

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COUNTY COMMISSIONERS
JANUARY 17, 1990

The Henderson County Board of Commissioners met for a mid-month meeting at 9:00 a.m. in the Commissioners' Conference Room of the County Office Building.

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

Chairman Drake called the meeting to order.

MINUTES

The minutes of the December 20 meeting were presented for review. The minutes were corrected and approved as corrected. The minutes of the December 28, special called meeting were presented for review. The minutes were corrected and approved as corrected.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Drake deleted under New Business, item "A" U.S. Forest Service/N. Mills River Stream Classification. Their representative could not be here today and they asked that they be rescheduled for the Feb. 5 meeting.

GRAPHIC MAPPING GROUP, INC.

Chairman Drake recognized Marcus Hogue, President of Graphic Mapping Group, Inc. Mr. Hogue addressed the Board stating that his company provides specialized software for Land Records and Property Records management. Their software is Grafmap. Information can be deleted or added at any time, such as the drawing or picture of the house on the property, as a porch is added for instance, it can be drawn on the picture to keep it up to date. There are four N.C. counties who now use this system, among them Orange, Transylvania, and Cherokee counties. Any piece of property could be surgically analyzed at any time.

This is a MS Dos System with standard hardware. It is the predominant IBM kind of thing that is used throughout the county.

There was much discussion and it was decided by consensus to have a workshop on this system to review it in detail.

Chairman Drake stated that the county would be going to a more frequent revaluation and the better data and better information would mean the better way it can be presented to the people. He further stated that there has never been a good revaluation, but hopefully we can get one that is acceptable.

STREET NAMING, PROPERTY ADDRESSING, AND STREET NAME SIGN PROGRAM

Chairman Drake recognized Matt Matteson, County Planner, to explain this detailed proposal. Mr. Matteson addressed the Board with a 34 page document which would complement the recently approved Enhanced 9-1-1 emergency reporting system. The proposal involves a three-part program which Mr. Matteson explained in detail.

Initially a Henderson County map was altered to include Wire change districts, U.S. Postal Service districts, City Limits,

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Volunteer Fire Dept. districts, and Response districts for E-9-1-1. There are approximately 18,000 telephone customers that will need street addresses assigned. The Planning Dept. is in the inventory and verification process now. This will be a long, slow process, taking 24 months or more to complete. This program would be coordinated to go in place about the time we occupy the new Law Enforcement Center and install the E-9-1-1 equipment.

There are at least 2,000 intersection locations. The Highway Department will reimburse 70% of cost of sign and installation.

Our priority at the present time is interim street sign replacement or maintenance. There are numerous signs in the county that are missing or knocked down that were already supplied by N.C. D.O.T. Three options were given for providing the signs with differences in cost. The Highway Dept. will not reimburse 70% of replacement or maintenance costs.

Commissioner Edney made the motion to set aside \$5,000 from contingencies for the interim sign program so that signs can be replaced soon. County staff will be utilized to install these signs on a part-time basis. A vote was taken and the motion carried.

LIBRARY EXPANSION - INTERIOR DESIGN FIRM

Chairman Drake recognized Bill Snyder. Mr. Snyder reminded the Board that 2 months ago they authorized the architect to prepare construction documents with a goal of taking the project to bid in March. The next step in that process is to get an interior designer on staff to assist the architect with the interior design phase. The Board of Trustees of the Library decided on the need of an interior design firm back in September. They have prepared a very intensive questionnaire and sent it out to approx. 14 firms that had expressed interest in the project or who had been recommended by other librarians in N.C. and S.C. who had had construction experience in the last 5 years. It was their unanimous opinion that the firm of Craig, Gauden, and Davis of Greenville, S.C. be contracted for these services. Mr. Snyder is asking for the Board's approval to contract with Craig, Gauden, and Davis for the interior design phase of the building. This firm has had at least 30 projects in the last 5 years, and many more than that over the term of the firm. The architect, Mr. O'Cain, is rather anxious to get someone right away for the interior design.

Chairman Drake asked that this contract be discussed further in Executive Session before a decision is made.

Morris Kaplan, Chairman of the Library Board of Trustees, addressed the Board on the reasons why interior designers are needed.

LIBRARY/LSCA CONSTRUCTION GRANT

At this time Chairman Drake decided to take care of item "E" under New Business since it pertains to the Library also.

Chairman Drake stated that these are basically the standard forms that Federal Government requires when you apply for any Grant money. He recognized Bill Snyder again.

Mr. Snyder informed the Board that last spring the state approved a construction grant of \$158,996. There is a stack of documents that have to be completed that go along with this. A lot of those documents have already been completed but there are three documents that require more official signatures. Mr. Snyder is asking that the Board approve these documents so they can be completed and sent to Raleigh.

Chairman Drake asked the County Attorney if he had had a

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chance to look at these documents. Don Elkins stated that the form is more or less dictated by the Federal Government, he has no objections.

Commissioner Edney made the motion to authorize the Chairman to execute the necessary documents. All voted in favor and the motion carried.

NOMINATIONS

Chairman Drake asked that all the nominations be rolled since we do not have a full Board.

NOTIFICATION OF VACANCIES

Chairman Drake informed the Board that there are 7 vacancies on the Board of Equalization & Review. They are not to be appointed until the first meeting in March.

COUNCIL ON THE STATUS OF WOMEN

Chairman Drake acknowledged Polly Cramer to make this annual report. Ms. Cramer addressed the Board stating that the main purposes of this Council are: 1. To advocate, coordinate, and supplement efforts by the public and private agencies and organizations addressing women's needs. 2. To promote programs that serve women's needs, such as education, employment, social, legal, and economic programs. 3. To provide information to the Henderson County Commissioners, the Legislature, and other groups of the issues affecting women and how these issues might be addressed.

Ms. Cramer also identified the 1990 membership, they are some very outstanding women the Board should get to know. Of eleven members, five are appointed by the Commissioners, six are elected by the Council themselves. Seven of the members are workers, some of them are business owners.

In 1989 the accomplishments of the Council included the annual Legislative Breakfast. August 26 was Woman's Equality Day which was a joint effort of the Henderson and Buncombe County Councils and sponsored by the Henderson County Council. In November they had a workshop to consider establishing a Henderson County Women's Resource Center and a task force was set up to investigate the need, the funding, the staffing, and location possibilities and most importantly to establish the Center's purpose and functions to avoid the duplication of services already being provided by other Agencies and Organizations. In summary, the Council in general co-sponsored two programs with the American Association of University Women, to increase the communities awareness of women's problems with the domestic court procedures. Two major changes were made as a consequence of these two public meetings: 1) an additional agent was added to the child support enforcement unit of the Henderson County DSS, and 2) a centralized, computerized information retrieval system was installed to track implementation of legal judgements. In 1989 and 1990, they also kept an eye on the legislative measures that were affecting women and children. 32 pieces were monitored during that time, only 8 were passed in this session.

Ms. Cramer then gave the Council's plans for action in 1990. They hope to produce a second legislative breakfast. They will continue to monitor the state and federal legislation that affects women and children. They are supporting a four week seminar series on Women and the Law.

REMOVAL OF LATE LIST PENALTIES

#1. Crestview Farm

Chairman Drake stated that there is one item here that should have been listed as a late room penalty, for Crestview Farm. He recognized David Nicholson to present this item.

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Mr. Nicholson stated that Crestview Farm is a small motel/hotel, bed and breakfast type unit operating in the Dana area. They were 26 days late in filing their October room tax collections which was due in November. It was December before they filed. The law states that for every day they are late, there is a \$10 penalty, that would be \$260. The total amount tax collected for that same time period was \$14.25. There is a letter attached from Mrs. May who is the owner, she requests the Commissioners consider reducing the penalty.

Commissioner Edney made the motion to reduce this penalty from \$260 to \$25. All voted in favor and the motion carried.

#2. Pruitt

#3. Wagner

Chairman Drake informed the Board that these are personal property requests. There is a letter enclosed from the County Assessor.

Requests were not readily available, so it was decided to roll Pruitt and Wagner until after Executive Session.

REVALUATION - Bi-weekly variance report

Chairman Drake acknowledged Ron McCarthy for this report. Mr. McCarthy informed the Board that they are in the final week of informal hearings. As of January 23, they will have interviewed approx. 4,000 property owners. Then they will start the field process, will go back and visit properties and review the values, correct errors, and firm up the entire revaluation process.

The main problem has been the valuation of land. They also will have to address the problem of land use.

Chairman Drake introduced Doug Holbrook, a consultant, stating he is former State Director of the Ad Valorem Tax Division. Mr. Holbrook retired a few years ago. The Board has asked him to come in and sit in on some of the informal hearings and look over the revaluation process.

Mr. Holbrook has visited the Reappraisal Office, sitting in on hearings. He was impressed very favorably with the way the C.L.T. personnel responded. They had cards prepared and were ready for the reviews. He states that C.L.T. personnel were friendly, courteous, and business-like. When people just dropped in off the street, they made them a copy of their card and went on with a review as if they had an appointment. The people who had hearings, seemed to be satisfied with their treatment, the explanation they were given, and the promise was made in all cases that the reappraisal would be reviewed and they would be notified within about 60 days of what was found.

Chairman Drake questioned Mr. Holbrook whether he felt the machinery is in place to make sure the final values that are set will be at market value.

Mr. Holbrook stated that he believed they will address all the problems they are made aware of. He states that there are some problems in the land pricing in various parts of the county. C.L.T. are on course to correct that and the people have been advised that there will be some area-wide adjustments in land prices. There are also some problems in lot pricing, particularly for irregular lots. When those things are addressed, all the complaints that they know about, will have been responded to.

EXECUTIVE SESSION

Commissioner Edney made the motion for the Board to go into Executive Session to discuss the purchase of property. All voted in favor and the motion carried.

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

LATE LIST PENALTIES

#2. Pruitt.

Proof lies with the tax payer and the Board felt that proof was not adequately provided. Commissioner Edney made the motion to deny their request for late list penalty removal. All voted in favor and the motion carried.

#3. Wagner.

Commissioner Randall made the motion to deny their request for late list penalty removal. All voted in favor and the motion carried.

SINGLE PRIME CONTRACT LEGISLATION

Chairman Drake acknowledged Jerry Myers to present this item. Mr. Myers stated that the last general assembly gave local units of government the authority to alter the way they bid major construction projects, of over \$100,000. Previously they had to arrange separate contracts: # 1 for the general contracting # 2 for the heating, ventilation, and air conditioning, and # 3 for plumbing and electrical.

With the new authority, they may now bid a facility either with a single prime contractor who will then subcontract all the other jobs OR the way it has always been done in the past. In order to take advantage of this new authority, local governments must hold a public hearing and adopt a resolution implementing this authority and at the same time, regardless of whether they choose the new single prime contract method of construction, they must establish some minority participation procedures to allow minority contractors to participate in the bid process.

There is a model resolution included in the agenda packet which was adopted by the County Commissioner's Association, the N.C. League of Municipalities, School Boards Association, and N.C. Hospital Association. This legislation affects these organizations as well as Henderson County. Because of the impact of this, Mr. Myers met with representatives from the City and County School Boards and the Hospital and they have tentatively agreed that it would be foolish for each of them to adopt separate percentage goals of minority participation because they are serving basically the same population. For planning purposes they have generally agreed upon a 5% participation because this closely approximates the percentage of our minority population. They have put together a set of model guidelines for implementing the program. Once we set the public hearing and pass the resolution, we simply provide a copy of the resolution and the guidelines to the architect who is handling the contract documents for us and it is his responsibility to make sure that we notify all the appropriate minority contractors, of which Mr. Myers will provide him with a list of those that have been certified by the N.C. Institute on Minority Economic Development.

We are required to hold a public hearing in order to do this and Mr. Myers is suggesting that we schedule the public hearing for February 5, 1990.

Commissioner Randall made the motion to set a public hearing on February 5, 1990 at 7:00 p.m. on Single Prime Contract Legislation. All voted in favor and the motion carried.

ETOWAH-HORSE SHOE FIRE DEPARTMENT/1990 TRUSTEES

Chairman Drake informed the Board of a request to appoint Martin Harris and Rolla Rogers to the "Firemen's Relief Fund" as Trustees for Etowah-Horse Shoe Fire Department. We just

need to notify the N.C. State Firemen's Association of these appointments.

Commissioner Randall made the motion to designate Martin Harris and Rolla Rogers as Trustees to "Firemen's Relief Fund". All voted in favor and the motion carried.

RELEASE OF DUPLICATE TAX BILLS

Chairman Drake informed the Board of 45 tax release requests from the tax office for duplicate bills.

Commissioner Edney made the motion to release these 45 duplicate tax bills. All voted in favor and the motion carried. List is attached.

REGULAR TAX RELEASES

Chairman Drake informed the Board of 50 tax releases that have been received from the tax office.

Commissioner Edney made the motion to grant these 50 tax releases. All voted in favor and the motion carried. List is attached.

TAX REFUNDS

Chairman Drake informed the Board of 9 refund requests from Allie Stepp, as follows:

Mrs. Floy Hudgins	95.43
Rita Hoberman, ETAL	58.96
Mr. Howard M. Nielsen	101.95
Mr. John M. Dalton	118.44
Mr. Joe A. Halford	13.80
Mr. and Mrs. Thomas Brock	6.25
Mr. Thomas M. Pruitt	145.67
AVRA Aviation Radio Products	462.14
Eugene Cook and wife Daniela Cook	42.98

Commissioner Randall made the motion to grant tax refund requests as recommended by Allie Stepp for these 9 people. Commissioner Randall also granted refunds for three additional requests received from Allie Stepp:

Anthony Hawkins	239.00
Ronald Cosban	493.64
Shawn Mays	522.46

All voted in favor and the motion carried.

Chairman Drake stated that during Executive Session, the Board discussed some property. He asked for a motion to approve the closing on property from Hendersonville Christian Center in the amount of \$125,000, subject to title clarification by the County Attorney.

Commissioner Edney made the motion to authorize David Nicholson to transfer monies from contingencies to Mr. Elkins Trust Account in the amount of \$125,000 to close out this deal. All voted in favor and the motion carried.

CANE CREEK WATER & SEWER DISTRICT

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

The Cane Creek Water & Sewer District Commissioners adjourned.

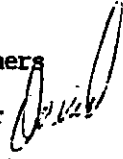
There being no further business, the Henderson County Board of Commissioners adjourned at 4:30 p.m.

ATTEST:

**HENDERSON COUNTY
FINANCE DEPARTMENT**
244 SECOND AVENUE EAST
HENDERSONVILLE, N.C. 28739

David E. Nicholson
Finance Director

Phone:
(704) 697-4821

TO: Henderson County Board of Commissioners
FROM: David E. Nicholson, Finance Director 
SUBJECT: Request for Removal of Room Tax Penalty
DATE: January 2, 1990

Attached is a request from Crestview Farm for removal of a \$260.00 late filing penalty. They were 26 days late in filing their October 1989 room tax. The total tax collected and paid was \$14.25.

The local act sets a \$10.00 per day penalty for each day that the payment is late. However, the Board may reduce or remove any or all of the penalty for good cause shown.

REQUEST FOR THE REMOVAL OF PENALTY FROM ROOM TAX

NAME OF HOTEL/MOTEL Crestview Farm
ADDRESS P.O. Box 127
CITY, STATE, & ZIP Dana, NC 28724

AMOUNT OF PENALTY \$ 260.00

REASON FOR REQUEST: I have 2 small farm cottages that I rent from May through October. In October our tax for the month was \$14.25. We only rented 2 weeks in one cottage and 1 week in the other. I completely forgot about tax amount time to pay for it. I wasn't feeling too well then, and everyone was very busy getting ready for Thanksgiving and my Grand daughter's wedding. I discovered my omission when I was going through my rental accounts to send out Christmas Cards.

This is the the only time I've been late, so I would appreciate your consideration of my request for removal of penalty from my room tax.

SIGNED Hazel S May
TITLE owner

MAIL FORM TO: HENDERSON COUNTY BOARD OF COMMISSIONERS
244 SECOND AVENUE EAST
HENDERSONVILLE, NC 28739