

Explore ASHEVILLE

Buncombe County Tourism Development Authority

Buncombe County Tourism Development Authority A Joint Meeting of the Public Authority and Nonprofit Corporation

Via Zoom Webinar due to the COVID-19 Pandemic/State of Emergency

Excerpts from the Virtual Board Meeting Minutes

Wednesday, December 16, 2020

- Present (Voting):** Himanshu Karvir, Chair; Gary Froeba, Vice Chair;
Andrew Celwyn, John Luckett, John McKibbon,
Kathleen Mosher
- Absent (Voting):** Leah Ashburn, Brenda Durden, James Poole
- Present (Ex-Officio):** None
- Absent (Ex-Officio):** Asheville City Councilmember Sandra Kilgore
- CVB Staff:** Victoria Isley, Marla Tambellini, Jonna Sampson, Daniel Bradley
- BC Finance:** Don Warn, Buncombe County/BCTDA Fiscal Agent
- Legal Counsel:** Sabrina Rockoff, McGuire, Wood & Bissette
- Online Attendees:** Dianna Pierce, Carli Adams, Glenn Cox, Kathryn Dewey,
Connie Holliday, Josh Jones, Pat Kappes, Sarah Kilgore,
Sarah Lowery, Kathi Petersen, Tina Porter, Glenn Ramey,
Charlie Reed, Whitney Smith, Jason Tarr, Nicole Will;
Explore Asheville Staff
Chris Kessler, CliftonLarsonAllen LLP
Krutika Patel, Sleep Inn West
Demp Bradford, Madison Davis; Asheville-Buncombe Regional
Sports Commission
Kit Cramer, Asheville Area Chamber of Commerce
Angie Arner, Kelsey Ann Bassel, Ashley Keetle, Emery Morris,
Susan Neikirk; 360i
Jane Anderson, Asheville Independent Restaurant Association
Jackson Tierney, Bob Michel; Asheville Homestay Network
Lew Bleiweis, Tina Kinsey; Asheville Regional Airport
John Ellis, Jim Muth; Past BCTDA Board Members
Rick Bell, Engadine Inn & Cabins
Chris Corl, Harrah's Cherokee Center – Asheville
Kevin Beattie, WLOS News 13
Jason Sandford, Ashvegas
Daniel Walton, Mountain Xpress
Derek Lacey, Asheville Citizen-Times
Sunshine Request

Additional tourism industry partners and members of the public registered in advance and viewed the online meeting.

Financial Reports

Sleep Inn West Penalty Waiver Request

Chairman Karvir introduced Ms. Krutika Patel, who is attending the meeting to present a penalty waiver request for Sleep Inn West. Chairman Karvir said that today's action will be the first in a two-step process, noting that if the BCTDA approves Ms. Patel's request, it will then be forwarded to the Buncombe County Board of Commissioners for further and final consideration.

Ms. Patel said the reason she was late paying the property's October occupancy tax on time was because it was necessary for her to take her father to Georgia for a chemotherapy treatment when it was due. When she realized the error, she immediately reached out to Ms. Sampson to start the waiver request process. Ms. Patel asked the board to consider waiving the \$1,816.36 penalty based on the extenuating circumstance involved and her excellent payment history, noting this is her first late offense.

In response to Mr. McKibbon's question asking if the payment has now been made, Ms. Patel replied affirmatively.

Mr. McKibbon made a motion to approve the Sleep Inn West's penalty waiver request as presented, in the amount of \$1,816.36. Mr. Celwyn seconded the motion. Discussion included Chairman Karvir confirming the amount of the waiver in response to a question by Vice Chairman Froeba. A roll call vote was taken and with all in favor, the motion carried 6-0.

Chairman Karvir said the BCTDA's recommendation will now be forwarded to the Buncombe County Commissioners to make the final decision. Ms. Patel thanked the board for approving the request.

Respectfully submitted,



Jonna Sampson, Executive Operations Manager

From: [Krutika Patel](#)
To: [Jonna Sampson](#)
Subject: Sleep Inn West
Date: Thursday, December 10, 2020 3:06:51 PM

To Buncombe County Tourism Development Authority,

The reason why I am reaching out to your department is because there was a miscommunication on my part about the Buncombe County tax being paid for October 2020. Which was due to be paid before November 15th 2020. I had a family emergency with my dad who has cancer and I am the only one who can take him for his treatment. Which happened to take place out of state, with me being 7 months pregnant and alot going on with my family. I truly hope that your department can please approve this one time penalty waiver for me. This year has been pretty crazy all the way around for everyone and I hope when your department looks over all my past records they will realize that I have never been late on any of my tax payments. I have already dropped the payment for October 2020 to the tax office. I truly apologize for any inconvenience.

--

Krutika Patel

Front Desk Manager

Sleep Inn West

1918 Old Haywood Road

Asheville, NC 28806

(828) 670-7600

fb [facebook.com/sleepinnbiltmorewest](https://www.facebook.com/sleepinnbiltmorewest)

web www.asheillesleepinn.com



Invoice Details

Establishment ID
200

Establishment Name
Sleep Inn West

Date Due

11/20/2020

Batch Date

12/11/2020

Date Received

12/11/2020

Sales and Tax

Penalty Only

Gross Sales

██████████

3rd Party Remitted

0

Net Sales

██████████

Tax Due

██████████

Penalty Due

1,816.36

Total Amount Due

██████████

Payments and Adjustments

Check Number

██████████

Check Amount

██████████

Tax Paid

██████████

Underpaid/(Overpaid)

0.00

Penalty Paid

0.00

Penalty Adjusted

1,816.36

Penalty Waived

From: Jonna Sampson
Sent: Friday, December 11, 2020 1:56 PM
To: Lisa Jenkins <Lisa.Jenkins@buncombecounty.org>
Cc: Victoria Isley <vlsley@exploreasheville.com>
Subject: RE: Sleep Inn West

Thanks so much, Lisa! Ms. Patel provided me with the penalty amount documentation and we have added this to the BCTDA's December 16 meeting agenda. I appreciate your quick response! --Jonna

From: Lisa Jenkins <Lisa.Jenkins@buncombecounty.org>
Sent: Friday, December 11, 2020 8:38 AM
To: Jonna Sampson <jsampson@exploreasheville.com>
Cc: Victoria "Vic" Isley <vlsley@exploreasheville.com>
Subject: RE: Sleep Inn West

Good morning,
We are good - hope you are also!

We received a phone call yesterday from this establishment, per that conversation they will be in to pay the November remittance today. Until they come in with their monthly remittance form we are unable to determine the amount of penalty.

I have looked back over the last three years and they have not been late in the past. This establishment did not receive a COVID-19 waiver that was approved by the board.

Once the remittance is paid, I will share the penalty amounts with you.

Thank you,
Lisa



Lisa Jenkins

Tax Collections, Supervisor

p. (828) 250-4912 f. (828)250-6188
PO Box 3140 Asheville, NC 28802

Respect. Honesty. Integrity. Collaboration. Equity.

From: Jonna Sampson <jsampson@exploreasheville.com>
Sent: Thursday, December 10, 2020 3:25 PM
To: Lisa Jenkins <Lisa.Jenkins@buncombecounty.org>
Cc: Victoria "Vic" Isley <vlsley@exploreasheville.com>
Subject: FW: Sleep Inn West

Hi Lisa,

Hope you're doing well and staying healthy. We have received a penalty waiver request from Krutika Patel with Sleep Inn West for October occupancy taxes due on November 20. Can you please let me know if there have been any late payments or penalties waived in the past for this property? Do you have any other insights on this penalty? My understanding is it is over \$1,900, however, I don't have the exact amount.

We would like to put this request on the BCTDA's December 16 agenda, and would appreciate having your response as soon as possible to include in the materials we will send to the board tomorrow. Please let me know if that's doable. Otherwise, it may need to be postponed to the BCTDA's January 27 meeting. I believe Ms. Patel has also requested documentation related to the penalty that she will provide to us after she receives it from your department.

Thanks so much! I appreciate your help and apologize for requesting such a quick response.

--Jonna

Jonna Sampson
Executive Operations Manager

December 11, 2020

Sent via email to sleepinnwest@gmail.com

Ms. Krutika Patel, Front Desk Manager
Sleep Inn West
1918 Old Haywood Road
Asheville, NC 28806

RE: Petition to Waive Occupancy Tax Penalty

Dear Ms. Patel:

The Explore Asheville Convention & Visitors Bureau (CVB) staff is in receipt of your email requesting a waiver of an occupancy tax penalty recently assessed by the Buncombe County Tax Department for the Sleep Inn West. The penalty, in the amount of \$1,816.36, was incurred due to the property's October 2020 occupancy tax report and remittance being submitted and received after the due date of November 20, 2020.

In the first of a two-step approval process, your request will be presented to the Buncombe County Tourism Development Authority (BCTDA) at its next regular board meeting, which convenes virtually on Wednesday, December 16, 2020, at 9:00 a.m., via Zoom. I encourage either you or a representative from your property virtually attend the meeting to present the circumstances related to this waiver request and answer any questions. If you haven't already done so, please let Jonna Sampson, executive operations manager for the BCTDA/CVB, know if you or a representative will be in attendance and she will send you a link to join the meeting. Ms. Sampson's email address is jsampson@ExploreAsheville.com.

Thank you in advance for your response. Please feel free to contact me at visley@ExploreAsheville.com or 828.258.6104 if you have any questions in this matter.

With best regards,



Victoria "Vic" Isley, President & CEO
Explore Asheville Convention & Visitors Bureau
For the Buncombe County Tourism Development Authority

cc: BCTDA Board
Don Warn, Lisa Jenkins; Buncombe County

VI:js

January 11, 2021

Sent via email to sleepinnwest@gmail.com

Ms. Krutika Patel, Front Desk Manager
Sleep Inn West
1918 Old Haywood Road
Asheville, NC 28806

RE: Petition to Waive Occupancy Tax Penalty

Dear Ms. Patel:

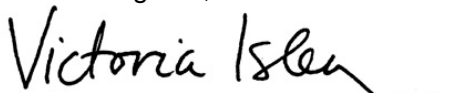
The Explore Asheville Convention & Visitors Bureau (CVB) staff received your email requesting a waiver of occupancy tax penalties, totaling \$1,816.36, assessed by the Buncombe County Tax Department, for the Sleep Inn West. The penalty was incurred due to the property's occupancy tax report and remittance for the month of October 2020 being submitted and received after the November 20, 2020, due date.

As you are aware, in the first of a two-step process, your waiver request was presented to the Buncombe County Tourism Development Authority (BCTDA) at its monthly board meeting on December 16, 2020. Thanks for attending the virtual meeting to present the circumstances surrounding this request. Based on your explanation and payment history, the board approved the waiver request to move onto the next step.

Since this is a county tax, the request will now be presented to the Buncombe County Board of Commissioners for further and final consideration on Tuesday, February 2, 2021. The meeting begins at 5:00 p.m. and will be a virtual meeting. The CVB will provide the necessary documentation to Buncombe County on your behalf and will inform you of the Commission's decision after the meeting. Agendas for Buncombe County Commission meetings are posted in advance [on this page](#) and you can view the meeting on [BCTV](#) if you would like.

If you have any questions in the interim, please contact me at visley@ExploreAsheville.com or Jenna Sampson at jsampson@ExploreAsheville.com. Thank you.

With best regards,



Victoria "Vic" Isley, President & CEO
Explore Asheville Convention & Visitors Bureau
For the Buncombe County Tourism Development Authority

cc: BCTDA Board
Don Warn, Jennifer Pike; Buncombe County