

DRAFT

10/16/2014

MINUTES

cc: BOC
Steve
Amy
Russ

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, OCTOBER 15, 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 Mike Edney, Commissioner Grady Hawkins, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Deputy County Attorney Sarah Zambon and Clerk to the Board Teresa Wilson.

Also present were: PIO Kathryn Finotti & Assistant Engineer Natalie Berry (video-taping), Finance Director J. Carey McLelland, Planning Director Autumn Radcliff, Engineer Marcus Jones, Budget Analyst Megan Powell, Director of Business and County Development John Mitchell, Property Addressing Coordinator Curtis Griffin, Assistant County Assessor Ed Parker, Assessor/Tax Collector Stan Duncan, Property Appraiser Dee Hill, HR Director Jan Prichard, HR Supervisor Mary Alice Jackson, DSS Director Eric Bush, Real Property Supervisor Nick Mazzarella and Transportation Planner Matt Cable.

Absent were: Commissioner Larry Young and Attorney Russ Burrell.

CALL TO ORDER/WELCOME

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

INVOCATION

County Manager Steve Wyatt provided the invocation.

PLEDGE OF ALLEGIANCE

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

INFORMAL PUBLIC COMMENTS

1. Mr. Jeff Pieper and Mrs. Melanie Pieper feel the Ecusta Trail was one of the reasons they moved here. They asked the Board to continue to support the Ecusta Trail. It is a safe recreational experience that allows social interaction.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Hawkins made the motion to adopt the agenda with modifications including the addition of a consent agenda item; use of this room by the Sheriff for promotion ceremonies, an additional discussion item; the approval of bond-counsel prepared resolutions regarding the borrowing by Henderson county Hospital Corporation, and the addition of a closed session dealing with economic development and personnel. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner Hawkins made the motion to adopt the Consent Agenda with the addition of a request for use of this room by the Sheriff for promotion ceremonies. 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):

October 6, 2014 – regularly scheduled meeting

DATE APPROVED:

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated October 2, 2014 for information only. No action was required.

457(b) Plan through the North Carolina Public Employee Deferred Compensation Plan

The Board was asked to approve a resolution to offer a 457(b) Plan through the North Carolina Public Employee Deferred Compensation Plan (referred to as NC 457). Currently, Henderson County offers employees the opportunity to participate in a 457(b) through Nationwide Retirement Solutions. Those employees currently participating in the Nationwide 457(b) will be able to continue contributions; however, new enrollees will be offered participation in the NC 457.

The NC 457 is a deferred compensation plan available exclusively to North Carolina public employees. While both 457 plans conform to section 457(b) of the Internal Revenue Code, the NC 457 is a state-sponsored plan which is overseen by the North Carolina Department of State Treasurer. As a state-sponsored plan, the Department of State Treasurer ensures competitive fees, satisfactory performance of the plan and all fiduciary responsibility. Currently, expense fees associated with the NC 457 are lower than those for the Nationwide 457(b). With the NC 457, retiring employees will have additional retirement payout options (i.e., ability to transfer all or a portion to the Retirement System and draw a second monthly lifetime check) available upon separation from service.

Motion:

I move to approve the resolution to offer a 457(b) Plan through the North Carolina Public Employee Deferred Compensation Plan.

Proposed Changes to the Henderson County Property Addressing Ordinance

On August 20th, the Board of Commissioners enacted a 120 day moratorium on changes in road names already accepted under the Henderson County Property Addressing Ordinance and directed Staff to bring back proposed changes for the Boards consideration. The moratorium was a result of multiple road name change requests within the last year.

Several proposed amendments to the Property Addressing Ordinance were provided for the Boards review that include: reformat ordinance for consistency, clarify definitions and remove duplicate definitions, standardize street sign requirements, require new procedures for naming streets, and authorize the Zoning Board of Adjustment to process appeals, this is consistent with the Land Development Code requirements for appeal procedures. Staff had provided the Board with a copy of the draft ordinance with proposed changes incorporated and a copy showing all the track changes.

Motion:

I move that the Board approves the proposed amendments to the Property Addressing Ordinance; and further move that the Board lifts the current moratorium enacted on August 20, 2014 concerning changes in road names already accepted under the Henderson County Property Addressing Ordinance.

Proclamation – Mainstay's 30th Anniversary

The Henderson County Board of Commissioners was requested to adopt a Proclamation congratulating Mainstay on its 30th Anniversary.

Motion:

I move the Board adopts the Proclamation celebrating Mainstay's 30th anniversary.

Use of Courtroom – Sheriff’s Department – Add-on

A request has been submitted on behalf of the Sheriff’s Department for use of the Courtroom on Friday, October 24, 2014 from 5:00 p.m. until 9:00 p.m. for a promotion ceremony.

Motion:

I move the Board approves use of the Commissioners’ Meeting Room (Courtroom) as requested on Friday, October 24, 2014 from 5:00 p.m. to 9:00 p.m. for a promotion ceremony.

Notification of Vacancies

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

1. Hendersonville Planning Board – 1 vac.

Nominations

1. EMS Peer Review Committee – 2 vac.

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

2. Hendersonville City Zoning Board of Adjustment – 1 vac.

Commissioner Hawkins nominated Aaron Ray Westbrook for position #4. *Chairman Messer made the motion to accept the appointment of Aaron Ray Westbrook to position #4 by acclamation. All voted in favor and the motion carried.*

3. Hospital Corporation Board of Directors/UNCH – 1 vac.

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

4. Juvenile Crime Prevention Council – 5 vac.

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

5. Mountain Area Workforce Development Board – 3 vac.

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

6. 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.

7. Nursing/Adult Care Home Community Advisory Committee – 2 vac.

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

8. Senior Volunteer Services Advisory Council – 1 vac.

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

AFFORDABLE CARE ACT (ACA) OUTREACH KIOSK IN DSS BUILDING

DSS Board Chair Sharon Tirrell and DSS Board Member Penny Summey provided the following information.

The Board of Commissioners is requested to consider a proposal from the Board of Social Services, to engage in a Request for Proposal (RFP) to select an insurance vendor to maintain an information kiosk in the DSS lobby to assist in Affordable Care Act outreach in conjunction with the opening of the Federal Marketplace. Such a service supports HCDSS responsibility for ACA outreach and support of uninsured citizens of Henderson County to access health care. This service would also support a core mission of HCDSS to provide simplified access to health and wellness information for low income populations. Provisions of this service would be at no cost to Henderson County or the HCDSS.

The Henderson County Board of Social Services approved this action at their monthly meeting on Tuesday, September 16, 2014. The DSS Board would like to recommend to the Henderson County Board of Commissioners that DSS be given the authorization to engage in a RFP to select a provider for this service. Should that authorization be granted, Staff would bring back at a future meeting an MOU with the selected vendor to provide information through a kiosk in the DSS lobby to the general public as well as DSS clients.

Commissioner Hawkins made the motion that the Board deny the request, not granting authorization or providing a MOU (Memorandum of Understanding) for the Department of Social Services to allow a kiosk in their lobby, or change the Facility Use Policy. All voted in favor and the motion carried.

SURFACE TRANSPORTATION PROGRAM DIRECT ATTRIBUTABLE (STPDA) FUNDING FOR HENDERSON COUNTY TRANSIT STATION/TRANSFER CENTER

Transportation Planner Matt Cable stated at its April 16, 2014 meeting, the Board of Commissioners authorized staff to request the French Broad River Metropolitan Planning Organization (FBRMPO) amend the NCDOT State Transportation Improvement Plan (STIP) to adjust the release of previously awarded STPDA funds from FY 2015 to FY 2016. This authorization provided staff additional time to consider use of the funds for the previously submitted transit station proposal.

Staff reviewed the transit station project related to site selection regulation compliance, project location, project purposes, grant funding requirements/restrictions, existing transit system use, and transit ridership.

Staff assessed existing County facilities (office space and parking facilities) and supports using existing underused facilities to meet the needs of the transit system. Using existing facilities to house contracted employees and store vehicles would not subject the County to federal funding requirements/restrictions and would alleviate the need for supplying the substantial required local match.

Staff recommends the County not accept the existing awarded STPDA funds for the transit station project (see attached memo). Henderson County would continue to be eligible to seek STPDA funding for transit/transportation projects in future STPDA award cycles.

Commissioner Thompson made the motion that the Board rescinds the FBRMPO awarded STPDA funding at this time. All voted in favor and the motion carried.

2015 REAPPRAISAL – SCHEDULES OF VALUES, STANDARDS, AND RULES FOR MARKET VALUE AND PRESENT-USE VALUE

Assessor/Tax Collector Stan Duncan provided a presentation of the 2015 Schedules of Values, Standards, and Rules for Market Value and Present-Use Value.

The North Carolina General Assembly, and no one else, determines how property in this State should be valued for purposes of ad valorem taxation. 287 N.C. 547, 215 S.E.2d 752 (1975)

Board Resolution; 17 Nov. 1993

States in part;

WHEREAS, since change (variation in values) is so much a part of the nature of real estate, the County wishes to recognize this variation in values as soon as possible which would be accomplished by advancing the reappraisal date from January 1, 1998 to January 1, 1995.

NOW THEREFORE BE IT RESOLVED, by the Henderson County Board of County Commissioners as follows: That the effective dates of all reappraisals after January 1, 1995 be advance(d) to be effective every four years thereafter.

Vollie G. Good, Chairman; and members – J. Michael Edney, Hugh D. Randall, William McKay, & Renee Kumor

Beginning in 1995, Henderson County has reappraised on a 4-year cycle.

- 2015
- 2011
- 2007
- 2003
- 1999
- 1995
- 1990
- 1982
- 1974

The reappraisal task:

Approximately 66,500 Parcels of Real Property for Market Value

Approximately 1,650 Parcels under Present-Use Value

Approximately 1,380 Parcels under Tax Relief

Approximately 1,950 Parcels under Full or Partial Exemption

Uniform Appraisal Standard

“All property, real and personal, shall as far as practicable be appraised or valued at its true value in money. When used in this Subchapter, the words ‘true value’ shall be interpreted as meaning market value, that is, the price estimated in terms of money at which the property would change hands between a willing and financially able buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used.”

N.C.G.S. 105-2983

Market Value is Value in Exchange, but

- NOT necessarily the most recent price paid in an arm’s length transaction WHEN competent evidence of a different value is presented, and
- NOT the highest or lowest value BUT the most probable value.
- NOT a foreclosure or “short sale”

Present-Use Value is Value based ONLY on one element of value,

The ability of the specific soils of a given parcel to command a land rent for the purpose of an agricultural or horticultural use, or the present worth of a future income stream based on the anticipated commercial harvest of trees.

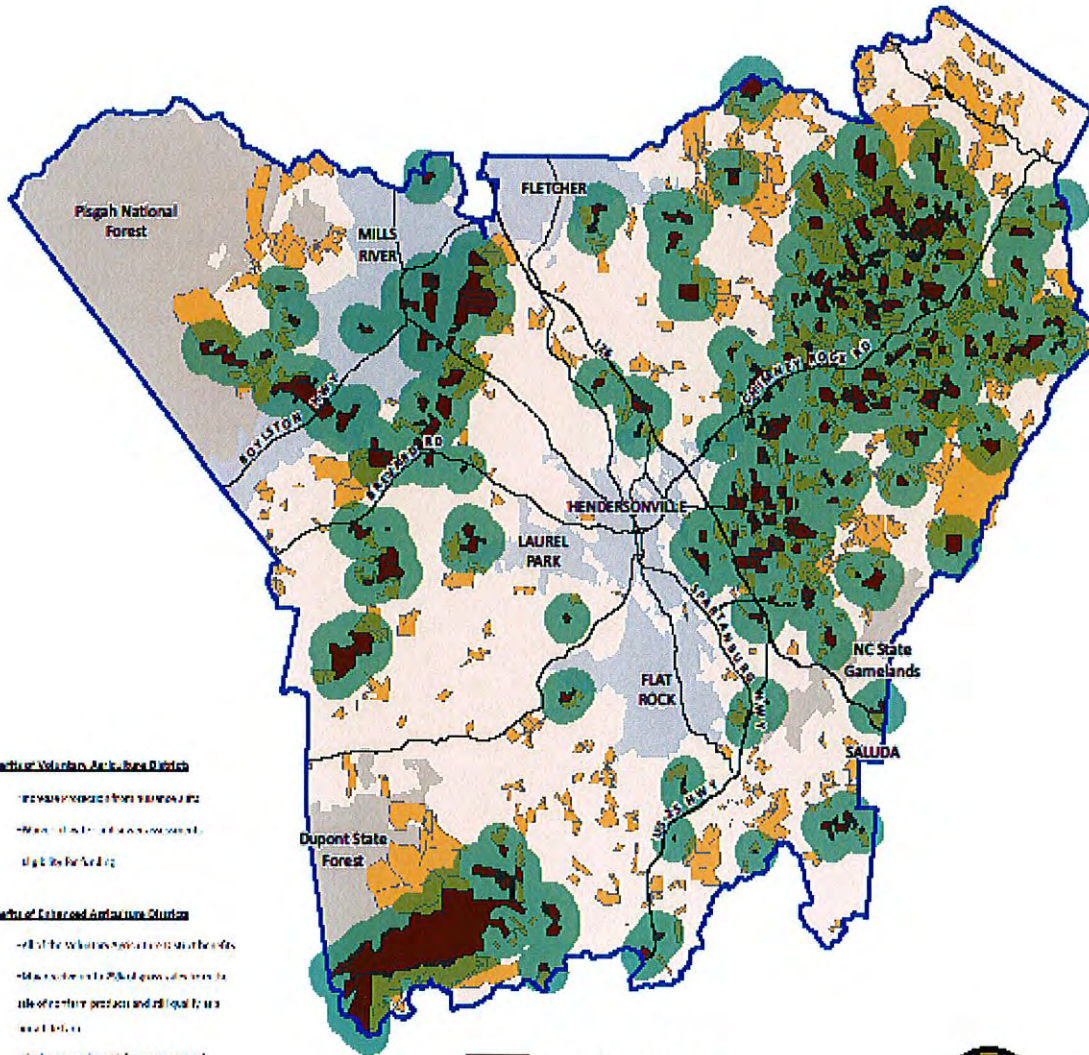
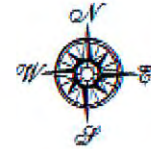
Other Considerations are that Reappraisals recognize and measure change. Not all properties “change” at the same rate. The differences to be accounted for are Property Location and Property Type.

Agricultural Districts



Henderson County

The purpose of the Henderson County Agriculture Districts is to increase identity and pride in the agricultural community; encourage economic and financial health in agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms.



Benefits of Voluntary Agriculture Districts

- Increase protection from non-farm uses
- Maintain and enhance scenic views
- High quality farmland

Benefits of Colored Agriculture Districts

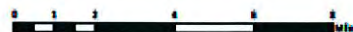
- All of the voluntary districts are in the 1/2 mile buffer
- Maximum protection from non-farm uses to all of the farm products and all of the farmland in the area
- High level of protection for the majority of farmland in the county
- State program

- Agriculture Districts
- 1/2 Mile Buffer
- Farmland with PUV

Note: District boundaries are for informational purposes only. District boundaries are subject to change without notice.

For more information concerning this information, please refer to the Agricultural Districts Manual and the Agricultural Districts Act.

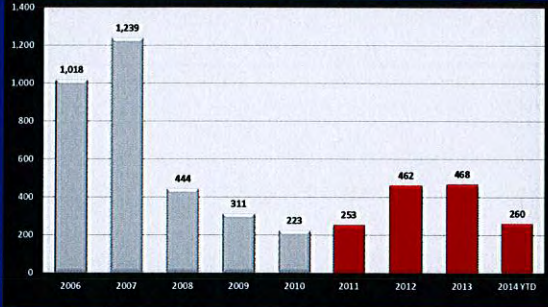
Henderson County, North Carolina, is a part of the State of North Carolina. The State of North Carolina is a part of the United States of America. The United States of America is a part of the Western Hemisphere. The Western Hemisphere is a part of the Earth. The Earth is a part of the Solar System. The Solar System is a part of the Milky Way galaxy. The Milky Way galaxy is a part of the Local Group of galaxies. The Local Group of galaxies is a part of the Virgo Supercluster. The Virgo Supercluster is a part of the Laniakea Supercluster. The Laniakea Supercluster is a part of the observable universe.



The information in this map is up to date as of 10/15/2014. Map data is subject to change as needed without notice. Check Henderson County Website online for the most current information.

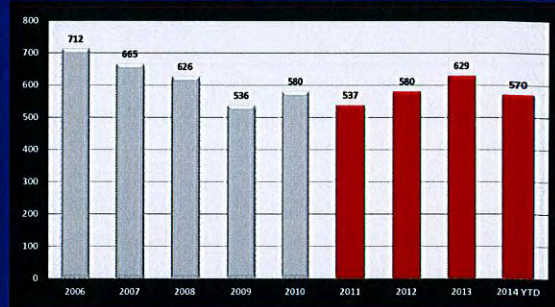
Office of the Assessor
Land Records Section-210

**New Residential Permits;
Annual – 2006 Thru 2014 (YTD)**



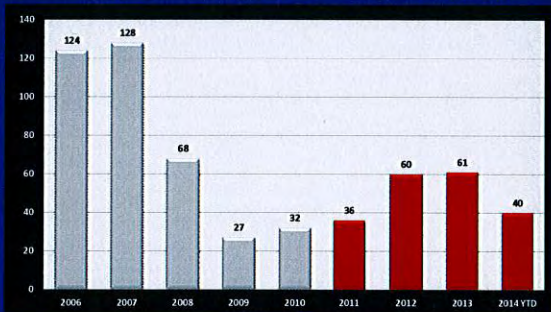
Source: data provided by Denise Lauffer, Coordinator with Henderson County Permit Center

**Residential Remodeling Permits;
Annual – 2006 Thru 2014 (YTD)**



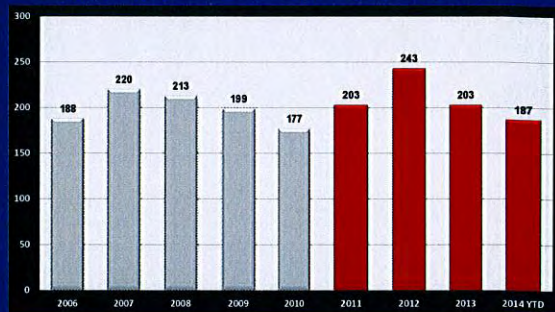
Source: data provided by Denise Lauffer, Coordinator with Henderson County Permit Center

**New Commercial Permits;
Annual – 2006 Thru 2014 (YTD)**



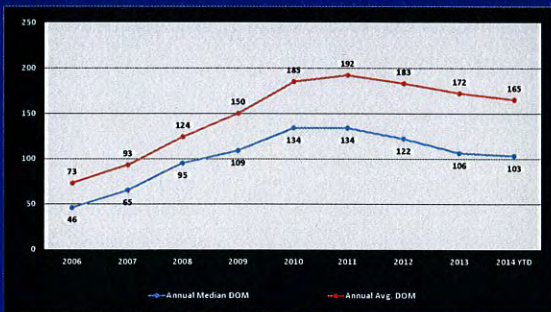
Source: data provided by Denise Lauffer, Coordinator with Henderson County Permit Center

**Commercial Remodeling Permits;
Annual – 2006 Thru 2014 (YTD)**



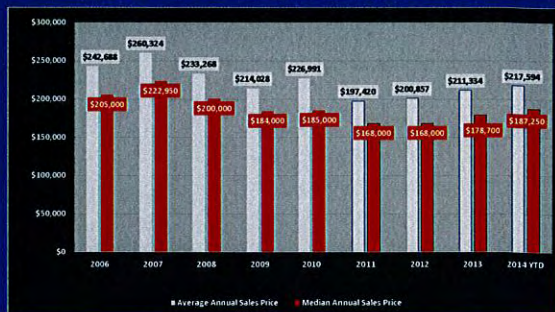
Source: data provided by Denise Lauffer, Coordinator with Henderson County Permit Center

**Median & Average Days on Market;
Per MLS – 2006 Thru 2014 (YTD)**



Data extracted from WNC Regional Mountains MLS

**Average vs. Median Sale Price; Per
MLS – 2006 Thru 2014 (YTD)**



Data extracted from WNC Regional Mountains MLS

Change in Median Sales Price - Median Residential Values by Calendar Year

Calendar Year

Median Sales Price

- 2014: \$187,250 – down 16% since 2007; up 4.8% since 2013
- 2013: \$178,700 – down 19.9% since 2007; up 6.4% since 2011
- 2012: \$168,000 Market is FLAT compared to 2011
- 2011: \$168,000 REAPPRAISAL Year –
- 2010: \$185,000 – down 17.02% since peak in 2007
- 2009: \$184,000 – down 17.5% since peak in 2007

2008: \$200,000 – down 11.1% for calendar year 2008
2007: \$222,950 – up 8.76% during calendar year 2007 over 2006

Moving Forward

- 3 November 2014 – PUBLIC HEARING Scheduled on the Proposed Schedules of Values, Standards, and Rules to be used in conducting the 2015 general reappraisal.
- 19 November 2014 – Board of Commissions to separately ADOPT the 2015 Schedules of Values, Standards, and Rules for Market Value and Present-Use Value.
- 1 January 2015 – Effective Date of the Reappraisal.
- Early February 2015 – Reappraisal Notices will be mailed to all owners of real property

It can be expected that the Real Property Appraised Valuations will change! Many will increase, some more than others. Some will stay approximately the same; a relative few will decrease.

PARDEE FINANCING RESOLUTION – Add-on

Finance Director Carey McLelland stated the Board of Trustees and administration of Henderson County Hospital Corporation have requested your approval and adoption of a resolution.

While you, as sole shareholder of the Corporation, and owner of all real estate upon which it is sited, must approve this resolution, no county dollars are at risk in this borrowing. All the obligation is that of the hospital corporation.

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on October 15, 2014 at 9:00 a.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina.

The following members were present: Charles Messer, Chairman, Vice-Chair Thomas Thompson, J. Michael Edney and Grady Hawkins.

The following members were absent: Larry Young

Also present: Steve Wyatt, County Manager; Amy Brantley, Assistant County Manager; J. Carey McLelland, Finance Director; Sarah Zambon, Deputy County Attorney; Teresa Wilson, Clerk to the Board.

Commissioner Hawkins moved that the following resolution (the "*Resolution*"), a copy of which was available with the Board and which was read by title:

RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY'S HOSPITAL REVENUE BONDS (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) IN TWO SERIES AND CERTAIN RELATED MATTERS

WHEREAS, the Board of Commissioners (the "*Board*") of the County of Henderson, North Carolina (the "*County*") has previously passed a reimbursement resolution relating to the financing by the Margaret R. Pardee Hospital (the "*Hospital*") and Henderson County Hospital Corporation (the "*Corporation*") of capital expenditures in connection with the Pardee Clinical and Physician Areas of the Mission Pardee Health Campus, all for use by the Hospital (the "*Project*"); and

WHEREAS, the Board is considering the issuance of a not to exceed \$7,000,000 Hospital Revenue Bond (Margaret R. Pardee Memorial Hospital Project) in two series (collectively, the “2014 Bonds”) to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Project and (2) pay the costs of issuing the 2014 Bonds; and

WHEREAS, the Board wishes to retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; retain Stephens Inc., as structuring agent for the 2014 Bonds; and retain Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation; and

WHEREAS, the Board desires that the Finance Director or the County Manager of the County or the Vice President Finance/Chief Financial Officer of the Corporation (such officers being herein called the “Authorized Officers”) file with the Local Government Commission of North Carolina (the “Commission”) an application for its approval of the 2014 Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the 2014 Bonds to a purchaser to be determined through a private placement and (B) the County’s use of Parker Poe Adams & Bernstein LLP, as bond counsel for the County, Stephens Inc., as structuring agent for the 2014 Bonds; and Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2014 Bonds and to the County, the Corporation and their respective financial condition as may be required by the Commission, and to take all other action necessary to the issuance of the 2014 Bonds; and

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

Section 1. That the 2014 Bonds are to be issued by the County for the purpose of providing funds to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Project and (2) pay the costs of issuing the 2014 Bonds, all as set out fully in the document attached to the County’s application to the Commission.

Section 2. That Parker Poe Adams & Bernstein LLP; Stephens Inc. and Prince, Youngblood & Massagee, PLLC are hereby retained and approved.

Section 3. That the Authorized Officers are hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the 2014 Bonds. Any applications and communications previously undertaken with the Commission are hereby ratified, approved and affirmed.

Section 4. That the Board finds and determines, and asks the Commission to find and determine, from the County’s application and supporting documentation the following:

- (a) that the issuance of the 2014 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2014 Bonds will be adequate but is not excessive, when added to other moneys available to the County or Corporation, for the purposes set forth above;
- (c) the Project is feasible;
- (d) that the County’s and the Corporation’s debt management procedure and policies are excellent; and
- (e) that the 2014 Bonds can be sold at a reasonable interest cost to the County.

Section 5. That the Authorized Officers, Chairman, Vice-Chairman and Secretary of the Board are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the 2014 Bonds.

Section 6. That this Resolution is effective on the date of its adoption. (October 15, 2014)

On motion of Commissioner Hawkins, the foregoing resolution entitled "RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE REFUNDING BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY'S HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) IN TWO SERIES AND CERTAIN RELATED MATTERS" was duly adopted by the following vote: AYES: Chairman Charles Messer, Vice-Chairman Thomas Thompson, J. Michael Edney and Grady Hawkins. NAYS: NONE.

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt reported that Commissioner Hawkins had just returned from a NCACC Tax & Finance Committee meeting where Legislative Goals from the one-hundred counties were considered.

Commissioner Hawkins reported that each commissioner would receive a copy of the top 5 Legislative Goals proposals ranked by the committee. One third of the suggested goals submitted by the counties, deal with economic development. The top goal was submitted by Henderson County.

IMPORTANT DATES

Set Public Hearing for Rezoning Application #R-2014-05 (A, B, C) Edneyville, Dana, and Green River/Tuxedo/Zirconia Community Plans

On February 19, 2014, the Board of Commissioners adopted the fourth community plan for the Green River-Tuxedo-Zirconia (GRTZ) area. The Community Plans are intended to be a 15 year vision where proposed recommendations of each plan are implemented where appropriate. Currently, only the rezoning recommendation for the Etowah-Horse Shoe Community Plan has been implemented.

Staff was directed to review and move forward with the rezoning recommendations for the adopted community plans before beginning the 5th community plan for the East Flat Rock Area. These plans included the Edneyville Community Plan, adopted on May 11, 2010; the Dana Community Plan, adopted on March 16, 2011; and the GRTZ Community Plan.

The Henderson County Planning Board will make a final recommendation on rezoning application #R-2014-05 (A, B, C) at its regularly scheduled meeting on October 16, 2014.

Chairman Messer made the motion that the Board schedules a public hearing for rezoning application #R-2014-05 (A, B, C) for Wednesday, November 19, 2014, at 9:00 a.m. All voted in favor and the motion carried.

CANE CREEK WATER AND SEWER DISTRICT

Commissioner Thompson made the motion for the Board to convene as Cane Creek Water & Sewer District Board. All voted in favor and the motion carried.

Please see separate Cane Creek minutes for action.

Chairman Messer made the motion to go out of session as the Cane Creek Water & Sewer District Board and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.

CLOSED SESSION – Add-on

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4)&(6), 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 the area served by the public body.
2. Pursuant to N.C. Gen. Stat. §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Thompson made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4)&(6). All voted in favor and the motion carried.

ADJOURN

Commissioner Thompson made the motion to go out of closed session and adjourn at 11:35 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, October 02, 2014

Re: Tax Collector's Report to Commissioners - Meeting Date 15 October 2014

Please find outlined below collections information through 01 October 2014 for the 2014 real and personal property bills mailed out on 28 August 2014, 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:

2014 Beginning Charge:	\$59,719,389.98	2013 Beginning Charge:	\$58,300,355.12
Discoveries & Imm. Irreg.:	\$81,815.82	Discoveries & Imm. Irreg.:	\$241,500.18
Releases & Refunds:	(\$23,001.73)	Releases & Refunds:	(\$186,842.44)
Net Charge:	\$59,778,204.07	Net Charge:	\$58,355,012.86
Unpaid Taxes:	\$51,130,272.34	Unpaid Taxes:	\$47,349,886.19
Amount Collected:	\$8,647,931.73	Amount Collected:	\$11,005,126.67
Percentage Collected:	14.47%	Percentage Collected:	18.86%
Through: 1-Oct-2014		Through: 1-Oct-2013	

Motor Vehicle Bills G01 Only:

2014 Beginning Charge:	\$11,922.52	2013 Beginning Charge:	\$2,074,181.96
Discoveries & Imm. Irreg.:	\$0.00	Discoveries & Imm. Irreg.:	\$1,182.03
Releases & Refunds:	(\$1,099.90)	Releases & Refunds:	(\$32,511.29)
Net Charge:	\$10,822.62	Net Charge:	\$2,042,852.70
Unpaid Taxes:	\$3,216.48	Unpaid Taxes:	\$931,889.92
Amount Collected:	\$7,606.14	Amount Collected:	\$1,110,962.78
Percentage Collected:	70.28%	Percentage Collected:	54.38%
Through: 1-Oct-2014		Through: 1-Oct-2013	

Fire Districts All Bills:

2014 Beginning Charge:	\$6,647,686.34	2013 Beginning Charge:	\$6,647,688.86
Discoveries & Imm. Irreg.:	\$5,984.97	Discoveries & Imm. Irreg.:	\$5,984.97
Releases & Refunds:	(\$2,592.88)	Releases & Refunds:	(\$2,593.43)
Net Charge:	\$6,651,078.43	Net Charge:	\$6,651,080.40
Unpaid Taxes:	\$5,797,896.38	Unpaid Taxes:	\$5,680,482.78
Amount Collected:	\$853,182.05	Amount Collected:	\$970,597.62
Percentage Collected:	12.83%	Percentage Collected:	14.59%
Through: 1-Oct-2014		Through: 1-Oct-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

Resolution


To Offer Employees A 457(b) Plan Through The North Carolina Public Employee Deferred Compensation Plan


WHEREAS, the Henderson County Board of Commissioners wish to provide a qualified defined contribution plan to the employees of Henderson County; and

WHEREAS, the State of North Carolina has established the North Carolina Public Employee Deferred Compensation Plan, a qualified government Deferred Compensation Plan under Internal Revenue Code 457(b) for public employees of North Carolina; and

THEREFORE, be it resolved that the Henderson County Board of Commissioners has adopted the North Carolina Public Employee Deferred Compensation Plan also known as "NC Deferred Comp" under the terms of the Plan Document and the Third-Party Administrator Agreement. Current employees shall become eligible to defer compensation effective November 1, 2014 and newly hired employees at the first of the month following 30 days of employment.

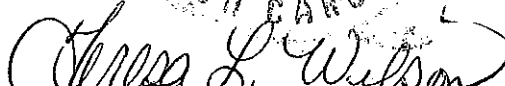
Adopted this 15th day of October, 2014.

A circular seal for Henderson County, North Carolina. The outer ring contains the text "HENDERSON COUNTY, NORTH CAROLINA". The inner ring contains "INCORPORATED 1842". The center features a large "S" and "M" intertwined, with "SEAL" written below them.



CHARLES D. MESSER, CHAIRMAN
Henderson County Board of Commissioners

ATTEST:



Teresa L. Wilson, Clerk to the Board

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

Proclamation of Acknowledgment and Congratulations

WHEREAS, Mainstay first opened its doors in January 1984; and

WHEREAS, Mainstay is celebrating the 30th Anniversary of its service to Western North Carolina on October 27th, 2014; and

WHEREAS, Mainstay is located in the City of Hendersonville, Henderson County, North Carolina; and

WHEREAS, Mainstay, with steadfast dedication, has served Western North Carolina through breaking cycles, building lives; and

NOW THEREFORE BE IT KNOWN, that the Henderson County Board of Commissioners congratulates Mainstay on the occasion of its 30th Anniversary.

IT IS THEREFORE, proclaimed that Mainstay shall celebrate its 30th anniversary ceremony on Monday, October 27, 2014.

This the 15th day of October, 2014



Attest:

Teresa L. Wilson
Teresa Wilson, Clerk to the Board

Charles D. Messer
CHARLES D. MESSER, CHAIRMAN
Henderson County Board of Commissioners



Planning Department
Transportation Division
100 North King Street
Hendersonville, NC 28792

MEMORANDUM

TO: John Mitchell, Business & Community Development Director
FROM: Matthew Cable, AICP, Transportation Planner
DATE: October 15, 2014
SUBJECT: Staff Recommendations Regarding the Existing Transit Station Proposal

Current Transit Operations

Transit routes originate from and transfer along North Grove Street, in the bus lane southeast of the intersection of 4th Avenue East and North Grove Street. The contracted provider (WCCA) uses its own office space, meeting rooms, break rooms, and secured parking located at the corner of Ashe Street and 7th Avenue. The County reimburses WCCA for the cost of these facilities through its contract. Customers can acquire transit brochures from holders inside each vehicle, WCCA's transit offices, and the County Planning Department. WCCA operators (drivers) and office staff sell passes on transit vehicles and at WCCA's offices.

Existing Transit Station Proposal: 4th Avenue East

The STPDA application suggests a transit station will provide: (1) a central location for customers to transfer between routes, acquire information/passes, waiting areas, and restrooms; (2) office space, dispatching facilities, meeting rooms, break rooms, and restrooms for our contracted provider and its employees; and (3) securable parking/holding facilities for eight (8) buses. The transit station would improve customer service, reduce costs of contracted services through reductions in reimbursements for WCCA owned facilities, and provide for a more competitive bid process in future fiscal years (as additional agencies would more easily compete to operate the system) . For purposes of pursuing the STPDA funds, the County identified a site at 4th Avenue East between the CNG station and Jackson Park.

Awarded Funding and Local Match Requirements

The FBRMPO awarded the County \$1,672,000 in NCDOT Surface Transportation Direct Attributable (STPDA) funds with a required \$418,000 local match. The STPDA application indicates the project will be at the 4th Avenue East site and include an office building. Modifications to this project scope would require reconsideration by the FBRMPO.

The funds are currently available and NCDOT expects the County to begin accessing these funds quickly. Should the County choose to rescind the funds, the funds would remain in the FBRMPO region for use on other eligible transportation projects.

Construction Costs and Concerns: 4th Avenue East

The County must first select a consultant to perform an FTA required site selection process meeting all Title IV Environmental Justice/Equity Analysis requirements. This process may eliminate the 4th Avenue

East project as a location should the site selection process not identify it in the results. Where the site viable following the site selection process, to use the site the County will need to: (1) request a rezoning through the City of Hendersonville and be granted the request; (2) enter into an agreement with NCDOT to ensure compliance with NCDOT and Federal Highways (FHWA) requirements; (3) engage consultants to perform NCDOT/FTA required pre-construction studies including, but not limited to an Environmental Analysis; (4) conduct FTA compliant bidding for engaging an architectural and engineering firm for station design; (5) work under the guidance of NCDOT Local Programs Management Office during the planning and design phase of the project; (6) engage NCDOT Division 14 during station construction; and (7) engage consultants to work with NCDOT to ensure record keeping is compliant with FHWA requirements for the anticipated audit.

Actual costs not provided for in the grant funding include: (1) City of Hendersonville application and permitting fees; and (2) engaging consultants to perform NCDOT and FTA required studies and monitor FHWA compliance. Concerns include project delays or loss of grant funding should the site be infeasible.

The site would not be feasible if: (1) an NCDOT or FTA required study eliminates the site as a permissible location, or (2) the City of Hendersonville denied the rezoning request.

Should FTA, NCDOT, or FHWA determine the County violates any of its regulations, requirements or guidelines these entities could suspend the project or recall any or all of its awarded funding following project completion.

Staff Recommendations Based on Transit System Needs

Staff reviewed current transit system operations and the original transit station proposal to determine needs. Staff recommends the County not relocate the existing transfer site from North Grove Street because the site is well established, highly visible, convenient, and well frequented by a growing base of transit customers. Staff suggests locating transit offices immediately adjacent to the transfer site is not vital to the success of the transit system.

Staff continues to recommend the County establish the following: (1) office space, dispatching facilities, meeting rooms, and break rooms for the transit system's contracted provider; (2) a parking and holding facility for the existing fleet (seven (7) buses and two (2) paratransit vehicles) of which 5 vehicles are County leased/owned; and (3) a convenient site for customers to acquire information/passes;.

Addressing these needs would improve customer convenience, provide better security for County vehicles, reduce contract costs attributed to provider supplied office and parking space, and potential cost savings through a more competitive bid process in future fiscal years.

The County should consider using its existing underutilized facilities to meet transit system needs.

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on October 15, 2014 at 9:00 a.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina.

* * *

The following members were present: Charles Messer, Chairman; Vice-Chair Thomas Thompson; J. Michael Edney; Grady Hawkins.

The following members were absent: Larry Young

Also present: Steve Wyatt, County Manager; Amy Brantley, Assistant County Manager; J. Carey McLelland, Finance Director; Sarah Zambon, Deputy County Attorney; Teresa Wilson, Clerk to the Board.

* * *

Commissioner Hawkins moved that the following resolution (the "*Resolution*"), a copy of which was available with the Board and which was read by title:

RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY'S HOSPITAL REVENUE BONDS (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) IN TWO SERIES AND CERTAIN RELATED MATTERS

WHEREAS, the Board of Commissioners (the "*Board*") of the County of Henderson, North Carolina (the "*County*") has previously passed a reimbursement resolution relating to the financing by the Margaret R. Pardee Hospital (the "*Hospital*") and Henderson County Hospital Corporation (the "*Corporation*") of capital expenditures in connection with the Pardee Clinical and Physician Areas of the Mission Pardee Health Campus, all for use by the Hospital (the "*Project*"); and

WHEREAS, the Board is considering the issuance of a not to exceed \$7,000,000 Hospital Revenue Bond (Margaret R. Pardee Memorial Hospital Project) in two series (collectively, the "*2014 Bonds*") to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Project and (2) pay the costs of issuing the 2014 Bonds; and

WHEREAS, the Board wishes to retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; retain Stephens Inc., as structuring agent for the 2014 Bonds; and retain Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation; and

WHEREAS, the Board desires that the Finance Director or the County Manager of the County or the Vice President Finance/Chief Financial Officer of the Corporation (such officers being herein called the "*Authorized Officers*") file with the Local Government Commission of North Carolina (the "*Commission*") an application for its approval of the 2014 Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the

sale of the 2014 Bonds to a purchaser to be determined through a private placement and (B) the County's use of Parker Poe Adams & Bernstein LLP, as bond counsel for the County, Stephens Inc., as structuring agent for the 2014 Bonds; and Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2014 Bonds and to the County, the Corporation and their respective financial condition as may be required by the Commission, and to take all other action necessary to the issuance of the 2014 Bonds; and

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

Section 1. That the 2014 Bonds are to be issued by the County for the purpose of providing funds to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Project and (2) pay the costs of issuing the 2014 Bonds, all as set out fully in the document attached to the County's application to the Commission.

Section 2. That Parker Poe Adams & Bernstein LLP; Stephens Inc. and Prince, Youngblood & Massagee, PLLC are hereby retained and approved.

Section 3. That the Authorized Officers are hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the 2014 Bonds. Any applications and communications previously undertaken with the Commission are hereby ratified, approved and affirmed.

Section 4. That the Board finds and determines, and asks the Commission to find and determine, from the County's application and supporting documentation the following:

- (a) that the issuance of the 2014 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2014 Bonds will be adequate but is not excessive, when added to other moneys available to the County or Corporation, for the purposes set forth above;
- (c) the Project is feasible;
- (d) that the County's and the Corporation's debt management procedure and policies are excellent; and
- (e) that the 2014 Bonds can be sold at a reasonable interest cost to the County.

Section 5. That the Authorized Officers, Chairman, Vice-Chairman and Secretary of the Board are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the 2014 Bonds.

Section 6. That this Resolution is effective on the date of its adoption.

On motion of Commissioner Hawkins, the foregoing resolution entitled **“RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE REFUNDING BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY’S HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) IN TWO SERIES AND CERTAIN RELATED MATTERS”** was duly adopted by the following vote:

AYES: Charles Messer, Chairman; Thomas Thompson, Vice-Chair; J. Michael Edney; Grady Hawkins.

NAYS: NONE.

STATE OF NORTH CAROLINA)
)
COUNTY OF HENDERSON) SS:

I, Teresa Wilson, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE REFUNDING BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY’S HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) IN TWO SERIES AND CERTAIN RELATED MATTERS”** adopted by the Board of Commissioners of the County of Henderson, North Carolina, at a meeting held on the 15th day of October, 2014.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 15th day of October, 2014.



Teresa Wilson

Teresa Wilson
Clerk to the Board
County of Henderson, North Carolina