

DRAFT

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
MONDAY, MARCH 2, 2015

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 1:00 p.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Tommy Thompson, Vice-Chairman Charlie Messer, Commissioner Grady Hawkins, Commissioner Mike Edney, Commissioner William Lapsley, 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, Engineer Marcus Jones, Management Assistant Megan Powell, HR Director Jan Prichard, Director of Business and County Development John Mitchell, Assessor/Tax Collector Stan Duncan, Finance Director Carey McLelland, Internal Auditor Darlene Burgess, Soil & Water Conservation District Director Jonathan Wallin, Chief Deputy Jerry Rice, IT Director Becky Snyder, Code Enforcement Director Toby Linville, Environmental Health Supervisor Seth Swift, Registrar of Deeds Lee King, Assistant Registrar of Deeds Willa Blair, Library Director Trina Rushing, Captain Steve Carter, Chief Deputy Frank Stout, EMS Director Mike Barnett, Fire Marshal Rocky Hyder, Public Health Director Steve Smith, 911 Communications Director Leshia Stanley, T&T Director Beth Carden, DSS Director Eric Bush, Environmental Programs Coordinator Rachel Hodge and PIO Kathryn Finotti – videotaping, and Corporal Jeff Banks as security.

CALL TO ORDER/WELCOME

Chairman Thompson called the meeting to order and welcomed all in attendance. He informed the public that this meeting was held earlier due to the large agenda, and had been noticed as such. The last scheduled meeting of February 18th had been cancelled because of weather related road conditions.

INVOCATION

County Manager Steve Wyatt provided the invocation.

PLEDGE OF ALLEGIANCE

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

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Messer 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 2, 2015 - regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated February 19, 2015 for information only. No action was required.

Renewal of lease (Carland Farms, Inc.)

The County has had a long-standing leases for the use of County property with Carland Farms, Inc., for farm property located along the French Broad River. The parcel is completely surrounded by property controlled by Carland Farms, Inc., and the French Broad River. The value of this lease was calculated for previous years by

DATE APPROVED:

the Tax Assessor's Office, based on the average rental value for farm property. This proposed lease is at that same rent.

This item would renew the Carland Farms, Inc., lease on identical terms.

Motion:

I move that the Board approves the draft lease renewal.

Register of Deeds – Request to Use ROD Restricted Funds for Automation, Enhancement and Document Preservation

N.C.G.S. 161-11.3 regulates the retention of 10% of the fees collected by the Register of Deeds office. These funds are to be set aside annually in a non-reverting Automation Enhancement and Preservation Fund and are to be used for computer and imaging technology, and document preservation. The Register of Deeds is requesting that \$28,900 be released from the Automation Enhancement and Preservation Fund to pay for the following expenses:

\$27,600 for Contracted Services for annual software maintenance renewal.

\$1,300 for Departmental Supplies – Non Expendable for an electric embosser to certify documents

A Budget Amendment was provided for the Board's consideration to use the Register of Deeds Restricted General Fund Balance to pay for software maintenance.

Motion:

I move the Board of Commissioners approves the budget amendment to use \$28,900 in Register of Deeds Restricted General Fund Balance.

Public Records Disposal Request

The Assessor's Office Staff is requesting approval from the Board of Commissioners to destroy the records listed on the Public Disposal Request and Destruction Logs provided, (nine (9) included) in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule, a copy of said pages were provided, as the period of these records have expired, or they have been scanned and retained in said format.

Motion:

I move the Board approves the Public Records Disposal Request and Destruction Log as presented.

Energy Management Update

A report was provided to the Board with information about the County's energy management use across all County facilities in the areas of electricity, natural gas, fuel and water. It compared the current FY second quarter with previous years to show historical trends in commodity consumption. Supplementary cost analyses represent the total annual cost percentages (YTD) and the monthly cost profile comparing 2013 and 2014 YTD for the highest-cost commodity at each facility.

Smoky Mountain Center – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended December 31, 2014

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for the Smoky Mountain Center was received by the County Finance Officer on January 30, 2015.

Motion:

I move that the Board of Commissioners approves the Smoky Mountain Center Fiscal Monitoring Report for the quarter ended December 31, 2014.

County Financial Report-Cash Balance Report - January 2015

The January 2015 County Financial Report and Cash Balance Report were provided for Board review and approval.

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

- Non-Profit Contributions – 3rd quarter approved non-profit contribution payments
- Administrative Services – operational expenditures running slightly higher than budget
- Register of Deeds – operational expenditures running slightly higher than budget
- Detention Center – purchase orders encumbered for a new transport van and department supplies
- Emergency Management – purchase orders encumbered for mass casualty incident (MCI) trailers
- Fire Services – payment of volunteer fire department’s annual worker’s compensation premium
- EMS – purchase of a new ambulance approved in the FY2015 budget
- Rescue Squad – 3rd quarter approved non-profit contribution payment
- Economic Development – annual economic development incentive payments in December
- Agri-Business – operational costs to be covered/reimbursed from Agri-business membership fees
- Mental Health – 3rd quarter Maintenance of Effort (MOE) payment to the Smoky Mountain Center

The YTD deficit in the Revaluation Reserve Fund is due to postage expense incurred for the mailing of reappraisal notices.

The YTD deficit in the CDBG – Scattered Site Housing Project Fund and the CDBG - Dodd Meadows Project Fund is due to the timing difference between the payment of project expenditures and subsequent reimbursement of grant funds from the state.

The YTD deficit in the 911 Emergency Communications Relocation Project and the Westfeldt Park Project is due to the payment of project expenditures and the subsequent reimbursement of grant funds from the NC 911 Board and the NCDENR – Recreational Trails Grant Program respectively.

The YTD deficit in the Health Sciences Center Project budget is due to the payment of architectural fees on the project that will be reimbursed from the proceeds of a future financing for the project in FY2015.

The YTD deficit in the Solid Waste Landfill Fund is due to operational expenditures being ahead of revenues including the one-time purchase of capital outlay-equipment and a loan annual debt service payment made in January.

Motion:

I move that the Board of Commissioners approves the January 2015 County Financial Report and Cash Balance Report as presented.

Public Schools Financial Report – January 2015

The Henderson County Public Schools January 2015 Local Current Expense Fund / Other Restricted Funds Financial Report was provided for the Board’s information.

Motion:

I move that the Board of Commissioners approves the Henderson County Public Schools January 2015 Financial Report as presented

Public Records Disposal Request – EMS

Emergency Medical Services wishes to dispose of Ambulance Call Reports originating in years 1998 through 2003. The eleven year period for retention required by the North Carolina Department of Cultural Resources has expired. Ambulance Call Reports which included minors and/or disabled patients will not be destroyed.

Upon approval it is requested that the Board authorize the Clerk to the Board of Commissioners to sign the Public Records Disposal Request and Destruction Log.

Motion:

I move the Board approves the disposal of the 1998 through 2003 Ambulance Call Reports.

Quilt Square at Main Branch of the Public Library

The Henderson County Quilt Block Trail Committee requests permission to place a wooden quilt block (4’x4’) on the outside wall of the Main Library as part of the newly developing HC Quilt Block Trail. A donor is paying for the block. The quilt pattern depicted will be representative of the library’s mission.

The Quilt Block Committee has received verbal approval by the new Library Director that the block would be welcomed.

Assistance from HC Central Services will be required to install the block on the outside wall of the library when ready.

Motion:

I move the Board approves placing of a wooden quilt block on the outside wall of the Main Library.

Pending Refunds and Releases

The 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.

Total Taxes Released from the Charge	\$ 7,075.79
Total Refunds as a Result of the Above Releases	\$ 140.77

Motion:

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

Official Zoning and Water Supply Watershed Map Update

The official zoning and water supply watershed maps are updated digitally to reflect all map changes approved by the Board of Commissioners and any annexations approved by surrounding municipalities. The County keeps a notarized paper copy of the official zoning and water supply watershed maps as well, but these maps are not adjusted each time a rezoning or annexation occurs. It is good practice to periodically update the official zoning and water supply watershed maps in paper form. Henderson County’s paper form of the official zoning map was last updated on September 21, 2011 when the Board adopted the Land Development Code and associated zoning map amendments. The official water supply watershed map was last updated on, May

22, 2012 when the State approved the City of Hendersonville's new intake.

The maps provided are the official zoning and water supply watershed maps and includes zoning map amendments approved since 2011, including the recent community plan rezoning and the WS-III boundary adjustments in Mills River. No public hearing is required to adopt the official zoning and water supply watershed map updates.

Motion:

I move the Board adopts the official zoning and water supply watershed map updates as submitted by staff.

Notification of Vacancies

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

1. EMS Peer Review Committee – 1 vac.
2. Equalization and Review, Henderson County Board of – 2 vac.
3. Governmental Financing Corporation – 1 vac.
4. Hendersonville Business Advisory Committee – 1 vac.
5. Industrial Facilities and Pollution Control Financing Authority – 1 vac.
6. Nursing/Adult Care Home Community Advisory Committee – 3 vac.

Nominations

1. Agriculture Advisory Board – 3 vac.

Commissioner Messer nominated for reappointment William Barnwell for position #3 and Fred Pittillo for position #5. Commissioner Hawkins nominated Theron Maybin for position #4. *Chairman Thompson made the motion to accept the reappointments of William Barnwell to position #3, Theron Maybin to position #4, and Fred Pittillo to position #5 by acclamation. All voted in favor and the motion carried.*

2. Animal Services Committee – 4 vac.

Commissioner Hawkins nominated Dr. Jonathan Pernell for reappointment to position #1. Commissioner Messer nominated James Varble for position #4. *Chairman Thompson made the motion to accept the reappointment of Dr. Jonathan Pernell to position #1, and the appointment of James Varble to position #4 by acclamation. All voted in favor and the motion carried.*

3. East Flat Rock Community Plan Advisory Committee – 12 vac.

Commissioner Hawkins nominated Chip Gould for position #2, and Nancy Westall for position #3. Commissioner Lapsley nominated Larry Ray for position #4. Commissioner Messer nominated Keith Kennedy for position #12. *Commissioner Messer made the motion to accept the appointment of Chip Gould to position #2, Nancy Westall to position #3, Larry Ray to position #4, and Keith Kennedy to position # 12 by acclamation. All voted in favor and the motion carried.*

4. EMS Peer Review Committee – 2 vac.

Chairman Thompson nominated Dr. Steven Motarjeme for position #6. *Chairman Thompson made the motion to accept the appointment of Dr. Steven Motarjeme to position #6 by acclamation. All voted in favor and the motion carried.*

5. Henderson County Historic Courthouse Corporation dba/Heritage Museum – 1 vac.

Commissioner Messer nominated Carolyn Justus for reappointment as Chair of the Henderson County Historic Courthouse Corporation dba/Heritage Museum. *Chairman Thompson made the motion to accept the reappointment of Carolyn Justus as Chair of the Henderson County Historic Courthouse Corporation dba/Heritage Museum by acclamation. All voted in favor and the motion carried.*

6. Home and Community Care Block Grant Advisory Committee – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.

7. Hospital Corporation Board of Directors/UNCH – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.

8. Juvenile Crime Prevention Council – 4 vac.
There were no nominations at this time and this item was rolled to the next meeting.

9. Mountain Area Workforce Development Board – 3 vac.
There were no nominations at this time and this item was rolled to the next meeting.

10. 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.

11. Nursing/Adult Care Home Community Advisory Committee – 4 vac.
There were no nominations at this time and this item was rolled to the next meeting.

12. Recreation Advisory Board – 3 vac.
Commissioner Messer nominated for reappointment Sue Myers for position #2, Hunter Marks for position #8, and Virgle McClure for position #9. *Chairman Thompson made the motion to accept the reappointments of Sue Myers to position #2, Hunter Marks to position #8, and Virgle McClure to position #9 by acclamation. All voted in favor and the motion carried.*

13. Senior Volunteer Services Advisory Council – 3 vac.
There were no nominations at this time and this item was rolled to the next meeting.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Edney requested that the Budget be moved to the last item for discussion. Chairman Thompson requested that Discussion Item “Emergency Communications System Modernization and Upgrade Project” be removed from the agenda, and requested the addition of Closed Sessions.

Commissioner Thompson made the motion to adopt the Agenda as modified above. All voted in favor and the motion carried.

EMERGENCY COMMUNICATIONS SYSTEM MODERNIZATION AND UPGRADE PROJECT

At the request of Chairman Thompson, this item was removed from the agenda.

2015 REAPPRAISAL UPDATE

County Assessor Stan Duncan provided an update on the results of the 2015 general, county-wide, reappraisal of real property.

The Determining Authority...In re AMP, Inc.,
“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)

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 105-283

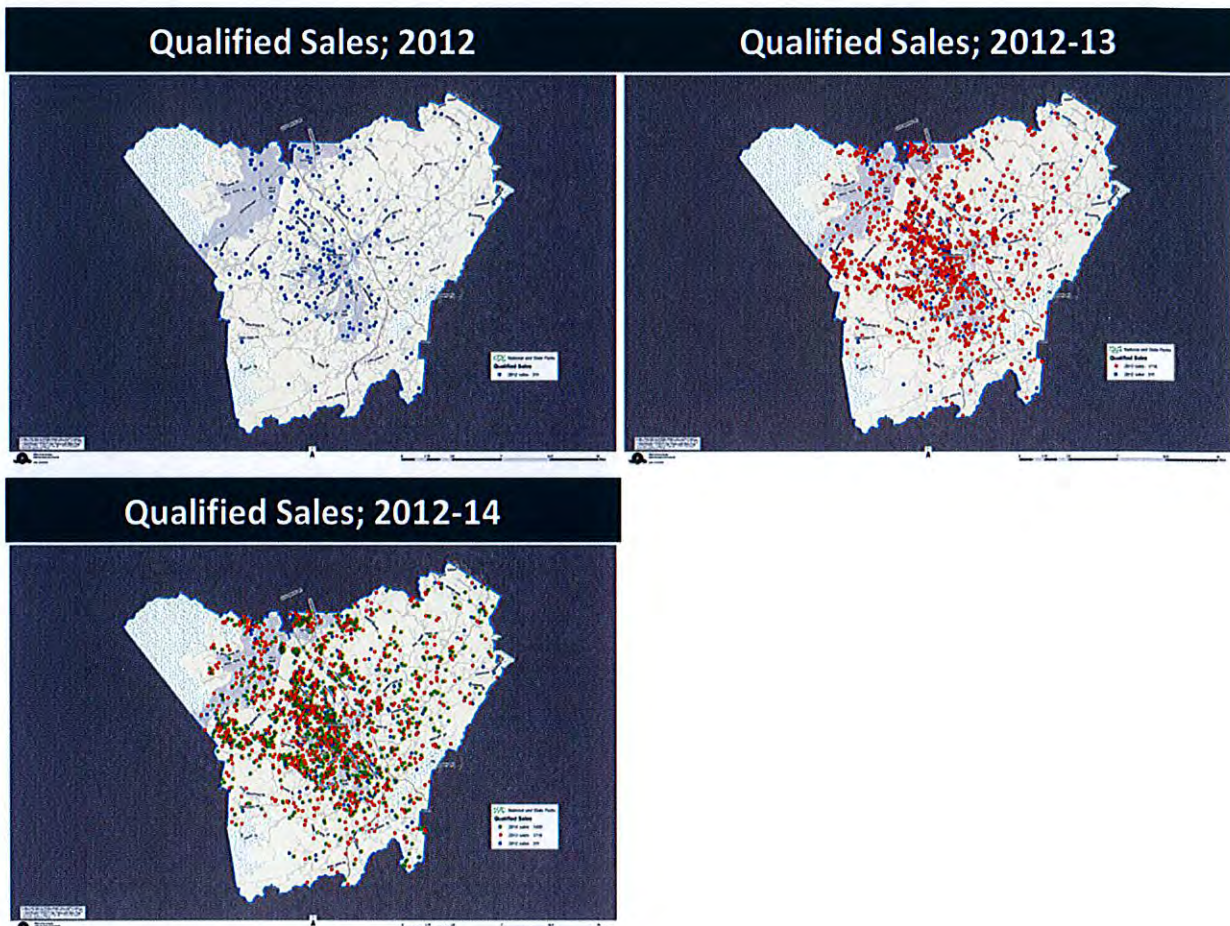
Essentially, an “arms-length” transaction require:

- Willing buyer and a willing seller
- Informed buyer
- Open market
- No undue compulsion

Not every sale is an “arm’s-length transaction”

Market Value is...

- “Value in Exchange”...
- NOT necessarily the most recent price paid in what might otherwise appear to be an “arms-length” transaction WHEN competent evidence of a different value is presented, and
- NOT the highest or lowest value, BUT the most probable value meeting the requirements of the Uniform Appraisal Standard, and
- Definitely, NOT a “foreclosure” or “short sale”.



Important Case Law

King; “The purpose of the statutory requirement that all property be appraised at its true value in money is to

assure, as far as practicable, a distribution of the burden of taxation in proportion to the true values of the respective taxpayer’s property holdings, whether they be rural or urban.” 1 N.C. 533, 189S.E.2d 158 (1972)

Allred; “Sales after January 1 of the reappraisal year not to be considered for the reappraisal year, but for the next reappraisal.” 351 N.C. 402, 192 S.E.2d 811 (1999)

Greensboro Office Partnership: Actual sales price based on actual income stream not to be considered when economic rent indicates a different value.

Neither the Uniform Appraisal Standard nor G.S. 105-317(a) requires the commission to value property according to its sales price in a recent arm’s length transaction when competent evidence of a different value is presented. 72 N.C. App. 635, 325 S.E.2d 24 cert. denied, 313 N.C. 602, 330 S.E.2d 610 (1985)

Pine Raleigh: But the income referred to is not necessarily actual income. The language is sufficient to include the income which could be obtained by the proper and efficient use of the property. To hold otherwise would be to penalize the competent and diligent and to reward the incompetent or indolent. 258 N.C. 398, 128 S.E.2d 855 (1963)

Reaffirmed in Valuation of Property Located at 411-417 W. Fourth Street 282 N.C. 71, 191 S.E.2d 692 (1972)

Reaffirmed in Greensboro Office Partnership 72 N.C. App. 635, 325 S.E.2d, 24 cert. denied, 313 N.C. 602, 330 S.E.2d, 610 (1985)

Economic Principles Involved

1. Highest & Best Use:
 - Legally Permitted (Zoning)
 - Physically Possible
 - Financially Feasible
 - Generates the Greatest Net Return (NOT gross income)
2. Anticipation of Future Benefits
3. Balance
4. Change
5. Consistent Use; land & improvements
6. Contribution
7. Substitution
8. Supply & Demand, AND
9. Adherence to USPAP Standard 6 (for mass appraisal)

Reappraisal Timeline...

- 17 February 2015 – Reappraisal Notices Mailed to Property Owners
- 18 February 2015 – Informal Appeal Period Began
- 13 April 2015 – Board of E & R Convenes
- 8 May 2015 – Board of E & R Adjourns from the taking of requests

The Task . . .

Reappraise all real property at Market Value - Effective as of 1 January 2015:

- 66,495 Total Parcels of Real Property
- 1,620 Parcels in Present-Use Value (Agriculture, Horticulture, Forestland)
- 1,456 Parcels w/ Tax Relief (Elderly/Disabled, and Veterans)

Present-Use Value Tax Benefits

Policy of the NC General Assembly:

Horticultural land (Orchards): 77.4 – 99.7% DEFERRAL

Agricultural land (pasture): 88.0 – 99.7% DEFERRAL

Woodland: 97.4 – 99.7% DEFERRAL

Recoup current and 3 prior years upon ineligibility

Elderly / Disabled / Veterans

Elderly / Disabled EXCLUSION

The greater of \$25K or 50% of the homesite and residence, and related residential improvements.

Disabled Veterans EXCLUSION

The first \$45K of the homesite and residence, and related residential improvements.

Resources to Meet the Task

- Access to MLS & Local Realtor Expertise; review sales, listing, and other relevant market data (days on market, list-to-sale ratios, etc.)
- Sales Verification Letters; over 65% return of letters with information regarding the sale.
- Register of Deeds
- County Permitting & Planning Office

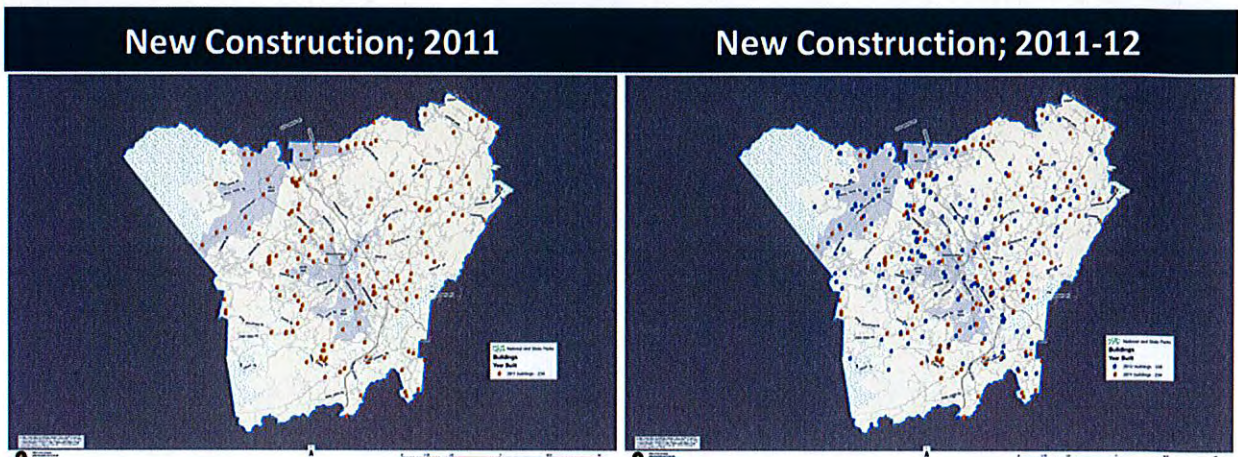
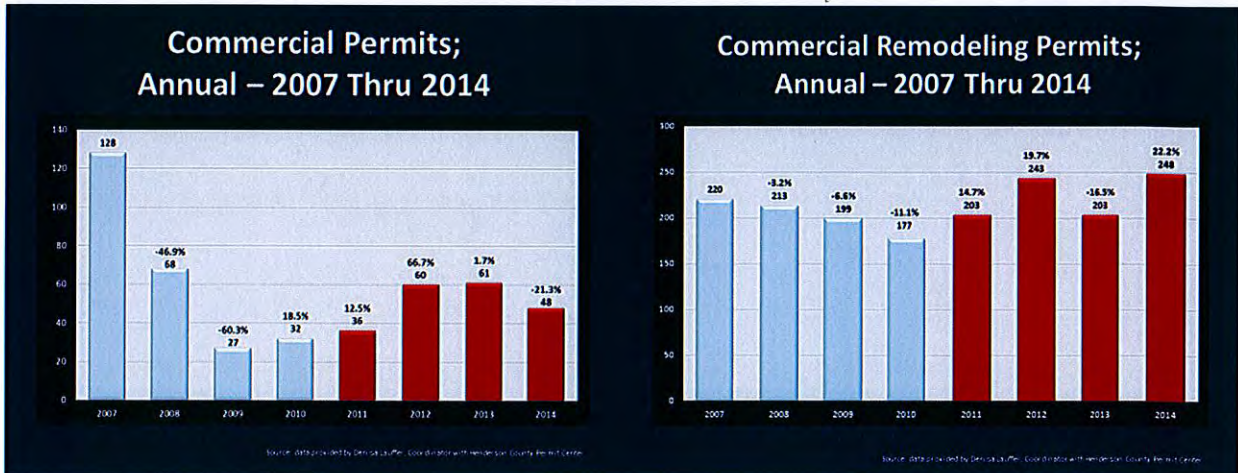
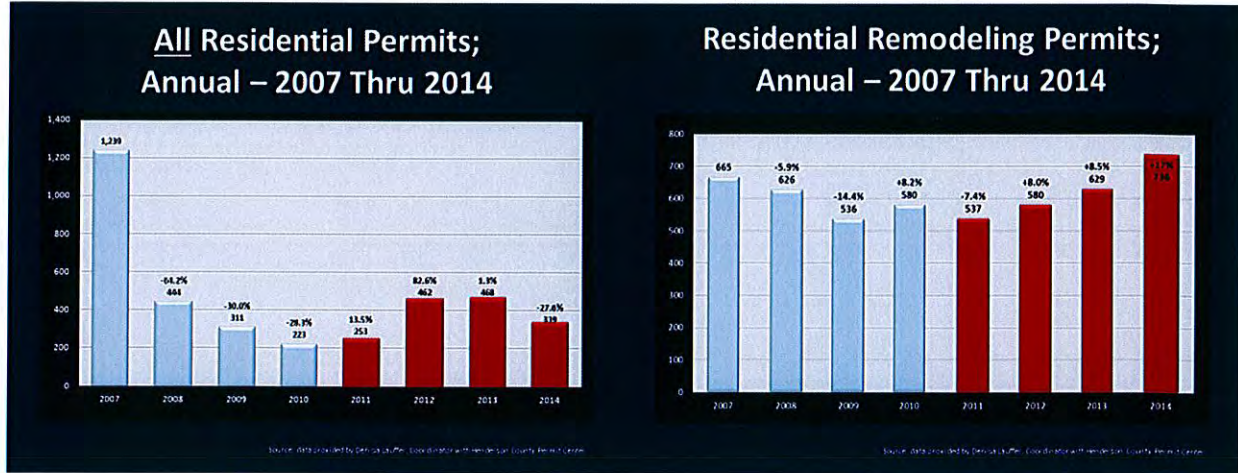
In-House Appraisal Staff

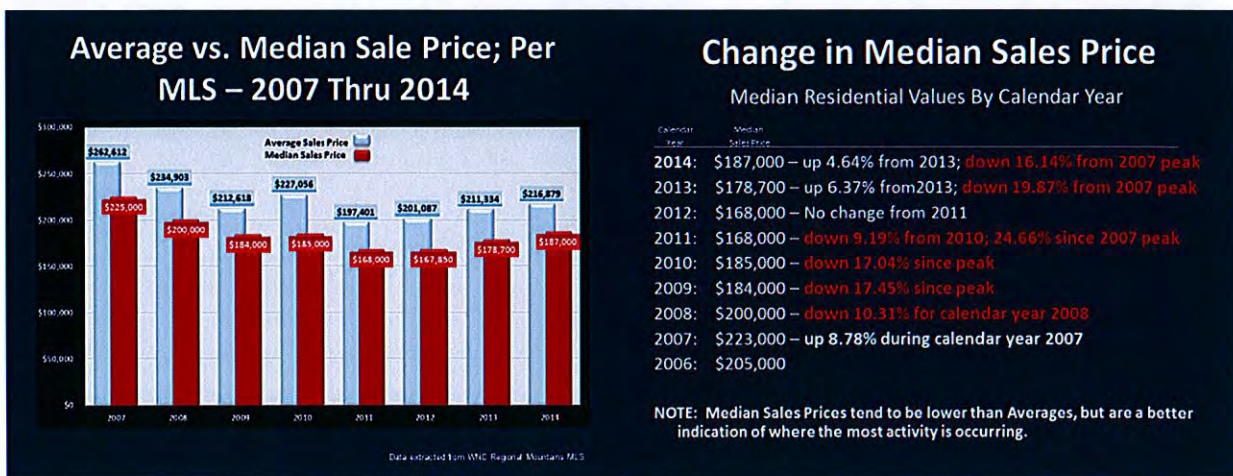
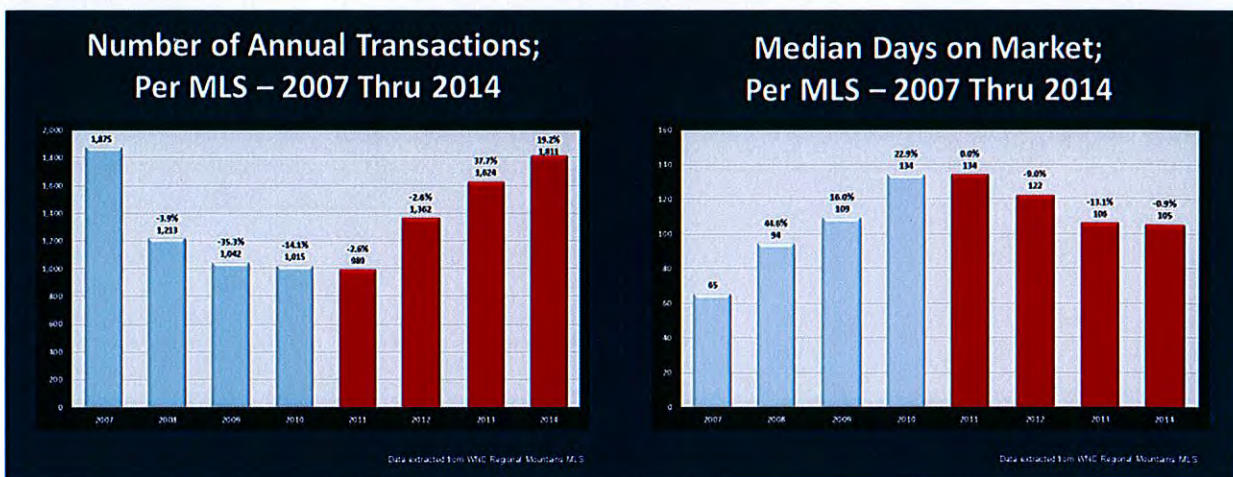
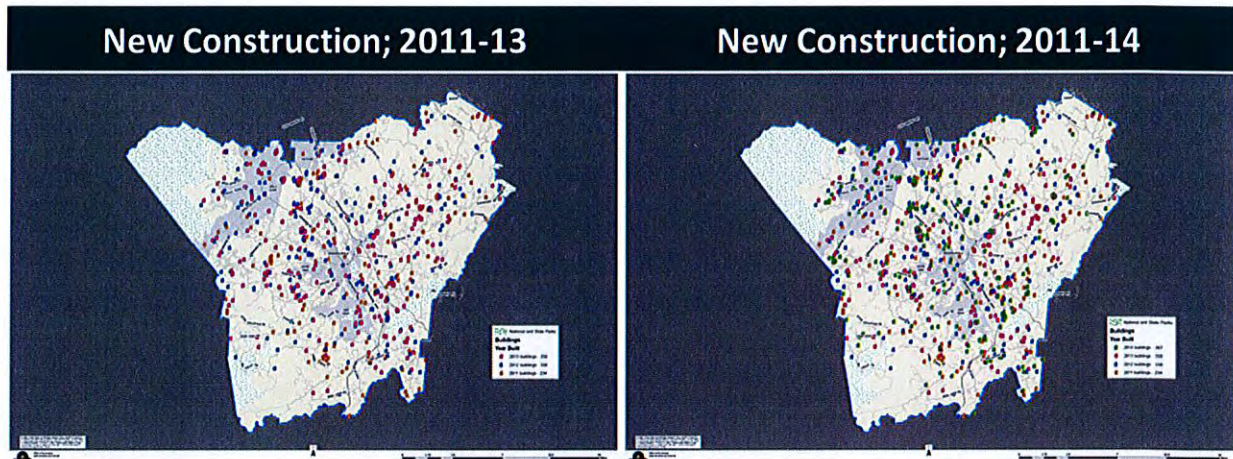
- 9 NC DOR-certified, Real Property Appraisers
 - 8 are market value, real property appraisers
 - 1 is responsible for all tax relief on real property
 - 3 are State-certified Appraisers by NC Appraisal Board
 - 3 hold a NC Brokers License
 - 4 additional employees provide staff support
- 102 years of experience in current jobs
- 110+ years in fee appraisal/real estate sales
- 250+ total years in current and job-related experience

Experience + Professionalism = Equity & Fairness

Challenges & Obstacles

- Reliance on National Data over Local Realtors
- Zillow & Trulia Merger: good or bad?
- HGTV: cost and value are not necessarily equal
- Historical Myths: market value vs tax value





Reappraisals recognize the “Market Change” in real property:

However, the change in markets is rarely uniform across any county. Rather, markets tend to vary by identifiable influences such as location, property type, changes in consumer desires & preferences, age or condition.

Sample Neighborhoods

NEIGHBORHOOD	Parcel Ct.	% Change fr 2014
Blue Ridge Villas;	78	4.40 %
Champion Hills;	426	4.86 %
Claremont;	91	1.68 %
Cobblestone Village;	55	33.05 %
Grand Highlands;	94	25.38 %
Haywood Knolls;	353	4.56 %
Kenmure;	2,128	4.48 %
Livingston Farms;	259	2.07 %
Old Orchard;	74	(38.13)
Riverstone;	412	21.63
Seven Falls;	207	(39.65)
Southchase;	319	6.72
The Oaks;	202	3.58

Early Tax Base Projection

2014		2015
\$10,450,000,000	Real	\$11,000,000,000
840,000,000	Personal	900,000,000
215,000,000	Pub S.	225,000,000
850,000,000	RMV's	890,000,000
\$12,355,000,000	Total	\$13,015,000,000

Reappraisals create an equitable distribution of tax obligation.

- Personal Property (motor vehicles, business machinery & equipment, aircraft & watercraft), is appraised and assessed at Market Value each and every year.
- Real Property is appraised and assessed at Market Value only in the year of, and as of, the general reappraisal.

2015 Reappraisal Counties

COUNTY	Previous Reappraisal	Expected 2015 Result
Alexander		
Allegheny		
Ashe		
Balden		
Brutswick	2011	Down 10% +/-
Camden, Co.acted		
Carteret, IN HOUSE	2011	Down 6% +/-
Catawba, IN HOUSE	2011	Down 5%
Davidson;		
Gaston, IN		
Gratum, IN HOUSE	2010	
Halifax		
RENDERSON, IN HOUSE	2011	Up 5.5% +/-
Iredell	2011	flat
Lincoln		
Maxon, IN HOUSE	2007	Down 35% +/-
Moore		
Northampton		
Rowan		
Union		

Going forward – 2015 Reappraisal

Real Property Values continue to “change” yearly; some up, some down, some very little, some significantly from the 2011 valuations.

Two opportunities for appeal are Informal Appeal; review by staff appraisers, and Formal Appeal; Board of

Equalization & Review.

An encouraging market – a return to confidence and optimism.

HENDERSON COUNTY TDA UPDATE

Chairman Shannon Clarke provided an update to the Board of Commissioners on the current status of tourism in Henderson County. He also shared information about several major TDA projects that will strengthen Henderson County's economy through tourism.

Wayfinding Initiative

- Initiative to move visitors and residents around the county more effectively.
- HCYDA will take the lead on vehicular wayfinding signage, and will partner with municipalities to develop pedestrian signage.
- Wayfinding program is tied to the new tourism brand for the County.

Branding Initiative

- HCTDA is currently developing a new and fresh brand and messaging to be used in marketing & promotions by HCTDA and its tourism partners.
- The new brand will reflect the essence of what Hendersonville offers visitors and as a highly ranked tourism destination. The brand logo & color scheme will be key to wayfinding.

Communications

- HCTDA operates as an in-house advertising agency, creating all advertising, branding, literature, brochures, magazines, and response collateral for nation-wide distribution.
- HistoricHendersonville.org website
- Multiple social media platforms
- Weekly calendar of events, distributed via print & email
- Online calendar of events through Everwonder network of interactive calendars
- "Tourism Tidbits" bi-weekly newsletter to tourism industry
- Hendersonville Times-News, monthly column
- Press release distribution service to state, regional, and national news media.
- Weekly radio shows on local AM stations, WHKP & WTZQ

FLAT ROCK PLAYHOUSE

Commissioner Edney had requested discussion of funding for Flat Rock Playhouse be included on the meeting agenda.

He recognized Lisa Bryant who was appointed as the Artistic Director in October. The facilities committee is looking at what need to be done both short term and long term. Mold has been found and FRP is looking at how to correct the problem. FRP requested that Henderson County appropriate \$50,000.00 to assist in the mitigation and restoration of structures on the FRP grounds. The City of Hendersonville, Flat Rock Village, and the Tourism Development Authority have stepped forward agreeing to help.

The cost of abatement and fixes has been determined for \$185,000.00.

- City of Hendersonville has agreed to contribute \$50,000.00.
- Village of Flat Rock has agreed to contribute \$50,000.00
- Henderson County has been requested to contribute \$50,000.00

The Tourism Development Authority is considering contribution of the remaining balance of \$35,000.00.

Commissioner Edney made the motion that the Board appropriate fund balance in FY15 in the amount of

\$50,000 to the Flat Rock Playhouse, specifically for mold abatement, and approve the necessary budget amendment for such. The motion passed 3-2 with Commissioners Hawkins and Lapsley voting nay.

FY 15-16 BUDGET DISCUSSIONS/RETREAT FOLLOW-UP

At the January 21, 2015 Board of Commissioners’ Budget Retreat, following a full day of discussion, the Board gave Staff direction to research and bring back some additional information on a number of topics. The Board is requested to discuss those budget-related issues at this meeting, and direct Staff accordingly regarding preparation for FY2015-2016 budget.

Strategic Financial Planning for the Future of Henderson County Government FY 2016-2019

- What are the priorities and primary objectives of Henderson County Government over the next four years?
- What is the proper role of county government in the lives of county citizens?
- What services and governmental functions should the county provide, and at what service levels?

Priorities

The Board of Commissioners is charges with making investment decisions on behalf of the citizens. How do you maximize the return on their investment?

The tax rate will be set, based on decisions made today.

FY 2015-2016 Ad Valorem Scenarios

Assessed Property Valuation (As of March 2, 2015) \$13,015,000,000	Tax Rate of:	
	0.51	0.5136
Ad Valorem Taxes – Current Year	\$63,602,363	\$64,056,847

- Ad Valorem Taxes based on 97% collection rate, and Reappraisal Reserve at FY15 levels.
- 1 cent TRE (Tax Rate Equivalent) = \$1,262,455

On January 21, 2015 the Board held its annual budget retreat. Information was presented on the financial status of the county and some of the major requests/needs of departments in the upcoming fiscal year.

The Board gave Staff direction to research and bring back some additional information on a number of topics relating to the Budget.

Chairman Thompson made the motion that the Board directs staff to consider the budget deliberation from a four year perspective. All voted in favor and the motion carried.

Sheriff’s Department FY15-16

- Personnel
 - 4 Call Takers for Communications - \$161,072
 - 1 Safety Compliance Officer for Detention - \$68,318
 - 1 Courthouse Security Officer - \$63,271
 - 1 Staff Attorney - \$95,267
- 5% Salary increase for first line supervisor and below
 - Sheriff Request - \$353,750
 - All Sheriff employees - \$543,502
 - All County employees - \$4,828,667
- Security
 - Courthouse - \$825,000
 - Detention - \$145,050 & \$193,000

Commissioner Hawkins made the motion that the Board approves immediate hire of two (2) call takers for the

911 Communications Center, and make budget amendments as necessary for such. All voted in favor and the motion carried.

Commissioner Lapsley made the motion that the Board authorize staff to rebid 1995 Courthouse Renovations with regard to security issues. The motion passed 4-1 with Commissioner Messer voting nay.

Commissioner Lapsley suggested that the bids be acquired in a way that would enable the Board to fund the project in stages.

Further discussions will be held in regard to relocation of departments.

County Manager Steve Wyatt suggest a Facility Needs Assessment, similar to the one just completed for EMS/Rescue Squad, for the Tax Offices and Register of Deeds Office.

Commissioner Hawkins made the motion that the Board directs staff to have a Facility Needs Assessment completed for the Tax Offices and Register of Deeds Office, and bring it back before the Board in 15-60 days. All voted in favor and the motion carried.

Commissioner Edney made the motion that the Board authorize the transfer of one Attorney position from Legal to Sheriff effective 07/01/2015. All voted in favor and the motion carried.

Security – Detention

- \$145,050 – Replacement/upgrade of the Detention Center door controls. Current system is nearing end of usable life, and experiencing limited parts availability.
- \$193,100 – Replacement/upgrade of existing analog cameras and video system. Eight-five (85) cameras total, including existing and new locations.

Four year cumulative costs for additional Sheriff Salaries:

Year 1 = \$387,928 Year 4 = \$1,561,712

It was the consensus of the Board to direct staff to obtain bids for both Detention Center camera's and door controls, and bring back to the Board for consideration in either the FY15 or FY16 budget.

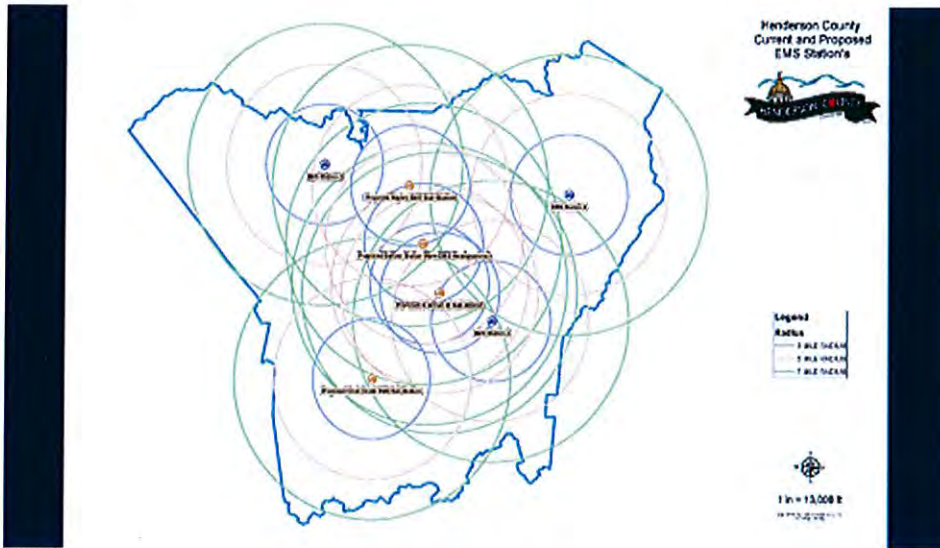
Emergency Medical Services

- One new full-time crew (in the Fletcher/Naples area)
 - Ambulance and Equipment/IT Equipment and Software
 - Ambulance Financed Cost
 - Equipment Cost - \$29,800
 - Annual Debt Payment - \$46,645 (beginning in FY17)
 - Ambulance Cash Cost - \$212,800
 - Eight staff for Full Time Crew (4 starting in August, 2015, 4 additional starting January, 2016) - \$285,768
 - Four Staff for Part Time Crew - \$183,708
- Potential Base Locations
 - Phase out EMS Station #1 (Pardee location)
 - Add a net of 3 new locations

Four year cumulative costs for EMS Upgrades

Year 1 = \$469,476 Year 4 = \$2,467,519

*Costs include 1 Ambulance with Equipment



Restructure EMS Station locations to cover the populated areas of the county with strategic overlaps in major population density areas.

Commissioner Lapsley made the motion that the Board approve four (4) EMS Staff to come on-line early FY16, along with the associated ambulance costs. All voted in favor and the motion carried.

Commissioner Edney made the motion that the Board identifies Valley Hill #2 as a suitable site to locate a future EMS Station, and authorizes Staff to begin steps necessary to acquire the site. All voted in favor and the motion carried.

Commissioner Messer made the motion that the Board gives the County Manager authority necessary to continue the process which shall result in site selection and the construction of a new EMS Base in possible partnership with BRCC and HCPS, and further to continue the study of potential sites for new EMS substation(s). All voted in favor and the motion carried.

Building Services

- Personnel
 - 1 Full Time Building inspector
 - \$53,223 + \$30,000 for vehicle
 - 1 Full Time Permit Specialist (moving PT to FT)
 - \$20,376
- Fees
 - Review of Inspection revenues vs expenditures

Four year cumulative costs for Building Services Upgrade

Year 1 = \$103,590 Year 4 = \$337,873

*Year 1 includes the cost of a vehicle in addition to personnel costs

Expenditures V. Revenues for Building Services

	Actual Expenditures (As of 2/25/2015)	Actual Revenues (As of 2/25/2015)
FY 2015	\$536,167.90	\$483,818.54

Average Caseload per Inspector

Average daily # of inspections per inspector	2009	2010	2011	2012	2013	2014	2015 Est.	Target
	14	9.5	9.6	13.8	15.7	16.4	15.5	10

Re-evaluate the fee schedule as part of the budget process

Commissioner Messer made the motion that the Board approve one (1) new Building Inspector and moving of one (1) part-time Permit Specialist to full-time position. All voted in favor and the motion carried.

Department of Social Services

- Personnel (County Costs)
 - 4 Medicaid - \$51,860
 - 1 Food and Nutrition Services-- \$23,430
 - 1 community Social Services Assistant - \$17,744
- New NCFAST reimbursement rate of 75% will not increase county costs
- Technology - \$113,000 (\$56,500 County cost)
- 2 Vehicles – Est. \$40,000

Four year cumulative costs for DSS Salaries
 Year 1 = \$269,788 Year 4 = \$1,180,942

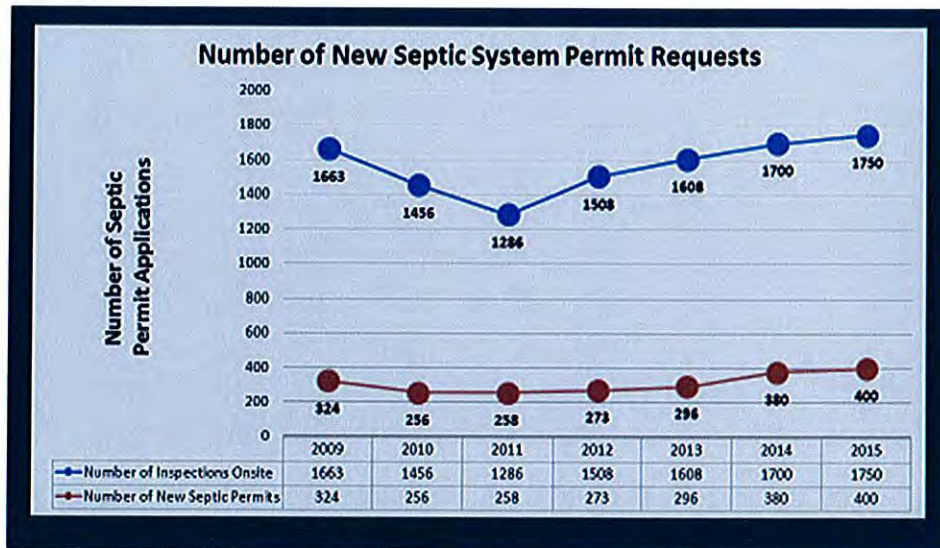
*Total increase noted above, Increases in the DSS Budget for approved personnel, technology and other equipment will be covered by the increased reimbursement for NCFAST related activities. Reimbursement rate will be 75%, increased from 50%.

Chairman Thompson made the motion that the Board adopts the Social Services action plan, with the caveat that additional State funding not increase County cost. All voted in favor and the motion carried.

Health Department

- Personnel
 - 1 School Health Nurse - \$51,062
 - 9 would be needed for the recommended 1:750 ratio (\$459,558 for 9)
 - 1 Communicable Disease Nurse Coordinator - \$59,112
 - 1 Office Assistant - \$37,329
 - 1 Environmental Health Specialist - \$51,960
- 2 Vehicles – Est. \$40,000

Four year cumulative costs for Health Services
 Year 1 = \$199,463 Year 4 = \$834,479



Commissioner Lapsley made the motion that the Board adopts the Health Department action plan including four (4) new personnel. The motion passed 4-1 with Chairman Thompson voting nay.

Four new personnel: 1 School Health Nurse, 1 Communicable Disease Nurse Coordinator, 1 Office Assistant, and 1 Environmental Health Specialist.

Elections

- State Mandated Voting Machines
 - Current Estimate = \$3,000,000
- Presidential Preference Election in February/March of 2016

It was the consensus of the Board that staff pursue options within the budget for Elections equipment, and confirm implementation.

Information Technology

- IT Equipment Depreciation
 - Staff recommendation to transfer \$200,000 annually to an IT Depreciation Fund Project within the Capital Project Fund for the purchase of Capital IT assets.

It was the consensus of the Board to create an IT Depreciation Project in the Capital Project Fund, and include \$200,000 annually.

Recruitment & Retention Levels

- Over the past 30 days, Human Resources Staff has conducted an analysis of turnover, by Department, for calendar year 2014.
- Total turnover during that period was 11.69%
- Turnover excluding retiring employees was 8.27%
- Continue to monitor quarterly
- Identify hard to recruit/hard to retain positions
- Management has the authority to adjust specific positions as necessary

Staff will continue to monitor and identify hard to recruit positions.

Agri-Business

- Determine County funding level beginning in FY16
 - FY 2015 Funding = \$120,000
- Contract for what level, for how many years?

It was the consensus of the Board to fund Agri-Business at \$120,000 for a four year period.

Cooperative Extension

- North Carolina Cooperative Extension, as part of their Strategic Vision, has implemented a new Strategic Plan for the Extension Service.
- In FY 15 Henderson County provided \$316,000 to Cooperative Extension.
- The request from Cooperative Extension for FY 16 funding includes an increase to Henderson County of \$64,000.
- This plan involves a 20% increase over current costs being shifted from the State to the County.

Staff will continue with the same plan and see how it works out.

Land-of-Sky Membership

- Cost of membership \$38,426
 - MPO Match additional \$20,000
- Services received for Membership
 - Planning
 - CDBG Grants
 - Fair Housing Plan
 - MPO
 - Solid Waste
 - Home and Community Care Block Grant
 - Alternative Fuels
 - Clean Air Coalition
 - Past CNG Grants
 - Aging Services
 - Senior Volunteer Services Advisory Council
 - Workforce Development

It was consensus of the Board to have Staff evaluate the impact of withdrawing from Land-of-Sky.

Action would require a 60 day written notice to Land-of-Sky.

Staff will request from Land-of-Sky the Travel Study partially funded by Henderson County.

PLEDGE OF ALLEGIANCE

The Dana 4-H Club arrived with anticipation of providing the Pledge of Allegiance, not realizing that the meeting started at an earlier time. The Chairman requested, and the Board allowed them to do so since they had made the trip to the Historic Courthouse. Chairman Thompson recognized the value of the 4-H Club.

Commissioner Lapsley

Action Item: Request information from the Henderson County Public Schools

- Provide a report on the general condition of buildings
- Prepare a long term CIP to preserve assets
- Establish a priority needs list over the next 5-10 years

Timeframe: Request HCPS begin the process as soon as possible, and report back at its conclusion.

Action Item: Comprehensive Community Economic Assessment

- Accept Proposal for assessment from Syneva (\$25,000)
- Seek other Proposals

Timeframe: Immediately

Commissioner Hawkins made the motion that the Board approves proceeding with the Comprehensive Community Economic Assessment utilizing Syneva. All voted in favor and the motion carried.

Commissioner Hawkins

Action Item: Board to conduct a public policy discussion to determine:

- How to utilize fund balance over the 12% policy for the next four years
- Evaluate Increased service levels
- Eliminate or reduce fees
- Debt
- Tax rate

Timeframe: As part of the budget deliberations

Action Item: Capital Projects

- Develop a capital priority list

Timeframe: As part of the budget deliberations

Commissioner Edney

Action Item: Ecusta Trail

- Partner with the community on the Ecusta Trail – industry should take the lead
- Set aside \$25,000 in the Capital Reserve Fund

Timeframe: As part of the budget deliberations

Commissioner Edney made the motion that the Board endorses the concept of the Ecusta Trail, subject to it becoming an actual possibility in the future. All voted in favor and the motion carried.

Commissioner Hawkins described a local trail map of approximately 10-12 miles. This information would be shared at the March 18, 2015 Board Meeting.

Action Item: Register of Deeds Technology

- Current bid for services = \$300,000
 - Review current bid for services to determine exactly what it entails
 - How would we fund? AEPF anticipated to contain approximately \$200,000 at end of FY15

Timeframe: As part of the budget deliberations

It was consensus of the Board to authorize the Register of Deeds to proceed with digitizing documents back to 1979 using AEPF Funds.

Staff will keep the Board of Commissioners apprised of final necessary costs and project progress.

Action Item: Courthouse Security

- Cost of project \$825,000
 - Prioritized plan for Courthouse security within the budget

Timeframe: As part of the budget deliberations

Action Item: Youth Homelessness

- Board to assess the issue
- Determine the role that Henderson County Government has in dealing with youth homelessness

Timeframe: As part of the budget deliberations

It was consensus of the Board to direct DSS personnel to remain in contact with local non-profits pursuing youth homes.

Vice-Chairman Messer

Action Item: Irrigation system for Jackson Park Fields

- \$52,000 cost estimate
- \$17,500 annual operating costs

Timeframe: FY 15-16

It was consensus of the Board to add the irrigation system at Jackson Park without the tarp systems for FY16.

Action Item: Tuxedo Park Restrooms

- Set a budget for the restrooms
- Bid project according to the budget

Timeframe: FY 15-16

Commissioner Messer made the motion that the Board authorizes Staff to proceed with design and go to bid process for restrooms at the Tuxedo Park with options including "good, better, best" scenarios. All voted in favor and the motion carried.

Action Item: Review Fee Schedule for Tournaments

- Request Review by Recreation Advisory Committee with report back to Board in May
- Board of Commissioners to evaluate finds

Timeframe: Immediately, with possible implementation in FY 15-16

Chairman Thompson

Action Item: Courthouse Renovations

- Determine priorities and objectives with the resources that the Board is willing to allocate
- Determine a plan that brings the priorities and objectives together

Timeframe: Based on Board discussion – to be determined

Action Item: County Government Services and Facilities within Municipalities

- Board to engage in public policy discussion to determine the level of county services and facilities within municipalities
 - What is the proper role?
 - Who should pay?
- What is the responsibility of county government within municipal boundaries?

Timeframe: Based on Board discussions – to be determined

Chairman Thompson requested that impacted departments prepare information regarding the service levels provided within municipalities, including levels the County does not have to provide as a result of the municipality providing their own services. Impacted departments include, but are not limited to: Law Enforcement, Planning and Code Enforcement.

The Board requested information on all emergency calls with all municipalities (Fire, EMS, Rescue Squad, Sheriff and/or Police).

The Board requested tax information (property and sales) received by each municipality. Staff will research a four year period.

Services & Functions Authorized for Counties Only

- Agricultural Extension
- Community Colleges
- County Homes
- Court System Support
- Drainage of Land
- Forest Protection
- Juvenile Detention Homes
- Medical examiner/Coroner
- Public Health
- Public Schools
- Register of Deeds
- Social Services
- Soil and Water Conservation

Services & Functions Authorized for Cities Only

- Cable Television and Communication
- Cemeteries
- Electric Systems
- Gas Systems
- Sidewalks
- Street Lights
- Streets
- Traffic Engineering

Services & Functions Authorized for both Cities and Counties

- Aging Programs
- Air Pollution Control
- Airports
- Alcoholic rehabilitation
- Ambulance Services
- Animal Shelters
- Armories
- Art Galleries and museums
- Auditoriums and coliseums
- Beach erosion and hurricane protection
- Bus Lines and Public Transportation
- Civil defense and emergency management
- Community Action
- Community Appearance
- Community Development
- Drug abuse programs
- Economic Development
- Fire Protection
- Historic Preservation
- Hospitals

- Human relations
- Industrial promotion
- Inspections
- Jails
- Law Enforcement
- Libraries
- Manpower
- Mental Health
- National Guard
- Off-Street Parking
- Open space
- Parks
- Planning
- Ports and Harbors
- Public Housing
- Railroad revitalization
- Recreation
- Rescue Squads
- Senior Citizen's Programs
- Sewage Collection and disposal
- Storm Drainage
- Urban Development
- Veterans' services
- Water
- Watershed improvement

COUNTY MANAGERS REPORT

County Manager Steve Wyatt informed the Board of an upcoming Ground Breaking ceremony for the Health Sciences Building to be held at 11:00 a.m. on March 19, 2015.

Mr. Wyatt informed the Board there have been numerous inquisitions on the Bent Creek Property.

IMPORTANT DATES

Set Public Hearing Regarding Close Out for the Sierra Nevada CDBG-Economic Development Public Infrastructure Grant

Henderson County secured Community Development Block Grant (CDBG) funding to support the construction of public infrastructure extending an estimated 6,500 linear feet of waterlines and 950 linear feet of sewer lines to the Ferncliff Industrial Park. This public infrastructure supported the development of the Sierra Nevada Brewing facility. The total amount of CDBG-Economic Development funds equaled \$373,203.67.

The NC Department of Commerce requires public hearings as part of its CDBG programs. To complete the grant program, Henderson County is required to hold a closeout public hearing to receive public comments concerning the grant prior to completion.

Chairman Thompson made the motion that the Board schedules a public hearing for the close out of the Sierra Nevada CDBG-Economic Development Public Infrastructure grant for Wednesday, March 18, 2015 at 9:00 A.M. All voted in favor and the motion carried.

CANE CREEK WATER AND SEWER DISTRICT

Commissioner Hawkins 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 minutes for Cane Creek Water and Sewer District.

Commissioner Edney made the motion to adjourn 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

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the following reason(s):

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.

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.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(6), to consider matters of personnel involving 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 against an individual public officer or employee.

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3), (a)(4) and (a)(6), for the reasons set out in the Request for Board Action in the Board’s agenda packet.

ADJOURN

Commissioner Hawkins made the motion to go out of closed session and adjourn at 7:50 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Thomas H. Thompson, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

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

J. MICHAEL EDNEY
GRADY H. HAWKINS
WILLIAM G. LAPSLEY

March 2, 2015

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 \$7,075.79, and tax refund requests in the amount of \$140.77 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, March 2, 2015. All refunds and releases were approved.

Sincerely,



Thomas Thompson, Chairman
Henderson County Board of Commissioners

THT/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: March 2, 2015
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	Amount:
Total Taxes Released from the Charge	\$ 7,075.79
Total Refunds as a Result of the Above Releases	\$ 140.77

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. Wednesday, February 18, 2015*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
BISHOP, AUDREY	000005023-2014-2014-0000	RELEASE ABSTRACT IN FULL. TAXPAYER MOVED TO NEW LOCATION #3085277, ATHA PLAZA HAIR DESIGN, MAY 24, 2013.	(\$52,531)	2588	ESWOPE	2770 GREENVILLE HWY NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$269.80 \$26.98	\$0.00 \$0.00	\$269.80 \$26.98	\$0.00 \$0.00
<p>OWNER TOTAL: (\$52,531)</p>												
BRYSON, FRANK E	0003080224-2014-2014-0000	FOR 2014: OVER ASSESSMENT ON PARCEL # 1016307 DUE TO INCORRECT INPUT OF ACREAGE (CLERICAL ERROR). ACREAGE CORRECTED FROM 7.75 ACRES TO 4.75 ACRES PER PLAT 9069 DATED 16 OCTOBER 2013.	(\$25,500)	2590	NIMAZZ	0 NO ADDRESS ASSIGNED MILLS RIVER NC 28759	COUNTY	TAX LATE LIST FEE TOTAL:	\$448.89 \$0.00	\$448.89 \$0.00	\$130.97 \$0.00	\$130.97 \$0.00
<p>OWNER TOTAL: (\$25,500)</p>												
C. EDWARDS GROUP INC.	0000073695-2014-2014-0000	2014 BPP LISTING RECEIVED ON TIME, PROCESSED, AND MADE READY FOR BILLING AT AN ASSESSED VALUE OF \$183,286. ON 6/9/2014, THE ABSTRACT STATUS CHANGED TO "NOT RFB" AND SUBSEQUENTLY WAS BILLED USING A DISCOVERY BASIS AT AN ASSESSED VALUE OF \$179,069. UPON REVIEW WITH THE TAXPAYER, IT WAS DETERMINED THE TAXPAYER LISTED ON TIME AND THE ORIGINAL VALUE OF \$183,286 WAS CORRECT. ABSTRACT #73695 WAS VOIDED AND REBILLED AT THE CORRECT VALUE ON ABSTRACT #3085058.	(\$179,069)	2580	ESWOPE	630 SPARTANBURG HIGHWAY HENDERSONVILLE NC 28739 NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00	\$0.00 \$0.00	\$919.70 \$91.97	\$0.00 \$0.00
<p>OWNER TOTAL: (\$179,069)</p>												

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEWY TYPE	BILLED	PAID	RELEASE	REFUND
C. EDWARDS GROUP INC.	0002159962-2014-2014-0000	2014 BPP LISTING RECEIVED ON TIME, PROCESSED, AND MADE READY FOR BILLING AT AN ASSESSED VALUE OF \$67,291. ON 6/9/2014, THE ABSTRACT STATUS CHANGED TO "NOT RFB" AND SUBSEQUENTLY WAS BILLED USING A DISCOVERY BASIS AT \$179,069. UPON REVIEW WITH THE TAXPAYER, IT WAS DETERMINED THE TAXPAYER LISTED ON TIME AND THE ORIGINAL VALUE OF \$67,291 WAS CORRECT. ABSTRACT #2159962 WAS VOIDED AND REBILLED AT THE CORRECT VALUE ON ABSTRACT #3085057.	(\$179,069)	2579	ESWOPE	250 HIGHLANDS SQUARE DR UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00 \$1,011.67	\$0.00 \$0.00 ABSTRACT TOTAL:	\$919.70 \$91.97 \$1,011.67	\$0.00 \$0.00 \$0.00
OWNER TOTAL:												
GE EQUIP SMALL TICKET LLC SERIES 2013-1	0003080951-2014-2014-0000	RELEASE PORTION OF 2012, L-5 COST (\$3127), ASSESSED VALUE \$1907, AND REBILL TO CORRECT JURISDICTION, BAT CAVE.	(\$358,138)	2596	ESWOPE	VARIOUS HENDERSOVILLE-LESSOR DID NOT ALLOCATE SITU NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$662.05 \$0.00 \$662.05	\$662.05 \$0.00 ABSTRACT TOTAL:	\$2,023.34 \$9.80 \$9.80	\$0.00 \$9.80 \$0.00
JACKSON, MICHAEL JACK	0002740525-2010-2010-0000	RELEASED IN FULL TO REINSTATE PUV SEE ABSTRACT 0002740525-2010	(\$1,908)	2594	DHILL	0 NO ADDRESS ASSIGNED HENDERSOVILLE NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00 \$1,155.46	\$0.00 \$0.00 ABSTRACT TOTAL:	\$1,155.46 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00
JACKSON, MICHAEL JACK	0002740525-2011-2011-0000	RELEASED IN FULL TO REINSTATE PUV SEE ABSTRACT 0002740525-2011-2011	(\$212,800)	2593	DHILL	0 NO ADDRESS ASSIGNED UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00 \$1,092.94	\$0.00 \$0.00 ABSTRACT TOTAL:	\$1,092.94 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00
JACKSON, MICHAEL JACK	0002740525-2012-2012-0000	RELEASED IN FULL TO REINSTATE PUV SEE ABSTR. 2740525 2015-2012	(\$212,800)	2592	DHILL	0 NO ADDRESS ASSIGNED DR HENDERSOVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00 \$1,092.94	\$0.00 \$0.00 ABSTRACT TOTAL:	\$1,092.94 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00

*Adjustments submitted for approval on or before 2/19/2015

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
JACKSON, MICHAEL JACK	0002740525-2012-2012-0000	RELEASED IN FULL TO REINSTATE PUV SEE ABSTR. 2740525 2015- 2012	(\$212,800)	2592	DHILL	0 NO ADDRESS ASSIGNED DR HENDERSONVILLE NC 28792		TOTAL:			\$1,092.94	\$0.00
	0002740525-2013-2013-0000	RELEASED IN FULL, AND REBILLED WITH PRESENT-USE VALUE FOR TAX YEAR 2013. PARCEL NUMBER 1010459	(\$212,800)	2589	DHILL	0 NO ADDRESS ASSIGNED DR HENDERSONVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL:	\$0.00 \$0.00	ABSTRACT TOTAL: \$0.00 \$0.00	\$1,092.94 \$1,092.94 \$0.00	\$0.00 \$0.00 \$0.00
	OWNER TOTAL:		(\$888,500)								\$4,434.28	\$0.00
REEVES, WILLIAM GARY	0002807497-2014-2014-0000	2004 SUN TRACKER AND 2009 BENNINGTON SOLD IN 2013 PER NC WILDLIFE BILL OF SALE. RELEASE PER DOCUMENTATION.	(\$26,980)	2597	BSLATTERY	410 ROCKWOOD DR HENDERSONVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL:	\$138.57 \$13.86	\$0.00 \$0.00	\$138.57 \$13.86	\$0.00 \$0.00
							EDNEYVILLE FIRE	TAX LATE LIST FEE TOTAL:	\$25.63 \$2.56	\$0.00 \$0.00	\$25.63 \$2.56	\$0.00 \$0.00
	OWNER TOTAL:		(\$26,980)								\$180.62	\$0.00
GRAND TOTALS:			(\$1,353,557)								\$7,075.79	\$140.77

*Adjustments submitted for approval on or before 2/19/2015

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 19, 2015

Re: Tax Collector's Report to Commissioners - Meeting Date 02 March 2015

Please find outlined below collections information through 18 February 2015 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: \$59,733,163.42
Discoveries & Imm. Irreg.: \$167,558.01
Releases & Refunds: (\$339,553.81)
Net Charge: \$59,561,167.62
Unpaid Taxes: \$2,427,240.12
Amount Collected: \$57,133,927.50
Percentage Collected: 95.92%

Through: 18-Feb-2015

2013 Beginning Charge: \$58,588,391.50
Discoveries & Imm. Irreg.: \$279,384.61
Releases & Refunds: (\$215,469.12)
Net Charge: \$58,652,306.99
Unpaid Taxes: \$3,043,201.89
Amount Collected: \$55,609,105.10
Percentage Collected: 94.81%

Through: 18-Feb-2014

Motor Vehicle Bills G01 Only:

2014 Beginning Charge: \$12,294.05
Discoveries & Imm. Irreg.: \$0.00
Releases & Refunds: (\$1,123.05)
Net Charge: \$11,171.00
Unpaid Taxes: \$2,971.64
Amount Collected: \$8,199.36
Percentage Collected: 73.40%

Through: 18-Feb-2015

2013 Beginning Charge: \$2,613,947.33
Discoveries & Imm. Irreg.: \$1,815.92
Releases & Refunds: (\$52,692.27)
Net Charge: \$2,563,070.98
Unpaid Taxes: \$427,413.58
Amount Collected: \$2,135,657.40
Percentage Collected: 83.32%

Through: 18-Feb-2014

Fire Districts All Bills:

2014 Beginning Charge: \$6,649,372.76
Discoveries & Imm. Irreg.: \$15,420.85
Releases & Refunds: (\$46,181.36)
Net Charge: \$6,618,612.25
Unpaid Taxes: \$317,795.52
Amount Collected: \$6,300,816.73
Percentage Collected: 95.20%

Through: 18-Feb-2015

2013 Beginning Charge: \$6,869,470.12
Discoveries & Imm. Irreg.: \$45,309.22
Releases & Refunds: (\$33,854.57)
Net Charge: \$6,880,924.77
Unpaid Taxes: \$443,901.06
Amount Collected: \$6,437,023.71
Percentage Collected: 93.55%

Through: 18-Feb-2014

Respectfully submitted,



Luke Small

Collections Specialist

Stan C. Duncan

Tax Collector

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

Monday, March 02, 2015

Re: Tax Collector's Report to Commissioners - Meeting Date 02 March 2015

Please find outlined below collections information through 01 March 2015 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: \$59,733,421.04
Discoveries & Imm. Irreg.: \$167,828.06
Releases & Refunds: (\$339,829.21)
Net Charge: \$59,561,419.89
Unpaid Taxes: \$2,015,645.38
Amount Collected: \$57,545,774.51
Percentage Collected: 96.62%
 Through: 1-Mar-2015

2013 Beginning Charge: \$58,589,100.53
Discoveries & Imm. Irreg.: \$284,041.60
Releases & Refunds: (\$219,246.53)
Net Charge: \$58,653,895.60
Unpaid Taxes: \$2,665,850.51
Amount Collected: \$55,988,045.09
Percentage Collected: 95.45%
 Through: 1-Mar-2014

Motor Vehicle Bills G01 Only:

2014 Beginning Charge: \$12,300.26
Discoveries & Imm. Irreg.: \$0.00
Releases & Refunds: (\$1,123.07)
Net Charge: \$11,177.19
Unpaid Taxes: \$2,397.84
Amount Collected: \$8,779.35
Percentage Collected: 78.55%
 Through: 1-Mar-2015

2013 Beginning Charge: \$2,647,892.92
Discoveries & Imm. Irreg.: \$1,815.92
Releases & Refunds: (\$54,361.65)
Net Charge: \$2,595,347.19
Unpaid Taxes: \$368,692.26
Amount Collected: \$2,226,654.93
Percentage Collected: 85.79%
 Through: 1-Mar-2014

Fire Districts All Bills:

2014 Beginning Charge: \$6,649,420.41
Discoveries & Imm. Irreg.: \$15,420.85
Releases & Refunds: (\$46,182.16)
Net Charge: \$6,618,659.10
Unpaid Taxes: \$265,231.52
Amount Collected: \$6,353,427.58
Percentage Collected: 95.99%
 Through: 1-Mar-2015

2013 Beginning Charge: \$6,875,194.02
Discoveries & Imm. Irreg.: \$45,334.18
Releases & Refunds: (\$34,110.27)
Net Charge: \$6,886,417.93
Unpaid Taxes: \$394,705.37
Amount Collected: \$6,491,712.56
Percentage Collected: 94.27%
 Through: 1-Mar-2014

Respectfully submitted,

Luke Small
Collections Specialist

Stan C. Duncan
Tax Collector

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Register of Deeds

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115418 - 539000</u>	<u>Contracted Services</u>	<u>\$ 27,600</u>
<u>115418 - 526020</u>	<u>Dept Supplies - Non Expendable</u>	<u>\$1,300</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
<u>114990 - 401002</u>	<u>Fund Balance Approp-ROD Restrict</u>	<u>\$ 28,900</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Justification: *Please provide a brief justification for this line-item transfer request.*
Software maintenance and support. Approved by the BOC 2/18/15.

<u>Register of Deeds</u>		<u>03/02/15</u>
Authorized by Department Head	Date	
 <u> </u>		
Authorized by Budget Office	Date	
 <u> </u>		
Authorized by County Manager	Date	

For Budget Use Only

Batch #

BA #

Batch Date

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
<u>Mail - Undeliverable</u>	<u>✓</u>		<u>Standard 1 Item 33</u>	
<u>* Returned 2014 Annual</u>				
<u>Bills - Flagged in NCPTS</u>				

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Law C. Dixon
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the *2nd* day of *March*, *2015*.

Ceresa L. Wilson
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Mail: Undeliverable and Returned Listing Forms 2013-2014 2 Boxes	✓		Standard 1 Item 33	

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Joe C. Dixon
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

Gerusa L. Wilson
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Henderson County Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
<u>Accounts Payable</u> ✓		}	<u>Standard 2</u>	
<u>Paid Records</u>			<u>Item 35</u>	
<u>Greater than 10 yrs old</u>				
<u>Timecards 2011</u> ✓		}	<u>Standard 2</u>	
<u>Timesheets 2009,</u>	✓		<u>Item 41</u>	
<u>2010, 2011</u>				
<u>Leave Requests</u>	✓			
<u>2008, 2009, 2010, 2011</u>				

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[Signature]
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Tax Abstracts & Lists	✓		Standard 8	
AP Listing Forms			Item 18	
2012-2013				
15 Boxes				
All records have been scanned and attached in NCPT3 System				

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[Signature]
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Tax Abstracts & Lists	✓		Standard 8	
PP Listing Forms			Item 18	
2004-2005				
6 Boxes				

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John C. DeWitt
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

Amya L. Wilson
Clerk to the Board

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG
(Revised March 13, 2002)

DEPARTMENT: Office of the Henderson County Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
<u>Applications for Tax Exclusion</u>			<u>Standard 8</u>	
<u>Under NCGS 105.277.1 Property Tax Relief for the Elderly and Permanently Disabled</u>			<u>Item 9</u>	
<u>Deceased 2013</u>				
<u>Denied-2012</u>				
<u>Transfer of Ownership-2013</u>				

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[Signature]
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: OFFICE OF THE HENDERSON COUNTY ASSESSOR

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
SALES QUESTIONNAIRES 2005-2012	✓	Scanned	Standard 8	
Rentl PROPERTY LISTING FORMS 2012, 2013, 2014	✓	"	Item 1	
MOVING PERMITS 2008-2014	✓	"	"	
PERSONAL PROPERTY LISTING FORMS 2005-2014	✓	"	"	
Field notes - Manufacture Homes 2003-2004	✓	"	"	

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[Signature]
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 29 day of March, 2015

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Change and Maintenance Records	✓		Standard 10	
Address Changes 2006-2007			Item 15	
2012				
2 Boxes				

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[Signature]
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Motor Vehicle	✓		Standard 11	
Release/Refund			Item 10	
2003-2005				
6 Boxes				

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Eric C. Davis
Department Head

5 Feb 2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 20 day of March, 2015.

Denise K. Wilson
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: EMS

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	DUPLICATED		
Ambulance Call Reports 1998 through 2003	X		Emergency SVC Standard 6, Line 5	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Mike Barnett
Department Head

02/12/2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

Cherisa H. Wilson
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: EMS

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	DUPLICATED		
Ambulance Call Reports 1998 through 2003	X		Emergency SVC Standard 6, Line 5	

*If duplication is required, indicate method.

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Mike Barnett
Department Head

02/12/2015
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 2nd day of March, 2015.

Ceresa L. Wilson
Clerk to the Board

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

LEASE

THIS LEASE, made and entered into effective the 1st day of January, 2015 by and between Henderson County, having an address of 1 Historic Courthouse Square, Suite 5, Hendersonville, North Carolina, 28792, hereinafter referred to as "Lessor", and Carland Farms, Inc. , having an address of 516 North Mills River Road, Mills River, NC 28759 , hereinafter referred to as "Lessee",

WITNESSETH :

That the Lessor for and in consideration of the rents, covenants and agreements to be paid, kept and performed by the Lessee as hereinafter provided, have lease and rented unto the Lessee, and the Lessee has rented from the Lessor that following described real property, located in Henderson County North Carolina:

Being all of that tillable land on that tract of land shown as Tract "C" on that plat entitled, "Plat of Survey for Broadpointe Center", dated November 1996, recorded on Plat Slide 2295 of the Henderson County Registry. Tract "C" as shown on the Plat of Survey for Broadpointe Center consists of 27.82 acres. It is estimated that the tillable land, located within the boundaries of said Tract "C" is approximately +/- 26.2 acres. Tract "C" is hereafter referred to as the "Leased Premises".

TO HAVE AND TO HOLD said Leased Premises unto the Lessee upon the following conditions:

1. The term of this Lease shall commence on January 1, 2015, or the date that this Lease is fully and properly executed, whichever is later, and shall expire December 31, 2015.
2. The Lessee agrees to pay Lessor the sum of \$1,950.00, as annual rental, less any *ad valorem* property taxes which are due from the Lessee as a result of this lease, which said annual rental shall be paid in full by March 30, 2015. Failure to pay said lease amount by the stated date will be grounds for immediate termination of the Lease by the Lessor without notice to the Lessee.
3. The Leased Premises shall be used solely for conducting thereon farming operations during the term of this Lease, and Lessee covenants and agrees to follow good farming practices to the end that any damage to the Lease Premises or soil by reason of erosion or otherwise shall be minimized. Hunting of any kind is expressly prohibited on the Leased Premises.

4. Lessee covenants and agrees, at its expense, to keep the drainage ditches presently located on the Leased Premises clear and unobstructed throughout the term of the Lease, and at the expiration of this Lease to surrender the Leased Premises in a good condition as the same shall be at the commencement of said term; provided, however, that in the event it becomes necessary to make any permanent improvements on the Leased Premises such as repairs to underground drainage or the cutting or retraining of hedge row the same shall be done at the Lessee's expense, but subject to the approval of the Lessor.
5. It is agreed that no building, house, barns or other structures are included in the Leased Premises.
6. This Lease may not be assigned; additionally, the Leased Premises may not be subleased.
7. Lessee understands and agrees that the Leased Premises have been donated to Lessor for future use as a public park. Lessee agrees that Lessee will do nothing that will prohibit the future use of the Lease Premises as a public park.
8. Lessor makes no covenant of quiet enjoyment to Lessee with respect to the Leased Premises; however, Lessor agrees not to unreasonably interfere with Lessee's ability to conduct farming operations on the Leased Premises, except as may be connected with the installation of the public sewer across any portion of the Leased Premises. It is understood and agreed that the Lessor or their agents shall not be responsible for any damage to crops or farming operations of Lessee due to the installation of public sewer. The Lessor will notify Lessee thirty (30) days in advance of the installation of public sewer.
9. Lessee agrees to indemnify and save Lessor harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of, the demised premises, or occasioned wholly or in part by any act or omission of Lessee, his agents, licensees, concessionaires, customers or employees.
10. Lessee shall at Lessee's own expense comply with all rules, regulations, and requirements of the State, Federal, or Local Governments, or any of the departments or bureaus thereof applicable to the Leased Premises, including but not limited to regulations for the prevention or abatement of nuisances or other grievances arising out of the manner of the occupancy of said premises during said term.
11. Lessor or Lessor's agents or other representative shall have the right to enter upon the Leased Premises at all reasonable hours for the purpose of examining the same.

12. With respect to any pollutants, contaminants, chemicals, or industrial toxic or hazardous substance or material defined as such in (or for purposes of) all applicable environmental laws, rules, regulations and ordinances now or hereafter in effect, hereafter "Environmental Laws", including without limitation, any waste constituents coming within the definition or list of hazardous substances in 40 C.F.R. Section 261.1 through 261.33, as may be amended or renumbered, hereinafter "Hazardous Material", Lessee represents, warrants and covenants as follows:

- (A) The Lessee agrees to indemnify and hold harmless the Lessor (and its directors, officers, and employees), from and against any and all losses, liabilities, damages, injuries, interest, deficiencies, fines, penalties, costs, expenses, attorneys' fees and disbursements, and costs of investigation and cleanup, including, without limitation, claims, suits and proceedings by federal, state, county and local governmental authorities with respect to, or as a direct or indirect result of (i) the presence on or under or the escape, seepage, leakage, spillage, discharge, emission, discharging or releasing from the property of any Hazardous Material, if such occurs during the term of the Lease, (ii) any other environmental pollution, including, without limitation, any contaminant, waste, irritant or pollutant, discharged into or otherwise contained in the environment at or adjacent to the property if such occurs during the term of the Lease, (iii) noncompliance relating to the Lessee's farming operations or business, or the property with any "Environmental Law or any other federal, state, or local statute, law, ordinance, rule, regulation, order or decree, or (iv) the inaccuracy, misrepresentation or violation or default of or under any matter set forth in this section, unless any such loss, liability, damage, or injury or the like is directly caused by negligent act of the Lessor.
- (B) Neither the Lessor, nor to the best knowledge of the Lessor, nor the Lessee, nor to the best knowledge of the Lessee, any other person or entity, has received any notice of (i) the happening of any event involving the misuse, spill, discharge or cleanup of any Hazardous Material affecting the Lessor or the Leased Premises, or (ii) any complaint, order, citation, notice, claim of contribution or claim for payment with regard to any Hazardous Material, the violation or alleged violation of any Environmental Law or for injury to the environment or human health from any person, including without limitation, the United States Environmental Protection Agency, and if any party receives any such notice, then such party will give, within five (5) business days, oral and written notice of same to the other party;
- (C) The Lessor shall have the right, but not the obligation, to enter onto the property or to take such other actions as it reasonably deems necessary or advisable to

clean up, remove, resolve or minimize the impact of, or otherwise deal with, any of the events described in paragraph (A) which, if true, could result in an order, suit or other action against the Lessor affecting any part of the Leased Premises by any governmental agency or otherwise which, in the sole opinion of the Lessor, could jeopardize the Lessor's interest in the Leased Premises. All costs and expenses incurred by the Lessor in the exercise of any such right shall be payable by the Lessee upon demand; and

- (D) In the event Lessor has reasonable suspicion that any of the events described in Section (A) have occurred, the Lessee shall, promptly upon the written request of the Lessor, provide the Lessor, at the Lessee's expense, with an environmental site assessment, environmental audit report or other report, satisfactory to the Lessor, prepared by an environmental engineering firm acceptable to the Lessor, to assess with a reasonable degree of certainty the presence or absence of any Hazardous Material, the potential costs in connection with the abatement, cleanup, removal or monitoring of any Hazardous Material found on, under, at or within the property and/or the compliance by the Lessee with the covenants contained in this Section.
13. Lessee shall conduct the farming operations at Lessee's own risk, and Lessor makes no guarantees, representations, or warranties with respect to the suitability of the Leased Premises for conducting farming operations.
 14. Lessee agrees to not conduct any activities that would create or constitute a public or private nuisance upon the Leased Premises. Lessee agrees to promptly respond to any complaints that may be received by Lessee, or by the Lessor, with respect to any activities conducted by or on behalf of Lessee on the Leased Premises from anyone owning property adjacent to the Leased Premises. Lessee shall be required to notify Lessor of any such complaints received, and Lessee's response to any such complaints.
 15. If there be any default made in the stipulations, agreements, and covenants contained herein, and if the Lessee fails to comply with all the provisions of this Lease, then it shall be lawful for the Lessor to reenter the Leased Premises, to repossess and take possession of the same.
 16. It is further understood and agreed that the stipulations, agreements, and covenants contained herein are binding upon the parties hereto and their respective successors and assigns.

IN TESTIMONY WHEREOF, each of said parties has caused these presents to be duly executed and approved in duplicates, each to have the force and effect of an original as of the date first written hereinabove.

CARLAND FARMS, INC., LESSEE

BY: _____
President

ATTEST:

[CORPORATE SEAL]

Secretary

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

I, _____, Notary Public for said County and State, certify that Carolyn G. Carland, personally came before me this day and acknowledged that she is Secretary for Carland Farms, Inc., and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

Witness my hand and official seal, this the _____ day of _____ 2015.

(Official Seal)

My commission expires: _____
Notary Public

HENDERSON COUNTY, LESSOR

BY: 
Steve Wyatt, County Manager

ATTEST:


Clerk to the Board

[OFFICIAL SEAL]


STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, JoAnne Martin Hinson, Notary Public for said County and State, certify that Teresa L. Wilson personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Henderson County, a body corporate and politic and that by authority duly given and as the act of Henderson County, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal, and attested by herself as its Clerk.

Witness my hand and official seal, this the 2nd day of March, 2015.

(Official Seal)



My Commission expires: 5/23/2018 
Notary Public



Henderson County, NC Official Zoning Map

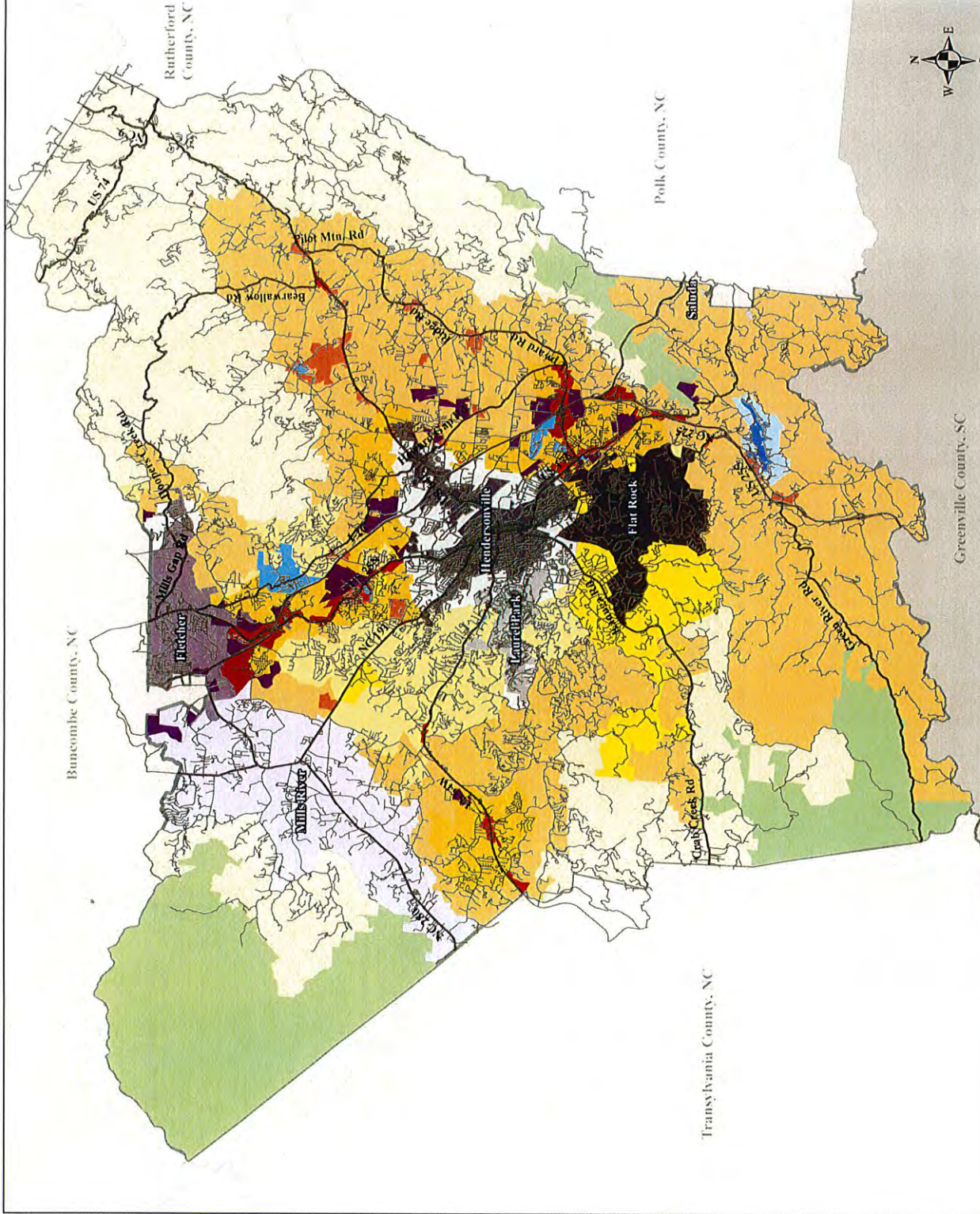
(Adopted March 2, 2015 by
Henderson County Board of Commissioners)

Legend

- Streets
- Major Roads
- Zoning Districts
 - Residential 4
 - Residential 3
 - Residential 2 - Rural
 - Residential 2
 - Residential 1
 - R-40
 - WR
 - SW
 - O&I
 - Local Commercial
 - Local Commercial (CD)
 - Community Commercial
 - Regional Commercial
 - Industrial
 - Flat Rock
 - Fletcher
 - Hendersonville
 - Laurel Park
 - Mills River
 - Saluda
 - Municipal ETJ



This map is prepared from the information on file in the Planning Department. It is not intended to be used for any other purpose, and it is not intended to be used as a legal document. The County and its employees assume no legal responsibility for the information contained on this map.

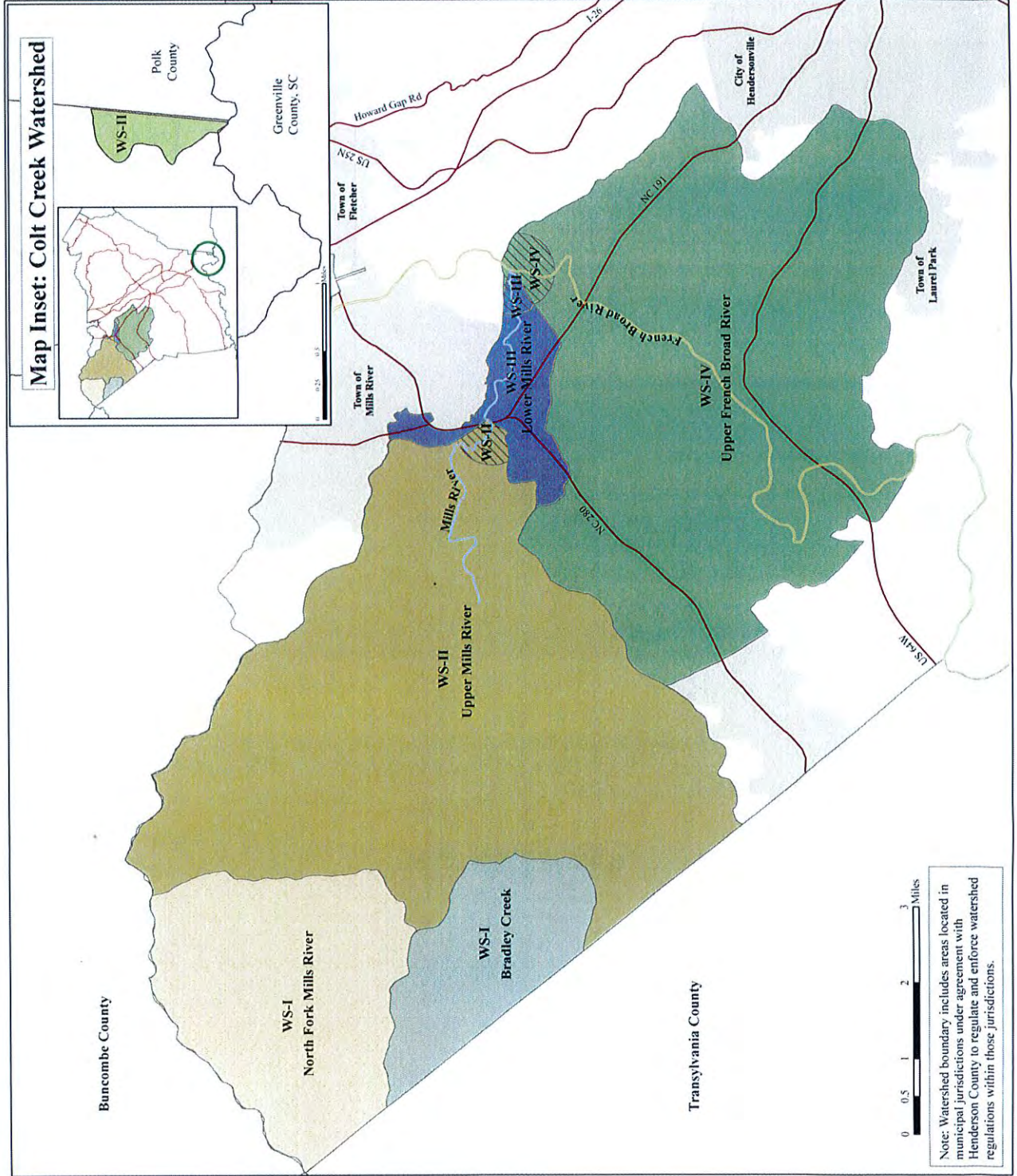


Henderson County Official Water Supply Watershed Map

(Adopted March 2, 2015 by
Henderson County Board of Commissioners)

Legend

- Major Roads
- Municipal Boundaries (Includes ETJ)
- Rivers/Streams**
 - French Broad River
 - Mills River
- Water Supply Watersheds**
 - Bradley Creek
 - Colt Creek (See Map Inset)
 - Lower Mills River
 - North Fork Mills River
 - Upper French Broad River
 - Upper Mills River
 - Critical Areas (1/2 mile from intake)



This map is prepared from the inventory of real property, flood maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.

Note: Watershed boundary includes areas located in municipal jurisdictions under agreement with Henderson County to regulate and enforce watershed regulations within those jurisdictions.