

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JULY 6, 1993

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 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 Skerrett and Acting Clerk to the Board, Avalina B. Merrill.

Elizabeth W. Corn, Clerk to the Board, was absent.

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

Rev. Bill Jones, Pastor of Bethany Baptist Church, gave the invocation.

DISCUSSION/ADJUSTMENT OF AGENDA

County Manager David Thompson added these items:

- ◆ Item F, Land Records Management Grant Application under Consent Agenda
- ◆ The Proposed Continuation of Land-Use Plan Worksessions was added to Item H, Important Dates, under Discussion Items
- ◆ Item I under Discussion, Voting Delegate to NCACC

CONSENT AGENDA

Commissioner McKay made the motion that the Board approve the consent agenda. All voted in favor and the motion carried.

Items on the Consent Agenda:

A. Review of Minutes - Minutes were presented for review and approval of the following Commissioners' meetings:

June 3	June 14	June 22	June 30
June 7(2)	June 16	June 24	
June 8(2)	June 21	June 28	

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B. Tax Release Requests (16) - Robert Baird submitted (16) release requests for the Board's approval. He has reviewed all requests and the supporting documentation is on file in the County Assessor's Office.

C. Tax Refund Requests (3) - Robert Baird submitted (3) refund requests for the Board's approval. He has reviewed all requests and the supporting documentation is on file in the County Assessor's Office.

D. Notifications of Vacancies:

1. Nursing Home/Domiciliary Home Advisory Committee-
(2) vacancies
2. Western Carolina Community Action (WCCA)
Board of Directors - (1) vacancy
3. Youth Advisory Board - (3) vacancies

E. Road Petitions:

1. Maxwell Drive (addition)
2. Summit Farm Lane (addition)

F. Land Records Management Grant Application

INFORMAL PUBLIC INPUT

No one signed up for public input.

AMERICA'S PRIDE

Ms. Glenda Lancaster, Advisor of America's Pride Youth Group, and students from America's Pride Youth Group, gave a report on their trip to the Annual Pride World Drug Conference in Cincinnati, Ohio and thanked the Commissioners for their support.

BOARD OF EQUALIZATION AND REVIEW ANNUAL REPORT

Mr. R. E. Harmon, Chairman of the Board of Equalization and Review gave the Board the 1993 report of the activities of the Board of Equalization and Review. Mr. Harmon also praised Mr. Robert Baird, County Tax Assessor, and the staff of the Tax Assessor's office for their assistance in reducing the number of appellant's claims by visiting each appellant. Chairman Good commended Mr. Baird and his staff on behalf of the Commissioners for their great performance during 1993.

TRANSPORTATION REQUEST BY WCCA

Mr. David White, Transportation Coordinator of WCCA, requested that the Commissioners approve the FY '93-94 funding for the Elderly and Disabled Transportation Program and the Medicaid Transportation Assistance Program. WCCA will be allocated \$24,538 from the State to operate this transportation system during 1993. No local match is required. The approval of the Commissioners of

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this request simply allows WCCA to continue to operate this transportation in Henderson County. Mr. White listed some of the agencies that WCCA assists in transportation: Something Special, Medicaid recipients, Council on Aging, mental health agencies, vocational rehabilitation, etc.

Commissioner Randall made the motion to approve the WCCA transportation funding requested as presented by Mr. White. All voted in favor and the motion carried.

REQUEST FOR SPECIAL USE PERMIT FOR CARRIAGE PARK

A formal application for a new phase of development for Carriage Park, a Planned Unit Development (PUD) had been received by the Zoning Administrator, Mr. Sam Laughter. Because this new phase includes a substantial revision to the Master Plan approved by the Board of Commissioners in 1988, the issuance of a new Special Use Permit application must be approved. County Manager David Thompson explained to the Board that under Section 907 of the Henderson County Zoning Ordinance, this request must be referred to the Planning Board for their review and recommendation and a public hearing on the request be set. Commissioner Randall made a motion to refer the request to the Planning Board and set a public hearing for the request for Monday, August 2, 1993. All voted in favor and the motion carried.

AMENDMENTS TO THE SOLID WASTE ORDINANCE

Staff Attorney, Angela Skerrett, explained to the Board the amendments that had been made to the Solid Waste Ordinance as per the Board's recommendations. Commissioner McKay made a motion to approve the amendments as presented by Ms. Skerrett. All voted in favor and the motion carried.

RESOLUTION DELEGATING APPOINTING AUTHORITY

County Manager David Thompson recommended to the Board that a resolution delegating the authority to appoint officers, employees and agents of Henderson County from the Henderson County Board of Commissioners to the County Manager be adopted by the Board to protect the Board from liability that may result from any of his hiring decisions. Commissioner McKay made a motion to adopt the resolution as presented. All voted in favor and the motion carried.

MOTOR VEHICLE VALUATION REVIEW BOARD (MVVRB)

Chairman Good reminded the Board of (3) appointments for the Motor Vehicle Valuation Review Board (MVVRB). There were no nominations for these vacancies so the vacancies were rolled to the mid-month meeting of 7/22/93.

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PRIVATE INDUSTRY COUNCIL

County Manager David Thompson explained to the Board that there were (5) vacancies on the Private Industry Council (PIC). Of those (5) vacancies, (3) had to be from the private sector as recommended by the Chamber of Commerce. Commissioner McKay made a motion to appoint Gary Jones to fill the unexpired term of Loretta Briggs whose term expires 7/1/94. All voted in favor and the motion carried. No other nominations were made for the (2) remaining vacancies from the private sector so those nominations were rolled to the next meeting.

County Manager David Thompson explained to the Board that PIC recommended that the Commissioners make the DSS appointment as a regular voting member rather than an ex-officio member. Commissioner Kumor made a motion to make the DSS appointment as a regular voting member and to appoint Patti Leonard to fill that vacancy. All voted in favor and the motion carried.

County Manager David Thompson explained to the Board that PIC recommended that the Commissioners change (1) of the (2) Board of Education members to ex-officio to accommodate for making the DSS appointment as a regular member and PIC suggested that the Community College member become the ex-officio member. Commissioner McKay made a motion to make BRCC the ex-officio member. All voted in favor and the motion carried.

Commissioner Renee Kumor made a motion to appoint Dr. Amy Pace to another (1) year term to PIC as the education representative. All voted in favor and the motion carried.

WESTERN NORTH CAROLINA TOMORROW (WNCT)

Chairman Good reminded the Board of (1) vacancy on the Board of Directors. Commissioner Edney made a motion to reappoint County Manager David Thompson for another (1) year term. All voted in favor and the motion carried.

NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS

Chairman Good reminded the Board that a voting delegate for the 86th Annual Conference of the North Carolina Association of County Commissioners must be designated. Commissioner Edney made a motion to designate Chairman Good to be that voting delegate. All voted in favor and the motion carried.

IMPORTANT DATES

County Manager David Thompson reminded the Board that on July 21, 1993, which is the regularly scheduled mid-month Commissioners' meeting, that he and Commissioners Good and McKay would be attending the annual conference of NACo in Chicago and that July

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22, 1993 should be set for the public hearing on the financing of the new courthouse project. Commissioner McKay made a motion to change the mid-month meeting to July 22, 1993 to begin at 1:00 p.m. with the workshop of the Land-Use Plan following the regular session and a public hearing at 7:00 p.m. for the courthouse project financing. All voted in favor and the motion carried.

EXECUTIVE SESSION

Commissioner McKay made the motion for the Board to go into Executive Session as allowed under General Statute 143-318.11 to consult with the County Attorney to the extent that confidentiality is required and to consider the selection of a site or the acquisition by any means or lease as lessee of interests in real property. All voted in favor and the motion carried.

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

ACTION

Commissioner Edney made a motion to reappoint Robert Baird as County Tax Assessor for another (2) year term. All voted in favor and the motion carried.

Commissioner Edney made a motion to approve the tax settlement of \$130,000 to Youngblood Transportation. All voted in favor and the motion carried.

Commissioner Edney made a three-part motion as follows:


♦ to authorize County Manager David Thompson to offer to the Henderson County Public School Board of Education \$1 for the Allen Street property upon final walk-through by the architect;

♦ to authorize \$28,500 to be taken from general fund for paving of the property adjoining the Henderson County Public Library;

♦ to reimburse the actual cost of the renovations of Rosa Edwards School property not to exceed \$200,000 based on current and existing plans on hand. All voted in favor and the motion carried.

There being no further business, the meeting was adjourned.

ATTEST:


Avalina B. Merrill, Acting Clerk


Vollie G. Good, Chairman

**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

WHEREAS, Henderson County adopted the County Manager form of government by resolution on December 3, 1990; and

WHEREAS, North Carolina General Statutes § 153A-82(1) authorizes the Henderson County Board of Commissioners by resolution to "permit the manager to appoint officers, employees, and agents [of Henderson County] without first securing the board's approval" unless otherwise prohibited by law; and

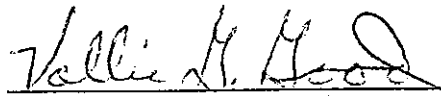
WHEREAS, the Henderson County Board of Commissioners is desirous of delegating such authority to appoint officers, employees, and agents of Henderson County without first securing the Board's approval to the County Manager of Henderson County unless otherwise prohibited by law;

NOW, THEREFORE BE IT RESOLVED by the Henderson County Board of Commissioners that the Henderson County Manager shall have the power to appoint officers, employees, and agents of Henderson County without first securing the approval of the Henderson County Board of Commissioners, unless such appointment is otherwise precluded by law.

THIS the 6th day of July, 1993.

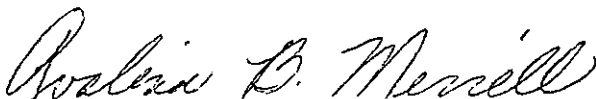
THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:



Chairman

Attest:



Acting Clerk to the Board

Acting Clerk to the Board

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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RENEE KUMOR

DAVID F. THOMPSON
COUNTY MANAGER

RESOLUTION

WHEREAS, North Carolina General Statute 153A-40 (a) authorizes the Henderson County Board of Commissioners to change the time and/or place of a regular meeting or of all regular meetings, and

WHEREAS, Rules of Procedure of the Board of Commissioners authorizes them to change the place or time of a particular regular meeting or of all regular meetings within a specified period by resolution adopted, posted, and noticed at least seven days before the change takes effect, and

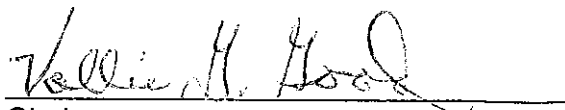
WHEREAS, the Henderson County Board of Commissioners is desirous of changing their regular mid-month meeting in July from July 21 at 9:00 a.m. to July 22 at 1:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners that the next Commissioners' Meeting shall be July 22 at 1:00 p.m. rather than the regular date of July 21 at 9:00 a.m.

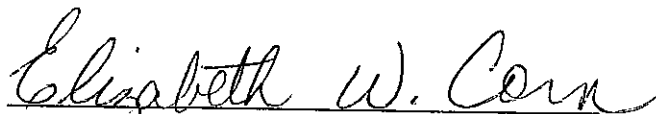
This the 16th day of July, 1993.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:


Chairman

Attest:


Elizabeth W. Corn, Clerk to the Board

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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**RESOLUTION OF THE HENDERSON COUNTY
BOARD OF COMMISSIONERS**

BE IT RESOLVED, that on the 6th day of July, 1993, the Board of Commissioners hereby gave their unanimous approval to Henderson County's application for matching funds and technical assistance under the North Carolina Land Records Management Program (LRMP), under the provisions of N.C.G.S. 102-15 through -17; and

BE IT FURTHER RESOLVED, that:

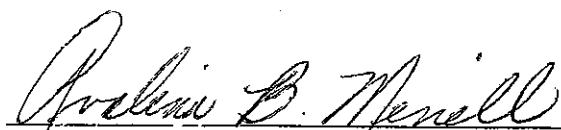
1. The application for grant assistance for FY 1993-94 be in the amount of \$60,000.
2. Henderson County has the necessary funds in its General Fund for FY 1993-94 to match the grant amount awarded under the LRMP and will assign said funds to this project upon notice of the award.
3. Henderson County Government shares a willingness to participate in the LRMP and will comply with all applicable laws and regulations.

Adopted this 6th day of July 1993.



VOLLIE G. GOOD, CHAIRMAN
Henderson County Board of Commissioners

ATTEST:



Avalina B. Merrill, Acting Clerk
Henderson County Board of Commissioners

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

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**NOTICE OF CHANGE IN MEETING DATE AND TIME
HENDERSON COUNTY (Mid-Month) COMMISSIONERS' MEETING**

Wednesday, July 21 @ 9:00 a.m. has been
changed to Thursday, July 22 @ 1:00 p.m.

**LAND USE PLAN WORK SESSION WILL FOLLOW
THE REGULAR MID-MONTH AGENDA**

Approved 7/6/93

TOTAL TAX.
& PENALTY.

REASONS FOR REFUND.....

NAME	REFERENCE	TOTAL TAX & PENALTY	REASONS FOR REFUND
BISHOP, MARTI L	92A9904053	\$50.40	PARCEL NEVER TRANSFERRED
BISHOP, MARTI L	90A9904053	\$44.16	PARCEL NEVER TRANSFERRED
BISHOP, MARTI L	91A9904053	\$48.80	PARCEL NEVER TRANSFERRED
BORN, DEWITT A	92A70201.01	\$11.22	73 AVIACH TT VALUED TOO HIGH FOR 92
C C SHORES INC	92A9941761	\$497.68	PROPERTY IS IN PENNSYLVANIA CO.
C C SHORES INC	90A9941761	\$438.60	PROPERTY IS IN PENNSYLVANIA CO.
C C SHORES INC	91A9941761	\$497.68	PROPERTY IS IN PENNSYLVANIA CO.
CHRISTI, MICHAEL	92A96213.01	\$14.29	MH WAS DBL LISTED TO ACCT# 90748
COLLINS, KENNETH GLENN	91A67375.07.1	\$33.58	89*OLDS WAS REPOSSESSED IN DEC 1990
COLLINS, KENNETH GLENN	91A67375.07	\$100.78	87*OLDS WAS SOLD. 85*DODG WAS JUNKED. 89*OLDS DBL LISTED
COLLINS, KENNETH GLENN	92A67375.07	\$108.11	87*OLDS WAS SOLD, 85*DODG WAS JUNKED, 89*OLDS WAS REPOED
FOWLER, DOUGLAS S	91A81260.01	\$326.27	SUBMITTED AN AMMENDED RETURN
FOWLER, RICHARD D			
D/B/A FOWLER RADIA & AUTO IN			
FOWLER, DOUGLAS S	92A81260.01	\$271.48	SUBMITTED AMMENDED RETURN
FOWLER, RICHARD D			
D/B/A FOWLER RADIA & AUTO IN			
KELLY, JAMES ANDREW	92A74970.07	\$45.76	MOVED TO MAINE
OWEN, SHIRLEY S	92A76273.08	\$14.19	SOLD CAR IN 1991
SCHUFF, ADAM WILLIAM	92A95498.07	\$1,869.04	PER ERROR IN TAX COLLECTOR'S OFFICE
SCHUFF, SUSAN			

=====
\$4,372.04

16 records listed.

Name.....	Refunds.....	TOTAL TAX. & PENALTY.	Reasons for Rel/Refunds.....
CONNELL, MIRENE HUNTLEY STYL ES JUDY JONES TRUCKING, INC.	92A0702272 92A86664.01	\$164.72 \$2,006.39	MH DEL LISTED ON ACCT# 38632 AMMENDED RETURN FILED 5-21-93 TO CONTEST 1992 ARBITRARY OF 747,770. AMMENDED VALUE = 433,290. AN AMMENDED RETURN WAS SUBMITTED
MOUNTAIN HOME INN C/O GEORGE STOVALL	92A91223.01	\$229.17	FOR THE 1992 TAX YEAR. VALUE WAS 80000, NOW 43450

=====

3 records listed.

Approved 7/6/93