner Maybin made the motion to receive this request and forward it on to N.C. Department of Transportation for their consideration. All voted in favor and the motion carried.

OFFER TO PURCHASE FORECLOSURE PROPERTY

Chairman Drake informed the Board of an offer to purchase by Bruce A. Elmore, he is not the owner of the property. Total taxes due are \$1,511.51 and he is offering \$1,600.

Commissioner Baker made the motion to receive the bid of \$1,600 and advertise for upset bids. A vote was taken and the motion carried unanimously.

INTERN PROGRAM

Chairman Drake called attention of the Board to a procedure outline that was adopted by the Board of Commissioners in 1984 concerning interns for all departments. He has received a letter from Sheriff Jackson requesting the approval of an intern for the Sheriff's Dept. This expense would be covered in the current budget.

Commissioner Maybin made the motion since this procedure was outlined and submitted according to guidelines, to grant the Sheriff's request in securing an intern for his department. All voted in favor and the motion carried.

P.C. NETWORK/Jerry Myers

Chairman Drake called on Jerry Myers to present this item. Mr. Myers reminded the Board that during the 1989-1990 budget process authorization was given for a P.C. network to serve governing body and administrative departments. At that time \$7,500 was authorized to purchase and install three personal computers in those departments. Since that time much investigation and studying has taken place and it is felt in the best interest to be able to tie in these personal computers to the existing mainframe computer and the capability to add additional work stations as needed. The additional cost for Phase I of the program is \$8,780 or a total at this time of \$16,280. There was much discussion.

Commissioner Maybin made the motion

February 5, 1990
Page 10

\$16,280 for the total cost of phase I of the program. All voted in favor and the motion carried.

NOTIFICATION OF VACANCIES

Chairman Drake informed the Board of 2 vacancies on the Nursing Home/Domiciliary Home Advisory Committee. He stated that there are two people who are willing to serve on this Board, its been a long time since we've had a full Board so the Commissioners might want to consider suspending the rules and appointing these two willing candidates.

Mrs. Vera Hill, Chairman of the Committee, contacted Mr. Drake stating that Mr. Webb Warren is willing to serve. Mr. Drake has received a letter from Michael Martin stating that he is also willing to serve.

Commissioner Maybin made the motion to submit these two names for appointment on the Nursing Home/Domiciliary Home Advisory Committee.

Commissioner Baker made the motion to suspend the rules and appoint Mr. Warren and Mr. Martin. All voted in favor and the motion carried.

Chairman Drake informed the Board of 1 vacancy on the Council on the Status of Women.

CANE CREEK WATER & SEWER DISTRICT

The Board recessed as County Board of Commissioners and reconvened as Cane Creek Water & Sewer District Commissioners.

Cane Creek Water & Sewer District Commissioners adjourned and took up as Henderson County Board of Commissioners.

EXECUTIVE SESSION

Commissioner Maybin made the motion for the Board to go into Executive Session to discuss legal and personnel matters. All voted in favor and the motion carried.

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

Commissioner Maybin made the motion to submit Elizabeth Enloe as a candidate for the Henderson County Planning Board.

Commissioner Baker made the motion to suspend the rules and reappoint Ms. Enloe. All voted in favor and the motion carried.

Chairman Drake made the motion to submit Dr. David Ellis as a candidate for the Board of Health.

Commissioner Edney made the motion to suspend the rules and appoint Dr. Ellis. All voted in favor and the motion carried.

Commissioner Baker made the motion to add a personal computer to the P.C. Network for the Planning Department at a cost of \$4,300, to be taken from contingencies. A vote was taken and the motion carried unanimously.

There being no further business, the meeting was adjourned at midnight.

ATTEST:

Dr. David Ellis

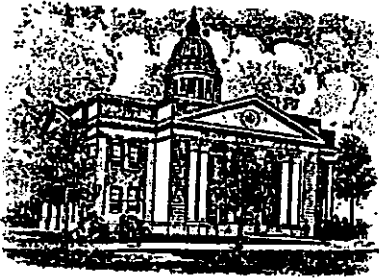
1/10 - D

STATEMENT

It is unfortunate for the taxpayers of Henderson County that so much erroneous and false information concerning the Revaluation Process has been put out through paid ads and editorials on WHKP and the Times-News. For example, the County Commissioners have not and could not set February 15 as a deadline for making appeals to the Board of E. & R. The County Commissioners must respond by giving accurate information.

The County Commissioners have said that any person that requests an informal hearing concerning the values of their property would be heard. If their complaint dealt with the value of real property and not an obvious clerical error, the property would be revisited. Each property owner that has requested an appointment for an informal hearing, whether they kept the appointment or not, will receive a notice by mail of any change in value. If the property owner is still not satisfied with the value, they will then be given an opportunity as provided by law to apply to the Board of Equalization and Review for a hearing on their property value.

This is the process established by the County Commissioners in November of 1989 when the Revaluation notices were mailed and this has not been changed. Any property owner that requests a hearing before the Board of Equalization and Review will be given a hearing and notified by mail of the decision of that Board. The Board of Equalization and Review will be appointed by the County Commissioners as provided by law, no later than the first Monday in March and will hold its first meeting no earlier than the first Monday in April and will continue in session until all appeals have been heard. This is State Law and cannot be changed by the County Commissioners. The County Commissioners are committed to making this revaluation as fair as possible and to see that each property owner is treated fairly and equitably and that fair values are set and that the final values are no greater than market value.



HENDERSON COUNTY

HENDERSONVILLE, NORTH CAROLINA

2 8 7 3 9

OFFICE OF TAX COLLECTOR

February 1, 1990

To the Henderson County Board of Commissioners:

In accordance with G.S. 105-369, Advertisements of Tax Liens on Real Property for Failure to Pay Taxes, I respectfully submit the following report:

January, 1990

1989 Total Tax Collector's Charge	\$15,020,190.69
Releases	122,557.64
1989 Collections	13,303,351.72
Unpaid Taxes	\$ 1,594,281.33

Percentage collected through January, 1990 - 89.298%

Advertisement of Tax Liens

^{House Bill}
Effective January 1, 1985, ch. 1013 (H 1676) amends G.S. 105-369 to provide that tax liens need to be advertised only once. A taxing unit may choose to advertise the liens more than one time, but it is not required to do so. The list must still be posted at the courthouse or city hall door and it must be advertised in one or more newspapers having a general circulation in the taxing unit. The advertising may be done at any time from March 1 through June 30.

It is my recommendation to the Board of Commissioners that unpaid Tax Liens be advertised twice: on May 8, 1990 (second Tuesday) and on May 22, 1990 (fourth Tuesday). The reasons for my recommendation being the following: (a) our tax statements sent to the customers tell them that as long as their taxes are paid by April 30, they will not be advertised, (b) the Times-News states that they must have one week for preparation of the ads and (c) since May has five Tuesdays, we would have a full week following the second ad for May collections. This is the same advertising schedule that we used last year.

Respectfully,

Terry F. Lyda

Terry F. Lyda,
Henderson County Tax Collector