

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JANUARY 3, 1995

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

Those present were: Chairman Renee Kumor, Vice-Chair Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Eklund, Commissioner Don Ward, County Manager David F. Thompson, and Clerk to the Board Elizabeth W. Corn.

Also present were: Finance Director Carey McLelland, Planning Director Matt Matteson, and Planner Karen Collins.

Absent were: Assistant County Manager David E. Nicholson, County Attorney Don H. Elkins, and Staff Attorney Angela M. Skerrett.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Eklund led the Pledge to the American Flag.

INVOCATION

Commissioner Good gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Edney requested the addition of one item as "D-II" Discussion of Schedule of Values.

Chairman Kumor requested the addition of one item to be placed before the other Discussion Items, "Advice to the Chair".

Commissioner Good made the motion to approve the agenda as amended. All voted in favor and the motion carried.

CONSENT AGENDA

January 3, 1995

Page 2

Commissioner Ward made the motion to approve the Consent Agenda as presented. All voted in favor and the motion carried.

Consent Agenda included the following:

Tax Refunds - A list of three (3) tax refund requests was submitted by the County Assessor for approval by the Board of Commissioners. Supporting documentation is on file in the Assessor's office.

Tax Releases - A list of forty-one (41) tax release requests was submitted by the County Assessor for approval by the Board of Commissioners. Supporting documentation is on file in the Assessor's office.

INFORMAL PUBLIC COMMENTS

There were none.

PUBLIC HEARING - Rezoning Application by L. Douglas Marshall
Application # R-24-94

Commissioner Good made the motion to go into Public Hearing to consider the rezoning application by L. Douglas Marshall, application # R-24-94. All voted in favor and the motion carried.

Karen Collins stated that this public hearing is on a request from L. Douglas Marshall for the rezoning of an 0.88 acre parcel from R-15 (medium density residential) to I-1 (general industrial). The parcel is located off of US 25 North on Hillgirt Road Extension (previously known as Dunlap Road). Mr. Marshall is in the process of purchasing the parcel in order to relocate a tool business to the site.

At their meeting on November 29, 1994, the Planning Board voted unanimously to send Mr. Marshall's rezoning application to the Board of Commissioners with a favorable recommendation.

Ms. Collins located the parcel on a map for all present. Staff supported the recommendation and the Land Use Plan designates this area as industrial.

Ms. Collins stated that notices were published in the Times News and notices were sent to adjacent property owners. Ms. Collins showed a short video of the area in question.

January 3, 1995

Page 3

PUBLIC INPUT - There was none.

Commissioner Edney made the motion to go out of Public Hearing. All voted in favor and the motion carried.

Chairman Kumor stated that the Board routinely does not take action at the same time of the Public Hearing. There was discussion regarding the fact that there has been no opposition.

Following discussion, Commissioner Good made the motion to approve the request for rezoning. A vote was taken and the motion carried unanimously.

ADVICE TO CHAIRMAN

Chairman Kumor requested advice from the Commissioners regarding talking with the City of Hendersonville with regard to water and sewer issues.

On December 20, 1994, Chairman Kumor attended a meeting that the Mayor and City Council held. The "Water and Sewer Advisory Board" met. Each municipality, Henderson County, and Saluda (who receives water from the City of Hendersonville) were in attendance as part of this Advisory Board. Chairman Kumor is the representative for Henderson County. She thanked the Mayor for the opportunity to be there and to work in that advisory capacity. She requested copies of the documentation the Mayor referred to in his report, with regard to some of his sewer reports from his engineering consultants.

At the onset of the meeting, Mr. Carter gave a comprehensive packet of information to each person in attendance.

Chairman Kumor promised that Henderson County would be as open and cooperative as they were in sharing information. She stated that we would furnish them with information regarding our Sewer Master Plan.

David Thompson stated that as soon as our Sewer Master Plan was presented to the Commissioners, it was also presented to the City Manager's office.

January 3, 1995

Page 4

Commissioner Edney expressed the need to share raw data, data conclusions were drawn based upon.

Commissioner Good expressed the need to continue to meet with the City to discuss water and sewer issues. He expressed a desire to come to some type of agreement in the near future as to the direction we all will need to take to benefit all the taxpayers/citizens.

The Advisory Board will be working on By-Laws for their meetings.

REQUEST TO SET PUBLIC HEARING to restore the name of Bowen Street (officially approved as Rosebud Lane).

The Board of Commissioners had previously approved the name Rosebud Lane to rename Bowen Street. A petition has been filed in the Planning Department requesting that the name be restored to Bowen Street. The Board of Commissioners was advised that they may want to hold another public hearing to consider the renaming of the street.

The request was pulled from the October 19, 1994 Board agenda because the petitioners could not attend a Board meeting until February 1995. David Thompson recommended that the Board set a new Public Hearing for the February 6, 1995 meeting.

Following discussion, Commissioner Eklund made the motion to set a Public Hearing for February 6, 1995 at 7:00 p.m. All voted in favor and the motion carried.

APPRECIATION OF COMMUNITY GENEROSITY THIS HOLIDAY SEASON

Liston Smith, Social Services Director, expressed the appreciation of his staff for the community's support this holiday season. Henderson County's elderly and disabled adults and also the children in foster care or in at-risk situations had a brighter Christmas due to the community's willingness to share their wealth and love with them.

Liston Smith stated that it is nice to live and work in a community that really cares about their neighbors. These gifts helped let these children and families know that someone remembered them and cared.

January 3, 1995

Page 5

DSS REQUEST - Social Work Emergency Assistance Program

Chairman Kumor reminded the Board that this item was on our last agenda but was carried forward to this meeting. Commissioner Ward had some concerns at the last meeting regarding whether funding would continue to be available for this program.

Commissioner Ward has talked with Representative Larry Justus concerning the funding of this program.

This program went into effect January 1, 1995. Liston requested approval for four additional positions in the new Social Work Emergency Assistance Program.

Following much discussion, Commissioner Edney made the motion to approve the request. A vote was taken which passed three to two with Commissioners Ward and Eklund voting nay.

Break

Chairman Kumor called a 10 minute break.

COMPREHENSIVE ANNUAL FINANCIAL REPORT
COMPLIANCE AUDIT REPORT

Carey McLelland presented Henderson County's Comprehensive Annual Financial Report for the year ended June 30, 1994. The report consists of three basic sections: introductory, financial, and statistical.

Carey McLelland reviewed the introductory section of the report, stating it was a summary of the highlights of the fiscal year. It included the economic condition, the outlook for the county, as well as future major initiatives which took place during the fiscal year: beginning construction of the new county courthouse, purchase of land and development of Appleland Business Park, summary financial information. Included as part of the introductory section was also: Henderson County Organization Chart, List of Principal Officials, and a copy of the 1993 Certificate of Achievement for Excellence in Financial Report presented to Henderson County.

Carl Shaw, with the audit firm of Hansen, Johnson & Associates, P.A. reviewed the independent auditor's report, found in the financial section.

January 3, 1995

Page 6

Carey McLelland reviewed the General Purpose Financial Statements including:

Combined Balance Sheet - All Fund Types and Account Groups
Combined Statement of Revenues, Expenditures, and Changes in Fund Balances - All Governmental Fund Types
Combined Statement of Revenues, Expenditures, and Changes in Fund Balances - Annual Budget and Actual - General and Special Revenue Funds

Carl Shaw, reviewed more General Purpose Financial Statements:
Combined Statement of Revenues, Expenses, and Changes in Retained Earnings/Fund Balance - All Proprietary Fund Types and Discretely Presented Component Units
Combined Statement of Cash Flows - All Proprietary Fund Types and Discretely Presented Component Units

Carey McLelland reviewed more General Purpose Financial Statements:
Notes to the General Purpose Financial Statements For the year Ended June 30, 1994

General Fund
Special Revenue Funds
Capital Project Funds
Enterprise Fund
Trust and Agency Funds
General Fixed Assets Account Group
Supplemental Financial Data

Carey McLelland then reviewed the statistical section, which is the un-audited section. It shows how Henderson County has changed over the past 10 years.

David Thompson requested that a copy of this Financial Report be sent to each branch library, to make it available for public inspection. There will also be one available in the Finance Department.

DISCUSSION OF SCHEDULE OF VALUES

Commissioner Edney stated that we are going into a revaluation. It is his understanding that our legal and moral obligation is to value each and every piece of real property in Henderson County at 100% of its market value. Market value means what a willing buyer and a willing seller, under no compulsion to sell one way or the other, will pay for a given piece of property.

January 3, 1995

Page 7

Commissioner Edney raised concerns about the newly annexed areas. He felt that those areas will basically have their tax rates doubled. For that doubling of tax rate, they basically receive no additional services. Reason and common sense tell him that the value of those properties will be reduced by some amount because of the additional taxes.

There was much discussion regarding the recently annexed areas of the county as well as the superfund site in East Flat Rock.

NOMINATIONS

1. Chairman Kumor reminded the Board of one vacancy on the **Asheville-Buncombe Water Authority (ABWA)**. Chairman Kumor nominated Commissioner Edney to serve as our Commissioner appointment to the ABWA. Chairman Kumor made the motion to suspend the rules and appoint Commissioner Edney to the ABWA. All voted in favor and the motion carried.

2. Chairman Kumor reminded the Board of 5 vacancies on the **Community Child Protection Team**. This Team was appointed to review child fatalities. It was the consensus of the Board to roll this item to the next meeting.

3. Chairman Kumor reminded the Board of one vacancy on the **Local Emergency Planning Committee (LEPC)**. This is a Commissioner designee. Commissioner Edney nominated Commissioner Ward to serve on the LEPC. Commissioner Edney made the motion to suspend the rules and appoint Commissioner Ward. All voted in favor and the motion carried.

4. Chairman Kumor reminded the Board of three vacancies on the **Nursing Home/Domiciliary Home Advisory Committee**. It was the consensus of the Board to roll this item to the next meeting.

5. Chairman Kumor reminded the Board of two vacancies on the **Private Industry Council (PIC)**. There were no nominations at this time so the item was rolled to the next meeting.

6. Chairman Kumor reminded the Board of two vacancies on the **Henderson County Travel and Tourism Committee**. Commissioner Eklund nominated Chairman Kumor. Commissioner Edney made the motion to suspend the rules and appoint Mrs. Kumor to the Travel and Tourism

January 3, 1995

Page 8

Committee. All voted in favor and the motion carried. The second vacancy was rolled to the next meeting.

7. Chairman Kumor reminded the Board of one vacancy on the **Hendersonville City Zoning Board of Adjustment**. Mr. Malcolm Morgan has been an alternate City Member. He has moved to the county and requested that he be allowed to continue on the Board as a county appointee. A requirement for the Board is that a county appointee live in the City's ETJ. Susan Cox, Zoning Administrator for the City of Hendersonville, stated that Mr. Morgan lives at 231 Crystal Spring Drive, which is just inside the ETJ. Therefore, Mr. Morgan is eligible to serve as a county appointee to the City Zoning Board of Adjustment. Commissioner Good made the motion to suspend the rules and appoint Mr. Malcolm Morgan. All voted in favor and the motion carried.

8. Chairman Kumor reminded the Board of two vacancies on the **Henderson County Zoning Board of Adjustment**. One vacancy is due to an expiring term and another is due to a new zoning district. We must name a person from the Lake Summit zoning district to serve on this board.

Commissioner Good nominated Debra D. Stierwalt as the Lake Summit nominee, as an alternate. Commissioner Good made the motion to reappoint Gwen Thornburgh as a full member. Commissioner Edney made the motion to suspend the rules and appoint Ms. Stierwalt and reappoint Ms. Thornburgh. All voted in favor and the motion carried.

IMPORTANT DATES

There was discussion of the calendar for the Commissioners.

Break - Chairman Kumor called a short break.

WORK SESSION - Proposed Manufactured Home Park Ordinance

Matt Matteson introduced those in attendance. He stated that this work session is on a proposed Manufactured Home Park Ordinance. He gave a brief history, stating that in April of 1992 this process was begun. May of 1994 was the last full blown work session on the proposed ordinance.

Matt Matteson named several things that the ordinance would not do:

January 3, 1995

Page 9

1. It would not regulate units on individual lots for sale. They would fall under the subdivision ordinance.
2. It would not regulate the type of the unit, single, double, etc.
3. It would not regulate the maintenance of the units.
4. It would not regulate such things as road maintenance.
5. It would not regulate retroactively.
6. It would not address tenant's rights.

There was discussion of definitions and interpretation of terms used in the proposed ordinance.

Examples of parks, homes, underpinning, etc. were shown by slides.

Karen Collins, Henderson County Planner, reviewed the definition of a Manufactured Home Park and showed some slides of different examples of manufactured home parks.

It was the consensus of the Board to direct staff to work toward reworking the Ordinance to provide minimum affordable housing to provide a minimum quality of life, taking into effect public health, safety, and welfare. After staff reworks the Ordinance to take into consideration these ideas, it will be resubmitted to the Board of Commissioners.

CLOSED SESSION

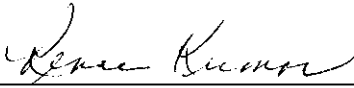
It was the consensus of the Board not to go into Closed Session.

ADJOURN

Chairman Kumor adjourned the meeting at 11:35 p.m.

ATTEST:


Elizabeth W. Corn, Clerk


Renee Kumor, Chairman

THIS PAGE
INTENTIONALLY
LEFT BLANK

Taxpayer Name	Taxbill	Total	Reason
BABB, ANDREW MCFALL	9AA99031.06	\$15.61	SOLD IN '92
BENTLEY PRODUCTIONS WRIGHT, JOHN-BENTLEY D/B/A	9AA120350.02	\$273.60	SUBMITTED AMENDED RETURN 12/28/94 DEPRECIATED. ARBITRARY ASSESSMENT.
BLACK, CYNTHIA	9AA91501.01	\$60.45	MH-DBL LISTED ON ACCT-82753
BOHANNON, HENRY BOHANNON, ELLEN	9AA64674.03	\$4.03	VALUE TOO HIGH
CASE, ARCHIE & WIFE	9AA0201204	\$75.02	BILLED UNDER 9949673
DONAHUE, JOHN-F BISHOP	9AA0107785	\$414.19	PROPERTY SHOULD BE EXEMPT FOR 1994
DONOGHUE, JOHN F, BISHOP .CATHOLIC DIOCESE OF CHARLOTTE	9AA0111601	\$305.56	PROPERTY SHOULD BE EXEMPT FOR 1994
FIRST CITIZENS BANK & TRUST CO	9AA9939751	\$40.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	9AA9939748	\$54.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	9AA9939700	\$47.40	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	9AA9939746	\$45.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	9AA993786	\$13.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	9AA9939747	\$43.80	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE

1479A

1479B

COMMISSIONER'S REPORT 01/03/95
RELEASES

RELEASE. MNT
12/28/94

Taxpayer Name	Taxbill	Total	Reason
FIRST CITIZENS BANK & TRUST CO	94A9939763	\$34.20	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939760	\$39.60	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939752	\$34.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939749	\$49.80	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9937785	\$21.60	WATER RESTRICTIONS SEE FILE (ASSESSOR'S OFFICE) MITCHEAL PAGE CURRENT OWNER
FIRST CITIZENS BANK & TRUST CO	94A9939781	\$46.80	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939779	\$44.40	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9937799	\$39.60	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9937792	\$46.20	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9937798	\$45.60	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939778	\$45.00	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
FIRST CITIZENS BANK & TRUST CO	94A9939800	\$46.80	WATER RESTRICTIONS SEE FILE IN ASSESSOR'S OFFICE
GENERAL ELECTRIC CO	94A34977.01	\$280.24	DEPR SCHE INCORRECT

Taxpayer Name	Taxbill	Total	Reason
HALLIN; WADE OSCAR	94A9900196	\$65.52	DID NOT RECEIVE ELDERLY EXEMPTION
HENDERSON, J HOWARD	93A104292.06	\$38.72	DELE LISTED ON ACCT 17816
HENDERSON, J HOWARD	94A104292.06	\$32.39	DBL LISTED ON ACCT-17816
HENDERSONVILLE ANESTHESIA ASSO	94A118623.10.1	\$891.00	NO PERSONAL PROP OWNED - ARBITRARY ASSESSMENT PLACED DUE TO NON-LISTIN
HUDSON, DANNY D AND WIFE	94A51483.07	\$70.25	85 MH LISTED IN BUNC CO FOR '94
MCILVAINE, PATRICIA P	94A100475.05	\$87.57	MH IS LISTED AS REAL ON ACCT-79082
MCILVAINE, EDWARD H			
MICHEL, JENNIFER M	94A6199A.07	\$88.26	86 MH SOLD IN SEPT '83
MICHEL, BRIAN S			
OWENSBY, LOUISE	94A9940899	\$93.00	UNTIMELY EXEMPTION
PAUMELS, JOHN R	94A9941066	\$207.18	DBLAIDE-MH-IS NOT LOCATED ON THIS PROPERTY
ROGERS, ROLLA E	94A0802551	\$97.26	OVER-ASSESSED PER BILL OF SALE
ROGERS, MARY L			
S AND L INC	94A9920735	\$1570.46	PROPERTY WAS SOLD AND SPLIT IN 1993 REBILLED UNDER PARCEL #'S 99-50909, 99-50910, AND 99-50911
SOUTHERN STATES COOPERATIVE IN	94A0116800.1	\$1649.16	PARCEL SPLIT IN '94 WAS NEVER VALUED OR YR ENDED
WACHOVIA BANK & TRUST CO	94A9926176	\$53.62	BANK SAYS DOES NOT BELONG IN TRUST ACCT. S/B UNKNOWN OWNER
STATION, EDITH ELMO (TA)			

1479C

14790

COMMISSIONER'S REPORT 01/03/95
RELEASES

RELEASE. MNT
12/28/94

Taxpayer Name	Taxbill	Total	Reason
WALKER, MARGARET A	94A99701.01	\$34.94	DID NOT OWN A '70 DBL WIDE IN '94
WALKER, MARGARET A	93A99701.01	\$36.07	DID NOT OWN A '70 DBL WIDE IN '93
WESTERN CAROLINA AUCTION MARKE	94A0116800	\$1649.16	PARCEL SPLIT IN '94 WAS NEVER VALUE AT YR END

TOTAL RELEASES >>> \$8939.66

RELEASE. MNT
12/28/94

COMMISSIONER'S REPORT 01/03/95
REFUNDS

Taxpayer Name	Taxbill	Total	Reason
BALDOCK, EDNA D	94A9925975	\$29.16	WRONG YEAR BUILT S/B 1972
GAREY, BETTY MARIE	94A9921810	\$67.10	PER COLLECTIONS/RELEASE DONE
WEEKS, H S	94A9925981	\$26.46	WRONG YEAR BUILT S/B 1972
WEEKS, ELEANOR S			

TOTAL REFUNDS >>> \$122.72

1479E

