

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
NOVEMBER 17, 1993**

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

Those present were: Chairman Vollie G. Good, Vice-Chairman J. Michael Edney, Commissioner Hugh D. Randall, Commissioner William McKay, Commissioner Renee Kumor, County Manager David F. Thompson, Assistant County Manager David E. Nicholson, County Attorney Don H. Elkins, Staff Attorney Angela M. Skerrett, and Clerk to the Board Elizabeth W. Corn.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Randall led the Pledge to the American Flag.

INVOCATION

Assistant County Manager David E. Nicholson gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

David Thompson had some brief comments regarding items in the Consent Agenda. He asked for staff direction should changes be necessary.

David Nicholson added item "J" under Discussion Items "Surplus Vehicles".

David Thompson added the work session scheduled for 1:00 this afternoon on Watershed Water Supply Rules and Regulations. This was mistakenly omitted when the agenda was typed up.

CONSENT AGENDA

Review of Minutes: September 7, 1993, October 20, 1993, and November 1, 1993. These minutes were presented for review and approval.

Tax Refund Requests (13)

A list of 13 refund requests have been reviewed by the County Assessor, and as a result of that review, it was the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office. They were submitted for approval by the Henderson County Board of Commissioners.

Tax Release Requests (56)

A list of 56 release requests have been reviewed by the County Assessor, and as a result of that review, it was the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office. They were submitted for approval by the Henderson County Board of Commissioners.

Budget Amendment

1. Budget Amendment - Data Processing

This budget amendment was a transfer of funds from the Planning Department to Administration as compensation for the transfer of a personal computer of the County Manager's to the Planning Department. The amount of the transfer between departments reflects the actual cost of the new equipment that will replace the personal computer.

2. Budget Amendment - Allen Street Property

This budget amendment was to transfer funds from the Allen Street Building Renovation Project to a Capital Equipment Outlay account in one of the departments in the Land Development Building. The equipment to be purchased is within the capital outlay guidelines and needed to be separated from the actual renovation cost. The equipment will be assigned to the Inspections Department.

These two budget amendments were presented for the Board's approval.

Request for Subdivision Improvement Guarantees
Southchase, Section 2

Drew Norwood of the Windsor/Aughtry Company submitted an application for approval of an improvement guarantee for road, drainage, water and sewer improvements in Section 2 of Southchase. The Windsor/Aughtry Company will provide an Irrevocable Letter of Credit from United Carolina Bank in the amount of \$174,678.00, which included a 25% overhead factor. A draft agreement was presented for the Board's approval.

Application for Subdivision Improvements Guarantees by The Meadows
of Etowah - Phase 2

Lloyd E. Ducote submitted an application for approval of an improvement guarantee for road paving in Section 2 of The Meadows of Etowah. Mr. Ducote will provide a certified check to the County in the amount of \$10,110, which includes a 25% overhead factor. A draft agreement was provided for the Board's approval.

Commissioner Kumor made the motion to approve the Consent Agenda as presented with changes suggested by the Staff Attorney to item "E",

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regarding road construction. She recommended adding the wording **including paving**. All voted in favor and the motion carried.

PUBLIC INPUT

Dutch Burdette - Mr. Burdette spoke regarding hook up of sewer service in the Brookland Manor community. He had several questions regarding sewer hook up.

David Thompson responded to Mr. Burdette's questions.

PUBLIC HEARING - Installment Contract Documents for Financing of the Purchase of a Building & Land for Travel & Tourism Department

David Thompson gave some brief opening comments. He stated that this Public Hearing was to take comments on the financing documents for the purchase of a building and land for the use by the Travel and Tourism department. This Public Hearing is a requirement of the State of North Carolina when entering into an installment purchase contract for bank financing. Wachovia Bank of North Carolina, the financial institution awarded the financing contract, furnished the financing documents for review. The documents were written by Robert Quick of Winston-Salem, attorney for Wachovia Bank.

Chairman Good stated that a notice of hearing had been published in the Asheville Citizen Times on November 5, 1993, and in the Hendersonville Times News on November 6, 1993, and that the Board would hold a public hearing on the question of the County's proposed installment financing for the purchase and renovation of the Old Wachovia Building located at 201 South Main Street, Hendersonville NC and described in Deed Book 520, Page 453, Deed Book 538, Page 655, and Deed Book 554, Page 307 of the Henderson County Registry.

Commissioner Kumor made the motion to go into Public Hearing for the purpose of receiving public input regarding Installment Contract Documents for Financing of the Purchase of a Building and Land for Travel & Tourism Department.

At 9:15 o'clock A.M., Chairman Good declared the Public Hearing open and announced that the Board would hear anyone who wished to be heard on the proposed financing.

Public Input

There was no one who wished to speak.

The public hearing was adjourned on motion by Commissioner Randall. All voted in favor and the motion carried.

Chairman Good then asked the Board to consider and take action on a resolution approving the proposed installment financing subject to further action of the Board.

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Chairman Good then introduced and moved the adoption of a resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY, NORTH CAROLINA, AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA STATUTE 160A-20.

David Thompson read the RESOLUTION at length and it was incorporated in the minutes of the meeting as Exhibit "A".

Robert Beale, representative for Wachovia Bank, was present and answered some questions the Board had regarding the documents and fees.

Commissioner Kumor seconded the motion and, after discussion, the Resolution was adopted by the following vote:

AYES: Chairman Good
Commissioner Randall
Commissioner McKay
Commissioner Edney
Commissioner Kumor

NAYS: None

PUBLIC HEARING - Proposed Acquisition of 5.2 acres of Commercial Property, 2.5 acres of Roadway Property, and 6.3 acres of Park Property in the Industrial/Commercial Park, and the Resale of 5.2 acres of Commercial Property.

At the November 1, 1993 meeting, the Board of Commissioners approved an Option on 69.4 acres to be developed as an Industrial/Commercial Park.

Henderson County has received an Offer to Purchase 5.2 acres of commercial property of the industrial park. The proposed offer is for \$150,000 per acre. Pursuant to the terms of the Option which Henderson County holds over said property, the first exercise of the Option must be for the roadways, for the park area, and for enough of the remaining property to result in a payment of at least \$500,000 to the Optionor. Therefore, in order to accept the offer for the 5.2 acres which Henderson County has received, the Board needs to first purchase the 5.2 acres of commercial property from the Optionor, and must also purchase the 2.5 acres of roadway property and the 16.3 acres of park property simultaneously. The current owner of the property will retain a non-exclusive right-of-way across the roadway property.

North Carolina General Statute Section 158-7.1 requires that the Board hold a public hearing for any purchase and sale of property for economic development purposes. At the close of the public hearing, the Board was asked to either approve or disapprove of:

1. The purchase of 5.2 acres of commercial property, 2.5 acres of roadway property, and 16.3 acres of park property; and

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2. The resale of the 5.2 commercial acres pursuant to the offer to purchase which Henderson County has received.

Commissioner McKay made the motion to go into Public Hearing. All voted in favor and the motion carried.

Public Input

There was no one who wished to speak.

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

After much discussion, Commissioner Kumor made the motion to approve both the purchase and resale and authorize and direct the Chairman of the Board to execute all necessary offers to purchase, deeds, or other legal documents which may be associated with said purchase and resale.

Commissioner Kumor added to the motion that as a condition of our sale that we receive an acknowledgement of sewage treatment capacity by the purchase closing date. All voted in favor and the motion carried.

PUBLIC HEARING - Agreement to Relocate Existing 15 foot Right-of-Way on Proposed Industrial Park Property

At the November 1, 1993 meeting, the Board of Commissioners approved an Option to Purchase 69.4 acres of Industrial/Commercial property for the development of an Industrial/Commercial Park subject to a clear title opinion by the County Attorney.

Currently there is an existing 15 foot right-of-way that crosses the 69.4 acre parcel. The location of the existing 15 foot right-of-way does not correspond to the proposed roadway for the Industrial/Commercial Park. Therefore, the County has been negotiating with the owner of the easement to relocate his easement to the new 60 foot right-of-way that will be constructed across the 69.4 acre property. In exchange for his agreement to relocate the easement, Henderson County will:

1. Grant to the owner of the existing 15 foot easement, a new easement in the 60 foot wide right-of-way which will be constructed across the property. This new right-of-way will be paved to N.C.D.O.T. standards and is therefore an improved access to the easement owner's property.
2. Grant to the owner of the existing 15 foot easement, an option for a total of 5.4 acres of property which abuts the easement owner's property.

N.C.G.S. Section 158-7.1 requires that the Board hold a public hearing when granting an interest in real property for economic

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development purposes. After this public hearing, it is appropriate for the Board to either approve or disapprove the submitted agreement.

Commissioner Kumor made the motion to go into Public Hearing. All voted in favor and the motion carried.

Public Input

There was no one who wished to speak.

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

Commissioner McKay made the motion to approve the Agreement as presented with changes as discussed by the Staff Attorney (items 4, 6, and 8-a). All voted in favor and the motion carried.

SETTING OF PUBLIC HEARING FOR RENEWAL OF INDUSTRIAL PARK OPTION

On November 1, 1993, the Board of Commissioners approved the payment of \$10,000 for the first period of an Option to purchase 69.4 acres of Industrial/Commercial real estate subject to final approval of the title by the County Attorney. This first period of the Option will expire on December 31, 1993. In order to renew the Option for an additional three month period, the County must pay to the Optionor an Option Extension Fee by December 20, 1993. The Option Extension Fee will be an amount equal to the quarterly interest on the unpaid purchase price of the 69.4 acres under the Option.

Pursuant to N.C.G.S. 158-7.1, the Board must hold a public hearing before making this payment. Therefore, staff requested that the Board of Commissioners set a public hearing for the first regular meeting in December (December 6, 1993) concerning the payment of this Option Extension Fee.

Commissioner McKay made the motion to set the public hearing for December 6, 1993, at 7:00 p.m. All voted in favor and the motion carried.

AMENDMENT TO THE SOLID WASTE ORDINANCE: Corrugated Cardboard Ban, Aluminum Can Ban

Corrugated Cardboard Ban - It was the recommendation of the Solid Waste Planner to ban all corrugated containers from all sources other than residential. Loads of solid waste from residential sources may have de minimis amounts of corrugated containers present. This wording will take the burden off the homeowner, waste haulers will not be responsible for inspecting loads of residential waste to comply with the amendment, and it will ensure some flexibility for the landfill staff for inspections.

In the case of a violation, fines will be levied to the person bringing the corrugated into the landfill. If it happens to be a waste hauler it will be his/her prerogative to pass this fine along to the generator whose load contained corrugated containers. In speaking with many other counties it became apparent the generator only violated the ordinance once or twice at most when the fine is passed along to them. The hauler also will have the option of leaving the corrugated containers at the place of origin. Again, with the MRF in place, corrugated containers will have a market value and can be sold.

There are ample commercial haulers in the county to provide containers and immediate service for corrugated pick up.

David Thompson reminded the Board that a public hearing to solicit input on these bans was held at the first Commissioners' meeting in November 1993. Solid Waste Planner Nippy Page recommended that residential cardboard be excluded from this ban. Staff asked for the Board's approval.

Aluminum Can Ban - Pursuant to Senate bill 59, Aluminum Cans may no longer be disposed of in North Carolina landfills, effective July 1, 1994. This Bill does not allow for any tolerance level by counties. The Board does have the discretion as to whether this ban would become effective before the July 1, 1994 deadline.

After much discussion, Commissioner Edney made the motion to approve the request as presented for amendment to the Solid Waste Ordinance. All voted in favor and the motion carried.

YOUTH DEVELOPMENT SHELTER REQUEST

Staff recommended that the Board of Commissioners proceed with the construction of a new shelter. Previously, the Commissioners had authorized acquisition of 11.6 acres in 1990 located on US 64 West. The Commissioners have set aside \$100,000 over the last (2) fiscal years to apply to this project.

Youth Director Elizabeth Macdonald, Architect Stuart Stepp, and County Manager David F. Thompson made the presentation with maps, charts, etc. Their presentation consisted of:

- I. INTRODUCTION
David F. Thompson
- II. NEED FOR EMERGENCY SHELTER/STAFFING
Elizabeth Macdonald
- III. SITE PLAN/FUTURE CONCEPT
Stuart Stepp, Elizabeth Macdonald
- IV. OPTION A/
OPTION B/SCHEMATICS
Stuart Stepp

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V. COST ESTIMATES
David F. Thompson, Stuart Stepp

VI. PROPOSED ACTION PLAN
David F. Thompson

There was much discussion.

Commissioner Edney made the motion to approve the request as presented and proceed with the project. All voted in favor and the motion carried.

Commissioner McKay made the motion to declare two structures on the property as surplus and give authority to dispose of said structures by sealed bid sale. All voted in favor and the motion carried.

Commissioner Edney made the motion to award an Engineering Services Agreement to William G. Lapsley & Associates, not to exceed \$5,500. All voted in favor and the motion carried.

Commissioner Edney made the motion to authorize the award of an Architectural Services Agreement to Emory Jackson Architectural firm with a 7% fee. All voted in favor and the motion carried.

Chairman Good made the motion to authorize staff, after plans and specifications are ready, to go to bid and then bring this item back to the Board of Commissioners. All voted in favor and the motion carried.

REVIEW AND APPROVAL OF LEPC BYLAWS

At their November 3, 1993 meeting, the Local Emergency Planning Committee (LEPC) approved the draft bylaws which were presented for review and approval.

Rocky D. Hyder, Fire Marshal, is Chairman of the Committee and requested that the Board of Commissioners review and approve, if acceptable, the Bylaws.

David Thompson reminded the Board that this function was recently transferred to Mr. Hyder from Mr. Tom Edmundson, EMS Director.

Mr. Hyder discussed the progress this committee has been making and what they are planning to address in Emergency Management.

Commissioner Kumor made the motion to approve the proposed Bylaws for LEPC as submitted. All voted in favor and the motion carried.

ADVANCE REAPPRAISAL SCHEDULE

This request is a follow up of three years of debate over the next reappraisal for Henderson County.

The Assessor maintains that Henderson County cannot afford not to advance the 1998 Scheduled ReAppraisal to January 1, 1995 for the following major reasons:

1. To minimize the impact of value changes on the general public and county officials.
2. To recognize the tax burden shift between the public utility tax base and the private sector tax base. Beginning January 1, 1994, the Public Utility tax base will be equalized by the Department of Revenue to approximately 87% of their value which could result in a 13% loss in revenue from this property class.
3. To recognize the change in values in a more timely manner which may help offset the increasing cost for existing services.
4. To better facilitate the assessment balance in each class of property.

The Assessor is confident that an accelerated reappraisal program is an affirmative position for the county to take and the impact will be beneficial to its citizenry.

Commissioner Kumor made the motion to approve the RESOLUTION TO ADVANCE THE COUNTY'S REAPPRAISAL SCHEDULE FROM JANUARY 1, 1998 TO JANUARY 1, 1995. All voted in favor and the motion carried.

PUBLIC RELATION PROGRAM
"Making Sense of Your Assessment"

The "Public" of importance to the Assessor's Office is really a variety of publics; citizens and taxpayers, policy makers, the news media, real estate professionals, and so forth. To discharge the responsibilities of maintaining good relations with these groups, an active public relations program is necessary to establish contacts with key individuals and train all employees to communicate effectively with the public and to monitor communications.

The Assessor's Office understands the importance of a good Public Relations Campaign. However, the first step is a good assessment program.

A good public relation program helps the public to understand the Assessor's job and the importance of property taxes and the need for a reassessment. A good program will inform the publics, not just respond to angry taxpayers or the news media.

A brochure "Making Sense of Your Assessment" was reviewed. This brochure is the first step in a number of attempts to inform the public of Henderson County's 1995 ReAppraisal Program.

The County Assessor, Robert Baird, requested that the Board of Commissioners write a letter of support for the brochure. A draft letter was reviewed.

After much discussion, Commissioner McKay made the motion to approve the time frame and the concept of an information brochure and direct the Chairman to begin execution of a Letter of Support for the brochure. All voted in favor and the motion carried.

REGISTER OF DEEDS - Purchase of Computer Terminals

A letter was received from Patricia A. Miller, Register of Deeds, requesting funds to purchase three computer terminals for the Register of Deeds Office. These additional terminals would allow computer inquiry by attorneys, paralegals, and the general public into the deed records currently available in our computer system. Ms. Miller submitted a letter from Otto W. DeBruhl, Buncombe County Register of Deeds. Mr. DeBruhl expressed his satisfaction with this access system in that it prevents destruction of the books. The total cost of the requested terminals was \$2,685.

Staff recommended the purchase of these computer terminals because their use would prolong the life of the Index Books. The information housed by the Register of Deeds' computer system would be of greater benefit to the public if it were more easily accessible. Funding for these terminals would come from contingencies.

After discussion, Commissioner McKay made the motion to approve Staff's recommendation to approve the request and take \$2,685 from contingencies to fund the purchase. All voted in favor and the motion carried.

NOMINATIONS

1. Chairman Good reminded the Board of 1 vacancy for an alternate on the **Motor Vehicle Valuation Review Board (MVVRB)**. There were no nominations at this time so the item was rolled to the next meeting.

2. Chairman Good reminded the Board of 1 vacancy on the **Hendersonville Zoning Board of Adjustment**.

Commissioner Kumor made the motion to move Joseph Erwin (an alternate member) to a full member. Commissioner Edney made the motion to suspend the rules and appoint Mr. Erwin as a full member. All voted in favor and the motion carried.

One (1) remaining vacancy (for an alternate member) was rolled to the next meeting.

3. Chairman Good reminded the Board of 1 vacancy on the **Solid Waste Advisory Committee (SWAC)**.

Commissioner Kumor made the motion to appoint Charles McGrady to fill this vacancy. Commissioner Edney made the motion to suspend the rules and appoint Mr. McGrady. All voted in favor and the motion carried.

Commissioner Kumor made the motion to appoint Bob Cathey as Chairman of SWAC. All voted in favor and the motion carried.

4. Chairman Good reminded the Board of 1 vacancy on the **Private Industry Council (PIC)** due to a resignation. We are awaiting nominations from the Chamber of Commerce as this is one of their appointments. This item was rolled to the next meeting.

5. Chairman Good reminded the Board of 2 vacancies on the **Henderson County Zoning Board of Adjustment.**

Commissioner McKay made the motion to move Grady Hawkins (an alternate member) to a full member. Commissioner Kumor made the motion to suspend the rules and appoint Grady Hawkins as a full member of the Henderson County Zoning Board of Adjustment.

The one (1) remaining vacancy (for an alternate member) was rolled to the next meeting.

6. Chairman Good reminded the Board of 1 vacancy on the **Library Board of Trustees.** Commissioner McKay's term will expire 12/31/93. He has stated his interest in serving an additional term.

Commissioner Edney made the motion to suspend the rules and appoint Commissioner William McKay to succeed himself. All voted in favor and the motion carried.

7. Chairman Good reminded the Board of 4 vacancies on the **Henderson County Travel & Tourism Committee.**

Commissioner Kumor nominated Commissioner Edney, John Sheiry, and Frank Todd, Jr. for reappointment to fill three of the vacancies. Commissioner McKay made the motion to suspend the rules and make these appointments. All voted in favor and the motion carried.

One remaining vacancy was rolled to the next meeting.

IMPORTANT DATES

Commissioner Kumor reminded everyone to add the recently set work session on the Land Use Plan for November 23 at 7:00 p.m. to their calendar.

A Public Hearing for Renewal of the Industrial Park Option on December 6 at 7:00 p.m. was added, due to approval of the Consent Agenda.

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There was some discussion of when and where to hold the Public Hearing on the Watershed Water Supply Rules and Regulations. This item was rolled until later in the meeting.

SURPLUS VEHICLES SALE

David Nicholson reminded the Board that on November 12 Henderson County accepted sealed bids on the sale of 18 surplus vehicles. These vehicles were approved for sale by the Board of Commissioners at a previous meeting. Should the Board accept the high bids, the total amount received for these vehicles would be \$18,165.37. Staff recommended that the surplus vehicles be sold to the highest bidders.

Commissioner McKay made the motion to award the bids to the highest bidders. All voted in favor and the motion carried.

CANE CREEK WATER & SEWER DISTRICT

The Board adjourned as the Henderson County Board of Commissioners and convened as the Cane Creek Water & Sewer District, motion by Commissioner McKay. All voted in favor and the motion carried.

The Board adjourned as the Cane Creek Water & Sewer District and reconvened as the Henderson County Board of Commissioners, motion by Commissioner Kumor. All voted in favor and the motion carried.

EXECUTIVE SESSION

Commissioner Edney made the motion for the Board to go into Executive Session as allowed under General Statute 143-318.11 to discuss the following matters:

1. To consult with the County Attorney to the extent that confidentiality is required.
2. To consider the selection of a site or the acquisition by any means or lease as lessee of interests in real property.
3. To consider a personnel matter.

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

Meeting Set - There was discussion regarding the Public Hearing on the Watershed Water Supply Rules and Regulations. After much discussion, the meeting was set for December 13 at 7:00 p.m. at the Mountain Horticulture Center in Fletcher.

WORK SESSION - Watershed Water Supply Rules & Regulations 1:00 p.m.

Matt Matteson, Planning Director, gave brief opening remarks and introduced some State representatives who were present.

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There was much discussion of how the Watershed Water Supply Ordinance would affect property owners in the area. Mr. Matteson stated that all existing uses would be grandfathered.

There was discussion of:
5/70 Option
High Density Option
Stand Alone Ordinance

There being no further business the meeting was adjourned, motion by Commissioner Randall. All voted in favor and the motion carried.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

Vollie G. Good
Vollie G. Good, Chairman

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
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VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
HUGH D. RANDALL
WILLIAM MCKAY
RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF HENDERSON COUNTY, NORTH CAROLINA,
AUTHORIZING THE FILING OF AN APPLICATION
FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE § 160A-20**

WHEREAS, the County of Henderson, North Carolina desires to purchase and renovate the old Wachovia Bank Building located at 201 South Main Street, Hendersonville, NC and described in Deed Book 520, Page 453, Deed Book 538, Page 655, and Deed Book 554, Page 307 of the Henderson County Registry, to serve as a welcome center for tourists coming to Henderson County and to house the Department of Travel and Tourism (hereinafter "The Project"); and

WHEREAS, on October 20, 1993, the County of Henderson approved by Resolution the concept of financing The Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, pursuant to said October 20, 1993 Resolution, the Board of Commissioners for the County of Henderson authorized staff to request proposals from banks for the financing of The Project; and

WHEREAS, the Board of Commissioners for the County of Henderson passed by motion at their November 1, 1993 meeting their intent to finance The Project by entering into an installment contract (hereinafter "The Contract") with Wachovia Bank of North Carolina, N.A., obligating the County to repay in installments an amount not to exceed \$550,000.00 (including purchase and renovation costs) financed at a fixed annual interest rate of not more than 4.15% over a term of approximately 10 years with no prepayment penalties for prepayment in whole or in part; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Henderson, North Carolina, meeting in regular

session on the 17th day of November, 1993, make the following findings of fact:

1. The current facility occupied by the Henderson County Department of Travel and Tourism, located at 139 North Main Street, Hendersonville, North Carolina, contains approximately 1,503 square feet. The Henderson County Department of Travel and Tourism has a paid staff consisting of five (5) members, and a volunteer staff in excess of thirty (30) members. For the calendar year, 1992, over 42,000 travelers visited the current facility, and during the first six (6) months of 1993, over 22,000 people visited the facility. Based on a feasibility study prepared by William H. O'Cain, AIA Architect, on September 21, 1993, the Henderson County Department of Travel and Tourism needs at least 4,250 square feet of space to operate properly; therefore, the current facility is inadequate.
2. The old Wachovia Building which the Board of Commissioners proposes to purchase through an installment contract contains a total of 5,270 square feet. The appraised value of this building is \$720,000; however, the amount to be financed for the purchase and renovation of this building is \$550,000.
3. The Board of Commissioners of the County of Henderson, North Carolina intends to use the proceeds from the Henderson County Occupancy Tax authorized by Section 5(a) of Chapter 172 of the 1987 Session Laws as later amended to pay for The Project. These tax proceeds are the sole source of funding for the Henderson County Department of Travel and Tourism, and are used to promote travel and tourism in Henderson County, North Carolina. The projected 1993-94 budget for the Henderson County Department of Travel and Tourism is \$308,380.00, the current fund balance being \$11,980. Financial projections indicate that the Henderson County Travel and Tourism Department's anticipated budgets over the next ten (10) years will be sufficient to meet the proposed payment schedule for the financing. Financing The Project will enable the Board of Commissioners of Henderson County to use solely occupancy tax monies to pay for The Project while minimizing the impact of The Project on the Henderson County Travel and Tourism Department's budget.
4. The proposed contract is preferable to a bond issue because it would be cost prohibitive to issue bonds for an amount of \$550,000.00. Further, the repayment period for an installment contract financing would be shorter than for a general obligation bond issue.
5. The cost of the proposed undertaking exceeds the amount

that could be prudently raised from the unappropriated fund balances of Henderson County because taking \$550,000.00 from said fund balances would reduce the working fund balance below an acceptable level.

6. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the appraised value of the building to be purchased exceeds the amount to be financed by approximately \$170,000.00.
7. The County of Henderson's debt management procedures and policies are good because currently, the ratio that the County's net debt bears to the assessed value of property subject to taxation in Henderson County is 1.1%. Further, Henderson County is not currently in default on any of its debt obligations. Henderson County received a bond rating of A+ from Standard & Poor's Corporation and A1 from Moody's Investors Service in 1992.
8. The County of Henderson does not anticipate raising real property taxes or occupancy taxes to fund this project.
9. The attorney for the County of Henderson has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina, and is a purpose for which occupancy taxes collected may be expended in accordance with Chapter 172 of the 1987 Session Laws, as later amended.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Henderson County Board of Commissioners as follows:

1. The Board hereby authorizes The Project. The Chairman of the Board, the County Manager, the Finance Director, the County Attorney, and the Clerk to the Board, are hereby authorized and directed on behalf of the County to proceed with the preparation of the Contract providing for the financing of an amount not to exceed \$550,000.00 at an annual interest rate not to exceed 4.15% and a term not exceeding 10 years, and otherwise proceed with the plan of financing for The Project described at this meeting.
2. The Chairman of the Board, the County Manager, the Finance Director, the County Attorney, and the Clerk to the Board, are hereby authorized and directed on behalf of the County to submit an application for the Local Government Commission's approval of the Contract pursuant to N.C.G.S. § 160A-20 and N.C.G.S. § 159-148, and to execute a sworn statement of debt of the County pursuant to N.C.G.S. 021 159-150, in connection with the financing of the Facilities.

3. This Resolution shall become effective upon its adoption.

This Resolution was adopted on the 17th day of November, 1993. The motion to adopt this resolution was made by Chairman Good, seconded by Commissioner Kumor, and passed by a unanimous vote.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

Attest:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

BY: Vollie G. Good
Vollie G. Good, Chairman

1068

DEPARTMENTAL REQUEST FOR
LINE - ITEM TRANSFERS

DEPARTMENT: Data Processing

Please make the following line - item transfers:

What expense line - item is to be increased?

*Approved
11/17/93*

Account #	Description	Amount
<u>11-4120-05100</u>	<u>Administration Capital</u> <u>Equip. Outlay</u>	<u>\$1907.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

What expense line - item is to be decreased?
or What additional revenues are now expected?

Account #	Description	Amount
<u>11-4910-05100</u>	<u>Planning Capital</u> <u>Equipment Outlay</u>	<u>\$1907.00</u>
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Rick Freeman
Requested by / Department Head

J.E.#

Approved by

Int.

Date

Approved
11/17/93

HENDERSON COUNTY
BUDGET AMENDMENT

ACCOUNT CODE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
11-9800-04931	ALLEN STREET BUILDING		10,000.00
11-4350-05100	CAPITAL EQUIPMENT	10,000.00	
TOTALS		10,000.00	10,000.00

EXPLANATION

TO TRANSFER FUNDS FOR EQUIPMENT PURCHASE FOR THE ALLEN ST PROPERTY
PURCHASE NEEDS TO BE IN A CAPITAL EQUIPMENT ACCOUNT

PAM

Prepared By

11-4-93

Date



Approval

atch

Batch Date

JV#

1070

HENDERSON COUNTY
BOARD OF COMMISSIONERS

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097

PHONE 704/697-4808
FAX 704/692-9855

DAVID F. THOMPSON
COUNTY MANAGER

VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
HUGH D. RANDALL
WILLIAM MCKAY
RENEE KUMOR

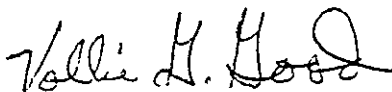
November 22, 1993

Robert Baird, County Tax Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
400 North Main Street
Hendersonville, N. C. 28739

Dear Mr. Baird:

Attached please find the lists of tax release requests (56)
and tax refund requests (13) approved at the Henderson County Board
of Commissioners' Meeting on Wednesday, November 17, 1993.

Sincerely,



Vollie G. Good, Chairman
Henderson County Board of
Commissioners

VGG/ewc

enclosures

Taxpayer Name	Taxbill	Total	Reason
BARILARI FAMILY PARTNERSHIP	92A9944212*F	\$27.93	VALUE LOWERED ON APPEAL TO THE PROPERTY TAX COMMISSION
BARILARI FAMILY TRUST	92A9938145*E	\$40.47	VALUE LOWERED ON APPEAL TO PROPERTY TAX COMMISSION
BARILARI, STEPHEN J	92A9944211*F	\$18.81	APPEAL TO PROPERTY TAX COMMISSION VALUE LOWERED B/C OF POWER LINES THROUGH THE PROPERTY
GIAVASIS, ARBUTUS	93A9947162*F	\$56.16	WRONG PARCEL WAS TRANSFERRED
GUICE, BETTY E. HEIRS	91A0400256*F	\$100.47	ANOTHER PARCEL WAS INCORRECTLY MAPPED TO THIS ACCT CAUSING AN INCREASE IN ACREAGE
GUICE, BETTY F HEIRS	90A0400256*F	\$100.47	ANOTHER PARCEL WAS INCORRECTLY MAPPED TO THIS ACCOUNT CAUSING AN INCREASE IN ACREAGE
GUICE, BETTY F HEIRS	92A0400256*F	\$100.47	ANOTHER PARCEL WAS INCORRECTLY MAPPED TO THIS ACCOUNT CAUSING AN INCREASE IN ACREAGE
LEYVA, EVELYN S	91A9934889*F	\$33.04	BLDG VALUE S/NOT/B INCLUDED IN TAX VALUE
LEYVA, EVELYN S	92A9934889*F	\$33.04	BLDG VALUE S/NOT/B INCLUDED IN TAX VALUE
LEYVA, EVELYN S	90A9934889*F	\$29.91	BLDG VALUE S/NOT/B INCLUDED IN TAX VALUE
SMITH, STEVE D SMITH, MARY ANN GRIGGAS	93A9929659*F	\$4.27	WAS RELEASED BUT PAID ON SAME DAY THEREFORE REFUNDING OVERPAYMENT
STATON, VIONA	93A0601998*F	\$45.75	UNTIMELY ELDERLY EXEMPTION
WALBAR ASSOCIATES	91A82548.01*F	\$63.60	AUDIT REFUND

1072

Taxpayer Name: WALBAR ASSOCIATES
Taxbill: 92A82548.01*F
Total: \$14.20
Reason: AUDIT REFUND

TOTAL REFUNDS >>> \$667.79

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RELEASE M 11/10/93 COMMISSIONER'S ORDER 11/17/93 REF SPORT 1

Taxpayer Name	Taxbill	Total	Reason
ARTHUR, SHANNON LEE ARTHUR, DAVID	93A87573.01*R	\$16.63	UMV*86*VOLK TAGGED AND BILLED ON JULY IAE
BARGER, JERRY C	93A0100917*R	\$6.10	72*TRIU*2S-TAGGED AND-BILLED-ON-AUG TAPE
BARILARI FAMILY PARTNERSHIP	93A9944212*R	\$29.40	VALUE LOWERED ON APPEAL TO PROPERTY TAX COMMISSION
BARILARI FAMILY PARTNERSHIP	93A9944211*R	\$19.80	VALUE LOWERED ON APPEAL TO PROPERTY TAX COMMISSION
BARILARI FAMILY TRUST	93A9938145*R	\$42.60	VALUE LOWERED ON APPEAL TO PROPERTY TAX COMMISSION
BARNWELL, RICKY LEE & WIFE	93A0700192*R	\$7.34	79*GMC*VAN TAGGED AND BILLED ON AUG TAPE
BEVERLY HANKS AND ASSOCIATES	93A999219*R	\$561.06	PARCEL IS "COMMON AREA" AND SZB EXEMPT
BINKOWSKI, DON	93A104632.02*R	\$264.51	MH HAS MICHIGAN TAGS
BOOHER, RHONDA F BOOHER, STEVEN	93A7879.07*R	\$2.43	76*CHEV*NOVA TAGGED AND BILLED ON AUG TAPE
BROWN, IRELAND V & WIFE	93A0300115*R	\$10.27	80*FORD*4D TAGGED AND BILLED ON AUG TAPE
BLUKUS, ANNE G	93A29202535*R	\$73.20	SHOULD HAVE RECEIVED ELDERLY EXEMPTION
CAMP JUDEA INC	93A0200653*R	\$64.05	1 ACRE AND ALL BLDGS EXEMPT FOR RELIGIOUS USE
CASE, G G	93A13283.01*R	\$21.82	84*FORD*TK TAGGED AND BILLED ON AUG TAPE

1074

Taxpayer Name	Taxbill#	Total	Reason
CORN, MARK ALAN	93A79409.03*R	\$17.82	UMV BILLED ON JULY TAPE FROM DMV
FOWLER, ETTA MINNIE	93A0100772*R	\$27.74	DEL WIDE MH BILLED ON WRONG PARCEL
FOWLER, FREDDIE & FOWLER, BOBB	93A9948238*R	\$153.36	DBL WIDE MH BELONGS TO ACCT 111167
FREEMAN, GREGORY LEO	93A90604.01*R	\$32.62	88*DODG*TK TAGGED AND BILLED ON AUG TAPE
FREEMAN, BICKY OGILIVE FREEMAN, BETTY	93A11635.01*R	\$3.91	77*CHEV*MONTE CARLO TAGGED AND BILLED FROM AUG TAPE
FRETZ, LINDA H	93A99942.01*R	\$106.75	88*MH WAS LISTED AS ON ACCT 81777 AS AN 83*MH
GABERDIEL, VERMON	93A61203.01*R	\$22.45	72*NAT*12*60 MH WAS SOLD TO ACCT 99722
GALLIMORE, ELLSWORTH S GALLIMORE, SHIRLEY P	93A9242343*R	\$1135.82	PROPERTY BILLED TO WRONG ACCOUNT WILL BE DISCOVERED TO CORRECT OWNER
GRACE EVANGELICAL LUTHERAN CHU	93A0116720*R	\$100.20	EXEMPTION ON FILE FOR 1993 BILLED IN ERROR
GRACE EVANGELICAL LUTHERAN CHU	93A0105825*R	\$401.40	EXEMPT WAS ON FILE FOR 1993 BILLED IN ERROR
GUICE, BETTY F HEIRS	93A0400256*R	\$118.20	ANOTHER PARCEL WAS INCORRECTLY MAPPED ONTO THIS ACCOUNT CAUSING ERROR IN ACREAGE
HARDEN, WENDY	93A62710.03*R	\$102.34	89*MH DBL LISTED TO ACCT 92895
HOLDEN, BILLY E JR	93A0201173*R	\$9.93	84*CHEV TAGGED AND BILLED FROM AUG TAPE

Taxpayer Name	Taxbill	Total	Reason
HOWARD GAP DEVELOPMENT CORP	93A0106379*R	\$139.08	THE 2 BUILDINGS ON THIS PARCEL S/NOI/B. BILLED FOR '93
JACKSON, GEORGE M & WIFE	93A1558.01.1*R	\$66.31	MH DBL ASSESSED. ON SAME ACCT. 93A0200891
JUSTUS, ARNOLD RAY	93A10828.05*R	\$4.58	VALUE ADJUSTMENT DUE TO POOR CONDITION
KILVER, MARY ANN	93A9935128*R	\$3.96	72*VOLK*BEETLE TAGGED AND BILLED FROM AUG TAPE
KRAEBBER, DANA	93A0114427*R	\$520.56	PROPERTY BILLED TO WRONG OWNER AND ADDRESS. BELONGS TO KRAEBBER, DAVID ACCT 112183
LANNING, WILLIAM JUNIOR	93A9947161*R	\$80.46	WRONG PARCEL WAS TRANSFERRED
LEYVA, EVELYN S	93A9934889*R	\$35.99	BLDG VALUE S/NOT/B INCLUDED IN VALUE FOR '93
MCCOY, ADAM B	93A80162.01*R	\$8.24	VALUED AS A FORD MUSTANG IS ACTUALLY A FORD MAVERICK
NASH, RONALD	93A0108767*R	\$11.62	75*MG*CONV TAGGED AND BILLED ON AUG TAPE
OSTEEN, TROY E	93A68692.06*R	\$3.36	67*CHEV*TK TAGGED AND BILLED ON AUG TAPE
PARKS, GUSSIE B	93A0110672*R	\$13.20	UNTIMELY ELDERLY EXEMPTION
PEAK, HENRIETTA J	93A0111319*R	\$64.80	UNTIMELY ELDERLY EXEMPTION
RANDALL, ALFRED RANDALL, ELIZABETH	93A9926355*R	\$32.25	87*DDG*RAIDER 4X4 TAGGED AND BILLED ON AUG TAPE

1076

Line	Taxpayer Name	Taxbill	Total	Reason
2	REDDEN, PATRICIA CONNER	89A9942796.1*R	\$6.38	PICKED UP FOR BILLING IN ERROR
7	REDDEN, PATRICIA CONNER	90A9942796.1*R	\$11.25	PICKED UP FOR BILLING IN ERROR
9	REDDEN, PATRICIA CONNER	88A9942796.1*R	\$6.05	PICKED UP FOR BILLING IN ERROR
13	RHODES, WILLARD P & WIFE	88A0701978.1*R	\$4.84	ROLLBACK CREATED IN ERROR
17	RHODES, WILLARD P & WIFE	90A0701978.1*R	\$45.08	ROLLBACK CREATED IN ERROR
21	RHODES, WILLARD P & WIFE	91A0701978.1*R	\$51.52	ROLLBACK CREATED IN ERROR
25	RHODES, WILLARD P & WIFE	89A0701978.1*R	\$5.08	ROLLBACK CREATED IN ERROR
29	RICHIEY, AMY LOUISE	93A74480.01*R	\$2.21	SOLD_HOND*MC_IN_1992
33	SAUNDERS, JOHN A AND KETRENA A	93A2317.02*R	\$13.60	60*MH S/B LISTED TO ACCT 3590
37	SCHULTZ, JAMES EARL JR & TERES	93A0116905*R	\$3.36	71*GMC*TK TAGGED AND BILLED ON AUG TAPE
41	SHARON_K_SHIELDS.D.C. SHIELDS CHIROPRACTIC CENTER	93A21101.01*R	\$23.49	UMV*55*VOLVO SOLD_SERI_92
45	SHEFTER, S SIDNEY SHEFTER, AUDREY T	93A90091.01.1*R	\$23.83	DOES NOT OWN 75*12*50 MH PARK OWNER LISTED INCORRECT YEAR*WIDTH*LENGTH
49	SUMMERS, EDNA S	93A9938807*R	\$6.40	82*FORD*ESCORT TAGGED AND BILLED ON AUG TAPE

Taxpayer Name	Taxbill	Total	Reason
SUTTLES, JIMMIE H & WIFE	93A0201803*R	\$56.12	MAPPED INCORRECTLY AS UF 10-92
TOWE, PAUL	93A17624.07*R	\$36.54	NO LONGER_OWN_MOBILE_HOME
TOWE, BEATRICE G			
WARD, BRIAN K	93A9946806*R	\$86.62	HOUSE AND 2 OUTBLDGS S/NOT/B INCLUDED IN 93 VALUE
WARD, JANE G			
WILLIAMS, JAMES R	93A0702598*R	\$37.88	UMV*88*FORD TAGGED AND BILLED FROM_AUG_IAPF
WILLIAMS, MARGARET M			
TOTAL RELEASES >>>			\$4887.11

1078

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792-5097

PHONE 704/697-4808
FAX 704/692-9855

DAVID F. THOMPSON
COUNTY MANAGER

VOLLIE G. GOOD
CHAIRMAN
J. MICHAEL EDNEY
HUGH D. RANDALL
WILLIAM MCKAY
RENEE KUMOR

**RESOLUTION
TO ADVANCE THE COUNTY'S REAPPRAISAL SCHEDULE
FROM JANUARY 1, 1998 TO JANUARY 1, 1995**

WHEREAS, General Statute 105-286(a) (2) requires all real property to be reappraised at least once every eight years; and

WHEREAS, the same statute allows any county that desires to advance its reappraisal schedule may do so upon adoption of a resolution so providing; and

WHEREAS, the Board desires to advance its next scheduled reappraisal effective date from January 1, 1998 to January 1, 1995 as per General Statute 105-286 and;


WHEREAS, since change (variation in values) is so much a part of the nature of real estate, the County wishes to recognize this variation in values as soon as possible which would be accomplished by advancing the reappraisal date from January 1, 1998 to January 1, 1995 and;

NOW THEREFORE BE IT RESOLVED, by the Henderson County Board of County Commissioners as follows:

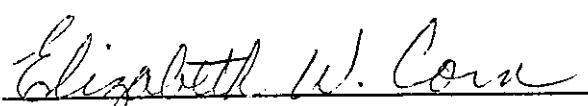
1. That in accordance with the provisions of General Statute 105-286, the Board advances the current scheduled octennial reappraisal to be effective January 1, 1995.
2. That the effective dates of all reappraisals after January 1, 1995 be advance to be effective every four years thereafter.
3. That the Board states that adequate funds are available to begin and will be made available to complete the upcoming reappraisal by January 1, 1995.
4. That the Henderson County Finance Director is directed to establish the Reappraisal Fund in such a manner that adequate funds will be available to conduct reappraisals every four years beginning January 1, 1995 and every fourth year thereafter.

WHEREBY, the Henderson County Board of Commissioners adopts this resolution on the 17th day of November, 1993.

ATTEST:



**VOLLIE G. GOOD, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS**



ELIZABETH W. CORN, CLERK TO BOARD