

DRAFT

2/20/14

MINUTES

cc: Steve
Amy
Russ
BOC

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, FEBRUARY 19, 2014**

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

Those present were: Chairman Charlie Messer, Vice-Chairman Tommy Thompson, Commissioner Grady Hawkins, Commissioner Mike Edney, Commissioner Larry Young, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Senior Planner Autumn Radcliff, Deputy Attorney Sarah Zambon, Engineer Marcus Jones, HR Director Jan Prichard, Sheriff Charlie McDonald, Research Budget Analyst Megan Piner, Library Director Bill Snyder, Director of Business and County Development John Mitchell, Property Appraiser Dee Hill, PIO Christina Hallingse – videotaping, and officers Mitch Jacobsen and Jeff Banks 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 Commissioner Thompson.

INFORMAL PUBLIC COMMENTS

1. Nancy Thomas – Ms. Thomas spoke in regard to smoking on County property. She feels many people with health problems suffer from second hand smoke. Ms. Thomas would like to see more restrictions and designated areas for smoking, away from the entrances of facilities.
2. Ronald Schultz – Mr. Schultz spoke in regard to the need for a new Fletcher Library. Mr. Schultz is an avid user of the library and the current library has outgrown its facility.
3. Dr. Diane Curren – Ms. Curren is a Public Health physician. Physicians are concerned about smoke related health issues. She asked the Board to consider smoke free for County property.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Hawkins made the motion to adopt the agenda with the first discussion item being the smoking ordinance amendments. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner Hawkins 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):

February 3, 2014 – regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated February 6, 2014 for information only. No action was required.

Pending Releases & Refunds

The County Assessor had reviewed release and refund requests, and as a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County

DATE APPROVED:

Assessor’s Office.

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

Type	Revenue Amount:
Refunds	\$ 146.61
Releases	\$ 3,879.95

Motion:

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

Tax refund request

The Tax Department received a letter from Brian Hamill. In the letter, Hamill makes a “written demand for release” of the County’s tax claim against a parcel of land.

In the opinion of your County Attorney, nothing in Mr. Hamill’s letter constitutes a defense to the assessment by the County of *ad valorem* real property taxes against his property.

Under N.C. Gen. Stat. §105-381:

Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct tax liability or notify the taxpayer in writing that no release or refund will be made. . . . All actions taken by the governing body or finance officer, manager, or attorney on requests for release or refund shall be recorded in the minutes of the governing body. . . .

Motion:

I move that the Board deny Brian Hamill’s request for release or refund of tax claims.

Lease Extension with HCPED

Proposed is an extension of the existing lease with the Partnership for Economic Development. It is in accord with the terms of the lease entered in 2010, and will expire in 2020. It covers all of the space in the current facility, located at 330 North King Street.

Motion:

I move that the Board agrees to the lease extension proposed with Henderson County Partnership for Economic Development, and authorize the chair and staff to execute the same.

Set Public Hearing for Re-naming of Turkeybrush Trail

Planning Department staff requests the Board to set a public hearing to consider re-naming Turkeybrush Trail to Mystic Pines Way. Assignment of the new road name must be requested by over 66% of the current property owners bordering the existing street. This request was made by all the current lot owners of Turrkeybrush Trail. The re-naming of this road requires the assignment of new property address for two existing homes.

The naming or renaming of the street is required by the Henderson County Property Addressing Ordinance (Chapter 41). North Carolina General Statute 153A-239.1 and the Property Addressing Ordinance require the Board to hold a public hearing prior to assigning a new road name.

Motion:

I move the Board sets the public hearing for March 17, 2014 at 5:30 p.m. to discuss the proposed road name assignments.

Contract Approval

At the Board's Budget Workshop in January, the Board directed Staff to engage a facilitator with expertise in emergency services to work with Emergency Medical Services and the Rescue Squad to develop options to meet the long term obligations of both organizations. The County Manager has a proposal from Solutions for Local Government for this study, and recommends approval of such by the Board. The report would be due in mid-May.

Motion:

I move the Board approves the contract with Solutions for Local Government as presented.

Notification of Vacancies

Chairman Messer noted the following vacancies and opened the floor to nominations.

1. Equalization and Review, Henderson County Board of – 5 vac.
2. Industrial Facilities and Pollution Control Financing Authority - 3 vac.
3. Mountain Valleys Resource Conservation and Development Program – 1 vac.
4. Nursing/Adult Care Home Community Advisory Committee – 3 vac.

Nominations

1. Agriculture Advisory Board – 1 vac.

Commissioner Young nominated Kenneth Allison for position #1.

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

2. Animal Services Committee – 3 vac.

Commissioner Thompson nominated Patricia MacDuff for position #3, John Lynn for position #6, and Michael Marsteller for position #9.

Chairman Messer made the motion to accept the reappointments of Patricia MacDuff to position #3 and John Lynn to position #6, and the appointment of Michael Marsteller to position #9 by acclamation. All voted in favor and the motion carried.

3. Juvenile Crime Prevention Council – 6 vac.

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

4. Mountain Valleys Resource Conservation and Development Program – 1 vac.

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

5. Recreation Advisory Board – 3 vac.

Chairman Messer nominated Terry Maybin for position #3 and Boyce Laughter for position #5.

Chairman Messer made the motion to accept the reappointments of Terry Maybin to position #3 and Boyce Laughter to position #5 by acclamation. All voted in favor and the motion carried.

Commissioner Hawkins nominated Daniel Mintz for position #5. Chairman Messer nominated Elizabeth Moss for position #5. The Board was polled with the following results:

Edney	Thompson	Messer	Hawkins	Young
1.Moss	1.Moss	1.Moss	1.Mintz	1.Mintz

Elizabeth Moss was appointed to position #5 with the majority of votes.

6. Senior Volunteer Services Advisory Council – 2 vac.

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

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

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

SMOKING ORDINANCE AMENDMENTS

County Manager Steve Wyatt stated at the Board’s January 6th meeting, following discussion of how to deal with smoking at facilities owned or operated by the County due to citizen complaints, Staff was directed to work on options for further review by the Board.

Several department representatives, including the Library, Recreation, Elections, and King Street Building, met on January 13, 2014 to discuss these considerations. As a follow-up, a survey of departmental leadership was also conducted. While the consensus has generally been to recommend a tobacco-free campus, the County only has authority from the General Assembly to deal with tobacco smoke, not any other aspects of tobacco use.

At this point, all departments are in favor of a smoke free campus, with the exception of EMS and the DSS Board of Directors. No subsequent citizen input has been received one way or the other.

Options:

- I. A total smoking ban on County Government property.
- II. A ban on smoking with the exception of designated areas.
 - a) Smoking could be banned within 50 to 100 feet from any County building.
 - b) Smoking could be limited to designated areas, with smoking areas located away from entrances and general traffic areas, and where people have to gather while doing business with the County or participating in County activities.
- III. Maintain the status quo

Steve Wyatt was directed to work with departments and put together ideas for smoking areas with roofs, disposals, etc. Jackson Park does not require shelter, just designated areas. It will not be necessary to bring this item back before the Board.

Commissioner Hawkins made the motion that the Board adopts option IIB (Smoking limited to designated areas, with smoking areas located away from entrances and general traffic areas, and where people have to gather while doing business with the County or participating in County activities). All voted in favor and the motion carried.

FLETCHER LIBRARY BUILDING

Fletcher Town Manager Mark Biberdorf, and Councilman Bob Davy, requested to be on the agenda to discuss a Fletcher Library building on behalf of the Fletcher Town Council.

Mark Biberdorf stated the Town of Fletcher needs a new facility. There is no room for expansion in the existing library. Fletcher Library is the second busiest library in the County. Mr. Biberdorf shared a one page handout that included a location with several sites that would be ideal for the new

library. He requested that a new Fletcher Library be part of the budget process and requested funding for preliminary architects, at the least.

Commissioner Hawkins requested that the County Manager provide information to the Board on cost to maintain libraries and history of County libraries.

DRAFT GREEN RIVER-TUXEDO-ZIRCONIA (GRTZ) COMMUNITY PLAN OVERVIEW

Senior Planner Autumn Radcliff stated the Green River-Tuxedo-Zirconia (Hereinafter GRTZ) Community Plan Advisory Committee, formed by the Board of Commissioners on May 7, 2012, was responsible for developing and recommending a community-specific comprehensive plan for the GRTZ Planning Area. After over a year of monthly meetings, holding two public input sessions (including a mailed survey), and receiving information from County staff and relevant experts, the Committee completed the Draft GRTZ Community Plan.

On October 17, 2013, the Planning Board held a joint meeting with the GRTZ Community Plan Advisory Committee. On November 21, 2013 the Planning Board voted unanimously to send forth a favorable recommendation of the GRTZ Community Plan.

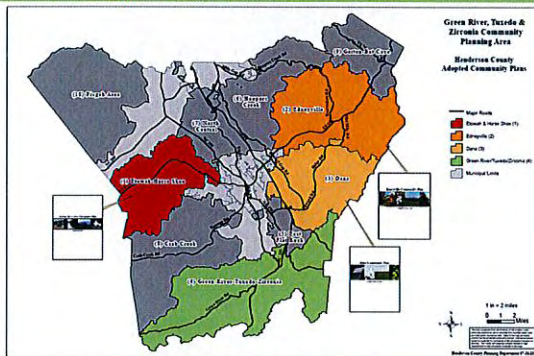
Staff will present a brief PowerPoint presentation highlighting the sections and recommendations of the Draft Plan. Copies of the Draft Plan will be distributed to the Board of Commissioners prior to the February 19th meeting. The Board may wish to schedule more detailed discussions, including a workshop, or adopt the plan. A public hearing is not required to adopt the plan. As with any plan, adoption does not obligate the County to implement every recommendation. Given that circumstances and needs change, the County may not move forward with all action items.

Community Planning Areas



Henderson County Planning Department

Completed Community Plans



Henderson County Planning Department

Community Planning Benefits:

Community Plans...

1. Actively engage citizens in the governing process
2. Solicit community input and feedback
3. Result in cost avoidance by prioritizing community needs
4. Employ changes for the betterment of communities

The Planning Process:

- April 2, 2012:** Community Plan Charter Adopted
- May 7, 2012:** Community Plan Advisory Committee Formed
- July 10, 2012:** Committee holds first of 14 meetings
- Sept. 11, 2012:** 1st Public Input Meeting
- Aug. 13, 2013:** 2nd Public Input Meeting to obtain feedback on Draft Plan
- Sept. 10, 2012:** Committee Review of Additional Public Input
- Oct. 17, 2013:** Joint Meeting with Planning Board
- Nov. 21, 2013** Planning Board Recommends Approval

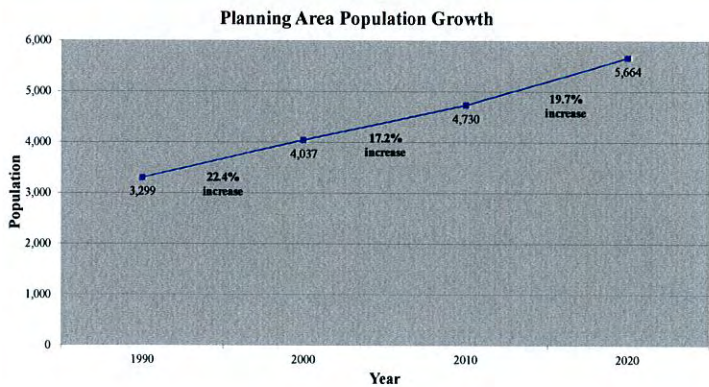
Advisory Committee:

Co-Chairman Terry Maybin, Co-Chairman James Miller, Linda Lamphier, David Hill, Patricia MacDuff Theron Maybin, Ann Pouch, Steve Waggoner, Lillian Lilly, - Henderson County Planning Board Liaison Mike Cooper and Village of Flat Rock Representative Anne Coletta.

Community Plan Organization:

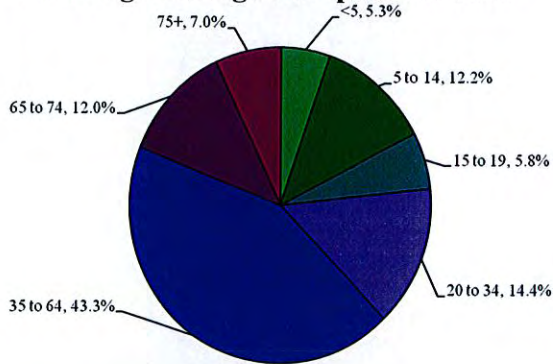
- Section 1: Introduction to the Planning Area**
- Section 2: Demographics of the Planning Area**
- Section 3: Community Plan**
 - 3.1. Natural and Cultural Resources
 - 3.2. Agriculture
 - 3.3. Housing
 - 3.4. Community Facilities and Public Services
 - 3.5. Transportation
 - 3.6. Economic Development
 - 3.7. Land Use and Development
 - 3.8. Community Character and Design

Planning Area Demographics



Planning Area Demographics

Planning Area Age of Population 2010



Henderson County Planning Department

Planning Area Demographics

Planning Area Median Household Income & Poverty



- 15.2% of population below poverty in Planning Area
- 12.7% of population below poverty in Henderson County
- Planning Area contains 5.3% of County's population below poverty

Henderson County Planning Department

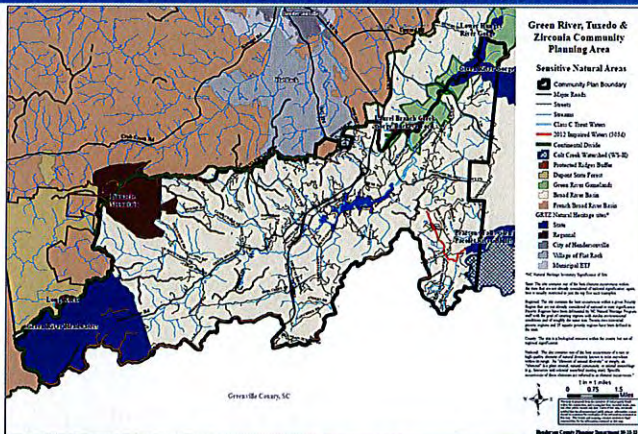
Section 3.1. Natural and Cultural Resources



- Sensitive Water Resources
- Sensitive Land Resources and Protected Species
- Cultural and Historical Resources

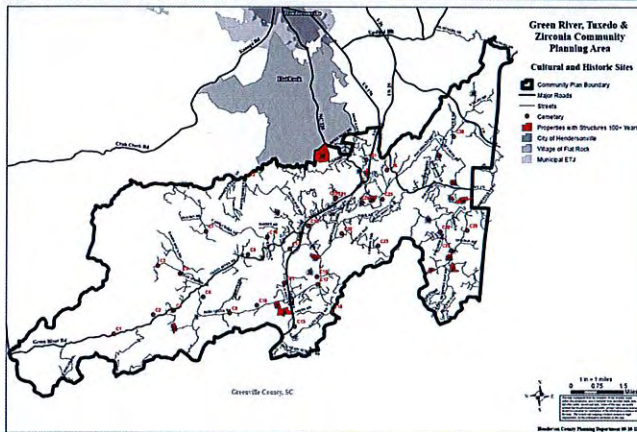
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Sensitive Natural Areas



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Cultural and Historic Sites



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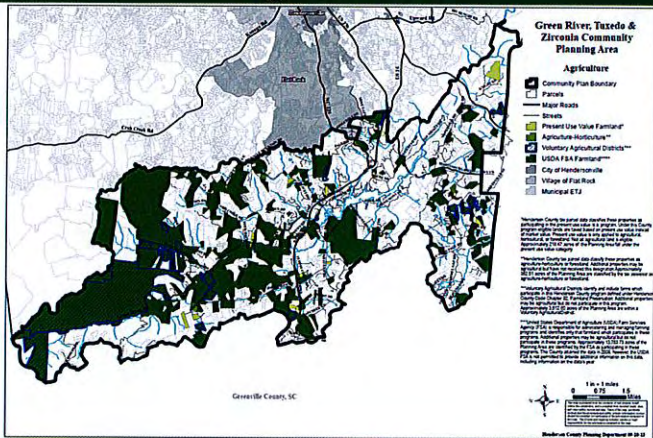
Section 3.1. Key Goals and Objectives

- Monitor water quality within the GRTZ Planning Area...
 - Do not support creating an official water supply watershed designation for Lake Adger that includes the entire Green River Watershed, and
 - Develop or use existing educational materials for future development of property along water resources
- Protect land quality...
 - Provide educational material and encourage mountain views and ridge tops to be preserved/protected,
 - Encourage limited cutting on ridges and slopes for development and forestry management, and
 - Encourage open space through voluntary conservation.
- Create incentives/opportunities for preservation of historic and cultural sites.

Section 3.2. Agriculture

- 15.39% of the County's land is in the Planning Area
- 42.39% of the Planning Area is agricultural land

Agriculture



Henderson County Planning Department

Section 3.2. Key Goals and Objectives

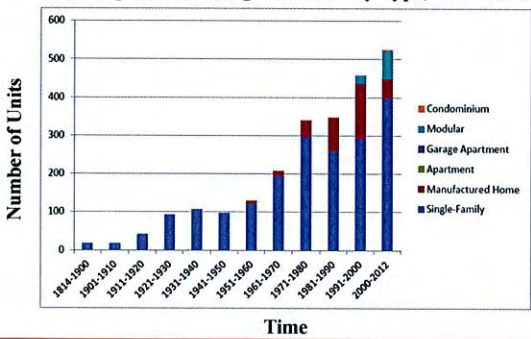
- Expand and diversify agriculture markets within the GRTZ Planning Area.
 - Support local participation in tailgate market at Tuxedo Community Store.
 - Work with Henderson County Partnership for Economic Development and Henderson County AgriBusiness Director to market local farms.
 - Promote agritourism in the Planning Area.
 - Support small scaled local farms and encourage a range of diversity.
- Provide public education as a means of supporting farmers and protecting farmland.
 - Encourage local farms to work with Henderson County Soil and Water Conservation District.
 - Connect local producers with educational opportunities at BRCC.
- Reduce farmland loss within the GRTZ Planning Area.
 - Support estate tax waiver or deferment for agricultural lands intended to remain in agriculture.
 - Promote rural character in prime agricultural areas.

Section 3.3. Housing

- **Single-family residence share of housing mix:**
 - County: 93.63%
 - Planning Area: 99.74%
- **Manufactured housing share of housing mix:**
 - County: 17.62%
 - Planning Area: 12.54%
- **\$140,013 = Planning Area average assessed housing value**

Section 3.3. Housing

Planning Area Housing Year Built by Type, 1814-2012



Henderson County Planning Department

Section 3.3. Key Goals and Objectives

- Expand and diversify housing options within the GRTZ Planning Area.
 - Encourage a mix of housing options that accommodate a range of income levels.
- Support the expansion of utility services such as cell, internet/broadband, and cable television throughout the Planning Area to accommodate existing and future development.

Section 3.4. Community Facilities & Public Services

- The Planning Area fall entirely within the Flat Rock Middle and East Henderson High School District
- The Planning Area is also served by:
 - Dana, Hillandale, and Upward Elementary

Section 3.4. Key Goals and Objectives

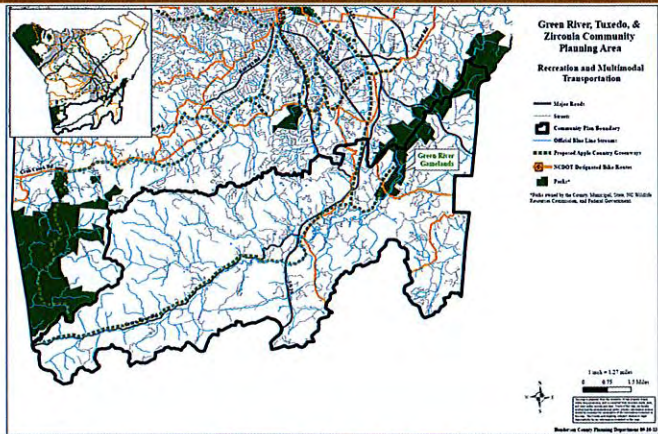
- Support the development of the Tuxedo Park as depicted on the master plan.
 - Encourage the County to provide a designated area within the Park that provides historical information about the GRTZ area and the Old Mill site.
 - Support the relocation of the veteran monument from the Tuxedo Community Store to the Park.
- Encourage and support the relocation of the Green River Library to the Tuxedo Park if funding is available.

Tuxedo Park Master Plan



Henderson County Planning Department

Section 3.5. Transportation



Henderson County Planning Department

Section 3.5. Key Goals and Objectives

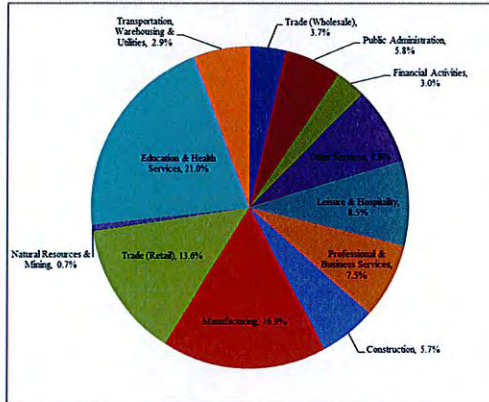
- Work with NCDOT to identify opportunities to create bike lanes when existing roads are widened or improved.
- The County should support and encourage road and intersection improvements within the GRTZ Planning Area

Section 3.6. Economic Development

- The Planning Area workforce makes up 4.2% of the County’s total workforce

Section 3.6. Economic Development

Planning Area Population Aged 16+ within Workforce by Census Major Industry Group 2011



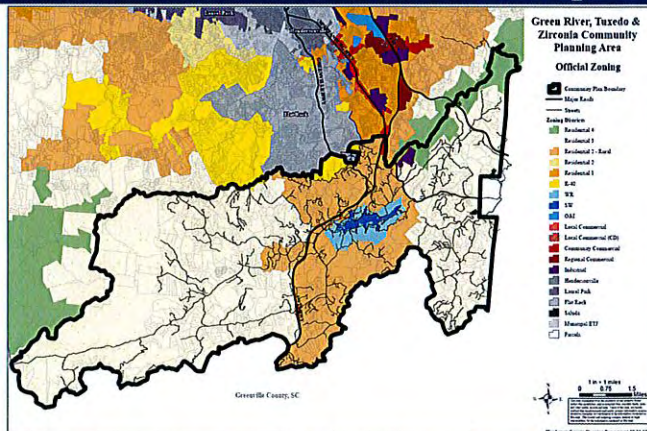
Note: Information Services are not represented on this chart. Planning Area workforce has no employees in this industry.

Henderson County Planning Department

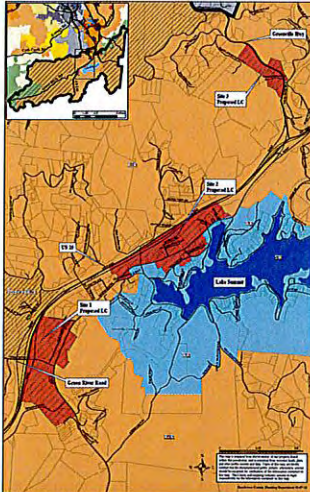
Section 3.6. Economic Development

- Support existing businesses in the GRTZ Planning Area.
- Promote small business and cottage industry growth in the Planning Area.
 - Support the development of electronic network to connect existing businesses and cottage industries.
- Encourage and support the expansion and growth of the camp industry.
- Work with Henderson County Partnership for Economic Development to promote the Planning Area’s natural assets, small business and cottage industries.
- Work with Henderson County Agribusiness to promote economic opportunities related to agriculture in the Planning Area.

Section 3.7. Land Use & Development



Henderson County Planning Department

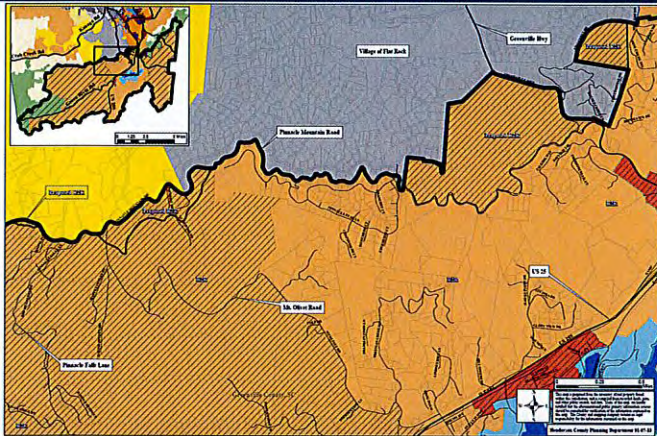


Recommended Zoning and Land Use Map

- Residential Two Rural (R2R) to a Local Commercial (LC) zoning district.
- Three (3) distinct LC zoning locations that were identified as Urban Services Area from the 2020 CCP.

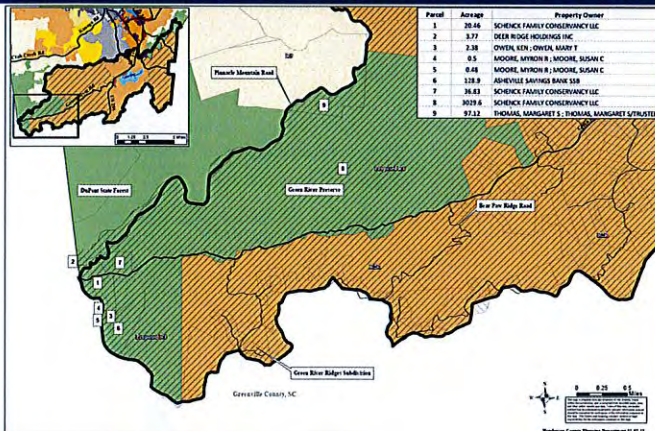
Henderson County Planning Department

Recommended Zoning and Land Use Map



Henderson County Planning Department

Recommended Zoning and Land Use Map



Henderson County Planning Department

Existing: US 225 Across from Planned Tuxedo Park



Henderson County Planning Department

Possible Future Development: US 225 Across from Planned Tuxedo Park



Henderson County Planning Department

Existing: US 225 Across from Lake Summit



Henderson County Planning Department

Possible Future Development: US 225 Across from Lake Summit



Henderson County Planning Department

Section 3.8. Key Goals and Objectives

- Promote development compatible with the rural character and natural setting of the Planning Area.
 - The community does not recommend specific design standards, but encourages new non-residential development to reflect the area’s unique characteristics.
- Promote redevelopment and adaptive reuse of existing abandoned nonresidential structures.
 - Reuse and repurpose old abandoned structures like the Tuxedo Extended Day School.

Commissioner Hawkins made the motion that the Board adopts the GRTZ Community Plan as presented. All voted in favor and the motion carried.

TECHNICAL CORRECTIONS TO VOLUNTARY AGRICULTURE DISTRICTS

Attorney Russ Burrell stated during the 2012 re-write of the provisions for Voluntary Agricultural Districts, contained in Chapter 45 of the County Code, the provisions for regular (not “Enhanced”) districts were substantially rewritten. This is for the deletion of Article III, which was rewritten and replaced by Part One of Article VIII, and should have been deleted.

Commissioner Thompson made the motion that the Board deletes Article III of Chapter 45 of the County Code. All voted in favor and the motion carried.

COUNTY MANAGER’S REPORT

Steve Wyatt provided a brief update on the small area planning process. He stated that Henderson County is a leader statewide with citizens given the opportunity to shape their destiny.

Zoning in previous plan areas need to be fine tuned. He requested that the Planning Department, along with the Planning Board, spend the remainder of the year to review zoning and bring the information back to the Board of Commissioners by year end.

IMPORTANT DATES

A request was made for the Board to set a public hearing to consider economic development incentives for “Project Andies” for March 17, 2014 at 5:30 p.m.

Commissioner Thompson made the motion that the Board set a public hearing on economic development incentives for Project Andies for March 17, 2014 at 5:30 p.m. All voted in favor and the motion carried.

A request was made for the Board to set a public hearing to consider economic development incentives for

“Project Dogwood” for March 17, 2014 at 5:30 p.m.

Commissioner Thompson made the motion that the Board set a public hearing on economic development incentives for Project Dogwood for March 17, 2014 at 5:30 p.m. All voted in favor and the motion carried.

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)(3), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege.
2. 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), for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

ADJOURN

Commissioner Young made the motion to go out of closed session and adjourn at 11:20 a.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

Thursday, February 06, 2014

Re: Tax Collector's Report to Commissioners - Meeting Date 19 February 2014

Please find outlined below collections information through 05 February 2014 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:	\$58,588,391.50	2012 Beginning Charge:	\$57,948,385.02
Discoveries & Imm. Irreg.:	\$279,373.87	Discoveries & Imm. Irreg.:	\$302,572.20
Releases & Refunds:	(\$215,452.16)	Releases & Refunds:	(\$104,396.42)
Net Charge:	\$58,652,313.21	Net Charge:	\$58,146,560.80
Unpaid Taxes:	\$3,304,681.92	Unpaid Taxes:	\$3,338,635.12
Amount Collected:	\$55,347,631.29	Amount Collected:	\$54,807,925.68
Percentage Collected:	94.37%	Percentage Collected:	94.26%
Through: 5-Feb-2014		Through: 5-Feb-2013	

Motor Vehicle Bills G01 Only:

2013 Beginning Charge:	\$2,613,933.98	2012 Beginning Charge:	\$3,407,799.84
Discoveries & Imm. Irreg.:	\$1,815.92	Discoveries & Imm. Irreg.:	\$2,467.73
Releases & Refunds:	(\$50,791.22)	Releases & Refunds:	(\$59,289.51)
Net Charge:	\$2,564,958.68	Net Charge:	\$3,350,978.06
Unpaid Taxes:	\$496,660.26	Unpaid Taxes:	\$925,103.72
Amount Collected:	\$2,068,298.42	Amount Collected:	\$2,425,874.34
Percentage Collected:	80.64%	Percentage Collected:	72.39%
Through: 5-Feb-2014		Through: 5-Feb-2013	

Fire Districts All Bills:

2013 Beginning Charge:	\$6,869,467.65	2012 Beginning Charge:	\$6,813,279.82
Discoveries & Imm. Irreg.:	\$45,306.92	Discoveries & Imm. Irreg.:	\$45,490.60
Releases & Refunds:	(\$33,638.52)	Releases & Refunds:	(\$22,871.59)
Net Charge:	\$6,881,136.05	Net Charge:	\$6,835,898.83
Unpaid Taxes:	\$484,713.42	Unpaid Taxes:	\$540,616.91
Amount Collected:	\$6,396,422.63	Amount Collected:	\$6,295,281.92
Percentage Collected:	92.96%	Percentage Collected:	92.09%
Through: 5-Feb-2014		Through: 5-Feb-2013	

Respectfully submitted,



Luke Small

Collections Specialist

Stan C. Duncan

Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

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

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

February 19, 2014

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

Dear Mr. Duncan:

Attached please find tax release requests in the amount of \$3,879.95, and tax refund requests in the amount of \$146.61 reviewed at the Henderson County Board of Commissioners' Meeting on Wednesday, February 19, 2014. All refunds and releases were approved.

Sincerely,



Charles D. Messer, Chairman
Henderson County
Board of Commissioners

CDM/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: February 19,2014
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENTS: Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

The attached pending releases and refunds have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County Assessor's Office.

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

Type	Revenue Amount:
Refunds	\$ 146.61
Releases	\$ 3,879.95

Faithfully Submitted,



Stan C. Duncan

County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

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

NCPTS Pending Release/Refund Report. Thursday, February 06, 2014*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
BARTLEBAUGH, BEN ROBERT	0002917235-2013-2013-0000	1996 FORD TRUCK RELEASED. TAGGED 5/1/13, BILLED AND PAID ON 3066207. 1984 COLEMAN CRAWDAD CANOE, VALUE REDUCED TO \$200 DUE TO POOR CONDITION. 1957 DRCF JON BOAT, VALUE REDUCED TO \$200 DUE TO POOR CONDITION, VALUE INCLUDES SMALL TROLLING MOTOR.	(\$3,200)	1775	COUNTY	TAX LATE LIST FEE TOTAL:	\$18.49 \$0.26 \$3.42	\$1.99 \$0.26 \$0.37	\$16.44 \$0.15 \$16.59 \$3.04	\$0.00 \$0.15 \$0.15 \$0.00
OWNER TOTAL:			(\$3,200)							
BIVINS, RYAN TIMOTHY	0003057644-2013-2013-0000	2013 TAXES FOR 2012 YAMAHA JET SKI PAID IN ALEXANDER COUNTY. COPY OF 2013 ALEXANDER COUNTY TAX NOTICE AND CHECK COPY ON FILE	(\$33,870)	1848	COUNTY	TAX LATE LIST FEE TOTAL:	\$173.96 \$17.40 \$191.36	\$0.00 \$0.00 \$0.00	\$19.66 \$173.96 \$17.40 \$191.36	\$0.18 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$33,870)							
BURLINGAME, WESTCOTT III	000243502-2013-2013-0000	RELEASE 2013 IN FULL. PER TAXPAYER'S LISTING FORM AND LETTER, BUSINESS WAS CLOSED IN 2012. WHEN UPDATING THIS INFORMATION, THE "VOID EFFECTIVE DATE" FIELD WAS ENCODED AS 10/31/2201 RATHER THAN AS 10/31/2012. THE SYSTEM DID NOT RECOGNIZE THE 10/31/2201 AS A CURRENT, VALID VOID DATE AND CREATED AN ASSESSMENT AND TAX BILL ACCORDINGLY.	(\$25,300)	1856	COUNTY	TAX LATE LIST FEE TOTAL:	\$129.94 \$0.00 \$26.57	\$0.00 \$0.00 \$0.00	\$129.94 \$12.99 \$142.93 \$26.57	\$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$25,300)							
CANON FINANCIAL SERVICES INC	0003057676-2013-2013-0000	RELEASE BILL IN FULL. DOUBLE ASSESSMENT OF ASSETS FOR CANON FINANCIAL SERVICES INC. ON BILLS #3055469 AND #3055468. NOTIFY TOWN OF FLETCHER.	(\$8,631)	1832	COUNTY	TAX LATE LIST FEE TOTAL:	\$44.33 \$0.00 \$44.33	\$0.00 \$0.00 \$0.00	\$172.16 \$44.33 \$0.00 \$44.33	\$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$8,631)							
COINSTAR INC	0002561905-2013-2013-0000	REBATE 2013 IN FULL. COIN-COUNTING EQUIPMENT REMOVED IN 2012 FROM CLOSED BUSINESS.	(\$6,703)	1806	COUNTY	TAX LATE LIST FEE TOTAL:	\$34.43 \$0.00 \$34.43	\$0.00 \$0.00 \$0.00	\$44.33 \$34.43 \$0.00 \$34.43	\$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$6,703)							

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
DE LAGE LANDEN OPERATIONAL SVS	0002890406-2013-2013-0000	2013 PARTIAL RELEASE. CORRECTED COST OF ASSETS REPORTED AND DEPRECIATION SCHEDULE USED.	(\$7,706)	1790	COUNTY	TAX LATE LIST FEE	\$292.89 \$0.00	\$292.89 \$0.00	\$39.58 \$0.00	\$39.58 \$0.00
						TOTAL:		ABSTRACT	\$39.58	\$39.58
								TOTAL:	\$39.58	\$39.58
DRAKE, STEPHEN TROY	0002546563-2013-2013-0000	OWNER WAS REVIEWING PROPERTY AND BUILDING INFORMATION ONLINE AND NOTED WE HAD BASEMENT LISTED AS FULL BASEMENT PARTIAL FINISHED AT 50%. BASEMENT IS FULL BASEMENT 100% UNFINISHED AT THIS TIME. RESULTED IN OVERALL SQUARE FOOTAGE REDUCTION FOR 2013 FORWARD. VALUE PRIOR TO CHANGE \$491,300 / VALUE AFTER CHANGE \$478,600	(\$12,700)	1853	COUNTY	TAX LATE LIST FEE	\$2,523.32 \$0.00	\$2,523.32 \$0.00	\$65.23 \$0.00	\$65.23 \$0.00
						TOTAL:		ABSTRACT	\$65.23	\$65.23
								TOTAL:	\$65.23	\$65.23
GLOVER AND KELLY LANDSCAPE AND GARDEN CENTER, INC.	0003007573-2012-2012-0000	RELEASE DISCOVERED BILL IN FULL. BUSINESS WAS DISCOVERED BY VIRTUE OF VEHICLE TITLED IN BUSINESS NAME IN HENDERSON COUNTY. ALL BUSINESS EQUIPMENT IS LOCATED AT 828 HWY 14 WEST, LANDRUM, SC 29356.	(\$12,000)	1766	COUNTY	TAX LATE LIST FEE	\$61.63 \$6.16	\$0.00 \$0.00	\$61.63 \$6.16	\$0.00 \$0.00
						TOTAL:		ABSTRACT	\$67.79	\$0.00
								TOTAL:	\$13.20	\$0.00
								TOTAL:	\$1.32	\$0.00
								ABSTRACT	\$14.52	\$0.00
								TOTAL:	\$82.31	\$0.00
HENDERSONVILLE LITTLE THEATRE INC	0003007573-2013-2013-0000	RELEASE DISCOVERED BILL IN FULL. BUSINESS WAS DISCOVERED BY VIRTUE OF VEHICLE TITLED IN BUSINESS NAME IN HENDERSON COUNTY. ALL BUSINESS EQUIPMENT IS LOCATED AT 828 HWY 14 WEST, LANDRUM, SC 29356.	(\$14,000)	1767	COUNTY	TAX LATE LIST FEE	\$71.90 \$7.19	\$0.00 \$0.00	\$71.90 \$7.19	\$0.00 \$0.00
						TOTAL:		ABSTRACT	\$79.09	\$0.00
								TOTAL:	\$15.40	\$0.00
								TOTAL:	\$1.54	\$0.00
								ABSTRACT	\$16.94	\$0.00
								TOTAL:	\$96.03	\$0.00
HENDERSONVILLE LITTLE THEATRE INC	0003017707-2013-2013-0000	PROPERTY WAS GRANTED EXEMPTION FOR TAX YEAR 2013, HOWEVER PROPERTY WAS BILLED FOR 2013. THIS RELEASE TO REINSTATE EXEMPTION (105-278.7(C)).	(\$26,000)	1847	COUNTY	TAX LATE LIST FEE	\$3,023.05 \$0.00	\$0.00 \$0.00	\$178.34 \$3,023.05	\$0.00 \$0.00
						TOTAL:		ABSTRACT	\$3,023.05	\$0.00
								TOTAL:	\$3,023.05	\$0.00
								ABSTRACT	\$3,023.05	\$0.00
								TOTAL:	\$3,023.05	\$0.00

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
LITTLE BEARWALLOW MOUNTAIN LLC	0002857090-2011-2011-0000	THIS PARCEL SHOULD HAVE BEEN RETIRED IN 2010 FOR 2011 AND HAS BEEN ASSESSED SINCE RECOMBINING PARCELS 1013037 & 1013828 FOR 2011.	(\$3,259)	1817	COUNTY	TAX	\$16.74	\$16.74	\$16.74	\$16.74
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$16.74	\$16.74	\$16.74	
						TAX	\$4.07	\$4.07	\$4.07	
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$4.07	\$4.07	\$4.07	
						ABSTRACT TOTAL:	\$20.81	\$20.81	\$20.81	
						TOTAL:	\$16.74	\$16.74	\$16.74	
						TAX	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$16.74	\$16.74	\$16.74	
0002857090-2012-2012-0000	PARCEL WAS RECOMBINED AND RETIRED IN 2010 FOR 2011 BUT WAS FOUND IN ACTIVE STATUS IN 2013. HAS BEEN RETIRED IN LR/CAMA FOR 2014.	COUNTY	TAX	\$16.74	\$16.74	\$16.74				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$16.74	\$16.74	\$16.74				
			TAX	\$4.07	\$4.07	\$4.07				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$4.07	\$4.07	\$4.07				
			ABSTRACT TOTAL:	\$20.81	\$20.81	\$20.81				
			TOTAL:	\$16.74	\$16.74	\$16.74				
			TAX	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$16.74	\$16.74	\$16.74				
0002857090-2013-2013-0000	THIS PARCEL SHOULD HAVE BEEN RETIRED IN 2010 FOR 2011 AND HAS BEEN ASSESSED SINCE RECOMBINING PARCELS 1013037 & 1013828 FOR 2011.	COUNTY	TAX	\$16.74	\$16.74	\$16.74				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$16.74	\$16.74	\$16.74				
			TAX	\$4.07	\$4.07	\$4.07				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$4.07	\$4.07	\$4.07				
			ABSTRACT TOTAL:	\$20.81	\$20.81	\$20.81				
			TOTAL:	\$16.74	\$16.74	\$16.74				
			TAX	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$16.74	\$16.74	\$16.74				
MARSHALL, ROBERT A	0000489945-2013-2013-0000	BILL RELEASED. PHONE CALL RECEIVED FROM NANCY MARSHALL STATING ROBERT A MARSHALL AND ELIZABETH CHESTNUTT MARSHALL ARE BOTH DECEASED AND VEHICLES SOLD IN 2010. VERIFICATION OF TITLE CHANGE 10/2010 FOR BOTH VEHICLES. VERIFICATION FROM DMV ON FILE.	(\$9,777)	1791	COUNTY	TAX	\$20.24	\$20.24	\$20.24	\$20.24
						LATE LIST FEE	\$2.02	\$2.02	\$2.02	
						TOTAL:	\$22.26	\$22.26	\$22.26	
						TAX	\$3.35	\$3.35	\$3.35	
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$3.35	\$3.35	\$3.35	
						ABSTRACT TOTAL:	\$23.61	\$23.61	\$23.61	
						TOTAL:	\$25.61	\$25.61	\$25.61	
						TAX	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$25.61	\$25.61	\$25.61	
RAMSEY, JOHN EDGAR	0000194107-2003-2003-0000	1976 SEARS BOAT. BILL RELEASED, SITUS IN BUNCOMBE COUNTY. SITUS VERIFIED BY GOMAPS AND BUNCOMBE COUNTY TAX SITE. PER LEE KING, MR RAMSEY HAS BEEN REGISTERED TO VOTE IN BUNCOMBE COUNTY SINCE 1984.	(\$1,970)	1858	COUNTY	TAX	\$1.43	\$1.43	\$1.43	\$1.43
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$1.43	\$1.43	\$1.43	
						TAX	\$0.24	\$0.24	\$0.24	
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$0.24	\$0.24	\$0.24	
						ABSTRACT TOTAL:	\$1.67	\$1.67	\$1.67	
						TOTAL:	\$1.67	\$1.67	\$1.67	
						TAX	\$0.00	\$0.00	\$0.00	
						TOTAL:	\$1.67	\$1.67	\$1.67	
0000194108-2003-2003-0000	1997 HURRICANE WATERCRAFT, BILL RELEASED, SITUS IN BUNCOMBE COUNTY. SITUS VERIFIED BY HENDERSON COUNTY GOMAPS AND BUNCOMBE COUNTY TAX SITE. PER LEE KING, MR RAMSEY HAS BEEN REGISTERED TO VOTE IN BUNCOMBE COUNTY SINCE 1984.	COUNTY	TAX	\$23.38	\$23.38	\$23.38				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$23.38	\$23.38	\$23.38				
			TAX	\$3.94	\$3.94	\$3.94				
			LATE LIST FEE	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$3.94	\$3.94	\$3.94				
			ABSTRACT TOTAL:	\$27.32	\$27.32	\$27.32				
			TOTAL:	\$27.32	\$27.32	\$27.32				
			TAX	\$0.00	\$0.00	\$0.00				
			TOTAL:	\$27.32	\$27.32	\$27.32				

*Adjustments submitted for approval on or before 2-6-2014

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
U.S. BANK NATIONAL ASSOCIATION- TECHNOLOGY FINANCE GROUP	0002669768-2013-2013-0000	RELEASE THE 2013 BILL. ALL ASSETS ARE LOCATED IN WISCONSIN AS OF 12/28/2012	(\$1,445)	1850	COUNTY	TAX	\$7.42	\$0.00	\$7.42	\$0.00
						LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
						TOTAL:	\$7.42	\$7.42	\$7.42	\$0.00
						ABSTRACT TOTAL:			\$7.42	\$0.00
GRAND TOTALS:			(\$1,445)						\$7.42	\$0.00
			(\$731,124)						\$3,879.95	\$146.61

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

LEASE EXTENSION

THIS LEASE EXTENSION, made and entered into this the 19th day of February, 2014, and effective 1 February 2014, by and between HENDERSON COUNTY, hereinafter "the Lessor" and THE HENDERSON COUNTY PARTNERSHIP FOR ECONOMIC DEVELOPMENT, INC., hereinafter "the Lessee";

WITNESSETH:

WHEREAS the parties are the party to a Lease Agreement, dated the 2nd day of November, 2009 ("the Agreement"); and,

WHEREAS the parties hereto have mutually agreed to modify and extend the terms of the Agreement by striking certain of the terms of the Agreement, and replacing them with the provisions as hereinafter set out;

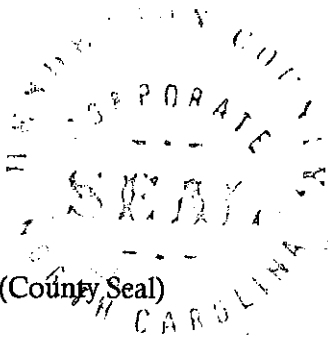
NOW THEREFORE in consideration of the premises and the promises and covenants contained in the terms and conditions hereinafter set forth, the parties hereby agree as follows:

1. The description of the premises in the Agreement shall be modified to the following:

BEING all of those premises owned by the Lessor and located at 330 North King Street, Hendersonville, Henderson County, North Carolina.
2. Term and Condition 1, "Term", shall be modified by striking the original, and inserting in lieu thereof the following:
 1. TERM. The Lessee shall have said lease premises for a term beginning the date hereof and terminating on the 30th day of June, 2020. Either party must give the other party written notice of the termination of this lease by not later than 30 June 2019. Should no such notice be timely given, then this lease shall be automatically renewed for a term of one year. This automatic renewal shall further occur from year to year, on the terms stated herein, unless at least one year's written notice of non-renewal is given.
3. Term and Condition 5, "Utilities", shall be modified by striking the original, and inserting in lieu thereof the following:
 5. UTILITIES. Lessee shall pay to the Lessor an additional monthly payment representing all utilities payments for the structure located at 330 North King Street, Hendersonville, North Carolina.
4. Except as amended hereby modified hereby, the Agreement is hereby restated by the parties as their agreement, and reaffirmed.

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In witness hereof, all parties have caused this Lease Agreement to be duly approved, and to be executed in duplicate, each to have the force and effect of an original.



HENDERSON COUNTY

BY: Charles Messer
Charles Messer, Chairman
Henderson County Board of Commissioners

Attest: (County Seal)

Teresa J. Wilson
Teresa Wilson, Clerk to the Board

(Corporate Seal)

THE HENDERSON COUNTY PARTNERSHIP FOR ECONOMIC DEVELOPMENT, INC.

BY: _____
President

Attest:

Secretary

(Corporate Seal)



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January 24, 2014

LETTER OF AGREEMENT

Mr. Steven Wyatt
Henderson County Manager
1 Historic Courthouse Square; Suite #2
Hendersonville, NC 28792

Re: EMS-Rescue Facilities Needs Assessment

Dear Mr. Wyatt:

The enclosed Work Plan Outline highlights the major tasks we will undertake to identify and document the information necessary to complete the requested EMS-Rescue Facilities Needs Assessment for Henderson County.

While I have attempted to organize the major tasks and subtasks sequentially, there may be activities that occur simultaneously or that will need to be repeated or revisited based upon new research or findings that occur along the way. None the less, it is intended that the tasks and activities described in the attached task outline provide the performance criteria for this agreement.

At this time I anticipate that we should be able to schedule the referenced Management Review Meeting (Task 5) approximately 6 weeks from commencement of work.

Our proposed fee to produce this study and provide the County with the necessary documentation, including all related project expenses for travel, communications, and document production is, *and will not exceed*, \$18,400.00. Services will be billed monthly based on the percent of work complete.

If the foregoing terms meet with your approval, please sign and return one copy of this letter at your convenience, to the address listed below.

I am very much looking forward to working once again with you, and with Henderson County.

Sincerely,
SOLUTIONS FOR LOCAL GOVERNMENT, INC.

OWNER:
Henderson County
Hendersonville, North Carolina

Chad Messer
(Signature)
Title: Chairman
Date: 2/19/14

CONSULTANT:
Solutions for Local Government, Inc.
Charlotte, North Carolina

Stephen J. Allan
Stephen J. Allan
President
Date: 24 JANUARY 2014

Enclosure