

DRAFT

4/5/2010

cc: BOE
Steve
Amy
Russ

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, APRIL 4, 2016**

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

Those present were: Chairman 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: Management Assistant Megan Powell, Finance Director Carey McLelland, Director of Business and County Development John Mitchell, Senior Planner Autumn Radcliff, Engineer Marcus Jones, Public Health Director Steve Smith, Code Enforcement Director Toby Linville, Sheriff Charles McDonald, Recreation Director Tim Hopkin, Lieutenant Mike Marsteller, Chief Deputy Jason Brown, Environmental Programs Coordinator Rachel Kipar, Assistant Engineer Natalie Berry and PIO Kathy Finotti – videotaping, Deputy Candy Carland and Ken McCraw as security.

CALL TO ORDER/WELCOME

Chairman Thompson called the meeting to order, welcomed all in attendance.

INVOCATION

The invocation was provided by County Manager Steve Wyatt.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Chloe Jackson of the Hoofbeats 4-H Club.

PRESENTATION OF PORTRAIT OF SHERIFF WILL GARREN

Chairman Thompson stated tonight we are presenting a portrait of Sheriff Will Garren to his grandson Mike Garren. Also present with Mike are his brother Tim Garren, and his sister Ann Harvey. Tim and Ann traveled a great distance to be in attendance.

“Will Garren was a genuine mountain man, a descendent of stalwart pioneer stock. He grew strong and straight and held his head erect, and when he talked to you he looked you in the eye. Until his death in July 1954, he carried himself with poise and a quiet dignity under all circumstances. This was the heritage from generations of free men, the blood of his German and Scotch-Irish ancestors blended through the ages to produce such a man as Mr. Garren.

For 49 years he was a law enforcement officer in our town and county, and a good one. He started as Constable of Hendersonville Township in 1897, when the office still had the prestige and importance of the days of Old England. He served at various times during his 84 years of life on the City Policy Force and from 1910 to 1913 was Chief of Police. Will Garren was Sheriff of Henderson County for three terms years and during his 49 years as an officer of the law, he served at various times as a deputy sheriff, a city policy sergeant, and as a special officer.”

Sheriff Garren’s grandson Mike recounted that “Will and Louise lived on the second floor over the jail and the firemen were on the third floor. The fire pole ran thru his living room and the small kids were not allowed in the living room for fear of them falling through the open hole where the fireman pole ran.

Also, Louise would cook for anyone that happened to be locked up in the jail.”

DATE APPROVED:

The Commissioner presented a replica portrait of Sheriff Will Garren to his grandson Mike Garren. The original portrait hangs in the 1995 Courthouse on Grove Street.

PUBLIC HEARINGS

Land Development Code (LDC) and Noise Ordinance Text Amendments (TX-2015-01)

Commissioner Messer made the motion to go into public hearing in regard to the Land Development Code (LDC) and Noise Ordinance Text Amendments (TX-2015-01). All voted in favor and the motion carried.

Senior Planner Autumn Radcliff stated with the adoption of the Land Development Code (LDC) on September 19, 2007, the Board of Commissioners directed staff to prepare annual updates to the LDC to prevent it from becoming outdated. This annual review is intended to prevent the need for a large overhaul of the entire code in the future. Trends and new issues are regularly emerging that require periodic updates to LDC text.

The proposed text amendments included: sign amendments based on recent court rulings, clarifications to the code for boards and committees, creating uniform setbacks for the OI zoning district, reduce requirements for accessory residential dwellings and accessory structures, clarify the definition of home schools, and amendments identified by the Sherriff's Office which include a new temporary use for special events and related amendments to the noise ordinance.

The Henderson County Planning Board has been discussing the draft text amendments for several meetings and voted to send forward a favorable recommendation on the draft LDC and Noise Ordinance text amendments (TX-2015-01).

The required public notice of this hearing was published in the Hendersonville Tribune on March 24th, 2016 and March 31st, 2016.

State law and the LDC require the Board of Commissioners to hold a public hearing prior to acting on a text amendment and adopt a written statement of consistency with the County Comprehensive Plan.

Land Development Code Text Amendment A: Sign Regulation Amendments

Issue: In *Reed v. Town of Gilbert*, the Supreme Court held unanimously that Gilbert's Sign Code, which treats various categories of signs differently based on the information they convey, violates the First Amendment.

Recommendation: Amend the exempt sign standards to the following (this removes any signs regulated by content).

- A. Flags/Insignia.
- B. Off Premise Outdoor Advertising Sign.
 - 1) Maximum Area. Ten (10) square feet per face.
 - 2) Maximum Height. Five (5) feet.
 - 3) Permitted Districts. Permitted in all districts except *residential zoning districts*.
- C. Temporary Sign.
 - 1) Maximum Area. Thirty-two (32) square feet per face (*residential zoning district*); 72 square feet per face (*nonresidential zoning district*).
 - 2) Maximum Height. Ten (10) feet (*residential zoning district*); 18 feet (*nonresidential zoning district*).
 - 3) Removal. Such *signs* shall be temporary in nature, no longer than 30 days per occurrence and only once per calendar year per *lot of record*.
- D. Vehicle Sale Sign (Private).
 - 1) Maximum Number Permitted. One (1) sign per vehicle and a maximum of two (2) *vehicles* per property, applying only to noncommercial sales.

LDC Text Amendment: Special Events

Special Events between 250 and 499 persons

- (1) Application must be submitted to Zoning Administrator (30) days prior to the event
- (2) 50 foot separation from an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).
- (3) Arrangements shall be made for suitable garbage disposal and site clean-up.
- (4) Minor Site Plan required.
- (5) Zoning Administrator shall approve the temporary use permit.
- (6) County staff acting in their official duties may inspect the event for compliance with the temporary use permit 72 hours prior to the start of the event.
- (7) Required permits from local and State governments and agencies including but not limited to food service, sanitation, and water supply shall apply, including the N.C. Alcoholic Beverage Control (ABC) Commission when alcohol is being served or sold.
- (8) All unlawful activities are prohibited.

Special Events greater than 500 persons

- (1) Application must be submitted to Zoning Administrator (60) days prior to the event.
- (2) 50 foot separation from existing dwelling unit required (located in a residential zoning district and not located on the same property as the use).
- (3) Arrangements shall be made for suitable garbage disposal and site clean-up.
- (4) Minor Site Plan required.
- (5) Emergency Action Plan required. (Applicants may resubmit a previously approved EAP.)
- (6) TRC shall approve the temporary use permit.
- (7) Required permits from local and State governments and agencies including but not limited to food service, sanitation, and water supply shall apply, including the N.C. Alcoholic Beverage Control (ABC) Commission when alcohol is being served or sold.
- (8) County staff acting in their official duties may inspect the event for compliance with the temporary use permit 72 hours prior to the start of the event.
- (9) All unlawful activities are prohibited.

Land Development Code Text Amendment F: Reduce Requirements for Accessory Residential Dwellings

Issue: The existing regulations for accessory residential dwellings are too restrictive for: large lots that can accommodate accessory units in the side or rear yard, property owners that request to build an apartment over an existing or new garage or barn, principal dwellings with a small footprint, or accessory dwellings with an alternative access from the primary driveway.

Recommendation: Amend the supplemental requirements for accessory residential dwellings to remove the size, accessibility and location requirements.

Land Development Code Text Amendment G: Add Definition for Separation Setbacks

Issue: The supplemental requirements have separation setbacks for specific uses. The LDC has no definition for what is meant by a separation requirement or measurement for these uses. Staff proposes adding a definition to clarify the county's existing policy for interpretation of how the separation requirement is determined.

Recommendation: Add a definition for separation setbacks for clarification.

Separation. A separation setback is measured from the boundary area identified on a site specific plan denoting where the permitted use will occur. The separation setback is not measured from the parcel boundary unless the permitted use utilizes the entire parcel. The separation setback shall apply to the *use* and any *structures* associated with the *use* (this shall not include parking areas).

Land Development Code Text Amendment H: Clarify Requirements for Home Schools

Issue: Home schools are permitted in all districts and must be qualified in accordance with NCGS§115C, Article 39. Home schools typically occur in residential dwellings, but can occur in multiple locations or structures (churches, community centers, etc.). Home schools are treated as residential dwellings and the LDC needs to clarify this interpretation.

Recommendation: Clarify the definition of home schools.

School (Home). A nonpublic school in which one or more children of not more than two (2) families or households receive academic instruction from parents or legal guardians or a member of either household. Such schools must be qualified in accordance with NCGS §115C, Article 39, Part 3 (or its successor). For the purpose of this chapter, a home school shall be considered the same as a residential dwelling and shall meet all separation requirements as such.

Noise Ordinance Text Amendments

Issue: The Sheriff’s Office has identified needed amendments to the noise ordinance. These amendments consist of clarifications, enforcement requirements and amendments to allow noise associated with events that have a valid permit.

Recommendation: Amend the following sections.

§18-3. Loud And Disturbing Noise Prohibited.

C. (3) The keeping, owning, possessing, harboring or controlling of any animal or bird which barks, bays, yelps, howls, cries, squawks or makes any other unreasonably loud, disturbing noise continuously or incessantly for a period of 10 minutes in the presence of a law enforcement officer, or with a signed witness statement alleging the disturbing noise has been intermittent for thirty minutes or more or intermittently for a period of 30 minutes or more, thereby causing a noise disturbance. See also Henderson County Code Chapter 16, Animals.

§18-4. Exceptions.

A. (8) Noise associated with the chimes, or bells, audible phone or paging system of businesses, schools, camps or religious institutions in the daytime hours, provided that they operate for no more than 10 minutes in any hour.

(11) Noise associated with special events that have a valid permit issued by Henderson County between the hours of 7:00 am -11:00 pm.

Public Input

1) Larry Rogers - Mr. Rogers is concerned with signs and feels they need to remain the same size.

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

Commissioner Lapsley

- Text Amendment D: Reduce Front Yard Setbacks for OI Zoning District
 1. Concerned with and front yard setbacks for OI zoning
- Text Amendment E: Add a Temporary Use for Specific Special Events
 1. Concerned about staff response time to applicants
 2. Would like to add language that the applicant is responsible for the expense of enhanced services

Vice-Chairman Messer

- Text Amendment E: Add a Temporary Use for Specific Special Events
 1. Feels there should be an application fee with and Events greater than 500 persons

Commissioner Edney

- Text Amendment E: Add a Temporary Use for Specific Special Events
 1. Concerned about garbage disposal and site clean up
 2. Concerned with Emergency Action Plan

Chairman Thompson

- Text Amendment A: Sign Regulation Amendments
 1. Concerned about signs and the reduction of their size especially for agriculture.

It was the Consensus of the Board to have staff make a few adjustments and bring this item back to the Board at a later date.

INFORMAL PUBLIC COMMENTS

1. Lee McCall – Mr. McCall spoke in favor of MountainTrue. He feels they are doing a great job with water testing and it is important to keep track of the condition of our water.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Messer made the motion to approve 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):
March 16, 2016 - Regularly Scheduled Meeting

Tax Collector’s Report

Collections Specialist Luke Small had presented the Tax Collector’s Report to the Commissioners dated March 24, 2016 for information only. No action was required.

Pending Releases & Refunds

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.

<u>Type</u>	<u>Amount</u>
Total Taxes Released from the Charge	\$ 5,324.45
Total Refunds as a Result of the Above Releases	\$ 3,578.19

Motion:

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

Financial Reports – February 2016

The February 2016 County Financial Report and Cash Balance Report were provided for the Board’s review and approval. The following are explanations for departments/programs with higher budget to actual percentages for the month of February:

- Facility Services – planned maintenance project expenditures incurred through February
- Fire Services – payment of annual worker’s compensation coverage premium for the fire departments
- EMS – the purchase of three new ambulance units approved in the budget
- Rescue Squad – 3rd quarter approved non-profit contribution payment
- Soil & Water Conservation – contracted services payment (\$125,000) on a grant-funded streambank restoration project
- Economic Development – economic development incentive payments paid in December
- Agri-Business – operational expenditures to be covered by Agri-Business program fees to be transferred in
- Medical Services – payments for autopsies conducted through February
- Mental Health – 3rd quarter MOE payment made to the Smoky Mountain Center in January

The YTD deficit in the Emergency Telephone System Fund is due to the purchase of technology capital outlay that has been budgeted. Fund balance has been appropriated to cover these technology expenditures.

The YTD deficit in the CDBG – Dodd Meadows Project Fund is temporary and due to a timing delay between the expenditure of grant funds on the project and the subsequent reimbursement of expended funds from the Division of Community Assistance.

The YTD deficit in the Public Transit Fund is due to operational expenditures running slightly ahead of revenues through January.

The YTD deficit in the Immigration and Customs Enforcement (ICE) Fund is from the transfer of the remaining funds available to the County’s General Fund due to completion of participation in this federal program by the Sheriff’s Department. Final ICE Program participation and funding ceased as of December 31, 2014.

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

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to ongoing expenditures for multiple sewer capital projects. A total of \$2.478 million in fund balance, primarily for these capital projects, was budgeted to balance this Fund and cover these capital expenditures in the current fiscal year.

Motion:

I move that the Board of Commissioners approves the February 2016 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Report – February 2016

The Henderson County Public Schools February 2016 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 February 2016 Financial Report as presented.

Energy Management Update

Rachel Kipar, Environmental Programs Coordinator had provided information to the Board about the County’s energy management use in the areas of electricity, natural gas, fuel and water. It compared the Current FY 2nd quarter with the previous year to illustrate historical trends in commodity consumption. Supplementary cost analyses represent the monthly cost profile comparing 2014 and 2015 YTD for the highest cost commodity at each facility. Selected fuel consumption information was also provided for the current FY 2nd quarter period.

Set Public Hearing on Economic Development Incentives for Project Bavaria

The Board is requested to set a public hearing on the possible award of economic development incentives in regard to economic development matter "Project Bavaria".

As a part of any incentives agreement, the County is requested consider conveying certain real estate (6.5 acres, a part of Book 1458, Page 311, Henderson County Registry, commonly known as a portion of the former "Fairgrounds Property") to the company.

The requested date and time for the public hearing is April 20, 2016, at 9:00 o'clock a.m.

Motion:

I move that the Board set a public hearing on April 20, 2016, at 9:00 o'clock a.m. regarding Public Hearing on Economic Development Incentives for Project Bavaria.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Chairman Thompson made the motion to approve discussion agenda with the addition of the H2B Bill. All voted in favor and the motion carried.

Nominations

Chairman Thompson noted the vacancies and opened the floor for nominations.

Notification of Vacancies

1. Home and Community Care Block Grant Advisory Committee – 1 vac.

Nominations

1. Equalization and Review, Henderson County Board of – 3 vac.

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

2. Henderson County Planning Board – 3 vac.

Commissioner Messer nominated Eric Goodman for position #1. *Chairman Thompson made the motion to accept the appointment of Eric Goodman to position #1 by acclamation. All voted in favor and the motion carried.*

3. Home and Community Care Block Grant Advisory Committee – 1 vac.

Commissioner Hawkins nominated Dee Hill for position #3. *Chairman Thompson made the motion to appoint Dee Hill to position #3 by acclamation. All voted in favor and the motion carried.*

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 Valleys Resource Conservation and Development Program – 1 vac.

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

6. 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.

7. Senior Volunteer Services Advisory Council – 2 vac.

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

MOUNTAIN TRUE VWIN UPDATE

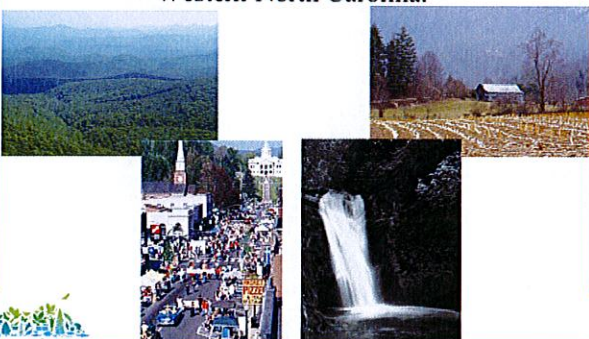


Joan Walker, MountainTrue, Campaign Director/Southern Regional Office Interim Director, had requested time on this agenda to present information on the Volunteer Water Information Network (VWIN) Program. The program receives funding from Henderson County, in addition to Hendersonville and other municipalities.

Overview: MountainTrue Volunteer Water Information Network Program

- Approximately 40 volunteers sample 35 sites every month.
- They test for nutrients, sediment, conductivity, alkalinity, pH, and heavy metals every month: Ammonia-nitrogen, nitrate/nitrite-nitrogen, orthophosphate, turbidity, total suspended solids, conductivity, alkalinity, and PH.
- They test for pollutants annually, quarterly, or monthly, depending on the site: copper, zinc, and lead.
- They receive raw data is received monthly within a few weeks of sampling and distributed to interested parties and partners.
- They receive an annual report, usually about one year after the end of the calendar year, which compiles all the data and is distributed to interested parties.
- The VWIN program has created an objective dataset covering nearly two decades, allowing MountainTrue to identify streams facing degradation and obtain financial and political resources to protect streams in Henderson County.
- Examples of historical uses:
 - Their VWIN data showed the Mills River watershed to be degraded due to high inputs of sediment and nutrients. This led to the establishment of the Mills River Partnership in 1998. The Mills River partnership created a strategic plan for working with landowners to install projects reducing nonpoint source pollution.
 - Their VWIN data demonstrated sediment to be a primary and consistent water quality impairment in Henderson County. This provided strong justification for the approval of an Erosion and Sediment Ordinance in Henderson County.
- Examples of current uses:
 - The Mills River Partnership utilizes our data to identify and address issues in the Mills River Watershed. Furthermore, they included our data in their extensive watershed plan they completed in 2015. The Mills River Partnership is instrumental in protecting the water resources (Mills River) that are used for Henderson County and a portion of Buncombe County’s drinking water.
 - Henderson County Soil and Water Conservation District recently utilized our data to justify a federal Urban Small Watershed Grant they applied for. If the grant is approved, it will fund a project aimed at increased environmental awareness, improved community relations, and water quality data collection in a diverse and low-income area in Hendersonville.

Evan Parker, Water Quality Administrator, shared the following information:




MountainTrue champions resilient forests, clean waters and healthy communities in Western North Carolina.

What we do

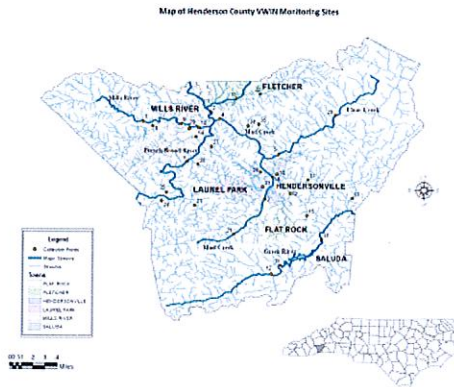
Focus on a core set of issues that have **high impact** on the **environmental health** and **long-term prosperity** of our region:

- Advocating sensible land use
- Restoring public forests
- Improving water quality
- Promoting clean energy
- Encouraging civic engagement

Volunteer Water Information Network (VWIN)

- Volunteer-based water quality monitoring program.
- 40 volunteers test 35 sites in all six Henderson County watersheds.
- Test for several parameters indicating pH, alkalinity, conductivity, nutrients, and sediment.
- 20 years of objective dataset.
- Allows MountainTrue and partners to identify streams facing degradation.
- Available for free to the public, municipalities.
- 2013-2014 VWIN Report.



Mills River: Our Water Source

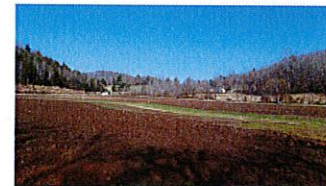
- Water source for Henderson County and parts of Buncombe County.
- Very good overall water quality, including the lowest nutrient levels in the County.
- The Mills River Partnership (MRP) utilizes VWIN data to monitor the overall water quality in the watershed
 - The MRP is an organization working with farmers on a voluntary basis to protect water resources.



Mills River Partnership



“I am elated to be working with the Mills River Partnership, they have been instrumental in helping me preserve topsoil”
-Kirby Johnson, local farmer



Green River

- The most pristine stream in Henderson County, with some of the lowest sediment levels in the County.
- Help promote Green River as a major destination for kayakers, tubers, fishers, and other recreationalists.



Mud Creek

- Largest watershed in Henderson County, is well monitored with 4 sites on Mud Creek and 10 sites on 8 tributaries of Mud Creek.
- The Mud Creek Watershed continues to be one of the most degraded watersheds in Henderson County.
- MountainTrue is currently developing a watershed management plan for Mud Creek that will expand our current monitoring, log jam removals, trash cleanups, tree planting and more.



Commissioner Hawkins asked if Mills River was contributing to the VWIN program.

Ms. Walker reported they were not but she will be following up with Mills River.

Documents

- 2013-2014 Henderson County VWIN Report (electronic and hard copy versions available upon request)
- 2013-2014 Henderson County VWIN Executive Summary
- VWIN Program Overview
- Hendersonville Times-News “Live Staking” article

BELL TRAIL PARTF GRANT

Tim Hopkin, Parks and Recreation Director and Kieran Rowe, Carolina Mountain Land Conservancy shared a presentation.

The Carolina Mountain Land Conservancy (CMLC) approached the Henderson County Parks and Recreation Department with a proposal for a Parks and Recreation Trust Fund (PARTF) grant application. The application would be to purchase a 68 acre parcel of land in southern Henderson County to create a public access point and trails leading from the old High Bridge across the Green River along the top of the gorge leading to Pot Sholas and the Tuxedo Hydro Plant. This trail could then lead into the Green River Game Lands.

The trail access park project would be similar to the one in the Upper Hickory Nut Gorge. This project would not require funds for acquisition or development of the park. The PARTF grant fund request would be matched by the donated value of the land. Staff has toured the property with the land owner and CMLC staff. The project has been presented to the Recreation Advisory Board at two separate meetings. At the March 8th Recreation Advisory Board meeting the project was endorsed by the group.

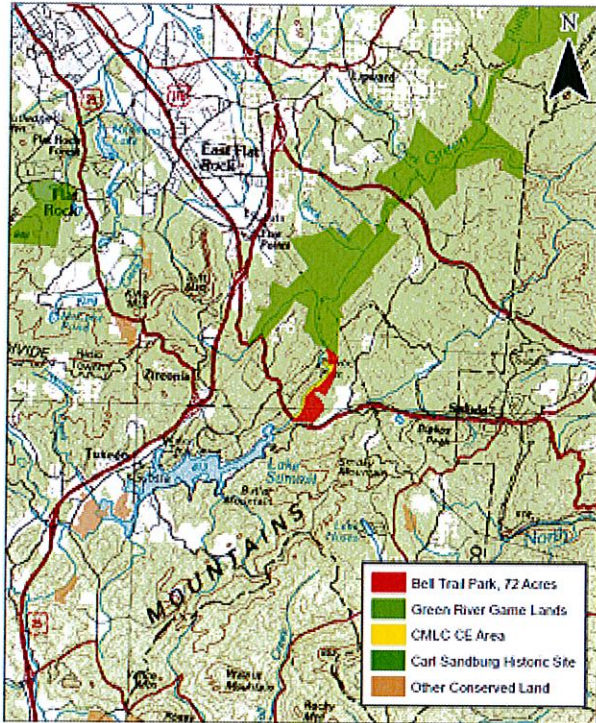
No County funding is requested, or required, for this project.

Bell Trail Park Project
Greater Saluda, NC



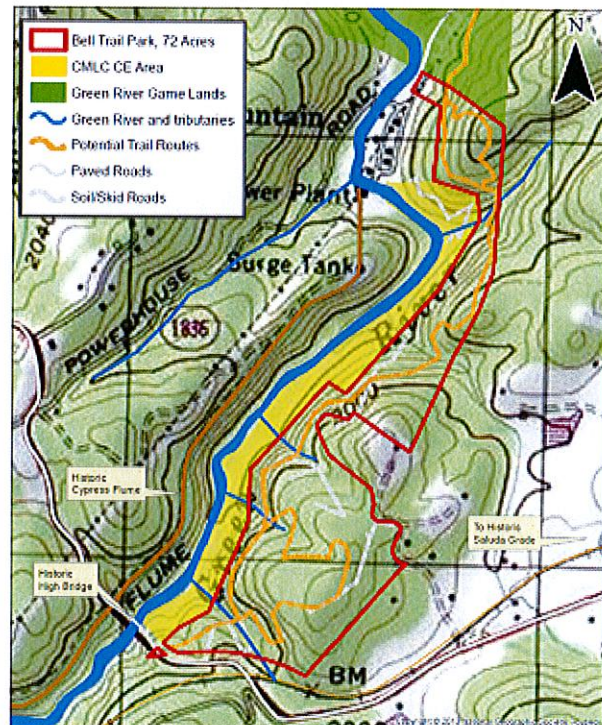
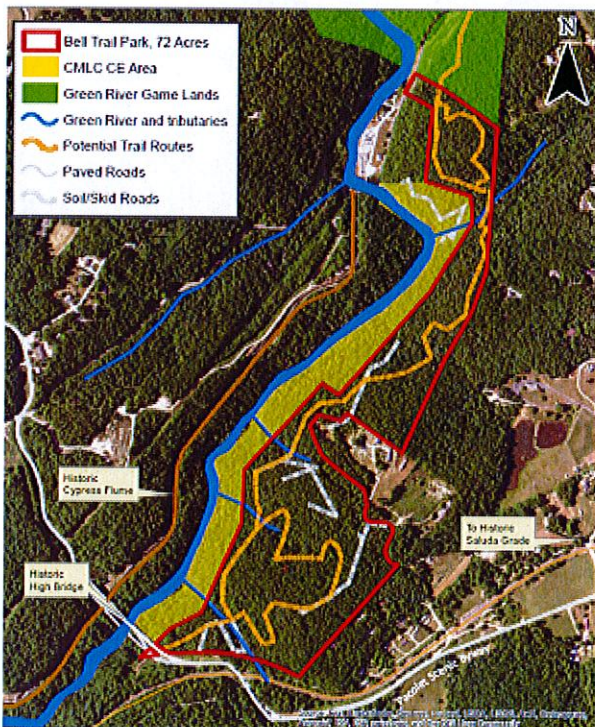
Saluda City Council Meeting
December 30, 2014

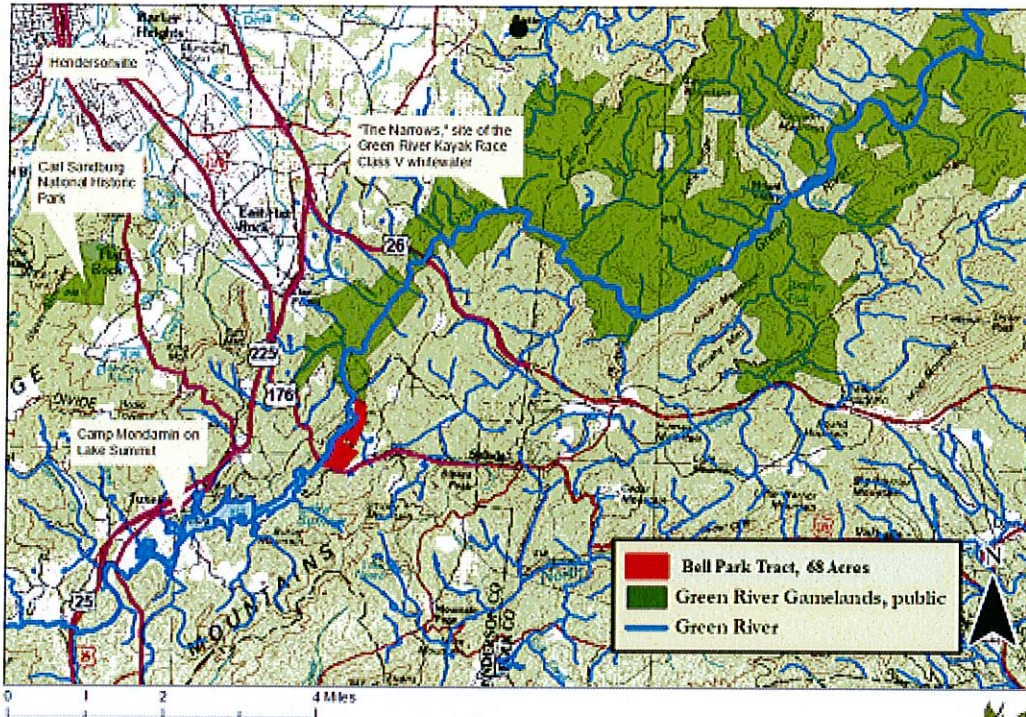
Kieran Roe, Executive Director
Carolina Mountain Land Conservancy



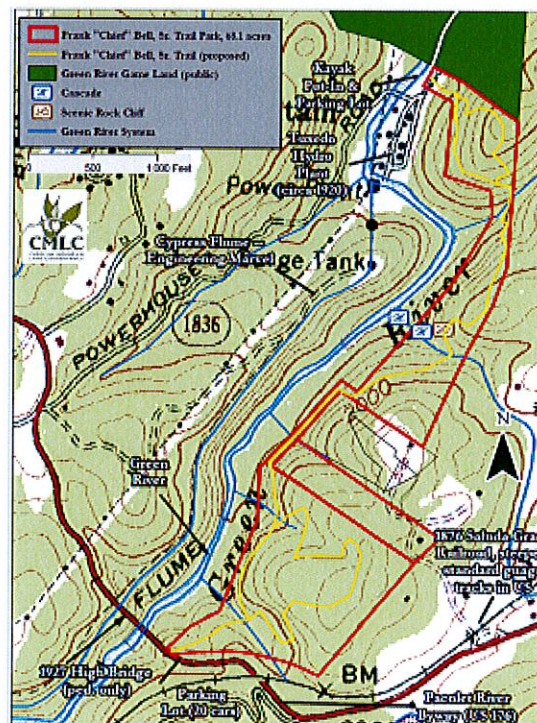
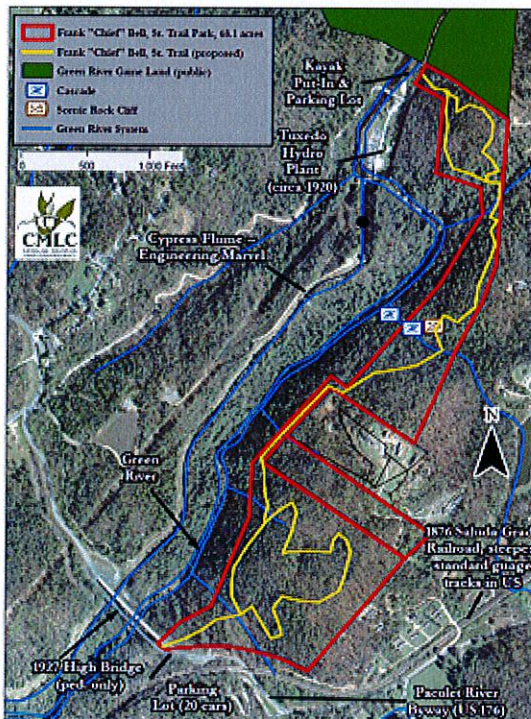
York Pharr is the current land owner. Henderson County, as the applicant, would become the owner and be responsible for maintenance of approximately 2 miles of trails.

Tim Hawkins feels the cost would be minimal for fuel and staff.





Bell Park Tract North of Lake Summit
LOCATIONS, BOUNDARIES, AND AREAS APPROXIMATE



Bell Trail Park Project Goals/Purposes

- Scenic Protection
- Historic/Cultural Interpretation
- Recreational Walking/Hiking
- Wildlife Habitat Corridor
- Water Quality Protection
- Promote Outdoor Recreation Tourism
- Honor Regional Camp Heritage
- Stepping Stone to Future Projects

Saluda City Council Meeting
December 30, 2014

Kieran Roe, Executive Director
Carolina Mountain Land Conservancy

Carolina Mountain Land Conservancy Local Parks Partnerships

- Town of Tryon (Vaughn Creek Greenway)
- Town of Fletcher (Cane Creek Greenway)
- Town of Lake Lure (Buffalo Creek Park)
- Village of Flat Rock (The Park at Flat Rock)
- Town of Laurel Park (Rhododendron Park)
- Henderson County (H.N. Gorge Trailhead)
- Polk County (Alexander's Ford)
- Transylvania County (Connestee Falls Park)

Saluda City Council Meeting
December 30, 2014

Kieran Roe, Executive Director
Carolina Mountain Land Conservancy

Bell Trail Park Project Prospective Partners

- City of Saluda
- Carolina Mountain Land Conservancy
- Henderson County
- Saluda Community Land Trust
- Saluda Business Association
- Summer Camps and Alumni
- Private Donors and Volunteers

Saluda City Council Meeting
December 30, 2014

Kieran Roe, Executive Director
Carolina Mountain Land Conservancy

Upper Hickory Nut Gorge Trailhead



Bell Trail Park Project Budget

Saluda, NC

PROJECT PHASE ONE -- PROPERTY ACQUISITION

Expense

Property Purchase Value	640,000	
Transaction Costs -- Survey, title, appraisal, etc.	25,000	
Property Management Cost	20,000	
Total	665,000	

Income

Felburn Foundation	75,000	Awarded
NC PARTF/City of Saluda	250,000	
NC Clean Water Mgmt Trust Fund	150,000	To Be Requested -- 2/2/15
Landowner Donated Land Value	190,000	Committed
Total	665,000	

PROJECT PHASE TWO -- TRAIL PARK DEVELOPMENT

Expense

Park/Trail Development Cost	200,000	
Trail Park Master Planning	30,000	
Educational/Interpretive Signage	5,000	
Sub-Total	235,000	

Income

Duke Energy Foundation	100,000	Status
Private Donors	135,000	Requested 11/15/14
	<u>235,000</u>	To Be Requested

Commissioner Hawkins feels the plan is nice but is concerned with maintenance and liabilities. There are many trails already there and he does not see justification for taking on another park.

Commissioner Lapsley is in support of the plan with commitment and follow through of others.

Commissioner Messer supports the plan.

Chairman Thompson is in support of the plan but feels more discussion is needed.

Commissioner Edney made the motion that the Henderson County Board of Commissioners approve the submission of a PARTF application for the Bell Trail Park and that the Board set a public hearing for Wednesday, April 20th at 5:30pm to receive public input. The motion passed 4-1 with Commissioner Hawkins voting nay.

HOUSE BILL 2

At the request of Commissioner Hawkins, County Attorney Russ Burrell gave a brief overview of the provisions of House Bill 2 from the recent special legislative session.

COUNTY MANAGER'S REPORT

Steve Wyatt reminded the Board of the Employee Service Awards Luncheon to be held on Wednesday, April 6th in the Activity Center at noon.

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)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.

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

ADJOURN

Commissioner Messer made the motion to go out of closed session and adjourn at 7:55 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Thomas H. Thompson, Chairman

Office of the Henderson County Tax Collector

200 North Grove Street, Suite 66 • Hendersonville, NC 28792-5027

Phone: (828)697-5595 | Fax: (828)698-6153 | www.hendersoncountync.org/ca

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

24 March 2016

RE: Tax Collector's Report to Commissioners: 04 April 2016 Meeting

Please find outlined below collections information through 23 March 2016 for the 2015 real and personal property bills mailed out on 31 July 2015. As a point of reference, we also have included collections information as of the same date last year. Registered Motor Vehicles reported as billed and collected by the Department of Motor Vehicles through 23 March 2016.

Henderson County Annual Bills G01 Only:

<p>2015 Beginning Charge: \$62,793,885.53</p> <p>Discoveries & Imm. Irreg.: \$214,595.95</p> <p>Releases & Refunds: (\$369,395.91)</p> <p>Net Charge: \$62,639,085.57</p> <p>Unpaid Taxes: \$1,611,006.98</p> <p>Amount Collected: \$61,028,078.59</p> <p>Percentage Collected: 97.43%</p> <p style="text-align: right;">Through: 23-Mar-2016</p>	<p>2014 Beginning Charge: \$59,733,471.88</p> <p>Discoveries & Imm. Irreg.: \$168,011.67</p> <p>Releases & Refunds: (\$341,056.14)</p> <p>Net Charge: \$59,560,427.41</p> <p>Unpaid Taxes: \$1,651,989.88</p> <p>Amount Collected: \$57,908,437.53</p> <p>Percentage Collected: 97.23%</p> <p style="text-align: right;">Through: 23-Mar-2015</p>
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Henderson County Only Registered Motor Vehicles

Regstr. Month	# Veh. Regstrd.	Gross Value Upon Reg.	Regstr. Month	# Veh. Regstrd.	Gross Value	Gross Levy	Net Levy Collection	Percent Collected
July '15	9888	\$ 86,255,648	July '15	10352	\$ 88,701,901	\$ 457,199.72	\$ 455,383.93	99.60%
Aug '15	9784	\$ 82,397,348	Aug '15	10139	\$ 91,229,089	\$ 469,609.15	\$ 468,629.50	99.79%
Sept '15	9559	\$ 81,357,984	Sept '15	9404	\$ 79,908,385	\$ 412,338.61	\$ 410,717.92	99.61%
Oct '15	9312	\$ 77,527,270	Oct '15	10478	\$ 91,780,730	\$ 472,752.69	\$ 469,823.23	99.38%
Nov '15	7855	\$ 68,074,597	Nov '15	6934	\$ 61,077,629	\$ 315,688.16	\$ 314,019.44	99.47%
Dec '15	8169	\$ 71,274,565	Dec '15	7867	\$ 71,447,348	\$ 368,323.28	\$ 365,624.34	99.27%
Jan '16	7843	\$ 71,771,241	Jan '16	7163	\$ 68,220,336	\$ 351,434.02	\$ 350,378.02	99.70%
Feb '16	7118	\$ 61,857,243	Feb '16	8821	\$ 80,914,211	\$ 416,482.99	\$ 414,980.17	99.64%
Mar '16	10852	\$ 89,862,021	Mar '16	7379	\$ 62,092,878	\$ 320,535.67	\$ 318,513.22	99.37%
Apr '16	10182	\$ 84,564,218	Apr '16					
May '16	10377	\$ 85,526,118	May '16					
June '16	9599	\$ 81,998,908	June '16					
TOTALS:	110538	\$ 942,467,161	TOTALS:	78537	\$ 695,372,507	\$ 3,584,364.29	\$ 3,568,069.77	99.55%

Note: Final results for the 2015-16FY will not be confirmed until mid-July 2016.

Note: Projections rendered for budgetary purposes prior to adoption of the 2015-16FY Budget.

Fire Districts' Annual Bills Only:

<p>2015 Beginning Charge: \$8,048,205.37</p> <p>Discoveries & Imm. Irreg.: \$18,633.44</p> <p>Releases & Refunds: (\$69,245.82)</p> <p>Net Charge: \$7,997,592.99</p> <p>Unpaid Taxes: \$253,999.02</p> <p>Amount Collected: \$7,743,593.97</p> <p>Percentage Collected: 96.82%</p> <p style="text-align: right;">Through: 23-Mar-2016</p>	<p>2014 Beginning Charge: \$6,647,689.05</p> <p>Discoveries & Imm. Irreg.: \$15,458.62</p> <p>Releases & Refunds: (\$46,132.71)</p> <p>Net Charge: \$6,617,014.96</p> <p>Unpaid Taxes: \$214,208.58</p> <p>Amount Collected: \$6,402,806.38</p> <p>Percentage Collected: 96.76%</p> <p style="text-align: right;">Through: 23-Mar-2015</p>
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Respectfully Submitted,



Luke Small
Deputy Tax Collector

Darlene Burgess
Interim Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
Hendersonville, North Carolina 28792
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THOMAS H. THOMPSON
Chairman
CHARLES D. MESSER
Vice-Chairman

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

April 4, 2016

Darlene Burgess, Interim Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, N. C. 28792

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$5,324.45 and tax refund requests in the amount of \$3,578.19 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, April 4, 2016. All releases and refunds were approved.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County Board of Commissioners

THT/tlw

enclosures

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 4, 2016
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENT: Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

The attached pending releases and refunds have been reviewed by the Interim Assessor and as a result of that review, it is the opinion of the Interim 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	\$ 5,324.45
Total Refunds as a Result of the Above Releases	\$ 3,578.19

Faithfully Submitted,



Darlene Burgess
Interim 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, March 23, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEWY TYPE	BILLED	PAID	RELEASE	REFUND
BON WORTH FACTORY	0000044405-2015-2015-0000	REBATE IN FULL. BUSINESS AT THIS LOCATION CLOSED JUNE 2014. DOCUMENTATION ON FILE.	(\$513,400)	3332	ESWOPE	305 THOMPSON ST UNINCORPORATED	COUNTY	TAX	\$2,636.82	\$2,636.82	\$2,636.82	\$2,636.82
								LATE LIST FEE	\$263.68	\$263.68	\$263.68	\$263.68
								TOTAL:	\$2,900.50	\$2,900.50	\$2,900.50	\$2,900.50
								TAX	\$616.08	\$616.08	\$616.08	\$616.08
								LATE LIST FEE	\$61.61	\$61.61	\$61.61	\$61.61
								TOTAL:	\$677.69	\$677.69	\$677.69	\$677.69
OWNER TOTAL:			(\$513,400)								\$3,578.19	\$3,578.19
COX, GRADY JERRY	0003081070-2014-2014-0000	THIS IS A DUPLICATE BILL. 2000 SMOKECRAFT WAS LISTED, BILLED, AND PAID ON ABSTRACT 2484330.	(\$3,900)	3348	PNVOVOTNY	187 PINE LAKE DR ETOWAH NC 28729	COUNTY	TAX	\$20.03	\$0.00	\$0.00	\$0.00
								LATE LIST FEE	\$2.00	\$0.00	\$2.00	\$0.00
								TOTAL:	\$22.03	\$0.00	\$22.03	\$0.00
								TAX	\$3.71	\$0.00	\$3.71	\$0.00
								LATE LIST FEE	\$0.37	\$0.00	\$0.37	\$0.00
								TOTAL:	\$4.08	\$0.00	\$4.08	\$0.00
OWNER TOTAL:			(\$3,900)								\$26.11	\$0.00
DEPARTMENT OF TRANSPORTATION	0003085333-2015-2015-0000	THIS RELEASE IS SUBMITTED TO RELEASE IN FULL THE 2015 TAX BILL. NC DOT IS A UNIT OF GOVERNMENT, AND WAS THE OWNER OF RECORD ON JANUARY 1, 2015. THIS RELEASE IS SUBMITTED PER NC§105-278.1 FOR TAX EXEMPTION.	(\$3,900)	3343	DHILL	0 NO ADDRESS ASSIGNED HENDERSONVILLE NC 28792	COUNTY	TAX	\$7.70	\$0.00	\$7.70	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$7.70	\$0.00	\$7.70	\$0.00
								TAX	\$1.95	\$0.00	\$1.95	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$1.95	\$0.00	\$1.95	\$0.00
OWNER TOTAL:			(\$1,500)								\$9.65	\$0.00
MERRITT, ANDERSON L	0003086310-2015-2015-0000	2013 STRATOS WAS SOLD 08/23/2014. BILL OF SALE FURNISHED BY TAXPAPER. DOCUMENTATION ON FILE.	(\$28,440)	3347	PNVOVOTNY	406 LAMP POST DR ZIRCONIA NC 28790	COUNTY	TAX	\$146.07	\$0.00	\$146.07	\$0.00
								LATE LIST FEE	\$14.61	\$0.00	\$14.61	\$0.00
								TOTAL:	\$160.68	\$0.00	\$160.68	\$0.00
								TAX	\$22.75	\$0.00	\$22.75	\$0.00
								LATE LIST FEE	\$2.28	\$0.00	\$2.28	\$0.00
								TOTAL:	\$25.03	\$0.00	\$25.03	\$0.00
OWNER TOTAL:			(\$28,440)								\$185.71	\$0.00
NC	0003085740-2015-2015-0000	THIS RELEASE IS SUBMITTED TO RELEASE IN FULL THE 2015 TAX BILL. NC DOT IS A UNIT OF GOVERNMENT, AND WAS THE OWNER OF RECORD ON JANUARY 1, 2015. THIS RELEASE IS SUBMITTED PER NC§105-278.1 FOR TAX EXEMPTION.	(\$83,600)	3342	DHILL	0 NO ADDRESS ASSIGNED HENDERSON COUNTY	COUNTY	TAX	\$429.37	\$0.00	\$429.37	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$429.37	\$0.00	\$429.37	\$0.00
OWNER TOTAL:			(\$83,600)								\$429.37	\$0.00
											\$429.37	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, March 23, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADD. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
PINNACLE FALLS PROPERTY OWNERS ASSOCIATION INC	0002085877-2015-2015-0000	THIS RELEASE IS SUBMITTED TO REINSTATE TAX EXEMPTION FOR PARCEL #1017611, PINNACLE FALLS PROPERTY OWNERS ASSOCIATION. A LARGER PARCEL TITLED TO THE PROPERTY OWNER'S ASSOCIATION, AND RECEIVING TAX EXEMPTION SPLIT. PARCEL #1017611 RESULTED IN THE SPLIT. THIS PARCEL SHOULD HAVE BEEN EXEMPT AND NOT BILLED FOR TAX YEAR 2015.	(\$93,400)	3341	DHILL	0 NO ADDRESS ASSIGNED ZIRCONIA NC 28790	COUNTY	TAX LATE LIST FEE TOTAL: GREEN RIVER FIRE	\$479.70 \$0.00 \$74.72 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00	\$479.70 \$0.00 \$74.72 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00
WARD, MARK ADRIAN	OWNER TOTAL: 0002855938-2015-2015-0000	COLLECTION RESEARCH: RELEASE 2015 BILL ON MANUFACTURED HOME ON ABSTRACT 2856938. THIS PERSONAL PROPERTY MANUFACTURED HOME MIGRATED FROM CAMA TO BILLING AND SHOULD NOT HAVE DOUBLE BILLED. CORRECT BILL IS ON ABSTRACT 3085927.	(\$93,400) (\$72,000)	3344	CLOMBARDO	30 LUCKY STAR WAY ETOWAH NC 28729	COUNTY	TAX LATE LIST FEE TOTAL: ETOWAH- HORSESHOE FIRE	\$369.79 \$0.00 \$75.60 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00	\$554.42 \$369.79 \$0.00 \$369.79 \$75.60	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00
WARREN, MARGARET B	OWNER TOTAL: 0002446161-2008-2008-0000	COLLECTION RESEARCH: RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$72,000) (\$2,000)	3333	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX LATE LIST FEE TOTAL: MOUNTAIN HOME FIRE	\$9.24 \$9.24 \$0.92 \$1.90 \$0.19	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$445.39 \$9.24 \$0.92 \$10.16 \$1.90 \$2.09 \$12.25	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
	0002446161-2009-2009-0000	COLLECTION RESEARCH: RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$2,000)	3334	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX LATE LIST FEE TOTAL: MOUNTAIN HOME FIRE	\$9.24 \$0.92 \$1.90 \$0.19	\$0.00 \$0.00 \$0.00 \$0.00	\$9.24 \$0.92 \$1.90 \$0.19	\$0.00 \$0.00 \$0.00 \$0.00
	0002446161-2010-2010-0000	COLLECTION RESEARCH: RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,900)	3335	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX LATE LIST FEE TOTAL: MOUNTAIN HOME FIRE	\$8.78 \$0.88 \$1.81 \$0.18	\$0.00 \$0.00 \$0.00 \$0.00	\$8.78 \$0.88 \$1.81 \$0.18	\$0.00 \$0.00 \$0.00 \$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, March 23, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	DISTRICT	TAX	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
	0002446161-2011-2011-0000	COLLECTION RESEARCH. RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,800)	3336	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	TAX	\$9.24	\$0.00	\$9.24	\$0.00
									LATE LIST FEE	\$0.92	\$0.00	\$0.92	\$0.00
									TOTAL:	\$10.16	\$0.00	\$10.16	\$0.00
									TAX	\$1.89	\$0.00	\$1.89	\$0.00
									LATE LIST FEE	\$0.19	\$0.00	\$0.19	\$0.00
									TOTAL:	\$2.08	\$0.00	\$2.08	\$0.00
									ABSTRACT TOTAL:	\$12.24	\$0.00	\$12.24	\$0.00
	0002446161-2012-2012-0000	COLLECTION RESEARCH. RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,800)	3337	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	TAX	\$9.24	\$0.00	\$9.24	\$0.00
									LATE LIST FEE	\$0.92	\$0.00	\$0.92	\$0.00
									TOTAL:	\$10.16	\$0.00	\$10.16	\$0.00
									TAX	\$1.89	\$0.00	\$1.89	\$0.00
									LATE LIST FEE	\$0.19	\$0.00	\$0.19	\$0.00
									TOTAL:	\$2.08	\$0.00	\$2.08	\$0.00
									ABSTRACT TOTAL:	\$12.24	\$0.00	\$12.24	\$0.00
	0002446161-2013-2013-0000	COLLECTION RESEARCH. RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,700)	3338	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	TAX	\$8.73	\$0.00	\$8.73	\$0.00
									LATE LIST FEE	\$0.87	\$0.00	\$0.87	\$0.00
									TOTAL:	\$9.60	\$0.00	\$9.60	\$0.00
									TAX	\$1.79	\$0.00	\$1.79	\$0.00
									LATE LIST FEE	\$0.18	\$0.00	\$0.18	\$0.00
									TOTAL:	\$1.97	\$0.00	\$1.97	\$0.00
									ABSTRACT TOTAL:	\$11.57	\$0.00	\$11.57	\$0.00
	0002446161-2014-2014-0000	COLLECTION RESEARCH. RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,700)	3339	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	TAX	\$8.73	\$0.00	\$8.73	\$0.00
									LATE LIST FEE	\$0.87	\$0.00	\$0.87	\$0.00
									TOTAL:	\$9.60	\$0.00	\$9.60	\$0.00
									TAX	\$1.79	\$0.00	\$1.79	\$0.00
									LATE LIST FEE	\$0.18	\$0.00	\$0.18	\$0.00
									TOTAL:	\$1.97	\$0.00	\$1.97	\$0.00
									ABSTRACT TOTAL:	\$11.57	\$0.00	\$11.57	\$0.00
	0002446161-2015-2015-0000	COLLECTION RESEARCH. RELEASE BILLS ON PERSONAL PROPERTY 1972 12 X 56 MANUFACTURED HOME FOR YEARS 2008-2015. PER 2007 AERIAL MAPS MANUFACTURED HOME HAS BEEN GONE AND WAS JUNKED.	(\$1,700)	3340	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	TAX	\$8.73	\$0.00	\$8.73	\$0.00
									LATE LIST FEE	\$0.87	\$0.00	\$0.87	\$0.00
									TOTAL:	\$9.60	\$0.00	\$9.60	\$0.00
									TAX	\$2.04	\$0.00	\$2.04	\$0.00
									LATE LIST FEE	\$0.20	\$0.00	\$0.20	\$0.00
									TOTAL:	\$2.24	\$0.00	\$2.24	\$0.00
									ABSTRACT TOTAL:	\$11.84	\$0.00	\$11.84	\$0.00
	OWNER TOTAL:		(\$14,600)									\$95.61	\$0.00
	GRAND TOTALS:		(\$810,840)									\$5,324.45	\$3,578.19

*Adjustments submitted for approval on or before