

**DRAFT**

2/11/10

cc: Boc  
Steve  
Selena  
Russ  
Christy

MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
FEBRUARY 1, 2010

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 Mark Williams, Commissioner Larry Young, Commissioner Chuck McGrady, Commissioner Charlie Messer, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, Clerk to the Board Teresa L. Wilson, and Attorney Russ Burrell.

Also present were: Associate County Attorney Sarah Zambon, Public Information Officer Christy DeStefano, Finance Director J. Carey McLelland, County Engineer Marcus Jones, Planning Director Anthony Starr, Sheriff Rick Davis, Captain Greg Cochran, Tax Assessor/Collector Stan Duncan, Captain Steve Carter, Planner Autumn Radcliff, Delinquent Tax Collector Lee King, Building Services Director Tom Stauffer, Planner Matt Cable, Assistant Engineer Natalie Berry, Library Director Bill Snyder, EMS Director Terry Layne, Fire Marshal Rocky Hyder, Soil & Water Conservation District Director Jonathan Wallin, Code Enforcement Director Toby Linville, and officer David Pearce (security).

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Lee Gover of the Run Abouts 4-H Club.

INVOCATION

Commissioner Mark Williams gave the invocation.

PUBLIC INPUT

1. Dennis Justice – Mr. Justice feels it is ironic that the Board of Commissioners passed a resolution supporting the protection of farmlands after previously hearing a proposal for a soccer complex which would take away several dozens of acres of farmland. He did not feel it was a good idea to take general funds from the County to fund a project which is basically the responsibility of the Town of Fletcher. The other problem with the soccer complex is that most of the fields will be built in a flood plain and this is just the down payment. We need to begin addressing our recreation needs at our high schools. The soccer complex proposal stated they need 8 grass fields or 4 synthetic fields. There are 4 locations that currently have lights, parking, access, bathrooms, concessions, everything you need; East Henderson, West Henderson, North Henderson, and Hendersonville High Schools. This is where the consideration needs to be made for artificial turf. Mr. Justice requested that the Board research Haywood County. Haywood County used lottery money, the NC Education Construction Fund to fund their fields. The fields cost anywhere from \$550,000 to \$650,000. The revenue from rentals would help pay for the fields. Mr. Justice provided his website to the Commissioners: hendersoncountyturf.com.
2. Jeri Peterson – Ms. Peterson spoke in regards to the proposed local storm water recommendations. She was a member of the Etowah/Horseshoe Committee and when they were meeting there was a severe draught and there was ramped development. One of the things discussed, a lot, was water and thanks to the Planning Staff the committee learned a lot about impervious surfaces, pollution of streams and rivers, and water runoff. One of the committee's recommendations was to adopt a local storm water ordinance. This issue should be studied as it relates to the mountains in our area. An ordinance should not be adopted which is geared to the piedmont.

DATE APPROVED \_\_\_\_\_

**DISCUSSION/ADJUSTMENT OF AGENDA**

Chairman Moyer requested the addition of three updates under discussion 1) Budget Workshop Follow-up 2) Outstanding Community Plans, 3) Sheriff's Department Update, and one additional Closed Session with respect to economic development.

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

**CONSENT AGENDA**

Chairman Moyer requested the addition of Item T, Tax Collector's Report and Delinquent Tax Collection Report.

*Commissioner Williams made the motion to approve the Consent Agenda with the addition of the Tax Collector's Report and Delinquent Tax Collection Report. 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):

January 4, 2010 – Regularly Scheduled Meeting

**Tax Collector's Report**

Deputy Tax Collector Carol McCraw had presented the Tax Collector's Report to the Commissioners dated January 22, 2010 for information only. No action was required.

**Tax Refund**

A list of 5 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 79 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 – December 2009**

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

The following are explanations for departments with higher budget to actual percentages for the month of December:

- Dues/Non-Profit Contributions – 3rd quarter FY2010 non-profit contribution paid as of 12/31/09
- Fire Marshal – worker's compensation premium/fire district(s) contracts and annual communications maintenance contract for fire services paid during first half of FY2010
- Rescue Squad – 3rd quarter FY2010 non-profit contribution paid as of 12/31/09

The YTD deficit in the Travel and Tourism Fund is mostly the result of lower occupancy tax collections due to the current local economy, reduced room rates being offered for stays and travel effects from the I-40 landslide shutdown.

The Emergency 911 Communications Fund YTD deficit of \$56,094 is due to the budgeted capital expenditure of funds for the scheduled replacement of Computer-aided Dispatch (CAD) servers in the 911 Center. These expenditures are paid entirely from 911 telephone surcharge fees.

The YTD deficit in the CDBG – 2008 Scattered Site Housing Project Grant Fund is due to the timing difference between the expenditure of grant funds and subsequent reimbursement from the state.

The YTD deficit of \$8,595 in the Edneyville Park Project is recreation equipment purchased and additional soccer field work required by the state that will be reimbursed from the State PARTF Grant. This grant has been extended for six months to complete the additional field work.

The YTD deficit in the BRCC Facilities Repairs and Renovations Project Fund are expenditures that will be reimbursed from future FY2010 financing proceeds.

The YTD deficit in the Solid Waste Landfill Fund is due to the budgeted capital expenditure of \$178K in replacement equipment from which bids were approved at the November 2nd Board meeting.

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to expenditures, including a quarterly loan payment, running ahead of revenues through December.

Suggested Motion:

*I move that the Board of Commissioners approve the December 2009 County Financial Report and Cash Balance Report as presented.*

#### **Henderson County Public Schools Financial Reports – December 2009**

Provided were the Henderson County Public Schools December 2009 Financial Reports for the Board's information. Staff requested that the Board consider approving the School System's December 2009 Financial Reports as presented.

Suggested Motion:

*I move that the Board of Commissioners approve the Henderson County Public Schools December 2009 Financial Reports 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.

#### **Public Records Disposal Request**

Staff requested approval from the Board of Commissioners to destroy the list of records provided on the Public Records Disposal Request and Destruction Log 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 for retention of these records has expired.

Suggested Motion:

*I move that the Board approves the Public Records Disposal Request and Destruction Log as submitted by the Finance Department.*

#### **Construction Management Update**

Construction Manager David H. Berry & Associates, LLC provided a monthly status report to the Commissioners for Henderson County facilities.

**Capital / Facilities Status Reports**

Internal Auditor Darlene Burgess had provided a status report to the Commissioners for the period ended December 2009 on Capital and Facilities projects.

**U.S. Dept of Homeland Security Grant**

The Henderson County Sheriff's Office has been awarded a U.S. Dept of Homeland Security grant for \$64,630. There is no match. An additional \$1514 in local funds will be used. This provides radios to convert the bomb robot from tethered by a communications cable to remote control via radio signals. It also provides two new breathing apparatus units for the bomb squad personnel.

Staff requests that the Board authorize the County Manager to make the budget adjustments to facilitate this grant and authorize the Sheriff to proceed with purchasing and implementation of the grant equipment, and filing for reimbursement.

Suggested Motion:

*I move the Board authorizes the County Manager to adjust the budget as necessary, and the Sheriff to purchase and implement the equipment for the U.S. Dept of Homeland Security Grant designated to improve response to hazardous events.*

**Local Emergency Planning Committee Annual Report for 2009**

Pursuant to Article 2-7 of the Local Emergency Planning Committee By-Laws, the 2009 annual report is hereby submitted. The membership roster for 2010 is also submitted for approval. The Board is requested to approve the 2009 LEPC annual report and 2010 membership as presented.

Suggested Motion:

*I move the Board approve the 2009 Local Emergency Planning Committee annual report and 2010 membership roster as presented.*

**2010 HOME Applications**

Habitat for Humanity and Housing Assistance Cooperation (HAC) are requesting funding application submission approval for HOME Investment Partnerships Program (HOME) funds. No County matching funds are required nor requested. HOME funds are administered through the Asheville Regional Housing Consortium. HAC is requesting \$125,000 to combine with 2009 HOME funds in order to construct 15 homes in the Ridgecrest Development. The project will provide affordable housing to families earning 80% of area median income or less.

Habitat for Humanity is requesting \$150,000 to attain its Henderson County goal of 10 homes per year. At approximately \$15,000 per home this amount will be used to cover the HVAC system, piping and installation of plumbing, thermal and moisture protection, and flooring. Families served by the project are within the 30-60% income level of the county's median household income.

Planning Staff recommends approving the submission of these HOME funding applications to the Asheville Regional Housing Consortium at their full amount. Board approval is required to proceed with the applications. The complete applications were too lengthy to be included in the agenda packet but are available upon request.

Suggested Motion

*I move that the Board approve the HOME applications for the Housing Assistance Corporation and Henderson County Habitat for Humanity.*

**Water Line Extension – Mona Lisa Foods**

The City of Hendersonville has requested that the County comment on the proposed water line extension for Mona Lisa Foods project. The proposed water line is 450 linear feet. The project's location, within the Rural

Transition Area, is consistent with the Henderson County 2020 Comprehensive Plan. A vicinity map, engineers report, project summary, and county review sheet are attached for Board review and action.

Planning Staff requests action by the Board of Commissioners to grant or deny this request.

Suggested Motion:

*I move that the Board approve the Mona Lisa Foods water line extension and direct staff to convey the County's comments to the City of Hendersonville.*

**Resolution in Support of the Designation of the Louise Howe Bailey Room at the Heritage Museum**

At the January 19, 2010 meeting of the Local Government Committee for Cooperative Action, a Resolution was adopted in support of the designation of the Louise Howe Bailey Room at the Henderson County Heritage Museum, as a fitting memorial to Louise Bailey.

Suggested Motion:

*I move the Board endorses the designation of the Louise Howe Bailey Room at the Henderson County Heritage Museum, as a fitting memorial to Louise Bailey.*

**Naming of Library's Local History Room**

A letter was provided from the Henderson County Public Library Board of Trustees, stating at their meeting on January 14, 2010 the Board voted to request the Board of Commissioner's permission to name the local history room of the library in honor of Louise Bailey.

Suggested Motion:

*I move the Board approves naming the local history room at the library in honor of Louise Bailey.*

**Proclamation – LWV Making Democracy Work Day**

The League of Women Voters of Henderson County has requested that the Board adopt the Proclamation designating February 14, 2010 as "LWV Making Democracy Work Day" in Henderson County.

The Board is requested to adopt the Proclamation as presented.

Suggested Motion:

*I move that the Board adopt the Proclamation designating February 14, 2010 as "LWV Making Democracy Work Day" in Henderson County.*

**2009 Grant Applications**

Staff had provided information regarding grants applied for in 2009 as an update for the Board's general information. The matrix included information on the grant title, funding agency, the department applying for the grant, the application amount and date, and finally the application status.

No Board action is required. The report is provided for information purposes only.

**Renewal of leases (Carland Farms, Inc.; Blue Ridge Amateur Radio Club)**

The County has had two fairly long-standing leases for the use of County property:

- 1) The first is with Carland Farms, Inc., for farm property located along the French Board River, and otherwise completely surrounded by Mr. Carland's property. The value of this lease was calculated for previous years by the Tax Assessor's Office, based on the average rental value for farm property. This proposed lease is at that same rent.
- 2) The second is for the monthly use of a part of the Stoney Mountain Center by the Blue Ridge Amateur Radio Club. This rent has not changed in a number of years.

This item would renew these leases.

Suggested Motion:

*I move that the Board approve the draft leases for Carland Farms, Inc., and the Blue Ridge Amateur Radio Club.*

## **NOMINATIONS**

### **Notification of Vacancies**

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

1. **Agriculture Advisory Board – 1 vac.**
2. **Animal Services Committee – 2 vac.**
3. **Community Child Protection Team (CCPT) – 1 vac.**
4. **Equalization and Review, Henderson County Board of – 5 vac.**
5. **Fire and Rescue Advisory Committee – 1 vac.**
6. **Industrial Facilities and Pollution Control Financing Authority – 1 vac.**
7. **Nursing/Adult Care Home Community Advisory Committee – 1 vac.**
8. **Recreation Advisory Board – 3 vac.**

### **Nominations**

Chairman Moyer reminded the Board of the following vacancies and opened the floor to nominations:

1. **CJPP (Criminal Justice Partnership Program) - 3 vac.**

Commissioner McGrady nominated Rick Marshall for reappointment to position #13. *Chairman Moyer made the motion to accept the reappointment of Rick Marshall to position #13 by acclamation. All voted in favor and the motion carried.*

2. **Downtown Hendersonville Inc. – 1 vac.**

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

3. **Henderson County Transportation Advisory Committee – 2 vac.**

Commissioner McGrady nominated James R. Crafton for reappointment to position #3. *Chairman Moyer made the motion to accept the reappointment of James R. Crafton to position #3 by acclamation. All voted in favor and the motion carried.*

4. **Historic Resources Commission – 1 vac.**

Commissioner Young nominated Terry Ruscin for appointment to position #1. *Chairman Moyer made the motion to accept the appointment of Terry Ruscin to position #1 by acclamation. All voted in favor and the motion carried.*

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

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

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

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

7. **Nursing / Adult Care Home Community Advisory Committee – 3 vac.**

Commissioner McGrady nominated Kay Ellen Nelson for reappointment to position #6. Commissioner Young had nominated Linda Mohring for position #15 at the January 4, 2010 meeting. Chairman Moyer had nominated Carol Harness for position #15 at the January 4, 2010 meeting. With the opening of another position Chairman Moyer changed his nomination for Carol Harness to position #10. *Chairman Moyer made the motion to accept all three appointments by acclamation. All voted in favor and the motion carried.*

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

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

**9. Water Supply & Distribution Task Force – 1 vac.**

Chairman Moyer stated that Fletcher had provided the name of Bob Davy as their new representative for position #1 and further made the nomination. *Chairman Moyer made the motion to accept the appointment of Bob Davy to position #1 by acclamation. All voted in favor and the motion carried.*

**SHERIFF'S DEPARTMENT UPDATE**

Sheriff Rick Davis informed the Board that a routine traffic stop on Thursday resulted in the largest marijuana and cash seizure in Western North Carolina's history. The Highway Interdiction Officers unit was just started in March 2009. The 1,084 pounds of marijuana seized has a street value of \$2.6 million. The amount of cash seized was \$1.1 million.

Several years prior a number of Federal prosecutions were done and during that time the Federal Prosecutor for Western North Carolina district recommended that Henderson County focus more on having someone out interdicting the supply of drugs that are coming into our County. By moving a slot from Criminal Investigations to a Highway Interdiction slot this has been accomplished. As of this date the team has secured approximately \$1.5 million in cash and thousands of pounds of narcotics. The same team stopped a person wanted in Texas for 10 years for raping a handicapped individual, and got two Somali nationals that were on the terrorists watch list. Responding to Commissioner Williams, Sheriff Davis stated that the Sheriff's Department gets to keep approximately 40% of the money seized.

**DRAFT REGULATIONS FOR DELEGATED COUNTY STORMWATER MANAGEMENT PROGRAM**

Planning Director Anthony Starr stated at its meeting on October 5, 2009 the Board of Commissioners directed County staff to draft stormwater management regulations which would allow for development of a countywide delegated stormwater management program. The North Carolina Department of Environment and Natural Resources (NCDENR) Division of Water Quality (DWQ) currently administers the stormwater management program in Henderson County and collects all associated permit revenues. Currently there is 1 engineer assigned to nineteen counties which includes Henderson County. The state mandated program applies everywhere in the County except for Hendersonville, Fletcher and Laurel Park which have their own programs in place.

Staff incorporated the required language from the DWQ's Model Stormwater Management Ordinance into the County's Land Development Code for consideration as a draft text amendment. Staff also modified existing water supply watershed protection regulations, consistent with the State Model Water Supply Watershed Ordinance, to remove duplication in standards, reviews, and approvals between water supply watershed protection and stormwater regulations. These changes simplify and clarify standards, streamline approval processes, and prevent additional unnecessary layers of regulation. Staff has provided an overview of the substantive changes included in the text amendment. A full copy of Chapter 200A, Land Development Code, with proposed changes is located in the office of the Clerk to the Board of Commissioners.

Before taking action on the text amendment, the Board of Commissioners must hold a public hearing. Staff proposes to schedule the hearing for March 1, 2010, at 7:00 P.M., or schedule a special called meeting on or after that date.

Staff requests direction from the Board of Commissioners as to how to proceed. State law requires a public hearing should the Board wish to move toward adoption of the proposed regulations.

NCDENR Division of Water Quality Storm water Management Program

- Program administered from Raleigh
- Permit revenues collected by the State
- Developers required to obtain stormwater permits and install stormwater controls for certain development and redevelopment projects



- State stormwater approvals directly impact certain County issued approvals including those for sedimentation and erosion control and often a change to the stormwater plan. When a developer submits his plan it requires changes to the soil erosion plan as well.
- Requires Henderson County apply for stormwater permits for its facilities.

This program is no more regulatory than the current State program. There are some modifications to the Water Supply Watershed regulations which will better protect water quality but at the same time provide flexibility for the development community. Some parts of our Water Supply Watershed areas that are regulated and designated by the State require Henderson County to implement the rules. Some of the Watersheds are near capacity in terms of what is allowed for a special intensity allocation. Once that allocation is exhausted any new projects would be limited to 24% of impervious surface. This proposal would allow an increase to 70% of impervious surface provided they provide the necessary stormwater controls.

Planner Matt Cable provided a brief overview of requirements currently expected under State rules and what would be required if we proceed. The proposal for modifications for the Water Supply Watershed is going to be based on the State model. We will be switching from the special intensity allocation option to the high density option.

#### Existing Watershed Low-Density Storm water Standards

- Storm water must be directed away from surface water,
- Concentrated stormwater flow should be minimized, and
- Engineered stormwater controls are not required but might be necessary in certain cases to comply with watershed regulations and standards

#### Watershed Low-Density Option Amendments

- Lot Size Regulations:
  - Minimum lot size (existing)
  - Average lot size (proposed)
  - Effects of proposed amendment
    - No change to overall density
    - Cluster development provisions removed (proposed)
- No Other Modifications Proposed

#### Option to Exceed Watershed Low-Density Standards

##### Special Intensity Allocation Option (existing)

- Available in: WS-11-BW, WS-III-BW, & WS-IV-PA
- Available in: 10% of acreage in each sub district
- Permitted increase: Up to 70% built-upon area
- How Approved: First-come, first serve basis
- Storm water Controls: Not required-may be necessary
- Perennial Surface Water Buffer Required: 100 feet
- SIA Application Fee: \$250
- Issued by: Watershed Administrator or Board of Commissioners

#### Option to Exceed Watershed Low-Density Standards

##### Proposed High Density Option

- Available in: All sub districts
- Available to: All acreage in each sub district
- Permitted increase: Varies by sub district (70% built-upon area maximum)
- Storm water Controls: Required (Storm water BMP Manual)
- Perennial Surface Water Buffer Required: 100 feet



- Watershed High-Density Development Permit Application Fee to be determined
- Issued by: Water Quality Administrator Benefits
- Increased development potential with more effective water quality control

The Effect: WS-II-CA

(1000 acres as an example)

- Current Regulations
  - Using no Special Intensity Allocation (SIA not available in critical areas):
    - Maximum built-upon area = 6%
    - 60 acres (1000 x 6%) may be built-upon area
  - Text Amendment
    - Using the High-Density Option:
      - Maximum built-upon area for 100 acres = 24%
      - 240 acres may be built-upon area

The Effect: WS-II-BW

(1000 acres as an example)

- Current Regulations
  - Using all allotted Special Intensity Allocation:
    - Maximum built-upon area = 12%
    - 120 acres (1000 x 12%) may be built-upon area
  - Using all allotted Special Intensity Allocation:
    - Maximum built-upon area for 100 acres = 70%
    - Maximum built-upon area for 900 acres = 12%
    - 178 acres ((100 x 70%) + (900 x 12%)) may be built-upon area
- Text Amendment
  - Using the High-Density Option:
    - Maximum built-upon area for 100 acres = 30%
    - 300 acres may be built-upon area

Stormwater Management Permits

Required for development/redevelopment disturbing:

- 1+ acres (not part of larger common plan of development/sale)
- <1 acre (part of a larger common plan of development/sale)

Not Required for:

- Agriculture,
- Development in the water supply watershed, or
- An individual lot within a subdivision or project operating under a total project stormwater management permit.

Issued by: Water Quality Administrator

There are two separate provisions, as drafted by the legal staff, that make it clear that these are the state minimums and any regulations above that would be nullified.

Stormwater Project Types

Low-Density Project

- Up to 1 unit per ½ acre or 24% built-upon area
- Structural stormwater controls not required
- Stormwater runoff transported by vegetated conveyances to the maximum extent possible

High-Density Project

- Anything over 1 unit per ½ acre or 24% built-upon area
- Control & treat runoff from 1<sup>st</sup> inch of rain over a 24-hour period

- Drawdown time a minimum of 48 hours (not more than 120)
- Remove a minimum of 85% of total suspended solids

#### Stormwater Controls

- Standards outlined in the State's Stormwater BMP Manual
- Required for Stormwater High-Density Projects
- Not-Required for Stormwater Low-Density Projects

#### Structural Stormwater BMPs

Practices meant to:

- Trap, settle out or filter pollutants from stormwater,
- Alter or reduce stormwater velocity, amount, timing or characteristics, or
- Approximate pre-development hydrology once developed

#### Maintenance of Stormwater Controls

##### Operation and Maintenance Agreement

- Binding on current and subsequent owners
- Requires maintenance, repair and reconstruction of Structural BMP
- Recorded with the County Register of Deeds

Annual inspection report must be submitted to County

#### Inspection of Stormwater Controls

Water Quality Administrator authorized by operation and maintenance agreements to:

- Enter the site, and
- Inspect, monitor, maintain, repair or reconstruct the stormwater BMP

County authorized to conduct inspections or establish inspection programs (ex: inspection a maximum of every 5 years)

It is proposed that a new position of Water Quality Administrator be created. This individual would handle the stormwater regulations and standards, and water supply watershed regulations and standards which would provide a coordinate watershed and stormwater reviews.

#### Next steps

- Set & hold public hearing
- Adopt text amendments with effective date (established to allow for DWQ review)
- Submit text for DWQ review & approval
- BOC approval of County resolution authorizing administration with Henderson County municipalities
- Municipal approval of resolutions authorizing County administration

Chairman Moyer asked if this service could be provided without additional staff.

Mr. Cable responded yes. The Engineering Department has indicated they can manage this with no additional staffing required.

Chairman Moyer questioned if this meant whatever amount of fees that come in for the projects would be netted additional revenue.

Mr. Cable responded this is correct. Since 2007 nine (9) permits have been issued within the County and 5 of those were actually County permits that the County had to pay the State to acquire.

Commissioner Williams requested the cost of permits.

Mr. Cable stated the permits are \$505 each.

Chairman Moyer, referring to the high-density option, questioned if high-density projects were connected.

Mr. Cable responded these are two entirely different things, under the watersheds ordinance there is a low-density option and a high-density option. They are handled in one sect of NCDENR. Looking at the water supply watershed, the low-density projects establish maximum impervious surface amounts which may or may not meet a stormwater low-density level. They both cap out at 24% but some of the water supply watersheds have lower impervious surface limits than what you find in the stormwater provisions.

Chairman Moyer questioned if we elect the high-density option, will we still will have low-density and high-density projects.

Mr. Cable responded yes.

Chairman Moyer shared an E-mail received from David Weintraub and stated as the Board heard in informal public comments the model ordinance was designed for the piedmont and not necessarily for the mountains.

Anthony Starr responded the Board has the option to go further than what the state regulations are like we do with water supply or soil erosion. However, the regulations currently in place are based somewhat on localized data. The controls that the structures have to be sized for on a project are based upon the rain fall averages for this area. Our rain fall averages are different from the piedmont.

Chairman Moyer questioned if the Board would like to have a workshop in order to get more detail and get a better understanding, or move to a public hearing and invite citizens to make presentations. Chairman Moyer was in support of having a public hearing, hear from the public and then continue.

Commissioners Young and Williams were in agreement.

Commissioner McGrady was concerned that the regular meeting on March 1<sup>st</sup> would be heavy in agenda and not leave sufficient time for the public hearing.

It was the consensus of the Board to find a dedicated night for the public hearing. He asked the County Manger to look at the calendar to determine the best date.

#### **ALLIANCE FOR HUMAN SERVICES**

This agenda item is an effort to keep the lines of communication open. It allows the Commissioners and staff an opportunity to bring the full Board up to date on issues that occur between meetings. It is also a time for staff to ask for direction so that the County's public position on current and upcoming issues can be developed.

The Chairman had received a letter from the Alliance for Human Services stating the Directors had voted to proceed with its decision to dissolve effective February 28, 2010. This delayed dissolution date reflects the Alliance Board's desire to honor the Commissioners' request to delay the dissolution process and their perceived idea that it might be helpful to assist the Commission and County Staff with fiscal year 2010-2011 non-profit human service agency fund requests. Obviously if the Alliance dissolves on February 28, 2010 the finding would not be able to go back to them for further action.

Mr. Moyer, through discussions with McCray Benson at the Community Foundation and United Way, had the feeling they would like to work with the County to see if there is another way of handling this role for the County to avoid duplication. They recognize they have a lot of the information and expertise to make these decisions and would like to find a way to meet the need for dealing with human services. Chairman Moyer stated that he, Steve Wyatt and Selena Coffey will go back and work with the representatives from the other

agencies to see if anything can be put together by mid-year. He has asked Henry Johnson, who was involved with this at the start as Executive Director of United Way, to be a part of this process. No answer has been received to date.

Commissioner Williams questioned the amount of funding lost from the Community Foundation.

Chairman Moyer requested clarification from Selena Coffey, but felt it was in the range of \$15,000 to \$20,000.

Ms. Coffey responded that over the years, with the three partners; United Way, The Community Foundation, and Henderson County, equal amounts were contributed. However, some of the amounts were in-kind amounts; office space, use of a copier or supplies.

Commissioner Young asked if the Board felt it would be more of a benefit to come up with the difference in funds or pursue the route discussed.

Chairman Moyer felt they were one in the same, staffing and financial assistance would be necessary.

Commissioner Williams suggested considering taking the funds from the budget line item "Alliance for Credited Agencies."

It was the consensus of the Board that the Chair, County Manger and Assistant County Manager work with other representatives to come up with a solution.

Ms. Brantley clarified the amounts stating in 2009, The Community Foundation contributed \$10,000.00, Henderson County \$9,000.00, and United Way \$6,000.00 plus \$2,500.00 in in-kind services.

Chairman Moyer felt the other two funders do not believe the current group is meeting the needs to justify their continuation in the project. They are willing to look at a new organization with a new charter that could possibly meet the needs.

#### **OUTSTANDING COMMUNITY PLANS**

Assistant County Manager Selena Coffey provided a brief update on community plans. The Board has taken some action on the Etowah/Horseshoe Community plan and the Edneyville Community Plan is in draft form.

Anthony Staff discussed public participation and how comments from the public and the committees is gathered. He provided an overview of the Dana Community Plan – Public Input and Survey for informational purposes only. This is the consistent plan used for each community plan thus far. The Scientific survey is new to the community plans.

- On-line Survey
- E-mail comments via website
- Public Input Session
  - Press Release
  - Fliers in area
  - Committee members recruit residents to meeting
  - Hand-out survey at the public input session
- Scientific mailed survey
  - Independent firm used to ensure anonymity and avoid question bias
  - Surveys returned directly back to firm with pre-addressed envelope
  - Used current tax office records for address mailings
  - 1,000 surveys mailed to households in planning area
  - 27% response rate in Dana area (270) – this is a good response rate (15-30% typical)

- 5.9% error rate
- Much more homes reached than public input sessions which can be self selecting
- Survey Highlights
  - 96% of respondents owned their home, while 4% rented
  - Residency of respondents:
    - 17% - less than 5 years
    - 60% - 20 years or more
  - When asked what the County's policies & regulations should do, these received the highest ratings:
    - Preserve mountain views / ridge tops
    - Preserve the County's rural character
    - Encourage preservation of agriculture
  - When asked what the County should spend money on, these received the highest rankings:
    - Protect farmland in the Dana area
    - Improve roads in the Dana area
    - Protect open space in the Dana area
  - When asked how much their area should grow in the future:
    - 10% said none
    - 35% said not much
    - 49% said some
    - 6% said a lot
  - County received much input regarding intersection improvements, widening roads, and adding traffic lights
    - Improve roads in the Dana area
    - Protect farmland in the Dana area
    - Protect open space in the Dana area
  - Received many comments about preserving historic sites (Stepp Mill), water features, land features, etc.

#### Public Input

- Should be used as one of several sources of information for drafting goals and objectives
- Committee members' life experience and values will more strongly influence the plan
- Public input best used as a resource when discussing issues to consider and address

Chairman Moyer questioned if the committee was aware of the survey being sent out and how the surveys are being utilized for the plan.

Mr. Starr responded the committee was briefed on all information at their first meeting. By the luck of the draw some of the committee members may have received a survey.

County Manager Steve Wyatt questioned if the committee reviewed the survey prior to it being mailed out.

Mr. Starr responded no.

The Commissioners questioned the accuracy of recipients of the survey and felt that some of the questions were misleading.

Chairman Moyer suggested that an extra effort be made with the next community plan committee to explain the survey, make sure they are comfortable with the survey, and if there are problems deal with them from the start.

Mr. Wyatt asked if the committee had the opportunity to review the questions on the survey prior to the survey being mailed.

Mr. Starr responded no as we are already demanding a lot of the committee's time.

Mr. Wyatt felt this was a mistake and an agenda item for the committee should be a survey with examples of questions explaining that it is a random survey, and they may or may not receive one. When looking at some of the questions, it should have been included "Would you support increased taxes for..." Some of the questions included road maintenance or improvements and this should have been left off as the County is not in the road business.

### **STAFF REPORTS**

#### **County Attorney's Report**

There was nothing further at this time.

#### **County Manager's Report**

There was nothing further at this time.

### **BREAK**

A short break was taken prior to the public hearings.

### **PUBLIC HEARINGS**

*Commissioner Williams made the motion for the Board to go into public hearing with respect to the 2008 Community Development Block Grant Application Update. All voted in favor and the motion carried.*

#### **Public Hearing on 2008 Community Development Block Grant Application Update**

Planner Parker Sloan stated the 2008 Scattered Site Housing (SSH) Community Development Block Grant (CDBG) application cycle is underway. The Selection Committee, appointed by the Board, has determined which homes to include for rehabilitation. The Selection Committee approves the rating and ranking of all applicants. Any replacement units are selected from this approved list and they are selected by rank. The purpose of this hearing is to receive public comment regarding added participants to this program from the previously ranked list. In addition, this hearing satisfies a requirement the Division of Community Assistance to disclose adding units not previously identified in the original application. It is common for some of the original recipients to withdraw their request or that a determination is later made that they are not eligible for assistance under CDBG rules.

No action is required by the Board except to hold the hearing and receive public comment.

#### **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 go into public hearing with respect to rezoning application #R-2009-03. All voted in favor and the motion carried.*

#### **Public Hearing for Rezoning Application #R-2009-03**

Planner Parker Sloan stated rezoning application #R-2009-03, submitted on October 14, 2009, requests the County rezone approximately 2 acres of an existing 4.5 acre tract located on Ballenger Road just north of Upward Road. The applicant requests a rezoning from a Residential 1 (R1) to a Regional Commercial (RC) zoning district. The subject area is owned by William Hoffman and Mr. Timothy Hoffman is the applicant's agent. (PIN: 9588-51-5370)

The Subject Area is currently an RV Storage area and partially vacant. The surrounding properties are primarily agricultural with some single family residential homes. The property adjoins adjacent Regional Commercial zoning that is to the south. Applying Regional Commercial will allow for an increase in the number of permitted manufacturing, professional services and warehousing uses. Water and sewer both abut the Subject Area to the west along Ballenger Road. The CCP Land Use Map identifies the Subject Area as being located in the Urban Services Area as well as the Industrial Area. Staff supports the rezoning of the property to a Regional Commercial Zoning District based on the recommendations of the CCP and the adjacent Regional Commercial Zoning.

The Henderson County Planning Board considered rezoning application #R-2009-03 at its regularly scheduled meeting on December 17, 2009. The Planning Board voted unanimously to send forward a favorable recommendation on rezoning application #R-2009-03 to rezone the subject area to a Regional Commercial (RC) zoning district.

**PUBLIC NOTICE:**

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §200A-314(C) and §200A-337(B) of the Henderson County Land Development Code and State Law, notices of the February 1, 2010 public hearing regarding rezoning application #R-2009-03 were published in the Hendersonville Times-News on January 13, 2010 and January 20, 2010. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the subject area and the applicants on January 15, 2010 and posted signs advertising the hearing on the subject area on January 20, 2010.

Planning Staff recommends approval of the application to rezone the subject area from a Residential 1 (R1) zoning district to a Regional Commercial zoning (RC) district.

**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 Williams made the motion that the Board approves rezoning application #R-2009-03 to rezone the subject area from a Residential 1 (R1) zoning district to a Regional Commercial (RC) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan. All voted in favor and the motion carried.*

**BUDGET WORKSHOP FOLLOW-UP**

Chairman Moyer stated the intent is to discuss a number of budget items further and attempt to give staff some guidance with respect to preparation of the budget.

County Manager Steve Wyatt stated staff had worked together and put the following information together.

**Emerging Issues Identification**

**CAPITAL FACILITIES**

● Law Enforcement Center  
 Geopier Option - \$590,919 Estimate  
 \$6,590,919 Total Budget Estimate

	FY2011	FY2012	FY2013	FY2014	FY2015
Annual Debt Service	+\$572,000	+\$572,000	+\$572,000	+\$572,000	+\$572,000
McCallister Lease		-\$36,000	-\$36,000	-\$36,000	-\$36,000



Parking Lot Lease		-\$10,800	-\$10,800	-\$10,800	-\$10,800
<b>Total Net Cost</b>	<b>\$572,000</b>	<b>\$525,200</b>	<b>\$525,200</b>	<b>\$525,200</b>	<b>\$525,200</b>

Law Enforcement Center  
 Basement Option - \$1,562,815 Estimate  
 Minus \$125,000 Cost Savings for Evidence Center = \$7,437,815 Total Budget Estimate

	FY2011	FY2012	FY2013	FY2014	FY2015
Annual Debt Service	\$645,789	\$645,789	\$645,789	\$645,789	\$645,789
McCallister Lease		-\$36,000	-\$36,000	-\$36,000	-\$36,000
Parking Lot Lease		-\$10,800	-\$10,800	-\$10,800	-\$10,800
<b>Total Net Cost</b>	<b>\$645,789</b>	<b>\$598,989</b>	<b>\$598,989</b>	<b>\$598,989</b>	<b>\$598,989</b>

Basement Option – Additional Square Footage

- Basement Option adds 20,000 square feet
- Additional \$ Estimate = \$846,896
  - (\$1,562,815 Basement Option - \$590,919 Geopier Option - \$125,000 Evidence Building)
- Cost per additional square foot = \$42.34
- Debt Service difference = \$73,789
- Option: Pay for basement from capital reserve and repay from sale of Nuckolls Building
- Building the Capital Reserve Fund – Nickolls Building Value\*
  - Value of Land \$ 339,700
  - Value of Building \$1,022,600
  - Total \$1,362,300

\*Source – Henderson County Tax Assessor

● Mills River Library – Full Time Staff

- Representative cost of Library Tech I personnel = \$38,143

Chairman Moyer felt that if the Board is looking at adding staff in libraries, they must take a look at the current libraries since cuts have been made to see whether the staffing needs are being met there before adding additional people in Mills River.

The Board requested staff take a look at the Mills River position and also look at staffing at other branches, particularly the main branch, to see if changes are necessary and provide the Board with options.

● Recreation

- \$50,000 request for East Flat Rock Park
- PARTF Grant executed 1.29.2010
- Jackson Park maintenance needs and capital improvements – Staff engineers will review an report to the Board in 60 days
- Edneyville Community Center - \$50,000 request

Chairman Moyer felt the \$50,000 request from Edneyville Community Center would be a match for ground improvements. The Board needed additional information for clarification.

The Board requested that staff come up with a list of priority maintenance needs and capital projects for all parks, cost them out and put the budget together with recommendations to the Board.

Commissioner Messer would like to see money put into the budget for Flat Rock Park and the Edneyville Community Center.

Commissioner Williams would like to see a comprehensive list of all capital projects with numbers in order to prioritize the needs.

Commissioner McGrady feels that money needs to be put into recreation.

County Manager Steve Wyatt and staff will be providing more information on artificial turf.

● Budget – Revenue Assumptions

- No increase in the property tax rate
- Overall property tax base growth 0.77%
- Negative sales tax projections
- Lower projected Investment Earnings
- No incorporations
- Fund balance appropriated
- Loss of \$750,000 ADM Revenue

Chairman Moyer felt the revenue assumption was the best projection based on the current information.

The Board felt strongly about not setting the fund balance figure until they have gone through the budget and made determinations to see how much fund balance appropriation would be necessary. The sales tax numbers need to be monitored closely.

● Budget – Expenditure Assumptions

- County Government – slight decrease
- No new programs or positions
- Education expenses increasing \$750,000 in County funds due to loss of ADM
- Includes debt service for Apple Valley/North, School Maintenance and Repair Initiative
- BRCC previously approved capital projects
- Includes new debt service for County Government previously approved capital projects
- No growth percentage projected for Mental Health Maintenance of Effort funding, or grant funded programs
- Flat fuel costs (gas and diesel)
- 10% increase in Electricity

Discussion was held in regards to the newspaper write up about the North Henderson/Apple Valley project being dead. The Board did not discuss this and it was included by staff in the budget workshop as an option. The Board is still committed to this project.

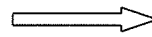
In respect to education expenses it was the consensus of the Board to start with a flat rate for purposes of getting the budget together they will look at it again at a later date.

● Budget – Fund Balance

To Fund Projected FY 11 Current Obligations...

Fund Balance (State mandates 8%) (over 12% BOC Policy)	➡	\$13,221,670
Needed to fund FY 10-11 Projected Budget	➡	\$ 4,037,932

Remaining Fund Balance  
(over 12% BOC Policy)



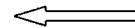
\$ 9,183,738

● FY 2011 – New Debt Service Projects

• Apple Valley/North (?)	\$ 745,166	
• Public Schools Repair Projects	\$ 505,122	
• BRCC Repair Projects	\$ 235,000	
• Law Enforcement Center	\$ 645,789	
• Former Health Department	\$ 125,000	
	<u>\$2,256,077</u>	
• Loss of ADM Revenue	\$ 750,000	
<b>Total</b>	<b>\$3,006,077</b>	

• Offsetting Funding

○ FY 2010 Budgeted Debt Service	\$ 216,233	
○ FY 2010 Capital Reserve Fund	\$ 0	
○ FY 2011 Debt Service Roll-off	\$1,083,795	
<b>Total</b>	<b>\$1,300,028</b>	



• **Difference in needed debt service for FY 2011 = \$1,706,049**

● EMS Response Time – Additional Base Station

UNIT	COSTS	COMMENTS
Ambulance	\$120,000	
Zoll Monitor	\$30,000	
Equipment	\$25,000	IV Pump, Suction Unit, Laptop, Jump Kit, etc.
Stretcher	\$10,000	Power Lift
<b>Total Ambulance</b>	<b>\$185,000</b>	<b>Unit and Equipment</b>

Personnel		
12 hour shift	\$180,000	Full Time Peak Crew (4 personnel) 12/7 coverage
24 hour shift	\$360,000	24/7 coverage (8 personnel)

Based on the Board’s discussion Staff is evaluating response times across the County. Preliminary indications are the Fletcher is well covered within the 9 minute initial response goal. Etowah and Crab Creek are the two areas that were identified as concerns during our last response time evaluation although the call volume is low in these areas. We will have more definitive information once we get the information from dispatch to the GIS Department.

It is difficult to quantitatively reduce EMS response times across the County by one minute from the EMS operations perspective due to differences in each community (e.g. Etowah and Crab Creek only have one major road serving the area).

● Additional Issues

- Affordable Housing – Staff will report to the Board in 60 days
- County Salaries – Staff will provide the Board several options to consider in the budget.
- Agriculture Issues – Staff will report to the Board in 60 days

- Outside Agency Funding – Staff will report to the Board in 60 days

County Manager Steve Wyatt stated in regards to the Law Enforcement Center and the old health department building, these projects are at a point where the architects are basically standing down waiting for direction. The proposed cost of the health department was approximately \$1.46 million which is under the \$1.5 budget but there are additional items that have been recommended to go forth with, perhaps as options or alternatives. With the Law Enforcement Center basically the issue is the geopier or basement option.

Commissioner Williams noted even though “no new positions” was noted the Board has discussed increasing staff at libraries.

Commissioner McGrady felt these were exceptions with the extent that has been discussed.

Commissioner Messer felt the Board should move ahead with the old health department and further recommended going with the basement option in the Law Enforcement Center. He had originally voted against the Law Enforcement Center because of timing. He feels the economy is not much better but a decision must be made.

*\*\*Commissioner Young made the motion that the Board proceed with the Law Enforcement Center with the basement option and use capital reserve funds to pay the difference in the increased cost, replacing the capital reserve funds with the proceeds from the sale of the Nuckolls building.*

Commissioner McGrady was in agreement that the Board should move ahead with the old health department, and the Law Enforcement Center with the basement option. He had no opinion either way with the option to use the capital reserve funds to pay the difference in the increased cost for the basement.

Commissioner Williams supports the motion.

Chairman Moyer is against the motion as he feels it is not the time to move forward with the Law Enforcement Center and it is a bad message to the public to spend this amount of capital money and raise our debt. The school project does have to be done as it is a pressing and essential need.

*\*\*Commissioner Young amended his motion to include that the budgeted \$6,000,000 would be financed and the difference in cost for the basement option in the amount of \$1,437,815 would be taken out of the capital reserve fund. The voted passed 4-1 with Chairman Moyer voting nay.*

Discussion followed in regards to the old health department and alternatives or options.

*Commissioner Young made the motion to proceed with the renovation of the old health department including the sewer line and windows options, and the roof trussing and parking would be bid as separate options. All voted in favor and the motion carried.*

### **IMPORTANT DATES**

#### **Set a public hearing for assignment of new road names**

Planning Department staff requests the Board to set a public hearing to consider assignment of new road names.

#### **New Road Names**

Thunder Cloud Trl (new road name)

Cove Park Ln (new road name)

Both road name assignments are required the Henderson County Property Addressing Ordinance (Chapter 142). North Carolina General Statute 153A-239.1 and the Property Addressing Ordinance require the Board

to hold a public hearing prior to assigning a new road name. Assignment of the new road names, as presented, will avoid possible confusion when responding to emergency situations.

The Planning Department staff requests the Board to set a public hearing for Monday, March 1, 2010 at 7:00 p.m.

*Commissioner McGrady made the motion that the Board set a public hearing for assignment of new road names for Monday, March 1, 2010 at 7:00 p.m. All voted in favor and the motion carried.*

**Cancel February 17, 2010 Regularly Scheduled Meeting**

*Chairman Moyer made the motion that the Board cancel the regularly scheduled February 17, 2010 Board meeting. All voted in favor and the motion carried.*

Staff would look at possible dates to schedule a public hearing in regards to stormwater and set the date at the March 1, 2010 regularly scheduled meeting.

**CANE CREEK WATER & SEWER DISTRICT – no business**

**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. (a)(3), to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.
2. (a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

*All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner McGrady made the motion that the Board go out of Closed Session and further motioned that the Board adjourn at 9:05 p.m. All voted in favor and the motion carried.*

Attest:

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Teresa L. Wilson, Clerk to the Board

---

William L. Moyer, Chairman

# 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

January 22, 2010

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

### Re: Tax Collector's Report to Commissioners – 02/01/10 Meeting

Please find outlined below collections information through January 21<sup>st</sup> for the 2009 bills mailed out on August 5<sup>th</sup>, 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 \$57,024,352.18  
Payments & Releases: 52,191,081.61  
Unpaid Taxes: 4,833,270.57  
**Percentage collected: 91.52%**  
(through 01/21/10)

2008 Total Charge: \$55,850,131.09  
Payments & Releases: 51,413,855.14  
Unpaid Taxes: 4,436,275.95  
**Percentage Collected: 92.06%**  
(through 01/21/09)

#### Motor Vehicle Bills G01 Only:

2009 Total Charge: \$2,743,205.61  
Payments & Releases: 2,185,270.76  
Unpaid Taxes: 557,934.85  
**Percentage collected: 79.66%**  
(through 01/21/10)

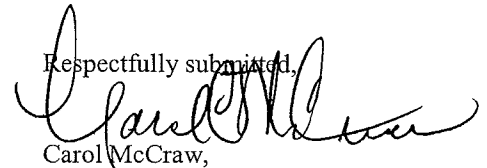
2008 Total Charge: \$2,944,603.78  
Payments & Releases: 2,329,436.49  
Unpaid Taxes: 615,167.29  
**Percentage collected: 79.11%**  
(through 01/21/09)

#### Fire Districts All Bills

2009 Total Charge: \$6,452,647.56  
Payments & Releases 5,844,087.41  
Unpaid Taxes: 608,560.15  
**Percentage collected: 90.92%**  
(through 01/21/10)

2008 Total Charge: \$6,391,974.70  
Payments & Releases: 5,802,277.54  
Unpaid Taxes: 589,697.16  
**Percentage collected: 91.12%**  
(through 01/21/09)

Respectfully submitted,



Carol McCraw,  
Deputy Tax Collector

Stan C. Duncan,  
Tax Collector

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON COUNTY

BEFORE THE HENDERSON COUNTY  
BOARD OF COMMISSIONERS

IN THE MATTER OF THE ADVERTISEMENT OF TAX LIENS

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**ORDER**

Having received the report of the Henderson County Tax Collector dated 1 February 2010, which report indicates that there exist unpaid taxes for Tax Year 2009 of \$3,996,888.10, it appears to the Board of Commissioners of Henderson County and the Board so finds that it is appropriate and necessary to advertise, pursuant to N.C. Gen. Stat. §105-369, Tax Liens on Real Property for Failure to Pay Taxes.

WHEREFORE, IT IS ORDERED that the Henderson County Tax Collector proceed to advertise the tax liens pursuant to N.C. Gen. Stat. §105-369.

Unanimously adopted, this 1<sup>st</sup> day of February 2010.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

  
WILLIAM L. MOYER, Chairman

Attest:

  
Secretary 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/](http://www.hendersoncountync.org/tc/)

Stan C. Duncan  
Tax Collector & County Assessor

Sandy Allison  
Administrative Assistant II

1 February 2010

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

RE: Tax Collector's Report to Commissioners: 1 February 2010 Meeting  
Update on Delinquent Tax Collections for FY2009-2010

Dear Henderson County Commissioners:

We have recently submitted over 1300 motor vehicle and manufactured housing tax bills to the debt set off clearinghouse for collection. These bills accounted for over \$500,000 in delinquent taxes to be collected. This will allow us to receive monies if a taxpayer is due a refund on his/her state income tax by attaching our tax lien to the refund.

We have also served 312 bank attachments as part of our enforced collection process this fiscal year. These attachments have the potential to result in the collection of \$376,389.22. We have expanded our legal action procedures to include wage garnishments and rent attachments.. As of 31 January 2010, we have served 265 wage garnishments to collect \$54,560.49 in delinquent taxes. The rent attachment program has resulted in 8 attachments being served resulting in the collection of \$59,508.08 in delinquent taxes.

We have also continued the process of cleaning up delinquent manufactured housing bills this year and fell that the Debt Set Off Program is a vital tool in collecting these old bills. We are also continuing to work on pending foreclosures. We have experienced an increase in this area due to economic conditions.

Overall since 1 July 2008 we have collected \$1,265,354.64 in delinquent taxes for this fiscal year, this reflects 83.25% of the budgeted goal of \$1,520,000 for this fiscal year.

Respectfully submitted,



William Lee King  
Delinquent Tax Collector

Stan C. Duncan  
Henderson County Tax Collector

# 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  
County Assessor & Tax Collector

Sandy Allison  
Administrative Assistant II

1 February 2010

Henderson County Board of Commissioners  
100 N. King Street  
Hendersonville, NC 28792

RE: Tax Collector's Report to Commissioners: 1 February 2010 Meeting  
Report of Unpaid Taxes that are Liens on Real Property as required by N.C.G.S. 105-369(a)

Dear Henderson County Commissioners:

In accordance with N.C.G.S. 105-369, Advertisements of Tax Liens on Real Property for Failure to Pay Taxes, I respectfully submit the following report:

Annual Bills (not Including Motor Vehicle)

2010 Total Collector's Charge:	\$57,024,352.18	2009 Total Collector's Charge:	\$55,850,131.09
Payments:	\$53,027,464.08	Payments:	\$51,708,367.87
Unpaid Taxes:	\$ 3,996,888.10	Unpaid Taxes:	\$ 4,141,763.22

Percentage Collected through 31 January 2010: 92.99%

Percentage Collected at same time last year: 92.58%

Advertisement of Tax Liens:

Effective January 1, 1985, Ch. 1013 (H1676) amends N.C.G.S. 105-369 to provide that tax liens need to be advertised only once. A taxing unit may choose to advertise the tax liens more than one time, but it is not required to do so. The list must still be posted at the Courthouse or City Hall door and it must be advertised in one or more newspapers having a general circulation in the taxing unit. The advertising may be done at any time from March 1 through June 30.

Effective July 1, 2006, N.C.G.S. 105-369 has been modified and will require us to provide notice to and advertise liens under the name of the "record owner as of the date the taxes became delinquent" of real property.

It is my recommendation to the Board of Commissioners that unpaid tax liens be advertised once on 15 March 2010 (the third Monday in March). The reasons for my recommendation are as follows: (1) the Times-News states that they must have ample time for preparation of the advertisement; and (2) with the implementation of the new rules regarding advertisement, our costs per parcel will essentially double even without allowing for any per-inch increase the newspaper may add.

Respectfully submitted,



Stan C. Duncan  
Henderson County Tax Collector

cc: wlk

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone 828-697-4808 • Fax: 828-692-9855  
TDD: 828-697-4580  
[www.hendersoncountync.org](http://www.hendersoncountync.org)

BILL MOYER  
Chairman  
MARK WILLIAMS  
Vice-Chairman

CHUCK McGRADY  
CHARLIE MESSER  
LARRY YOUNG


February 1, 2010

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

Dear Mr. Duncan:

Attached please find the list of tax release requests (79) and tax refund requests (5) approved at the Henderson County Board of Commissioners' Meeting on Monday, February 1, 2010.

Sincerely,



**William L. Moyer, Chairman**  
Henderson County Board of  
Commissioners

WLM/tlw

enclosures

0002346034-2009-2009-000000 FULL REBATE  
0002346034-2009-2009 BOAT DOUBLE LISTED/DOUBLE BILLED ON WILDLIFE ABSTRACT #2761888-REBATE INDIVIDUAL BILL

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82588	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
82588	CNTY	COUNTY	39.61	3.86	0.00	\$ 43.57
Bill Total:						\$ 43.57
Grand Total:						\$ 43.57

Number of Bills = 5  
Total Amount = \$2,869.91

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: February 1, 2010  
SUBJECT: Tax Refunds  
ATTACHMENTS: Refund Report

SUMMARY OF REQUEST:

The enclosed refund requests (5) 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. The supporting documentation is on file in the County Assessor's Office.

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

Type	Number of Items:	Revenue Amount:
Refunds	5	\$2,969.91

Faithfully Submitted,

Stan C. Duncan

County Assessor

BOARD ACTION REQUESTED: Consent Approval Requested

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

2

REFUNDS

0000176942-2008-2008-000000 FULL REBATE  
RELEASE BILLS: 2008 THROUGH 2009. HOME JUNKED, NO LISTING FORM, NO PARK REPORT. I REVOKED BY HENDERSON COUNTY PLANNING DEPT. DEC. 2003.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80771	CNTY	COUNTY	12.43	1.24	0.00	\$ 13.67
80771	FIRE	MOUNTAIN HOME	2.31	0.23	0.00	\$ 2.54
Bill Total:						\$ 16.21
Grand Total:						\$ 16.21

PARK WAS

0002168559-2009-2009-000000 VALUE DECREASE  
2008 ACQUISITION LISTED TO HENDERSON COUNTY IN ERROR. PROPERTY LOCATED IN BUNCOMBE COUNTY. PARTIAL REFUND.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
81311	FIRE	BLUE RIDGE	135.84	0.00	0.00	\$ 135.84
81311	CNTY	COUNTY	738.36	0.00	0.00	\$ 738.36
Bill Total:						\$ 874.20

0002765883-2009-2009-110000 FULL REBATE  
THIS EQUIPMENT HAS BEEN DOUBLE ASSESSED TO PRECISION LABEL. THIS IS A CAPITALIZED LEASE AND HAS BEEN PROPERLY LISTED BY LESSEE. REFUND ENTIRE BILL.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
81271	CNTY	COUNTY	840.84	84.08	0.00	\$ 924.92
81271	FIRE	BLUE RIDGE	154.70	15.47	0.00	\$ 170.17
Bill Total:						\$ 1,095.09

0002765883-2009-2009-000000 FULL REBATE  
THIS EQUIPMENT HAS BEEN DOUBLE ASSESSED TO PRECISION LABEL. THIS IS A CAPITALIZED LEASE AND HAS BEEN PROPERLY LISTED BY LESSEE. REFUND ENTIRE BILL.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
81272	CNTY	COUNTY	794.64	0.00	0.00	\$ 794.64
81272	FIRE	BLUE RIDGE	146.20	0.00	0.00	\$ 146.20
Bill Total:						\$ 940.84
Grand Total:						\$ 2,910.13

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: February 1, 2010  
SUBJECT: Tax Releases  
ATTACHMENTS: Release Report

SUMMARY OF REQUEST:

The enclosed release requests (79) 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. The supporting documentation is on file in the County Assessor's Office.

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

Type	Number of Items:	Revenue Amount:
Releases	79	\$ 28,244.65

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."

0000570787-2009-2009-000000 VALUE DECREASE  
 RECALCULATED SQUARE FOOTAGE OF DWELLING & BASEMENT LIVING AREA, RESKETCHED DWELLING & ADDITIONS.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80971	FIRE	MOUNTAIN HOME	26.71	0.00	0.00	\$ 26.71
80971	CNTY	COUNTY	100.72	0.00	0.00	\$ 100.72
					Bill Total:	\$ 121.43
					Grand Total:	\$ 121.43

0002205265-2007-2007-000000 FULL REBATE  
 RELEASE DISCOVERED VALUE, DOUBLE ASSESSED ON ACCOUNT #2201895.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80451	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
80451	CNTY	COUNTY	1,009.27	0.00	0.00	\$ 1,009.27
					Bill Total:	\$ 1,009.27

0002205265-2008-2008-110000 FULL REBATE  
 RELEASE DISCOVERED VALUE, DOUBLE ASSESSED ON ACCOUNT #2201895.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80452	CITY	HENDERSONVILLE	1,649.34	164.93	0.00	\$ 1,814.27
80452	CNTY	COUNTY	0.00	0.00	0.00	\$ 0.00
					Bill Total:	\$ 1,814.27
					Grand Total:	\$ 2,823.54

0002568773-2009-2009-000000 FULL REBATE  
 INDIVIDUAL ABSTRACT#: 0002568773 12/17/09 2007 CORRECT CRAFT, BOAT LISTED AND PAID IN SPARTANBURG COUNTY, SC. COPIES OF PAID RECEIPT SUPPLIED BY OWNER. BILL RELEASED IN HENDERSON CO.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82276	FIRE	GREEN RIVER	29.16	0.00	0.00	\$ 29.16
82276	CNTY	COUNTY	224.53	0.00	0.00	\$ 224.53
					Bill Total:	\$ 253.69
					Grand Total:	\$ 253.69

0000638609-2006-2006-000000 VALUE DECREASE  
 DOUBLE WIDE MOBILE HOME INCORRECTLY ASSIGNED THIS PARCEL. NOW PLACED CORRECTLY ON PARCEL #9964370.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80153	FIRE	DANA	28.80	0.00	0.00	\$ 28.80
80153	CNTY	COUNTY	151.42	0.00	0.00	\$ 151.42
					Bill Total:	\$ 178.22

0000638609-2007-2007-000000 VALUE DECREASE  
 DOUBLE WIDE MOBILE HOME INCORRECTLY ASSIGNED THIS PARCEL. NOW PLACED CORRECTLY ON PARCEL #9964370.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80152	FIRE	DANA	31.50	0.00	0.00	\$ 31.50
80152	CNTY	COUNTY	145.53	0.00	0.00	\$ 145.53
					Bill Total:	\$ 177.03

0000638608-2009-2009-000000 VALUE DECREASE  
 DOUBLE WIDE INCORRECTLY LISTED ON THIS PARCEL, REMOVED VALUE OF MOBILE HOME FOR 2009. MOBILE HOME NOW CORRECTLY LISTED ON PARCEL #9964370.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
80031	CITY	HENDERSONVILLE	145.53	0.00	0.00	\$ 145.53
80031	FIRE	DANA	31.50	0.00	0.00	\$ 31.50
					Bill Total:	\$ 177.03
					Grand Total:	\$ 709.31

0002761585-2009-2009-000000 VALUE DECREASE  
 DOUBLE ASSESSED SECURITY EGT AS LEASEHOLD IMPROV. AND AS FURNITURE & FIXTURES RELEASE FROM FURNITURE & FIXTURES SCHEDULE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
81952	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
81952	CNTY	COUNTY	74.74	0.00	0.00	\$ 74.74
					Bill Total:	\$ 74.74
					Grand Total:	\$ 74.74

0002761585-2009-2009-000000 FULL REBATE  
 WILD LIFE ABSTRACT#: 0002761585 11/12/09 2007 YAMAHA VX1100, DOUBLE LISTED AND BILLED ON ABSTRACT 2667325 AND 2761585, OWNER PAID 27667325.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
81391	CITY	MILLS RIVER	23.31	0.00	0.00	\$ 23.31
81391	CNTY	COUNTY	0.00	0.00	0.00	\$ 0.00
					Bill Total:	\$ 23.31
					Grand Total:	\$ 23.31

0000547499-2009-2009-000000 FULL REBATE  
 PARCEL 0107125 USED FOR RELIGIOUS PURPOSES PER NCGS 105-276.3 STORAGE AND PARKING

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82477	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
82477	CNTY	COUNTY	198.20	0.00	0.00	\$ 198.20
					Bill Total:	\$ 198.20
					Grand Total:	\$ 198.20





RELEASES

0000213113-1996-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82329	FIRE	BLUE RIDGE	58.90	0.00	0.00	\$ 58.90
82329	CNTY	BLUE RIDGE	11.78	0.00	0.00	\$ 11.78
Bill Total:						\$ 70.68

0000213113-2005-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82314	FIRE	BLUE RIDGE	11.78	1.18	0.00	\$ 12.96
82314	CNTY	BLUE RIDGE	63.86	6.39	0.00	\$ 70.25
Bill Total:						\$ 83.21

0000213113-2005-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82313	FIRE	BLUE RIDGE	11.78	1.18	0.00	\$ 12.96
82313	CNTY	BLUE RIDGE	70.06	7.01	0.00	\$ 77.07
Bill Total:						\$ 90.03

0000213114-2003-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82315	FIRE	BLUE RIDGE	10.25	0.00	0.00	\$ 10.25
82315	CNTY	BLUE RIDGE	60.67	0.00	0.00	\$ 60.67
Bill Total:						\$ 71.12

0000213115-2002-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82316	FIRE	BLUE RIDGE	12.14	0.00	0.00	\$ 12.14
82316	CNTY	BLUE RIDGE	67.45	0.00	0.00	\$ 67.45
Bill Total:						\$ 79.59

RELEASES

0000213116-2004-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82317	FIRE	BLUE RIDGE	71.00	0.00	0.00	\$ 71.00
82317	CNTY	BLUE RIDGE	12.78	0.00	0.00	\$ 12.78
Bill Total:						\$ 83.78

0000213117-2000-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82318	FIRE	BLUE RIDGE	77.15	0.00	0.00	\$ 77.15
82318	CNTY	BLUE RIDGE	13.89	0.00	0.00	\$ 13.89
Bill Total:						\$ 91.04

0000213118-1998-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82319	FIRE	BLUE RIDGE	228.35	0.00	0.00	\$ 228.35
82319	CNTY	BLUE RIDGE	36.54	0.00	0.00	\$ 36.54
Bill Total:						\$ 264.89

0000213118-1998-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82320	FIRE	BLUE RIDGE	106.65	0.00	0.00	\$ 106.65
82320	CNTY	BLUE RIDGE	16.41	0.00	0.00	\$ 16.41
Bill Total:						\$ 123.06

0000213120-1997-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82321	FIRE	BLUE RIDGE	16.41	0.00	0.00	\$ 16.41
82321	CNTY	BLUE RIDGE	98.35	0.00	0.00	\$ 98.35
Bill Total:						\$ 114.76

RELEASES

0000213121-1996-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82323	FIRE	BLUE RIDGE	98.42	0.00	0.00	\$ 98.42
82323	CNTY	BLUE RIDGE	17.20	0.00	0.00	\$ 17.20
Bill Total:						\$ 115.62
Grand Total:						\$ 1,188.78

0000651917-2009-000000 FULL REBATE  
 RELEASE 2009 BILL ON MANUFACTURED HOME. DOUBLE BILLED. CORRECT BILL ON THE HOME THEY DO OWN IS ON  
 ABSTRACT NUMBER 651916.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82186	FIRE	BLUE RIDGE	7.85	0.00	0.00	\$ 7.85
82186	CNTY	BLUE RIDGE	1.45	0.00	0.00	\$ 1.45
Bill Total:						\$ 9.30
Grand Total:						\$ 9.30

0002131142-2009-000000 FULL REBATE  
 0002131142-2009-000000 1995 PROLINE BOAT & MOTOR-SOLD 11/15/08 PER 08 LISTING FORM-LISTED AND BILLED FOR 2009 IN  
 ERROR

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82259	FIRE	GREEN RIVER	6.82	0.00	0.00	\$ 6.82
82259	CNTY	GREEN RIVER	52.53	0.00	0.00	\$ 52.53
Bill Total:						\$ 59.35
Grand Total:						\$ 59.35

RELEASES

0002761860-2009-000000 VALUE DECREASE  
 RELISTED ADDITIONS TO MAIN BUILDING AS WAREHOUSE, INSTEAD OF COLD STORAGE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82277	FIRE	MILLS RIVER	603.37	0.00	0.00	\$ 603.37
82277	CNTY	MILLS RIVER	84.89	0.00	0.00	\$ 84.89
Bill Total:						\$ 688.26
Grand Total:						\$ 688.26

RELEASES

0000213113-2004-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82329	FIRE	BLUE RIDGE	58.90	0.00	0.00	\$ 58.90
82329	CNTY	BLUE RIDGE	11.78	0.00	0.00	\$ 11.78
Bill Total:						\$ 70.68

0000213113-2005-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82314	FIRE	BLUE RIDGE	11.78	1.18	0.00	\$ 12.96
82314	CNTY	BLUE RIDGE	63.86	6.39	0.00	\$ 70.25
Bill Total:						\$ 83.21

0000213113-2005-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82313	FIRE	BLUE RIDGE	11.78	1.18	0.00	\$ 12.96
82313	CNTY	BLUE RIDGE	70.06	7.01	0.00	\$ 77.07
Bill Total:						\$ 90.03

0000213114-2003-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82315	FIRE	BLUE RIDGE	10.25	0.00	0.00	\$ 10.25
82315	CNTY	BLUE RIDGE	60.67	0.00	0.00	\$ 60.67
Bill Total:						\$ 71.12

0000213115-2002-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82316	FIRE	BLUE RIDGE	12.14	0.00	0.00	\$ 12.14
82316	CNTY	BLUE RIDGE	67.45	0.00	0.00	\$ 67.45
Bill Total:						\$ 79.59

RELEASES

0000213116-2004-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82317	FIRE	BLUE RIDGE	71.00	0.00	0.00	\$ 71.00
82317	CNTY	BLUE RIDGE	12.78	0.00	0.00	\$ 12.78
Bill Total:						\$ 83.78

0000213117-2000-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82318	FIRE	BLUE RIDGE	77.15	0.00	0.00	\$ 77.15
82318	CNTY	BLUE RIDGE	13.89	0.00	0.00	\$ 13.89
Bill Total:						\$ 91.04

0000213118-1998-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82319	FIRE	BLUE RIDGE	228.35	0.00	0.00	\$ 228.35
82319	CNTY	BLUE RIDGE	36.54	0.00	0.00	\$ 36.54
Bill Total:						\$ 264.89

0000213118-1998-000000 FULL REBATE  
 RELEASE BILLS: 1996 THROUGH 2006. LOCATION AND OWNER OF MANUFACTURED HOME UNKNOWN. FACTS  
 ARISING FROM DEBT SET OFF HEARING CONFIRMS PROPERTY IN ANOTHER COUNTY

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82320	FIRE	BLUE RIDGE	106.65	0.00	0.00	\$ 106.65
82320	CNTY	BLUE RIDGE	16.41	0.00	0.00	\$ 16.41
Bill Total:						\$ 123.06



RELEASES

0002651060-2009-2009-110000 FULL REBATE  
PER MR. CANFIELD, THIS BUSINESS WAS CLOSED DECEMBER 2008. REBATE THE 2009 BILL IN FULL.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79971	FIRE	FLETCHER	51.30	5.13	0.00	\$ 56.43
79971	CNTY	COUNTY	248.48	24.96	0.00	\$ 273.43
Bill Total:						\$ 330.86
Grand Total:						\$ 330.86

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RELEASES

0002685026-2009-2009-000000 FULL REBATE  
0002685026-2009-2009 FULL REBATE. COUNTY CHANGE FROM HENDERSON TO BUNCOMBE. LISTED ON BUNCOMBE BUSINESS PERSONAL PROPRIETY FOR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82208	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
82208	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
Bill Total:						\$ 89.06

0002685028-2009-2009-000000 FULL REBATE  
0002685028-2009-2009 FULL REBATE. COUNTY CHANGE FROM HENDERSON TO BUNCOMBE. LISTED ON BUNCOMBE BUSINESS PERSONAL PROPRIETY FOR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82208	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
82208	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
Bill Total:						\$ 89.06

0002685041-2009-2009-000000 FULL REBATE  
0002685041-2009-2009 FULL REBATE. COUNTY CHANGE FROM HENDERSON TO BUNCOMBE. LISTED ON BUNCOMBE BUSINESS PERSONAL PROPRIETY FOR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82207	FIRE	FLETCHER	73.87	7.39	0.00	\$ 81.26
82207	CNTY	COUNTY	15.19	1.52	0.00	\$ 16.71
Bill Total:						\$ 97.97

0002685042-2009-2009-000000 FULL REBATE  
0002685042-2009-2009 FULL REBATE. COUNTY CHANGE FROM HENDERSON TO BUNCOMBE. LISTED ON BUNCOMBE BUSINESS PERSONAL PROPRIETY FOR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82206	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
82206	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
Bill Total:						\$ 89.06

0002685044-2009-2009-000000 FULL REBATE  
0002685044-2009-2009 FULL REBATE. COUNTY CHANGE FROM HENDERSON TO BUNCOMBE. LISTED ON BUNCOMBE BUSINESS PERSONAL PROPRIETY FOR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82204	FIRE	FLETCHER	126.75	12.68	0.00	\$ 139.43
82204	CNTY	COUNTY	28.06	2.61	0.00	\$ 28.67
Bill Total:						\$ 168.10

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RELEASES

0000707772-2004-2004-000000 FULL REBATE  
0000707772-2004-2004 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82296	FIRE	FLETCHER	5.54	0.00	0.00	\$ 5.54
82296	CNTY	COUNTY	1.11	0.00	0.00	\$ 1.11
Bill Total:						\$ 6.65

0000707773-2003-2003-000000 FULL REBATE  
0000707773-2003-2003 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82297	FIRE	FLETCHER	1.21	0.00	0.00	\$ 1.21
82297	CNTY	COUNTY	6.03	0.00	0.00	\$ 6.03
Bill Total:						\$ 7.24

0000707774-2002-2002-000000 FULL REBATE  
0000707774-2002-2002 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82298	FIRE	FLETCHER	1.31	0.00	0.00	\$ 1.31
82298	CNTY	COUNTY	6.90	0.00	0.00	\$ 6.90
Bill Total:						\$ 8.21

0000707775-2001-2001-000000 FULL REBATE  
0000707775-2001-2001 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82299	FIRE	FLETCHER	7.50	0.00	0.00	\$ 7.50
82299	CNTY	COUNTY	1.43	0.00	0.00	\$ 1.43
Bill Total:						\$ 8.93

0000707776-2000-2000-000000 FULL REBATE  
0000707776-2000-2000 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82300	FIRE	FLETCHER	12.52	0.00	0.00	\$ 12.52
82300	CNTY	COUNTY	2.63	0.00	0.00	\$ 2.63
Bill Total:						\$ 15.15

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RELEASES

0000707777-1999-1999-000000 FULL REBATE  
0000707777-1999-1999 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82301	FIRE	FLETCHER	11.50	0.00	0.00	\$ 11.50
82301	CNTY	COUNTY	1.84	0.00	0.00	\$ 1.84
Bill Total:						\$ 13.34

0000707778-1998-1998-000000 FULL REBATE  
0000707778-1998-1998 12/10/2009 1986 FISHIN SKI. BILL RELEASED, OWNER A BUNCOMBE COUNTY RESIDENT, BILLED IN ERROR IN HENDERSON COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82302	FIRE	FLETCHER	14.85	0.00	0.00	\$ 14.85
82302	CNTY	COUNTY	2.13	0.00	0.00	\$ 2.13
Bill Total:						\$ 16.78
Grand Total:						\$ 76.30

000279241-2008-2008-000000 FULL REBATE  
000279241-2008-2008 TAGGED IN SOUTH CAROLINA AND TAXES PAID IN SOUTH CAROLINA ON TRAVEL TRAILER. RECEIPT ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82431	FIRE	DAVA	38.32	0.85	0.00	\$ 42.25
82431	CNTY	COUNTY	8.51	0.00	0.00	\$ 9.36
Bill Total:						\$ 52.61
Grand Total:						\$ 52.61

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RELEASES

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002693747-2009-2009-000000	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002790595-2009-2009-000001	FIRE	FLETCHER	40.74	0.00	0.00	\$ 40.74
0002790595-2009-2009-000001	FIRE	FLETCHER	40.74	0.00	0.00	\$ 40.74
Bill Total:						\$ 238.85
Grand Total:						\$ 1,719.05

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002685044-2009-2009-000000	CNTY	COUNTY	73.46	0.00	0.00	\$ 73.46
0002685044-2009-2009-000000	FIRE	FLETCHER	15.11	0.00	0.00	\$ 15.11
Bill Total:						\$ 88.57

RELEASES

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002424559-2009-2009-000000	FIRE	EDNEYVILLE	15.38	0.00	0.00	\$ 15.38
0002424559-2009-2009-000000	FIRE	EDNEYVILLE	83.62	0.00	0.00	\$ 83.62
Bill Total:						\$ 99.00
Grand Total:						\$ 99.00

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002685047-2009-2009-000000	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
0002685047-2009-2009-000000	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
Bill Total:						\$ 89.06

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Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002131577-2004-2004-000000	FIRE	DANA	7.29	0.00	0.00	\$ 7.29
0002131577-2004-2004-000000	FIRE	DANA	38.48	0.00	0.00	\$ 38.48
Bill Total:						\$ 45.77
Grand Total:						\$ 45.77

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691008-2009-2009-000000	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
0002691008-2009-2009-000000	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
Bill Total:						\$ 89.06

RELEASES

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002424553-2009-2009-000000	CNTY	COUNTY	23.10	0.00	0.00	\$ 23.10
000637865-2009-2009-000000	FIRE	BLUERIDGE	82.71	0.00	0.00	\$ 82.71
Bill Total:						\$ 552.24
Grand Total:						\$ 552.24

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691009-2009-2009-000000	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002691009-2009-2009-000000	FIRE	FLETCHER	14.43	0.00	0.00	\$ 14.43
Bill Total:						\$ 84.61

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Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
000527161-2009-2009-000000	CNTY	COUNTY	88.83	0.00	0.00	\$ 88.83
000527161-2009-2009-000000	FIRE	BLUERIDGE	482.79	0.00	0.00	\$ 482.79
Bill Total:						\$ 971.62
Grand Total:						\$ 1,103.86

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691011-2009-2009-000000	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002691011-2009-2009-000000	FIRE	FLETCHER	14.43	0.00	0.00	\$ 14.43
Bill Total:						\$ 84.61

RELEASES

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691008-2009-2009-000000	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
0002691008-2009-2009-000000	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
Bill Total:						\$ 89.06

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691011-2009-2009-000000	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002691011-2009-2009-000000	FIRE	FLETCHER	14.43	0.00	0.00	\$ 14.43
Bill Total:						\$ 84.61

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Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691008-2009-2009-000000	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
0002691008-2009-2009-000000	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
Bill Total:						\$ 89.06

RELEASES

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691008-2009-2009-000000	CNTY	COUNTY	73.87	0.00	0.00	\$ 73.87
0002691008-2009-2009-000000	FIRE	FLETCHER	15.19	0.00	0.00	\$ 15.19
Bill Total:						\$ 89.06

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002691011-2009-2009-000000	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002691011-2009-2009-000000	FIRE	FLETCHER	14.43	0.00	0.00	\$ 14.43
Bill Total:						\$ 84.61

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Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
0002693746-2009-2009-000001	CNTY	COUNTY	70.18	0.00	0.00	\$ 70.18
0002693746-2009-2009-000001	FIRE	FLETCHER	14.43	0.00	0.00	\$ 14.43
Bill Total:						\$ 84.61

0000185916-2001-2001-000000 FULL REBATE  
BASED ON DEBT SET OFF HEARING DECISION. RELEASE 2 BILLS: 2000 AND 2001. MANUFACTURED HOME LOCATED IN  
BUNCOMBE COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billod Interest	Total
82337	FIRE	CNTY	71.00	0.00	0.00	\$ 71.00
82337	FIRE	COUNTY	13.49	0.00	0.00	\$ 13.49
						\$ 84.49
					Bill Total:	\$ 84.49

0000185816-2000-2000-000000 FULL REBATE  
BASED ON DEBT SET OFF HEARING DECISION. RELEASE 2 BILLS: 2000 AND 2001. MANUFACTURED HOME LOCATED IN  
BUNCOMBE COUNTY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billod Interest	Total
82338	FIRE	CNTY	16.20	0.00	0.00	\$ 16.20
82338	FIRE	COUNTY	77.15	0.00	0.00	\$ 77.15
					Bill Total:	\$ 93.35
					Grand Total:	\$ 177.84

0002762240-2009-2009-000000 SITUS CHANGE  
0002762240-2009-2009-000000 SITUS CHANGE FROM THE CITY OF HENDERSONVILLE TO F07 MOUNTAIN HOME FIRE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billod Interest	Total
82559	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
82559	CITY	COUNTY	0.00	0.00	0.00	\$ 0.00
					Bill Total:	\$ 0.00

0002762241-2009-2009-000000 SITUS CHANGE  
0002762241 TAX YEAR: 2009 YEAR FOR: 2009 SITUS CHANGE FROM THE CITY OF HENDERSONVILLE TO F07 MOUNTAIN  
HOME FIRE

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billod Interest	Total
82580	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
82580	CITY	COUNTY	0.00	0.00	0.00	\$ 0.00
					Bill Total:	\$ 0.00
					Grand Total:	\$ 0.00

Number of Bills: 79

Total Amount: \$28,244.65  
\*Total Includes Parms 22-26

Process Rebate

Rebate#: 82191 0000671279-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

BALDWIN, JOHN RAY W-987202  
Total Real Value 67,600 Land Def Value Historic Def Value Use Value 67,600

Tax Detail	Billed Amt	Paid Amt	Due Amt	% Good	Release Amt	Rebate Amt
Full Rebate	376.53		0.00			376.53
Late List 100%	0.00	0.00	0.00			0.00
County	312.31	0.00	312.31			312.31
Interest						
Fire District F06	64.22	0.00	64.22			64.22
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	376.53	0.00	376.53			376.53

Abstract Details: Reason: FULLRBAT - Full rebate/no rebill Approve Reject

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ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82258 0002746920-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

DENNIS M DUNLAP REVOCABLE TRUST W-579546  
DATED NOVEMBER 7 2006  
Total Real Value 37,400 Land Def Value

Tax Detail	Billed Amt	Paid Amt	Due Amt	Historic Def Value	Use Value	Release Amt	Rebate Amt
Full Rebate	208.32		0.00	0.00	37,400		208.32
Late List 100%	0.00	0.00	0.00				0.00
County	172.79	0.00	172.79				172.79
Interest							
Fire District F07	35.53	0.00	35.53				35.53
Interest							
Late List 100%	0.00	0.00	0.00				0.00
Cost	0.00	0.00	0.00				0.00
Total Amount(\$)	208.32	0.00	208.32				208.32

Abstract Details: Reason: FULLRBAT - Full rebate/no rebill Approve Reject

For tax year 2009, PUV was not approved before bill was generated, due to ownership issue.  
Released for tax yr 2009 and re billed with PUV  
Parcel 1010147

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Process Rebate

Rebate#: 82257 000047891-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

DENNIS M DUNLAP LIVING TRUST W-98723  
Total Real Value 51,600 Land Def Value Historic Def Value Use Value 51,600

Tax Detail	Billed Amt	Paid Amt	Due Amt	% Good	Release Amt	Rebate Amt
Full Rebate	287.41		0.00			287.41
Late List 100%	0.00	0.00	0.00			0.00
County	238.39	0.00	238.39			238.39
Interest						
Fire District F07	49.02	0.00	49.02			49.02
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	287.41	0.00	287.41			287.41

Abstract Details: Reason: FULLRBAT - Full rebate/no rebill Approve Reject

For tax year 2009, PUV was not approved before bill was generated, due to ownership issue.  
Released for tax yr 2009 and re billed with PUV  
Parcel number 0449753 6103735

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Process Rebate

Rebate#: 82117 0000494581-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

HAMILTON, RAMONA S-243-52-7938  
JREEDLOVE

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	60.78		0.00			60.78
Late List 100%	0.00	0.00	0.00			0.00
County	46.66	0.00	46.66			46.66
Interest						
Fire District F04	8.59	0.00	8.59			8.59
Interest						
Late List 100%	5.53	0.00	5.53			5.53
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	60.78	0.00	60.78			60.78

Abstract Details Reason: FULLRBAT - Full rebate/no rebill  Approve  Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82120 0002763099-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

JARAMILLO, HELEN MAY W-1012880

Total Real Value 205,000 Land Def Value Historic Def Value Use Value 205,000

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	947.10		0.00			947.10
City C10	0.00	0.00	0.00			0.00
Interest						
Late List 100%	0.00	0.00	0.00			0.00
County	947.10	473.55	473.55			947.10
Interest		0.00				
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	947.10	473.55	473.55			947.10

Abstract Details Reason: FULLRBAT - Full rebate/no rebill  Approve  Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82392 0002739046-2009-2009-000000 Board Meeting Date: (For pre-approved LU/Exempt only) <None>  Property Tax Commission

HOWARD B NORTON FAMILY LTD PARTNERSHIP W-975168

Total Real Value 661,000 Land Def Value Historic Def Value Use Value 661,000

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	3,483.47		0.00			3,483.47
Late List 100%	0.00	0.00	0.00			0.00
County	3,053.82	0.00	3,053.82			3,053.82
Interest						
Fire District F08	429.65	0.00	429.65			429.65
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	3,483.47	0.00	3,483.47			3,483.47

Abstract Details Reason: FULLRBAT - Full rebate/no rebill  Approve  Reject

PRESENT-USE VALUE WAS DROPPED WHEN PARCELS 9938838 AND 9933763 WERE COMBINED. THIS RELEASE TO REINSTATE PRESENT USE VALUE.

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



Department: Sheriff's Office 114431/114531

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115431-526020</u>	<u>Dept Supplies - Nonexpendable</u>	<u>\$7,790.00</u>
<u>115431-551000</u>	<u>Capital Outlay - Equipment</u>	<u>\$56,840.00</u>
<u>TOTAL:</u>		<u>\$64,630.00</u>

What expense line-item is to be decreased? Or what additional revenue is now expected?

REVENUE

Account	Line-Item Description	Amount
<u>114431-454010</u>	<u>Federal Homeland Security Grant</u>	<u>\$64,630.00</u>

**Justification:** Please provide a brief justification for this line-item transfer request.

US Dept of Homeland Security Grant for radio gear to convert the bomb robot from tethered by a cable to a radio link, and 2 sets of air breathing equipment for the deputies. Part of a federal project to upgrade equipment for a potential terrorism event . Detective Sgt Mike Miller, Bomb Squad Supervisor.

W. M. Blalock, Business Manager for  
Sheriff Rick Davis  
Authorized by Department Head

01-15-10  
Date

Authorized by Budget Office

\_\_\_\_\_  
Date

Authorized by County Manager

\_\_\_\_\_  
Date

For Budget Use Only	
Batch #	_____
BA #	_____
Batch Date	_____

**LOCAL GOVERNMENT COMMITTEE FOR COOPERATIVE ACTION  
HENDERSON COUNTY, NORTH CAROLINA**

**A RESOLUTION IN SUPPORT OF THE DESIGNATION OF  
THE LOUISE HOWE BAILEY ROOM AT  
THE HENDERSON COUNTY HERITAGE MUSEUM**

**WHEREAS**, Louise Howe Bailey, a historian, author, poet, columnist, storyteller, and friend, was a humble, compassionate and proud native and longtime resident of Henderson County who was happiest at Laurelhurst, her family's home in Flat Rock, but equally at home on the ridges and in the hollows where she spent her time gathering and preserving the oral history of Henderson County; and

**WHEREAS**, Louise Bailey was a cultural icon and a local treasure whose passing at the age of ninety-four years was a great loss to the community; and

**WHEREAS**, the mission of the Henderson County Heritage Museum is to foster an appreciation for the rich multiethnic heritage, history and culture of the people and institutions of Henderson County, and to preserve Henderson County's heritage to benefit present and future generations, to which Louise Bailey dedicated her life's work; and

**WHEREAS**, Louise Bailey was a strong supporter of the Henderson County Heritage Museum and its establishment in the Henderson County Historic Courthouse; and

**WHEREAS**, the board of directors of the Henderson County Historic Courthouse Corporation has taken action to designate the Louise Howe Bailey Room at the Henderson County Heritage museum; and

**WHEREAS**, the Local Government Committee for Cooperative Action (LGCCA) wishes to endorse and support such designation;

**NOW, THEREFORE, BE IT RESOLVED** by the LGCCA that it endorses and fully supports the designation of the Louise Howe Bailey Room at the Henderson County Heritage Museum as a fitting memorial to Louise Bailey; and

**BE IT FURTHER RESOLVED** that it urges local business and civic organizations and individuals to endorse such designation of the Louise Howe Bailey Room at the Henderson County Heritage Museum, and to support the mission of the museum to preserve Henderson County's heritage in memory of Louise Bailey.

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

LEASE

THIS LEASE, made and entered into effective the 1st day of January, 2010 by and between Henderson County, having an address of 1 Historic Courthouse Plaza, Suite 5, Hendersonville, North Carolina, 28792, hereinafter referred to as "Lessor", and Carland Farms, Inc. , having an address of 516 North Mills River Road, Horse Shoe, NC 28742 , hereinafter referred to as "Lessee",

WITNESSETH:

That the Lessor for and in consideration of the rents, covenants and agreements to be paid, kept and performed by the Lessee as hereinafter provided, have lease and rented unto the Lessee, and the Lessee has rented from the Lessor that following described real property, located in Henderson County North Carolina:

Being all of that tillable land on that tract of land shown as Tract "C" on that plat entitled, "Plat of Survey for Broadpointe Center", dated November 1996, recorded on Plat Slide 2295 of the Henderson County Registry. Tract "C" as shown on the Plat of Survey for Broadpointe Center consists of 27.82 acres. It is estimated that the tillable land, located within the boundaries of said Tract "C" is approximately +/- 26.2 acres. Tract "C" is hereafter referred to as the "Leased Premises".

TO HAVE AND TO HOLD said Leased Premises unto the Lessee upon the following conditions:

1. The term of this Lease shall commence on January 1, 2010, or the date that this Lease is fully and properly executed, whichever is later, and shall expire December 31, 2010.
2. The Lessee agrees to pay Lessor the sum of \$1,950.00, as annual rental, which said annual rental shall be paid in full by February 15, 2010. Failure to pay said lease amount by the stated date will be grounds for immediate termination of the Lease by the Lessor without notice to the Lessee.
3. The Leased Premises shall be used solely for conducting thereon farming operations during the term of this Lease, and Lessee covenants and agrees to follow good farming practices to the end that any damage to the Lease Premises or soil by reason of erosion or otherwise shall be minimized. Hunting of any kind is expressly prohibited on the Leased Premises.
4. Lessee covenants and agrees, at its expense, to keep the drainage ditches presently located on the Leased Premises clear and unobstructed throughout the term of the Lease, and at the expiration of this Lease to surrender the Leased Premises in a good



condition as the same shall be at the commencement of said term; provided, however, that in the event it becomes necessary to make any permanent improvements on the Leased Premises such as repairs to underground drainage or the cutting or retraining of hedge row the same shall be done at the Lessee's expense, but subject to the approval of the Lessor.

5. It is agreed that no building, house, barns or other structures are included in the Leased Premises.
6. This Lease may not be assigned; additionally, the Leased Premises may not be subleased.
7. Lessee understands and agrees that the Leased Premises have been donated to Lessor for future use as a public park. Lessee agrees that Lessee will do nothing that will prohibit the future use of the Lease Premises as a public park.
8. Lessor makes no covenant of quiet enjoyment to Lessee with respect to the Leased Premises; however, Lessor agrees not to unreasonably interfere with Lessee's ability to conduct farming operations on the Leased Premises, except as may be connected with the installation of the public sewer across any portion of the Leased Premises. It is understood and agreed that the Lessor or their agents shall not be responsible for any damage to crops or farming operations of Lessee due to the installation of public sewer. The Lessor will notify Lessee thirty (30) days in advance of the installation of public sewer.
9. Lessee agrees to indemnify and save Lessor harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of, the demised premises, or occasioned wholly or in part by any act or omission of Lessee, his agents, licensees, concessionaires, customers or employees.
10. Lessee shall at Lessee's own expense comply with all rules, regulations, and requirements of the State, Federal, or Local Governments, or any of the departments or bureaus thereof applicable to the Leased Premises, including but not limited to regulations for the prevention or abatement of nuisances or other grievances arising out of the manner of the occupancy of said premises during said term.
11. Lessor or Lessor's agents or other representative shall have the right to enter upon the Leased Premises at all reasonable hours for the purpose of examining the same.
12. With respect to any pollutants, contaminants, chemicals, or industrial toxic or hazardous substance or material defined as such in (or for purposes of) all applicable environmental laws, rules, regulations and ordinances now or hereafter in effect,

hereafter "Environmental Laws", including without limitation, any waste constituents coming within the definition or list of hazardous substances in 40 C.F.R. Section 261.1 through 261.33, as may be amended or renumbered, hereinafter "Hazardous Material", Lessee represents, warrants and covenants as follows:

- (A) The Lessee agrees to indemnify and hold harmless the Lessor (and its directors, officers, and employees), from and against any and all losses, liabilities, damages, injuries, interest, deficiencies, fines, penalties, costs, expenses, attorneys' fees and disbursements, and costs of investigation and cleanup, including, without limitation, claims, suits and proceedings by federal, state, county and local governmental authorities with respect to, or as a direct or indirect result of (i) the presence on or under or the escape, seepage, leakage, spillage, discharge, emission, discharging or releasing from the property of any Hazardous Material, if such occurs during the term of the Lease, (ii) any other environmental pollution, including, without limitation, any contaminant, waste, irritant or pollutant, discharged into or otherwise contained in the environment at or adjacent to the property if such occurs during the term of the Lease, (iii) noncompliance relating to the Lessee's farming operations or business, or the property with any "Environmental Law or any other federal, state, or local statute, law, ordinance, rule, regulation, order or decree, or (iv) the inaccuracy, misrepresentation or violation or default of or under any matter set forth in this section, unless any such loss, liability, damage, or injury or the like is directly caused by negligent act of the Lessor.
  
- (B) Neither the Lessor, nor to the best knowledge of the Lessor, nor the Lessee, nor to the best knowledge of the Lessee, any other person or entity, has received any notice of (i) the happening of any event involving the misuse, spill, discharge or cleanup of any Hazardous Material affecting the Lessor or the Leased Premises, or (ii) any complaint, order, citation, notice, claim of contribution or claim for payment with regard to any Hazardous Material, the violation or alleged violation of any Environmental Law or for injury to the environment or human health from any person, including without limitation, the United States Environmental Protection Agency, and if any party receives any such notice, then such party will give, within five (5) business days, oral and written notice of same to the other party;
  
- (C) The Lessor shall have the right, but not the obligation, to enter onto the property or to take such other actions as it reasonably deems necessary or advisable to clean up, remove, resolve or minimize the impact of, or otherwise deal with, any of the events described in paragraph (A) which, if true, could result in an order, suit or other action against the Lessor affecting any part of the Leased Premises by any governmental agency or otherwise which, in the sole opinion of the Lessor, could jeopardize the Lessor's interest in the Leased Premises. All costs

and expenses incurred by the Lessor in the exercise of any such right shall be payable by the Lessee upon demand; and

- (D) In the event Lessor has reasonable suspicion that any of the events described in Section (A) have occurred, the Lessee shall, promptly upon the written request of the Lessor, provide the Lessor, at the Lessee's expense, with an environmental site assessment, environmental audit report or other report, satisfactory to the Lessor, prepared by an environmental engineering firm acceptable to the Lessor, to assess with a reasonable degree of certainty the presence or absence of any Hazardous Material, the potential costs in connection with the abatement, cleanup, removal or monitoring of any Hazardous Material found on, under, at or within the property and/or the compliance by the Lessee with the covenants contained in this Section.
13. Lessee shall conduct the farming operations at Lessee's own risk, and Lessor makes no guarantees, representations, or warranties with respect to the suitability of the Leased Premises for conducting farming operations.
14. Lessee agrees to not conduct any activities that would create or constitute a public or private nuisance upon the Leased Premises. Lessee agrees to promptly respond to any complaints that may be received by Lessee, or by the Lessor, with respect to any activities conducted by or on behalf of Lessee on the Leased Premises from anyone owning property adjacent to the Leased Premises. Lessee shall be required to notify Lessor of any such complaints received, and Lessee's response to any such complaints.
15. If there be any default made in the stipulations, agreements, and covenants contained herein, and if the Lessee fails to comply with all the provisions of this Lease, then it shall be lawful for the Lessor to reenter the Leased Premises, to repossess and take possession of the same.
16. It is further understood and agreed that the stipulations, agreements, and covenants contained herein are binding upon the parties hereto and their respective successors and assigns.

**IN TESTIMONY WHEREOF**, each of said parties has caused these presents to be duly executed and approved in duplicates, each to have the force and effect of an original as of the date first written hereinabove.

CARLAND FARMS, INC., LESSEE

BY: *W. J. Carland*  
President

ATTEST:

*Carolyn G. Carland*  
Secretary

[CORPORATE SEAL]



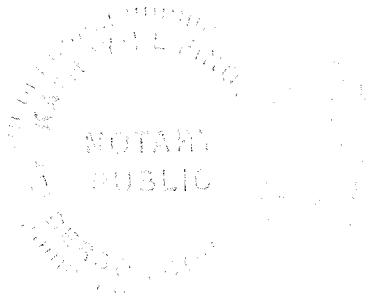
STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I, *Kathryn L. Finotti*, Notary Public for said County and State, certify that *Carolyn G. Carland*, personally came before me this day and acknowledged that she is Secretary for Carland Farms, Inc., and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

Witness my hand and official seal, this the *3rd* day of *February*  
20*10*.  
(Official Seal)

My commission expires:

*Kathryn L. Finotti*  
Notary Public



HENDERSON COUNTY, LESSOR

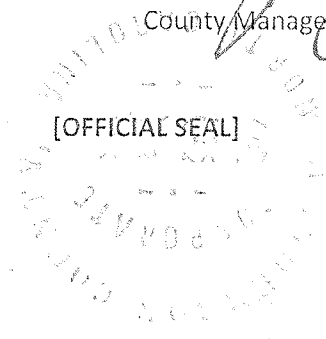
BY: \_\_\_\_\_

County Manager

*[Handwritten signature]*

ATTEST:

*Theresa L. Wilson*  
Clerk to the Board

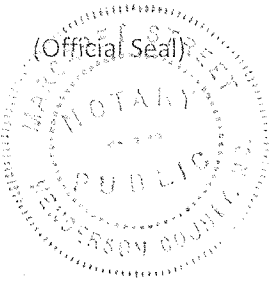


[OFFICIAL SEAL]

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I *Margaret Street*, Notary Public for said County and State, certify that Theresa L. Wilson personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Henderson County, a body corporate and politic and that by authority duly given and as the act of Henderson County, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal, and attested by herself as its Clerk.

Witness my hand and official seal, this the *9<sup>th</sup>* day of *February*, <sup>*2010*</sup> 200*0*.



*Margaret Street*  
Notary Public

My commission expires: *September 17, 2012*

STATE OF NORTH CAROLINA

LEASE

COUNTY OF HENDERSON

THIS LEASE, made this the 1<sup>st</sup> day of February, 2010, by and between Henderson County, a body politic and corporate, having its principal office and place of business in Henderson County, 100 North King Street, Hendersonville, North Carolina 28792, hereinafter called the "Owner," and Blue Ridge Amateur Radio Club, (BRARC), a North Carolina nonprofit agency having its principal office and place of business in Henderson County, 802 Stoney Mountain Road, Hendersonville, North Carolina 28739, hereinafter called the "Tenant";

WITNESSETH:

The Owner hereby demises and lets, and the Tenant hereby rents and hires, from the Owner the following described premises and office space being situated in the Stoney Mountain Activity Center, located at 802 Stoney Mountain Road, Hendersonville, NC 28739:

Being and consisting of the exclusive use of Room # 5, hereinafter "Office Space" or (Radio Room), the exclusive use of Room # 9, hereinafter "Storage Room", the nonexclusive use of Room # 10, hereinafter "Meeting Room", and the nonexclusive use of the AKitchen@, all being a part of the Stoney Mountain Activity Center, located at the address stated above, the Storage Room and Office Space being located in the East Wing.

To have and to hold the same and the privileges and appurtenances thereunto in anywise appertaining to the said Tenant, and to be used by it, the said Tenant, for the purpose of carrying on and conducting a central office location and meeting space for Tenant, and if space is available at the times needed, meeting space in the Meeting Room for groups of BRARC members and other Amateur Radio Operators who are planning, training or participating in Emergency or Disaster situations or drills in the capacity of, but not limited to; Amateur Radio Emergency Services, (ARES); Radio Amateur Communication Emergency Services (RACES) and Sky Warn, and/or for such other purposes as are usual and customary in the conduct of such a Radio Club and for no other purpose or purposes.

It is stipulated and agreed that Owner demises and lets the Office Space, Storage Room, Meeting Room and Kitchen in accordance with the terms of this Lease to the Tenant for and in consideration of the sum of one dollar (\$1.00), the receipt of which is hereby acknowledged, and other good and valuable consideration consisting of the provision of public communication services to the Henderson County Office of Emergency Management, and alternative and supplementary sources of Emergency Communications, during states of emergencies, during damage assessment and during power and communication failures, hereinafter Emergency Public Services.

It is further stipulated and agreed:

1. That the Tenant will provide the Emergency Public Services as stated in the above manner. In the event of failure on the part of the Tenant to provide the Emergency Public Services in accordance with the terms of this Lease, the Owner may forthwith take possession of the

property hereby leased.

2. That this Lease shall remain in full force and effect for a term of one (1) year, beginning February 5, 2010, and continuing until February 4, 2011.

3. That this Lease may be terminated by either the Owner or the Tenant by providing thirty (30) days advance written notice to the other party.

4. That the Tenant shall take good care of the premises hereby leased or demised and the appurtenances thereof, and at the end or other expiration of the term of this Lease shall deliver up said premises in good order or condition, ordinary wear and tear excepted.

5. That the Tenant shall not make any alterations, additions or improvements in the premises hereby leased and demised without first obtaining from the Owner its written consent, and that all alterations, additions or improvements made by the Tenant during the course of its occupancy or the term of his lease shall inure to the benefit of and be the property of the Owner upon the termination and end of this Lease, and such alterations, additions, and improvements shall be surrendered with the premises when the same are surrendered by the Tenant to the Owner.

6. That the Tenant, at its own cost and expense, shall comply with all laws, rules, regulations, and requirements of State, Federal, and local governmental agencies applicable to the leased or demised premises for the prevention or abatement of nuisances or other grievances arising out of the manner of the occupancy of said premises during said term, and that the said Tenant shall moreover comply with all rules and regulations of the Owner with respect to the management and use of the Stoney Mountain Activity Center Building.

7. That the Tenant agrees that the Owner and its agent or other representative shall have the right to enter upon the premises hereby leased or demised, or any part thereof, at all reasonable hours for the purpose of examining the same.

8. That the Tenant shall not assign this Lease nor relet the premises or any part thereof without the Owner's consent in writing, or occupy or use or permit or suffer to be occupied or used the premises hereby leased or demised for any business or purpose deemed disreputable in any manner, or for any purpose or purposes other than the purpose or purposes designated above. Any levy or sale by way of lawful execution or other legal process or any transfer or sale in bankruptcy or insolvency or under compulsory procedure of law shall be deemed an assignment within the meaning and terms of this Lease.

9. That if the premises hereby leased or demised shall become vacant during the term hereinbefore provided at any time, the Owner or its legally authorized representative may reenter the premises either by force or otherwise without being liable for prosecution therefore and relet the said premises as the agent or representative of the said Tenant.

10. That in case of any damage or injury to the demised premises or the Stoney Mountain Activity Center, said damage or injury being caused by the carelessness, negligence, or improper conduct on the part of the said Tenant, its agents, invitees, licensees, members, or employees, then the said Tenant shall cause the said damage or injury to be repaired at its own cost and expense.

11. If, during the term of this Lease, the demised premises shall be or become damaged by fire or by the elements, such damage shall be repaired by the Owner, unless the damage to said premises hereby leased or demised be so great that the same cannot be repaired with reasonable diligence so as to be fit for occupancy within thirty (30) days from the date of the damage, when, in such event, the said premises are so repaired as to be fit and ready for occupancy by the Tenant, and in such event the tenancy of the premises hereby leased or demised shall not be terminated but shall remain in force and effect under and by virtue of the terms and conditions of this Lease, unless the damage done to the premises hereby leased shall be so great as to make it impossible to repair the premises within a period of thirty (30) days, in which case the Tenant shall have the option of vacating the premises hereby leased or demised and of bringing to an end and termination this Lease, provided however, that the said Tenant shall not have such option and shall not be allowed to be relieved from the obligations of this Lease if the damage done to the premises shall in anywise be caused by the contributory negligence or act of the Tenant or its agents or employees.

12. That the Owner shall supply the leased or demised premises with heat adequate reasonably and properly to heat the same during the period of the year when it is necessary to heat the leased or demised premises.

13. That the Owner shall supply water for the use of the occupants of the leased premises and for the use of the Tenant during the term of this Lease in sufficient and reasonable amounts.

14. That the Owner does agree to furnish any electricity for lighting or other purposes to the Tenant as required by it in connection with the use of the leased or demised premises.

15. That the Owner does agree to furnish maintenance and routine repairs for purposes of the Tenant as required by it in connection with the use of the leased or demised premises. Tenant will be responsible for damages done to the premises in anywise caused by the negligence or act of the Tenant or its agents, invitees, licensees, members or employees.

16. Tenant will be issued keys to get into the Stoney Mountain Activity Center and to open the Office Space and Storage Room and Meeting Room. If at anytime Tenant is in the building after normal business hours, or if at anytime Tenant is the last one to leave the building, Tenant shall be responsible for locking all exterior doors of the Stoney Mountain Activity Center. Tenant shall not duplicate any keys. Tenant shall return all keys when the Lease has ended. In the event Tenant loses any key issued to Tenant, Tenant shall reimburse the County the actual costs incurred by the County in changing the locks to the exterior doors. Tenant shall assume full responsibility for keys issued to Tenant under this Lease.



17. Tenant shall have the right to place five (5) radio antennas on the grounds of Stoney Mountain Activity Center, one of which may be a tower. If a tower is erected it will be mounted in a cement slab, (the location of which to be approved by the Henderson County Recreation Director). Wiring will be run to the building in the most unobtrusive manner. Wiring within the building to the Office Space and the Storage Room will be concealed. Installation means and methods will be subject to Owner=s approval.

18. Tenant shall have the right to use the bathroom facilities located in the East Wing of the Stoney Mountain Activity Center.

19. At all times that Tenant, its agents, members, invitees, licensees, or employees are present within the Stoney Mountain Activity Center, they shall restrict their activities to the East Wing of the Stoney Mountain Activity Center, Meeting Room and the Kitchen and shall not access other parts of the building.

20. Tenant shall be responsible for coordinating and reserving the use of the Meeting Room with the Henderson County Recreation Department on behalf of Tenant, its agents, members, invitees, licensees, or employees prior to using the Meeting Room. Tenant shall be allowed to conduct all-night training sessions four (4) times a year using the Meeting Room, provided prior approval has been secured from the Henderson County Parks and Recreation Department in accordance with this Paragraph. Notwithstanding the above, Tenant shall be allowed to use the Office Space and Storage Room at Tenant's convenience during or after normal business hours.

21. Any and all electrical equipment, radio equipment, and electrical appliances shall be turned off when Tenant is not in the Stoney Mountain Activity Center. Further all electrical equipment, radio equipment and electrical appliances shall be properly ground in accordance with the National Electric Code.

22. Tenant shall be responsible for assisting the Henderson County Recreation Department in keeping the Meeting Room and the Kitchen clean and organized, and for keeping the portions of the Stoney Mountain Activity Center used or accessed by the Tenant, its agents, employees, members, invitees, or licensees, clean and neat.

23. Owner, its agents, and employees shall have no responsibility for, nor any liability associated with, at law or in equity, any equipment or antennas owned or operated, or placed on or about the premises of the Stoney Mountain Activity Center by Tenant, Tenant's members, agents, employees, invitees, or licensees, nor for any damage to any of said equipment or antennas. To this end, Tenant shall be required to carry renter's insurance for liability, property damage, and bodily injury in an amount not less than \$500,000.00 aggregate per occurrence. Owner shall be named as an additional insured on said policy(ies).

24. That the Owner hereby agrees that the Tenant, upon providing Emergency Public Services as hereinbefore stipulated and performing all of the stipulations, agreements, and covenants, shall and may peaceably and quietly have, hold, and enjoy said premises during said term, free from the adverse claims of any person, firm, or corporation, except that noise from normal

operations of the Landfill, shall not be a breach of this Lease by the Owner, and that the Owner will pay all taxes and assessments that shall be lawfully levied upon the same except such taxes as those for which the Tenant shall, under the law, be primarily liable.

25. That if there be any default made in the stipulations, agreements, and covenants herein contained, and if the Tenant fails to comply with all the provisions of this Lease, then it shall be lawful for the Owner to give a thirty (30) days notice to reenter the premises hereby leased or demised, to repossess and take possession of the same, and to use, enjoy, or relet the same as if this Lease had not been entered into.

And it is further understood and agreed that the stipulations, agreements, and covenants herein contained are binding upon the parties hereto and their respective successors and assigns.

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IN WITNESS WHEREOF, each of said parties has caused these presents to be duly executed, the day and year first above written; this Lease being executed in duplicate originals, one of which is retained by each of the parties.

HENDERSON COUNTY, OWNER

BY: 

Steve Wyatt, County Manager

ATTEST:



[OFFICIAL SEAL]

Teresa L. Wilson  
Clerk to the Board


BLUE RIDGE AMATEUR RADIO CLUB, TENANT

BY: 

BRARC President, Danny Rector

ATTEST:

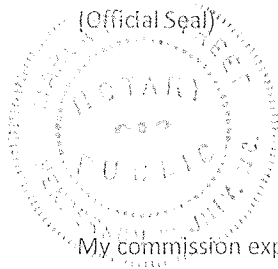
[OFFICIAL SEAL]

  
BRARC Secretary, Sid Hendricks

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I Margaret Street, Notary Public for said County and State, certify that Teresa L. Wilson personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Henderson County, a body corporate and politic and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal, and attested by herself as its Clerk.

Witness my hand and official seal, this the 8<sup>th</sup> day of February, 2010.



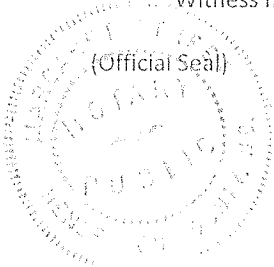
Margaret Street  
Notary Public

My commission expires: Sept. 17, 2012

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I Margaret Street, Notary Public for said County and State, certify that Sid Hendricks personally came before me this day and acknowledged that he is the Secretary of Blue Ridge Amateur Radio Club, a North Carolina nonprofit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

Witness my hand and official seal, this the 3 day of February, 2010.



Margaret Street  
Notary Public

My commission expires: Sept. 17, 2012

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone 828-697-4808 • Fax: 828-692-9855  
TDD: 828-697-4580  
www.hendersoncountync.org

BILL MOYER  
Chairman  
MARK WILLIAMS  
Vice-Chairman

CHUCK McGRADY  
CHARLIE MESSER  
LARRY YOUNG

## PROCLAMATION

**WHEREAS**, the League of Women Voters of the United States is the organization where hands-on work to safeguard democracy leads to civic improvement; and

**WHEREAS**, the League is a nonpartisan political organization that has worked since 1920 to have an impact on public policies through study, research, citizen education and advocacy; and

**WHEREAS**, the League in Henderson County has been promoting the same since 1966 and regularly publishes a "Local Government Handbook" that helps citizens be informed about county and municipal governments in Henderson County, as well as the Constitution of the United States; and

**WHEREAS**, the League in Henderson County, having always worked to promote the values and processes of representative government, seeks to get voters registered, and conducts forums to educate citizens on issues and candidates; and

**WHEREAS**, the League in Henderson County collaborates to achieve mutual goals, and create lasting positive changes in the community, through founding organizations such as the Dispute Settlement Center, The Carolina Mountain Land Conservancy, and by initiating Kids Voting in the schools; and

**WHEREAS**, the citizens of this County, its municipalities, villages, and towns have benefited and continue to benefit from the countless volunteer hours donated by League members in its 44-year local history;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Henderson County Board of Commissioners, do hereby proclaim the 14<sup>th</sup> day of February, 2010, on the 90<sup>th</sup> Birthday of the League of Women Voters U.S., as "LWV Making Democracy Work Day" to pay tribute to the League members, nationally and locally, who have worked to keep citizens alert and informed of their personal responsibility to preserve our Democracy.

Adopted this 1<sup>st</sup> day of February, 2010.

  
\_\_\_\_\_  
WILLIAM L. MOYER, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

  
\_\_\_\_\_  
TERESA L. WILSON, CLERK TO THE BOARD