

DRAFT
5/17/2012
MINUTES

cc: BOC
Steve
David
Christy
Russ

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, MAY 16, 2012**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville

Those present were: Chairman Tommy Thompson, Vice-Chairman Bill O'Connor, Commissioner Larry Young, Commissioner Charlie Messer, County Manager Steve Wyatt, Interim Assistant County Manager David Whitson, County Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Absent: Commissioner Michael Edney.

Also present were: Public Information Officer Christy DeStefano, Finance Director J. Carey McLelland, Planning Director Anthony Starr, Sheriff Charles McDonald, Assessor/Tax Collector Stan Duncan, Public Health Director Tom Bridges, Engineer Marcus Jones, Research/Budget Analyst Amy Brantley, IT Director Becky Snyder, Associate County Attorney Sarah Zambon, Library Director Bill Snyder, Animal Services Director Brad Rayfield, DSS Director Liston Smith, Internal Auditor Darlene Burgess, Delinquent Tax Collector Lee King, Environmental Programs Coordinator Megan Piner, Deputy Jeff Banks, Corporal Michael Marsteller, Soil and Water Conservation Director Jonathan Wallin, Environmental Health Supervisor Seth Swift and Building Services Director Tom Stauffer.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Commissioner Young.

INFORMAL PUBLIC COMMENT

1. Alan House – Mr. House, Chief Financial Officer of Pardee Hospital, is concerned with the building at the corner of 6th and Justice Street. He is under the impression that it is going to be an ICE detention building, a Federal facility processing illegal aliens. Mr. House noted the property in that area has restricted covenants allowing only professional (medical) offices. A chain-link fence has also been erected which is against the covenants. This facility should be located in a different area.
2. Janice Parker – Ms. Parker spoke in regard to the Mud Creek Watershed Program. She feels rain gardens are new with very little proven data. She questioned how homeowners will be chosen. Ms. Parker asked that the Board not approve the request.
3. Glen Enggram – Mr. Enggram spoke in regard to the Mud Creek Watershed Program. He feels Henderson County is not represented in the Grow WNC Organization or Mud Creek Watershed Council by Land-of-Sky. The properties being proposed for stream restoring are urban and properties rights need to be protected. Mr. Enggram asked the Board not to support the program.
4. Jane Billelo – Ms. Billelo spoke in regard to the Mud Creek Watershed Program. It is now shifting from agricultural to urban. She is against the project and feels it does not protect our property rights. The Federal Government is not elected officials and they will make demands jeopardizing private property rights. Ms. Billelo requested that the Board not support the project.
5. Michelle Cassone – Ms. Cassone is the CEO of the Elks Lodge, located near the ICE building. She feels it should be located somewhere else.
6. Karen Rhoads – Ms. Rhoads asked that the Board not to be a part of Land-of-Sky activities as she feels it is not in the best interest of Henderson County citizens.

DATE APPROVED:

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Messer made the motion to adopt the Agenda with the addition of a closed session. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner Young made the motion to adopt the Consent Agenda as presented. 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 meeting(s):
May 7, 2012 – Regularly Scheduled Meeting

Tax Collector’s Report

Tax Collector Clerk Kathy Johnson had presented the Tax Collector’s Report to the Commissioners dated May 9, 2012 for information only. No action was required.

Pending Releases & Refunds

The pending releases and refunds provided in the agenda were 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. Supporting documentation is on file in the County Assessor’s Office.

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

Type	Revenue Amount:
Refunds	\$ 380.19
Releases	\$ 2,689.44

Motion:

I move the Board approves the Combined Release/Refund Report as presented.

New Ambulance Financing

A request was made and approved by the Commissioners at the regularly scheduled March 21, 2012 Board meeting to purchase two (2) new ambulances to replace two being leased and due to expire at the end of the current fiscal year. The purchase of the new ambulances is to be financed through a bank installment financing contract at a fixed interest rate with annual payments over a 4-year term.

Staff requested proposals from financial institutions to finance the purchase of the two (2) new ambulances at a total cost not to exceed \$249,378. Attached for the Board’s review are the results of the financing proposals that were received from four (4) financial institutions.

BB&T Governmental Finance has been certified as the lowest responsive proposal to finance the new ambulances over a 4-year term at a tax-exempt interest rate of 1.59 percent. The first annual payment of \$64,842.24 will be due in May 2013 and is included in the proposed FY2013 budget.

Motion:

I move that the Board of Commissioners approves the resolution accepting the proposal from BB&T Governmental Finance to finance the new ambulances and authorizing the Chairman and Staff to execute and deliver the required financing documents.

Pawnbrokers License for Daily Dollar Pawn, LLC/Bobby Hylemon

Bobby Hylemon has applied, on behalf of Daily Dollar Pawn, LLC, for a license under your Pawnbrokers Ordinance, Chapter 134 of the Henderson County Code. He has supplied documentation required by the ordinance, with the exception that he has not provided a "certificate from the Sheriff...or the State Bureau of Investigation" that neither the petitioner nor owner of the business has been convicted of a felony. He has presented a criminal record check from the Henderson County Clerk of Court showing no felony convictions. Neither the Sheriff nor the SBI make available such record checks at the present time.

Motion:

I move that the Board grants a Henderson County Pawnbrokers' license to Daily Dollar Pawn, LLC, and its applicant, Bobby Hylemon.

Petition for Addition to State Road system

Staff received a petition to add Bonnie Brae Court to the state road system. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board no to ask NCDOT to change the priority for roads on the paving priority list.

Staff reviewed the petition and it appears that all affected property owners or developers have signed the required petition.

Motion:

I move that the Board approves the petition and direct staff to forward it to NCDOT.

Home & Community Care Block Grant: FY2013 County Funding Plan

Each year, the Board of Commissioners is required to adopt a Funding Plan for the Home & Community Care Block Grant for Older Adults and identify the lead office or agency responsible for coordinating the County Funding Plan. The Home & Community Care Block Grant is a State/Federal program administered at the local level. The proposed Funding Plan supports the service priorities identified for the current planning cycle.

At this time, the HCCBG funding for FY2013 is estimated to be \$768,216.

Motion:

I move that the Board appoints the County Manager's office as the Lead Agency and approves the proposed FY 2013 funding Plan.

NOMINATIONS**Notification of Vacancies**

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

1. Blue Ridge Community College Board of Trustees – 1 vac.
2. Environmental Advisory Committee –2 vac.
3. Fire and Rescue Advisory Committee – 2 vac.
4. Henderson County Board of Health – 3 vac.
5. Henderson County Historic Courthouse Corporation dba/ Heritage Museum – 3 vac.
6. Historic Resources Commission – 2 vac.
7. Juvenile Crime Prevention Council – 3 vac.
8. Mountain Area Workforce Development Board – 4 vac.
9. Nursing/Adult Care Home Community Advisory Committee – 2 vac.
10. Smartstart – 1 vac.

Nominations

1. Community Planning Committee for Green River, Tuxedo & Green River – 2 vac.
Commissioner Messer nominated Mike Cooper for position #11, Planning Board liaison. *Chairman Thompson made the motion to accept the appointment of Mike Cooper to position #11 by acclamation. All voted in favor and the motion carried.*
2. Equalization and Review, Henderson County Board of – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.
3. Green River, Tuxedo, Zirconia PARK Planning Committee – 7 vac.
Commissioner O'Connor nominated Terry Maybin, Theron Maybin, Marc Pedersen and Zack Pedersen. *Chairman Thompson made the motion to accept the appointments of Terry Maybin, Theron Maybin, Marc Pedersen and Zack Pedersen by acclamation. All voted in favor and the motion carried.*
4. Henderson County Board of Health – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.
5. Historic Resources Commission – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.
6. Industrial Facilities and Pollution Control Financing Authority – 1 vac.
Commissioner O'Connor nominated Join Goins for reappointment to position #7. *Chairman Thompson made the motion to accept the reappointment of Join Goins to position #7 by acclamation. All voted in favor and the motion carried.*
7. Juvenile Crime Prevention Council – 5 vac.
There were no nominations at this time so this item was rolled to the next meeting.
8. Mountain Valleys Resource Conservation and Development Program – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.
9. Nursing/Adult Care Home Community Advisory Committee – 5 vac.
Commissioner Young nominated for reappointment, Dauna Donata for position #7 and Calvin Titus for position #9. He further nominated Chairman Thompson as the representative for the committee. *Chairman Thompson made the motion to accept the reappointments of Dauna Donata and Calvin Titus and his appointment as a commissioner representative by acclamation. All voted in favor and the motion carried.*
10. Senior Volunteer Services Advisory Council – 2 vac.
There were no nominations at this time so this item was rolled to the next meeting.
11. Travel & Tourism Committee – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

COUNTY MANAGER'S FY 2012-2013 RECOMMENDED BUDGET

The County Manager presented his FY 2012-2013 Recommended Budget.

County Manager Steve Wyatt noted that sales tax is up approximately \$200,000 but trending down. He will continue to monitor.

Budget Preparation Framework

1. Property tax remains at the FY12 rate of \$.5136
2. Sales tax projections remain at FY12 levels
3. Expenditures were capped at the FY12 adopted level of \$105,047,232
4. Fund Balance Appropriated was capped at the 4 Year Plan level of \$3,359,749

Included in the Proposed Budget...

1. No property tax increase
2. \$385 reduction in overall general fund budget
3. Full funding of County's Debt Service obligation of \$14,542,173
4. 2% Cost of Living Adjustment for all County employees (first since FY 08-09)
5. \$1,073,884 – Available funding for Henderson County Public Schools Current Expense, or as the Board of Commissioners directs
6. \$36,818 – Available funding for Blue Ridge Community College Operating Expense, or as the Board of Commissioners directs

FY2012-2013 Proposed Budget - \$105,046,847

Historical Budget Information

FY 2011-2012 Adopted to FY 2012-2013

FY 2011-2012 Adopted Budget	\$105,047,232
FY 2012-2013 Proposed Budget	<u>\$105,046,847</u>
Difference	\$ 385

Debt Obligation as of July 1, 2012

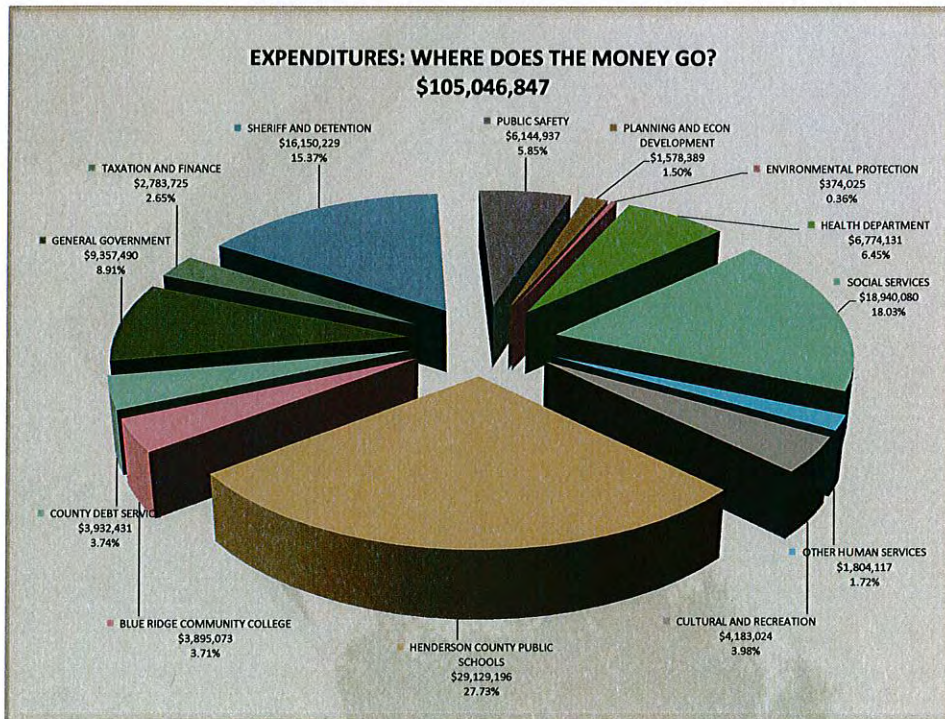
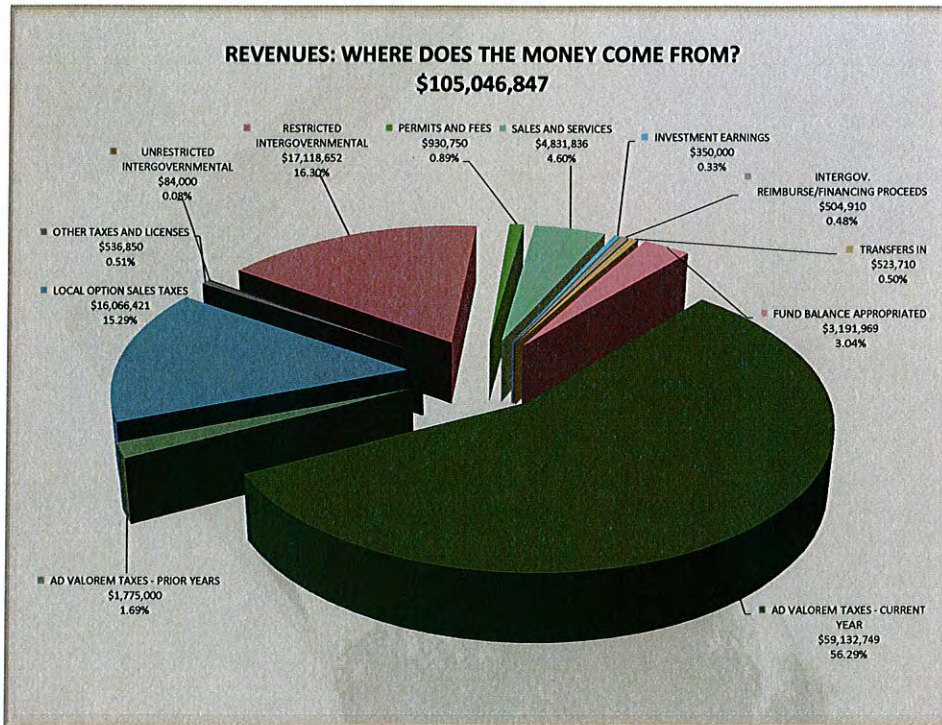
County Government	\$ 29,087,263
Henderson County Public Schools	\$ 68,866,002
Blue Ridge Community College	\$ 13,160,825
TOTAL	\$111,114,090

Mr. Wyatt noted that the debt obligation is nine (9) times the fund balance. Revenues outside of property tax are not as reliable. Restricted Intergovernmental revenue is restricted for a certain purpose and not at the discretion of the Board.

To strategically utilize fund balance for the remainder of the 4 year plan...

- Total available fund balance over 12% as of July 2, 2011 less Sierra Nevada Incentives = \$12,547,295
*FSNI

PROJECTED	FY 2013	FY2014	FY2015
Expenditures	\$105,046,847	\$105,785,646	\$104,979,857
Revenues	\$101,854,878	\$101,659,945	\$101,630,085
Fund Balance	\$3,191,969	\$4,125,701	\$3,349,772
Fund Balance Remaining	\$9,355,326	\$5,229,625	\$1,879,853



Mr. Wyatt provided the Board with detailed budget binders and reminded them of the May 22, 2012 budget workshop to be held at 1:00 p.m. and a public hearing on May 29, 2012 at 6:00 p.m.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANTS/JUVENILE CRIME PREVENTION COUNCIL COUNTY PLAN FY 2013-2016

Mary Murray, Chair of J.C.P.C. stated the Henderson County Juvenile Crime Prevention Council (J.C.P.C.) has approved funding for local juvenile crime preventions programs. These funds for Fiscal Year 2012-2013 in the amount of \$193,745 are available for this purpose through the State of North Carolina. Each Program is required to provide a 30% match.

The programs approved by the J.C.P.C. are as follows:

1. J.C. P. C. Administrative Expenses	\$ 5,299
2. Project Challenge	\$ 77,876
3. Hendersonville Police Department/Temp. Shelter	\$ 10,000
4. Hendersonville Police Department/Psych. Assessment	\$ 5,000
5. Mediation Center	\$ 44,748
6. Aspire Family and Youth, Inc.	\$ 33,750
7. Hendersonville Boys & Girls Club	\$ 14,572
8. Henderson County Public Schools	<u>\$ 2,500</u>
TOTAL	\$193,745

These Grant applications have been recommended for approval to the Board of Commissioners by the Henderson County J.C.P.C.

The Henderson County Juvenile Crime Prevention Council (J.C.P.C.) has approved the 2013-2016 County Plan for Henderson County. This County Plan has been recommended for approval to the Board of Commissioners by the J.C.P.C.

Ms. Murray informed the Board that J.C.P.C. had hired a clerk to Council and a change of bylaws would be coming to the Board’s attention in the near future.

Commissioner Messer made the motion that the Board approves the JCPC recommendations for both the FY 13-16 Annual Plan, and the distribution of the FY 2013 Juvenile Crime Prevention Program funds. All voted in favor and the motion carried.

ICE BUILDING UPDATE

Sheriff McDonald provided information on the Federal ICE Building located at 6th and Justice in Hendersonville. Henderson County has nothing to do with the ICE Building, it is a Federal project by Homeland Security for the Homeland Security Agent HUB office and renovations are expected to be completed by the end of June. Homeland Security has rented the property without any consultation with the Sheriff’s office. It will be used for administrative workspace only.

Attorney Russ Burrell noted that Henderson County does own adjoining property (Pardee Hospital) and that legislation does require Homeland Security to comply with zoning regulations. He just became aware of the situation today and there is a possibility that Henderson County will be asked to litigate. Mr. Burrell has access to the restricted covenants and will follow up. Mr. Burrell will be contacting the City of Hendersonville and their attorney to see if they had been contacted prior to the anything taking place.

SOCIAL SERVICES' INFORMATIONAL UPDATE

The DSS Board provides monthly three-minute informational updates to the Board of Commissioners regarding various Social Services issues. The May 2012 update, provided by DSS Board member Melinda Lowrance, pertains to the issue of Child Protective Services in Henderson County.

The fourth topic in their series is the role of DSS in the community, and is intended as part of an effort to educate the public and advocate for the state-mandated role of DSS.

Every Henderson County child has the right to be safe. Child abuse and neglect threaten a child's safety by placing the child at risk of physical and emotional harm and even death. Parents have the fundamental and legal right to raise their children and our community presumes parents will protect their children from harm. When parents fail to protect children from the harm of abuse and neglect, our community has a responsibility to intervene to protect the child.

While the true extent of child abuse and neglect is not known in Henderson County, 2500 children were reported to Social Services in 2010-11 by someone in our community alleging the child was being maltreated by their parents. Most reports were from relatives, neighbors, schools, law enforcement, doctors and non-profits. A report is a request to Social Services for an investigation into a suspected incident of abuse or neglect; a report is not necessarily a fact...it is the raising of a question about a child's safety. In order for Social Services to investigate, a report must describe and meet NC Statute legal definitions of abuse or neglect. Of the 2500 children reported in 2010-11, Social Services investigated 1770 children. Investigations are an involuntary intervention with a family and must meet the letter of the law.

Of the 1770 children investigated, 95 were removed from their home by a judge. For up to twelve hours, a DSS worker, doctor or law enforcement officer can remove a child if a child appears in imminent risk of harm; more than twelve hours requires a judge's ruling. The Social Services investigation must have facts to present to the court for a judge to remove a child. I've learned, through my service on the Board of Social Services, that the social worker must also provide proof work was done to prevent the removal. A judge is required by federal law to have findings of fact in the court order that Social Services worked to keep the child(ren) in the home.

Ms. Lowrance stated "I've heard it said if someone (a child advocate or a parent advocate) isn't mad...then DSS is not doing its job. Protecting children is no simple task. In every child protection case, a Social Services worker works with the inherent tension between the child's rights and the parent's rights...balancing child safety and the parent's constitutional rights. I did not know prior to becoming a Social Services Board member that, by law, Social Services must insure both the child's and parent's rights are protected. The law says social workers must insure each child and parent receives services, due process and legal representation. This dual role drives much of the controversy in child protection by DSS".

Over 90% of needs found in investigations are based on neglect, not abuse, and Social Services arranges for or provides services to children and their parents to address these needs. Services are provided without regard to income and may include in-home specialists, day care, parenting/child management classes, mental health services, financial and employment

assistance. Mental health assessments and counseling are provided on-site at DSS, or in the home, by an out posted Families Together, Inc. worker located at the main DSS office. The collaboration with Families Together, Inc. assures timely and quality mental health services for children and parents. Of the 148 children referred to Families Together, Inc., 91% had mental health services started the day of referral.

Since 1998, Social Services has contracted with The Mediation Center (formerly Dispute Settlement Center) to facilitate child and family team meetings. The Board of Social Services believes that social workers have a great deal to contribute to child safety, but important to resolving problems are the families themselves and other community service providers. The Mediation Center facilitated meetings for 330 children (201 parents) in FY 2010-11 in a safe environment so all parties, particularly parents, could be heard and a mutually agreed upon plan made to better address child safety and the family's needs.

In cases involving abuse or serious neglect, the Social Services Board supports multi-disciplinary team staffing at The Healing Place. Bi-weekly meetings, facilitated by The Healing Place staff, are held to establish a dialogue and plan shared by primary protection providers (Social Services, law enforcement and the District Attorney's Office); a medical doctor is also a core participant. In FY 2010-11, 200 new cases were reviewed. Mutual planning between child protection professionals improves decision making, safety outcomes, cooperation between professionals and litigation.

The Board of Social Services wishes to thank our community partners working to ensure Henderson County children are safe. Henderson County has a high number of child abuse/neglect referrals from the community; that means our partners and concerned citizens care and report any suspected abuse or neglect to Social Services in order to keep children safe.

MUD CREEK WATERSHED PROGRAM

Diane Silver, Mud Creek Watershed Coordinator stated the Mud Creek Watershed Restoration project is a consortium of local governments, state agencies, non-profits, and business partners working to protect and improve the quality of Mud Creek and its tributaries through voluntary efforts.

Ms. Silver feels that the grant is a great value to the protection of our resources which draw tourism for the economy. Brittain Creek has been chosen as the focus area for the project. The area suffers from flooding over and over. The urban cost share program will help build bio-retention areas on private property. It is an application process and evaluations will be made by merit. Land owners who accept money will be held accountable for maintenance by contract.

Since 2003, the Mud Creek Project has been hosted by Henderson County Cooperative Extension, funded through grant funds from the Division of Water Quality. The current grant expires December 31, 2012. Applications for funding for 2013 are due May 24, 2012.

Commissioner O'Connor made the motion that the Board does not support submission of the application. All voted in favor and the motion carried.

MOSQUITO CONTROL PROGRAM

The Board is requested to discuss the County's mosquito control program. The program had been in place in the County for a number of years, but was eliminated in the FY12 Budget.

Tom Bridges noted that the budget was reduced and the mosquito program was removed last year. There are some citizens who do not want it such as beekeepers. Even with the program, there will still be some problems in areas of standing water.

Seth Swift stated that IPM is a three (3) tier process:

1. Educate public (be aware of property)
2. Larva site
3. Spray

Jackson Park is treated on a regular basis, other parks and schools if necessary.

Commissioner Young made the motion that the Board authorizes the County Manager to do a budget amendment up to \$40,000 in order to implement the Mosquito Control Program. The motion passed 3-1 with Commissioner O'Connor voting nay.

AMENDMENTS TO THE ANIMAL ORDINANCE

Animal Services Director Brad Rayfield stated at the April meeting of the Animal Services Advisory committee, the Committee unanimously recommended to the Board of Commissioners the amendments including with the agenda to the Animal Ordinance. Most changes were technical in nature. The substantive changes include:

- Clarification of the "Aggressive Dog" language to make it easier for the public to understand and for Law enforcement to enforce;
- Requirement that dogs deemed dangerous/potentially dangerous must be spayed/neutered;
- Inclusion of the reptiles to definition of "Inherently Dangerous Animals";
- Removal of Pet Responsibility Class option under "Penalties and Violations" because it was rarely used and had been abused by violators;
- Revised adoption language for non-profit organizations to encourage non-profit adoption of animals too young or sick to be adopted from the Animal Shelter;
- Removal of written warnings for first violations so now first violations can be presented verbally; and
- Addition of language prohibiting frivolous or unfounded complaints to law enforcement.

Chairman Thompson requested that wording be added to Aggressive Animal definitions to include domestic animals while on or off the owner's property.

Commissioner Messer made the motion that the Board approves the draft language to the Henderson County Animal Ordinance with the addition as noted above. All voted in favor and the motion carried.

LDC TECHNICAL CORRECTION – SUBDIVISION DEFINITIONS

Planning Director Anthony Starr stated the Board previously approved a portion of text amendment TX-2010-02 that re-organized the subdivision regulations and added greater flexibility. As part of that re-organization of the subdivision regulations, certain terms were moved from the subdivision section (Article III) to the definition section (Article XIV) of the Land Development Code (LDC). The move of these terms was inadvertently omitted when the Board took action on September 21, 2011.

The text included in the agenda packet was included in the original text considered by the Board during the public hearing November 17, 2010. No additional public notice or hearing is required for action.

Commissioner O'Connor made the motion that the Board approves the resolution of consistency, and further moved that the Board approves the text amendment provided in the agenda to the LDC. All voted

in favor and the motion carried

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt informed the Board that Jackson Park continues to be used as a thoroughfare even with the new design and speed humps. He recommended having law enforcement issue tickets for speeding.

IMPORTANT DATES

Schedule a Public Hearing for the FY 2013 Rural Operating Assistance Program (ROAP) Application to the North Carolina Department of Transportation

Commissioner Messer made the motion that the Board schedules a public hearing regarding the FY2012 rural Operating Assistance Program grant application for Monday, June 4, 2012 at 5:30 p.m. All voted in favor and the motion carried.

CLOSED SESSION

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

1. Pursuant to N.C. Gen. Stat. §143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.
2. Pursuant to N.C. Gen. Stat. §143-318.11(a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

All voted in favor and the motion carried.

ADJOURN

Commissioner O'Connor made the motion to go out of closed session and adjourn at 12:50 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Thomas H. Thompson, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

THOMAS H. THOMPSON
Chairman
WILLIAM O'CONNOR
Vice-Chairman

CHARLIE MESSER
LARRY YOUNG
J. MICHAEL EDNEY

May 16, 2012

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 tax release requests in the amount of \$2,689.44, and tax refund requests in the amount of \$380.19 reviewed at the Henderson County Board of Commissioners' Meeting on Wednesday, May 16, 2012. All refunds and releases were approved.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County
Board of Commissioners

THT/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: May 16, 2012
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENTS: Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

The attached pending releases and refunds 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. Supporting documentation is on file in the County Assessor's Office.

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

Type	Revenue Amount:
Refunds	\$ 380.19
Releases	\$2,689.44

Faithfully Submitted,



Stan C. Duncan

County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

Suggested Motion: "I move the Board approve the Combined Release/Refund Report as presented."

NCPTS Pending Release/Refund Report. Thursday, May 03, 2012*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	TAX DISTRICT	LEV. TYPE	BILLED	PAID	RELEASE	REFUND
GILLIAM, ELIZABETH PURSER	0000311162-1999-1999-0000	WAGE ATTACHMENT RESEARCH. RELEASES 1996 THROUGH 2007 APPROVED BY STAN DUNCAN. ELIZABETH PURSER GILLIAM NEVER OWNED THIS MANUFACTURED HOME. SHE MOVED TO BUNCOMBE COUNTY IN 1994. THE OWNER WAS HER EX HUSBAND, GARY BROWN GILLIAM, WHO DIED IN 1998. FIELD INSPECTION DONE WITH LEE KING. LAND OWNER DECEASED ALSO.	(\$3,310)	91	COUNTY	TAX	\$16.55	\$0.00	\$16.55	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$16.55	\$0.00
					MOUNTAIN HOME FIRE	TAX	\$2.81	\$0.00	\$2.81	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$2.81	\$0.00
						ABSTRACT TOTAL:		\$19.36	\$19.36	\$0.00
					COUNTY	TAX	\$21.06	\$0.00	\$21.06	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$21.06	\$0.00
					MOUNTAIN HOME FIRE	TAX	\$3.24	\$0.00	\$3.24	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$3.24	\$0.00
						ABSTRACT TOTAL:		\$3.24	\$3.24	\$0.00
						TAX	\$19.62	\$0.00	\$19.62	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$19.62	\$0.00
					MOUNTAIN HOME FIRE	TAX	\$2.70	\$0.00	\$2.70	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$2.70	\$0.00
						ABSTRACT TOTAL:		\$2.70	\$2.70	\$0.00
						TAX	\$15.97	\$0.00	\$15.97	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$15.97	\$0.00
						ABSTRACT TOTAL:		\$15.97	\$15.97	\$0.00

0000311163-1998-1998-0000 WAGE ATTACHMENT RESEARCH. RELEASES 1996 THROUGH 2007 APPROVED BY STAN DUNCAN. ELIZABETH PURSER GILLIAM NEVER OWNED THIS MANUFACTURED HOME. SHE MOVED TO BUNCOMBE COUNTY IN 1994. THE OWNER WAS HER EX HUSBAND, GARY BROWN GILLIAM, WHO DIED IN 1998. FIELD INSPECTION DONE WITH LEE KING. LAND OWNER DECEASED ALSO.

0000311164-1997-1997-0000 WAGE ATTACHMENT RESEARCH. RELEASES 1996 THROUGH 2007 APPROVED BY STAN DUNCAN. ELIZABETH PURSER GILLIAM NEVER OWNED THIS MANUFACTURED HOME. SHE MOVED TO BUNCOMBE COUNTY IN 1994. THE OWNER WAS HER EX HUSBAND, GARY BROWN GILLIAM, WHO DIED IN 1998. FIELD INSPECTION DONE WITH LEE KING. LAND OWNER DECEASED ALSO.

0000311165-1996-1996-0000 WAGE ATTACHMENT RESEARCH. RELEASES 1996 THROUGH 2007 APPROVED BY STAN DUNCAN. ELIZABETH PURSER GILLIAM NEVER OWNED THIS MANUFACTURED HOME. SHE MOVED TO BUNCOMBE COUNTY IN 1994. THE OWNER WAS HER EX HUSBAND, GARY BROWN GILLIAM, WHO DIED IN 1998. FIELD INSPECTION DONE WITH LEE KING. LAND OWNER DECEASED ALSO.

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	TAX DISTRICT	LEVA TYPE	BILLED	PAID	RELEASE	REFUND
GILLIAM, ELIZABETH PURSER	0000311165-1996-1996-0000	WAGE ATTACHMENT RESEARCH. RELEASES 1996 THROUGH 2007. APPROVED BY STAN DUNCAN. ELIZABETH PURSER GILLIAM NEVER OWNED THIS MANUFACTURED HOME, SHE MOVED TO BUNCOMBE COUNTY IN 1994. THE OWNER WAS HER EX HUSBAND, GARY BROWN GILLIAM, WHO DIED IN 1998. FIELD INSPECTION DONE WITH LEE KING. LAND OWNER DECEASED ALSO.	(\$3,100)	88	MOUNTAIN HOME FIRE	TAX	\$2.33	\$0.00	\$2.33	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$2.33	\$0.00
OWNER TOTAL:			(\$13,610)						\$84.28	\$0.00
GREENE, ALICIA	0002317449-2006-2006-0000	*****NOTIFY LAUREL PARK***** PROPERTY HAS BEEN LISTED SINCE 1995 AS UNKNOWN OWNER. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK INDICATES THIS PROPERTY SHOULD HAVE BEEN LISTED TO THE WILCOX FAMILY HEIRS OF WHICH ALICIA GREENE IS ONE OF FOUR. ALL LISTINGS TO UNKNOWN OWNER ARE RELEASED AND COUNTY WILL NOTIFY AND RE-BILL CORRECT OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394	(\$3,400)	294	COUNTY	TAX	\$19.21	\$0.00	\$19.21	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$19.21	\$0.00
OWNER TOTAL:									\$19.21	\$0.00
	0002317449-2007-2007-0000	*****NOTIFY LAUREL PARK***** PROPERTY HAS BEEN LISTED SINCE 1995 AS UNKNOWN OWNER. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK INDICATES THIS PROPERTY SHOULD HAVE BEEN LISTED TO THE WILCOX FAMILY HEIRS OF WHICH ALICIA GREENE IS ONE OF FOUR. ALL LISTINGS TO UNKNOWN OWNER ARE RELEASED AND COUNTY WILL NOTIFY AND RE-BILL CORRECT OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394	(\$5,600)	296	COUNTY	TAX	\$25.87	\$0.00	\$25.87	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$25.87	\$0.00
OWNER TOTAL:									\$25.87	\$0.00
	0002317449-2008-2008-0000	*****NOTIFY LAUREL PARK***** PROPERTY HAS BEEN LISTED SINCE 1995 AS UNKNOWN OWNER. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK INDICATES THIS PROPERTY SHOULD HAVE BEEN LISTED TO THE WILCOX FAMILY HEIRS OF WHICH ALICIA GREENE IS ONE OF FOUR. ALL LISTINGS TO UNKNOWN OWNER ARE RELEASED AND COUNTY WILL NOTIFY AND RE-BILL CORRECT OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394	(\$5,600)	297	COUNTY	TAX	\$25.87	\$0.00	\$25.87	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$25.87	\$0.00
OWNER TOTAL:									\$25.87	\$0.00

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADT NUMBER	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
KERR, DAVID L	0000219030-2008-2008-0000	PARCEL WAS INCORRECTLY MAPPED, DECREASE. OWNER (KERR NOW 1014486) REQUESTS REFUND OF THE DIFFERENCE IN VALUE 2007-2011. NOTICE OF IMMATERIAL IRREGULARITY CALCULATED FOR THE CORRECT OWNER FOR A VALUE INCREASE (CALDWELL NOW 1014487) FOR 2007-2011.	(\$12,000)	302	COUNTY	TAX	\$86.39	\$86.39	\$55.44	\$55.44
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$55.44	\$55.44
					VALLEY HILL FIRE	TAX	\$13.09	\$13.09	\$8.40	\$8.40
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$8.40	\$8.40
						ABSTRACT TOTAL:			\$63.84	\$63.84
	0000219030-2009-2009-0000	PARCEL WAS INCORRECTLY MAPPED, CORRECTION RESULTED IN A VALUE DECREASE. OWNER (KERR NOW 1014486) REQUESTS REFUND OF THE DIFFERENCE IN VALUE 2007-2011. NOTICE OF IMMATERIAL IRREGULARITY CALCULATED FOR THE CORRECT OWNER FOR A VALUE INCREASE (CALDWELL NOW 1014487) FOR 2007-2011.	(\$12,000)	303	COUNTY	TAX	\$86.39	\$86.39	\$55.44	\$55.44
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$55.44	\$55.44
					VALLEY HILL FIRE	TAX	\$13.09	\$13.09	\$8.40	\$8.40
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$8.40	\$8.40
						ABSTRACT TOTAL:			\$63.84	\$63.84
	0002852417-2010-2010-0000	PARCEL WAS INCORRECTLY MAPPED, CORRECTION RESULTED IN A VALUE DECREASE. OWNER (KERR NOW 1014486) REQUESTS REFUND OF THE DIFFERENCE IN VALUE 2007-2011. NOTICE OF IMMATERIAL IRREGULARITY CALCULATED FOR THE CORRECT OWNER FOR A VALUE INCREASE (CALDWELL NOW 1014487) FOR 2007-2011.	(\$12,000)	304	COUNTY	TAX	\$86.39	\$86.39	\$55.44	\$55.44
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$55.44	\$55.44
					VALLEY HILL FIRE	TAX	\$13.09	\$13.09	\$8.40	\$8.40
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$8.40	\$8.40
						ABSTRACT TOTAL:			\$63.84	\$63.84
	0002852417-2011-2011-0000	PARCEL WAS INCORRECTLY MAPPED, CORRECTION RESULTED IN A VALUE DECREASE. OWNER (KERR NOW 1014486) REQUESTS REFUND OF THE DIFFERENCE IN VALUE 2007-2011. NOTICE OF IMMATERIAL IRREGULARITY CALCULATED FOR THE CORRECT OWNER FOR A VALUE INCREASE (CALDWELL NOW 1014487) FOR 2007-2011.	(\$7,500)	305	COUNTY	TAX	\$60.09	\$60.09	\$38.52	\$38.52
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$38.52	\$38.52
					VALLEY HILL FIRE	TAX	\$9.36	\$9.36	\$6.00	\$6.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$6.00	\$6.00
						ABSTRACT TOTAL:			\$44.52	\$44.52
						OWNER TOTAL:			\$299.88	\$299.88

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	TAX DISTRICT	LEV TYPE	BILLED	PAID	RELEASE	REFUND
ROBINSON, JOHN MATTHEW	0002917043-2011-2011-0000	PROPERTY TYPE: 1992 REGAL WATERCRAFT AND MERCURY MOTOR. RECEIVED INFORMATION FROM MICHELLE NELSON, BUNCOMBE COUNTY TAX DEPARTMENT, CONCERNING TAXATION IN BUNCOMBE COUNTY AND HENDERSON COUNTY FOR THIS WATERCRAFT. BUNCOMBE SUPPLIED 2011 LISTING INFORMATION CONFIRMING THE LISTING OF THIS BOAT AS PERSONAL PROPERTY IN BUNCOMBE COUNTY, LOCATION 46 SARDIS ROAD, ASHEVILLE NC. BUNCOMBE COUNTY LISTING INFORMATION AND BILL ATTACHED TO THIS RECORD, ALONG WITH 2011 HENDERSON COUNTY LISTING FORM RECEIVED FROM OWNER.	(\$3,730)	277	COUNTY	TAX	\$19.16	\$19.16	\$19.16	\$19.16
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$19.16	\$19.16
					ETOWAH- HORSESHOE FIRE	TAX	\$3.54	\$3.54	\$3.54	\$3.54
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$3.54	\$3.54
						ABSTRACT TOTAL:			\$22.70	\$22.70

OWNER TOTAL:

UNKNOWN OWNER	0000192622-1998-1998-0000	*****NOTIFY LAUREL PARK*****PROPERTY HAS BEEN LISTED AS UNKNOWN OWNER SINCE 1995. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK SUGGESTS THIS PROPERTY SHOULD HAVE BEEN LISTED AS TWO PARCELS TO SEPARATE OWNERS. ANALYSIS COMPLETED AND SUBMITTED TO THE ASSESSOR FOR A NOTICE OF LISTING FOR THE YEARS 2002-2010 TO BE SENT TO THE CURRENT LISTED OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394.	(\$3,730)	289	COUNTY	TAX	\$191.88	\$0.00	\$191.88	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$191.88	\$0.00
						ABSTRACT TOTAL:			\$191.88	\$0.00

	0000192623-1997-1997-0000	*****NOTIFY LAUREL PARK*****PROPERTY HAS BEEN LISTED AS UNKNOWN OWNER SINCE 1995. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK SUGGESTS THIS PROPERTY SHOULD HAVE BEEN LISTED AS TWO PARCELS TO SEPARATE OWNERS. ANALYSIS COMPLETED AND SUBMITTED TO THE ASSESSOR FOR NOTICE OF LISTING FOR THE YEARS 2002-2010 TO BE SENT TO THE CURRENT LISTED OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394.	(\$32,800)	288	COUNTY	TAX	\$178.76	\$0.00	\$178.76	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:			\$178.76	\$0.00
						ABSTRACT TOTAL:			\$178.76	\$0.00

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	TAX DISTRICT	LEVA TYPE	BIDED	PAID	RELEASE	REFUND
UNKNOWN OWNER	0000357495-1996-1996-0000	*****NOTIFY LAUREL PARK*****PROPERTY HAS BEEN LISTED AS UNKNOWN OWNER SINCE 1995. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK SUGGESTS THIS PROPERTY SHOULD HAVE BEEN LISTED AS TWO PARCELS TO SEPARATE OWNERS. ANALYSIS COMPLETED AND SUBMITTED TO THE ASSESSOR FOR NOTICE OF LISTING FOR THE YEARS 2002-2010 TO BE SENT TO THE CURRENT LISTED OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394.	(\$32,800)	287	COUNTY	TAX	\$168.92	\$0.00	\$168.92	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:		ABSTRACT TOTAL:	\$168.92	\$0.00
	0000357498-1995-1995-0000	*****NOTIFY LAUREL PARK*****PROPERTY HAS BEEN LISTED AS UNKNOWN OWNER SINCE 1995. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK SUGGESTS THIS PROPERTY SHOULD HAVE BEEN LISTED AS TWO PARCELS TO SEPARATE OWNERS. ANALYSIS COMPLETED AND SUBMITTED TO THE ASSESSOR FOR NOTICE OF LISTING FOR THE YEARS 2002-2010 TO BE SENT TO THE CURRENT LISTED OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394.	(\$32,800)	286	COUNTY	TAX	\$165.64	\$0.00	\$165.64	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:		ABSTRACT TOTAL:	\$165.64	\$0.00
	0002317448-2007-2007-0000	*****NOTIFY LAUREL PARK*****PROPERTY HAS BEEN LISTED AS UNKNOWN OWNER SINCE 1995. RESEARCH PROVIDED BY THE TOWN OF LAUREL PARK SUGGESTS THIS PROPERTY SHOULD HAVE BEEN LISTED AS TWO PARCELS TO SEPARATE OWNERS. ANALYSIS COMPLETED AND SUBMITTED TO THE ASSESSOR FOR NOTICE OF LISTING FOR THE YEARS 2002-2010 TO BE SENT TO THE CURRENT LISTED OWNERS AS AN IMMATERIAL IRREGULARITY ACCORDING TO N.C.G.S. 105-394.	(\$75,600)	290	COUNTY	TAX	\$349.27	\$0.00	\$349.27	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:		ABSTRACT TOTAL:	\$349.27	\$0.00

HENDERSON COUNTY TAX COLLECTOR

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PH: (828) 697-5595

FAX: (828) 698-6153

May 9, 2012

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

Please find outlined below collections information through May 5th for the 2011 bills mailed out on August 19th, 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:

2011 Total Charge \$57,629,108.83
Payments & Releases: 56,101,342.40
Unpaid Taxes: 1,527,766.41
Percentage Collected: 97.34%
(through 05/5/2012)

2010 Total Charge: \$57,524,414.37
Payments & Releases 55,599,683.27
Unpaid Taxes: 1,924,731.10
Percentage Collected: 96.65%
(through 05/5/2011)

Motor Vehicle Bills G01 Only:

2011 Total Charge: \$4,170,523.72
Payments & Releases: 3,303,808.79
Unpaid Taxes: 866,714.93
Percentage Collected: 78.74%
(through 5/5/2012)

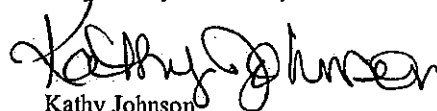
2010 Total Charge: \$3,760,136.65
Payments & Releases: 3,037,885.05
Unpaid Taxes: 722,251.60
Percentage Collected: 80.79%
(through 05/05/2011)

Fire Districts All Bills

2011 Total Charge: \$6,852,669.36
Payments & Releases: 6,562,561.32
Unpaid Taxes: 290,118.04
Percentage Collected: 95.75%
(through 05/05/ 2012)

2010 Total Charge \$6,705,662.89
Payments & Releases: 6,406,098.33
Unpaid Taxes: 299,564.56
Percentage Collected: 95.69%
(through 05/05/2011)

Respectfully submitted,



Kathy Johnson
Tax Collections Clerk

Stan C. Duncan
Tax Collector

HOME & COMMUNITY CARE BLOCK GRANT COMMITTEE FY 2013 HCCBG ALLOCATION RECOMMENDATIONS

SERVICE PROVIDER	SERVICE CATEGORY	FY 2013 ALLOCATION	FY 2012 CURRENT ALLOCATION	FY 2012 ORIGINAL ALLOCATION	% OF FY2013 ALLOCATION
ADVANTAGE HOME CARE	In-Home Services: In Home Aide Level II	\$ 153,223	\$ 81,322	\$ 81,322	19.95%
CAREPARTNERS	In-Home Services: In Home Aide Level II	\$ -	\$ 71,901	\$ 71,901	0.00%
HENDERSON COUNTY DSS	In-Home Services: In Home Aide Level I	\$ 24,494	\$ 24,494	\$ 24,494	3.19%
PARDEE PAVILION	In-Home Services: Adult Day Care	\$ 5,777	\$ 5,426	\$ 5,426	0.75%
PARDEE PAVILION	In-Home Services: Adult Day Healthcare	\$ 23,106	\$ 23,457	\$ 21,857	3.01%
LAND OF SKY REGIONAL COUNCIL	In-Home Services: Senior Companion	\$ 30,000	\$ 25,550	\$ 25,550	3.91%
HOUSING ASSISTANCE CORPORATION (HAC)	In-Home Services: Home Repair	\$ 19,671	\$ 19,671	\$ 19,671	2.56%
TOTAL IN-HOME SERVICES ALLOCATION:		\$ 256,271			
WESTERN CAROLINA COMMUNITY ACTION (WCCA)	Access Services: General Transportation	\$ 136,641	\$ 136,641	\$ 136,641	17.79%
WESTERN CAROLINA COMMUNITY ACTION (WCCA)	Access Services: Medical Transportation	\$ 26,002	\$ 30,705	\$ 26,002	3.38%
COUNCIL ON AGING	Access Services: Care Management	\$ 50,000	\$ 25,097	\$ 25,097	6.51%
COUNCIL ON AGING	Access Services: Information & Assistance	\$ 19,965	\$ 29,318	\$ 29,318	2.60%
TOTAL ACCESS SERVICES ALLOCATION:		\$ 232,608			
PISGAH LEGAL SERVICES	Legal Services: Elder Law Program	\$ 29,861	\$ 29,861	\$ 20,199	3.89%
TOTAL LEGAL SERVICES ALLOCATION:		\$ 29,861			
COUNCIL ON AGING	Other HCCBG Services: Home Delivered Meals	\$ 206,844	\$ 228,229	\$ 218,566	26.93%
COUNCIL ON AGING	Other HCCBG Services: Congregate Meals	\$ 17,761	\$ 22,761	\$ 22,761	2.31%
WESTERN CAROLINA COMMUNITY ACTION (WCCA)	Other HCCBG Services: Liquid Nutrition	\$ 24,871	\$ 27,371	\$ 24,871	3.24%
TOTAL OTHER HCCBG SERVICES ALLOCATION:		\$ 249,476			
BLOCK GRANT TOTAL		\$ 768,216	\$ 781,804	\$ 753,676	100.00%

NOTES:

The last column entitled "% of FY2013 Allocation" indicates the percentage of total FY2013 HCCBG funding recommended by the Committee to be allocated for each provider.

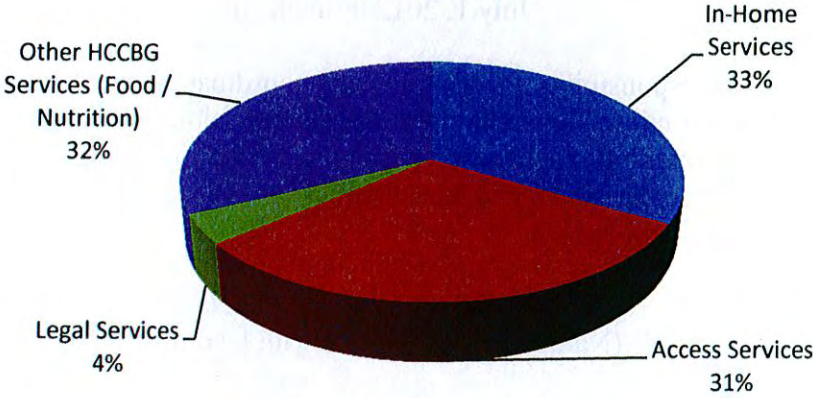
The column above, entitled "FY2012 Current Allocation" reflects the FY2012 year-to-date allocations granted to providers. The amounts displayed in this column may differ from the amounts in the column entitled "FY2012 Original Allocation" because of (1) re-allocated funds among providers; and/or (2) additional HCCBG funds received from NC Division of Aging through the Land of Sky Regional Council (additional funding in the amount of \$28,128 was granted to Henderson County on 12/5/2011).

NOTES (Cont'd.)

Page Two

HCCBG Services have been categorized in accordance with priority services established by Title III-B of the Older Americans Act. Specific services falling within each priority service category are set forth above and color coded for your convenience. Title III-B funding comprises approximately 30% of entire HCCBG funding (approximately \$230,465). According to Title III-B, the following funding requirements are imposed for three of the above-listed categories as follows (Henderson County meets all of the funding requirements): (1) In-Home Services: 25% (\$57,616); (2) Access Services: 30% (\$69,140); (3) Legal Services: 2% (\$4,610).

FY2013 HCCBG RECOMMENDED ALLOCATIONS



Home and Community Care Block Grant for Older Adults

County Funding Plan

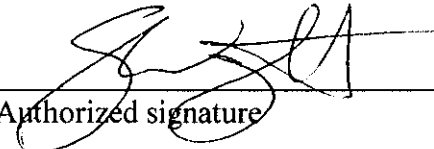
Identification of Agency or Office with Lead Responsibility for County Funding Plan

County **Henderson**

July 1, 2012 through June 30, 2013

The agency or office with lead responsibility for planning and coordinating the County Funding Plan recommends this funding plan to the Board of Commissioners as a coordinated means to utilize community-based resources in the delivery of comprehensive aging services to older adults and their families.

HENDERSON COUNTY MANAGER
(Name of agency/office with lead responsibility)

 5-16-12

Authorized signature (date)

Steven D. Wyatt, County Manager
(Type name and title of signatory agent)

RESOLUTION APPROVING FINANCING TERMS

WHEREAS, the County of Henderson, North Carolina (the "County") has previously determined to undertake a project for two new 2012 Chevrolet G4500 ambulances (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated May 4, 2012. The amount financed shall not exceed \$249,378.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.59%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing for the financing ("the Financing Documents") shall be consistent with the foregoing terms. The Chairman and Staff of the County are hereby authorized and directed to execute and deliver any Financing Documents, and take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by the Chairman or Staff, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's General Fund, or any other County Fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 16th day of May, 2012.

HENDERSON COUNTY BOARD OF COMMISSIONERS

Thomas H. Thompson
Thomas H. Thompson, Chairman

Attest:

Teresa L. Wilson
Teresa L. Wilson, Clerk to the Board





RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed text amendment with case TX-2010-02; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on November 17, 2010; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That the Board reviewed the proposed text amendment (TX-2010-02 – Definitions) and finds that it reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed text amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 16th day of May, 2012.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:

Thomas H. Thompson
THOMAS H. THOMPSON, Chairman

ATTEST:

Terry Wilson
Terry Wilson, Clerk to the Board

[COUNTY SEAL]

Text moved from Subdivision Section (Article III) to the Definitions Section (Article XIV) as presented in TX-2010-02 and inadvertently omitted by Board Action on September 21, 2011.

Add the following text to Article XIV (Definitions) in alphabetical order:

Conservation Area, Primary. Consists of:

- (1) *Floodplains* (100-year and 500-year) and hydric soils identified as part of: a *Flood Insurance Study* prepared by the Federal Emergency Management Agency (*FEMA*); or the County Soil Survey prepared by the USDA Natural Resources Conservation Service;
- (2) Land located within 50 feet of the bank of any *perennial stream*; and
- (3) *Slopes* greater than 30 percent (13.5 degrees) identified as part of: a County Soil Survey prepared by the USDA Natural Resources Conservation Service; or a site analysis conducted by a registered professional engineer, professional land surveyor, landscape architect, architect or land planner and calculated using topographic maps from an actual survey or from the US Geological Society.

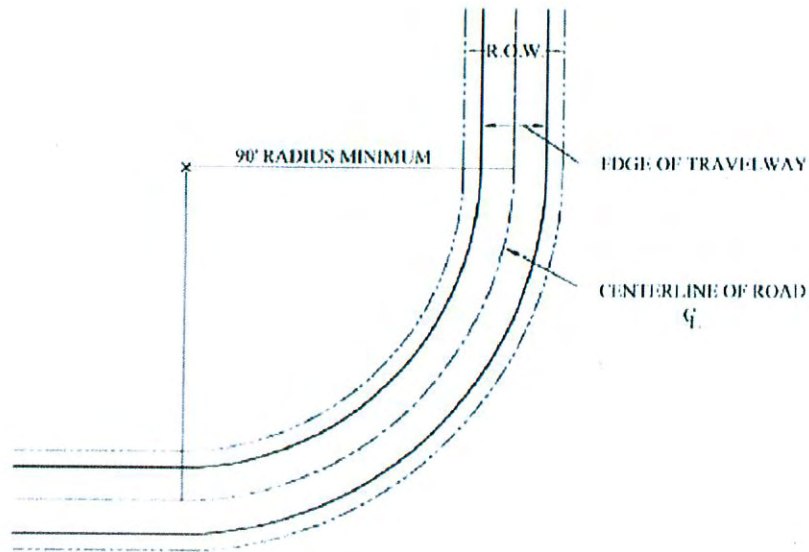
Conservation Area, Secondary. Consists of:

- (1) Farmland (whether actively used or not) including cropland, fields, pastures and meadows;
- (2) Natural areas, wildlife habitats and corridors identified as part of: an Inventory of Natural Areas and Wildlife Habitats as prepared by a State agency, the Nature Conservancy or a local land trust; a required Environmental Assessment or Environmental Impact Statement; or an independent site study conducted by a trained botanist or biologist;
- (3) *Slopes* of 20 to less than 30 percent (nine (9) to less than 13.5 degrees) which require special *site* planning due to their *erosion* potential, limitations for septic tank nitrification fields and terrain or elevation changes;
- (4) Historic or archeological sites including, but not limited to, sites listed on the National Register of Historic Places or included on the State's National Register study list, designated as a local historic landmark or district and/or designated as having a high potential for archaeological remains generally identified as part of a: local architectural survey; local archaeological survey; required Environmental Assessment or Environmental Impact Statement; or independent site study conducted by a trained architectural historian or archaeologist;
- (5) Non-commercial cemeteries; and
- (6) Viewsheds (scenic views, especially of natural and cultural features from designated scenic *road* corridors, including "views from the *road*" as well as views outward from potential home sites).

Curve Radius. The distance measured from the centerline of the *road* to a fixed point inside the curve (see Figure 3A. Minimum Curve Radius))

Figure 19A. Minimum Curve Radius

Not to Scale



Lot, Special Use. *Lots* clearly identified and restricted for a designated use (placement of a *sign*, *common area(s)*, recreation area(s), water tank, pump station, etc.), not intended for sale, and clearly identified as such on development plans and *final plats*.