

THE COUNTY EDGE

Clock ticking on airport land grab

Condemnation challenge could expose conflicts

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MONROE - Time is running out for property owners to appeal the city of Monroe's condemnation of nine acres near the airport.

Today marks the last day Goldmine Generation LLC can appeal Monroe's condemnation that will allow the relocation of Gold Mine Road, a necessary move to extend the runway at the Charlotte - Monroe Executive Airport. Goldmine Generation has 30 days to appeal the Nov. 14 condemnation that pays the ownership group \$167,775, or \$18,641 per acre.

City officials moved forward with the condemnation after the two sides could not reach an acceptable price.

The city of Monroe based its offer on a certified appraisal, according to Pete Hovanec, the city's communications officer.

Tyson's argument that the city should pay more for the property than offered rests partly with what the Union County Public Schools paid for its planned transportation facility site - a capital project currently on hold because of a soured economy that has left the county strapped for cash.

On April 22, the school system purchased 35 acres, 13 that lies in a floodplain, for \$1.4 million, or \$39,000 per acre.

"We paid what the appraisal came in at," Don Hughes, schools' facilities director, previously said when asked about the purchase price.

Hughes first offered that explanation when Commissioner Lanny Openshaw questioned the purchase price. He pointed out that the county's tax assessment on the property was at \$10,800 per acre, adding that the schools' purchase price on 35 acres would equate to the total on the whole 152-acre tract.

Hughes, however, explained that the schools had been looking for a transportation facility site for more than a year and a half. He talked about the difficulties with finding land that meets the various criteria such as zoning for a facility not typically welcomed.

The commissioners ultimately voted unanimously to approve the capital project.

But, the schools' purchase was based on a November 2007, appraisal by Rob Morrison, which contains a number of suspect components. In addition to 35 percent of the land lying in a non-usable floodplain, Morrison's appraisal was based on the assumption that road access to the property would be completed. "The value of the subject property will be based on the hypothetical condition that the road (sic) that will be required for access to the site is complete," Morrison's introduction stated.

The road, however, was not completed and remains the responsibility of the schools and at taxpayer expense. Cost of a road lies at more than \$200,000, Hughes previously stated. He added that the property has no sewer access and will rely on septic.

Among the comparisons used by Morrison were road frontage sales. One comparison included a Goldmine Generation October 2007, purchase whereby the group paid \$26,000 per acre for a tract located at a premium industrial site at Goldmine and Airport roads near Corporate Center Drive. Goldmine Generation paid \$1.9 million for 75 acres from Goulston Technologies that has water and sewer access.

Morrison also falsely reported that Tyson Realty had owned the property for several years when the group had not. Tyson Realty bought the property in March 2007, seven months before his appraisal. They then flipped the land the same day to Goldmine Generation.

After the schools' purchase and part of this year's revaluation, the tax value per acre on the land nearly doubled at \$20,800.

Tyson fell under the city of Monroe's specter of suspicion earlier this year when his participation on an advisory board led to questions about a conflict of interest regarding his opposition to a proposed shopping center. He ultimately resigned from the city board. When Tony Dennis, state Department of Transportation board representative, intervened with the plans, questions surfaced about Dennis' potential conflict of interest. The city's suspicions were forwarded to the Attorney General's office. At the time, Dennis was among Tyson's partners with Goldmine Generation.

Tyson also held a position on the Public Works Advisory Board and was among those that voted to swap a pump station for The Woods in Weddington in exchange for a constructed leg of the Rea Road connector - a road that would have enhanced the value of Goldmine Generation's airport property.

Although Tyson could still challenge the condemnation as late as today, the Goldmine Road relocation paving project was awarded to Boggs Paving of Monroe per lowest bid. Drew Boggs, company principal, is Tyson's son-in-law.

Commissioners just recently requested that the county again explore requiring board members to submit conflict of interest disclosures.