

DRAFT

3/7/17

MINUTES

CC: BOC  
Steve  
Amy  
Russ

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
MONDAY, MARCH 6, 2017

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 Mike Edney, Vice-Chairman Grady Hawkins, Commissioner Tommy Thompson, Commissioner Charlie Messer, 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, Director of Business and County Development John Mitchell, Finance Director Carey McLelland, Captain Jim Player, Chief Deputy Jason Brown, Sheriff Charlie McDonald, Environmental Health Supervisor Seth Swift, Network Administrator Jason Rushing, Library Director Trina Rushing, Central Services and Construction Manager David Berry, Internal Auditor Samantha Reynolds, Collections Specialist Luke Small, Environmental Programs Coordinator Rachel Kipar & PIO Kathryn Finotti – videotaping, Deputy Kandy Carland & Corporal John Tankersley as security.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Pastor John Mason of Main Street Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Kaelee Rushing of the Hoofbeats 4-H Club, and daughter of Jason and Trina Rushing.

RESOLUTION OF MEMORIAM – Theron Larnce Maybin, Sr.

Chairman Edney shared information about Theron Maybin included in the Resolution.

Theron Maybin was a native and lifelong resident of Henderson County. He served as a member of the Agriculture Advisory Board for 25 years, many as the Chair. He also served on the Green River, Tuxedo, Zirconia Small Area Planning Committee, the Green River, Tuxedo, Zirconia Park Planning Committee, and the Henderson County Historic Courthouse Corporation.

Theron Maybin was a deacon of Cedar Springs Baptist Church, and a Vietnam Veteran. Mr. Maybin spent his life involved in agriculture, aiding people with his love of the land, knowledge of soil and planting and harvesting pointers.

It is with our eternal gratitude, Theron Larnce Maybin Sr. will be remembered for his legacy of service and contributions to our community.

*Chairman Edney made the motion to adopt the Resolution of Memoriam for Theron Larnce Maybin, Sr. All voted in favor and the motion carried.*

RECOGNITION OF PASSING OF MICKEY MARVIN

Commissioner Messer noted the passing of a West Henderson High graduate and professional football player Mickey Marvin. Mr. Marvin was a legend of his own kind, and a true man of God.

DATE APPROVED:

**RECOGNITION OF PASSING OF JANE ANDERSON STEVENSON LAPSLEY**

Chairman Edney recognized the passing of Jane Lapsley, mother of Commissioner Bill Lapsley. Ms. Lapsley was 93 years old and passed on February 22, 2017.

**PUBLIC COMMENT**

1. Chris Walters – Mr. Walters just learned of the potential \$20m Law Enforcement Training Center (LETC). He does not feel there has been enough citizen input. Just recently the \$3m outdoor facility had been turned down by citizens. The LETC is planned next door to the Innovative College and a MOU has not been signed yet. He is opposed to the LETC and feels training could be done at the facility in Georgia, or the Justice Academy in Edneyville could be enlarged.
2. Merry Fletcher – Ms. Fletcher is opposed to the LETC and agrees with Chris Walters. This is too much to spend on a training center and the money could be better spent. She feels the LETC will be a tool for the Sheriff to make a citizen posse.
3. Delia Alonso – Ms. Alonso is concerned about free speech and feels no one will be able to assemble to speak or will be harassed. She is opposed to the LETC.
4. Peri David – Ms. David does not feel the LETC fits with BRCC's curriculum. There are other things that can be offered by BRCC that are better to help prevent terrorism.
5. Christopher Berg – Mr. Berg feels the LETC should have been part of the small area planning for East Flat Rock. The project has not been shared with the citizens.
6. Robert Miles – Mr. Miles stated a letter was sent to the Chairman with his and 29 other signatures regarding a statement made by the Sheriff in his newsletter. They are opposed to the LETC. The plan should be downsized, and the Sheriff needs to provide educational programs to all gun owners.
7. Wade Nelson – Mr. Nelson's neighbors have roosters that crow all day and night affecting his family's health. They are not able to get any sleep. He asked the Board to please help him.
8. Audrey Stelloh – Ms. Stelloh is opposed to the LETC. The facility is too expensive and not a good idea. Send the deputies to Georgia for training at less expense.
9. Linda Sherman – Ms. Sherman agrees with everything said so far.
10. Judith Scruggs – Ms. Scruggs has a background in her family of law enforcement. She questions the need for the LETC. She has toured the Sheriff's facility and doesn't feel they need the \$20m LETC.
11. Deborah Rhinehart – Ms. Rhinehart has had a pleasant experience with law enforcement. She works in the mental health system, and they have been taught how to de-escalate situations. Money should be spent on more training with Non Crisis Intervention. Put more effort into who gets guns.
12. Dennis Justice – Mr. Justice stated the Dome he brought before the Board several years ago would be an emergency management tool rather than the LETC. Mr. Justice supports organic turf which helps with obesity and will reduce injuries.
13. Michele Skeelee – Ms. Skeelee is opposed to the LETC for the same reasons as already spoken. She asked that the Sheriff use whatever is already available. She spoke against prayer and felt a moment of silence was best.
14. Todd Eaton – Mr. Eaton thanked the Board for opening in prayer and for the displays of "In God We Trust". He also thanked the Sheriff for efforts to give the community protection. He is in favor of the LETC and feels the Sheriff knows what is needed to be prepared.
15. Thomas Hill – Mr. Hill feels the cost of the LETC is too much. The Board has spent millions on the Health Sciences Center, the Innovative High School, Hendersonville High School, the Emergency Services Headquarters, Edneyville Elementary, and now the LETC. It is time to be conservative and back off on spending. BRCC is not the place for the LETC.
16. K. C. Stockman – Mr. Stockman would rather see more funding for education than spent on the LETC. He is opposed and does not feel it is needed in Henderson County.
17. John Moore – Mr. Moore is a student at BRCC and opposed the LETC. He is concerned about the range being behind the Innovative College with students as young as 14 years old. The LETC will be used for terrorism training. This is reckless. Invest in people instead.

**Discussion/Adjustment of Consent Agenda**

*Commissioner Hawkins made the motion to approve Consent Agenda minus H.C.S.O. Records Retention and Dispositions Schedule, pulled for discussion. 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 15, 2017 - Regularly Scheduled Meeting

**Tax Collector’s Report**

Collections Specialist Luke Small had presented the Tax Collector’s Report to the Commissioners dated February 23, 2017 for information only. No action was required.

**Pending Releases and Refunds**

A list of pending releases and refunds have been reviewed by the Assessor. 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	\$ 12,783.88
Total Refunds as a Result of the Above Releases	\$ 2,810.93

**Motion:**

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

**County Financial Report/Cash Balance Report – January 2017**

The January 2017 County Financial Report and Cash Balance Report was provided for the Board’s review and approval.

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

- Dues/Non-profits – 3<sup>rd</sup> quarter non-profit contribution payments in January
- Register of Deeds – contracted services for document image conversion and scanning services
- Emergency Management - the purchase/encumbrance of capital outlay in the approved budget
- Garage – January fuel costs usage to be distributed out to departments
- EMS – the purchase of four new ambulances in the approved budget
- Rescue Squad – 3<sup>rd</sup> quarter non-profit contribution payment in January
- Heritage Museum – February payment due to the museum was made at the end of January
- Economic Development – 3<sup>rd</sup> quarter payment to the Partnership for Economic Development in January
- Agri-Business – excess operating expenditures over \$120,000 that will be covered by membership fees
- Mental Health – 3<sup>rd</sup> quarter mental health MOE funding payment to Vaya Health in January
- Debt Service – annual principal and interest payments scheduled/came due and paid in November

The YTD deficit in the Revaluation Reserve Fund is due to the January purchase/encumbrance of vehicles approved in the FY2017 budget.

The YTD deficit in the 911 Emergency Communications Fund is due to a timing delay in receipt of the monthly NC 911 PSAP Surcharge revenue for January. These funds will be received in February.

The YTD deficit in the Emergency Services Headquarters, the Law Enforcement Training Center and

Hendersonville High School Projects is due to the payment of architect fees for these projects from appropriated fund balance in the Capital Projects Funds that will be reimbursed from future financings.

The YTD deficits in the Detention Center and Recreation Parks Improvements Projects are being paid from appropriated fund balance in the Capital Projects Fund from proceeds received from the sale of the Bent Creek property as approved in the FY2017 budget.

The YTD deficit in the Westfeldt Park Project from project expenditures to date will be reimbursed from grant funds appropriated in the budget for FY2017. This reimbursement is anticipated to be received in early 2017.

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to the purchase/encumbrance of capital outlay for new equipment and a vehicle, a budgeted annual debt service payment that occurred at the end of November and capital outlay expenditures incurred on the Mill Pond Creek Sewer Project.

Motion:

*I move that the Board of Commissioners approves the January 2017 County Financial Report and Cash Balance Report as presented.*

#### **Public Schools Financial Reports – January 2017**

The Henderson County Public Schools January 2017 Local Current Expense Fund / Other Restricted Funds Financial Report were provided for the Board's information.

Motion:

*I move that the Board of Commissioners approves the Henderson County Public Schools January 2017 Financial Report as presented.*

#### **Budget Amendment – Emergency Communications Fund**

Staff is requesting that the Board approve a budget amendment which covers additional operational expenditures by transferring available funds from other operational line items and appropriating additional fund balance available in the Emergency 911 Telephone System Fund for FY2017.

Motion:

*I move the Board of Commissioners approves the budget amendment which covers additional operational expenditures in the Emergency 911 Telephone System Fund for FY2017.*

#### **Budget Amendment –Etowah Concession Stand**

At the February 6<sup>th</sup> meeting of the Board of Commissioners, the Board approved a project to increase the size of the Etowah Park concession stand. To accommodate budgetary requirements, staff prepared a Budget Amendment in the amount of \$23,550 to be added to the Parks and Recreation Budget to complete the project.

Motion:

*I move to accept the Budget Amendment for Etowah Park Improvements.*

#### **H.C. S. O. Records Retention and Dispositions Schedule – pulled for discussion**

#### **NC State Parks & Recreation Recreational Trails Program (RTP) Grant Resolution for Kunz Farm Park Application**

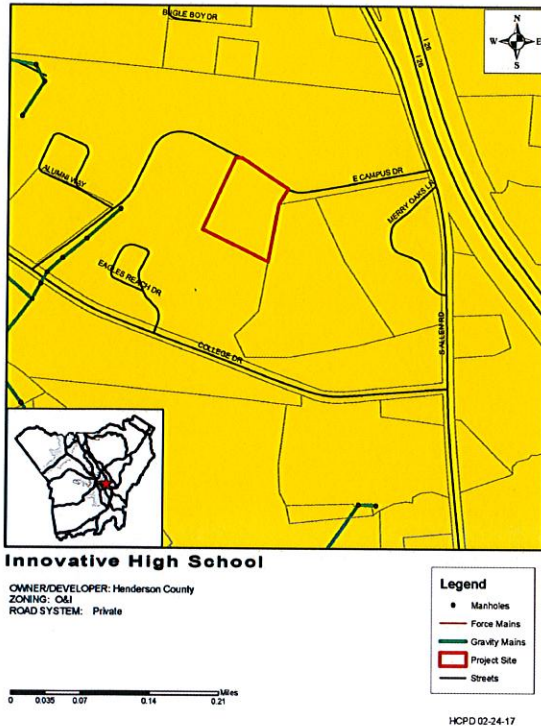
Henderson County staff are prepared to submit a NC Division of Parks & Recreation Recreational Trails Program (RTP) Trail Project Grant Application for Phases 1 and 2 of Kunz Farm Park, located adjacent to Westfeldt Park. The grant application requires a resolution of support from the Board of Commissioners. Phase 1 of the project will include the permitting and design of the project (pre-construction costs). Phase 2 covers design and construction of the pedestrian bridge, additional parking lots expansion/construction in





**Sewer Line Extension Request – Innovative High School**

The City of Hendersonville has requested that the County comment on a proposed sewer line extension to provide service to the new Innovative High School. The proposed sewer line is 1,675 linear feet of 8 inch gravity sewer. The project’s location within the Urban Services Area is consistent with the Henderson County 2020 Comprehensive Plan. A City of Hendersonville project summary sheet was provided for Board review and action. The entire cost of the proposed utility extension is to be paid for by Henderson County.



**Motion:**

*I move that the Board approves the sewer line extension request for the Innovative High School and direct staff to convey the County’s comments to the City of Hendersonville.*

**DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Commissioner Messer made the motion to adopt the discussion agenda with the addition of the H.C. S. O. Records Retention and Dispositions Schedule and closed session. All voted in favor and the motion carried.*

**NOMINATIONS**

**Notification of Vacancies**

1. Agriculture Advisory Board – 1 vac.
2. Equalization and Review, Henderson County Board of – 3 vac.
3. Fletcher Planning Board & Zoning Board of Adjustment – 1 vac.
4. Mountain Valleys Resource Conservation and Development Program – 1 vac.
5. Nursing/Adult Care Home Community Advisory Committee – 4 vac.

Chairman Edney recognized the vacancies and opened the floor for nominations.

**Nominations**

1. Hendersonville Planning Board – 1 vac.

Commissioner Messer nominated Aaron Black for position #2. *Chairman Edney made the motion to accept the appointment of Aaron Black to position #2 by acclamation. All voted in favor and the motion carried.*

2. Juvenile Crime Prevention Council – 2 vac.

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

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

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

4. Senior Volunteer Services Advisory Council – 1 vac.

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

**TRAINING OF COMMISSIONER-APPOINTED BOARD MEMBERS**

Attorney Russ Burrell stated many boards and committees, the membership of which is appointed by the Board of Commissioners, have available training either mandated or recommended by the State, by Regional Councils of Government, or by County staff. The purpose of this item is to insure that these members not only learn of the training sessions, but to make attendance at such sessions a condition of appointment.

In addition, there are boards where the membership has remained mostly unchanged for several years. This proposal creates term limits on those boards.

Commissioner Hawkins recognizes that training is needed especially for the Planning Board and Zoning Board of Adjustment.

Commissioner Messer requested more members on the Recreation Advisory Board. He is waiting on a letter from the Advisory Board at this time to see if they agree.

Commissioner Thompson feels the Nursing/Adult Care Home and Community Advisory Committee is also one of the Committees that require training regularly.

*Commissioner Thompson made the motion that the Board require appropriate and regular training for members of Commissioner appointed boards and committees, as mandated or suggested by Federal and State governments, regional councils of government, and/or County staff. He further moved that staff report back to the Board on an initial schedule of such training to be mandated. And further moved that the staff report back to the Board on proposed term limitations for appointments to boards and committees where terms are not otherwise limited by law. All voted in favor and the motion carried.*

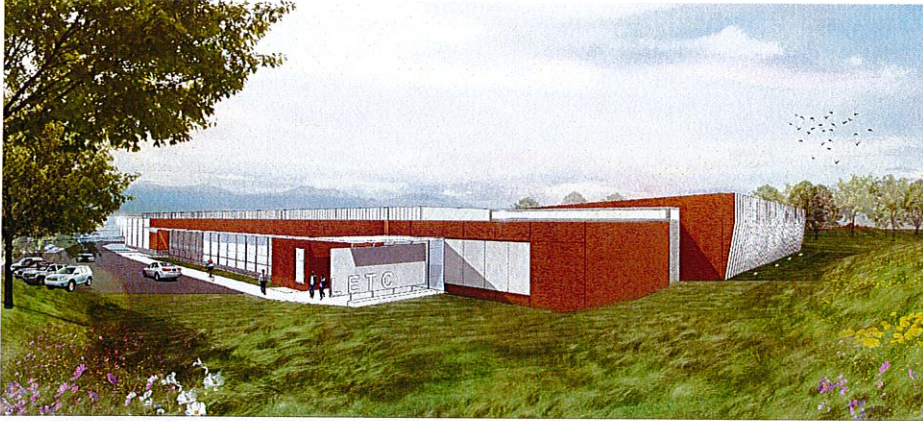
Staff will look at term limits and bring more information back to the Board at the April 3, 2017 meeting.

**SCHEMATIC DESIGN APPROVAL – LAW ENFORCEMENT TRAINING CENTER PROJECT**

Engineer Marcus Jones stated On October 3, 2016, the Board of Commissioner's approved ClarkNexsen's proposal to design the Law Enforcement Training Center.

- The project team including staff from the Sheriff's Department, Blue Ridge Community College and ClarkNexsen programmed the facility.
- Upon completion of programming within the project's approved budget of \$20 Million, the team proceeded with the development of the Schematic Design (SD) which is now complete.
- The SD was presented to the Board of Commissioners during the budget retreat on January 17, 2017.
- The Schematic Design was approved by BRCC Trustees during their January 23, 2017 meeting. The Trustees also approved the land transfer of the project site during this meeting.
- Currently, the project estimate is \$19,940,000 and on schedule to be complete September 2018.





**Project Goals:**

Create a state-of-the-art Training Center for HCSO and BRCC

Create a building that fits into the BRCC campus

Take advantage I-26 visibility

Enhanced Partnership.

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Architect Chad Roberson shared information in regard to safety, training and sound control.

- Precast concrete is used and you will not hear weapons from outside the building
- Bullit traps are used to capture all bullits
- Many simulations can be created in the 50 Yard range
- Air control units exhaust all fumes and smoke through ventilation
- Alternate 911 Center space can be utilized in case of an emergency
- BLET has 2 classrooms available for 120 students, officers, first responders, EMS, or Fire departments

Commissioner Messer asked if it would be possible to combine the 50 yard and 100 yard ranges.

Mr. Roberson responded because of the bullit traps he was not sure they could be combinee. He would look into it.

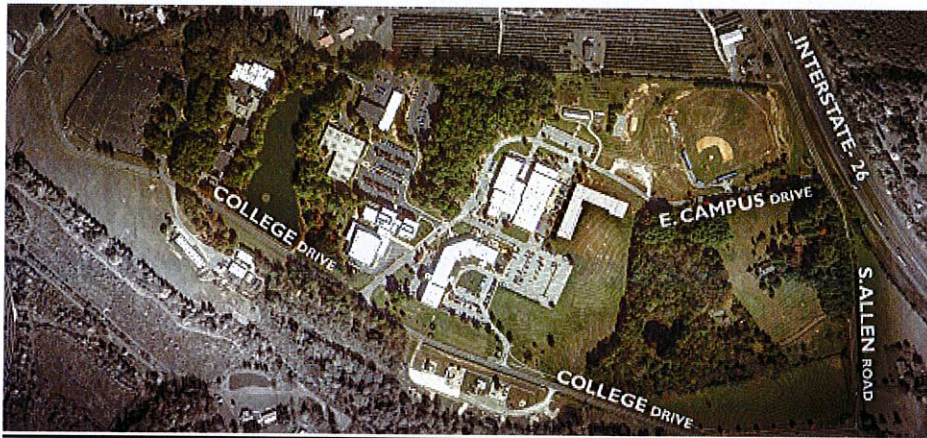
Sheriff McDonald statd he supports everyone’s right to speech. In the beginning staff had set out to find a facility that would be most economic. Two outdoor locations were looked at that would have required less expensive conditions. The citizens did not want an outdoor facility. The commissioners wanted to provide



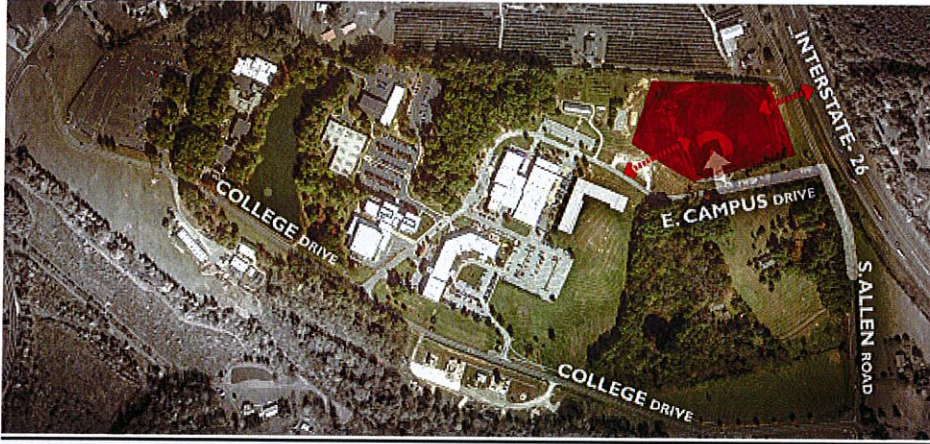
what is needed and BRCC was interested in providing property as a way to enhance their program. The type of training that is needed is ongoing and not just taught once. Adequate training is a necessity. The LETC would also be open to all Henderson County and other brother and sister agencies in North Carolina.

Commissioner Lapsley noted his concern since day one on the LETC and the possible lack of daily use. Approximately 80 other agencies in North Carolina were solicited and asked if they would use the facility at a cost. Around 20 letters of support have been received. This would be the first facility like this in NC and Henderson County is proud to take lead. There has been very little energetic support of the project. Mr. Lapsley is concerned about the burden on the taxpayers. Based on this information, he doesn't feel it is prudent for a final decision today.

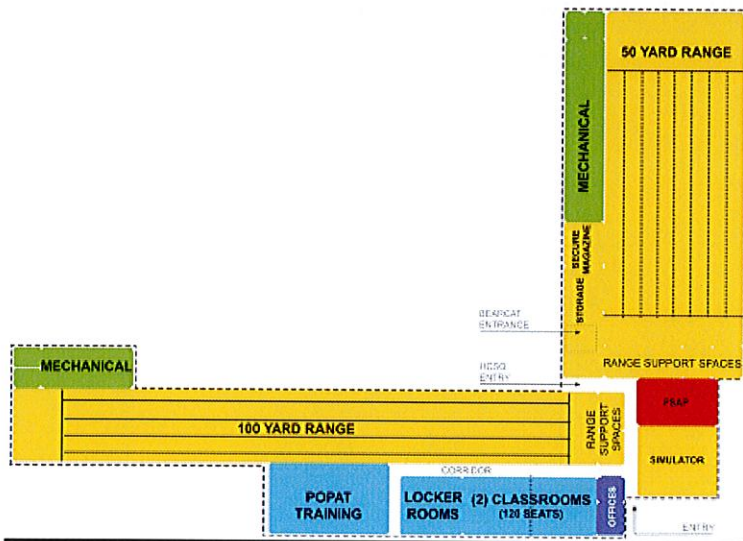
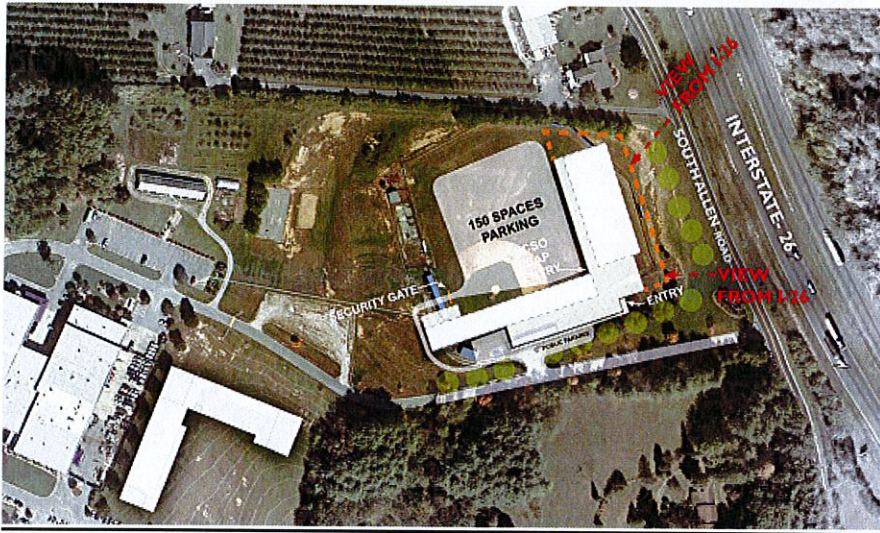
*Commissioner Lapsley made the motion that the Board directs staff and the architect to work over the next 30 days doing further value engineering on the project to see if the cost can be cut substantially, and still provide the facility. All voted in favor and the motion carried.*



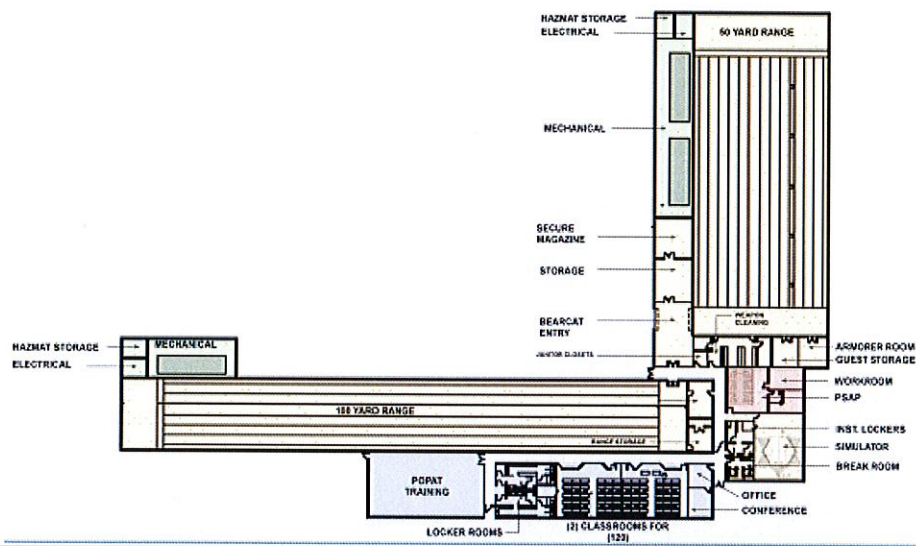








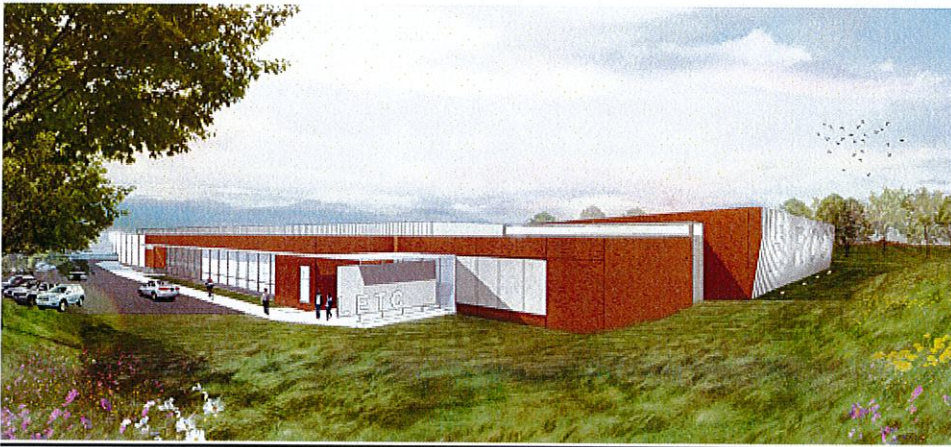












**H.C. S. O. Records Retention and Dispositions Schedule – pulled for discussion**

The Government Records Section of the North Carolina State Archives located within the North Carolina Department of Cultural Resources issued an amendment to the County Sheriff's Office Records Retention and Disposition Schedule. This amendment reflects changes in North Carolina law concerning law enforcement audio and video recordings as set out in House Bill 972, Law Enforcement Recordings/No Public Record, which went into effect on October 1, 2016. This amendment establishes a 30 day retention period for audio and video recordings and makes exceptions to keep the recordings longer if the recording is



part of a criminal case. This schedule amendment must be approved by the Sheriff and the Henderson County Board of Commissioners for use by the Sheriff's Office.

Chief Deputy Jason Brown explained these changes were required by the State.

Chairman Edney questioned certain records and if they would be retained.

Chief Deputy Brown was unable to answer his questions and therefore this item was pulled and will be back on the next agenda for further discussion.

**COUNTY MANAGER'S REPORT**

County Manager Steve Wyatt stated two requests will be on the next agenda for consideration of an increase of occupancy tax. Saluda and the Henderson Tourism Development Authority have asked for support of a 1/2 cent increase.

**5<sup>TH</sup> AVENUE CLUBHOUSE PROPERTY**

Attorney Russ Burrell informed the Board that a 5<sup>th</sup> upset bid had been received on the Clubhouse property in the amount of \$264,650.00 by Lemuel Oates.

**CLOSED SESSION**

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11

- A. (a)(3), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege, and
- B. (a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

*Chairman Edney made the motion that the Board go into closed session 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, and (a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner Hawkins made the motion to go out of closed session and adjourn at 8:50 p.m. All voted in favor and the motion carried.*

Attest:

\_\_\_\_\_  
Teresa L. Wilson, Clerk to the Board

\_\_\_\_\_  
J. Michael Edney, 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

J. MICHAEL EDNEY  
Chairman  
GRADY H. HAWKINS  
Vice-Chairman

CHARLES D. MESSER  
WILLIAM G. LAPSLEY  
THOMAS H. THOMPSON

## RESOLUTION OF MEMORIAM

*Theron Larnce Maybin Sr.*  
*May 21, 2943 - February 17, 2017*

*WHEREAS, Theron Maybin was a native and lifelong resident of Henderson County; and*

*WHEREAS, Theron Maybin served as a member of the Agriculture Advisory Board for 25 years, many as the Chair; and*

*WHEREAS, Theron Maybin served on the Green River, Tuxedo, Zirconia Small Area Planning Committee; and*

*WHEREAS, Theron Maybin served on the Green River, Tuxedo, Zirconia Park Planning Committee; and*

*WHEREAS, Theron Maybin served on the Henderson County Historic Courthouse Corporation; and*

*WHEREAS, Theron Maybin was a deacon of Cedar Springs Baptist Church; and*

*WHEREAS, Theron Maybin was a Vietnam Veteran; and*

*WHEREAS, Theron Maybin spent his life involved in agriculture, aiding people with his love of the land, knowledge of soil and planting and harvesting pointers; and*


*NOW, THEREFORE, BE IT RESOLVED that, with our eternal gratitude, Theron Larnce Maybin Sr. will be remembered for his legacy of service and contributions to our community.*

*In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson County to be affixed.*

*Adopted this the 6th day of March, 2017.*

  
J. Michael Edney, Chairman  
Henderson County Board of Commissioners

ATTEST:

  
Teresa L. Wilson, Clerk to the Board

# Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595 | FAX: (828) 698-6153

Henderson County Board of Commissioners

1 Historic Courthouse Square, Suite 1

Hendersonville, NC 28792

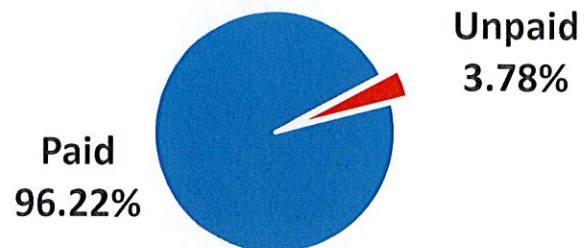
Thursday, February 23, 2017

Re: Tax Collector's Report to Commissioners - Meeting Date March 6, 2017

Please find outlined below collections information through February 2, 2017 for the 2016 real and personal property bills mailed on August 8, 2016. Vehicles taxes are billed monthly by NC DMV.

## Henderson County Annual Bills (Real and Personal Property):

<b>2016 Beginning Charge:</b>	<b>\$69,946,900.37</b>
Discoveries & Imm. Irreg.:	\$781,216.74
Releases & Refunds:	<b>(\$639,314.18)</b>
<u>Net Charge:</u>	<u>\$70,088,802.93</u>
Unpaid Taxes:	\$2,647,612.27
<b>Amount Collected:</b>	<b>\$67,441,190.66</b>



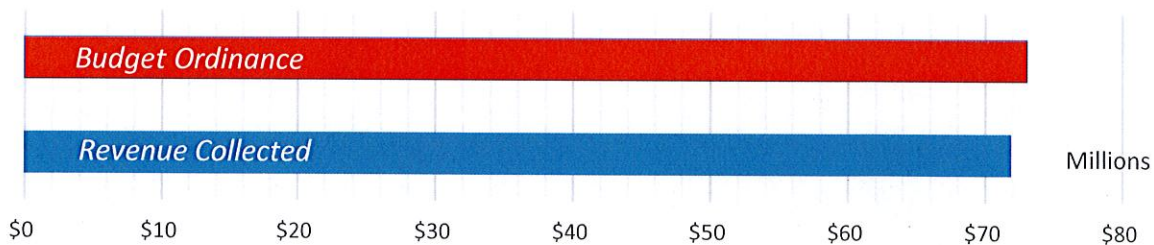
## Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$3,588,657.31
Unpaid Taxes:	\$17,066.24
<b>Amount Collected:</b>	<b>\$3,571,591.07</b>

**99.52%**

## Henderson County FY17 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$71,500,676.00	Ad Valorem: \$71,012,781.73
Prior Years:	\$1,575,000.00	Prior Years: \$894,971.78
<b>Budget Total:</b>	<b>\$73,075,676.00</b>	<b>YTD Revenue: \$71,907,753.51</b>



Respectfully Submitted,

Luke Small  
Deputy Tax Collector

Darlene Burgess  
Tax Administrator



# HENDERSON COUNTY BOARD OF COMMISSIONERS

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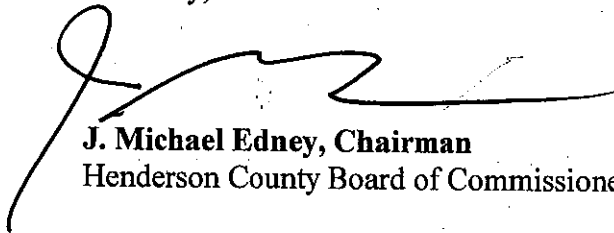
March 6, 2017

Darlene Burgess, 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 \$12,783.88, and tax refund requests in the amount of \$2,810.93, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, March 6, 2017. All releases and refunds were approved.

Sincerely,



J. Michael Edney, Chairman  
Henderson County Board of Commissioners

JME/tlw

enclosures

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

**MEETING DATE:** March 6, 2017  
**SUBJECT:** Pending Releases & Refunds  
**PRESENTER:** Assessor  
**ATTACHMENT:** Pending Release/Refund Combined Report

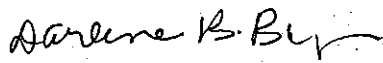
### SUMMARY OF REQUEST:

The attached pending releases and refunds have been reviewed by the Assessor. 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	\$ 12,783.88
Total Refunds as a Result of the Above Releases	\$ 2,810.93

Faithfully Submitted,

  
Darlene Burgess  
Tax Administrator

**BOARD ACTION REQUEST:** Consent Approval Requested

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

## NCPTS Pending Release/Refund Report. Thursday, February 23, 2017\*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND	
BABYSHOE.COM	0000268099-2016-2016-0000	2016 LISTING FORM RETURNED, BUSINESS SOLD 12-31-2015, NEW ABSTRACT CREATED #3087953 TRANSFERRING ALL ASSETS.	(\$14,606)	4152	KHENSLEY	306 HEBRON STREET NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$82.52 \$0.00 \$82.52	\$82.52 \$0.00 \$82.52	\$82.52 \$0.00 \$82.52	\$82.52 \$0.00 \$82.52	
BLANKENSHIP, JAMES HENRY	<b>OWNER TOTAL:</b> 0003057652-2014-2014-0000	1994 CHAPARRAL 1830 SS VOIDED. PER NC WILDLIFE. BOAT WAS REREGISTERED 8/22/2013 TO NEW OWNER. DOCUMENTATION ON FILE.	<b>(\$14,606)</b> (\$3,743)	4143	KATHYS	238 SOAPSTONE CREEK DR ARDEN NC 28704	COUNTY	TAX LATE LIST FEE TOTAL:	\$19.22 \$1.92 \$21.14	\$0.00 \$0.00 \$0.00	\$82.52 \$19.22 \$1.92 \$21.14 \$2.81	\$82.52 \$0.00 \$0.00 \$0.00 \$0.00	\$82.52 \$0.00 \$0.00 \$0.00 \$0.00
	0003057652-2015-2015-0000	1994 CHAPARRAL 1830 SS VOIDED. PER NC WILDLIFE. BOAT WAS REREGISTERED 8/22/2013 TO NEW OWNER. DOCUMENTATION ON FILE.	(\$3,555)	4142	KATHYS	238 SOAPSTONE CREEK DR ARDEN NC 28704	COUNTY	TAX LATE LIST FEE TOTAL:	\$18.26 \$1.83 \$3.20	\$0.00 \$0.00 \$0.00	\$18.26 \$1.83 \$3.20	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00
	0003057652-2016-2016-0000	1994 CHAPARRAL 1830 SS VOIDED. PER NC WILDLIFE. BOAT WAS REREGISTERED 8/22/2013 TO NEW OWNER. DOCUMENTATION ON FILE.	(\$3,377)	4141	KATHYS	238 SOAPSTONE CREEK DR ARDEN NC 28704	COUNTY	TAX LATE LIST FEE TOTAL:	\$19.08 \$1.91 \$3.04	\$0.00 \$0.00 \$0.00	\$19.08 \$1.91 \$3.04	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00
ENDLESS SUMMER	<b>OWNER TOTAL:</b> 0000182529-2016-2016-0000	FULL RELEASE BUSINESS WAS CLOSED 12/17/2015. DOCUMENTATION ON FILE.	<b>(\$10,675)</b> (\$69,100)	4146	PNOVOTNY	641 SPARTANBURG HIGHWAY HENDERSONVILLE	COUNTY	TAX LATE LIST FEE TOTAL:	\$390.42 \$39.04 \$429.46	\$0.00 \$0.00 \$429.46	\$72.17 \$390.42 \$39.04 \$429.46	\$0.00 \$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00
H & F TRANSPORTION LLC	<b>OWNER TOTAL:</b> 0003088520-2016-2016-0000	1998 FREIGHTLINER LISTED ON ABSTRACT 3086518.	<b>(\$69,100)</b> (\$35,000)	4161	KHENSLEY	105 RIDGEWAY AVE ETOWAH NC 28729	COUNTY	TAX LATE LIST FEE TOTAL:	\$197.75 \$0.00 \$36.75	\$0.00 \$0.00 \$0.00	\$429.46 \$197.75 \$197.75 \$36.75	\$0.00 \$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00
	<b>OWNER TOTAL:</b>		<b>(\$35,000)</b>										











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OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
ST GERARD HOUSE	0000424858-2016-2016-0000	PARCEL NUMBER 101956, FULL RELEASE OF THE 2016 REAL PROPERTY TAXES BASED ON THE FOLLOWING:	(\$450,100)	4137	DHILL	705 OAKLAND ST HENDERSONVILLE NC 28791	COUNTY	TAX LATE LIST FEE TOTAL:	\$2,543.07 \$0.00	\$2,543.07 \$0.00	\$2,543.07 \$0.00	\$2,543.07 \$0.00
TALLEY, CARL GILBERT	0003088157-2016-2016-0000	OWNER TOTAL: 1995 GMC 2500 VAN VOIDED. VEHICLE IS TAGGED	(\$450,100)	4136	KATHYS	1756 BUTLER BRIDGE RD MILLS RIVER NC 28759	COUNTY	TAX LATE LIST FEE TOTAL:	\$33.90 \$0.00	\$33.90 \$0.00	\$33.90 \$0.00	\$33.90 \$0.00
TROY, JEREMY JUSTIN	0003057677-2014-2014-0000	OWNER TOTAL: 1984 CORRECT CRAFT PURCHASED IN 2012, SOLD IN 2013 PER WILDLIFE REPORT. 2014-2016 BILLS VOIDED. DOCUMENTATION ON FILE	(\$6,000)	4154	HSALTER	36 WILDWOOD CIR FLETCHER NC 28732	COUNTY	TAX LATE LIST FEE TOTAL:	\$17.23 \$1.72	\$0.00 \$0.00	\$33.90 \$18.95	\$33.90 \$0.00
	0003057677-2015-2015-0000	1984 CORRECT CRAFT PURCHASED IN 2012, SOLD IN 2013 PER WILDLIFE REPORT. 2014-2016 BILLS VOIDED. DOCUMENTATION ON FILE	(\$3,186)	4155	HSALTER	36 WILDWOOD CIR FLETCHER NC 28732	COUNTY	TAX LATE LIST FEE TOTAL:	\$16.36 \$1.64	\$0.00 \$0.00	\$16.36 \$1.64	\$0.00 \$0.00
	0003057677-2016-2016-0000	1984 CORRECT CRAFT PURCHASED IN 2012, SOLD IN 2013 PER WILDLIFE REPORT. 2014-2016 BILLS VOIDED. DOCUMENTATION ON FILE	(\$3,170)	4156	HSALTER	36 WILDWOOD CIR FLETCHER NC 28732	COUNTY	TAX LATE LIST FEE TOTAL:	\$17.91 \$1.79	\$0.00 \$0.00	\$17.91 \$1.79	\$0.00 \$0.00
ZACK KING CONSTRUCTION INC	0002551059-2016-2016-0000	OWNER TOTAL: PARTIAL RELEASE. LISTING FORM RECEIVED 9-14-2016 AND DISCOVERY VALUE REMOVED. DOCUMENTATION ON FILE.	(\$9,710)	4153	PNOVOTNY	2195 HOWARD GAP RD	COUNTY	TAX LATE LIST FEE TOTAL:	\$5,103.20 \$0.00	\$0.00 \$0.00	\$56.65 \$2,260.45	\$0.00 \$0.00
			(\$400,080)				MOUNTAIN HOME FIRE	TAX LATE LIST FEE TOTAL:	\$1,083.87 \$0.00	\$0.00 \$0.00	\$2,260.45 \$480.10	\$0.00 \$0.00
<b>GRAND TOTALS:</b>			(\$400,080)					ABSTRACT TOTAL:	\$2,740.55	\$2,740.55	\$2,740.55	\$0.00
			(\$2,144,052)					ABSTRACT TOTAL:	\$12,783.88	\$12,783.88	\$12,783.88	\$2,810.93

\*Adjustments submitted for approval on or before

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



Department: EMERGENCY TELEPHONE SYSTEM FUND (911)

*Please make the following line-item transfers:*

What expense line-item is to be increased?

Account	Line-Item Description	Amount
285411-535400	MAINT. AGREEMENTS-SOFTWARE	\$ 12,000
285411-539000	CONTRACTED SERVICES	\$ 17,000
285411-526000-0911	DEPT. SUPPLIES	\$ 2,000
285411-526201-0911	NON-CAPITAL TECHNOLOGY	\$ 31,000
285411-532100-0911	TELEPHONE & COMMUNICATIONS	\$ 30,000
285411-535400-0911	MAINT. AGREEMENTS-SOFTWARE	\$ 10,000

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

Account	Line-Item Description	Amount
284411-463000	NC 911 PSAP SURCHARGE	\$ 22,900
284411-401000	FUND BALANCE APPROPRIATED	\$ 64,000
285411-532100	TELEPHONE & COMMUNICATIONS	\$ 15,100

**Justification:** *Please provide a brief justification for this line-item transfer request.*

BUDGET AMENDMENT TO TRANSFER FUNDS AND TO APPROPRAITE FUND BALANCE AVAILABLE TO COVER SECONDARY PSAP EXPENDITURES AND ADDITIONAL OPERATIONAL EXPENDITURES INCURRED IN THE EMERGENCY 911 TELPHONE SYSTEM FUND FOR FY2017.

FINANCE

\_\_\_\_\_  
Authorized by Department Head

3/6/2017

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by Budget Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by County Manager

\_\_\_\_\_  
Date

*For Budget Use Only*

Batch # \_\_\_\_\_

Batch Date \_\_\_\_\_



**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



Department: Recreation

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115612-554002</u>	<u>Etowah Park</u>	<u>\$23,550</u>

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

Account	Line-Item Description	Amount
<u>114990-401000</u>	<u>Fund Balance Appropriated</u>	<u>\$23,550</u>

**Justification:** Please provide a brief justification for this line-item transfer request.

On February 6, 2017 the Board of Commissioners voted to move forward with a contract, not to exceed \$23,550 for the expansion of the concessions at Etowah Park.

Budget

Authorized by Department Head

Date

Authorized by Budget Office

Date

Authorized by County Manager

Date

*For Budget Use Only*

Batch #

BA #

Batch Date

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite #1  
Hendersonville, NC 28792  
Phone (828) 697-4808 • Fax (828) 692-9855

J. MICHAEL EDNEY  
Chairman  
GRADY HAWKINS  
Vice-Chairman

CHARLES MESSER  
WILLIAM LAPSLEY  
THOMAS THOMPSON

## AUTHORIZING RESOLUTION BY THE HENDERSON COUNTY BOARD OF COMMISSIONERS

**WHEREAS**, the Henderson County Board of Commissioners desires to sponsor a grant application to the NC Division of Parks & Recreation Recreational Trails Program (RTP) Trail Project Grant Application for Phases 1 and 2 of Kunz Farm Park. Phase 1 expenses cover pre-construction costs (permitting and design). Phase 2 covers design and construction of the pedestrian bridge, additional Westfeldt Park parking lots expansion/construction, and include contingency funds.

The total estimated cost at this time for Phases 1 and 2 is \$500,000. The RTP grant request is \$100,000 and the grant requires a 25% cash match from the applicant. Staff anticipates the match (\$25,000) will come from interested local Broadpointe Industry donors. The grant application requires a resolution of support from the Board of Commissioners.

### **NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY:**

The Board requests the North Carolina State Parks Recreational Trails Program to provide financial assistance to Henderson County for Kunz Farm Park in the amount of 75 percent of outlined project costs;

The Board assumes full obligation for payment of the balance of project costs;

The Board will obtain all necessary State and Federal permits;

The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.

The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;

The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;

The Board will assure that the project is open for use by the public on an equal basis with no restrictions;

The Board will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;

The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted this date, March 6, 2017 at Hendersonville, North Carolina.

  
\_\_\_\_\_  
J. MICHAEL EDNEY, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:   
\_\_\_\_\_  
TERESA L. WILSON, CLERK TO THE BOARD