

DRAFT

12/15/08

cc: Boc  
Steve  
Russ  
Selena  
Pam

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
DECEMBER 1, 2008

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 5:30 P.M. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville. This was the annual organizational meeting.

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Larry Young, Commissioner Chuck McGrady, Commissioner Mark Williams, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, County Attorney Russell Burrell, and Clerk to the Board Elizabeth W. Corn.

Also present were: Deputy Clerk Teresa Wilson, Planning Director Anthony Starr, Finance Director J. Carey McLelland, Research/Budget Analyst Amy Brantley, Engineering and Facility Services Director Marcus Jones, Associate County Attorney Sarah Zambon, Tax Collector Terry Lyda, Deputy Tax Collector Lee King, Administrative Assistant to the Delinquent Tax Collector Phyllis Henderson, Sheriff Rick Davis, Captain Greg Cochran, and Captain of Patrol Tim Griffin.

Absent was: Public Information Officer Pam Brice

CALL TO ORDER/WELCOME

Clerk to the Board Elizabeth Corn called the meeting to order and welcomed all in attendance.

OATH OF OFFICE

Charlie Messer and Chuck McGrady were both sworn into office by Clerk of Court Kim Gasperson.

PLEDGE OF ALLEGIANCE

Commissioner McGrady led the Pledge of Allegiance to the American Flag.

ELECTION OF CHAIRMAN

Elizabeth Corn stated that this was the annual organization meeting and the first item is the election of a Chairman. She opened the floor to nominations.

Commissioner Messer nominated Bill Moyer as the Chairman. *Commissioner McGrady made the motion to close nominations and appoint Bill Moyer as Chairman. All voted in favor and the motion carried.*

ELECTION OF VICE-CHAIRMAN

The meeting was turned over to Chairman Moyer and he opened the floor for nominations for the Vice-Chairman. Chairman Moyer nominated Charlie Messer as the Vice-Chairman. *Commissioner McGrady made the motion to close nominations and appoint Charlie Messer as Vice-Chairman. All voted in favor and the motion carried.*

REVIEW OF PUBLIC OFFICIALS' BOND

Pursuant to NCGS 58-72-20 and the Board's Rules of Procedure, after the Chairman and Vice-Chairman have been elected, the next order of business at the organizational meeting of the Board is the annual review and approval of the bonds for county public officials. The following are the county officials required to be bonded and the current bond amounts:

PUBLIC OFFICIAL	BOND AMOUNT	BOND COMPANY
Richard W. Davis, Sheriff (No new bond needed)	\$25,000	Fidelity and Deposit Co.

DATE APPROVED:

Nedra Whitlock Moles, Register of Deeds (No new bond needed)	\$50,000	Fidelity and Deposit Co.
Terry F. Lyda, Tax Collector	\$1,000,000	Fidelity and Deposit Co.
Lee King, Deputy Tax Collector	\$250,000	Fidelity and Deposit Co.
J. Carey McLelland, Finance Director	\$200,000	Fidelity and Deposit Co.

The County Attorney had reviewed the previous year’s bonds and reports to the Board and they appear to be valid and in order.

*Commissioner Messer made the motion that the Board approves the public officials’ bonds as proposed. All voted in favor and the motion carried.*

**RECOGNITION OF TERRY F. LYDA – TAX COLLECTOR**

Chairman Moyer recognized Terry F. Lyda, Tax Collector who will be retiring December 31, 2008 after thirty-two years of service with the County. Mr. Lyda received a plaque in honor of his thirty-three years of service along with a standing ovation.

**INVOCATION**

County Manager Steve Wyatt gave the invocation.

**INFORMAL PUBLIC COMMENTS**

Chairman Moyer asked each person who had signed up for informal public comments to please limit their time to about 3 minutes.

1. Josh Myers – Josh explained how much he missed his beloved dog “Blackie” who had been killed by a pit bull owned by the neighbors. He felt that the dog laws needed to be changed.
2. Melissa Myers – Ms. Myers gave more details of the incident and stressed that more control needed to be taken of pit bulls. She has been told that nothing can be done by the law enforcement. We need tougher laws.
3. Peggy Vaughn – Ms. Vaughn is Josh’s grandmother and stated that Blackie had been attacked before and his owner had been bitten also. She felt that pit bulls were vicious dogs.
4. Jennifer Bonnie – Ms. Bonnie had been through a similar instance where her dog was attacked by a pit bull also.

**DISCUSSION/ADJUSTMENT OF AGENDA**

Chairman Moyer requested the addition of item F – Vehicle Replacement Request by the Sheriff’s Office and item G – Economic Development Incentives. He further requested the addition of two (2) closed sessions for Economic Development and Personnel.

*Commissioner McGrady made the motion to adopt the agenda as amended. All voted in favor and the motion carried.*

**CONSENT AGENDA**

Chairman Moyer requested that item J – A Resolution supporting the funding of the Mountain Valleys RC&D be added to the consent agenda.

*Commissioner McGrady made the motion to adopt the consent agenda with the addition of item J. All voted in favor and the motion carried.*

**Tax Collector’s Report**

Terry F. Lyda, Tax Collector, provided the Tax Collector’s Report for information only dated November 20, 2008.

**Financial Report/Cash Balance Report – October 2008**

The Financial Report and Cash Balance Report for October 2008 were presented for the Board’s review and consent approval.

The fiscal YTD deficit in the Emergency 911 communications Fund is due to the replacement/capital outlay purchases for new computer hardware budgeted in FY2009.

The fiscal YTD deficit in the CDBG-Shuey Knolls Project Fund, the Lewis Creek Restoration Project Fund and the Public Transit Fund are temporary due to the timing of actual expenditures and the subsequent reimbursement of the expenditures from grant funds in succeeding months.

*Suggested Motion:*

*I move the Board of Commissioners approves the October 2008 County Financial Report and Cash Balance Report as presented.*

**Henderson County Public Schools Financial Reports – October 2008**

The Public Schools Financial Reports for October 2008 were presented for the Board’s information and consent approval.

*Suggested Motion:*

*I move the Board of Commissioners approves the October 2008 Henderson County Public Schools Financial Reports as presented.*

**Western Highlands Area Authority – Quarterly Fiscal Monitoring Report (FRM) for the period ended September 30, 2008**

G.S. 122C-117 (c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for Western Highlands Area Authority was received by the County Finance Officer on November 14, 2008.

*Suggested Motion:*

*I move that the Board approves the Western Highlands Area Authority Fiscal Monitoring Report for the period ended September 30, 2008.*

**2009 Proposed Schedule of Regular Meeting Dates**

The proposed 2009 Schedule of Regular Meeting Dates for Henderson County Board of Commissioners is as follows:

HENDERSON COUNTY BOARD OF COMMISSIONERS  
CANE CREEK WATER & SEWER DISTRICT

**2009**

**Proposed Schedule of Regular Meeting Dates**

Monday, January 5, 2009	5:30 p.m.
Wednesday, January 21, 2009	9:00 a.m.
Monday, February 2, 2009	5:30 p.m.
Wednesday, February 18, 2009	9:00 a.m.
Monday, March 2, 2009	5:30 p.m.
Wednesday, March 18, 2009	9:00 a.m.

Monday, April 6, 2009	5:30 p.m.
Wednesday, April 15, 2009	9:00 a.m.
Monday, May 4, 2009	5:30 p.m.
Wednesday, May 20, 2009	9:00 a.m.
Monday, June 1, 2009	5:30 p.m.
Wednesday, June 17, 2009	9:00 a.m.
Monday, July 6, 2009	5:30 p.m.
Wednesday, July 15, 2009	9:00 a.m.
Monday, August 3, 2009	5:30 p.m.
Wednesday, August 19, 2009	9:00 a.m.
<b>Tuesday, September 8, 2009</b>	5:30 p.m.
Wednesday, September 16, 2009	9:00 a.m.
Monday, October 5, 2009	5:30 p.m.
Wednesday, October 21, 2009	9:00 a.m.
Monday, November 2, 2009	5:30 p.m.
Wednesday, November 18, 2009	9:00 a.m.
Monday, December 7, 2009	5:30 p.m.
Wednesday, December 16, 2009	9:00 a.m.

The only change necessary this year was in September (meeting on a Tuesday) due to the Labor Day holiday on the first Monday of the month.

*Suggested Motion:*

*I move that the Board approves the 2009 Proposed Schedule of Regular Meeting Dates as presented.*

**Noise Ordinance Update**

Lieutenant Ben McKay provided the following update to the Board regarding the status of the Noise Ordinance:

	Noise Ordinance Calls for Service	
January, 2008	48 Barking Dog calls	26 Other Noise related calls
February, 2008	43 Barking Dog calls	49 Other Noise related calls
March, 2008	41 Barking Dog calls	69 Other Noise related calls
April, 2008	54 Barking Dog calls	66 Other Noise related calls
May, 2008	64 Barking Dog calls	80 Other Noise related calls
June, 2008	58 Barking Dog calls	105 Other Noise related calls
July, 2008	30 Barking Dog calls	134 Other Noise related calls
August, 2008	60 Barking Dog calls	95 Other Noise related calls
September, 2008	43 Barking Dog calls	72 Other Noise related calls

**Revised Hours for Henderson County Animal Services Center**

Henderson County Animal Services Center's current business hours are 8:00 am – 4:30 pm Monday through Friday and 9:30 am – 2:00 pm on Saturday. These hours were set when the shelter's morning duties were done by 8 employees, which included Animal Enforcement Officers. Currently, there are only a maximum of 4 employees completing these same morning duties. Staff recommends a change of business hours to 9:00 am – 4:30 pm Monday through Friday and 10:00 am – 2:00 pm on Saturdays. These new business hours will give staff 2 hours of uninterrupted time to carryout essential morning duties thus enhancing the level of service to our animals and citizens. It will also give staff an uninterrupted window to conduct regular staff meetings. The Center will continue to receive people (early am) who have an appointment for pets on the spay/neuter transport.

*Suggested Motion:*

*I move the Board of Commissioners approves the proposed new business hours..*

**Sidearm Request – William Max Wilson, Jr.**

The Henderson County Sheriff's Office requests that the service sidearm of Lieutenant William Max Wilson, Jr. be given to him in recognition of his retirement from the Henderson County Sheriff's Office.

Lieutenant Wilson has served the Sheriff's Office and the people of Henderson County for 24 years. He began his career as a full time Deputy Sheriff on October 30, 1984. Prior to full time employment, he worked as a reserve officer with the Henderson County Sheriff's Office for several years. He has held supervisory positions throughout his career, and is currently a lieutenant with the Sheriff's Office.

Lieutenant Wilson's service to the people of Henderson County is greatly appreciated and will be remembered.

Sheriff Davis makes this request on behalf of the Henderson County Sheriff's Office pursuant to North Carolina General Statute 20-187.2(a).

*Suggested Motion:*

*I move the Board allows Sheriff Rick Davis to present this service sidearm as a token of appreciation to Lieutenant William Wilson.*

**Sidearm Request – William Matthew Varnadore, Jr.**

The Henderson County Sheriff's Office requests that the service sidearm of Major William Varnadore, Jr. be given to him in recognition of his retirement from the Henderson County Sheriff's Office.

Major Varnadore has served the Sheriff's Office and the people of Henderson County for 14 years. He began his career as a full time Deputy Sheriff on December 5, 1994. Prior to full time employment with the Henderson County Sheriff's Office, he was a law enforcement officer/detective with the Hickory Police Department for several years. He has held supervisory positions throughout his career, and is currently a major with the Sheriff's Office.

Major Varnadore's service to the people of Henderson County is greatly appreciated and will be remembered.

Sheriff Davis makes this request on behalf of the Henderson County Sheriff's Office pursuant to North Carolina General Statute 20-187.2(a).

*Suggested Motion:*

*I move the Board allows Sheriff Rick Davis to present this service sidearm as a token of appreciation to Major William Varnadore.*

**RESOLUTION SUPPORTING THE FUNDING OF MOUNTAIN VALLEYS RC&D**

This item was added during the meeting. A copy of the resolution is attached hereto and incorporated as a part of the minutes.

*Suggested Motion:*

*I move the Board adopts the Resolution supporting the funding of Mountain Valley's RC&D.*

**NOMINATIONS**

**Notification of Vacancies**

The Board was notified of the following vacancies which will appear on the next agenda for nominations:

1. **Industrial Facilities and Pollution Control Financing Authority – 1 vac.**
2. **Nursing/Adult Care Home Community Advisory Committee – 9 vac.**

**Nominations**

1. **Board of Directors of the Henderson County Historic Courthouse Corporation (which does business as the Henderson County Heritage Museum) – Chair appointment**

Chairman Moyer noted that the By-laws of the Heritage Museum Board require that the Chair be appointed each year in December. He nominated Spence Campbell. *Commissioner Young made the motion to accept Spence Campbell as the Chair of the Heritage Museum Board by acclamation. All voted in favor and the motion carried.*

2. **CJPP (Criminal Justice Partnership Program) – 2 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

3. **EMS Quality Management Committee – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

4. **Environmental Advisory Committee – 1 vac.**

Commissioner McGrady nominated Anthony Brancato for position #7. *Chairman Moyer made the motion to accept Anthony Brancato to position #7 by acclamation. All voted in favor and the motion carried.*

5. **Henderson County Planning Board – 1 vac.**

Chairman Moyer noted that at the last meeting Steve Dozier and Jerry David had both been nominated for position #2. Clerk to the Board Elizabeth Corn polled the Board with the following results:

Chuck McGrady	Mark Williams	Bill Moyer	Charlie Messer	Larry Young
1. Jerry David	1. Steve Dozier	1. Steve Dozier	1. Steve Dozier	1. Steve Dozier

Steve Dozier received the majority of the votes and was appointed to position #2.

6. **Hendersonville City Zoning Board of Adjustment – 2 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

7. **Historic Resources Commission – 2 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

8. **Home and Community Care Block Grant Advisory Committee – 2 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

9. **Juvenile Crime Prevention Council – 9 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**10. Recreation Advisory Board – 1 vac.**

Commissioner Messer nominated Sue Myers for position #2. *Chairman Moyer made the motion to accept Sue Myers to position #2 by acclamation. All voted in favor and the motion carried.*

**11. Senior Volunteer Services Advisory Council – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**12. Travel & Tourism Committee – Chair appointment**

Commissioner Young nominated Dale Bartlett for Chair of the Travel & Tourism Committee. *Chairman Moyer made the motion to accept Dale Bartlett as Chair by acclamation. All voted in favor and the motion carried.*

**13. Water Supply and Distribution Task Force – 1 vac.**

There were no nominations at this time so this item was rolled to the next meeting.

**HENDERSON COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

Ms. Erica Brown, CPA. With the certified public accounting firm of Martin Starnes and Associates, CPAs P.A. and Carey McLelland, Finance Director, were present at the meeting and presented the fiscal year ended June 30, 2008 audit results with the Board of Commissioners and Management. Copies of the Comprehensive Annual Financial Report (CAFR) were provided to the Board at the meeting along with a copy of the audit report, compliance letters for the Federal and State programs, and the auditor's responsibility letter. For public sake, the audit report will be put on-line at the Finance Departments webpage.

Ms. Brown stated that the County is in good financial condition. This was an unqualified opinion on the financial statements of the County for the fiscal year 2007/2008. In laymen's terms, this is a clean opinion; the best opinion you can get. The department heads did a great job monitoring their budget of their departments. More detail will be provided at the January workshop. There were no material weaknesses in any of the internal controls and none were identified during the audit.

Finance Director Carey McLelland offered his time to any Commissioner with questions on the budget prior to the January budget workshop.

*Commissioner Williams made the motion that the Board of Commissioners accepts the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2008 as presented by the external auditor and the County Finance Director. All voted in favor and the motion carried.*

**WCCA/ETOWAH (FORMER LIBRARY) LEASE**

County Attorney Russ Burrell stated on 17 September 2008, the Board adopted a motion directing the Chairman "to execute a lease with WCCA consistent with the terms discussed during the meeting..."

On 23 September 2008, a draft lease was provided to WCCA by email.

During the week of 10-14 November 2008, WCCA responded, providing the attached draft. It is different from the Board's discussion on 17 September 2008 in that:

1. It contains a provision regarding the seeking of sewer service by WCCA, and requiring the County to reimburse WCCA sixty percent (60%) of any expenditure on the sewer installation should WCCA vacate the premises before 20 June 2013.
2. It contains a provision allowing WCCA to unilaterally terminate the lease with a 60-day notice in the event of a loss of funding, or with a 90-day notice for any reason.

As these provisions were not a part of the Board's discussion, the Board must consider whether to modify its agreement.

Chairman Moyer felt that if you were to roll these two together six (6) months from now, WCCA could give Henderson County ninety (90) days notice for any reason and get 60% of the money they spent for the sewer back. This term was not discussed when the Board approved the lease.

Mr. David White stated that WCCA was optimistic when they were here in September and they hoped the problem would be worked out and they would not have to install a sewer line. They cannot serve thirty-six (36) children in the facility if they do not install a sewer line. They have engineers looking at the situation now but they are not sure they can get the right-of-ways because the cost could be anywhere from \$30,000 to over \$100,000. WCCA intends to have use of the former Etowah Library five (5) years from now and if they have to spend \$100,000 to install a sewer line, they would like for the County to help them recoup some of the cost. WCCA has no control over the State of North Carolina's budget and the More at Four Program could lose its money. If this happens they would like a way to get out of the lease.

Commissioner Williams questioned if there were any alternatives to upgrading the septic system.

Mr. White responded no because of the space and the fact that a playground cannot be over sewer lines. They cannot serve the number they wish without extended sewer lines. WCCA is working with the headstart folks in Atlanta to try to see if anyone else can help pay for the sewer line.

Commissioner Young feels that the Board leased the building at a nominal rent factor. They did know there was a problem. He suggested giving WCCA a longer lease. Commissioner Young is not willing to say that when WCCA vacates the building that Henderson County needs to reimburse them 60% of the cost of the sewer line. A longer lease would assure that WCCA gets the value out of the money spent.

Chairman Moyer explained that a longer lease with the ninety day provision would not make any difference.

Commissioner Messer had a problem with the fact that the Board did not have a true cost of the line. This item should be left open and brought back with the figures of the cost.

Commissioner Williams stated that the 60% should be calculated on a sliding scale and that it is too loose now. This would be a potential liability to Henderson County.

Commissioner McGrady agreed with the sliding scale. If the lease did not work out with WCCA, other agencies were interested in leasing the building. Sewer lines are not a priority with this budget.

Chairman Moyer stated that WCCA was installing the sewer line to meet their specific needs, which is a lot of kids. The cost is more associated with their use than the building itself.

Commissioner Williams asked if there were any neighbors who might benefit from the sewer line and possibly help fund it.

Mr. White felt the best case scenario would be to the Clubhouse of the Golf Course. Mr. White stated that he may come back to the Board with the suggestion that they work out some type of short term situation where they can serve some of the children. They were not making it up. They do have the need for the space. Currently they are serving some of those children two days a week at the New Etowah Library building, getting them together a couple of times a week to provide some services while we have this situation on hold. The quicker they can move to get into the other building the better. Mr. White will take the suggestions of a sliding scale on the 60% and Commissioner Young's suggestion with the possibility of a ten year lease versus a five year lease. The WCCA Board may be willing to accept something like that. He would continue to work with the County Manager and County Attorney to tighten up the lease.



**APPOINTMENT OF INTERIM TAX COLLECTOR**

This item was pulled from the agenda.

**HENDERSON COUNTY CARES UPDATE**

Associate County Attorney Sarah Zambon provided a brief update to the Board on the Henderson County Cares program including the following:

**EVENTS**

- December, 2007 – Toy for Tots – 265 toys were collected
- February/March – Blood Drive – 28 donors including 6 people who had never given blood
- April – School Visits including a recycling presentation by Adrian Outcalt, what lawyers do presentation by Sarah Zambon, and proper animal care by Andy of Animal Services
- May – Relay for Life
- June – Manna Food Drive – 700 lbs of food collected
- July – Meals on Wheels
- August – Back pack Drive – Almost 20 full backpacks were donated to Bruce Drysdale School
- September – United Way and Blood Drive
- October – Can Drive
- November/December – Continuing to collect items for the elderly individuals and distribute them through the Council on Aging and DSS (shawls, blankets, gift cards, etc.) Collecting items for Mainstay residents – Cook and serve food to the twenty-two (22) Mainstay residents

Ms. Zambon stated that this is the second year the County has had a team on Relay for Life. The number of team members tripled.

Ms. Zambon thanked everyone for their support.

**FY2010 BUDGET DISCUSSIONS**

County Manager Steve Wyatt distributed a list of revised items, per the Board's discussion at the last meeting and these items are currently being researched.

FY 2009-2010 BUDGET  
ANNUAL BUDGET WORKSHOP TOPICS

Fiscal Year 2007-2008 Year End Summary

- Fund Balance Status

Fiscal Year 2008-2009 Mid-Year Financial Report

- Sales Tax Update
- Cuts made per Board direction
- Departmental cost accounting

Fiscal Year 2009-2010 Financial Projections

- FY 09-10 revenue forecast
- Current obligations

Capital Plan Update, Discussion, Direction

- Current debt level
- Pay off schedules

Energy Reduction Performance Report

Service Demand Trend Summary

Board of Commissioners Priority Setting

Chairman Moyer suggested that further budget discussion be deferred until after the presentation at the workshop.

Commissioner Messer asked if anyone had heard of any other cuts such as the schools and Blue Ridge Community College have been given.

Mr. Wyatt stated that he had spoken with the Community College and the Superintendent of the school system and the local mental health agency. The stated cuts for mental health agencies have been in the 3-4% range. There will be an even bigger issue for health agencies later in the session next year when state income taxes are calculated. He feels that mid June when the budget is being finalized for the State we will be vulnerable.

Mr. Wyatt gave a brief update in regards to the sales tax issue. A verbal confirmation had come from the State saying "yes" the numbers are incorrect. We feel that the numbers for the one month will be substantial. This may not be straightened out until the second payment from the State.

**SHERIFF DEPARTMENT VEHICLE REQUESTS**

Chairman Moyer stated that a discussion was held during the last regular meeting regarding vehicles and the Board approved three vehicles for the Animal Control which were absolutely necessary. Action was deferred on the other vehicles and the Sheriff was asked to look at where he thought was the most pressing need and if possibility all of the purchases could be deferred until the Board considers these at the January meeting.

Sheriff Rick Davis stated that he had stepped up the process because he could not see the need going away for about six (6) vehicles where it is going to become even more critical. He realizes these are certainly trying financial times but it would not benefit anyone for this to be put on hold any longer. He provided the following statistics on Crime Rate from the SBI 2006 & 2007 Crime Summary:

<u>Henderson County 2006</u>		<u>Henderson County 2007</u>	
Property Crime up	+1.5%	Property Crime down	- 9.7%
Violent Crime down	-0.8%	Violent Crime down	-35.5%
Overall Crime up	+1.4%	Overall Crime down	- 11.5%

<u>NC 2007</u>	
Property Crime down	-0.2%
Violent Crime down	-0.7%
Overall Crime up	+0.1%

It was Sheriff Davis' opinion that if this was not acted upon now, the crime will go up.

Henderson County Officers per 1,000	Sheriff Office Calls for service
2005 1.7	2005 54,456
2006 1.6	2006 60,091
2007 1.5	2007 91,892

2007 NC Police Average = 2.5  
NC Sheriff Average = 1.6

6 Vehicles requested

- 14 Replacement vehicles patrol cars on hold since July 1, 2008
- 6-7 month average to pull old equipment, order replacement vehicles, reinstall equipment, and to place on patrol
- June – July 2009 if ordered today
- Mileage provided at last County Commissioners' meeting was calculated to December, 2008, not June – July 2009

The average mileage is 69,376 of vehicles that were scheduled to be replaced. Some of these vehicles have lower mileage but they are useless to the Sheriff's Department. These vehicles were used for Animal Enforcement when the Sheriff's Department took over the Enforcement.

2007 Patrol Vehicle Mileage and projections  
Online for 15 months (M)

<u>Vehicle #</u>	<u>Current</u>	<u>July 2009</u>	<u>April 2010</u>
SH 263	41,737	61,214	86,256
SH 269	49,627	72,786	102,562
SH 270	45,712	67,044	94,471
SH 272	50,890	74,638	105,171
SH 282	50,170	73,582	103,683
SH 291	39,609	58,093	81,858

Some ramifications of not replacing on schedule:

- Builds in long-term structural cost deficit
- Officer safety issues
- Higher maintenance costs are passed on with our budget – We will have to cut services/programs to pay
- Field based reporting (reports to CID, public, SBI & FBI much faster. Full implementation reduces workload on records)
- GPS (Faster response times, fuel savings, etc.)
- Must be digital radio compliant by 2013. This will disrupt replacement of older radios (Both radios & vehicles will still have to be replaced). Prepare for sticker shock in a few years
- We will be unable to project near-future repair, maintenance costs (09 budget & beyond)
- Stalls further MDT's (Burden on 911 Center)
- Greatly disrupts truck & SUV reduction schedule (47 in late 06, now 21). Further reductions are needed
- Could take many years to correct: If vehicles are zeroed out it only forces to ask for more later which is unlikely to be granted
- Reduction of services to public: Inmate work crews, etc.

Sheriff Davis is requesting six vehicles at this time because he would never let any of his crew drive a vehicle with excessive mileage because of safety. He feels it is critical to replace six (6) now.

Commissioner Moyer questioned the total operating cost of a vehicle and requested that Sheriff Davis get that information to the Board by budget time.

County Engineer Marcus Jones stated that this has been implemented and the expenses are being tracked but the data is a month or two old. In order for this information to be useful we need to track those expenses for several months, even a year, in order to get useful data. He was unsure if they were getting all of the information on expenses.

County Manager Steve Wyatt noted that Marcus would have to have all of the information in order to do a complete track record.

Chairman Moyer stated that Sheriff's Davis' recommendation was that the Board approve six (6) vehicles now and put the others off until January and see where the numbers are at that time.

Sheriff Davis emphasized that a request was submitted for 18 or 19 vehicles to be replaced with some of them already over 100,000 miles. These six (6) were not due for replacement but are already up for replacement due to various delays.

Chairman Moyer explained that Sheriff Davis was asking that these six (6) patrol cars be replaced and they will move down the list and replace vehicle requests with even much higher mileage and higher maintenance and put those into a non-patrol use.

Sheriff Davis would benchmark 60,000 miles on a vehicle as maximum on a vehicle for officer safety.

*Commissioner Messer made the motion that the Board authorizes Sheriff Davis to replace six (6) vehicles in this year's budget as presented. All voted in favor and the motion carried.*

#### **POSSIBLE OFFER OF ECONOMIC INCENTIVES – Project Art II**

County Attorney Russ Burrell stated that this proposed project is for expansion of an existing industry, Wilson Art. This project would involve the lease of a currently existing 144,000 square foot facility that is currently vacant in Henderson County. Under this proposal, the company would invest \$1,194,000 in equipment, and create 15-20 new jobs, adding to the total of 686 currently employed.

This is the type of thing a strong company does in a "down market." During a down market you can either pull back or prepare for a future market that will go up.

Under the Board's incentive guidelines, incentives would be a maximum of \$3,861.40 per year, for up to 7 years. Any grant that the Board would offer as incentives at this meeting to this company is incentive to them locating this project in Henderson County.

This project decision will be made by corporate headquarters by mid-December 2008. Any award the Board makes is subject to a public hearing, scheduled for the January 5, 2009 meeting at 7:00 p.m.

*Commissioner Young made the motion that the Board offers economic incentives to Wilson Art for the proposed project, in the amount of \$3,861.40 per year for 7 years, subject to public hearing on January 5, 2009 at 7:00 p.m. All voted in favor and the motion carried.*

#### **COUNTY ATTORNEY'S REPORT**

There was nothing further at this time.

#### **COUNTY MANAGER'S REPORT**

There was nothing further at this time.

#### **IMPORTANT DATES**

Chairman Moyer stated that the Board and Staff would like for the Budget Workshop to be very accessible to the public and they have decided to hold the meeting in the Commissioners' meeting room (old courtroom) in the Historic Courthouse in order for public to attend, the meeting would be recorded and available on Channel 11. It has been very difficult to come up with a date and the County Manager has suggested, and we agree, that we take the January 21, 2009 meeting at 9:00 a.m., possibly earlier, and use this meeting as the workshop on the budget. Business items will be taken care of during the beginning of the meeting.

*Commissioner Young made the motion that the Board sets a public hearing on January 5, 2009 at 7:00 p.m. for the purpose of providing economic incentives to Wilson Art. All voted in favor and the motion carried.*

**CANE CREEK WATER & SEWER DISTRICT**

*Commissioner McGrady made the motion that the Board adjourn as the Henderson County Board of Commissioners and convene as the Cane Creek Water & Sewer District. All voted in favor and the motion carried.*

Please see separate Cane Creek minutes for action.

*Commissioner McGrady made the motion that the Board adjourn as Cane Creek Water & Sewer District and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.*

**CLOSED SESSION**

*Commissioner McGrady made the motion for the Board to go into closed session as allowed pursuant to NCGS 143-318.11 for the following reasons:*

1. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.
2. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(6), to consider the qualifications, competence performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

*Commissioner McGrady made the motion that the Board go out of closed session. All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner McGrady made the motion to adjourn at 7:40 pm. All voted in favor and the motion carried.*

Attest:

\_\_\_\_\_  
Teresa L. Wilson, Deputy Clerk to the Board

\_\_\_\_\_  
William L. Moyer, Chairman

# HENDERSON COUNTY TAX COLLECTOR

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PH: (828) 697-5595

FAX: (828) 698-6153

November 21, 2008

Henderson County Board of Commissioners  
1 Historic Courthouse Square; Suite 1  
Hendersonville, NC 28792

Re: Tax Collector's Report to Commissioners --12/01/08 Meeting

Please find outlined below collections information through November 20th for the 2008 bills mailed out on August 15<sup>th</sup>, as well as vehicle bills.

## Annual Bills G01 Only:

2008 Total Charge: \$55,821,340.52

Payments & Releases: 25,551,386.80

Unpaid Taxes: 30,260,863.34

**Percentage collected: 45.79%**

(through 11/20/08)

## Motor Vehicle Bills G01 Only:

2008 Total Charge: \$2,326,541.60

Payments & Releases: 1,656,983.61

Unpaid Taxes: 666,781.20

**Percentage collected: 71.34%**

(through 11/20/08)

## Fire Districts All Bills

2008 Total Charge: \$6,310,466.76

Payments & Releases: 3,018,392.91

Unpaid Taxes: 3,286,518.12

**Percentage collected: 49.93%**

(through 11/20/08)

Respectfully submitted,



Terry F. Lyda,  
Henderson County Tax Collector

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone 828-697-4808 • Fax: 828-698-4443

BILL MOYER  
Chairman  
CHARLIE MESSER  
Vice-Chairman

TDD: 828-697-4580  
www.hendersoncountync.org

CHUCK McGRADY  
MARK WILLIAMS  
LARRY YOUNG

## RESOLUTION SUPPORTING THE FUNDING OF MOUNTAIN VALLEYS RC&D

**WHEREAS**, Henderson County is located within the geographic service area of Mountain Valleys Resource Conservation & Development (RC&D); and

**WHEREAS** Mountain Valleys RC&D plays an important role in protecting the environment in a way that improves the local economy and standard of living in Henderson County; and


**WHEREAS**, the Henderson County Board of Commissioners believes that natural resources conservation continues to be of prime importance in Western North Carolina; and

**WHEREAS**, Mountain Valleys RC&D provides technical assistance and project administration for vital resource projects; and

**WHEREAS**, the lack of adequate Federal funding will cause Mountain Valleys RC&D to no longer have the assistance of a full-time coordinator.

**NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners encourages and supports any and all efforts to secure adequate Federal funding to fully staff Mountain Valleys RC&D, allowing that organization to continue to serve Henderson County and Western North Carolina.

**ADOPTED** 1<sup>st</sup> day of December, 2008.

  
Chairman  
Henderson County Board of Commissioners

ATTEST:

  
Clerk to the Board

