

**DRAFT**  
10/9/13  
MINUTES

cc: Bob  
Steve  
David  
Russ  
Amy

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, OCTOBER 7, 2013**

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 Charlie Messer, Vice-Chairman Tommy Thompson, Commissioner Grady Hawkins, Commissioner Mike Edney (arrived later in the meeting), Commissioner Larry Young, County Manager Steve Wyatt, Interim Assistant County Manager David Whitson, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Finance Director J. Carey McLelland, Interim Planning Director Autumn Radcliff, Engineer Marcus Jones, Budget Manager Amy Brantley, Captain Steve Carter, Public Health Director Tom Bridges, IT Director Becky Snyder, Sheriff Charles McDonald, Chief Deputy Rodney Raines, Director of Communications Lisha Stanley, Director of Business and County Development John Mitchell, Assessor/Tax Collector Stan Duncan, Planner Matt Cable, PIO Christina Hallingse - videotaping, Deputy Jeff Banks and officer David Pierce as security.

**CALL TO ORDER/WELCOME**

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Jordan Jakubielski, from Leaders in Training 4-H Club.

**PUBLIC HEARING**

**Public Hearing for the FY2014 Rural Operating Assistance Program (ROAP)**

*Commissioner Young made the motion to go into public hearing in regard to the FY2014 Rural Operating Assistance Program (ROAP). All voted in favor and the motion carried.*

Planner Matt Cable stated the Henderson County Board of Commissioners scheduled this public hearing regarding the FY 2014 North Carolina Department of Transportation (NCDOT) Rural Operating Assistance Program (ROAP) grant application in the amount of \$231,019. Henderson County's FY 2014 allocation has increased by \$19,927 from FY 2013.

The County receives these grant funds annually and passes them through to Western Carolina Community Action (WCCA), the NCDOT designated Henderson County transit provider. WCCA provides transit services according to specified performance standards and supplies the required matching funds for the grant. The grant funds provide for senior and disabled transportation programs, transportation for a WorkFirst education program, continuation of public transit service to Edneyville, and demand response transit for citizens who live in other rural areas of Henderson County.

Notices of the public hearing were published (in English) in The Hendersonville Tribune on Thursday, September 26, 2013 and (in Spanish) in La Voz Independiente on Wednesday, September 25, 2013. The two notices fulfill NCDOT requirements for this grant application.

The Board of Commissioners must hold a public hearing on the application. Staff requests the Board approve the Certified Statement and authorize staff to file the application with the NCDOT subject to any comments at the hearing. No County funds are required for this program.

DATE APPROVED:

Public Input

There was none.

*Commissioner Thompson made the motion to go out of the public hearing. All voted in favor and the motion carried.*

*Commissioner Thompson made the motion that the Board approves the Certified Statement and authorizes staff to execute all required documents for the FY 2014 ROAP grant application. All voted in favor and the motion carried.*

**INFORMAL PUBLIC COMMENTS**

1. George Downing – Mr. Downing spoke in favor of greenway efforts. He feels greenways offer the opportunity to expand a natural resource, are great for economic development, bike riding, walking, etc.

**DISCUSSION/ADJUSTMENT OF AGENDA**

*Commissioner Hawkins made the motion to adopt the agenda as presented. 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):

September 18, 2013 – regularly scheduled meeting

**Tax Collector's Report**

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated September 27, 2013 for information only. No action was required.

**Financial Report/Cash Balance Report – August 2013**

The July 2013 County Financial Report/Cash Balance Report was provided for the Board's review and approval.

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

- Dues/Non-Profits – release of 1<sup>st</sup> quarter non-profit contribution payments to agencies in July
- Register of Deeds – encumbrance of \$81,883 in July for expenditures to be paid from the Register of Deeds Fund Balance Reserved for Automation Enhancement
- Information Technology – payments made in July and August for various technology maintenance and support contracts for departments approved in the FY2014 budget
- Fire Services – payment of annual fire districts worker's compensation premium
- EMS – purchase order encumbered for new ambulance approved in the FY2014 budget
- Rescue Squad – purchase order encumbered for new ambulance approved in the FY2014 budget
- Soil & Water – operational costs running slightly higher for the first two months of FY2014
- Economic Development – release of 1<sup>st</sup> quarter payment to the Partnership for Economic Development
- Mental Health – payment of 50 percent maintenance of effort funding budgeted for FY2014
- Library – new publications purchased for FY2014 are at 25 percent of budget through August
- Recreation – purchase of youth team soccer uniforms for the fall season

The YTD deficit in the Revaluation Reserve Fund is due to a \$23,921 annual payment made in July for enhancements to NCPTS, the County's ad valorem property tax system.

The YTD deficit in the Emergency Telephone System (911) Fund is due to the final debt service payment (\$107,037.04) being made in July on the 2008 bank loan secured to expand the current Emergency 911 Communications Center.

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

The YTD deficit in the Immigration and Customs Enforcement (ICE) Fund is due to a timing delay in receiving payments – federal ICE revenues for August will not be received and posted until October 2013.

Motion:

*I move that the Board of Commissioners approve the July 2013 County Financial Report and Cash Balance Report as presented.*

#### **Henderson County Public Schools Financial Reports – August 2013**

The Henderson County Public Schools August 2013 Financial Reports were provided for the Board's information.

Motion:

*I move that the Board of Commissioners approves the Henderson County Public Schools August 2013 Financial Reports as presented.*

#### **Approval of the Low Bid and Purchase of Dodge Chargers for the Sheriff's Office**

The Board is requested to approve the low bid and authorize the Sheriff to proceed with purchasing 7 Dodge Chargers, model year 2014. Bidding was conducted between September 16 and September 23, 2013. The low bidder is Hendersonville Chrysler Dodge for a total of \$164,507.00.

All vehicles were approved in the Sheriff's Office FY 2014 budget, the low bid is within the approved budget, and all vehicles meet the County Vehicle Replacement Plan (and energy conservation) criteria.

Motion:

*I move the Henderson County Board of Commissioners accept the bid from Hendersonville Chrysler Dodge for seven 2014 Dodge Chargers, and authorize the Sheriff to proceed with the purchase.*

#### **New Ambulance Financing**

The Board approved in the FY2014 budget the purchase of new ambulances for the County's Emergency Medical Services Department and the Henderson County Rescue Squad. The purchase of these two new ambulances is proposed 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 \$308,997.

Branch Banking & Trust Company (BB&T) 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 debt service payment of \$80,344.13 will not be due until October 2014 and will be included in the proposed FY2015 budget.

Motion:

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

**Records Retention Schedule Amendment**

The NC Department of Cultural Resources issued Amendments to the Records Retention Schedules for County Management, Register of Deeds, and the Tax Administration. The schedule is the primary way the Department of Cultural Resources gives its consent to destroy records as outlined in G.S. 121-5 and G.S. 132-3. Though the County has been utilizing this Schedule since its issuance, the Department of Cultural Resources has requested the Board officially approve the Amendments by signing the approval sheets. The signature sheets and associated changes were provided in the agenda packet.

Motion:

*I move the Board approves the Amendments as presented and authorize the Chairman and designated staff to execute the approval sheets as presented.*

**Surplus Computers and Equipment**

Information Technology and the Finance Department provided a resolution declaring a list of Computers and Equipment by the no longer used by the County as surplus property. The resolution also authorizes the Purchasing Agent to advertise the surplus property for sale by electronic public auction at [www.govdeals.com](http://www.govdeals.com) after the required advertisement of the sale.

Motion:

*I move that the Board approves the resolution declaring the list of Computers and Equipment presented as surplus and authorizes the Purchasing Agent to sell the surplus property by electronic public auction via GovDeals auction services.*

ID#	Fixed Asset#	Serial#	Description	Purchased	Warranty Date
<b>IT Equipment</b>					
877	11200	5QJ9Y41	Dell Laptop	5/25/2004	N/A
1760	11465	FJLY461	Dell Laptop	11/27/2004	11/27/2007
1430	11668	4WC2C91	Dell Laptop	1/30/2006	1/29/2009
1227	11669	43WBF91	Dell Laptop	2/8/2006	2/7/2009
1228	11671	DGVBF91	Dell Laptop	2/8/2006	2/7/2009
1257	11903	JYP6M91	Dell Laptop	3/15/2006	3/9/2009
1276	11925	CG47M91	Dell Laptop	3/10/2006	3/9/2009
1319	11973	CZQT9B1	Dell Laptop	7/6/2006	7/9/2009
1312	11974	41RT9B1	Dell Laptop	7/6/2006	7/9/2009
1316	11975	J2RT9B1	Dell Laptop	7/6/2006	7/9/2009
1317	11976	F3RT9B1	Dell Laptop	7/6/2006	7/9/2009
1318	11977	25RT9B1	Dell Laptop	7/10/2006	7/9/2009
1314	11978	36RT9B1	Dell Laptop	7/6/2006	7/9/2009
1313	11980	28RT9B1	Dell Laptop	7/6/2006	7/9/2009
1315	11981	39RT9B1	Dell Laptop	7/6/2006	7/9/2009
1311	11982	68RT9B1	Dell Laptop	7/6/2006	7/9/2009
1309	11983	2CRT9B1	Dell Laptop	7/6/2006	7/9/2009
1310	11984	2DRT9B1	Dell Laptop	7/6/2006	7/9/2009
1307	11987	2TLX9B1	Dell Laptop	7/9/2006	7/8/2009
1427	12203	GLHKL81	Dell Laptop	8/10/2006	8/9/2009
1460	12260	90TF6C1	Dell Laptop	12/8/2006	12/6/2010
1462	12262	51TF6C1	Dell Laptop	12/8/2006	12/6/2010
1463	12263	63TF6C1	Dell Laptop	12/8/2006	12/6/2010
<b>Finance Equipment</b>					
11298	11298	50066	Folding Machine	11/4/2004	N/A

**Solid Waste and Animal Services Holiday Schedule**

The proposed 2014 holiday schedule for Solid Waste and Animal was provided.

**ANIMAL SERVICES**

<u>HOLIDAY</u>	<u>DATE(s)</u>	<u>WEEKDAY(s)</u>
New Year’s Day	January 1, 2014	Wednesday
ML King Jr’s Birthday	January 20, 2014	Monday
Good Friday	April 18 & 19, 2014	Friday & Saturday
Memorial Day	May 26, 2014	Monday
Independence Day	July 4 & 5, 2014	Friday & Saturday
Labor Day	September 1, 2014	Monday
Veteran’s Day	November 11, 2014	Tuesday
Thanksgiving	November 27, 28 & 29, 2014	Thursday, Friday & Saturday
Christmas	December 24, 25, 26 & 27, 2014	Wed., Thurs., Friday & Sat.

**SOLID WASTE**

<u>HOLIDAY</u>	<u>DATE(s)</u>	<u>WEEKDAY(s)</u>
New Year’s Day	January 1, 2014	Wednesday
ML King Jr’s Birthday	January 20, 2014	Monday
Good Friday	April 18, 2014	Friday
Memorial Day	May 26, 2014	Monday
Independence Day	July 4, 2014	Friday
Labor Day	September 1, 2014	Monday
Veteran’s Day	November 11, 2014	Tuesday
Thanksgiving	November 27, 2014	Thursday
Christmas	December 24 & 25, 2014	Wednesday & Thursday

Motion:

*I move that the Board approves the Solid Waste and Animal Services 2014 Holiday Schedules as presented.*

**Transportation Advisory Committee Bylaws Amendments**

The Board of Commissioners last approved amended bylaws for the Henderson County Transportation Advisory Committee (TAC) in 2009. Current TAC bylaws include a reference to the day and times of meetings which have since been changed by the TAC. The TAC, prompted by the inconsistency between the bylaws’ indicated meeting schedule and the actual meeting schedule, determined it an appropriate time to review its bylaws. During its review the TAC also suggested that language be added related to establishing rules of meeting conduct. The TAC bylaws include additional non-substantive amendments to correct grammatical errors and simplify bylaws language.

Motion:

*I move the Board approves the Transportation Advisory Committee Bylaws as presented.*

**Habitat for Humanity Dodd Meadows Project Combined Policies & Resolution**

Henderson County was recently awarded the 2012 N.C. Catalyst grant in the amount of \$454,960 on behalf of Henderson County Habitat for Humanity’s Dodd Meadows neighborhood located off Crest Road. The Community Development Block Grant (CDBG) funds will be used to support Henderson County Habitat for

Humanity's Dodd Meadows residential development for moderate and low income persons in the County. The County must adopt several resolutions, policies and plans to satisfy North Carolina Department of Commerce requirements. Please see attached Equal Opportunity Plan, Citizen Participation Plan, and Procurement Plan.

No county matching funds are required for this project.

Motion:

*I move that the Board approves the Equal Opportunity Plan, Citizen Participation Plan, and Procurement Plan.*

### **Levi Monitoring Agreement**

As a part of the County's duty as the former operator of one or more of the now-closed landfills, the County must monitor groundwater in the area of such landfills for the potential presence of potential presence of volatile organic compounds in groundwater which may flow from such landfills (even if the particular landfill was not operated by the County). Jack and Bessie Levi own real property within the watershed of such a landfill.

It is proposed that in return for allowing the County to fulfill its monitoring agreement, that the County provide a connection for public water to Mr. and Mrs. Levi, including replacement of a failing culvert on the Levi property under which the line must run.

Motion:

*I move that the Board authorizes the agreement with Jack and Bessie Levi outlined in this agenda item, and further direct and authorize staff to enter into such agreements as are necessary to provide Mr. and Mrs. Levi with a connection to public water, including related matters, to their property lying within the watershed of a landfill with which the County is charged with monitoring.*

### **Offer to purchase tax-foreclosed property**

W. H. Stewart, Jr., has offered to purchase a parcel of real estate which was subject to a tax foreclosure by the County.

The property is described as Lot 32 (also known as Lot L 32), Echo Lake, Henderson County parcel identification number 0107555, with a tax value of \$13,600.00. The offered price is the sum of Two Thousand Five Hundred Dollars (\$2,500.00).

It is believed that this lot was originally foreclosed by the County 2 October 1987.

If the Board agrees to provisionally accept either of these offers (or both), it/they would be subject to advertisement in *The Hendersonville Tribune* and ten-day period for upset bids pursuant to your policy, adopted 29 June 2005. Although not required, as a courtesy it is the custom of the County to also give regular mail notice to adjoining property owners.

NOTE: It will be difficult if not impossible to draft a deed with a proper description in the absence of a survey, and the purchaser should be required to agree to either obtain their own survey or reiterate their release of the County from liability in the event a description is inadequate.

Motion:

*I move that the Board provisionally accepts the offer of W. H. Stewart, Jr., to purchase the parcel described in this agenda item, subject to the procedures required by this Board for tax foreclosure sales and subject to the condition stated in this agenda item.*

**Nominations**

Chairman Messer noted vacancies and opened the floor for nominations.

1. Cemetery Advisory Committee – 1 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
2. Juvenile Crime Prevention Council – 6 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
3. 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.
4. Senior Volunteer Services Advisory Council – 3 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
5. Smartstart – 1 vac.  
There were no nominations at this time so this item was rolled to the next meeting.

**RESOLUTION – HOPE RX**

Graham Fields stated on Tuesday, October 1, 2013, Partnership for Health of Henderson County launched HopeRx, a community-wide initiative created to help reduce the increasing rate of prescription drug abuse in Henderson County and prevent tragic deaths that are caused by this serious health problem in our community.

Mr. Fields recognized Todd Singer, Tom Bridges, Steve Wyatt, Christina Hallingse, and Elizabeth Moss, members of the steering committee. Their next meeting is scheduled for November 7, 2013 at Blue Ridge Community College.

HopeRx is a project designed to unite community leaders, parents, educators, students, healthcare providers, EMS workers and volunteers, law enforcement, the judicial system, civic organizations and faith groups throughout Henderson County to work collaboratively to address the issues of prescription drug abuse, one of the top three health problems in our county.

The HopeRx initiative is spearheaded by the Partnership for Health, a community coalition whose mission is to address critical health issues in Henderson County. Members of the Partnership for Health include representatives from Blue Ridge Community College, Blue Ridge Community Health Services, The Free Clinics, Henderson County Health Department, Mainstay, Pardee Hospital, Park Ridge Health and Wingate University Hendersonville Campus, School of Pharmacy.

The Partnership for Health of Henderson County has requested the Board of Commissioners adopt a Resolution in support of the Hope Rx initiative in Henderson County.

*Commissioner Hawkins made the motion that the Board adopts the Resolution in support of the Hope Rx initiative in Henderson County. All voted in favor and the motion carried.*

**ABC BOARD REPORT**

Beau Waddell, Chairman of the ABC Board, provided an update on the recent Martin-McGill study, and the status of the ABC Board.

Mr. Waddell stated at the August 21, 2013 meeting, based on the recent Martin-McGill study, the ABC Board voted unanimously to table the ABC Board until a future date when the Commissioners feel it

necessary to reactivate. The City of Hendersonville and Town of Brevard both have new stores and the study confirms that Henderson County is well served at this time with existing ABC Stores. The Henderson County ABC Board met with all three existing Boards and no interest was shown for consolidation with Henderson County.

Commissioner Thompson noted that all members of the Henderson County ABC Board had declined payment for their services.

**REDISTRICTING**

Commissioner Hawkins stated the last revision of candidate residency district boundaries for the Board of Commissioners was in 2001. At that time, the populations of the districts were as follows (2000 census):

District 1	18,615
District 2	17,919
District 3	17,581
District 4	17,700
District 5	17,358

2012 Census estimates for the County shows a different population allocation:

District 1	19,826
District 2	20,441
District 3	19,631
District 4	22,002
District 5	26,127

- Since 1973, the “districts” in Henderson County have been not **election** districts, but **candidate residency** districts. For each given seat, the successful candidate must reside within the district at the time of the election. (The limitation on residency does **not** extend after election; if an elected commissioner moves, changing districts but staying within Henderson County, there is no effect.)
- Elections are on a county-wide basis, with all county residents voting on all commissioner districts.
- Since 1995, the Board of Commissioners has had the power to modify the residency district boundaries.

At any time that the Board of Commissioners “find[s] that there is a substantial inequality of population” it may modify the district boundaries. “The test” for whether new district may be adopted is whether there is “a reduction in the relative overall range of deviation.”<sup>1</sup>

Any change other than a change in the residency district boundaries must come from the General Assembly.

Commissioner Hawkins suggested working in a 10% variance range between population of districts while avoiding division of municipalities and precincts. He further recommended a change in legislation allowing only one (1) commissioner, per district, per term. The population of Henderson County since 1973 has increased 150% requiring possible updates in legislation and more restrictions. Commissioner Hawkins offered the idea of county-wide selection of chairman.

Commissioner Young agreed that the districts are out of balance and felt staff and the Board of Elections should work together to determine new districts without splitting precinct lines.

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Commissioner Thompson agreed that district balancing was necessary, and legislation needs to be changed requiring a commissioner to remain in a district for their entire term. Commissioner Thompson was not in favor of county-wide chair selection.

Chairman Messer feels redistricting is necessary to align the numbers, without breaking district lines. He noted that commissioners work for the county, not just their district. He is opposed to county-wide chair selection.

County Manager Steve Wyatt will work with staff to come up with a plan for redistricting by February 2014.

County Attorney Russ Burrell noted that redistricting should be “written in stone” prior to the filing date.

*Commissioner Hawkins made the motion that the Board directs staff to look at redistricting within a 10% range while avoiding division of municipalities or precincts. All voted in favor and the motion carried.*

*Commissioner Hawkins made the motion that the Board directs the Chairman to correspond with legislature for a local bill requiring one commissioner in each district for the length of their term. All voted in favor and the motion carried.*

Commissioner Edney arrived at 6:10 p.m.

#### **PETITION TO PERMANENTLY CLOSE A PORTION OF 9<sup>TH</sup> AVENUE WEST**

Commissioner Young stated the County recently purchased the “Boyd Property” on Asheville Highway for the future expansion of Hendersonville High School. Currently, 9<sup>th</sup> Avenue West between Oakland Street and North Church Street bisects the property, complicating the planning process. Due to the lengthy process to obtain street closure approval, the Board of Education has requested that the County join with them in petitioning the City to close the street.

Commissioner Young noted at the September 24, 2013 meeting of the Joint Facilities, a decision has been met to close 9<sup>th</sup> Avenue for safety reasons, and to ask the Board of Commissioners to work on a petition to the City of Hendersonville.

Russ Burrell will prepare documents and have information available for Commissioner Thompson and Chairman Messer for the October 15, 2013 meeting of the LGCCA.

Steve Wyatt stated papers will be filed with the Planning Department to begin the process quickly.

*Commissioner Young made the motion that the Board authorizes Staff to join with the Board of Education, in petitioning the City of Hendersonville to close 9<sup>th</sup> Avenue West between Oakland Street and North Church Street. All voted in favor and the motion carried.*

#### **CONSULTANT AGREEMENTS – 911 CENTER RELOCATION PROJECT**

Marcus Jones stated with the selection of Delta Three, Inc. (D3) as the most qualified responding Architect for the subject project during the Board’s February 4, 2012 meeting, staff has negotiated a proposed agreement with D3 for \$162,085. The scope of services is to perform the architectural services for the subject project.

Also, staff has negotiated an agreement with Mission Critical Partners, Inc (MCP). The agreement was provided noting an associated fee of \$212,000. The scope of the agreement with MCP is to integrate technology into the project and manage the grant process with the NC911 Board.

Both agreements address the new and larger project scope under the recently approved NC911 Board grant for \$3,600,000. These agreements are both grant eligible and do not require an allocation of County funds.

*Commissioner Hawkins made the motion that the Board authorizes the County Engineer to execute required documents for agreement with Delta Three, Inc., at \$162,085, and Mission Critical Partners, Inc, at \$212,000. All voted in favor and the motion carried.*

**COUNTY MANAGER’S REPORT**

Chairman Messer noted that security measures at the 1995 Courthouse need to be expedited after a bomb threat today.

Steve Wyatt congratulated Russ Burrell for his “Hole in One” on hole 16 at Cummings Cove Golf Course the previous week. Mr. Burrell’s father witnessed the memory of a lifetime.

Steve Wyatt stated that 17% of the Federal Government shutdown includes the building for the Soil and Water District. Employees were out of the office as of the shutdown. He and staff are working to locate temporary office space at the King Street building for these employees. Mr. Wyatt will keep both the Commissioners and public informed.

**IMPORTANT DATES**

Set Public Hearing for Rezoning Application #R-2013-03

*Chairman Messer made the motion that the Board schedules a public hearing for rezoning application #R-2013-03 for Monday, November 4, 2013 at 5:30 p.m. All voted in favor and the motion carried.*

Open House at the Activity Center on October 10, 2013 from 5:00 – 7:00 pm

Volunteer Appreciation Dinner on October 15, 2013 at 6:30 pm at the Activity Center

**CLOSED SESSION**

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a) 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.

*Commissioner Edney made the motion that the Board go into closed session 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. All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner Thompson made the motion to go out of closed session and adjourn at 6:35 p.m. All voted in favor and the motion carried.*

Attest:

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

\_\_\_\_\_  
Charles D. Messer, Chairman

Important – A public hearing MUST be conducted whether or not requested by the Public.

## ROAP PUBLIC HEARING RECORD

Date Public Notice was published: September 25 and 26, 2013

APPLICANT: Henderson County

DATE: October 7, 2013

PLACE: Henderson County

TIME: 5:30 p.m. Monday, October 7, 2013

How many COMMISSIONERS attended the public hearing? 4

How many members of the PUBLIC attended the public hearing? 24

### Public Attendance Surveys

(Attached)

(Offered at Public Hearing but none completed)

I, the undersigned, representing (*Legal Name of Applicant*) Henderson County do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

### During the Public Hearing

(NO public comments)

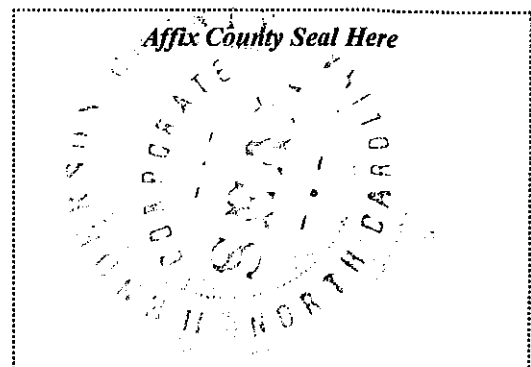
(Public Comments were made and meeting minutes will be submitted after board approval)

The estimated date for board approval of meeting minutes is: November 4, 2013

Teresa L. Wilson  
Signature of Clerk to the Board

Teresa L. Wilson, Clerk to the Board  
Printed Name and Title

October 7, 2013  
Date



# Application for Transportation Operating Assistance

## *FY 2014 Rural Operating Assistance Program Funds*

	<b>Henderson County</b>
	<b>Steve Wyatt</b>
	swyatt@hendersoncountync.org
	<b>J. Carey McLelland</b>
	carey@hendersoncountync.org
	828.697.4821
	<b>Matthew Cable</b>
	Transportation Planner
	mcable@hendersoncountync.org
	828.694.6557
	<b>WCCA/Apple Country Transportation</b>
	<b>Bill Crisp</b>
bcrisp@wcca.net	

Application Completed by: Matthew Cable Date: 10/7/13  
Signature

**I certify that the content of this application is complete and accurately describes the county's administration of the ROAP Program, and the use of the ROAP funds in accordance with applicable state guidelines.**

County Manager: [Signature] Date: 10/7/13  
Signature

County Finance Officer: [Signature] Date: 10/7/13  
Signature

### Application Instructions

**County officials should read the ROAP Program State Management Plan which contains guidance on the administration of the ROAP Program and information about the preparation of grant applications.**

- The application must be completed by an official of the county or his/her designee.
- Click on the **gray rectangle** and type each answer. If needed, the text will automatically wrap to the next row. The answer may wrap to the next page if necessary.
- If the county wishes to explain their response to any questions or provide more information, the county may include additional pages with this application form. All the pages of the application and any pages added by the applicant should be scanned into the same file.
- If there are questions regarding this application, contact the NCDOT-PTD Mobility Development Specialist assigned to the area served by the transit system.

## FY2014 ROAP Program Schedule

*ROAP funds will be disbursed based on which deadline the applicant meets.*

First Application Deadline	September 16, 2013
Disbursement if 1 <sup>st</sup> Deadline is met (100%)	September 30, 2013
Second Chance Application Deadline	October 18, 2013
Disbursement if 2 <sup>nd</sup> Deadline is met (100%)	October 31, 2013

## County's Management of ROAP Funds

All counties are eligible to receive Rural Operating Assistance Program (ROAP) funding from the State of North Carolina. As a recipient of ROAP funds, the county must implement administrative processes that will ensure the following:

- ROAP funds are expended on needs identified through a public involvement and/or planning process.
- ROAP funds are expended on eligible activities only.
- Supporting documentation of expenditures is maintained.
- Service recipients meet eligibility requirements and their eligibility is documented.
- Trips funded with ROAP funding are monitored and evaluated throughout the period of performance.
- An accounting of trips and expenditures is provided in a semi-annual report to NCDOT.
- ROAP funds received and expended are included in the local annual audit.

Transportation Needs and Public Involvement in Funding Decisions	Yes or No
A. Did the county ask the Community Transportation Advisory Board (TAB), which is affiliated with the community transit system, to recommend how the ROAP funds should be sub-allocated?	YES
B. In addition to the public hearing notice and the public hearing, were other outreach efforts conducted to inform the public about the availability of ROAP funds and to discuss transportation needs BEFORE the county decided to sub-allocate the ROAP funds?	YES
C. Does the federally funded Community Transportation System operating in the county have a Community Transportation Service Plan (CTSP) or Community Transportation Improvement Plan (CTIP) that was developed in the last five years or being completed at this time? <i>Date of the plan: 02/24/1999</i>	NO
D. Does your county have a Coordinated Public Transit-Human Services Transportation Plan (LCP) that provides a list of unmet transportation needs and/or gaps in transportation services? <i>Date of the plan: 03/29/2012</i>	YES
E. Does the county have other transportation plans that address public transportation needs?	YES
If yes, list and describe these plans. <b>Henderson County Transit Operations Analysis, completed by URS in 2009.</b>	
F. How did the county decide who would receive the ROAP funds? List the names of anyone who participated in the decision to suballocate the ROAP funds and their role in the community. <b>Western Carolina Community Action (WCCA) and the County entered into a renewing contract in 2008 allowing WCCA, operator of Apple Country Transportation, to be the recipient of the ROAP funds.</b>	
G. How did the county decide on the amount of ROAP funds to sub-allocate to a subrecipient? <b>Western Carolina Community Action (WCCA), operator of Apple Country Transportation, is Henderson County's designated transportation provider. We participated in the process and accepted their recommendations as to how to program the funds.</b>	

Financial Management of ROAP Funds	Yes or No
H. Does the county disburse/allocate ROAP funds to any county governmental departments?	NO
I. If yes, how does the county account for these funds within the county's accounting system? N/A	
J. Does the county pass through any ROAP funds to agencies or organizations that are not county governmental departments or agencies?	YES
K. If yes, does the county have a written agreement with these agencies that addresses the proper use and accountability of these funds? <i>(Include a sample agreement with application)</i>	YES
L. ROAP funds cannot be used instead of using the existing transportation funding an agency or organization receives from any other funding source. If any of the departments, agencies or organizations receiving ROAP funding from the county get transportation funding from other Federal, State or Local funding sources, list those funding programs: <b>Western Carolina Community Action (WCCA) receives funding through an NCDOT Community Transportation Program grant, Title III , Sheltered Workshop, and Medicaid reimbursements. WCCA also receives pass through FTA (\$307) funding under contract with Henderson County to provide transportation services throughout the metro area of Hendersonville and Fletcher.</b>	
M. Do any subrecipients receive ROAP funds before any trips are provided, and refund the unused portion at the end of the period of performance?	NO
N. Are ROAP funds being deposited in an interest bearing account?	NO
If no, then why aren't ROAP funds deposited in an interest bearing account? <b>The administrative costs would exceed the interest earned</b>	
O. What does the county do with the interest from the ROAP funds? N/A	
P. Does the county provide any local funds for transportation operating assistance to any of the ROAP sub-recipients in addition to the state ROAP funds?	YES
Q. Is supporting documentation maintained for all ROAP grant financial transactions for five years? <b>IMPORTANT: Yes is the only correct answer.</b>	YES
Monitoring and Oversight Responsibilities	Yes or No
R. The Finance Officer OR the Executive Director of an eligible transportation authority will be responsible for the oversight and evaluation of the transportation services provided with the ROAP funding? <b>IMPORTANT: Yes is the only correct answer.</b>	YES
S. Does the county require the subrecipients of ROAP funds to provide progress reports and statistical data about the trips provided with ROAP funds?	YES
T. If progress reports and/or operating statistical reports are required by the county, how frequently are these provided to the county for evaluation? <b>Monthly</b>	
U. Does the county require the subrecipients of ROAP funds to use the transportation services of the federally funded Community Transit System operating in the county?	N/A
V. Are subrecipients of ROAP funds coordinating transportation services with other subrecipients in the county therefore reducing any duplication of effort?	YES

Accountability to North Carolina Taxpayers	Yes or No
W. Is the method used to sub-allocate the ROAP funds fair and equitable? Open and transparent?	YES
X. Is the county prepared to provide documentation that an eligible citizen was provided an eligible service or trip on the billed date, by whatever conveyance, at the specified cost?	YES
Y. A <b>semi-annual</b> ROAP Report must be completed and sent to NCDOT. Who will be designated to complete these reports in FY2014? ( <i>name, title, employer</i> ) <b>Bill Crisp, Transportation Director, Apple Country Transportation/WCCA</b>	

## Elderly and Disabled Transportation Assistance Program

The Elderly and Disabled Transportation Assistance Program (EDTAP), originally enacted by legislation in the 1989 Session of the North Carolina General Assembly (Article 2B, 136-44.27), provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows the elderly and disabled to reside for a longer period in their homes, thereby enhancing their quality of life.

Elderly and Disabled Transportation Assistance Program Questions	Yes or No
<p>A. What will be the purposes of the trips provided with EDTAP funds? (<i>Check all that apply</i>)</p> <p><input checked="" type="checkbox"/> Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking</p> <p><input checked="" type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes</p> <p><input checked="" type="checkbox"/> Transportation to workplace</p> <p><input type="checkbox"/> Group field trips/tours to community special events (Federal charter regulations apply to transit.)</p> <p><input type="checkbox"/> Overnight trips to out-of-county destinations (Federal charter regulations apply to transit)</p> <p><input checked="" type="checkbox"/> Human service agency appointments</p>	
<p>B. How will the transportation service be provided? (<i>Check all that apply</i>)</p> <p><input checked="" type="checkbox"/> Public Transportation System</p> <p><input type="checkbox"/> Private Provider</p> <p><input type="checkbox"/> Taxi Service</p> <p><input type="checkbox"/> Agency Staff Driver</p> <p><input type="checkbox"/> Volunteer Driver Program</p>	
<p>C. Are any of the EDTAP services you are funding, listed as an unmet need or gap in service in the Public Transit-Human Service Coordination Plan or any other transportation plan for your county? <i>See these page numbers in the plan:</i> <i>Plan Title:</i></p>	<b>NO</b>
<p>D. Does the federally funded Community Transit System operating in your county receive a sub-allocation of EDTAP funds?</p>	<b>NO</b>
<p>If yes, does the county dictate which agencies and organizations will receive transportation services with any of the EDTAP funds the transit system receives?</p>	<b>N/A</b>
<p>Can the Community Transit System use any of the EDTAP funds it receives to provide transportation for elderly and disabled citizens of the county who do not have a human service agency or organization to pay for the service?</p>	<b>YES</b>

Elderly and Disabled Transportation Assistance Program Questions (con't)	Yes or No
If the transit system's Community Transportation Service Plan (CTSP) is less than six years old, does it describe and evaluate the services the transit system is providing for the elderly and disabled? <i>See these page numbers in the plan:</i> <i>Plan Title: CTSP 1999</i>	N/A
Does the CTSP recommend any new EDTAP funded services for FY2014? <i>See these page numbers in the plan:</i> <i>Plan Title:</i>	NO
E. Will any of the subrecipients use their EDTAP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance only.)</i> 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program	NO
F. Will any of the subrecipients of EDTAP funds charge a fare for an EDTAP funded trip?	NO
If yes, how much will the fare be? <b>A fare is not required but donations are accepted.</b>	
If yes, how will the fare revenue be used? <b>Funds are credited back to the EDTAP program revenue budget and are expended only for EDTAP purposes.</b>	
G. Do any of the subrecipients of EDTAP funds restrict EDTAP funded trips based on the origin, timing or destination of the trip?	NO
H. Is there a process or policy for determining when it is appropriate to transfer EDTAP funds from one sub-recipient to another to prevent there being unspent funds at the end of the period of performance?	N/A
I. EDTAP funded trips are expected to be provided throughout the entire year. If the EDTAP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?	NO, WCCA pays in the event of a shortfall.

### Employment Transportation Assistance Program

The Employment Transportation Assistance Program (EMPL) is intended to help DSS clients that transitioned off Work First or TANF in the last 12 months, Workforce Development Program participants and/or the general public to travel to work, employment training and/or other employment related destinations.

Employment Transportation Program Questions	Yes or No
<p>A. What will be the purposes of the transportation services provided with EMPL funds? <i>(Check all that apply)</i></p> <p><input checked="" type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes  <input checked="" type="checkbox"/> Transportation to workplace (Scheduled by the individual only. No agency scheduled trips.)  <input type="checkbox"/> Child(ren) of working parent transported to Child Care</p>	
<p>B. How will the transportation service be provided? <i>(Check all that apply)</i></p> <p><input checked="" type="checkbox"/> Public Transportation System  <input type="checkbox"/> Private Provider  <input type="checkbox"/> Taxi Service  <input type="checkbox"/> Agency Staff Driver  <input type="checkbox"/> Volunteer Driver Program</p>	



Employment Transportation Program Questions (con't)	Yes or No
C. Describe the eligibility criteria to be used in this county to determine who will be provided EMPL funded trips. <b>EMPL clients are defined as persons without transportation alternatives, public or private. Most of them are unable to obtain a driver's license and do not have access to any other form of transportation. They utilize the service in order to maintain or to locate employment.</b>	
D. Are any of the EMPL services you are funding, listed as an unmet need or gap in service in the Public Transit-Human Service Coordination Plan or any other transportation plan for your county? <i>See these page numbers in the plan:</i> <i>Plan title:</i>	NO
E. Does the federally funded Community Transit System operating in your county receive a sub-allocation of EMPL funds?	NO
If yes, does the county dictate which agencies and organizations will receive transportation services with any of the EMPL funds the transit system receives?	N/A
Can the Community Transit System use any of the EMPL funds it receives to provide transportation for citizens in the county who need transportation to a job or employment related destination and who do not have a human service agency or organization to pay for the service?	YES
If the transit system's Community Transportation Service Plan (CTSP) is less than six years old, does it describe and evaluate the services the transit system is providing for the employed or unemployed? <i>See these page numbers in the plan:</i> <i>Plan title: CTSP 1999</i>	N/A
Does the CTSP recommend any new EMPL funded services for FY2014? <i>See these page numbers in the plan:</i> <i>Plan title:</i>	NO
F. Will any of the subrecipients of EMPL funds charge a fare for an EMPL funded trip?	NO
If yes, how much will the fare be? <b>A fare is not required but donations are accepted.</b>	
If yes, how will the fare revenue be used? <b>Funds are credited back to the EMPL program revenue budget and are expended only for EMPL purposes.</b>	
G. Do any of the subrecipients of EMPL funds restrict EMPL funded trips based on the origin, timing or destination of the trip?	NO
H. Is there a process or policy for determining when it is appropriate to transfer funds from one sub-recipient to another to prevent there being unspent funds at the end of the period of performance?	N/A
I. Has the county transferred any EMPL funds to EDTAP or RGP in the last two years?	NO
J. Will any of the subrecipients use their EMPL sub-allocation as matching funds for any of the following programs? ( <i>Matching funds for operating assistance only.</i> ) 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program	NO
K. EMPL funded trips are expected to be provided throughout the entire year. If the EMPL funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation services?	NO, WCCA pays in the event of a shortfall.

## Rural General Public Program

The Rural General Public Program assistance funds are intended to provide transportation services for individuals from the county who do not have a human service agency or organization that will pay for the transportation service. The county, in consultation with the Community Transportation System, must determine the RGP services to be provided with the RGP funds.

Rural General Public Transportation Program Questions	Yes or No
<p>A. What will be the trip purposes of the transportation services provided with RGP funds? <i>(Check all that apply)</i></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking</li> <li><input checked="" type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes</li> <li><input checked="" type="checkbox"/> Transportation to workplace (Scheduled by the individual only. No agency scheduled trips.)</li> <li><input checked="" type="checkbox"/> Child(ren) of working parent transported to child care</li> <li><input type="checkbox"/> Group field trips/tours to community special events (Federal charter regulations apply to transit.)</li> <li><input type="checkbox"/> Overnight trips to out-of-county destinations (Federal charter regulations apply to transit.)</li> <li><input checked="" type="checkbox"/> Human service agency appointments</li> </ul>	
<p>B. How will the transportation service be provided? <i>(Check all that apply)</i></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Public Transportation System</li> <li><input type="checkbox"/> Private Provider</li> <li><input type="checkbox"/> Taxi Service</li> <li><input type="checkbox"/> Volunteer Driver Program</li> </ul>	
<p>C. Are any of the RGP funded services the transit system will provide listed as an unmet need or gap in service in the Public Transit-Human Service Coordination Plan or any other transportation plan for your county? <i>See these page numbers in the plan:</i> <i>Plan title:</i></p>	<b>NO</b>
<p>D. If the transit system's Community Transportation Service Plan (CTSP) is less than six years old, does it describe and evaluate the general public services the transit system does in the county for citizens who need transportation but don't have a human service agency or organization to pay for the service? <i>See these page numbers in the plan:</i> <i>Plan title: CTSP 1999</i></p>	<b>N/A</b>
<p>E. Does the CTSP recommend any new RGP funded services for FY2013-14? <i>See these page numbers in the plan:</i> <i>Plan title:</i></p>	<b>NO</b>
<p>F. Will RGP trips be provided to citizens who need transportation but don't have a human service agency or organization to pay for the trip?</p>	<b>YES</b>
<p>G. Will any of the RGP funded trips be restricted based on origin, timing or destination of the trip to control the expenditure of funds overtime?</p>	<b>YES</b>
<p>H. Since the subrecipient can only use RGP funds to pay for 90% of the cost of a trip, will the Community Transit System use fare revenue to generate the local 10% match requirement for RGP funds?</p>	<b>YES</b>
<p>If yes, how much will the fare be? <b>The fare is \$1.50 per trip. Donations are accepted.</b></p>	

<p>If yes, how will the fare revenue be used? <b>Fare revenue is credited to the RGP program, is used as the match, and the remaining balance is expended on the program.</b></p>	
<p><b>Rural General Public Transportation Program Questions (con't)</b></p>	<p><b>Yes or No</b></p>
<p>If no, describe the source of the required matching funds? <b>N/A</b></p>	
<p>I. Will RGP funded trips be coordinated with human service agency trips?</p>	<p><b>YES</b></p>
<p>J. How will the Community Transit System market the proposed RGP funded services?  <b>Print advertisement, radio advertisement, and electronic messaging signage.</b></p>	
<p>K. Will the Community Transit System use any of their RGP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance only)</i></p> <p>5310 – Elderly Individuals and Individuals with Disabilities Program  5311 - Non-urbanized Area Formula Program  5316 – Job Access and Reverse Commute Program (JARC)  5317 – New Freedom Program</p>	<p><b>N/A</b></p>
<p>L. Is any part of the county in an urbanized area according to the 2010 census?</p>	<p><b>YES</b></p>
<p>M. RGP funded trips are expected to be provided throughout the entire year. If the RGP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation services?</p>	<p><b>NO, WCCA pays in the event of a shortfall.</b></p>

**CERTIFIED STATEMENT**  
**FY2014**  
**RURAL OPERATING ASSISTANCE PROGRAM**  
County of Henderson

**WHEREAS**, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips for counties within the state;

**WHEREAS**, the county uses the most recent transportation plans (i.e. CTSP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

**WHEREAS**, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

**WHEREAS**, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

**WHEREAS**, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

**WHEREAS**, the period of performance for these funds will be July 1, 2013 to June 30, 2014 regardless of the date on which ROAP funds are disbursed to the county.

**NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Henderson North Carolina certify that the following statements are true and accurate:**

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips and services for five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2014 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county will provide an accounting of trips and expenditures in a semi-annual report and a final year-end report to NCDOT – Public Transportation Division or its designee.
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amounts of FY2014 Rural Operating Assistance Program funds:

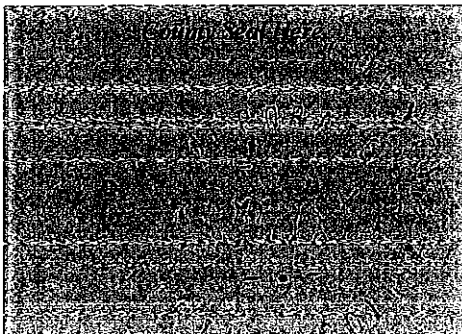
Elderly & Disabled Transportation Assistance Program (EDTAP)	\$93,222	\$93,222
Employment Transportation Assistance Program (EMPL)	\$22,818	\$22,818
Rural General Public Program (RGP)	\$114,979	\$114,979
<b>TOTAL</b>	<b>\$231,019</b>	<b>\$231,019</b>

WITNESS my hand and county seal, this 7th day of October, 2013.

  
 \_\_\_\_\_  
 Signature of Board of County Manager/Administrator

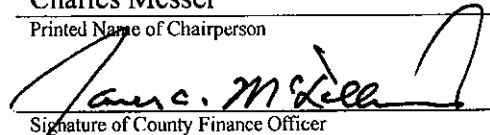
**Steve Wyatt**  
 \_\_\_\_\_  
 Printed Name of County Manager/Administrator

State of North Carolina County of Henderson



  
 \_\_\_\_\_  
 Signature of Board of County Commissioners Chairperson

**Charles Messer**  
 \_\_\_\_\_  
 Printed Name of Chairperson

  
 \_\_\_\_\_  
 Signature of County Finance Officer

**J. Carey McLelland**  
 \_\_\_\_\_  
 Printed Name of County Finance Officer



## Public Hearing Notice

This is to inform the public of the opportunity to attend a public hearing on the proposed Rural Operating Assistance Program (ROAP) application to be submitted to the North Carolina Department of Transportation no later than October 18, 2013 by the county of Henderson. The public hearing will be held on October 7, 2013 at 5:30 p.m. at the Henderson County commissioners meeting in the Board of Commissioners Meeting Room located at the Henderson County Historic Courthouse, at 1 Historic Courthouse Square, Hendersonville, NC. Henderson County will provide auxiliary aids and services under the ADA for disabled persons who wish to participate in the hearing. Anyone requiring special services should contact Terry Wilson, Clerk to the Board, as soon as possible so that arrangements can be made.

The programs included in the Rural Operating Assistance Program application are:

1. Elderly & Disabled Transportation Assistance (EDTAP) Program provides operating assistance for the public transportation of elderly and disabled citizens.
2. Employment Transportation Assistance Program provides operating assistance for the public transportation of persons with employment related transportation needs.
3. Rural General Public (RGP) Program provides operating assistance for the public transportation of persons living in non-urban areas of the county.

The period of performance for Rural Operating Assistance Program funds is July 1, 2013 through June 30, 2014. The FY2014 individual program totals are:

<b>PROGRAM</b>	<b>TOTAL</b>
EDTAP	\$93,222.00
EMPL	\$22,818.00
RGP	\$114,979.00
<b>TOTAL</b>	<b>\$231,019.00</b>

This application may be inspected at the offices of the Henderson County Planning Department, located at 100 North King Street, Hendersonville, NC 28792 from 8:00 a.m. to 4:30 p.m. Monday-Friday. Written comments should be directed to Matthew Cable, Transportation Planner, Henderson County Planning Department, at the above address, before October 7, 2013.

*The public hearing notice shall run Thursday, September 26, 2013 in the Hendersonville Tribune.*

## **Aviso de Audiencia Pública**

La Presente es para informar al público de la oportunidad de asistir a una audiencia pública sobre el proyecto de Programa de Asistencia Rural de funcionamiento (ROAP) solicitud que deberá presentarse al Departamento de Transporte de Carolina del Norte, no más tarde del 18 de octubre de 2013, por el Condado de Henderson. La audiencia pública se llevará a cabo el 07 de octubre de 2013 a las 5:30 pm en la Junta de Comisionados del Condado de Henderson reunión en el 1 Historic Courthouse Square, Hendersonville, NC. El condado de Henderson proporcionará ayudas y servicios auxiliares conforme a la ADA para personas con discapacidad que deseen participar en la audiencia. Cualquier persona que requiera de servicios especiales debe contactar a Terry Wilson, Secretario de la Junta, tan pronto como sea posible, de manera que se puedan hacer arreglos.

Los programas incluidos en la solicitud de ROAP son los siguientes:

1. Asistencia de Ancianos y Discapacitados de Transporte (EDTAP) proporciona ayuda para el transporte de los ciudadanos ancianos y discapacitados.
2. Transporte de empleo Programa de Asistencia proporciona ayuda para el transporte de personas con necesidades de empleo relacionados con el transporte.
3. Rural Pública General (RGP) proporciona ayuda para el transporte de personas su viven en zonas no urbanizadas de condado de Henderson.

El plazo de ejecución de los fondos de ROAP es 01 de julio 2013 al 30 de junio de 2014. El año fiscal 2014 asciende a ROAP cada programa son:

<b>PROGRAMMA</b>	<b>TOTAL</b>
EDTAP	\$93,222.00
EMPL	\$22,818.00
RGP	\$114,979.00
<b>TOTAL</b>	<b>\$231,019.00</b>

Esta aplicación puede ser inspeccionada en las oficinas del condado de Henderson Planificación, 100 North King Street, Hendersonville, NC, 28792, 8:00 am-4:30 pm de lunes a viernes. Los comentarios escritos deben ser dirigidos a Matthew Cable, Transportation Planner, el condado de Henderson Planificación en la dirección indicada 7 antes del de octubre.

*The public hearing notice shall run Wednesday, September 25, 2013 in La Voz Independiente.*



# Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PH: (828) 697-5595 | FAX: (828) 698-6153

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

Friday, September 27, 2013

## Re: Tax Collector's Report to Commissioners - Meeting date 07 October 2013

Please find outlined below collections information through 26 September 2013 for the 2013 real and personal property bills mailed out on 08 August 2013, as well as registered motor vehicles billed and collected by our office. As a point of reference, we also have included collections information as of the same date last year.

### Annual Bills G01 Only:

**2013 Beginning Charge:** \$57,421,848.65  
Discoveries & Imm. Irreg.: \$241,480.40  
Releases & Refunds: (\$186,329.70)  
**Net Charge:** \$57,476,999.35  
Unpaid Taxes: \$46,870,017.01  
Amount Collected: \$10,606,982.34  
**Percentage Collected:** 18.45%  
Through: 26-Sep-2013

**2012 Beginning Charge:** \$57,945,288.35  
*Discoveries & Imm. Irreg.:* \$122,748.53  
*Releases & Refunds:* (\$23,180.65)  
**Net Charge:** \$58,044,856.23  
Unpaid Taxes: \$48,984,602.67  
*Amount Collected:* \$9,060,253.56  
**Percentage Collected:** 15.61%  
Through: 26-Sep-2012

### Motor Vehicle Bills G01 Only:

**2013 Beginning Charge:** \$1,641,511.17  
Discoveries & Imm. Irreg.: \$1,182.03  
Releases & Refunds: (\$29,189.70)  
**Net Charge:** \$1,613,503.50  
Unpaid Taxes: \$541,879.82  
Amount Collected: \$1,071,623.68  
**Percentage Collected:** 66.42%  
Through: 26-Sep-2013

**2012 Beginning Charge:** \$1,549,385.69  
*Discoveries & Imm. Irreg.:* \$1,517.32  
*Releases & Refunds:* (\$28,743.22)  
**Net Charge:** \$1,522,159.79  
Unpaid Taxes: \$559,645.83  
*Amount Collected:* \$962,513.96  
**Percentage Collected:** 63.23%  
Through: 26-Sep-2012

### Fire Districts All Bills:

**2013 Beginning Charge:** \$6,579,054.33  
Discoveries & Imm. Irreg.: \$39,186.24  
Releases & Refunds: (\$27,284.42)  
**Net Charge:** \$6,590,956.15  
Unpaid Taxes: \$5,284,777.75  
Amount Collected: \$1,306,178.40  
**Percentage Collected:** 19.82%  
Through: 26-Sep-2013

**2012 Beginning Charge:** \$6,583,680.58  
*Discoveries & Imm. Irreg.:* \$13,915.73  
*Releases & Refunds:* (\$7,081.39)  
**Net Charge:** \$6,590,514.92  
Unpaid Taxes: \$5,481,079.90  
*Amount Collected:* \$1,109,435.02  
**Percentage Collected:** 16.83%  
Through: 26-Sep-2012

Respectfully submitted,



Luke Small  
Collections Specialist

Stan C. Duncan  
Tax Collector

## RESOLUTION APPROVING FINANCING TERMS

*WHEREAS*, the County of Henderson, North Carolina (the "*County*") has previously determined to undertake a project for two new 2013 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 September 20, 2013. The amount financed shall not exceed \$308,997.00, 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.

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.

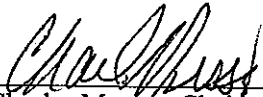
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its 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.

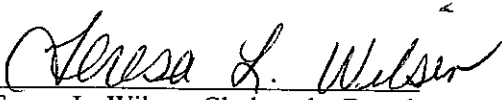
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 7<sup>th</sup> day of October, 2013.

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Charles Messer, Chairman

Attest:

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

[Official Seal]



**County Management  
Records Retention Schedule Amendment**

Amending the County Management Records Retention and Disposition Schedule published April 15, 2013.

**STANDARD 4. BUDGET, FISCAL AND PAYROLL RECORDS**

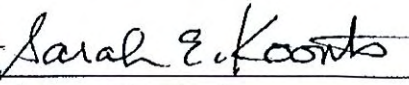
Amending item 32 Escheat and Unclaimed Property File as shown on substitute page 25.

**STANDARD 11. PERSONNEL RECORDS**

Amending item 19 Employee Eligibility Records as shown on substitute page 76.

**APPROVAL RECOMMENDED**

  
\_\_\_\_\_  
Chief Administrative Officer/  
County Manager

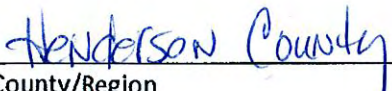
  
\_\_\_\_\_  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

  
\_\_\_\_\_  
Chairman, Bd. County Commissioners

  
\_\_\_\_\_  
Susan W. Kluttz, Secretary  
Department of Cultural Resources

August 28, 2013

  
\_\_\_\_\_  
County/Region

<b>ITEM #</b>	<b>RECORD SERIES TITLE</b>	<b>DISPOSITION INSTRUCTIONS</b>	<b>CITATION</b>
26.	<b>DEBT FINANCING RECORDS</b> Includes bank statements, reconciliation records, requisitions, and notices of principal and interest due.	Destroy in office 3 years after entire issuance has been satisfied.*	26 CFR 1.148-5(d)(6)(iii)(E)
27.	<b>DEPOSITS</b>	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
28.	<b>DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)</b>	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
29.	<b>DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS</b> Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
30.	<b>DISTRICT INVESTMENT RECORDS</b>	Destroy in office after 3 years.*	
31.	<b>DONATIONS AND SOLICITATIONS</b>	Destroy in office after 1 year.	
32.	<b>ESCHEAT AND UNCLAIMED PROPERTY FILE</b>	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed after July 16, 2012.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.
33.	<b>EXPENDITURE REPORTS</b>	Destroy in office after 3 years.*	

\*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	<b>EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS</b> Includes records requesting tuition assistance, repayments, and other related records.  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 83.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	<b>EMPLOYEE ELIGIBILITY RECORDS</b> Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later.  b) Destroy in office registers after 2 years.	8 USC 274a.2
20.	<b>EMPLOYEE EXIT INTERVIEW RECORDS</b>  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 83.	Destroy in office after 1 year.	
21.	<b>EMPLOYEE HEALTH CERTIFICATES</b> Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 83.  b) Destroy in office all other records 2 years after resolution of all actions.	

\*See *AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS*, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Register of Deeds ✓  
Records Retention Schedule Amendment

Amending the Register of Deeds Records Retention and Disposition Schedule published October 10, 2012.

**STANDARD 2. BUDGET, FISCAL, AND PAYROLL RECORDS**

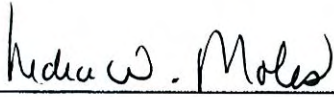
Amending item 26 Escheat and Unclaimed Property File as shown on substitute page 17.

**STANDARD 5. PERSONNEL RECORDS**

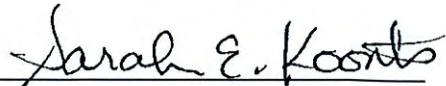
Amending item 18 Employee Eligibility Records as shown on substitute page 39.

Amending items 36 Family Medical Leave Act (FMLA) Records, 45 Leave File, and 46 Leave Without Pay File as shown on substitute pages 45 and 47.

**APPROVAL RECOMMENDED**



Register of Deeds



Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

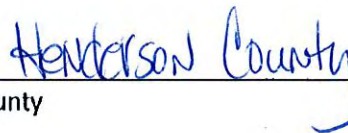


Chairman  
Board of County Commissioners



Susan W. Kluttz, Secretary  
Department of Cultural Resources

August 29, 2013



County

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	<b>CREDIT CARD AND DEBIT SLIPS</b> Records of payments received from customers in the transaction of county business.	Destroy in office after 3 years.*	
19.	<b>CREDIT CARD USE FILE</b>	Destroy in office after 1 year.*	
20.	<b>DAILY CASH REPORTS</b> Daily status of cash. Reports include receipts, disbursements, cash and invested balances.	Destroy in office after 1 year.*	
21.	<b>DAILY DETAIL REPORTS</b>	Destroy in office after 1 year.*	
22.	<b>DEPOSITS</b>	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
23.	<b>DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)</b>	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
24.	<b>DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS</b> Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
25.	<b>DISTRICT INVESTMENT RECORDS</b>	Destroy in office after 3 years.*	
26.	<b>ESCHEAT AND UNCLAIMED PROPERTY FILE</b>	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed after July 16, 2012.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.

\*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.

\*\*Records in this series that are more than 60 years old, or have severe conservation concerns, may be offered to the State Archives of North Carolina for Permanent transfer.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.



ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17.	<b>EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS</b> Includes records requesting tuition assistance, repayments, and other related records.  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 50, page 48.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
18.	<b>EMPLOYEE ELIGIBILITY RECORDS</b> Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later.  b) Destroy in office registers after 2 years.	8 USC 274a.2
19.	<b>EMPLOYEE EXIT INTERVIEW RECORDS</b>  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 50, page 48.	Destroy in office after 1 year.	
20.	<b>EMPLOYEE HEALTH CERTIFICATES</b> Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 50, page 48.  b) Destroy in office all other records 2 years after resolution of all actions.	29 CFR 1602.31

\*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	<b>EQUAL PAY RECORDS</b> Includes reports, studies, aggregated or summarized data, and similar documentation compiled to comply with the Equal Pay Act.	Destroy in office after 2 years.	29 CFR 1620.32
36.	<b>FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS</b> Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA and other related records.	Item discontinued. See LEAVE FILE, item 45, page 47.	
37.	<b>FRINGE BENEFITS FILE</b>	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after _____	
38.	<b>GRIEVANCE FILE</b> Includes initial complaint, investigations, actions, summary, and disposition. May include disciplinary correspondence, including email.  See also <b>DISCIPLINARY FILE</b> item 10, page 36 and <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 50, page 48.	Destroy in office after 2 years.	

\*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.

\*\*Records in this series that are more than 60 years old, or have severe conservation concerns, may be offered to the State Archives of North Carolina for Permanent transfer.

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
45.	<b>LEAVE FILE</b> Records concerning employee leave, including requests for and approval of sick, vacation, overtime, buy-back, shared, donated, military, etc. Includes premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over the Family Medical Leave Act (FMLA), and other related records.	Destroy in office 3 years after return of employee or termination of employment.*	29 CFR 825.110(b)(2)(i) 29 CFR 825.500(b)
46.	<b>LEAVE WITHOUT PAY FILE</b>	Item discontinued. See <b>LEAVE FILE</b> , item 45, page 47.	
47.	<b>LONGEVITY PAY REQUESTS</b>	Destroy in office when released from all audits.	
48.	<b>MERIT AND SENIORITY SYSTEM RECORDS</b>	a) Destroy in office employee-specific records after 3 years. b) Destroy in office system and plan records 1 year after no longer in effect.	29 CFR 1627.3
49.	<b>PERSONNEL ACTION NOTICES</b> Records used to create or change information in the personnel records of individual employees concerning such issues as hiring, termination, transfer, pay grade, position or job title, name change and leave.	a) Transfer records as applicable to <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 50, page 48. b) Destroy in office all remaining records 2 years from date record was created, received, or the personnel action involved.	

\*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see *Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.*

\*\*Records in this series that are more than 60 years old, or have severe conservation concerns, may be offered to the State Archives of North Carolina for Permanent transfer.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

**Tax Administration  
Records Retention Schedule Amendment**

Amending the Tax Administration Records Retention and Disposition Schedule published April 17, 2013.

**STANDARD 5. PERSONNEL RECORDS**

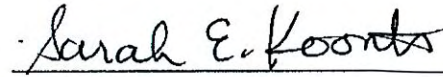
Amending item 19 Employee Eligibility Records as shown on substitute page 36.

**STANDARD 12. PROGRAM RECORDS: BUSINESS AND OTHER TAX RECORDS**

Adding item 3 Excise Tax Records as shown on substitute pages 72 and 73.

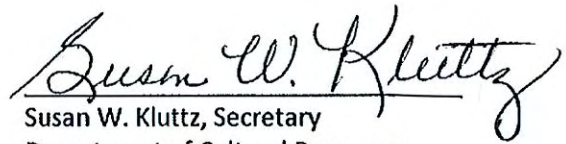
**APPROVAL RECOMMENDED**

  
\_\_\_\_\_  
Chief Administrative Officer  
County Manager

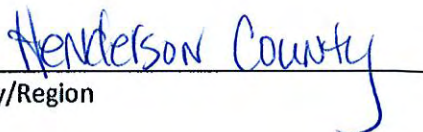
  
\_\_\_\_\_  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

  
\_\_\_\_\_  
Chairman, Bd. County Commissioners

  
\_\_\_\_\_  
Susan W. Kluttz, Secretary  
Department of Cultural Resources

September 3, 2013

  
\_\_\_\_\_  
County/Region

<b>ITEM #</b>	<b>RECORD SERIES TITLE</b>	<b>DISPOSITION INSTRUCTIONS</b>	<b>CITATION</b>
18.	<b>EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS</b> Includes records requesting tuition assistance, repayments, and other related records.  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 43.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	<b>EMPLOYEE ELIGIBILITY RECORDS</b> Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later.  b) Destroy in office registers after 2 years.	8 USC 274a.2
20.	<b>EMPLOYEE EXIT INTERVIEW RECORDS</b>  See also <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 43.	Destroy in office after 1 year.	
21.	<b>EMPLOYEE HEALTH CERTIFICATES</b> Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to <b>PERSONNEL RECORDS (OFFICIAL COPY)</b> item 45, page 43.  b) Destroy in office all other records 2 years after resolution of all actions.	29 CFR 1602.31

\*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS  
AND AUTHORIZING THE SALE OF SURPLUS PROPERTY  
BY ELECTRONIC PUBLIC AUCTION**

**WHEREAS**, Henderson County owns the Surplus Computers and Equipment itemized on the attached Exhibit B, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

**WHEREAS**, the Henderson County Board of Commissioners is desirous of declaring the computers and equipment as surplus and selling at a public auction as authorized by NCGS 160A-270; and

**WHEREAS**, it is the intent of the County to sell said surplus computers and equipment by electronic public auction at [www.govdeals.com](http://www.govdeals.com).

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

1. The Surplus Computers and Equipment itemized on the attached Exhibit B is hereby declared to be surplus property.
2. The Purchasing Agent is hereby authorized to sell by electronic auction at [www.govdeals.com](http://www.govdeals.com) the surplus property described above to the highest bidder.
3. All surplus property will be sold "as is", all sales final, cash, certified check or money order only. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.
4. A notice summarizing this Resolution and the sale of the surplus property by electronic public auction shall be advertised by the Purchasing Agent on the County's website at [www.hendersoncountync.org](http://www.hendersoncountync.org) at least ten (10) days prior to the public auction.

THIS the 7th day of October, 2013.

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

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

*Charles Messer*  
Charles Messer, Chairman

ATTEST:

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

[OFFICIAL SEAL]

## Exhibit B

ID#	Fixed Asset#	Serial#	Description	Purchased	Warranty Date
IT Equipment					
877	11200	5QJ9Y41	Dell Laptop	5/25/2004	N/A
1760	11465	FJLY461	Dell Laptop	11/27/2004	11/27/2007
1430	11668	4WC2C91	Dell Laptop	1/30/2006	1/29/2009
1227	11669	43WBF91	Dell Laptop	2/8/2006	2/7/2009
1228	11671	DGVBF91	Dell Laptop	2/8/2006	2/7/2009
1257	11903	JYP6M91	Dell Laptop	3/15/2006	3/9/2009
1276	11925	CG47M91	Dell Laptop	3/10/2006	3/9/2009
1319	11973	CZQT9B1	Dell Laptop	7/6/2006	7/9/2009
1312	11974	41RT9B1	Dell Laptop	7/6/2006	7/9/2009
1316	11975	J2RT9B1	Dell Laptop	7/6/2006	7/9/2009
1317	11976	F3RT9B1	Dell Laptop	7/6/2006	7/9/2009
1318	11977	25RT9B1	Dell Laptop	7/10/2006	7/9/2009
1314	11978	36RT9B1	Dell Laptop	7/6/2006	7/9/2009
1313	11980	28RT9B1	Dell Laptop	7/6/2006	7/9/2009
1315	11981	39RT9B1	Dell Laptop	7/6/2006	7/9/2009
1311	11982	6BRT9B1	Dell Laptop	7/6/2006	7/9/2009
1309	11983	2CRT9B1	Dell Laptop	7/6/2006	7/9/2009
1310	11984	2DRT9B1	Dell Laptop	7/6/2006	7/9/2009
1307	11987	2TLX9B1	Dell Laptop	7/9/2006	7/8/2009
1427	12203	GLHKLB1	Dell Laptop	8/10/2006	8/9/2009
1460	12260	90TF6C1	Dell Laptop	12/8/2006	12/6/2010
1462	12262	51TF6C1	Dell Laptop	12/8/2006	12/6/2010
1463	12263	63TF6C1	Dell Laptop	12/8/2006	12/6/2010
Finance Equipment					
11298	11298	50066	Folding Machine	11/4/2004	N/A

## **AMENDED BYLAWS AND RULES OF PROCEDURE FOR THE TRANSPORTATION ADVISORY COMMITTEE**

- I. CHARTER.** On the 17<sup>th</sup> day of February, 2000 the Henderson County Board of Commissioners approved the charter for the Transportation Advisory Committee (hereinafter referred to as the "Committee") and subsequently approved an amendment to that charter on February 4, 2008, and appointed members to the Committee. The terms of the amended February 4, 2008 charter shall govern the activities of the Committee, and to the extent that these bylaws conflict with the charter, the terms of the charter shall control.
- II. PURPOSE.** The purpose of the Committee is to advise the Board of Commissioners on matters related to transportation within Henderson County. The Committee should assess the transportation needs of the County and suggest methods to address these issues. The Committee should work with the NCDOT Division and District Offices, as well as the Planning Department on such projects as long range planning, specific project planning, major and minor street/road improvement projects, road and bridge safety, and alternative transportation.
- III. MEETINGS.**
- A. Meetings to be Open.** It is the public policy of North Carolina and Henderson County that the hearings, deliberations, and actions of this Committee be conducted openly. Except as allowed by NCGS 143-318.11 each meeting of the Committee shall be open to the public and any person is entitled to attend such a meeting. The Committee may allow time on the agenda for citizens to be heard at meetings regarding specific issues within the time constraints that shall be set by the Chair. However, the public's right to attend such meeting does not necessarily entitle the public to participate in the meeting.
- B. Regular Meetings.** The Committee shall hold meetings according to a schedule which shall be determined at the last meeting of the calendar year. The schedule shall be posted on the County's website. Meetings shall be held at a regular time and day as selected by the Committee and in compliance with other provisions regulating notice of meetings. Meetings shall be held in the King Street Meeting Room of the Henderson County Administration Building located at 100 North King Street in Hendersonville, North Carolina. The schedule of the regular meetings of the Committee shall be kept on file with the Secretary of the Committee and shall be filed with the Clerk to the Henderson County Board of Commissioners. The Committee shall have the authority to change the schedule of regular meetings, and/or to change the date of a particular regularly scheduled meeting without the necessity of approval of the Board of Commissioners. If the Committee changes the schedule of regular meetings, the Secretary shall forward a copy of the new schedule to the Clerk to the Board of Commissioners at least seven (7) days prior to the first meeting held pursuant to the new schedule. If a particular regularly schedule meeting is changed,



the secretary shall comply with the notice provisions of paragraph D below (Special Meetings).

- C. **Special Meetings.** The Chair of the Committee or the majority of the members of the Committee may at any time call a special meeting of the Committee by signing a notice setting the time and place of the meeting and the subjects to be considered. Such notice must be posted on the bulletin board located in the front lobby of the Henderson County Courthouse, posted on the bulletin board for the County Administration Building, mailed or delivered to each newspaper, wire service, radio station and television station which has filed a written request for notice with the Secretary, mailed or delivered to any entity or person that has requested to be on the Committee's sunshine list as prescribed by law, and delivered to all members of the Committee, all to occur at least 48 hours before the meeting. Only the business that is specified in the notice of the meeting may be transacted during a special meeting unless all members (not simply a quorum) are present and consent to the addition of other matters, or those members absent have filed a waiver with the Secretary to the Committee.
- D. **Presiding Officer.** The presiding officer of each meeting of the Committee shall be the Chair of the Committee. In situations where the Chair is unavailable or unable to participate in the meeting or any particular matter before the Committee, the Vice-Chair shall preside. In the event that neither the Chair nor the Vice-Chair is available, the members of the Committee, by affirmative vote of the majority may appoint an acting Chair who shall have all powers of the Chair while acting as presiding officer.
- E. **Meeting Conduct.** Meetings will be conducted according to Small Government Rules of Procedure.

**IV. MEMBERSHIP.** The Committee shall consist of a total of 11 members, including one (1) MPO Board representative from: (1) City of Hendersonville, (2) Town of Fletcher, (3) Town of Laurel Park, (4) Town of Mills River, and (5) Village of Flat Rock; two MPO Board representatives from Henderson County, and four at-large members, or other elected representatives from local governments. County and municipal staff may serve as alternate members to vote in the absence of the regular member from that local government. The municipalities may appoint one staff person to serve as ex-officio members to increase communication. The County Planning Director, or his designee, shall serve as an ex-officio member to serve as the county staff representative. At-large members shall serve two year appointments. Positions 1 and 2 shall initially be appointed for 1 year and two years thereafter. Positions 3 and 4 shall be appointed for a two year term and two years thereafter. Vacancies occurring on the Committee shall be filled by the Henderson County Board of Commissioners for the applicable unexpired term.

**V. DUTIES.** Duties of the Committee will be as assigned by the Henderson County Board of Commissioners.

**VI. SELECTION OF THE CHAIR AND VICE CHAIR.** The Chair shall be selected by the Board of Commissioners if so desired. The Chair may also be elected by the Committee. The Vice Chair shall be elected by a majority vote of the Committee.

**VII. POWERS AND DUTIES OF THE CHAIR AND VICE-CHAIR** The Chair shall preside at all meetings of the Committee but shall also have the right to engage in discussion and vote on any matter before the Committee unless otherwise excused. The Chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The Vice-Chair shall have all powers and perform all the duties of the Chair in his or her absence.

**VIII. DUTIES OF THE SECRETARY.** The staff person assigned to the Committee shall serve as the Secretary of the Committee and shall perform the following: (1) ensure that all meetings of the Committee are properly noticed as outlined above; (2) maintain the sunshine list which is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Committee; (3) take and record all actions of the Committee and draft minutes of the meetings accordingly; (4) forward a copy of the minutes as they are approved to the Clerk to the Board of Commissioners; (5) maintain an accurate list of members of the Committee, submitting to the Clerk to the Henderson County Board of Commissioners a monthly attendance report for its members and notifying said Clerk of any resignations of any of its members, or any other change in membership of the Committee.

**IX. ATTENDANCE.** All members of the Committee are expected to attend the regular and/or special meetings of the Committee. Any member not able to attend must notify the Secretary in advance of the meeting. Any member who fails to regularly attend the meetings of the Committee may be subject to consideration for removal from the Committee by the Henderson County Board of Commissioners.

**X. REPORTS.** The Committee shall make a report to the Henderson County Board of Commissioners and the Local Government Committee for Cooperative Action (LGCCA) at least annually. The Committee shall make reports to the Board of Commissioners and LGCCA as needed or as requested.

**XI. ACTION BY THE COMMITTEE.**

A. **Quorum.** A two thirds majority of the members shall constitute a quorum. No action of the Committee may be taken at any meeting where less than a quorum is present. Once a quorum is established, it will not be defeated if members leave.

B. **Motions.** Action of the Committee may be taken upon a motion made by any member, including the Chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after the discussion of the motion by the members.

**XII. VOTING.**

- A. **Duty to Vote.** It is the duty of each member, including the Chair, to vote unless otherwise excused. The Committee may excuse members from voting on any matter involving their own financial interest or official conduct or when a member has indicated an inability to be impartial in any quasi-judicial matter before the Committee.
- B. **Abstentions.** Should a member fail to vote on any matter before the Committee, without having been excused from such vote, such abstention will count as an affirmative vote.

**XIII. MINUTES.** Minutes shall be kept of all meetings of the Committee. The Secretary of the Committee shall present such minutes to the Committee for approval. Minutes of the meetings of the Committee shall be public records. The Secretary shall be responsible for sending a copy of all approved minutes to the Clerk for the Board of Commissioners.

**XIV. AMENDMENTS.** The Committee may amend these by-laws by action of the Committee provided however, those amendments shall not be effective until they are approved by the Henderson County Board of Commissioner. The Secretary shall be responsible for sending a copy of all approved minutes to the Clerk for the Board of Commissioners.

  
\_\_\_\_\_  
**Jim Crafton**  
Transportation Advisory Committee Chair

**APPROVED BY THE HENDERSON COUNTY BOARD  
OF COMMISSIONERS ON THE**

7<sup>th</sup> DAY OF October, 2013

  
\_\_\_\_\_  
**Charlie Messer, Chairman**

**EQUAL EMPLOYMENT PLAN**

The County of Henderson maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age political affiliation, or any other non-merit factor, except where religion, sex, national origin or age are bona fide occupation qualifications for employment.

In furtherance of this policy the County prohibits any retaliatory action of any kind taken by any employee of the County against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The County shall strive for greater utilization of all persons by identifying previously under utilized groups in the work force, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

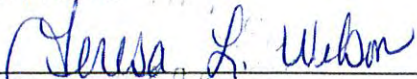
Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the County manager and/or other persons designated by the manager or Board of Commissioners to assist in the implementation of this policy statement.

The County shall develop a self evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Board of Commissioners by the County Manger

The County is committed to this policy and is aware that with its implementation, the County will receive positive benefits through the greater utilization and development of all human resources.

Adopted this 7<sup>th</sup> day of October, 2012.

  
\_\_\_\_\_  
Signature of Chairman

ATTEST:  
  
\_\_\_\_\_  
Clerk



## CITIZEN PARTICIPATION PLAN

This plan describes how the Henderson County will involve citizens in the planning, implementation and assessment of the Community Development Block Grant (GDBG) program. The plan provides for, and encourages, citizen participation and which emphasizes participation by persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and also requires that citizens be given an opportunity to serve in a key advisory role to these elected officials.

### SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance and design of changes in the Citizen Participation Plan. There will be two (2) general mechanisms for their involvement:

1. To attend or hold public hearings or community meetings; and
2. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated County official.

### PROGRAM IMPLEMENTATION

Citizen participation in program implementation will occur primarily through consultation with the County. The County will be asked to review and comment on specific guidelines for approved project. They will also meet to review any program amendments, budget revisions and program modifications. All such changes will be discussed with the County and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment.

### PROGRAM ASSESSMENT

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to County Manager, Historic Courthouse, 1 Historic Courthouse Square, Suite 1, Hendersonville, NC 28792. He will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to Chairman of the Board of Commissioners, Henderson County He shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to North Carolina Department of Commerce, Commerce Finance Center, 4318 Mail Service Center, Raleigh, North Carolina 27699-4318, Attention: Program Representative, requesting an investigation of the problem. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints.

The Citizen Participation Plan will be subject to annual review and proposed revision, to occur in the period between the performance hearing and the public hearing on the subsequent year's application.

### TECHNICAL ASSISTANCE

Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to County Henderson. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the County in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

**PUBLIC INFORMATION**

The Henderson County will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local newspaper at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered. These notices will also be made available in the form of press releases, as a public service announcement to local radion stations and will be provided to churches within the target area of distribution.
2. Orientation Information will be provided at the first public hearing. The Program Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activitites; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.
3. A Public File containing program documentation will be available for review at the Henderson County Planning Department, during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the Henderson County Planning Department consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.
4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

ADOPTED, this the 14<sup>th</sup> day of October 2013

Charlie Messer  
Henderson County Chief Elected Official

  
Henderson County, Chairman CEO

**RESOLUTION FOR THE COUNTY OF HENDERSON  
PROCUREMENT PLAN  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the County of Henderson is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974 as administered through the North Carolina Department of Commerce; and,

WHEREAS, a Procurement Policy is required for the County's CDBG project;

NOW, THEREFORE BE IT RESOLVED, that to accomplish the above, the Henderson County Board of Commissioners hereby adopts the attached Procurement Policy to be used throughout the implementation of this Community Development Block Grant project.

Duly adopted this the 7<sup>th</sup> day of October 2013 upon motion made by

Commissioner Larry Young, seconded by

Commissioner \_\_\_\_\_, and adopted by the following vote:

Aye 4 No 0 Absent 1 Abstained 0

By: Chad Yuse, Chairman

Attest: Aeresa L. Wilson, Clerk to the Board



**COUNTY OF HENDERSON  
PROCUREMENT POLICY FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

In the procurement of supplies, equipment or services in the Henderson County Community Development Block Grant Program, the following policies shall apply:

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$25,000. Under this procurement method, price or rate quotations shall be obtained from an adequate number of qualified sources. Office supplies and equipment may be secured by this method.
- 2) In competitive sealed bids (formal advertising), sealed bids shall be publicly solicited and a firm, fixed price contract shall be awarded to the responsible bidder whose bid conforming with all the material terms and conditions of the invitation for bids, is lowest in price.
- 3) In competitive negotiations, proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. The general administrative contract, appraisal contract, surveying contract and all other required services related to the program implementation shall be awarded utilizing this method. Under this method, special consideration shall be given to experience, technical abilities and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

On all procurement, efforts shall be made to solicit bids from qualified small, female and minority business firms.

In all cases, procurement under this Policy must conform to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurement must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.



# 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

CHARLES D. MESSER  
Chairman  
THOMAS H. THOMPSON  
Vice-Chairman

LARRY R. YOUNG  
J. MICHAEL EDNEY  
GRADY H. HAWKINS

## RESOLUTION

### In Support of Hope RX in Henderson County

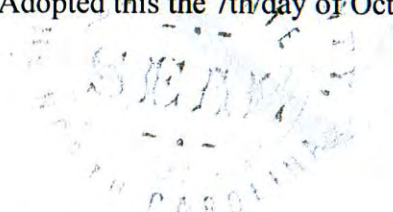
**Whereas,** The number of deaths from prescription drug overdose involving opioid analgesics and benzodiazepines has increased more rapidly nationwide than deaths involving any other type of drug ; and

**Whereas,** Partnership for Health of Henderson County has launched HopeRx, a community-wide initiative created to help reduce the increasing rate of prescription drug abuse in Henderson County and prevent tragic deaths that are caused by this serious health problem in our community; and

**Whereas,** HopeRx, is a project designed to unite community leaders, parents, educators, students, healthcare providers, EMS workers and volunteers, law enforcement, the judicial system, civic organizations and faith groups throughout Henderson County to work collaboratively to address the issues of prescription drug abuse, one of the top three health problems in our county;

**NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners, at their meeting on October 7, 2013, do hereby resolve their support of the Hope Rx initiative in Henderson County.

Adopted this the 7th/day of October, 2013.



*Charlie Messer*

CHARLIE MESSER, CHAIRMAN  
Henderson County Board of Commissioners

ATTEST:

*Teresa L. Wilson*

TERESA L. WILSON, Clerk to the Board