

DRAFT

9/17/09

cc: BOC
Steve
Selena
Russ
Christy

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
SEPTEMBER 8, 2009

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.

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, Attorney Russell Burrell, and Clerk to the Board Teresa L. Wilson.

Also present were: Finance Director Carey McLelland, Planning Director Anthony Starr, Engineer Marcus Jones, Tax Assessor/Collector Stan Duncan, Research/Budget Analyst Amy Brantley, PIO Christy DeStefano, Sheriff Rick Davis, Fire Marshall Rocky Hyder, Internal Auditor Darlene Burgess, Planner Autumn Radcliff, Associate County Attorney Sarah Zambon, Social Services Director Liston Smith, Auxiliary Business Manager Bill Blalock and Officer David Pearce (Security).

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

Commissioner Charlie Messer led the Pledge of Allegiance to the American Flag.

INVOCATION

Commissioner Mark Williams gave the invocation.

RECOGNITION OF AWARD

Chairman Moyer recognized Commissioner Chuck McGrady. At the President's Banquet during the North Carolina Association of County Commissioners' (NCACC) meeting in Hickory, special awards are given to different entities for service during the past year. Commissioner Chuck McGrady received the North Carolina Association of County Commissioners' "Commissioner of the Year Award" for many of his works in various organizations, for his involvement with the NCACC and also with NACO (National Association of County Commissioners). He has been very much involved with the NC Clean Water Management Trust Fund, Transportation issues, and many other things on behalf of the County.

INFORMAL PUBLIC COMMENTS

There were none.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Williams suggested that the Polk County water issue be added as a discussion item.

Chairman Moyer noted that this item was not on the agenda. The discussion before was that a public hearing would be held on the Saluda water issues and then a time would be scheduled by the Board. He felt that an item of this magnitude, and in fairness to the public, should be held at a later meeting. It was the consensus of the Board to add Polk County water issues to the September 16 agenda as a discussion item.

Commissioner McGrady made the motion to adopt the agenda as presented. The vote passed 4-1 with Commissioner Williams voting nay.

DATE APPROVED:

Chairman Moyer noted that a fourth public hearing was noticed but not included in the agenda packet, the 2009 CDBG Community Revitalization Grant Application. *Chairman Moyer made the motion that the 2009 CDBG Community Revitalization Grant Application be approved as item D of the public hearings. All voted in favor and the motion carried.*

CONSENT AGENDA

Chairman Moyer requested that Consent Agenda items N (approval of the low bid and purchase of the Sheriff's Office Vehicles), and R (N.C. Education Lottery Fund Application) be pulled for discussion.

Commissioner McGrady made the motion to adopt the consent agenda minus items N & R. All voted in favor and the motion carried.

Consent Agenda consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meetings(s):

- August 3, 2009 – Regularly Scheduled Meeting
- August 11, 2009 – Special Called Meeting
- August 13, 2009 – Special Called Meeting
- August 25, 2009 – Special Called Meeting
- September 3, 2009 – Special Called Meeting

Tax Collector's Report

Deputy Tax Collector Carol McCraw had presented the Tax Collector's Report to the Commissioners dated August 28, 2009 for information only. No action was required.

Tax Refund

A list of 3 refund requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Refund Report as presented.

Tax Releases

A list of 32 tax release requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Release Report as presented.

Financial Report/Cash Balance Report – July 2009

Included for the Board's review and approval are the July 2009 County Financial Report and Cash Balance Report.

The following are explanations for departments with higher budget to actual percentages for July:

- Tax Collector – postage expense incurred to mail out current year tax bills
- Fire Marshal – worker's compensation premium/fire district(s) contracts
- Rescue Squad – first quarter FY2009 non-profit contribution
- Economic Development – first quarter FY2009 non-profit contribution to the Partnership for Economic Development
- Non-Departmental – first quarter FY2009 property and liability insurance premium to be allocated out to all departments.

The expenditures listed for the Former Health Department Renovations Project is the monthly expense/professional services provided by David H. Berry and Associates, LLC. These expenditures will be reimbursed from future FY2010 financing proceeds.

Suggested Motion:

I move that the Board of Commissioners approves the County's July 2009 County Financial Report and Cash Balance Report as presented.

Quarterly Schools Maintenance Report

Included in the agenda packet were several pages of the Schools Quarterly Maintenance Report. The expenditures are summarized in the report received.

Staff presented this material for the Board's information only. No specific Board action is requested.

Henderson County Public Schools Financial Reports – July 2009

Provided were the Henderson County Public Schools July 2009 Financial Reports for the Board's information.

Staff requested that the Board consider approving the School System's July 2009 Financial Reports as presented.

Suggested Motion:

I move that the Board of Commissioners approves the July 2009 Henderson County Public Schools Financial Reports as presented.

The Grass Roots Café, on premises alcohol permit

North Carolina alcoholic Beverage control law allows local governments to comment upon the application by a private facility for on-premises consumption alcoholic beverage sale permits. The purpose of the comment is to allow the Alcoholic Beverage Control commission to "be satisfied the applicant is suitable person and that the location is a suitable place".

The application filed on behalf of The Grass Roots Café by Michael E. McLean was included with the agenda packet.

Comment by the Board is not required. If the Board does wish to comment upon this, it should be done as a group.

Suggested Motion:

Henderson County's Board of Commissioners does not desire to make any comment as to the suitability of these applicants nor as to the location of the prospective permit site. This lack of comment should not be interpreted in a negative manner.

Request for use of Courtroom

A letter and application was received from Col. William T. Stanley, Chairman of the Pearl Harbor Day Commemorative Committee, requested use of the Courtroom on December 2, 2009 for a Pearl Harbor Day Ceremony. Per the Facility Use Policy the use of the Commissioner's Meeting Room (Courtroom) must be approved by the Board of Commissioners during a regularly scheduled meeting.

Suggested Motion:

I move that the Board approves use of the commissioners' Meeting Room (Courtroom) by the Pearl Harbor Day Commemorative Committee for December 2, 2009.

Homeland Security Grant

Henderson County has received a Homeland Security grant for \$460,000.00 from the NC Department of Crime Control and Public Safety. The grant will facilitate a cooperative effort with Mission Healthcare Foundation for homeland security equipment. No matching funds are required.

Suggested Motion:

I move the Board authorizes the County Manager to adjust the budget as necessary to facilitate the North Carolina Homeland Security Grant Program with no new net expenditure of funds.

Public Records Disposal Request – Tax Assessor’s Office

Staff is requesting the approval from the Board of Commissioners to destroy the records provided in the agenda by Public Disposal Requests and Destruction Logs – four (4) included in accordance with the County’s Record Retention Policy and the provisions of the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule, as the period of these records have expired.

Suggested Motion:

I move the Board approves the Public Records Disposal Request and Destruction Log.

Public Records Disposal Request – Board of Commissioners’ Office

Staff is requesting approval from the Board of Commissioners to destroy the records listed on the Public Records Disposal Request and Destruction Log, provided in the agenda, in accordance with the County’s Records Retention Policy located under Tab 14 of the Henderson County Administrative Manual and the provisions of N.C.G.S. 121 and 132 as the period of retention of these records has expired.

Suggested Motion:

I move the Board approves the provided Public Records Disposal Request and Destruction Log.

Sidearm Request – Jean Cole

The Henderson County Sheriff’s Office requests that the service sidearm of Jean Pierre Cole be given to him in recognition of his retirement from the Henderson County Sheriff’s Office.

For many years, Deputy Cole, has served the agency in many capacities. He has worked as an unpaid volunteer, auxiliary deputy, and full-time deputy. Most of his career has been with the Criminal Investigations Division, where he was instrumental in the success of many criminal cases.

Deputy Cole has been a true asset to the Sheriff’s Office, and his service to the people of Henderson County is greatly appreciated and will be remembered.

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

The Board is requested to allow Sheriff Rick Davis and the Henderson County Sheriff’s Office to present Deputy Jean Cole with his service sidearm at no charge.

Suggested Motion:

I move that the Board allows Sheriff Rick Davis to present this service sidearm as a token of appreciation to Deputy Jean Cole.

Approval of the low bid and purchase of the EMS Ambulances

The Board is requested to approve the low bid and authorize the Emergency Services Director to proceed with purchasing two (2) 2009 Chevrolet Type III ambulances. Bidding was conducted between August 12th and August 28, 2009. The low bidder is Southeastern Emergency Vehicles. The lowest bid was \$111,534 per vehicle, for a total of \$223,068. The vehicles were approved in the Emergency Medical Services FY 09-10 budget. The plans are to refinance the purchase of these two (2) ambulances over a three year term.

Suggest Motion:

I move the Henderson County Board of Commissioners accepts the low bid from Southeastern Emergency Vehicles for two (2) Chevrolet Type III ambulances and authorize the Emergency Services Director to make these purchases.

Proclamation of September 25, 2009, as Louise Howe Bailey Day

Reflections – from the Mirror of Her Mind, is a two-act play featuring stories of the history and heritage of Henderson County, and will be performed September 25-27, 2009, in the Bo Thomas Auditorium at Blue Ridge Community College as a benefit for the Nonprofit Henderson County Heritage Museum. The play is based on the life and writings of 94-year old Louise Howe Bailey, beloved county matriarch, who is the author of several books on the heritage of Henderson County and whose weekly column, Along the Ridges, has appeared in the Hendersonville Times-News for forty-two years.

The Friday evening performance of the play will be preceded by a reception honoring Louise Bailey for her many contributions to the community, which includes the preservation of the oral history of Henderson County. As part of the tribute to our local treasure, the Henderson County Board of commissioners is requested to proclaim Friday, September 25, 2009, as Louise Hose Bailey Day in Henderson County. The board of directors of the Henderson County Historic Courthouse Corporation has asked that the councils of the five Henderson County municipalities join in that proclamation as a tribute to Louise Bailey.

Suggested Motion:

I move that the Board adopts the provided Proclamation proclaiming September 25, 2009 as Louise Howe Bailey Day, and authorize the Chairman to execute the Proclamation on behalf of the Board of Commissioners.

2009 Fall Litter Sweep Resolution

The fall 2009 LITTER SWEEP roadside cleanup, organized by the NC Department of Transportation, will be taking place September 19th through October 3rd, 2009. Henderson County encourages citizens in Henderson County to take an active role in making our community cleaner through participating in local litter sweep activities.

Suggested Motion:

I move that the Board adopts the Resolution provided designating September 19, 2009 – October 3, 2009 as LITTER SWEEP time in Henderson County.

ITEMS PULLED FOR DISCUSSION

Approval of the low bid and purchase of the Sheriff's Office Vehicles

The Board is requested to approve the low bid and authorize the Sheriff to proceed with purchasing 10, Model Year 2010, Dodge Chargers. Bidding was conducted between August 17th and August 21, 2009. The low bidder is Ilderton Dodge at \$21,390 per vehicle, for a total of \$213,900. The vehicles were approved in the Sheriff's Office FY10 budget. The vehicles meet the County Vehicle Replacement Plan (and energy conservation) criteria.

Chairman Moyer questioned the reasoning for only soliciting bids for Dodge Chargers versus Ford or Chevrolet, as shown in their agenda packets.

Sheriff Davis stated that back in 2007 when entertaining vehicle bids, the Sheriff's Department actually did a neutral bid (keeping the same vehicle options) to as many bidders as possible. Ford did not even bid. They now have equipment in the vehicles that is unique to Dodge. If they were to switch the fleet back and forth from Dodge to Ford it would cost an enormous amount of money every year basically throwing away brackets and hardware to remount particular items.

Commissioner Williams asked, in respect to the bids that came in, if we were obligated to go with the lowest bid.

Sheriff Davis noted that Dodge gives an advantage to whatever entity wins a state bid by giving them \$500 per vehicle.

Attorney Russ Burrell responded that we are obligated to the lowest bid or we must throw out all bids and rebid the entire project, then take the low bid.

Chairman Moyer made the motion that the Board accepts the low bid from Ilderton Dodge for 10 Dodge Chargers and authorizes the Sheriff to make these purchases. All voted in favor and the motion carried.

N.C. Education Lottery Fund Application

The Governor has fully restored lottery funds to the Public School Capital Building Fund that was withheld from local governments back in February 2009. Henderson County's share of the restored funds is \$289,907.

Staff is requesting that the Board consider approving the NC Education Lottery Fund Application provided for \$289,907.00 to pay for current fiscal year debt service on the new Sugarloaf Road Elementary School project. There is no match requirement to pull down lottery funds. This application will be presented to the Board of Public Education for approval at their next possible meeting.

County Manager Steve Wyatt stated that Finance Director Carey McLelland through research has indicated the numbers are different. There is also the issue of the practice of bringing Lottery Fund Applications before the Board as soon as there is money available. It is suggested that a policy be developed that as money is allocated the Board gives the Chairman authority to sign an application, put together by the finance officer, on a regular basis without having to go through this formality.

The Board felt this had already been done. Research would be done to confirm.

Finance Director Carey McLelland stated the correct number in our account as of today is \$351,372.00. He would clarify if the monies were revenue from the last fiscal year or current year and bring this information back to the Board to determine which budget it would be applied.

Chairman Moyer made the motion to proceed with the application to withdraw the funds and staff will bring back information with respect to whether the money was for the previous fiscal year or this fiscal year, and the County Manager will make a recommendation as to where he thinks that money should be applied. All voted in favor and the motion carried.

NOMINATIONS

Notification of Vacancies

1. Cemetery Advisory Committee – 7 vac.

2. Nursing/Adult Care Home Community Advisory Committee – 1 vac.

Nominations

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

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

2. Henderson County Historic Courthouse Corporation dba Heritage Museum Board – 2 vac.

Chairman Moyer stated two recommendations have been received by the Heritage Museum Board; Patsy Jones and Scott Surrette. It would be appropriate for the Board to make other nominations for their consideration if they wish to do so. Chairman Moyer nominated Patsy Jones and Scott Surrette for positions 4 & 9 and opened the floor to nominations. There were no other nominations. *Chairman Moyer made the motion to accept the appointments of Patsy Jones and Scott Surrette by acclamation. All voted in favor and the motion carried.*

Chairman Moyer brought to everyone attention the new sign for the Heritage Museum on the front lawn and recognized Amy Brantley for three (3) years of work to accomplish the task.

3. Hendersonville City Zoning Board of Adjustment – 1 vac.

Commissioner Young nominated Ben Benton for position #4 as an alternate. *Chairman Moyer made the motion to accept the appointment by acclamation. All voted in favor and the motion carried.*

4. Historic Resources Commission – 1 vac.

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

5. Jury Commission – 1 vac.

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

6. Juvenile Crime Prevention Council – 10 vac.

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

7. Senior Volunteer Services Advisory Council – 1 vac.

Chairman Moyer nominated Edith Sally Young for position #3. There were no further nominations. *Chairman Moyer made the motion to accept the appointment of Edith Sally Young by acclamation. All voted in favor and the motion carried.*

CONSTRUCTION MANAGEMENT UPDATE

County Manager Steve Wyatt introduced David Berry, Construction Manager and stated included in the agenda packet were several pages of the Henderson County Facility Projects Monthly Status Report from David H. Berry & Associates, LLC.

Staff presented this material for the Board's information only. No specific Board action is requested.

David H. Berry & Associates, LLC contracted with the County of Henderson, Hendersonville, NC to provide Construction Management Services for the 2010 fiscal year as outlined in our accepted proposal for services dated June 30, 2009 and subsequent contract with the County dated July 15, 2009. The contract was entered into with a clear understanding that the overall scope of all Facility Projects work was to include not only basic Construction Management coordination assistance, as outlined in our original proposal, but also to:

1. Work with all County Staff, County School Staff, and BRCC Staff.

2. To obtain the best possible pricing for all components of all construction projects through competitive bidding and challenging of pricing.
 3. Make every effort to utilize local Contractors, Sub-contractors, Architects/Engineers, and Vendors for all Henderson County work when cost effective and/or in the best interest of the work being performed.
 4. Push aggressively to complete the backlog of projects allowing the County to take advantage of the current economic lower costs and thereby resulting in savings to the County/Taxpayer.
 5. Work with the County Staff to better report/tract all specific County Facilities Project work.
- The realm of construction project responsibilities include individual approved Henderson County Projects, all approved Henderson County School Renovation Projects, and renovations for specific structures at Blue Ridge Community College.

HVAC Systems Repairs/Replacements:

Delta Engineering, Greenville, SC, had previously been hired by the County Schools to provide specific necessary school HVAC systems repair. The fees for their designs are in line and Delta is doing an excellent job on the design remedies. Of particular concern is the HVAC System Piping Repairs at Apple Valley/North Henderson Schools. The repair issues are in regard to originally installed underground hot and cold water piping. The HVAC systems consist of centrally located gas fired boilers and chillers which provide hot and/or cold water as needed to each and every room HVAC unit in the facility. This is a typical, common and efficient HVAC system if installed correctly. Simply put two 4" steel cold water and two 4" copper hot water pipes run underground parallel to each school wing, crossing over underground to the room units on the opposite side of each wing, and underground throughout the facility to all HVAC room handling units. The underground piping portion has proven to be a design flaw in that they leak, significantly. The main source of the piping leak problem is with the hot water copper pipes which include a ship fit, o-ring type coupling which will leak with any slight ground movement. The fact that this is Western North Carolina and that the school is built on compacted fill dirt definitely would insure leakage to occur. The original system was also designed and installed without necessary valves that would have allowed for specific areas of the system to be isolated making repairs less difficult. Pressure testing of isolated sections of piping and previous numerous underground and sometime under floor slab repairs have been necessary. For obvious reasons unknown leaks beneath floor slabs are of high concern. The system was installed in 1993 and the original Architect-Engineer and Contractor are no longer in business.

Delta's repair design includes the elimination of all of the underground piping and the install of new iron pipes run overhead above the ceilings to all HVAC room handling units. We are doing away with all of the underground pipes. In the corridors the ceilings have been removed and the pipes are being rerun in those locations with valves that can be accessed. Due to obvious scheduling logistics the design and project is being performed in two phases. Phase I includes the replacement and/or elimination of all critical piping to allow for the heating to be functional by this cold weather season. Remaining components of the design, Phase II, will be installed as a part of and in conjunction with the construction of the new School Addition. Phase I of this project was competitively bid on August 3, 2009 and was award to IMOCO, Fletcher, NC. IMOCO's low bid price for Phase I was \$438,800, significantly lower than the other three bids submitted. The project is now in its second week of construction. All School operational concerns are routinely being addressed and thus far there have been no significant problems or issues. The construction work is being performed at night.

Chairman Moyer requested clarification on the Bath partitions showing a loss of \$13,750 and Mr. Berry stated it was a savings of \$13,750.

Mr. Berry noted that County work in combination with County School work has shown a savings of around \$62,000 by competitively bidding with local contractors, challenging those bids, and challenging the design engineers and architects on their fees as well.

Chairman Moyer stated it seems that the school roofs have lasted about 5-10 years which is incredibly a short period of time. He wants to be sure we have quality roofs with future building.

Mr. Berry felt that a lot of the new designs will include a design inclusive of warranty.

ARCHITECT SELECTION – RENOVATIONS TO OLD HEALTH BUILDING, KING STREET BUILDING & 1995 COURTHOUSE

David Berry stated as directed by the Board during the August 3, 2009 meeting, staff solicited architectural firms to perform the following architectural functions: programming, design and construction administration for the renovations to the Old Health Building, King Street Building and 1995 Courthouse.

In accordance with NC General Statute 143-64.31 (Procurement of Architectural, Engineering, and Surveying Services), staff developed a Request for Qualifications (RFQ) and posted it on the County's website. In addition, staff notified all of the local Henderson County architects directly. The responses were received by August 15, 2009 and six firms submitted Statements of Qualifications. When the request for qualifications (RFQ's) for the law complex were obtained, the scope of work included renovations to the Old Heath Building, King Street Building and 1995 Courthouse as well. The Board at that time selected the architect firm Mosley but limited the scope to the law complex only and requested that RFQ's for architects for this work be solicited separately allowing for other architects and potentially local firms to submit pricing for this work.

A detailed review of the firms was conducted by the selection committee based on the criteria established within the RFQ and in accordance with general statutes.

Selection Criteria as follows:

- Project Team
- Project Experience
- Project Approach
- Relationship with Funding/Regulatory Agency
- Customer Service

The Selection Committee consisted of the following:

- Marcus Jones, Engineer
- Anthony Starr, Planning Director
- Natalie Berry, Asst. County Engineer
- Selena Coffey, Assistant County Manager
- David Berry, Contract Construction Manager
- Stan Duncan, Tax Assessor

Qualified Architectural Firms that Submitted Statements of Qualifications:

- ADW Architects
- PBC&L Architects
- O'Cain Group
- Calloway, Johnson, Moore & West
- Shamburger Design Studio
- Stuart Stepp

Although *all* of the firms were found to be *qualified*, the Selection Committee found *ADW Architects* and *PBC&L Architects* to be the *most qualified* and were within minimal points of each other in ranking.

The next step in the process after Board approval for selection of an architectural firm is to negotiate an agreement with the selected firm and bring the proposal back for final approval by the Board of Commissioners. The Selection Committee recommends the selection of ADW Architects based on their top ranking in selection criteria points. The Committee further recommends that the Board authorize staff to begin negotiating the terms of the agreement for final approval at the next regularly scheduled Commissioners meeting. If the Board wishes to choose another firm based on other criteria, the Committee would recommend the same negotiation process to follow.

Chairman Moyer stated one issue was to give local businesses a chance but to also make sure we received the best price. Another condition was that Mosley's offer including everything would stay on the table.

Staff recommends they go back and negotiate the best price with whichever architect the Board selects, and bring this information back to the Board at the next meeting. The Board also has the ability to negotiate with the architect chosen.

Commissioner Young questioned if the two recommended architects were any more or less qualified than Mosley.

Mr. Berry responded Mosley Architects was not compared because they did not resubmit.

Chairman Moyer stated the committee and Mr. Berry both recommended ADW Architects and staff has requested time to negotiate pricing. The Mosley Architect bid is a public record. He feels, based on prior selection of Mosley Architects, that the Board deems Mosley Architects as qualified. The pricing from ADW Architects will need to be determined and any other pertinent information Mr. Berry wants to provide, along with the the pricing from Mosley Architects, and bring it back to the Board at the next meeting for a decision.

Commissioner Williams requested that PBC&L Architects be included as they were equally qualified.

Commissioner Williams made the motion that the Board finds ADW Architect and PBC&L Architects equally qualified for purposes of negotiating bidding. All voted in favor and the motion carried.

Chairman Moyer made the motion that the Board finds Mosley Architect equally qualified with ADW & PBC& L Architects for purposes of negotiating bidding. All voted in favor and the motion carried.

CAPITAL FACILITIES STATUS REPORT

County Manager Steve Wyatt stated in conjunction with the good work of David Berry, Internal Auditor Darlene Burgess will be tracking capital facilities status from a budgetary numbers aspect. She will be providing a monthly report to the Board.

Included in the agenda packet were two pages of the Capital / Facilities Status Report including:
Henderson County Public Schools: Apple Valley / North Henderson High School
HVAC Pipe Upgrade Project

Staff presented this material for the Board's information only. No specific Board action is requested.

Darlene Burgess provided an overview of the capital projects status.

The following items were requested to be added to the summary:

- Total cost of project
- Savings/Loss of a project

- Number of projects remaining to be completed
- Estimated amount to be spent
- Actual amount spent
- Amount expected to be spent

SOLAR HOT WATER AT THE DETENTION CENTER – GRANT APPLICATION FOR RENEWABLE ENERGY PROJECTS

County Manager Steve Wyatt stated the North Carolina State Energy Office has released a Request for Proposals (RFP) for Renewable Energy Projects. This RFP is part of the American Recovery and Reinvestment Act (ARRA) and was issued on August 21, 2009. The application is due September 10, 2009 (extended to September 21, 2009). The application time frame is aggressive. However, with the previous efforts by Henderson County Board of Commissioners to establish an energy policy and plan and over a year of implementation by staff, we are prepared to submit a RFP for high priority project with total financing provided by the grant and the resulting savings in energy expenses.

The project is for installation of solar hot water at the Detention Center. Importantly, the Detention Center by a large margin is the biggest user of hot water of all County facilities. Furthermore, solar hot water has the most potential energy savings of all solar applications and arguable any renewable energy project. The transfer of energy use from natural gas to solar thermal is significant as well as the resulting cost savings. The savings are more than enough to pay any debt service from the Capital costs to install the solar system. This is the case even without a successful grant application. The addition of grant funding could either reduce the length of the debt term or amount of debt payment.

Another factor increasing the affordability of the debt is the ability for the system to be purchased by a private taxpaying organization and sell the BTUs from the solar system back to the County under a Solar Energy Purchase Agreement (SEPA). The cost of the BTUs from a private company reflects cost savings from the energy savings and tax credits they receive. Also, they can further reduce costs by contracting with a power company to assist in meeting the power company's Renewable Energy and Energy Efficiency Portfolio Standards. These Standards require power companies to invest in alternative energy. The energy savings, tax credits and power company contract generate a BTU cost significantly less than the cost from the natural gas provider.

The grant application is currently being developed and will follow under separate cover. The project is tentatively estimated to cost \$300,000 to \$400,000 and the grant will provide from 25% to 50% of the funding. The complete application and final details will be available prior to the Board Meeting.

Mr. Wyatt explained that because of the tax credits that would be available to the private entity the private entity would make an investment in the project and become a vendor of that energy and in partnership with Henderson County and would sell back the water to us at a less cost than what we are now paying for natural gas. Our intention is to do this without spending any money. The County has the choice to opt out if we choose not to pursue this avenue.

Staff solicited three solar vendors for this RFP in the very limited time available. Understandably, two of the vendors were not responsive. Fortunately, FLS Energy has responded to the request to partner with the county on the grant application and has the necessary experience, expertise and availability to meet the short deadline. FLS Energy (www.flseenergy.com) is a regional provider of solar systems located in Asheville, NC. They are currently installing a system in the Detention Center in Knox County, Tennessee and have completed a system at the Kanuga Conference Center in Henderson County. Staff from the Sheriff Department and Engineering Department have toured the Kanuga Conference Center system and discussed the SEPT arrangement with Kanuga Staff. Other projects are the Proximity Hotel in

Greensboro, NC, the Hilton Asheville and Mars Hill College.

Chairman Moyer made the motion that the Board approves the ARRA grant application from the NC State Energy Office for a Solar Hot Water System at the Henderson County Detention Center. All voted in favor and the motion carried.

Transportation Planner Hope Bleecker and Property Addressing Coordinator Anthony Starr arrived.

FY 2009-2010 HIRING FREEZE POLICY

The Board is requested to discuss the hiring freeze policy for the FY2009-2010 budget year, and to give direction to the County Manager accordingly.

Chairman Moyer explained if you have a position that is budgeted and the employee is promoted, retires, leaves, etc., the department is free to replace that position with the exception of the nine (9) positions that the Board specifically authorized the County Manager to free when he felt was appropriate, keeping the funding under an aggregate of six (6) months for all positions.

Chairman Moyer made the motion that the Board lifts the hiring freeze for the remainder of this fiscal year until further implemented by the Board, with the exception of the nine (9) positions. All voted in favor and the motion carried.

This pertains to positions within the budget for FY 2009-2010 and going forward only.

BREAK

A break was taken in order to change video tapes.

Planner Parker Sloan arrived.

PUBLIC HEARING – PERMANENT CLOSING OF AN EASEMENT

Commissioner McGrady made the motion that the Board go into public hearing in regards to a permanent closing of an easement. All voted in favor and the motion carried.

Property Addressing Coordinator Curtis Griffin stated on the July 6, 2009 the Board of Commissioners passed a Resolution stating that it intends to close a right of way on the property of James C. Kirkpatrick, west of the East Flat Rock Baptist Church. North Carolina General Statute 153A-241 requires that a public hearing be held for the permanent closing of a public road or easement. The public hearing was set July 6, 2009 for the purpose of closing the easement on the property of James C. Kirkpatrick, Hendersonville, North Carolina.

Staff recommends approving the permanent closure of the easement on the subject property and execution of the attached Order of Closure for recording with the County registrar.

Public Input

There was none.

Commissioner McGrady made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board approves the closure of the easement and certifies the Order of Closure. All voted in favor and the motion carried.

PUBLIC HEARING – FY 2010 RURAL OPERATING ASSISTANCE FUNDS (ROAP)

Commissioner McGrady made the motion that the Board go into public hearing in regards to the NCDOT FY2010 Rural Operating Assistance Program Funds. All voted in favor and the motion carried.

Transportation Planner Hope Bleecker stated the Henderson County Board of Commissioners has scheduled for September 8, 2009 a public hearing on an application for a North Carolina Department of Transportation Rural Operating Assistance Grant (ROAP) in the amount of \$267,294. If awarded, the funds will provide assistance for Apple Country Transit Operations in the rural areas of the County.

These grant funds are received by Henderson County annually and are passed through to WCCA (designated transit provider in Henderson County). WCCA provides the services according to certain performance standards and pays the required match to the grant funds. The purpose of the project is to provide for senior and disabled transportation programs, transportation for a Work First educational program, and to continue the Edneyville transit service.

A notice of Public Hearing was published in the Hendersonville Times-News on August 18, 2009 which fulfills the NCDOT requirements for this grant application.

The Board of Commissioners must hold a public hearing on the application, receive public comment, approve the Certified Statement provided in the agenda packet, and authorize staff to file the application with the North Carolina Department of Transportation subject to any comments at the hearing.

Public Input

There was none.

Commissioner Williams made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

Commissioner Williams made the motion that the Board approves the application and Certified Statement and authorize the Chairman and staff to execute all required documents for the 2010 ROAP application. All voted in favor and the motion carried.

PUBLIC HEARING – 2009 CDBG WATER AND SEWER HOOKUP GRANT

Commissioner McGrady made the motion that the Board go into public hearing in regards to the 2009 CDBG grant related to Water and Sewer Hookup Grant. All voted in favor and the motion carried.

Planner Parker Sloan stated the NC Department of Commerce has reserved \$75,000 in CDBG Grant Funds for Henderson County subject to receipt of a grant application identifying the homes to be connected to public water or sewer. Eligible home owners must be low and moderate income and must be located adjacent to service lines. The grant will pay for tap fees and connections of the homes. Assisted households will be selected on a first to apply first to qualify basis. The availability of the program and its requirements were made available to the public by local news media and as of the date this was written 45 households had applied. This is the second of two required hearings and staff intends to submit the application by the end of September.

Public Input

There was none.

Commissioner McGrady made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board approves the submittal of a grant application to the NC Department of Commerce for a \$75,000 Hook Up Grant and that the Chairman and Planning Director be authorized to sign the grant documents. All voted in favor and the motion carried.

PUBLIC HEARING ON 2009 CDBG COMMUNITY REVITALIZATION GRANT APPLICATION

Commissioner McGrady made the motion that the Board go into public hearing in regards to the 2009 CDBG Community Revitalization Grant Application. All voted in favor and the motion carried.

Planner Parker Sloan stated the 2009 Community Revitalization Grant Program (CR) Community Development Block Grant (CDBG) application period has begun. Through a preliminary evaluation process, it was determined that the Talley Drive area met the CDBG Community Revitalization program criteria. The proposed project would include owner occupied housing rehabilitation, storm water/drainage controls and roadway improvements. The proposed CDBG Community Revitalization application must be completed and a public hearing regarding the application must be held prior to submission to the State.

The CDBG Community Revitalization grant program is a competitive process that awards up to \$850,000 per project and has no local match requirement. The deadline for application to the State is September 30, 2009.

Public Input

There was none.

Commissioner McGrady made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board approves the application to the Division of Community Assistance for the Community Revitalization grant program for the housing rehabilitation, roadway improvements and storm water control activities and authorizes the execution and submittal of any necessary application documents. All voted in favor and the motion carried.

CONTINUED DISCUSSION OF THE DRAFT ETOWAH AND HORSE SHOE COMMUNITIES PLAN

Planning Director Anthony Starr stated on July 15, 2009, the Board of Commissioners briefly reviewed the recommendations of the Draft Etowah and Horse Shoe Communities Plan. The Board of Commissioners suggested certain recommendations proposed by the Draft Plan should be amended or reorganized prior to its adoption.

As discussed at Board's July meeting, Staff met with Commissioners to identify major or significant issues in the Draft Plan. As a result of these meetings, Staff has reorganized the Draft Plan recommendations into two categories, Henderson County Implemented Recommendations and Henderson County Land Development Code Recommendations, by target date (Included in agenda as Attachment 1, 2 and 3). Recommendations primarily implemented by other agencies or that currently appear in the County Comprehensive Plan (CCP) or Strategic Plan is not included in the attached list. Those recommendations can be provided to the Board should the Board decide to revisit those issues.

Based on the discussions with Commissioners, staff has identified recommendations that represent capital projects and recommendations that may have broader policy implications. These 11 policy issues are identified in Attachment 1 for the Board's review. Staff has also provided the Board additional information on Tax Service Districts (Included in agenda as Attachment 5) to answer the Board's

questions and concerns.

Staff requests the Board discuss and provide direction as to what changes are necessary with the Draft Etowah and Horse Shoe Communities Plan. If the Board is prepared to approve the plan with any applicable changes, the following motion is provided.

Chairman Moyer felt that the most difficult way to resolve these issues would be to do them item by item or go through policy issues and try to set policy with respect to looking at the Etowah / Horse Shoe small area plan. In his opinion the Board should set it as a goal to resolve something by the end of the evening. Looking at all of the recommendations, his view was that the Board had asked the committee to come up with recommendations as to what they thought was appropriate for their area. They have done that, but he has identified six (6) areas where he feels they have made recommendations with respect to County policy, not just what is appropriate for that area (i.e., incinerators, incorporation of environmental assessments for all major subdivisions, continue to support small manufacturing operations by avoiding regulations that would inhibit these types of businesses, incorporate water supply standards into the major subdivision regulations). Some of the other items are controversial and others raise issues of how the Board moves forward (i.e., steep slope). He recommended pulling out the items that are County wide recommendations, vote to approve the remainder of the plan as is and begin distributing the pieces out to various entities involved. Items that are County wide would be aside and referred to the strategic plan to be implemented as appropriate. All transportation issues would be sent to the State. Chairman Moyer recognized the work of the committee.

Commissioner McGrady had circulated a draft resolution that he could support with respect to the Etowah / Horse Shoe Communities Advisory recommendations. He is not comfortable with adopting the plan. He would like to see the Board, while not adopting the plan actually take action with respect to all of the proposals in various ways. Some portions of the proposals are outside of the Board's jurisdiction (i.e., transportation, certain school issues, municipal water towers, storm water, steep slope, etc.). He felt that enforcement of a storm water ordinance or a slope regulation strictly for Etowah / Horse Shoe would be difficult. Commissioner McGrady would prefer to see if the Board receives three or four of the small area plans come forward with the same recommendation then that is indication that the Board should be looking at something County wide.

Commissioner Young felt the following issues did not need to be addressed as they were already covered in the Land Development Code.

- sidewalks outside in the country
- sign restrictions
- slope restrictions
- reduced frontage and side setbacks

Commissioner Messer felt that Etowah / Horse Shoe small area planning is different than prior small area planning committee. He appreciates all of the hard work of the planning Committee but a lot of this information is already covered in the Land Development Code and Comprehensive Plan. Many of the changes will cost the County a lot of money.

Commissioner Williams realizes there are varying opinions and the Board does not want the folks in Etowah /Horse Shoe to get discouraged. He suggested that the issues be looked at item by item in order to gain headway. The Board must be willing to stand behind whatever we put into place.

Chairman Moyer stated if the Board goes through the list item by item, a specific vote is made by each Commissioner and if the vote on each item is 3-2, it doesn't solve the problem.

After lengthy discussion it was the consensus of the Board to roll this item to the September 16 meeting.

ANNUAL REPORT TO CITIZENS

County Manager Steve Wyatt presented the 2009 Annual Report, which included highlights of the past fiscal year and statistical information regarding county operations. This information will be available on-line. Fiscal year 2008-2009 was one of the most challenging years. The economic slow-down curtailed revenues, especially in sales tax and development fees. The fuel shortages of the summer of 2008 required an even greater commitment to fuel conservation. Growing demands for service in Human Services and Law Enforcement stretched those resources thin, all the while pressure from both Federal and State government actions continued to chip away at our ability to serve our constituents. But through it all Henderson County government not only met these challenges but continued to establish our position as a leader among North Carolina's one hundred counties.

Overcoming this adversity, we improved the county's financial standing by reducing operational costs, conservative financial forecasting and setting high expectations within each county agency. New energy efficient elementary schools at Mills River and Hillandale neared completion at substantial savings. A county-side Immigration and Customs Enforcement (ICE) program was implemented by the Sheriff's Department. Emergency Medical Services provided urgent medical assistance to thousands of county residents. Social Services continued to protect our most vulnerable population, the young and the elderly, and the list goes on.

All of these accomplishments are ever more notable given the fact that Henderson County property owners had the 18th lowest tax rate in the state during 2008-2009 and the lowest in the region. No property tax increase will occur in 2009-2010. Again no small accomplishment given the times in which we live.

STAFF REPORTS

County Attorney's Report

There was nothing further at this time.

County Manager's Report

There was nothing further at this time.

IMPORTANT DATES

Set Public Hearings on Rezoning Applications #R-2009-01 (Mud Creek Baptist Church) and #R-2009-02 (William McKay, Trust) *Commissioner Chuck McGrady made the motion that the Board schedules public hearings on rezoning application #R-2009-01 and #R-2009-02 for Monday, October 5, 2009 at 7:00 p.m. All voted in favor and the motion carried.*

Set Public Hearing on City of Saluda Request

Chairman Moyer noted that a public hearing was held in respect to the issue with Polk County and the Board had discussed holding a public hearing with respect to Saluda water issues. The Lake Adger issue with Polk County is scheduled for the next regular meeting on September 16, 2009. These are two separate issues and should not be tied together.

Chairman Moyer stated it had been indicated through discussions with Polk County Commissioner Ray Gasperson that there may be a better way to address this issue, possibly a joint group between Polk County and Henderson County to study the available water supply in that area and how we could best serve the best interest of our citizens. Discussions are being held between the Polk County Manager and the Henderson County Manager to see if there is any interest in doing this.

Chairman Moyer noted at the Water Supply and Distribution Task Force meeting, the group determined they would not weigh in and take a position on any of the issues and they would leave it to the Board of Commissioners.

After further discussion, It was the consensus of the Board that the Saluda water issues be placed on the October 5 agenda as a discussion item, invite the representatives from the City of Saluda to come and make their case and the Board can decide how to move forward.

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 reason(s):

1. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3), to consult with an attorney employed or retained by the public body in order to consider and give instructions to the attorney with respect to the following claims:

In the Matter of the Appeal of the Tax Valuation of Blue Ridge Mall, LLC, NC Property Tax Commission file 08PTC026.

In the Matter of the Appeal of the Tax Valuation of Arvin-Meritor, NC Property Tax Commission file 08PTC911.

3. 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, including agreement on a tentative list of economic development incentives that may be offered in negotiations.

4. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

All voted in favor and the motion carried.

ADJOURN

There being no further business Commissioner McGrady made the motion to adjourn at 10:30 p.m. All voted in favor and the motion carried.

ATTEST:

Teresa L. Wilson, Clerk to the Board

William L. Moyer, Chairman

HENDERSON COUNTY, NORTH CAROLINA
BOARD OF COMMISSIONERS

Resolution
2009 Fall Litter Sweep

Whereas, the North Carolina Department of Transportation organizes an annual fall statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

Whereas, the fall 2009 LITTER SWEEP roadside cleanup will take place September 19 through October 3, 2009, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

Whereas, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

Whereas, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists aid aiding in recruiting new industries; and

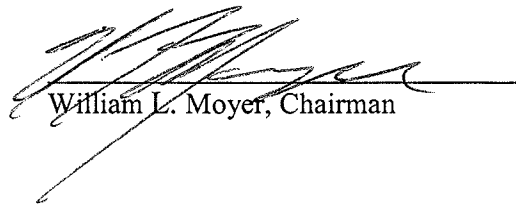
Whereas, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

Whereas, the 2009 fall cleanup will celebrate the 21st anniversary of the North Carolina Adopt-A-Highway program and its 5,750 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

Whereas, the LITTER SWEEP cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina;

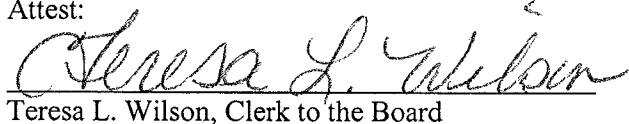
NOW, THEREFORE BE IT RESOLVED by the Henderson County, North Carolina Board of Commissioners that September 19 – October 3, 2009 be LITTER SWEEP time in Henderson County and encourage citizens in Henderson County to take an active role in making our communities cleaner through participating in local LITTER SWEEP activities.

Adopted this the 8th day of September, 2009.



William L. Moyer, Chairman

Attest:



Teresa L. Wilson, Clerk to the Board

HENDERSON COUNTY TAX DEPARTMENT

Collector's Office

200 North Grove Street

Suite 66

Hendersonville, NC 28792

Phone: 828/697-5595

Fax: 828/698-6153

www.hendersoncountync.org/tc/

Stan C. Duncan

Tax Collector & County Assessor

Sandy Allison

Administrative Assistant II

August 28, 2009

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

Re: Tax Collector's Report to Commissioners – 09/08/09 Meeting

Please find outlined below collections information through August 27th for the 2009 bills mailed out on August 5th, as well as registered motor vehicle bills. As a point of reference, we also have included collections information as of the same date last year.

Annual Bills G01 Only:

2009 Total Charge \$55,968,219.37
Payments & Releases: 5,752,380.56
Unpaid Taxes: 50,215,838.81
Percentage collected: 10.28%
(through 08/27/09)

2008 Total Charge: \$54,775,906.22
Payments & Releases: 3,241,661.69
Unpaid Taxes: 51,534,244.53
Percentage Collected: 5.92%
(through 08/27/08)

Motor Vehicle Bills G01 Only:

2009 Total Charge: \$1,045,927.01
Payments & Releases: 714,869.82
Unpaid Taxes: 331,057.19
Percentage collected: 68.35%
(through 08/27/09)

2008 Total Charge: \$1,128,860.66
Payments & Releases: 765,561.32
Unpaid Taxes: 363,299.34
Percentage collected: 67.82%
(through 08/27/08)

Fire Districts All Bills

2009 Total Charge: \$6,105,578.15
Payments & Releases: 668,230.04
Unpaid Taxes: 5,437,348.11
Percentage collected: 14.39%
(through 08/27/09)

2008 Total Charge: \$6,026,091.92
Payments & Releases: 458,819.66
Unpaid Taxes: 5,567,272.26
Percentage collected: 11.30%
(through 08/27/08)

Respectfully submitted,



Carol McCraw,
Deputy Tax Collector

Stan C. Duncan,
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
TDD: 828-697-4580
www.hendersoncountync.org

BILL MOYER
Chairman
CHARLIE MESSER
Vice-Chairman

CHUCK McGRADY
MARK WILLIAMS
LARRY YOUNG


September 8, 2009

Mr. Stan Duncan, Tax Assessor
HENDERSONVILLE COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, NC 28792

Dear Mr. Duncan:

Attached please find the list of tax release requests (32), and tax refund requests (3), all approved at the Henderson County Board of Commissioners' Meeting on Tuesday, September 8, 2009.

Sincerely,


William L. Moyer, Chairman
Henderson County
Board of Commissioners

WM/tlw

enclosures

RELEASES

Table with columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebalanced Billed Interest, Total. Includes entries for RESEARCH-RELEASE and FULL REBATE.

Grand Total: \$ 276.06

RELEASES

Table with columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebalanced Billed Interest, Total. Includes entries for VETERANS EXCLUSION APPROVED AFTER BILL FOR 2009 GENERATED.

Grand Total: \$ 252.90

RELEASES

Table with columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebalanced Billed Interest, Total. Includes entries for VETERANS EXCLUSION OF \$45,000 FOR TAX YEAR 2009.

Grand Total: \$ 207.90

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 8, 2009
SUBJECT: Tax Releases
ATTACHMENTS: Release Report

SUMMARY OF REQUEST:

The enclosed release requests (32) have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order.

These release requests are submitted for the approval by the Henderson County Board of Commissioners.

Table with columns: Type, Number of Items, Revenue Amount. Shows 32 releases for a total revenue of \$3,329.00.

Faithfully Submitted, Stan C. Duncan, County Assessor

BOARD ACTION REQUESTED: Consent Approval Requested.

Suggested Motion: "I move the Board approve the Tax Release Report as presented."

RELEASES

Table with columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebalanced Billed Interest, Total. Includes entries for DOUBLE BILLED and CORRECT BILL ON ABSTRACT # 614898.

RELEASES

Table with columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebalanced Billed Interest, Total. Includes entries for INCORRECT OWNER BILLED PER TAXPAYER-CONFIRMED IN STARS-RELEASE 1988-2008 BILLS.

0000552126-2006-2006-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76584	FIRE	BLUE RIDGE	10.93	0.00	0.00	\$ 10.93
76584	CNTY	COUNTY	54.63	0.00	0.00	\$ 54.63
Bill Total:						\$ 65.56

0000552126-2007-2007-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76583	FIRE	BLUE RIDGE	9.45	0.00	0.00	\$ 9.45
76583	CNTY	COUNTY	56.11	0.00	0.00	\$ 56.11
Bill Total:						\$ 65.56
Grand Total:						\$ 131.12

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0000552126-2006-2006-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76785	FIRE	FLETCHER	27.74	2.77	0.00	\$ 30.51
76785	CNTY	COUNTY	164.98	16.50	0.00	\$ 181.48
Bill Total:						\$ 211.99

0000552126-2007-2007-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76403	FIRE	FLETCHER	127.97	12.80	0.00	\$ 140.77
76403	CNTY	COUNTY	26.32	2.63	0.00	\$ 28.95
Bill Total:						\$ 169.72
Grand Total:						\$ 551.43

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0000462377-2008-2008-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75745	FIRE	EDNEYVILLE	13.86	0.00	0.00	\$ 13.86
75745	CNTY	COUNTY	2.55	0.00	0.00	\$ 2.55
Bill Total:						\$ 16.41

0000557135-2008-2008-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75746	FIRE	EDNEYVILLE	13.40	0.00	0.00	\$ 13.40
75746	CNTY	COUNTY	2.47	0.00	0.00	\$ 2.47
Bill Total:						\$ 15.87
Grand Total:						\$ 32.28

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000005126-2009-1999-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
77146	FIRE	BLUE RIDGE	18.83	0.00	0.00	\$ 18.83
77146	CNTY	COUNTY	104.60	0.00	0.00	\$ 104.60
Bill Total:						\$ 123.43

000005126-2009-1999-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
77145	FIRE	BLUE RIDGE	20.47	0.00	0.00	\$ 20.47
77145	CNTY	COUNTY	113.70	0.00	0.00	\$ 113.70
Bill Total:						\$ 134.17

000005121-1999-1999-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
77144	FIRE	BLUE RIDGE	305.40	0.00	0.00	\$ 305.40
77144	CNTY	COUNTY	46.96	0.00	0.00	\$ 46.96
Bill Total:						\$ 352.36

000005122-1998-1998-000000 FULL REBATE
RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
77143	FIRE	BLUE RIDGE	157.19	0.00	0.00	\$ 157.19
77143	CNTY	COUNTY	24.18	0.00	0.00	\$ 24.18
Bill Total:						\$ 181.37
Grand Total:						\$ 794.05

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0002450452-2006-2006-000000 FULL REBATE
 0002450452-2006-2006-000000 MANUFACTURED HOME DOUBLE LISTED/DOUBLE BILLED ON 8803986 WHICH WAS PUT ON AS REAL
 IN 2007-RELEASE 06, 07, 08 BILLS

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75923	FIRE	MOUNTAIN HOME	14.32	0.00	0.00	\$ 14.32
75923	CNTY	COUNTY	77.97	0.00	0.00	\$ 77.97
Bill Total:						\$ 91.39

0002450452-2007-2007-000000 FULL REBATE
 0002450452-2007-2007-000000 MANUFACTURED HOME DOUBLE LISTED/DOUBLE BILLED ON 8803986 WHICH WAS PUT ON AS REAL
 IN 2007-RELEASE 06, 07, 08 BILLS

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75924	FIRE	MOUNTAIN HOME	12.35	1.24	0.00	\$ 13.59
75924	CNTY	COUNTY	60.06	6.01	0.00	\$ 66.07
Bill Total:						\$ 79.66
Grand Total:						\$ 250.71

0000710674-2008-2008-000000 FULL REBATE
 0000710674-2008-2008-000000 MANUFACTURED HOME TRADED IN 9/08/07 PER BILL OF SALE-RELEASE 2008-VOIDED FOR 2009

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75803	FIRE	EDNEYVILLE	4.42	0.00	0.00	\$ 4.42
75803	CNTY	COUNTY	24.02	0.00	0.00	\$ 24.02
Bill Total:						\$ 28.44
Grand Total:						\$ 28.44

0000367121-2008-2008-000000 FULL REBATE
 0000367121-2008-2008-000000 1990 CLAYTON MANUFACTURED HOME SOLD 4/20/07 & MOVED OUT OF COUNTY PER 09 LIST
 FORM/TITLE-RELEASE 2008 BILL

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75863	CNTY	COUNTY	30.03	3.00	0.00	\$ 33.03
75863	FIRE	FLETCHER	6.18	0.62	0.00	\$ 6.80
Bill Total:						\$ 39.83
Grand Total:						\$ 39.83

000051887-2003-2003-000000 FULL REBATE
 000051887-2003-2003-000000 RELEASE 2003 BILL ON MANUFACTURED HOME, DOUBLE BILLED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
77539	CNTY	COUNTY	41.85	0.00	0.00	\$ 41.85
Bill Total:						\$ 41.85
Grand Total:						\$ 41.85

0000464602-1995-1995-000000 FULL REBATE
 0000464602-1995-1995-000000 RELEASE BILLS 1994, 1995 AND 1996 ON MANUFACTURED HOME. DOUBLE BILLED. NOTARIZED AFFIDAVIT ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76811	CNTY	COUNTY	60.72	0.00	0.00	\$ 60.72
76811	FIRE	DANA	10.61	0.00	0.00	\$ 10.61
Bill Total:						\$ 71.33

0000464603-1994-1994-000000 FULL REBATE
 0000464603-1994-1994-000000 RELEASE BILLS 1994, 1995 AND 1996 ON MANUFACTURED HOME. DOUBLE BILLED. NOTARIZED AFFIDAVIT ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76809	FIRE	DANA	9.43	0.00	0.00	\$ 9.43
76809	CNTY	COUNTY	59.54	0.00	0.00	\$ 59.54
Bill Total:						\$ 68.97
Grand Total:						\$ 235.29

0000710674-2008-2008-000000 FULL REBATE
 0000710674-2008-2008-000000 MANUFACTURED HOME TRADED IN 9/08/07 PER BILL OF SALE-RELEASE 2008-VOIDED FOR 2009

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75803	FIRE	EDNEYVILLE	4.42	0.00	0.00	\$ 4.42
75803	CNTY	COUNTY	24.02	0.00	0.00	\$ 24.02
Bill Total:						\$ 28.44
Grand Total:						\$ 28.44

0000367121-2008-2008-000000 FULL REBATE
 0000367121-2008-2008-000000 1990 CLAYTON MANUFACTURED HOME SOLD 4/20/07 & MOVED OUT OF COUNTY PER 09 LIST
 FORM/TITLE-RELEASE 2008 BILL

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
75863	CNTY	COUNTY	30.03	3.00	0.00	\$ 33.03
75863	FIRE	FLETCHER	6.18	0.62	0.00	\$ 6.80
Bill Total:						\$ 39.83
Grand Total:						\$ 39.83

REQUEST FOR BOARD ACTION

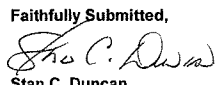
HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 8, 2009
 SUBJECT: Tax Refund
 ATTACHMENTS: Refund Report

SUMMARY OF REQUEST:
 The enclosed refund request (3) has been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office.

This refund request is submitted for the approval by the Henderson County Board of Commissioners.

Type	Number of Items:	Revenue Amount:
Refunds	3	\$ 249.01

Faithfully Submitted,

 Stan C. Duncan
 County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

Suggested Motion: "I move the Board approve the Tax Refund Report as presented."

8

10

9

Number of Bills = 32 Total Amount = \$3,329.00

REFUNDS

0000121803-1998-1998-000000 FULL REBATE
0000121803-1998-1998-000000 INCORRECT OWNER BILLED PER TAXPAYER-CONFIRMED IN STARS-RELEASE 1998-2000 BILLS

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Bill Interest	Total
76808	CNTY	COUNTY	111.92	0.00	0.00	\$ 111.92
76808	FIRE	DANA	17.22	0.00	0.00	\$ 17.22
					Bill Total:	\$ 129.14
					Grand Total:	\$ 129.14

0000565804-2002-2002-000000 FULL REBATE
0000565804-2002-2002-000000 INCORRECT OWNER BILLED PER TAXPAYER-CONFIRMED IN STARS-RELEASE 1998-2000 BILLS

RELEASE 3 BILLS (2002, 2003 AND 2004) ON MANUFACTURED HOME, DOUBLE BILLED. CORRECT BILL IS UNDER THE NAME OF
DWAYNE BRYSON, ABSTRACT NUMBER 230802.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Bill Interest	Total
76564	CNTY	COUNTY	62.18	0.00	0.00	\$ 62.18
76564	FIRE	BLUE RIDGE	11.19	0.00	0.00	\$ 11.19
					Bill Total:	\$ 73.37
					Grand Total:	\$ 73.37

000043884-2007-2007-000000 FULL REBATE
000043884-2007-2007-000000 INCORRECT OWNER BILLED PER TAXPAYER-CONFIRMED IN STARS-RELEASE 1998-2000 BILLS

TAX RELIEF WAS OMITTED WHEN PROPERTY LISTED TO MS. SWANN ONLY FOR 2007. APPLICATION ON FILE FROM 2006 IN
MS SWANN NAME ONLY. REFUND FROM MAN. HOME ONLY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Bill Interest	Total
75823	CNTY	COUNTY	39.27	0.00	0.00	\$ 39.27
75823	FIRE	BLUE RIDGE	7.23	0.00	0.00	\$ 7.23
					Bill Total:	\$ 46.50
					Grand Total:	\$ 46.50

Number of Bills = 3
Total Amount = \$249.01

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Henderson County

Contact Person: J. Carey McLelland

LEA: Henderson (450)

Title: Finance Director

Address: 113 N. Main St., Hendersonville, NC 28792

Phone: 828-697-4821

Project Title: Debt service on financing used for the new Sugarloaf Rd Elementary School

Location: Henderson County

Type of Facility: Elementary School

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds...

(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.

(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Current fiscal year debt service on financing used for construction of a new elementary school.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Payment / Bond Payment _____	<u>351,732.00</u>
TOTAL _____	\$ <u>351,732.00</u>

Estimated Project Beginning Date: May 2006

Est. Project Completion Date: August 2008

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 351,732.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.


(Signature — Chair, County Commissioners)

9/9/09
(Date)

(Signature — Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Henderson County

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LEA: Henderson (450)

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Short description of Construction Project: Current fiscal year debt service on financing used for construction of a new elementary school.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Payment / Bond Payment _____	351,732.00
TOTAL _____	\$ 351,732.00

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(Signature — Chair, County Commissioners)

9/9/09

(Date)

(Signature — Chair, Board of Education)

(Date)

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT: ASSESSOR

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Accounts Payable		✓	Standard 2	
		scanned	Item # 1	
1999-June 2000		is stored on		
		network		

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

John C. Duncan
Department Head

5 Aug '09
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 8th day of September, 2009.

Chresa G. Wilson
Clerk to the Board

STANDARD-2. BUDGET, FISCAL AND PAYROLL RECORDS

Records created and accumulated incidental to the managerial control, budgeting, disbursement, collection and accounting of the register of deeds office.

STANDARD-2. BUDGET, FISCAL AND PAYROLL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ACCOUNTS PAYABLE Records concerning the status of accounts in which the county owes money to firms or individuals.	Destroy in office after 3 years.*	
2.	ACCOUNTS RECEIVABLE Records concerning receivables owed and collected.	Destroy in office after 3 years.*	
3.	ACCOUNTS UNCOLLECTABLE	Destroy in office official/audit copies 3 years after account is paid, collected, or determined to be uncollectable.*	
4.	ANNUAL BUDGET Annual budget and budget message submitted to governing board for approval.	Destroy in office after 5 years. <i>Retention Note: Records have potential historical value and may be retained for longer periods of time.</i>	G.S. § 159-11
5.	AUDIT REPORTS Reports and related records documenting audits conducted on departments and programs. Also includes annual audits prepared by external independent auditors verifying financial activity for the year.	Destroy in office after 5 years. <i>Retention Note: Records have potential historical value and may be retained for longer periods of time.</i>	G.S. § 159-34
6.	AUTHORIZATION FORMS	Destroy in office after 3 years.*	
7.	BANK STATEMENTS, CANCELED CHECKS, DEPOSIT SLIPS, AND RECONCILIATIONS	Destroy in office after 3 years.*	

Page 9 of the Records Retention & Disposition Schedule - County Tax Administration - Issued by: NC Dept. of Cultural Resources, Division of Historical Resources, Archives & Records Section Government Records Branch; published April 1, 2004

*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see LITIGATION CASE RECORDS item 11, page 17.

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG
(Revised March 13, 2002)

DEPARTMENT: Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Time CARds 2000-June, 2006	✓		Standard 2 Item # 37	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Law C. Owen
Department Head

5 Aug '09
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 5 day of September, 2009

Reesa L. Wilson
Clerk to the Board

STANDARD-2: BUDGET, FISCAL AND PAYROLL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	PAID CHECKS, BILLS AND VOUCHERS	Destroy in office after 1 years.*	
36.	PAYROLL DEDUCTION RECORDS Records used to start, modify, or stop all voluntary or required deductions from payroll. Includes bank payments, savings plans, insurance, association dues, orders of garnishment, etc. Used as proof the employee approved of the deduction(s).	a) Destroy in office deduction authorization forms and records when superseded or obsolete. b) Destroy remaining records in office after 4 years.*	Comply with applicable provisions of G.S. §153A-98 and §160A-168 regarding confidentiality of personnel records.
37.	PAYROLL AND EARNINGS RECORDS Records containing information such as the name, social security number, number of hours worked, compensation rate, deductions, and total wages paid each employee per payroll period. Includes individual and group employee earnings records and payroll registers showing earnings and deductions for each pay period.	a) Transfer records documenting personnel actions to individual's personnel jacket. b) Destroy in office 30 years from date of separation records used for retirement or similar benefits verification. c) Destroy all remaining records in office after 4 years.*	Comply with applicable provisions of G.S. §162A-6.1 regarding confidentiality of personnel records. FICA Reg. § 316001-1 29 CFR 516.2, 516.5 29 CFR 1627.3(a)
38.	PETTY CASE RECORDS	Destroy in office after 1 year.*	
39.	PRICE QUOTATIONS	Destroy in office after 1 year.*	
40.	PROCUREMENTS AND PURCHASING	Destroy in office after 3 years.*	
41.	PURCHASE ORDERS Records, forms and attached documents used to purchase supplies, equipment, and services.	Destroy in office after 3 years.*	
42.	PURCHASING REPORTS	Destroy in office after 1 year.*	
43.	RECIPIENT CHECK AND CANCELLATION REGISTERS	Destroy in office after 3 years.*	

Page 13 of the Records Retention & Disposition Schedule - County Tax Administration - Issued by: NC Dept. of Cultural Resources, Division of Historical Resources, Archives & Records Section Government Records Branch; published April 1, 2004

* Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see LITIGATION CASE RECORDS item 11, page 17.

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: ASSESSOR

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
2009 REAL PROPERTY LISTING FORMS 8,602	✓	FORMS HAVE BEEN SCANNED AND ATTACHED TO THE PARCEL RECORD AS A DOCUMENT	STANDARD-6 Item #2	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; ~~OR where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention.~~ **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Law C. Dawson
Department Head

5 Aug '09
Date

Submitted to the Henderson County Board of Commissioners. The Board:
 APPROVED
 DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 8th day of September, 2009

Christina L. Wilson
Clerk to the Board

STANDARD-6. PROGRAM OPERATIONAL RECORDS: PROPERTY APPRAISAL RECORDS. Records received and created by county tax offices necessary to meet all statutory requirements.

STANDARD-6. PROGRAM RECORDS: PROPERTY APPRAISAL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	AGRICULTURAL, HORTICULTURAL, AND FORESTLAND DEFERRED TAXES	Destroy in office after 10 years or two revaluation cycles, whichever occurs first.	G.S. 105-277.6
2.	APPRAISAL MONITORING RECORDS Records used to discover unlisted and under-appraised real and personal property during non-revaluation years. Includes field notes, correspondence to and from property owners, and similar records documenting changes in parcel features and characteristics used to update property records.	a) Destroy in office records concerning real property after 10 years or two revaluation cycles, whichever occurs first. b) Destroy in office records concerning personal property after two revaluation cycles. See also REVALUATION RECORDS item 16, page 35.	G.S. 105-287
3.	BOARD OF EQUALIZATION AND REVIEW (APPEALS FILE) Records associated with appeals to the Board of Equalization and Review. Includes appeal letters, hearing notices, listing information, affidavits, staff recommendations and final actions.	a) Destroy in office 4 years after final settlement appeals concerning real property. b) Destroy in office 1 year after final settlement appeals concerning personal property and motor vehicles.	G.S. 105-322 G.S. 105-323 G.S. 105-325
4.	BOARD OF EQUALIZATION AND REVIEW (MINUTES AND ATTACHMENTS) Official minutes summarizing each appeal heard before the Board of Equalization and Review.	Retain in office permanently. See the Microfilm section on page viii for instructions on microfilming.	G.S. 105-322
5.	LOCAL GOVERNMENT COMMISSION REPORTS (DEPARTMENT OF REVENUE)	Destroy in office after 3 years.	

Page **33** of the **Records Retention & Disposition Schedule - County Tax Administration - Issued by: NC Dept. of Cultural Resources, Division of Historical Resources, Archives & Records Section Government Records Branch; published April 1, 2004**

* Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see LITIGATION CASE RECORDS item 11, page 17.

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG
(Revised March 13, 2002)

DEPARTMENT: Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
1999-2005	✓		Standard 7	
Release & Refund			Item # 11	
Reports & documentation				

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Eric C. Dumas
Department Head

5 Aug '09
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 24 day of September, 2009

Lorosa L. Wilson
Clerk to the Board

STANDARD-7. PROGRAM RECORDS: PROPERTY TAX COLLECTION RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.	RELEASE AND REFUND RECORDS Includes requests for release and refund submitted by taxpayer, correspondence to and from taxpayer, decisions of governing board, release and refund monthly reports and supporting records.	a) Destroy in office release and refund monthly reports 1 year from date of submission. b) Destroy in office all remaining records 3 years after final settlement.*	G.S. 105-381
11.	SKIPTRACKING RECORDS Records gathered when attempting to locate taxpayers. May include lien holder information, copies of death certificates, and credit bureau records.	Destroy in office when administrative value ends. See also DELIQUENT TAXPAYER RECORDS item 4, page 36.	
12.	TAX COLLECTOR ANNUAL SETTLEMENTS List of taxes collected by tax collector yearly, percentage of taxes collected, total releases, total balance due by tax year, and total municipal taxes collected. Sent to county commissioners and finance officer.	Destroy in office 3 years from date of submission.	G.S. 105-373
13.	TAX COLLECTOR MONTHLY REPORTS List of taxes collected by tax collector showing percentage of taxes collected, total releases, total balance due by tax year, and total municipal taxes collected. Sent to county commissioners and finance officer on a monthly and bi-monthly basis.	Destroy in office 1 year from date of submission.	G.S. 105-350
14.	TAX LEVY/SEIZURE RECORDS Inventory of property taken from property owner by the county tax collector to pay back taxes.	a) Retain in office for 3 years execution forms if levy and sale of personal property is made. If levy and sale conducted by Sheriff's Department, execution forms to be retained by the Sheriff's Department. b) If levy, seizure, and sale are not made, dest when administrative value ends.	G.S. 105-366 G.S. 105-367

Page 38 of the Records Retention & Disposition Schedule - County Tax Administration - Issued by: NC Dept. of Cultural Resources, Division of Historical Resources, Archives & Records Section Government Records Branch; published April 1, 2004

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**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT: Governing Body

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
MEETING NOTICES 2004-2007	✓		1.38	
POSTED AND REMOVED MEETING NOTICES 04-07	✓		1.38	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Jenny Wilson

Department Head

8/21/09

Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 21 day of September, 2009.

Arasa L. Wilson
Clerk to the Board

A PROCLAMATION

LOUISE HOWE BAILEY DAY IN HENDERSON COUNTY, NORTH CAROLINA FRIDAY, SEPTEMBER 25, 2009

WHEREAS, Louise Howe Bailey, a Henderson County native and a beloved local historian, author, newspaper columnist, speaker and storyteller, has researched and chronicled events from the county's storied past, and in so doing has helped to preserve our cultural heritage; and

WHEREAS, underlying her interest in local history is her family's continuous association with the area since 1829, when her great-great-grandfather, Judge Mitchell King of Charleston, South Carolina, was a founder of the Flat Rock summer colony of low country South Carolinians; and

WHEREAS, Louise Bailey was the daughter of a country doctor who practiced medicine in Henderson County, was the wife of a country doctor who practiced medicine in the county, and is the mother of a physician practicing medicine in the county today; and

WHEREAS, Louise Bailey earned a Bachelor of Arts degree from Winthrop College in Rock Hill, South Carolina, and a Master of Science degree in library science at Columbia University in New York City, and held teaching and library positions in Edgefield, South Carolina, and at Winthrop College before returning home to Henderson County in 1947 with her husband, Dr. Joseph P. Bailey, who opened his Henderson County practice in Hendersonville; and

WHEREAS, Louise Bailey lives in a house her father built in 1927, *Laurelhurst*, in the midst of fifty wooded acres in the heart of Flat Rock; she is the steward of eighty-two acres of land in the Green River community that formerly was her father's camping and hunting grounds; and for years she has conducted tours of her beloved Church of St. John in the Wilderness in Flat Rock; and

WHEREAS, through her weekly newspaper column, "Along the Ridges," that has appeared in the Hendersonville *Times-New* for forty-two years and continues to run, Louise Bailey portrays local history and folklore, with a warm and informative perspective and often with her own special brand of humor, through human interest stories of people and events, many within her own recollection and others told by "old-timers" whose forebears charted the course of Henderson County; and

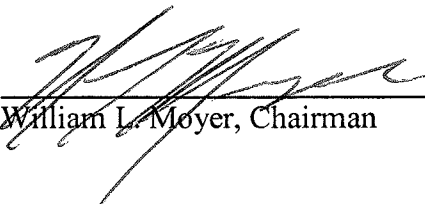
WHEREAS, Louise Bailey seeks not only to inform and entertain with her writing, but also to preserve and share history; and

WHEREAS, to many Louise Bailey is considered an inspiration, a mentor, a friend, an icon, and a local treasure;

NOW, THEREFORE, the Henderson County Board of Commissioners and the councils of the City of Hendersonville, the Town of Fletcher, the Town of Laurel Park, the Town of Mills River, and the Village of Flat Rock, do hereby proclaim Friday, September 25, 2009, as Louise Howe Bailey Day in Henderson County.

IN WITNESS WHEREOF, the undersigned have executed this document as of the twenty-fifth day of September 2009.

**HENDERSON COUNTY BOARD
OF COMMISSIONERS**

By: 
William L. Moyer, Chairman

TOWN OF FLETCHER

By: _____
William Bill Moore, Mayor

TOWN OF MILLS RIVER

By: _____
Roger D. Snyder, Mayor

CITY OF HENDERSONVILLE

By: _____
Gregory A. Newman, Mayor

TOWN OF LAUREL PARK

By: _____
Henry T. Johnson, Mayor

VILLAGE OF FLAT ROCK

By: _____
Robert V. Staton, Mayor