

DRAFT

12/3/2013

MINUTES

cc: Bob
Steve
David
Russ
Amy

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
MONDAY, DECEMBER 2, 2013

The Henderson County Board of Commissioners met for a regularly scheduled (organizational) meeting at 5:30 p.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Commissioner Charlie Messer, Commissioner Tommy Thompson, Commissioner Grady Hawkins, Commissioner Mike Edney, 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: Interim Planning Director Autumn Radcliff, Engineer Marcus Jones, Budget Manager Amy Brantley, Director of Business and County Development John Mitchell, Assessor/Tax Collector Stan Duncan, Sheriff Charlie McDonald, Christina Hallingse - videotaping, and officer David Pierce as security.

CALL TO ORDER/WELCOME

Commissioner 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 Alexander Hedrick of the Young Naturalists 4-H Club.

ELECTION OF CHAIR

County Attorney Russ Burrell stated according to Section 153A-39 of the North Carolina General Statutes, on the first regular meeting of this Board during December of odd-numbered years, this Board must select a chairman. The chairman will serve until a successor is elected on the first Monday evening of December in 2014. After the chairman is selected, he will preside over the meeting.

Mr. Burrell opened the floor for nominations.

Commissioner Hawkins nominated Larry Young.

Commissioner Edney nominated Charlie Messer.

Hearing no further nominations, Mr. Burrell closed nominations and asked the Clerk to the Board to poll the Board.

VOTES	
Commissioner Edney	Messer
Commissioner Thompson	Messer
Commissioner Messer	Messer
Commissioner Hawkins	Young
Commissioner Young	Young

Commissioner Messer was elected as chair for the next year.

ELECTION OF VICE-CHAIR

Chairman Messer nominated Commissioner Thompson for vice-chairman.

There being no further nominations, Commissioner Edney made the motion to close nominations and accept the election of Tommy Thompson as vice-chairman. All voted in favor and the motion carried.

DATE APPROVED:

INFORMAL PUBLIC COMMENTS

1. Jack Hastings – Mr. Hastings spoke in favor of the Ecusta Trail. He would like to see support of the Commissioners connecting the Ecusta Trail between Hendersonville and Brevard. He feels the Ecusta Trail is great for economic development.
2. Eva Ritchey – Ms. Ritchey shared a story of a recent tourist group visiting Hendersonville. She feels Flat Rock Playhouse is the number one economic booster for Henderson County as they bring in around \$14 million to Henderson County yearly. Ms. Ritchey would like to see funding for Flat Rock Playhouse increase, and asked the Board to ask the municipalities to step in with support also.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Thompson asked that Consent Item K “Engineer Selection – Architect of Record for Public Schools and County Government be pulled and moved to the January 6, 2014 meeting.

Commissioner Hawkins requested brief discussion for Consent Items I “Engineer Selection – Old fairgrounds Site Development & Grading Project, and J “2014 Proposed Schedule of Agenda Meeting Dates”.

Commissioner Hawkins made the motion to adopt the agenda with the addition of setting two public hearings. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner Hawkins made the motion to adopt the Consent Agenda minus Item K and with brief discussion of Items I and J. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Review of Public Officials’ Bond

Pursuant to N.C. Gen. Stat. §58-72-20 (and the Board’s Rules of Procedure), the next order of business at the Board’s annual organizational meeting is the annual review and approval of the size and issuer of the bonds for county public officials.

Under §58-72-20:

The bonds of the officers named in G.S. 58-72-10 shall be carefully examined on the first Monday in December of every year, and if it appears that the security has been impaired, or for any cause become insufficient to cover the amount of money or property or to secure the faithful performance of the duties of the office, then the bond shall be renewed or strengthened, the insufficient security increased within the limits prescribed by law, and the impaired security shall be made good; but no renewal, or strengthening, or additional security shall increase the penalty of said bond beyond the limits prescribed for the term of office.

The following are the current bond amounts, all of which meet the requirements of the General Statutes:

PUBLIC OFFICIAL	BOND AMOUNT	BOND COMPANY
Charles McDonald, Sheriff (Review only: no new bond needed, fiscal year cycle)	\$25,000.00	Fidelity and Deposit Co.
Nedra Whitlock Moles, Register of Deeds (Review only: no new bond needed, fiscal year cycle)	\$50,000.00	Fidelity and Deposit Co.
Stan Duncan, Tax Collector	\$1,000,000.00	Fidelity and Deposit Co.

Lee King, Deputy Tax Collector	\$250,000.00	Fidelity and Deposit Co.
J. Carey McLelland, Finance Director	\$200,000.00	Fidelity and Deposit Co.

Motion:

I move that the Board approves the public officials' bonds as proposed.

Minutes

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

November 12, 2013 – Open Agenda Meeting

November 20, 2013 – Regularly Scheduled Meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated November 22, 2013 for information only. No action was required.

County Financial Report/Cash Balance Report – October 2013

The October 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 October:

- Dues/Non-Profits – release of 2nd quarter non-profit contribution payments to agencies
- Finance – purchase order encumbered for departmental supplies/new payroll and A/P check stock
- 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 the first quarter of the fiscal year for various technology maintenance and support contracts for departments approved in the FY2014 budget
- Emergency Management – professional services grant funded payment for emergency management team exercise
- Fire Services – annual equipment maintenance contract payment for fire services radio equipment
- Rescue Squad – purchase order encumbered for new ambulance approved in the FY2014 budget
- Soil & Water Conservation – purchase order encumbered for grant funded equipment
- Mental Health – payment of 50 percent maintenance of effort funding budgeted for FY2014
- 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 contracted services payment made for enhancements to the County's ad valorem property tax system (NCPTS).

The YTD deficit in the Emergency Telephone System (911) Fund is due to the final debt service payment (\$107,037.04) being made in the first quarter 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 October will not be received and posted until December 2013.

The YTD deficit in the Solid Waste Landfill Fund is due to the purchase of capital outlay equipment and real

property purchased for buffer around the landfill during the 1st quarter of the fiscal year.

Motion:

I move that the Board of Commissioners approves the October 2013 County Financial Report and Cash Balance Report as presented.

Public Schools Financial Reports – October 2013

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

Motion:

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

Re-enactment of Henderson County Code, Second Reading

At your 20 November 2013 meeting, the Board re-adopted on first reading the Henderson County Code. As discussed at the 20 November meeting, today you are requested to approve second (final) reading, and to relocate certain chapters currently in the Code which are not truly ordinances (the violation of which result in civil or criminal penalties). Also recommended will be deletion of other sections of the current Code which are either outdated (that is, dealt with in other places, either in the Code or in State law) or no longer serve a purpose (an ordinance on “Departments” that no longer exist).

A proposed table of contents was provided which indicates the moved and deleted chapters. It can be compared to the table which was approved on 20 November. Also recommended will be deletion of other sections of the current Code which are either outdated (that is, dealt with in other places, either in the Code or in State law) or no longer serve a purpose (an ordinance on “Departments” that no longer exist).

In compliance with N.C. Gen. Stat. §153A-48, a paper “Ordinance Book” will be maintained, although not printed by outside printers.

HENDERSON COUNTY CODE OF ORDINANCES
TABLE OF CONTENTS

PART I: GENERAL ADMINISTRATION

- Chapter 1- General Provisions
- Chapter 2- Board of Commissioners
- Chapter 3- Board and Committees
- Chapter 4- Manager
- Chapter 5 -Mutual Aid Agreements
- Chapter 6 - Retirement System
- Chapter 7- County Seal
- Chapter 8- Commissioners Districts
- Chapter 9- Region B Council of Governments
- Chapters 10-15 Reserved for Future Codification

PART II: GENERAL LEGISLATION

- Chapter 16- Animal Regulations
- Chapter 17- Smoking in County Buildings
- Chapter 18- Noise
- Chapter 19 -Parks and Recreation Areas
- Chapter 20 – Pawnbrokers
- Chapter 21- Taxation

Chapter 22- Vehicles & Traffic

Chapter 23 – Weapons

Chapters 24-40 Reserved for Future Codification

PART III: LAND DEVELOPMENT

Chapter 41 - Property Addressing

Chapter 42 – Land Development Code

Chapter 43 - Junkyards & Vehicle Graveyards

Chapter 44 - Vehicles, Abandoned/Junk

Chapter 45 - Farmland Preservation

Chapter 46 - Cemeteries

Chapter 47 - Entry Gates

Chapter 48 - Minimum Housing Code

Chapter 49 - Historic Preservation

Chapter 50 - Massage Parlors

Chapter 51 - Motor Sports Facility

Chapter 52 - Nuisance

Chapters 53-75 Reserved for Future Codification

PART IV: PUBLIC SAFETY

Chapter 76 - Emergency Management

Chapter 77 - Emergency Medical Services

Chapter 78 - Fire Prevention

Chapter 79 - Public Safety Telephone

Chapters 80-90 Reserved for Future Codification

PART V: UTILITIES

Chapter 91 - Cane Creek Water & Sewer

Chapter 92 - Cable Television

Chapter 93 - Water

Chapter 94 - Sewers

Chapter 95 - Solid Waste

SUPPLEMENTAL MATERIALS

Agreements

Apple Country Greenways Agreement

Area Mental Health Agreement

Asheville Regional Housing Agreement

Cable TV franchise

Cane Creak Water & Sewer Agreement

Mutual Aid Emergency Transport Service Franchise Agreement

Nonemergency Transport Service Franchise Agreement

Regional Water Supply Agreement

Sewage Disposal Agreement

Town of Fletcher Bldg. Code Administration

Wastewater Collection Agreement

Previous Ordinances

Former Chapter 10- General Assembly Enactments

Former Chapter 11- Departments

Former Chapter 24 - Chain Gangs

Former Chapter 25 - Peddling and Soliciting

Additional Sources of Law

North Carolina Building Code

Motion:

I move that the Board adopts the proposed code of ordinances.

Set Public Hearing for Rezoning Application #R-2013-05

Rezoning Application #R-2013-05, which was submitted on October 25, 2013, requests the County rezone a 4.95 acre tract. The applicant requests a rezoning from a Residential One (R1) to a Local Commercial (LC) zoning district. The subject area is owned by Jessie Harris (PIN: 9579-63-6917).

The Henderson County Planning Board considered rezoning application #R-2013-05 at its regularly scheduled meeting on November 21, 2013 and voted unanimously to send forward a favorable recommendation. Before taking action on the rezoning request, the Board of Commissioners must hold a public hearing. Staff suggests scheduling the public hearing for January 6, 2014, at 5:30 P.M., or schedule a special called meeting on or after that date.

Motion:

I move that the Board schedules a public hearing for rezoning application #R-2013-05 for Monday, January 6, 2014 at 5:30 P.M.

Resolution Declaring Personal Property as Surplus and Authorizing the Disposition of Personal Property by Private Sale to a Local Government Unit

Henderson County has received a request from the Town of Montreat in North Carolina to purchase two (2) Golden Eagle radar units that are no longer in use by the Henderson County Sheriff's Department. The Sheriff's Public Information Officer, Major Frank Stout, negotiated a price of \$500 per radar unit for a total of \$1,000 for the two (2) radar units with the Chief of Police at the Montreat Police Department.

A resolution was provided for the Board's consideration and approval declaring the radar units as surplus and authorizing the private sale to another local governmental unit as allowed under N.C.G.S. 160A-274.

<u>Radar</u>	<u>Serial #</u>	<u>Asset#</u>
Golden Eagle	XE21710	14980
Golden Eagle	XE21681	14669

Motion:

I move that the Board approves the resolution declaring the list of Radar Units presented as surplus and authorizes the private sale to another local governmental unit as allowed under N.C.G.S. 160A-274.

Engineer Selection – Old Fairgrounds Site Development & Grading Project

With the award of a grant from the Appalachian Regional Commission from Governor McCrory for the Fairgrounds Site Development & Grading Project (see attached letter), Engineering staff has solicited firms for engineering services to design, permit, bid and administer construction for the project.

In accordance with NC General Statute 143-64.31 (Procurement of Architectural, Engineering, and Surveying Services), staff developed a Request for Qualifications (RFQ) and on November 1, 2013, posted it on the County's website with one response from William G. Lapsley & Associates (WGLA). The response was received by the deadline on November 15, 2013.

A detailed review of the firm was conducted based on the criteria established within the RFQ. The selection criteria are as follows: Project Team, Project Experience, Design Performance, Relationships with Funding and Regulatory Agencies, and Customer Service. Based on their Statements and further investigations, staff recommends WGLA as the most qualified firm.

Upon approval of WGLA as the most qualified firm by the Board of Commissioners, Engineering staff will negotiate a scope of work and fee for the project and bring the resulting agreement back to the Board for approval with the grant agreement.

Motion:

I move that the Board authorizes the selection of William G. Lapsley as the most qualified responding firm to perform the engineering services for the Fairgrounds Site Development & Grading project

2014 Proposed Schedule of Agenda Meeting Dates

The proposed 2014 Schedule of Agenda Meeting Dates for Henderson County Board of Commissioners is attached

Tuesday, December 31, 2013 for Monday, January 6, 2014	2:00 p.m.
No agenda meeting (Budget Retreat) Wednesday, January 15, 2014	
Tuesday, January 28, 2014 for Monday, February 3, 2014	2:00 p.m.
Tuesday, February 11, 2014 for Wednesday, February 19, 2014	2:00 p.m.
Tuesday, February 25, 2014 for Monday, March 3, 2014	2:00 p.m.
Tuesday, March 11, 2014 for Wednesday, March 19, 2014	2:00 p.m.
Tuesday, April 1, 2014 for Monday, April 7, 2014	2:00 p.m.
Tuesday, April 8, 2014 for Wednesday, April 16, 2014	2:00 p.m.
Tuesday, April 29, 2014 for Monday, May 5, 2014	2:00 p.m.
Tuesday, May 13, 2014 for Wednesday, May 21, 2014	2:00 p.m.
Tuesday, May 27, 2014 for Monday, June 2, 2014	2:00 p.m.
Tuesday, June 10, 2014 for Wednesday, June 18, 2014	2:00 p.m.
NO FIRST MONDAY MEETING IN JULY	
Tuesday, July 8, 2014 for Wednesday, July 16, 2014	2:00 p.m.
Tuesday, July 29, 2014 for Monday, August 4, 2014	2:00 p.m.
Tuesday, August 12, 2014 for Wednesday, August 20, 2014	2:00 p.m.
Tuesday, August 26, 2014 for Tuesday , September 2, 2014	2:00 p.m.
Tuesday, September 9, 2014 for Wednesday, September 17, 2014	2:00 p.m.
Tuesday, September 30, 2014 for Monday, October 6, 2014	2:00 p.m.
Tuesday, October 7, 2014 for Wednesday, October 15, 2014	2:00 p.m.
Tuesday, October 28, 2014 for Monday, November 3, 2014	2:00 p.m.
Monday , November 10, 2014 for Wednesday, November 19, 2014	2:00 p.m.
Wednesday , November 19, 2014 for Monday, December 1, 2014.....after regular meeting NO THIRD WEDNESDAY MEETING IN DECEMBER	

The only changes are in November due to the Veteran's Day Holiday on Tuesday, November 11th (held on 10th) and November 25th (held after regular meeting of November 19th) due to upcoming holiday week.

Motion:

I move that the Board approves the 2014 Proposed Schedule of Agenda Meeting Dates as presented.

Commissioner Edney was concerned that action could be taken at an agenda meeting if three commissioners are present.

County Attorney Russ Burrell was instructed to bring a proposed rule and procedure change to the January 6, 2014 meeting in regard to agenda meetings.

Engineer Selection - Architect of Record for Public Schools and County Government – This item was moved to the January 6, 2014 meeting.

As directed by the Board, staff solicited firms for architectural services for the Public Schools and County Government projects for the next three years. In accordance with NC General Statute 143-64.31 (Procurement of Architectural, Engineering, and Surveying Services), staff developed a Request for Qualifications (RFQ) and on October 23, 2013, posted it on the County's website. The responses were received by November 8, 2013 with twenty firms submitting Statements of Qualifications. A Selection Committee with David Jones, Martin Ballard, Mike Edney from the Schools and David Whitson, David Berry and Marcus Jones from the County reviewed the Statements in accordance with the RFQ. The following six firms were interviewed by the Selection Committee: LS3P, Bowers, Ellis & Watson, ADW, Clark Nexsen, RRMM and Moseley.

The selection criteria are as follows: Project Team, Project Experience, Planning Performance, Design Performance, Construction Administration Performance, Relationships with Funding and Regulatory Agencies, and Customer Service. Based on the Statements of Qualifications and further investigations, staff will provide a recommendation prior to the Board meeting. Unfortunately, the interviews and final selection process are scheduled after the agenda deadline. Therefore, the selection recommendation is not included within this memo but will be provided under separate cover prior to the meeting.

County Manager Steve Wyatt noted that staff and committee members have worked hard to get a unanimous recommendation. He suggested allowing staff to draft a contract of the recommended firm in advance of the January 6th meeting.

Commissioner Thompson made the motion that the Board allows staff to draft a contract with the number one selection for the January 6, 2014 meeting. All voted in favor and the motion carried.

Nominations

Chairman Messer noted vacancies and opened the floor for nominations.

Notification of Vacancies

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

Nominations

1. Child Protection and Fatality Prevention Team – 1 vac.

Chairman Messer nominated Sandra McNeill for position #6. *Chairman Messer made the motion to accept the appointment of Sandra McNeill for position #6 by acclamation. All voted in favor and the motion carried.*

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

Commissioner Hawkins nominated Karen Baker for position #10 and Jack Gabel for position #3. Commissioner Edney nominated Ruth Birge for position #3. The Board was polled for position #3 with one vote each.

Edney – Birge
Thompson – Birge
Messer – Birge
Hawkins – Gabel
Young – Birge

Ruth Birge was appointed to position #3 with the majority of votes.

3. Henderson County Transportation Advisory Committee – Chair Vacancy

The Board had received a letter of chair resignation from Jim Crafton, as well as a letter of recommendation for Renee Kumor to serve as the new chair. Commissioner Thompson recognized Jim Crafton for many years of serving as chair on the TAC.

Commissioner Thompson nominated Renee Kumor to serve as chair of the Transportation Advisory Committee. *Chairman Messer made the motion to accept the appointment of Renee Kumor as chair of the Transportation Advisory Committee by acclamation. All voted in favor and the motion carried.*

4. Henderson County Zoning Board of Adjustment – 3 vac.

Commissioner Hawkins nominated Ronald Kauffman for reappointment to position #6. Commissioner Edney nominated Anthony Engel for reappointment to position #4. Chairman Messer nominated Jim Clayton for reappointment to position #1.

Chairman Messer made the motion to accept the reappointments of Ronald Kauffman to position #6, Anthony Engel to position #4, and Jim Clayton to position #1 by acclamation. All voted in favor and the motion carried.

5. Juvenile Crime Prevention Council – 5 vac.

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

6. Laurel Park Zoning Board of Adjustment – 1 vac.

Commissioner Young nominated Steve Braznell for position #1.

Chairman Messer made the motion to accept the reappointment of Steve Braznell to position #1 by acclamation. All voted in favor and the motion carried.

7. 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.

8. Senior Volunteer Services Advisory Council – 2 vac.

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

9. Smartstart – 1 vac.

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

10. WCCA Board of Directors (Western Carolina Community Action) – 1 vac.

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

IMPORTANT DATES

Commissioner Thompson made the motion that the board sets a public hearing for “Project Hot and Cold” economic development project, and set a public hearing for “Project Precept” economic development project for January 6, 2014 at 5:30 p.m. All voted in favor and the motion carried.

ADJOURN

Commissioner Hawkins made the motion to adjourn at 6:15 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Charles D. Messer, Chairman

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, November 22, 2013

Re: Tax Collector's Report to Commissioners - Meeting date 02 December 2013

Please find outlined below collections information through 21 November 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: \$58,576,493.15
Discoveries & Imm. Irreg.: \$256,565.16
Releases & Refunds: (\$212,168.27)
Net Charge: \$58,620,890.04
Unpaid Taxes: \$37,192,056.39
Amount Collected: \$21,428,833.65
Percentage Collected: 36.55%
Through: 21-Nov-2013

2012 Beginning Charge: \$57,947,122.17
Discoveries & Imm. Irreg.: \$153,541.26
Releases & Refunds: (\$39,733.59)
Net Charge: \$58,060,929.84
Unpaid Taxes: \$35,977,117.66
Amount Collected: \$22,083,812.18
Percentage Collected: 38.04%
Through: 21-Nov-2012

Motor Vehicle Bills G01 Only:

2013 Beginning Charge: \$2,528,345.27
Discoveries & Imm. Irreg.: \$1,672.37
Releases & Refunds: (\$45,483.49)
Net Charge: \$2,484,534.15
Unpaid Taxes: \$780,486.64
Amount Collected: \$1,704,047.51
Percentage Collected: 68.59%
Through: 21-Nov-2013

2012 Beginning Charge: \$2,392,776.49
Discoveries & Imm. Irreg.: \$2,096.60
Releases & Refunds: (\$44,045.67)
Net Charge: \$2,350,827.42
Unpaid Taxes: \$714,329.90
Amount Collected: \$1,636,497.52
Percentage Collected: 69.61%
Through: 21-Nov-2012

Fire Districts All Bills:

2013 Beginning Charge: \$6,856,422.73
Discoveries & Imm. Irreg.: \$40,747.83
Releases & Refunds: (\$32,481.43)
Net Charge: \$6,864,689.13
Unpaid Taxes: \$4,194,318.43
Amount Collected: \$2,670,370.70
Percentage Collected: 38.90%
Through: 21-Nov-2013

2012 Beginning Charge: \$6,686,772.28
Discoveries & Imm. Irreg.: \$18,518.74
Releases & Refunds: (\$11,279.09)
Net Charge: \$6,694,011.93
Unpaid Taxes: \$3,998,534.99
Amount Collected: \$2,695,476.94
Percentage Collected: 40.27%
Through: 21-Nov-2012

Respectfully submitted,



Luke Small

Collections Specialist

Stan C. Duncan

Tax Collector

**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS
AND AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY
BY PRIVATE SALE TO A LOCAL GOVERNMENT UNIT**

WHEREAS, Henderson County owns the Radar Units 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 Radar Units as surplus and selling via private sale to another local governmental unit as authorized by NCGS 160A-274; and

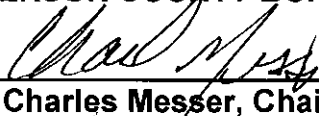
WHEREAS, it is the intent of the County to sell said surplus Radar Units.

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

1. The Radar Units itemized on the attached Exhibit B is hereby declared to be surplus property.
2. The Purchasing Agent is hereby authorized to dispose by private sale to another governmental unit, the surplus described above in the amount of \$1,000.00.
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.

THIS the 2nd day of December, 2013.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
Charles Messer, Chairman

ATTEST:


Teresa L. Wilson, Clerk to the Board

[OFFICIAL SEAL]

