

# DRAFT

## MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
WEDNESDAY, FEBRUARY 20, 2019

The Henderson County Board of Commissioners met for a regularly scheduled meeting at \*10:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville. \*Due to possible icy road conditions, the meeting was rescheduled from 9:00 to 10:00 a.m.

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

Also present were:, Finance Director Samantha Reynolds, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Planning Director Autumn Radcliff, Tax Administrator Darlene Burgess, Administrative Assistant Jennifer Miranda, Human Resources Director Jan Prichard, Building Services Director Crystal Lyda, Capital Projects Manager Thad Ninnemann, Budget Manager Megan Powell, Assistant County Assessor Kevin Hensley, Soil and Water Conservation Director Jonathan Wallin, Construction Manager David Berry, Sheriff Lowell Griffin, Planner Janna Peterson, Parks & Recreation Director Carleen Dixon, Major Steve Carter, Sheriff Lowell Griffin, Captain Bengy Bryant, Social Services Director Jerrie McFalls, Soil and Water Conservation Director Jonathan Wallin, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Sonya Matthews, Project Engineer Natalie Berry & PIO Kathy Finotti – videotaping, Deputy Chris Barber as security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

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

### PLEDGE OF ALLEGIANCE

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

### INFORMAL PUBLIC COMMENT

1. Dennis Justice feels daylight savings time should be extended one hour. He supports lottery for sports gambling with use of the money going toward schools. He would like to see fiber internet as a utility and in every home in Henderson County. The County Emergency Plan should be updated and an arena would be ideal in case of an emergency.

### DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

*Commissioner Messer made the motion to approve 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 4, 2019 - Regularly Scheduled Meeting

February 4, 2019 - Special Called Meeting

Motion:

*I move the Board approve both sets of minutes of February 4, 2019.*

DATE APPROVED:

**Tax Collector's Report**

Deputy Tax Collector Luke Small had presented the Tax Collector's Report to the commissioners dated February 8, 2019 for information only. No action was necessary.

**Vaya Health – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended December 31, 2018**

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 Vaya Health was received by the County Finance Officer on January 31, 2019.

Motion:

*I move that the Board of Commissioners approves the Vaya Health Fiscal Monitoring Report for the quarter ended December 31, 2018*

**Surplus and Donation of Stair Chair Stretcher to Edneyville Fire and Rescue Inc.**

Provided for the Board's consideration is a resolution declaring one (1) Stryker Stair Chair Stretcher no longer used by Henderson County Emergency Medical Services as surplus property and the donation of the Stair Chair to the Edneyville Fire and Rescue Inc. as allowed by N.C.G.S. 160A-280 to be used for assisting non-ambulatory patients.

Motion:

*I move that the Board approves the resolution declaring the Stair Chair Stretcher presented as surplus and authorizes the donation to the Edneyville Fire and Rescue Inc. as allowed by N.C.G.S. 160A-280.*

**Contract Renewal for WCCA – 3<sup>rd</sup> Party Contracting Services for Apple Country Public Transit**

Federal regulations require a new transit contract and solicitation process every six years. The County, through an RFP process, selected Western Carolina Community Action (WCCA) as the lowest responsive bidder to provide transit service on the urban fixed route and the ADA, demand response, required paratransit service. This contract, originally agreed upon in 2016, is set to expire on June 30, 2019. The contract allows for the County to extend the contract terms for one, three-year period and details the fee schedule for each fiscal year within the extension period (as determined in the 2016 contract). If accepted, this renewal would allow the County to continue to operate with the current service provider until June 30, 2022.

WCCA maintains high customer service approval ratings, a low accident rate, and has satisfied all other provisions of its operating agreement with the County. Staff recommends approval of the renewal contract that reiterates the billable rates through June 30, 2022.

Motion:

*I move that the Board authorizes the County Manager to execute the proposed renewal contract, which extends the contract with WCCA through June 30, 2022.*

**Resolution in support of NCDOT Ferncliff Park Drive**

The Henderson County Partnership for Economic Development has requested that the Board of Commissioners consider a resolution, in support of the North Carolina Department of Transportation's efforts to fund design and construction of the industrial access drive to serve Ferncliff Park.

Motion:

*I move that the Board adopts the proposed resolution in support of the North Carolina*

*Department of Transportation's efforts to fund design and construction of the industrial access drive to serve Ferncliff Park.*

### **Permission to use artificial tree in Historic Courthouse Courtyard**

The City of Hendersonville has been investigating the purchase of an artificial Christmas tree for next year's street lighting event as the process to string lights on the two large spruce trees has become extremely challenging.

The City would like to purchase the artificial tree before the end of February as the trees are on sale at this time saving approximately 40%. The suggested set up would be 35' tall and 17' in diameter at the base when it is set up. Noting this is obviously not as big as the spruce trees, but the City suggests that this style of tree would have a good impact in the center of the Historic Courthouse Square.

The tree could be placed directly over the County Seal in front of the Courthouse or directly in front of the center set of stairs for the duration of the holiday season. We would be running power to the tree and the City would utilize a cord cover to mark and cover the cord to reduce the trip hazard risk. The City would remove the tree prior to the New Year's Eve event to make room for the festivities.

Motion:

*I move the Board approves the use of an artificial Christmas tree as presented in the square at the Historic Courthouse for the holiday season.*

### **Funding Agreement with NCDOT – Historic Stepp Mill Foundation Repair Project**

At the request of Representative McGrady, staff has reviewed the agreement with NCDOT and provides it for approval by the Board.

Motion:

*I move the Board approves the agreement with NCDOT to fund the foundation repair for the historic Stepp Mill.*

### **Acceptance of State Criminal Alien Assistance Program (SCAAP) Grant Award**

A pre-application was submitted to the U. S. Department of Justice Bureau of Justice Programs during their grant period on behalf of the Henderson County Sheriff's Office. The grant application was submitted per the guidelines outlined in the grant application. The FY 2017 amount awarded to Henderson County is \$16,361. The funds can only be used for detention/correction purposes as specified by the U. S. Department of Justice Bureau of Justice Programs. There is no match required with this award.

Motion:

*I move that the Board approves the acceptance of the U. S. Department of Justice Bureau of Justice Programs State Criminal Alien Assistance Program (SCAAP) Grant Award.*

### **Dual Purpose K-9**

A typical police K9 is certified in several areas to include the detection of controlled substances, article searches, and the tracking and apprehension of fugitives. The Henderson County Sheriff's Office currently has no K-9's certified in fugitive tracking and apprehension. The Sheriff's Office currently possesses two dogs that have been vetted and will become certified in these areas. The Board of Commissioners approved one additional fully certified K-9 to be purchased in FY 19 through capital outlay. The Board also recently approved the use of asset forfeiture funds to purchase another K-9 to replace an existing K-9 to give us a total of 3 fully certified patrol dogs. The Sheriff's Office had identified a fourth dog which would be utilized at no cost to the county. The need for this K9 is to supplement other activities to include special events,

school searches, special tactical situations, special narcotic assignments, and other tasks. Sadly, we have recently learned that this K-9 we had identified does not possess the necessary traits to be effective in the law enforcement realm.

We have identified a K-9 at the vendor we currently use that would be delivered to us fully trained with acclimation and certification training for the assigned handler. The Vendor is needing a decision as soon as possible to provide us with the highest quality product and training possible. We currently have funds available in our budget to make this purchase.

These K-9's are vital to continue the successful investigations and prosecutions against the criminal perpetrating the drug trade in Henderson County. They also provide a significant asset for the protection of our officers and the public in immediately apprehending criminals in hostile situations.

Motion:

*I move the Board of Commissioners approve the Sheriff's Office to purchase the additional K-9 certified in narcotics detection, article search, and fugitive tracking and apprehension. This purchase is to be made utilizing funds currently within the Sheriff's FY 19 budget.*

#### **DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Chairman Hawkins made the motion to adopt the discussion agenda with the addition of an Update to the 4-year plan for Blue Ridge Community College. All voted in favor and the motion carried.*

#### **NOMINATIONS**

##### **Notification of Vacancies**

1. Asheville Regional Housing Consortium – 1 vac.

##### **Nominations**

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

1. Agriculture Advisory Board – 2 vac.

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

2. Animal Services Committee – 2 vac.

Commissioner Edney nominated Jack Walsh for position #2 and Donna Young for position #5. *Chairman Hawkins made the motion to accept the reappointments of Jack Walsh to position #2 and Donna Young to position #5 by acclamation. All voted in favor and the motion carried.*

3. Asheville Regional Housing Consortium – 1 vac.

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

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

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

5. 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.

6. Juvenile Crime Prevention Council – 3 vac.

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



7. Laurel Park Planning Board – 1 vac.

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

8. Mountain Area Workforce Development Board – 1 vac.

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

9. Nursing/Adult Care Home Community Advisory Committee – 5 vac.

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

10. Recreation Advisory Board – 3 vac.

Commissioner Messer nominated Ralph King for position #3, Jeff Donaldson for position #6 and Corum Smith for position #7. *Chairman Hawkins made the motion to accept the appointments of Ralph King to position #3, Jeff Donaldson to position #6 and Corum Smith to position #7 by acclamation. All voted in favor and the motion carried.*

11. Senior Volunteer Services Advisory Council – 3 vac.

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

### **BUDGET DISCUSSION**

The Board of Commissioners had received a report from the County Manager based on previous budget discussions. The Board is requested to discuss the budget report, and direct staff accordingly.

County Manager Steve Wyatt stated it is once again time to look at reevaluations and continue the 4-year process. Survey results have been provided for top priorities. Staff will craft the budget from the survey. The survey comes with a \$62,920,204 price tag. It is a priority to keep the Sheriff's fleet up to standards. This year's reevaluation is the most accurate mass appraisal in the last 10 years. There are few options to raise money; property taxes, sales tax (we have no control) and revenue. The reappraisal is about fairness. The Board will receive a draft document by May and several work sessions will be held.

Commissioner Messer is concerned with loss of good employees to surrounding counties due to the pay scale. He asked that an evaluation be done to help ensure we retain these employees.

Commissioner Edney agreed that a salary study should be done for next year's budget. We need to be competitive to other counties. He appreciates the survey by the County Manager for budget needs. This is the first time the survey has been done and it is a good exercise.

County Manager Steve Wyatt stated many positions require license or certifications. Some key people have been lost. If the economy holds we will have difficulty filling positions. Staff will look at most vulnerable positions.

Commissioner Lapsley noted the Board heard from departments and received a huge list of wants and needs. It is a big task for the Board to determine what to fund. A survey with the entire list (200+) was provided where the Board scored 0-5 for every item, to rank priority. Staff then made a judgement decision that everything four (4) or greater will be included in the first draft of the budget. There were 125 items included in requests for FY19/20 that will not be included in the budget at this time because they scored below four.

Chairman Hawkins feels the budget process is very complex. The survey alone was 40 pages. All of the requests were not for FY 19/20. Henderson County competes for highly qualified and motivated people which are critical for the services provided.

**HENDERSON COUNTY 4-YEAR STRATEGIC PLAN  
COUNTY COMMISSIONER SURVEY RESULTS  
FY 19-20 (AVERAGE SCORE 4.0 OR GREATER)**

DEPARTMENT	DESCRIPTION	FY 19-20	AVERAGE SCORE
BRCC	Insurance	\$ 85,000	4.8
Emergency Mngmnt / Fire Marshal	Portable generator for disaster use	\$ 75,000	4.8
HCPS	Safety Enhancements	\$ 500,000	4.6
BRCC	Utilities	\$ 1,024,259	4.6
Sheriff	Vehicle - Replace those that meet requirements	\$ 627,508	4.6
Emergency Mngmnt / Fire Marshal	Fire Department Worker's Comp	\$ 45,000	4.6
Library	Install key switch in elevator at Main Library	\$ 2,000	4.6
Dues & Nonprofits	St. Gerard House	\$ 20,000	4.4
Dues & Nonprofits	WCCA: Medical Transport	\$ 11,100	4.4
Elections	Deputy Director - Office workload & help w/ trainers	\$ 46,183	4.4
Register of Deeds	Preserve the oldest Deed Books for future generations	\$ 20,000	4.4
Facility Services	Increase in cleaning and janitorial supplies	\$ 5,300	4.4
Garage	Vehicle Mechanic	\$ 51,475	4.4
IT	Computer Support Asst. (Auxiliary)	\$ 6,274	4.4
Cooperative Extension	Annual 8 <sup>th</sup> Grade School Tour	\$ 3,000	4.4
Library	Library Assistant to alleviate volunteers at service desks	\$ 42,330	4.4
Recreation	Park Technician 1 - increased demands on park staff	\$ 46,031	4.4
HCPS	Current Expense	\$ 29,342,680	4.2
HCPS	Annual Maintenance	\$ 1,060,000	4.2
BRCC	Salaries and Benefits	\$ 2,156,471	4.2
BRCC	Continuing Education	\$ 404,976	4.2
BRCC	General Maintenance	\$ 17,500	4.2
BRCC	Industrial Skills	\$ 297,000	4.2
Dues & Nonprofits	Transit Match	\$ 9,000	4.2
Dues & Nonprofits	Children & Family Center	\$ 17,340	4.2
Dues & Nonprofits	Council on Aging	\$ 36,075	4.2
Dues & Nonprofits	Safelight	\$ 47,500	4.2
Dues & Nonprofits	Vocational Solutions	\$ 41,625	4.2
Dues & Nonprofits	WCCA: Grant Match	\$ 38,905	4.2
Detention	Detention Officer - to meet minimum standards	\$ 278,070	4.2



DEPARTMENT	DESCRIPTION	FY 19-20	AVERAGE SCORE
Public Health	Public Health Nurse II – Communicable Disease	\$ 71,414	4.2
Public Health	Vehicle - Replace (Vehicle #HE-21)	\$ 25,000	4.2
Register of Deeds	Digitize all documents from 1838 to the present	\$ 150,000	4.2
Register of Deeds	Project to scan and index older vital records	\$ 60,000	4.2
Facility Services	Increase in maintenance and repairs of bldgs & grounds	\$ 62,000	4.2
Facility Services	Replacement of custodial equipment	\$ 8,000	4.2
Garage	Fencing (Balfour garage)	\$ 30,000	4.2
IT	MUNIS Training	\$ 5,600	4.2
IT	MUNIS Tyler Contract Management	\$ 7,288	4.2
IT	MUNIS Tyler Reporting Services	\$ 6,607	4.2
IT	LastPass Enterprise licensing	\$ 9,600	4.2
Finance	Purchase of modular cabinets for hallway storage	\$ 5,000	4.2
Emergency Mngmnt / Fire Marshal	VIPER Radios - replace	\$ 12,000	4.2
Building Services	Permit Specialist - part-time to full-time position	\$ 15,758	4.2
Animal Services	Cleaning the duct systems throughout the entire facility	\$ 4,350	4.2
Planning	iPad for Planning Director and Drone usage	\$ 1,000	4.2
Library	Auxiliary Staffing - Additional hours for auxiliary staff	\$ 16,000	4.2
Library	Roof / Ceiling Repair & Fan Installation at Fletcher	\$ 17,000	4.2
Recreation	Park Technician 1 - staffing for tournaments	\$ 46,031	4.2
Recreation	Summer Day Camp at Jackson Park House	\$ 40,120	4.2
BRCC	Arts and Sciences	\$ 399,500	4.0
BRCC	Equipment	\$ 7,000	4.0
BRCC	New Construction Renovation of Older Buildings	\$ 23,028,040	4.0
Dues & Nonprofits	Boys and Girls Club	\$ 10,000	4.0
Sheriff	Public Safety Software Suite Replacement	\$ 1,540,000	4.0
Detention	Shower Resurfacing	\$ 134,000	4.0
Detention	Rekey jail & change to swipe card type entry system	\$ 10,000	4.0
DSS	Social Work Supervisor 3 Child Protective Services	\$ 69,107	4.0
DSS	Training - for additional staff & added training	\$ 30,000	4.0
Environmental Health	Environmental Health Specialist - increased workload	\$ 62,734	4.0

**HENDERSON COUNTY 4-YEAR STRATEGIC PLAN  
COUNTY COMMISSIONER SURVEY RESULTS  
FY 19-20 (AVERAGE SCORE 4.0 OR GREATER)**

DEPARTMENT	DESCRIPTION	FY 19-20	AVERAGE SCORE
Human Resources	Supervisory & Employee Training Programs	\$ 8,000	4.0
Elections	Implementation of Express Vote for ADA	\$ 350,000	4.0
Register of Deeds	Implement Electronic Death Recording System	\$ 5,000	4.0
Register of Deeds	Shelving - Roller (for older deed books)	\$ 70,000	4.0
Garage	Vehicle Mechanic (Auxiliary)	\$ 17,004	4.0
Garage	Security cameras for perimeter of facility and interior	\$ 3,500	4.0
Garage	Equipment used when changing/mounting tires	\$ 7,000	4.0
Wellness Clinic	Nurse Practitioner	\$ 90,249	4.0
Emergency Mngmnt / Fire Marshal	Vehicle - Replace (FM 008 Truck Replacement)	\$ 36,000	4.0
EMS	Online EMS Training Program	\$ 4,700	4.0
Animal Services	Spay Neuter Incentive Program (SNIP)	\$ 5,000	4.0
Project Management	Drone navigation training for a previously purchased drone	\$ 1,000	4.0
Recreation	Hosting approximately 40 weekend tournaments in 2019	\$ 22,000	4.0
Library	Complete Baker / Barber collection catalog	\$ 60,000	4.0
<b>TOTAL</b>		<b>\$ 62,920,204</b>	



**PUBLIC SAFETY ISSUE – SIGNAL HILL ROAD AND BERKLEY ROAD**

Several citizens have contacted the County in regard to safety issues on Signal Road and Berkley Road. The Board discussed the situation and what measures they may be able to take.

Commissioner Messer stated this came to his attention a couple of months earlier, before the process of building the new Emergency Services Headquarters (ESH) on highway 25. A citizen, Daniel Andreotta has done some survey work and spoken with Jimmy Brissie and the Sheriff's Department. Certain times of the day there seems to be a problem of a lot of unnecessary traffic on these two roads. Public safety is one of our main objectives as commissioners. Several weeks prior there was a bad wreck around 6:30 a.m. and the road was shut down. This is our corridor going east from the ESH coming out Hwy. 25 and taking Berkley Road into Signal Road and on out toward Four Seasons Blvd. Mr. Andreotta has spoken with the Highway Patrol and there is a petition being circulated. There are two nursing homes located in that neighborhood. This is a small two-lane curvy road and is definitely a public safety issue. Mr. Messer would like for the Board to consider what can be done to alleviate this problem, possibly request a reduction in the speed limit or restrict 18-wheelers.

Commissioner Lapsley stated the Transportation Advisory Committee (TAC) has looked at this issue and it has been a priority for probably 15 years. The solution to the problem was called the Balfour Parkway. That project was killed by this Board. The second position was improvements to Signal Hill Road such as width and grade and a number of issues with the road construction. That project has been a priority of the TAC and has been presented to NCDOT. Commissioner Lapsley presented it to this Board last month. The widening and improvements taking out of the significant curves on Signal Hill Road was a project that was on the list and was not funded by NCDOT in the next round of state transportation improvement programs. It was not funded because it did not score well. When compared to other projects, apparently it did not have enough accidents or mortality to score it high enough to get it funded. The TAC will submit it again in the next round and hopefully at one of these points it will be funded. Best case scenario, his opinion based on past experience with NCDOT, it will be ten years. It takes ten years or longer from the time a project is put to NCDOT by local community before it gets high enough on the list to be funded and get to construction. Possibly there may be a quick solution such as changing a signal light.

Daniel Andreotta provided the Board with a map of the area. He lives in Windsor Hills and has several years of commercial driving experience. He feels if you are driving a big bus or truck you do not get off of a four-lane interstate to travel Berkley Road, unless you are going around the scales. He realizes a lot of trucks go to Kimberly-Clark. If the trucks stay on the interstate to Fletcher and come down the four-lane of Asheville Highway (Hwy. 25), and turn down Berkley Road and you are at Kimberly-Clark. He encouraged the Commissioners to drive Berkley Mills Road as many times a day as they could. Every curve on Berkley Road except for one is blind. The big trucks must use both lanes to make every curve. Please petition NCDOT to study this area and simply restrict the traffic on Signal Hill and Berkley Road to trucks over 2 axles. Mr. Andreotta has not spoken with the City of Hendersonville, and is not sure how much is located in the City limits.

Noted problems on Berkley Road:

- Trucks are blind to the school bus stop at the curve
- Water meter in yard destroyed
- Road shoulders have been destroyed
- People can't see coming out of their driveways
- Jake brake noise
- Sirens at all hours of day and night

Commissioner Lapsley agrees and noted that is why it is a high priority project by the TAC. He has no

objection to trying to get a meeting with the Highway Patrol and the NCDOT and see if there are things we can do. If the solution is restricting trucks, then we can certainly consider this. There are probably 20 trucks per day coming from the county landfill crossing that road to access I-26. The choice from where he sits...if it was to be restricted from tractor-trailers, they would instead go right down the center of downtown Hendersonville or Upward Road.

Mr. Andreotta said they can take a right out of the landfill travel Mountain Road to Highway 25 and continue to I-26.

Commissioner Lapsley feels since they are traveling to South Carolina, human nature they would take the quickest route.

Commissioner McCall recognizes the bulk of the problem is garbage trucks. We should direct Republic to not use these roads. She suggested that Commissioner Lapsley go back to the TAC and see if they can submit it as Berkley Road only as a project.

Steve Wyatt noted there are other garbage trucks besides Republic. We do have a contract with Republic to take refuse out of our transfer station to South Carolina. The other trucks and private haulers will continue but we can have a conversation with Republic.

Commissioner Lapsley responding to the reduced project, noted cost was not a factor. The TAC realizes there is a problem and has been trying to get it resolved. Maybe the answer, as Mr. Andreotta has eluded to, is just to restrict trucks. From his position, and based on his background, when contracts with haulers are negotiated and an RFP is put out, the County puts forth certain minimum requirements which may impact potential cost to the contractor providing the service. This factor would probably increase the cost. At this point while we are under contract, if we came back to them and said as of a certain date you cannot drive on that road, they would have grounds to come back and add cost as an adjustment to the contract for miles and time. I don't think at this point we can automatically dictate to them at this point. When the contract is up for renewal in about a year we can put the specifications in the contract.

Commissioner Edney felt that major construction is long term, up to ten years. Short term we can ask the Sheriff and State Highway Patrol to focus on enforcement on those stretches of highway before someone gets killed.

*It was the consensus of the Board is to ask William Lapsley to look at a no trucks issue through there, have law enforcement step up with enforcement, and continue to look at a long term solution.*

### **2019 REAPPRAISAL UPDATE**

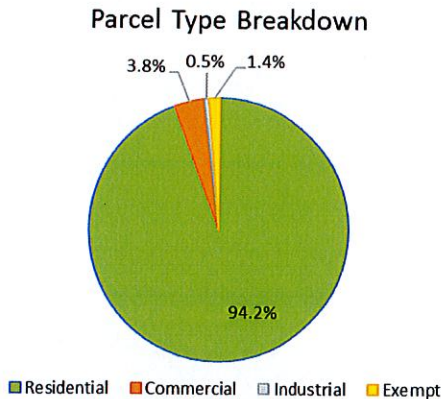
The County Tax Administrator provided an update on the results of the 2019 general, county-wide, reappraisal of real property.

What is a Reappraisal? The following video was shared to explain a Reappraisal:

<https://youtu.be/zGMW81gsIjs>



## Henderson County's Demographics



- Henderson County has approximately 68,000 parcels
- Approximately 43,000 (63%) of these parcels are improved, meaning a structure is located on the parcel

### Why is a Reappraisal Necessary?

- The County Assessor is responsible for conducting Reappraisals.
- The purpose of the 2019 Reappraisal is to appraise all real property at 100% of its current market value as of January 1, 2019.
- Real property includes land, buildings, structures and improvements.
- Reappraisals promote equity among all classes of taxable property.
  - Personal property, motor vehicles and public service properties are appraised annually.
  - Subject to certain conditions, Real Property is appraised only in the year of Reappraisal.
- Reappraisals ensure that property owners pay only their fair share of services rendered by local government.
- State law directs counties to perform a reappraisal of all real property at least once every 8 years (GS 105-286(a)(1)).
- Since 1995, Henderson County has conducted reappraisals every 4 years (GS 105-286(a)(3))
  - Henderson County conducts “in-house” reappraisals.
  - Our appraisal staff consists of 9 appraisers, a manager, an appraisal support analyst and one clerical assistant.
  - All appraisers are certified as Real Property Appraisers by the NC Department of Revenue.

### How are property values determined?

➤ State Law (NCGS 105-283) provides that real property be valued at its “true value in money”. “True value in money” means market value – “...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.”

- Market value is determined by the most recent sales activity in the local real estate market.
- Only arms-length transactions are used to measure market value. Short sales, foreclosures, multi-parcel sales or other types of sales that are not arms-length transactions are not used to measure market value.
- Properties under construction will be appraised at the percentage of completion as of January 1, 2019.
- Property values can change during a non-reappraisal year due to physical changes that are made to the property.

### How is a Reappraisal Accomplished?

- Throughout the mass appraisal process, appraisers adhere to standards and guidelines established by statute, the Department of Revenue, the International Association of Assessing Officers (IAAO) and Uniform Standards of Professional Appraisal Practice (USPAP).
- The Assessor utilizes “Mass Appraisal” to value property.
  - Uniform or similar properties are grouped together and valued to ensure fair and equitable values.
  - Mass Appraisal costs much less than the typical fee appraisal and allows the Assessor to value the County’s many parcels in a relatively short period of time.
- Statistical analyses are used to measure uniformity and equity in the Mass Appraisal process.
- Appraisal staff devotes substantial effort to collect and update data on properties.
  - Field visits are conducted to verify the property characteristics that are on file.
  - As building permits are issued, Appraisers visit the property to follow the construction progress and collect information needed to appraise the property.
  - As property ownership transfers, Appraisal staff visit the property to verify property characteristics as well as to compute the Sales Assessment Ratio.
- The valuation process involves analyzing the most recent qualified sales that have occurred within each neighborhood to uniformly appraise all properties within the neighborhood.
- After a neighborhood is valued, it goes through a quality control process and is reviewed several times by supervisory staff.
- Technology is used extensively during the Reappraisal process.
- National valuation manuals and other independent resources are used to strengthen and validate the accuracy of our appraisals.
- The local real estate market is continuously monitored throughout the Reappraisal process.
- Most recent comparable sales are given the most weight during the valuation process.

### What about the Local Real Estate Market?

- Sales within Henderson County are strong.
- Building is growing both in the residential and commercial markets.
- The median home price is an important market indicator and is derived from Henderson County sales.
  - As of January, 2019, Henderson County’s median home price is \$271,128.
  - The median home price means that ½ of the homes sold below the median and ½ the homes sold above the median
- According to the current market\*:
  - Homes priced below \$399,999 represent a seller’s market
  - Homes priced between \$400,000 and \$599,999 represent a balanced market and
  - Homes priced over \$600,000 represent a buyer’s market
- The median home price is an indicator of the market and is derived from homes that have sold. It cannot be used solely to estimate the value of all of the County’s properties.

\*Source: Beverly Hanks 2018 Year End Market Report



HISTORY OF HENDERSON COUNTY MEDIAN HOME PRICES									
Year	SINGLE FAMILY DWELLING			CONDO - TOWNHOMES			ALL PROPERTY TYPES		
	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply
2019	\$ 271,128	56	4.20	\$ 189,000	44	2.70	\$ 242,000	75	8.90
2018	\$ 250,000	65	4.20	\$ 181,125	43	2.00	\$ 224,700	79	9.00
2017	\$ 229,500	69	4.60	\$ 161,500	51	2.50	\$ 203,000	82	9.60
2016	\$ 219,700	119	6.90	\$ 162,500	100	4.10	\$ 192,000	126	12.50
2015	\$ 200,000	143	9.30	\$ 155,000	156	7.70	\$ 177,500	158	16.00
2014	\$ 192,500	143	10.70	\$ 133,000	174	11.70	\$ 169,000	160	19.70
2013	\$ 183,500	158	12.50	\$ 137,500	199	17.80	\$ 165,000	166	23.80
2012	\$ 174,500	177	15.50	\$ 131,250	219	22.40	\$ 160,000	184	29.10
2011	\$ 190,000	171	15.90	\$ 155,000	209	16.10	\$ 175,000	180	27.70
2010	\$ 198,000	148	12.90	\$ 149,450	166	14.60	\$ 175,000	157	22.40
2009	\$ 220,000	133	4.40	\$ 148,405	110	4.30	\$ 187,500	132	6.20
2008	\$ 232,000	96	2.80	\$ 155,600	83	3.60	\$ 195,000	108	3.30

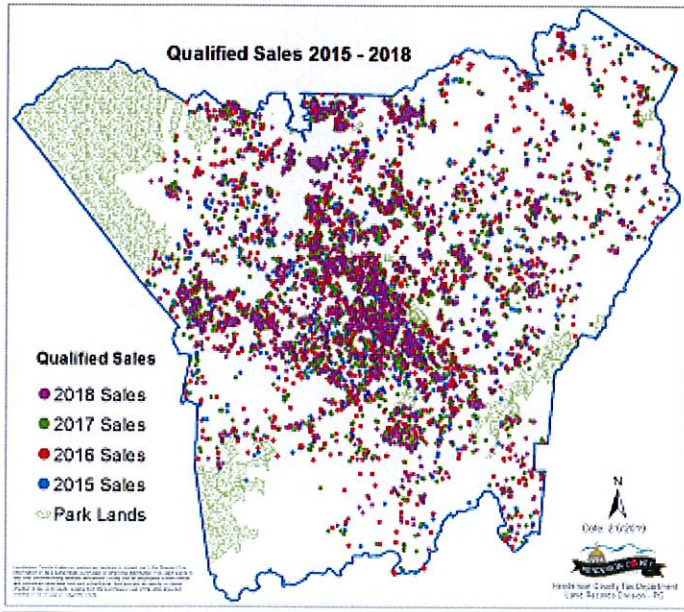
Data includes traditional sales only (no foreclosures or short sales) as of January 1 of each year listed  
 Reappraisal Years are highlighted in Yellow

The median home price increase between 2015 and January, 2019 represents a 35.6% increase

The median home price increase between 2008\* and January, 2019 represents a 16.9% increase.

\*2008 was before the recession strongly influenced the local real estate market

Where are the sales occurring?

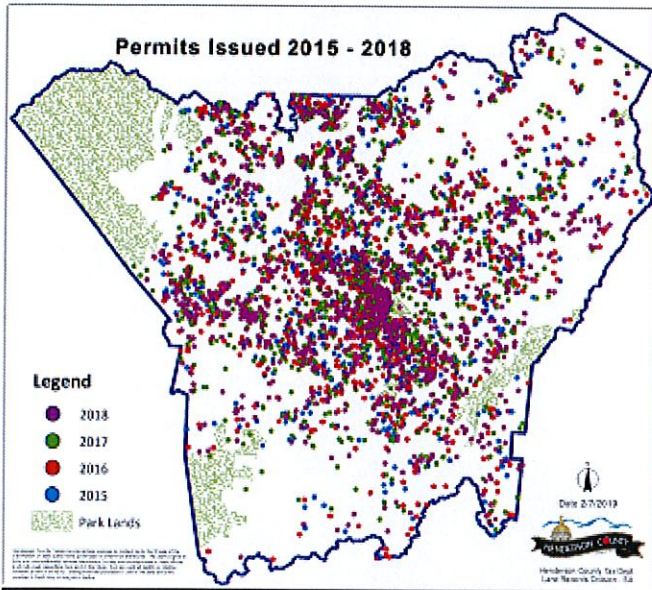


- The number of building permits continues to rise.
- During 2018,
  - 1,907 residential permits were issued at an estimated construction cost of \$175,457,616
  - 361 commercial permits were issued at an estimated construction cost of \$104,303,743

**HISTORY OF BUILDING PERMITS ISSUED**

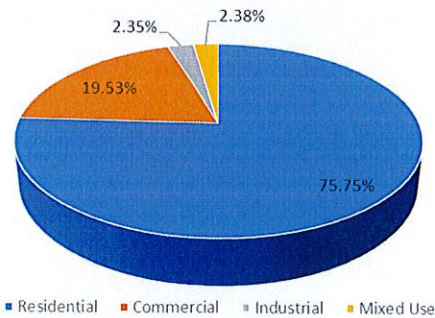
Year	RESIDENTIAL			Total Residential Permits	COMMERCIAL New Construction & Addition/Remodel
	New Construction Permits	Additions / Remodel Permits	Manufactured Homes		
2018	834	917	156	1,907	361
2017	596	801	153	1,550	277
2016	555	651	188	1,394	285
2015	616	701	133	1,450	350
2014	339	766	143	1,248	296
2013	468	629	131	1,228	264
2012	462	580	128	1,170	303
2011	253	537	99	889	239
2010	223	580	99	902	209
2009	311	546	201	1,058	226
2008	444	573	185	1,202	281

Residential Building Permits issued between 2015 and January, 2019 represent a 31.5% increase  
 Residential Building Permits issued between 2008\* and January, 2019 represent a 58.7% increase.  
 \*2008 was before the recession strongly influenced the local real estate market



What about Residential vs. Business Property?  
 How are property values allocated among different property types?

**Allocation of Values by Property Type**





**How does the Reappraisal affect the Countywide Tax Base?**

- The information below represents the percentage of increase based on the 2018 v. 2019 Real Property tax base.
- These amounts are preliminary and should not be used for budgetary purposes. Tax base projections will be presented to each taxing unit. Real property values will be adjusted downward to account for value at risk resultant from the appeal process. The tax base is not final until the appeal process is concluded.
- It's important to note that this is a Countywide average
  - Values within Neighborhoods in the county changed at different rates
  - Values of individual properties within Neighborhoods changed at different rates

<b>COUNTYWIDE INCREASE IN REAL PROPERTY TAX BASE</b>	
<b>2018 V 2019</b>	
	<b>Taxable Value</b>
2019 Real Property Value	\$ 13,482,074,813
2018 Real Property Value	\$ 11,455,829,467
Increase in Base: \$	\$ 2,026,245,346
Increase in Base: %	<b>17.69%</b>

SOURCE: NCPTS TR101 Valuation Report

**How does the Reappraisal affect the Countywide Tax Base?**

- The Sales Assessment Ratio (SAR) compares the County's appraised value to the sales that occur. It measures the level of assessment.
- The SAR should be as close as possible to 100%.
- The Countywide SAR (based on the Reappraisal values) is currently 99.33%. This means that we are assessing property at 99.33% of the property's fair market value.
- Our previous SAR was 81.73%.
- When the SAR falls below 85% in the 4<sup>th</sup> or 7<sup>th</sup> year following a reappraisal, Public Service values must be equalized, which means that the County may lose a portion of Public Service revenue (GS §105-284(b)). This scenario was avoided by conducting the 2019 Reappraisal.

<b>COUNTYWIDE SALES ASSESSMENT RATIO</b>	
<b>2018 V 2019</b>	
2019 Sales Assessment Ratio	99.33%
2018 Sales Assessment Ratio	81.73%
Increase in SAR	<b>17.60%</b>

**How does the Reappraisal affect the Tax Base in Henderson County's Municipalities and Fire Districts?**

- The information on the following slide represents the percentage of increase based on the 2018 v. 2019 Real Property tax base.
- These amounts are preliminary and should not be used for budgetary purposes. Tax base projections will be presented to each taxing unit. Real property values will be adjusted downward to account for value at risk resultant from the appeal process. The tax base is not final until the appeal process is concluded.
- It's important to note that this is an average.
  - Values within Neighborhoods in the county changed at different rates.
  - Values of individual properties within Neighborhoods changed at different rates.



How does the Reappraisal affect the Tax Base for Municipalities?

MUNICIPAL AREAS: INCREASE IN REAL PROPERTY TAX BASE 2018 V 2019				
	Taxable Value: 2019 PRELIMINARY	Taxable Value: 2018 ACTUAL BILLED	Increase in Base: \$	Increase in Base: %
Downtown District * (Special District)	\$ 106,937,600	\$ 75,506,000	\$ 31,431,600	41.63%
7th Avenue District * (Special District)	\$ 17,186,900	\$ 13,268,700	\$ 3,918,200	29.53%
City of Hendersonville	\$ 1,878,844,278	\$ 1,497,465,499	\$ 381,378,779	25.47%
Town of Laurel Park	\$ 404,118,850	\$ 348,913,600	\$ 55,205,250	15.82%
Town of Saluda	\$ 3,268,000	\$ 2,754,700	\$ 513,300	18.63%
Town of Fletcher	\$ 932,169,727	\$ 768,801,472	\$ 163,368,255	21.25%
Village of Flat Rock - Blue Ridge	\$ 559,493,550	\$ 494,283,245	\$ 65,210,305	13.19%
Village of Flat Rock - Green Rvr	\$ 272,963,300	\$ 248,408,933	\$ 24,554,367	9.88%
Village of Flat Rock - Valley Hill	\$ 118,278,800	\$ 108,543,400	\$ 9,735,400	8.97%
<b>Total: Village of Flat Rock</b>	<b>\$ 950,735,650</b>	<b>\$ 851,235,578</b>	<b>\$ 99,500,072</b>	<b>11.69%</b>
Town of Mills River	\$ 1,020,359,761	\$ 856,070,936	\$ 164,288,825	19.19%
<b>MUNICIPAL TOTALS</b>	<b>\$ 5,313,620,766</b>	<b>\$ 4,414,016,485</b>	<b>\$ 899,604,281</b>	<b>20.38%</b>

\* The Downtown and 7th Avenue Special District Values are included in the City of Hendersonville Values

SOURCE: NCPTS TR101 Assessed Value Report

How does the Reappraisal affect the Tax Base for Fire Districts?

FIRE DISTRICTS: INCREASE IN REAL PROPERTY TAX BASE 2018 V 2019				
	Taxable Value: 2019 PRELIMINARY	Taxable Value: 2018 ACTUAL BILLED	Increase in Base: \$	Increase in Base: %
Blue Ridge	\$ 883,327,925	\$ 746,941,024	\$ 136,386,901	18.26%
Valley Hill	\$ 1,642,598,752	\$ 1,460,452,774	\$ 182,145,978	12.47%
Edneyville	\$ 759,051,928	\$ 644,178,607	\$ 114,873,321	17.83%
Etowah / Horse Shoe	\$ 1,206,165,750	\$ 1,051,795,291	\$ 154,370,459	14.68%
Fletcher	\$ 834,235,985	\$ 693,410,158	\$ 140,825,827	20.31%
Green River	\$ 644,933,200	\$ 569,351,191	\$ 75,582,009	13.28%
Mountain Home	\$ 1,259,626,857	\$ 1,070,075,551	\$ 189,551,306	17.71%
Mills River	\$ 147,133,550	\$ 123,471,270	\$ 23,662,280	19.16%
Dana	\$ 468,740,082	\$ 399,228,411	\$ 69,511,671	17.41%
Gerton	\$ 126,119,868	\$ 104,597,379	\$ 21,522,489	20.58%
Raven Rock	\$ 204,574,450	\$ 181,276,365	\$ 23,298,085	12.85%
Bat Cave	\$ 98,650,258	\$ 85,621,888	\$ 13,028,370	15.22%

SOURCE: NCPTS TR101 Assessed Value Report

When are New Values Available?

- Reappraisal Notices were mailed on February 12, 2019.
- If the taxpayer agrees with the value listed, no response to our office is necessary.
- If the taxpayer has questions, there are several ways to seek answers:
  - Visit our website at [www.hendersoncountync.gov/tax](http://www.hendersoncountync.gov/tax) and select the link titled “2019 Reappraisal”. Information on specific parcels may be found by selecting the link titled “Online Tools”.
  - Email our office at [taxdept@hendersoncountync.gov](mailto:taxdept@hendersoncountync.gov).
  - Contact our office by telephone at 828-697-4667.
  - Visit our office in the 1995 Courthouse located at 200 North Grove Street, Hendersonville, NC.





HENDERSON COUNTY ASSESSOR  
 200 N. Grove Street, Ste. 102  
 Hendersonville, NC 28792-5027  
[hendersoncountync.gov/tax](http://hendersoncountync.gov/tax)  
 Email: [Assess@hendersoncountync.gov](mailto:Assess@hendersoncountync.gov)  
 Phone: (818) 697-4667

**2019 NOTICE OF ASSESSED VALUE**

DATE OF NOTICE	MARKET AREA	ACREAGE	PARCEL NUMBER	PROPERTY DESCRIPTION
MARKET VALUE	EXEMPT VALUE	DEFERRED VALUE	ASSESSED VALUE	PHYSICAL ADDRESS OF PROPERTY

LINE  
 CELL  
 Page: #F-D-ParentBatchID-ParentID-1  
 CustomerName1  
 CustomerName2  
 Address1  
 Address2  
 Address3  
 City State ~~00000~~

Pursuant to NCGS §105-286, all real property within Henderson County has been reappraised. The Market Value indicated above represents 100% fair market value as of January 1, 2019. Market Value is based on studies of market conditions and is determined in accordance with NCGS §105-283. Please take notice that:

- The Assessed Value does not include reductions in value due to Tax Relief programs.
- The Assessed Value, less any value attributable to Tax Relief, will be the basis of your tax bill for FY2020, which will become due September 1, 2019.
- Should you disagree with the value indicated above, your appeal rights are outlined below.

**IF YOU AGREE WITH YOUR VALUE, YOU DO NOT NEED TO DO ANYTHING.** If you wish to file an informal appeal of your value, please do so within 30 days of the date of this Notice using the enclosed Informal Appeal Form. **Your appeal must be in writing.**

- You may appeal using one of three methods: (1) complete the informal appeal form enclosed with this Notice and return it by mail; (2) download and complete an informal appeal form from our website at [www.hendersoncountync.gov/tax](http://www.hendersoncountync.gov/tax), then clicking on "Forms and Applications"; or (3) telephone the Assessor's office at (828) 697-4667 to request an appeal form.
- A review of your property value will result in the assessed value being unchanged, increased or decreased. You may appeal the appraised value if (1) the property is appraised for substantially more than its market value; or (2) the property is not equitably assessed when compared to similar properties. The assessment cannot be adjusted based on the amount of increase in assessed value or your ability to pay taxes.
- If the property is income-producing property (apartments, retail, shipping centers, offices, etc.), please attach income and expense statements for the previous three years. All income and expense information received will be kept confidential.
- This Notice is the result of a Countywide Reappraisal and you have the right to request an on-site review of your property. Your right to appeal to the Board of Equalization & Review is protected during the time we are considering the information you have provided concerning your informal appeal.
- Appellants who do not hold an ownership interest in the subject property must attach a completed Power of Attorney form signed by the property owner. A Power of Attorney form may be downloaded by visiting [www.hendersoncountync.gov/tax](http://www.hendersoncountync.gov/tax), then clicking on "Forms and Applications". You may also contact the Assessor's Office to have a Power of Attorney form mailed to you.
- Documentation to support your opinion of value is essential. Please attach complete copies of any recent sales, appraisals, market analyses, closing statements, real estate listings, and/or income and expense statements that occurred prior to January 1, 2019.
- When complete, please return the completed appeal form along with all documentation supporting your opinion of value to the County Assessor's office at 200 N. Grove Street, Suite 102, Hendersonville, NC 28792. It is not necessary for you to make a personal visit to our office. The written information you provide will be considered by our appraisers, and you will be notified by mail of their decision. Please be sure to include your day time and evening telephone numbers and an email address in the event an appraiser needs to contact you.
- If you disagree with the results of your Informal Appeal, you have the right to file a Formal Appeal with the Board of Equalization and Review. You may request a Formal Appeal any time prior to the adjournment date of the Board of Equalization and Review or within thirty (30) days of your last notice of Assessed Value. All requests for Formal Appeal must be in writing and on the proper form. Formal Appeal forms are available at the Assessor's Office and may also be downloaded from our website at [www.hendersoncountync.gov/tax](http://www.hendersoncountync.gov/tax), then clicking on "Forms and Applications". The first meeting of the Board of Equalization and Review must be held no earlier than the first Monday in April and no later than the first Monday in May. Actual times and dates will be advertised in the local newspaper.

**TAX RELIEF FOR ELDERLY OR PERMANENTLY DISABLED PERSONS OR DISABLED VETERANS**

NCGS §100-177.1 provides three programs that relieve from taxation a portion of the appraised value of a permanent residence owned and occupied by North Carolina residents aged 65 or older or totally and permanently disabled whose income does not exceed \$10,100. The greater of \$25,000 or 50% of the appraised value of the residence may be excluded. A deferred lien program is also available. Income means the owner's gross income from all sources other than gifts, inheritances received from a spouse, lineal ancestor or lineal descendant. In addition, a Disabled Veteran Exclusion Program is available upon certification by the Veterans Administration. If you feel you may qualify for any of the Tax Relief Programs, please contact the Assessor's Office at (818) 697-4670 to request an application. All completed applications must be received by the Assessor's Office no later than June 1, 2019. Applications received after June 1, 2019 are considered untimely.

**What if I disagree with my value?**

- Each Notice will include an Appeal form.
- If the taxpayer disagrees with the value listed on the Notice, an Informal Appeal may be filed.
- When an Informal Appeal is filed, an Appraiser will visit the property and review the Appeal. The Assessor will notify the taxpayer in writing of the decision.
- Informal Appeals can be filed until April 15, 2019, when the Board of Equalization & Review (BOER) convenes.
- Once the BOER convenes, the Informal Appeal process ceases.
- The BOER will adjourn on May 15, 2019. Once the BOER adjourns, no new appeals may be filed. Timely-filed appeals will continue to be heard by the BOER.





HENDERSON COUNTY ASSESSOR  
 200 N. Grove Street, Ste. 102  
 Hendersonville, NC 28792-5627  
 Hendersoncounty.gov/assessor  
 Email: [taxdept@hendersoncountync.gov](mailto:taxdept@hendersoncountync.gov)  
 Phone: (828) 697-4667

**2019 INFORMAL APPEAL FORM**

[BAR CODE]

DATE OF NOTICE	MARKET AREA	ACREAGE	PARCEL NUMBER	PROPERTY DESCRIPTION
MARKET VALUE	EXEMPT VALUE	DEFERRED VALUE	ASSESSED VALUE	PHYSICAL ADDRESS OF PROPERTY

**IF YOU AGREE WITH YOUR VALUE, YOU DO NOT NEED TO DO ANYTHING.** If you wish to appeal your value, please do so within 30 days of the date of this Notice using this form. Your appeal must be in writing.

**OPINION OF VALUE:**

What is the most probable price this property would sell for? \$ \_\_\_\_\_  
 Date you purchased the property: \_\_\_\_\_ Purchase Price: \$ \_\_\_\_\_

What is the basis for your opinion of value? (check all that apply and include copies of appraisals, closing statements, offers to sell, pictures or any other supporting documentation)

- Personal Judgment     Recent Purchase     Recent Asking Price     Recent Appraisal     Comparable Sale     Recent Construction Cost

**BUILDING INFORMATION:**

Building Use:  Residential     Commercial     Industrial

Building Type:  Single Family Dwelling     Duplex     Condominium     Manufactured Home     Other: \_\_\_\_\_

Building Characteristics (check/complete all that apply)

Central Heating     Central Air Conditioning     Other     Number of Fireplaces: \_\_\_\_\_

Total Heated Area is \_\_\_\_\_ square feet

Basement:     Fully Finished     Partially Finished     Unfinished

Attic:     Fully Finished     Partially Finished     Unfinished

Garage:     Fully Finished     Partially Finished     Unfinished

List other structures located on property (barn, garage, shed, etc.): \_\_\_\_\_

**INCOME INFORMATION (For properties rented or leased to others):**

Please submit income and expense statements for the last three years

**DO YOU WISH TO REQUEST AN ON-SITE VISIT OF YOUR PROPERTY?**     Yes     No

**ADDITIONAL INFORMATION THAT SUPPORTS OWNER'S OPINION OF VALUE:** (Please attach additional pages if necessary)

**OWNER'S CONTACT INFORMATION**

Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ Evening/Mobile Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

**AFFIRMATION:**

Under penalty prescribed by law, I hereby affirm to the best of my knowledge and belief all information submitted on this Informal Appeal form, including any accompanying statements and other information, as true and complete.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE ENSURE THIS FORM IS FULLY COMPLETED.** After completion, please return this form WITHIN 30 DAYS to the Assessor's Office at 200 North Grove Street, Suite 102, Hendersonville, NC 28792. Documentation to support your opinion of value is essential. Please attach complete copies of any documentation you have to support your opinion of the value of the property. Any supporting documentation you submit must be dated prior to January 5, 2019. If you have questions, please telephone the Assessor's Office at (828) 697-4667. Please allow two to four weeks for your Informal Appeal to be processed.

**ETOWAH PARK FACILITY TDA GRANT**

Parks & Recreation Director Carleen Dixon stated on January 7, 2019, the Board of Commissioners discussed existing facilities at Jackson Park and Etowah Park and their ability to accommodate the planned tournament season. The Board received information from the Executive Director of the Tourism Development Authority (TDA) about grants offered through their organization. Staff has prepared a Product Development Grant Application. The application requests grant funding for two portable restroom trailers, restroom facility expansion, and field renovations at Etowah Park. Staff was directed to prepare a grant application to the TDA.

Chairman Hawkins is concerned that we are asking for about half of the taxes collected by the Tourism Development Authority, half of their budget. He feels we should ask for what we can reasonably get.

Commissioner Edney questioned the amount in reserves for the TDA.

Assistant County Manager Amy Brantley will get this information for the Board.

Carleen Dixon noted that the cost for the restroom expansion had decreased.

David Berry stated when the portable units were discussed, Commissioners made the decision to purchase two. It was also requested that staff look further into the pricing for expansion on the bathrooms at Etowah Park. The initial cost was estimated around \$181,000. Upon reinvestigating a drawing was done and staff went out for pricing on a design built type arrangement. A price was received from a reputable contractor of \$71,640. In addition to that, the big problem out there is the septic system. Mr. Berry also contacted Brooks Engineering, the firm we have used in the past, and they came back with a proposal of \$8,000 for the design. It would include additional storage tanks, modifications to pumps, and all the variance components that would be needed to make it work with additional restrooms. Brooks Engineering also provided an estimate on the high side for those modifications that would be made based on their design. That estimate was between \$25,000 and \$30,000. We are now at a cost of around \$108,000 instead of \$181,000.

Average for modifications	\$ 27,500
Contractor	\$ 71,460
Engineering	\$ 8,000
<b>Total Cost</b>	<b>\$106,960</b>

*Chairman Hawkins made the motion to that the Board directs staff to change the requested amount to \$200,000 and submit the Product Development Grant application to the Tourism Development Authority. All voted in favor and the motion carried.*

**HENDERSON COUNTY PUBLIC SCHOOLS EMERGENCY FUNDING REQUEST**

On February 12, 2019, the Board of Commissioners received a letter from the Henderson County Public Schools Chairperson Amy Holt requesting emergency funding for HVAC systems at both Rugby Middle School and Flat Rock Middle School. The Board of Education feels these systems have far exceeded their useful life and require replacement with upgraded units.

The Board of Education formally requests emergency funding for HVAC units at both schools at an estimated cost of \$2,000,000 per school.

David Berry informed the Board that over the last two years the County has spent approximately \$40,000 to \$50,000 on repairs of these two systems. He has inspected both systems and there is a potential for the systems to fail.

Steve Wyatt noted that design, plan and cost would take a couple of months, at which point we will be in the budget. We could have the cost at that time, and be prepared to move forward in June while the schools are out for the summer.

Superintendent Bo Caldwell stated this is the number one need in the 10 year plan and is critical.

*Commissioner Lapsley made the motion that the Board directs staff to work with the school board staff and engage the services of a consulting engineer to develop firm plans for the replacement of the HVAC systems at Rugby Middle School and Flat Rock Middle School as soon as possible, with the intent of coming back to this Board no later than June with final numbers of the cost. All voted in favor and the motion carried.*

Chairman Hawkins noted the timing is good as far as the Board setting the tax rate. Taxpayers will have to foot the bill for the HVAC systems. It give this Board an opportunity to put this in right up front when

working on the budget.

Superintendent Bo Caldwell reminded the Board that the kick-off to Middle School baseball will be this Saturday or the following depending on the weather.

**UPDATE TO THE 4-YEAR PLAN FOR BLUE RIDGE COMMUNITY COLLEGE – ADD ON**

Commissioner Edney noted that the Joint College Facilities had met on the 18<sup>th</sup> to look at Blue Ridge Community College's 4 year and long term plan. Their long term plan includes \$59m in needs but they have set the priorities with a lower cost of \$31,000,000.

<b>Building</b>	<b>Description</b>	<b>Cost</b>
Continuing Education Building	Renovations for Basic Law Enforcement (BLET) Criminal Justice Technology, and BRCC Police Dept. moves Replace chiller Install sprinkler system and fire alarm New furniture for offices	\$1,159,100
Ground Building/Maintenance Bldg.	Replace heaters, circular fans, Roof repair	\$ 32,500
Industrial Skills Center	Replace air handlers Install ventilation system and welding booths for Art program Re-coat roof Replace water heater, boiler Install sprinkler system and fire alarm	\$ 858,900
Killian Building	Replace chiller Install sprinkler system and fire alarm Install roof liner Upgrade Student Center New furniture for library and offices	\$1,797,000
Sink Building	Replace boiler, chiller, air handlers New furniture for offices	\$ 695,500
Spearman Building	Replace boiler Install generator Renovation for Trades programs New furniture for labs/shops	\$ 526,000
TEDC	Replace boiler, chiller and compressors Replace Conference Hall tables, chairs	\$ 910,000
Campus-wide Improvements	Outdoor lighting improvements Pavement and parking lot repair Sidewalk installation Update wayfinding signage Replace 3 monument signs	\$ 995,960
Subtotal		\$6,971,960
	POPAT	\$1,000,000
	New construction Renovation of older buildings	\$23,028,040
<b>TOTAL</b>		<b>\$31,000,000</b>

Commissioner McCall stated Blue Ridge Community College would like to build one new building to house Applied Science and General Studies, and a major renovation to the Patton Building. It is vital to get the State out of the way to keep the project moving. A local Bill needs to be submitted and the deadline is March 6, 2019. Representative Chuck McGrady will introduce the Bill.

Blue Ridge Community College is growing and they are using all of their facilities. BRCC needs a State of the Art facility to compete with other local colleges. Major training is being done for industrial needs, and



the old buildings could be utilized for this. BRCC is working for a direct transfer to Western Carolina University. Their priority is classroom improvement.

Commissioner Edney requested the Board allow staff to move forward with legislation so that the options are available and to look at the scope of the projects. The Fletcher Center is still on the radar.

*Commissioner Edney made the motion that the Board gives preliminary approval to the \$31m scope of project, and direct staff and the county attorney to work with our local legislative delegation to seek a local bill that would exempt us from the State Planning Office review of plans. All voted in favor and the motion carried.*

#### **COUNTY MANAGER'S REPORT**

County Manager Steve Wyatt announced that at their recent conference Amy Brantley received the North Carolina City and County Management Association's Assistant Manager of the Year Award. She is an excellent sample of leadership. The Award is well deserved by Ms. Brantley and we are fortunate to have her.

#### **IMPORTANT DATES**

Chairman Hawkins informed the Board that Commissioner Messer will be out of town for the March 4, 2019 meeting. A public hearing is scheduled for that meeting and has been advertised.

*It was consensus of the Board to recuse him of the March 4, 2019 Board meeting.*

#### **ADJOURN**

*Chairman Hawkins made the motion to adjourn at 12:20 p.m. All voted in favor and the motion carried.*

Attest:

---

Teresa L. Wilson, Clerk to the Board

---

Grady Hawkins, Chairman

# 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

Friday, February 08, 2019

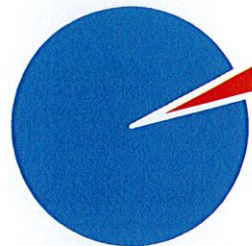
Re: Tax Collector's Report to Commissioners - Meeting Date February 20, 2019

Please find outlined below collections information through February 8, 2019 for the 2018 real and personal property bills mailed on August 1, 2018. Vehicles taxes are billed monthly by NC DMV.

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

<b>2018 Beginning Charge:</b>	<b>\$73,220,943.57</b>
Discoveries & Imm. Irreg.:	\$809,089.51
Releases & Refunds:	<b>(\$536,682.79)</b>
<u>Net Charge:</u>	<u>\$73,493,350.29</u>
Unpaid Taxes:	\$2,766,781.59
<b>Amount Collected:</b>	<b>\$70,726,568.70</b>

**Paid**  
**96.24%**



**Unpaid**  
**3.76%**

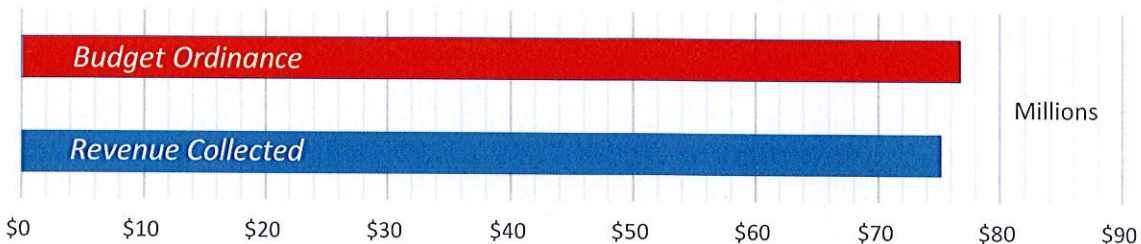
## Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$3,759,111.77
Unpaid Taxes:	\$11,441.77
<b>Amount Collected:</b>	<b>\$3,747,670.00</b>

**99.70%**

## Henderson County FY19 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$75,697,389.00	\$74,474,238.70
Prior Years:	\$1,025,000.00	\$689,594.70
<b>Budget Total:</b>	<b>\$76,722,389.00</b>	<b>YTD Revenue: \$75,163,833.40</b>



Respectfully Submitted,

Luke Small  
 Deputy Tax Collector

Darlene Burgess  
 Tax Administrator

**RESOLUTION**  
**DECLARING PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING**  
**THE DISPOSITION OF PERSONAL PROPERTY BY DONATION**

**WHEREAS**, Henderson County owns the Stair Chair Stretcher itemized on the attached Exhibit B, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

**WHEREAS**, the Henderson County Board of Commissioners is desirous of declaring the Stair Chair Stretcher as surplus and transferring to the Edneyville Fire and Rescue Inc. via donation as authorized by N.C.G.S. 160A-280; and

**WHEREAS**, it is the intent of the County to donate said surplus property.

**NOW THEREFORE BE IT RESOLVED**, by the Henderson County Board of Commissioners as follows:

1. The Stair Chair Stretcher itemized on the attached Exhibit B is hereby declared to be surplus property.
2. Henderson County Emergency Medical Services is hereby authorized to transfer by donation, the surplus property described above to the Edneyville Fire and Rescue Inc.
3. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.


**THIS** the 20<sup>th</sup> day of February 2019

**[OFFICIAL SEAL]**

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
**GRADY HAWKINS, Chairman**

**ATTEST:**

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



**Exhibit B - List of Proposed Surplus Property:**

<b><u>DEPARTMENT</u></b>	<b><u>Year</u></b>	<b><u>Make</u></b>	<b><u>Model</u></b>	<b><u>Serial#</u></b>	<b><u>Asset#</u></b>
EMS	2003	Stryker	Stair Chair Stretcher	030939508	10915

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**HENDERSON COUNTY TRANSIT RENEWAL CONTRACT  
AND AMENDMENT**

This Agreement made and entered this the 20<sup>th</sup> of February, 2019, by and between Henderson County, a body politic and corporate under the laws of the State of North Carolina (hereinafter the "COUNTY") and Western Carolina Community Action (hereinafter the "SERVICE PROVIDER"), a nonprofit organization is a renewal of the original agreement signed on June 28, 2016 by the parties.

**Witnesseth**

WHEREAS the County and the Service Provider have had an agreement for transit services since 28 June, 2016;

WHEREAS the County is desirous to contract with the Service Provider for the continuance of these services; and

WHEREAS the previous agreement allows the County and the Service Provider to renew the agreement;

NOW THEREFORE, for valuable consideration and mutual promises, the adequacy and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **DURATION:** The renewal agreement shall last for three years from July 1, 2019 to June 30, 2022. This reflects the original contract that allowed one three-year renewal. After this renewal, the original contract may not be renewed per Federal Transit Administration (FTA) requirements.
2. **HOURS AND RATE:** The paratransit services cap for FY2020 shall be 1,850 hours at a rate of \$67.28 per hour. The paratransit services cap for FY2021 shall be 1,850 hours at a rate of \$70.27 per hour. The paratransit services cap for FY2022 shall be 1,850 hours at a rate of \$74.30 per hour.
3. **HOURS AND RATE:** The transit services cap for FY2020 shall be 9,180 hours at a rate of \$72.04 per hour. The transit services cap for FY2021 shall be 9,180 hours at a rate of \$74.48 per hour. The transit services cap for FY2022 shall be 9,180 hours at a rate of \$77.07 per hour.
4. **ORIGINAL TERMS:** Except as otherwise stated herein, all terms established in the Original Agreement shall remain in effect for the duration of this Agreement.
5. **EXAMINATION AND RETENTION OF RECORDS.** SERVICE PROVIDER shall maintain all books, records, documents, accounting ledgers, data bases, and similar materials relating to work performed for the COUNTY under this CONTRACT on file for at least three (3) years following the date of final payment to the SERVICE PROVIDER by the COUNTY. All records stored on a computer database must be of an updated format compatible with the COUNTY's software systems. Any duly authorized representative(s) of the COUNTY shall have access to such records for the purpose of inspection, audit, and copying at reasonable times, during SERVICE PROVIDER's usual and customary business hours. SERVICE PROVIDER shall provide proper facilities to the COUNTY representative(s) for such access and inspection. Further, any duly authorized representative(s) of the COUNTY shall be permitted to observe and inspect any or all of SERVICE PROVIDER's facilities and activities during SERVICE

PROVIDER's usual and customary business hours for the purposes of evaluating and judging the nature and extent of SERVICE PROVIDER's compliance with the provision of this CONTRACT. In such instances, the COUNTY representative(s) shall not interfere with or disrupt such activities.

The SERVICE PROVIDER shall maintain, and the COUNTY and its representatives shall have the right to examine, all books, records, documents, accounting procedures and practices and other evidence sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of the CONTRACT. The materials described above as well as any relevant database and computer tapes or disks containing such information shall be made available at the COUNTY office of the SERVICE PROVIDER at all reasonable times for inspection, audit, and reproduction during the term of the CONTRACT, and for three years from the final date of settlement or payment under the CONTRACT.

**IN WITNESS WHEREOF**, each party has caused this extension to be duly executed on the day and year first above written and if corporate, by their duly authorized representative.

On this the 20<sup>th</sup> day of February, 2019.

HENDERSON COUNTY

By: \_\_\_\_\_

  
Steve Wyatt, County Manager  
SERVICE PROVIDER

By: \_\_\_\_\_

David White, Executive Director, WCCA





\*\*\*\*\*

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I, Notary Public of the County and State aforesaid certify that Steve Wyatt, personally came before me this day and acknowledged that he is the County Manager for Henderson County, a corporation and body politic, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its.

WITNESS my hand and notarial seal this 20<sup>th</sup> day of February, 2019.

Notary Public: Teresa L. Wilson  
Print or type name: TERESA L. WILSON  
My Commission Expires: 10/15/2021

\*\*\*\*\*

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, Notary Public of the County and State aforesaid certify that \_\_\_\_\_, personally came before me this day and acknowledged that he is the \_\_\_\_\_ of Western Carolina Community Action (WCCA), a lawful corporation under the regulations of North Carolina, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by himself as its \_\_\_\_\_.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public: \_\_\_\_\_  
Print or type name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

\*\*\*\*\*

**PRE-AUDIT CERTIFICATION**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act N.C.G.S. 159-28(a)

By: Samantha Reynolds

Date: 2.20.2019

Name (Print): Samantha Reynolds  
Henderson County Finance Director

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

1 Historic Courthouse Square, Suite #1  
Hendersonville, NC 28792  
Phone (828) 697-4808 • Fax (828) 692-9855  
[www.hendersoncountync.gov](http://www.hendersoncountync.gov)

GRADY HAWKINS  
Chairman  
WILLIAM LAPSLEY  
Vice-Chairman

J. MICHAEL EDNEY  
CHARLIE MESSER  
REBECCA McCALL

**RESOLUTION IN SUPPORT OF THE NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION FERNCLIFF PARK DRIVE**

**WHEREAS**, the North Carolina Department of Transportation has a history of supporting the creation of quality jobs and economic development through the design and construction of public industrial access transportation infrastructure; and

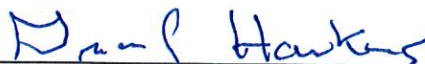
**WHEREAS**, the development of the Ferncliff Park including the design and construction of the industrial access drive is a function of the development plan produced in collaboration with GF Linamar and the Henderson County Partnership for Economic Development; and

**WHEREAS**, the planned occupants of the Ferncliff Park, GF Linamar, will invest \$217,000,000 in new real and business personal property and create at least 350 new jobs at wages, that meet or exceed the County's average annual wage. In addition Ferncliff Park still has 2-3 available parcels for Economic Development which could lead to more capital investment and job creation;

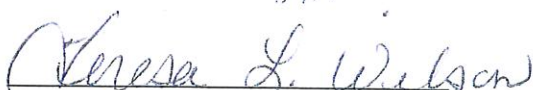
**WHEREAS**, the Board appreciates the work NCDOT has done to provide the best possible transportation needs for the citizens of Henderson County;

**NOW, THEREFORE**, be it resolved that we, the Henderson County Board of Commissioners, do hereby support NCDOT's efforts to fund the design and construction of the industrial access drive to serve the Ferncliff Park development.

Adopted this 20<sup>th</sup> Day of February, 2019.

  
\_\_\_\_\_  
Grady H. Hawkins, Chairman  
Henderson County Board of Commissioners

Attest:

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

NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT – STATE  
CONTINGENCY AGREEMENT**

HENDERSON COUNTY

DATE: 2/6/2019

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION

AND

WBS Elements: 47887

HENDERSON COUNTY

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and Henderson County, hereinafter referred to as the "County".

**WITNESSETH:**

WHEREAS, the parties have agreed to make certain improvements within the County under WBS Element 47887 in Henderson County in accordance with the plans and specifications approved by the Department; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-66.3, Section 136-18 (24) and (27), Section 20-169, Section 160A-296 and Section 297, to participate in the planning and construction of the Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the Department and the County have agreed that the jurisdictional limits of the Parties, as of the date of the awarding of the contract for the construction of the above-mentioned Project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:



## **SCOPE OF PROJECT**

1. The Project consists of the repair and backfill of the foundation at the Historic Stepp Mill on SR 1734 (Stepp Mill Road).

## **PROCUREMENT OF SPECIALIZED SERVICES**

2. If the County causes the professional engineering services required by this Agreement to be performed by contracting with a private engineering firm and seeks reimbursement for said services under this agreement, it is agreed as follows:
  - A. The County shall ensure that an engineering firm is obtained through an equitable selection process and that prescribed work is properly accomplished in a timely manner, at a just and reasonable cost.
  - B. The County, when procuring architectural, professional and engineering services, must adhere to North Carolina Department of Transportation Policies and Procedures for Major Professional or Specialized Services Contracts. This policy conforms to N.C.G.S. 143-64, Parts 31 and 32.
  - C. The County shall submit all professional services contract proposals to the Department for review and approval prior to execution of the professional services contract by the County. In the event that the professional services contract proposal (engineering) exceeds \$30,000, a pre-negotiation audit must be requested from the Department's External Audit Branch. A pre-negotiation audit of a contract under \$30,000 will be performed by the Department's External Audit Branch if the County requests it.
  - D. Reimbursement for construction administration costs cannot exceed fifteen percent (15%) of the actual construction contract cost. This applies to private engineering firms and/or work performed by the County. If the County elects to procure a private consulting firm to conduct Project administration, the County shall be responsible for submitting the consulting firm's proposal to the Division Engineer for review and approval. The County, and/or its agent, shall perform Project administration in accordance with all Departmental policies and procedures.
  - E. All work shall be prepared and submitted using computer software and applications approved by the Department and compatible with departmental equipment and programs.

F. Small Professional and Engineering Services Requirements: Any contract entered into with another party to perform work associated with the requirements of this agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the NC Board of Transportation. These provisions are incorporated into this Agreement by reference [www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html](http://www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html)

- The County shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the County fails to comply with these requirements, the Department will withhold funding until these requirements are met.

## **PLANNING AND DESIGN**

3. The County, and/or its consultant, shall prepare the environmental and/or planning document and obtain any environmental permits needed for the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.
4. The County shall design and prepare the plans and specifications for the Project, in accordance with the Department's standard practices, regulations and guidelines for transportation improvements. The Department shall review and approve Project plans and specifications.

## **UTILITIES**

5. The County, without any cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the Project. All utility work shall be performed in a manner satisfactory to and in conformance with rules and regulations of the Department prior to the County beginning construction of the Project. The County shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits of the Project, whichever is greater, regardless of ownership of the connections or services. Any encroachment agreement and/or permits required for the Project must be obtained from the Division Office. All work shall be performed in accordance with the Department's approved Utility Relocation Policy and standard procedures for utility improvements.

## **RIGHT OF WAY**

6. The County, at no expense or liability whatsoever to the Department, shall be responsible for acquiring any needed right of way and/or permanent easements required for said Project. If the Project is not to be constructed within the existing right of way, the County will be responsible for any additional right of way or easements. Acquisition of right of way shall be accomplished in accordance with applicable policies, guidelines, statutes and the North Carolina Department of Transportation Right of Way Manual.

The County shall remove from said right of way all obstructions and encroachments of any kind or character (including hazardous and contaminated materials). The County shall indemnify and save harmless the Department from any and all claims for damages that might arise on account of said right of way acquisition, and construction easements for the construction of said Project.

## **CONSTRUCTION**

7. The County shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The County shall enter into and shall administer the construction contract for said Project and the procedures set out herein below shall be followed:
  - A. Prior to advertising the Project for construction bids, the County or its agents, shall submit for approval by the Department, the final construction plans, the total contract proposal, and an estimate of the Project costs to the Division Engineer. Bids received along with proper documentation of Municipal approval shall be submitted to the Division Engineer for review and approval by the Department prior to the contract being awarded by the County. Upon award of the Project, the County shall provide the Division Project Manager copies of the executed contract and sets of plans as requested.
  - B. The County shall follow Department regulations, and North Carolina General Statutes regulations pertaining to bid procedures in the award of the contract and purchases. The County shall not enter into any contractual agreement for any phase of the Project without prior written approval from the Department.
  - C. The construction engineering and supervision will be furnished by the County. Said work shall be accomplished in accordance with terms set out in Provision #2 of this Agreement.



- D. The Department's Division Engineer shall have the right to inspect, sample, test, and approve or reject any portion of the Project being performed by the County or the County's contractor, to ensure compliance with the provisions of this Agreement. The Department will furnish the County with any forms that may be needed in order to follow standard Departmental practices and procedures in the administration and performance of the contract.
- E. The County shall sample and test all materials in reasonable close conformity with the Department's Guide for Process Control and Acceptance Sampling and Testing. The Division Engineer shall be provided a copy of the testing results.
- F. During construction of the Project, if any changes in the plans are necessary, such changes must be approved by the Division Engineer prior to the work being performed.
- G. All materials incorporated in the Project and workmanship performed by the contractor shall be in reasonable close conformity with the Standards and Specifications of the Department.
- H. Upon completion of the Project, the County shall furnish the Division Engineer with complete sets of "Plan of Record" and/or "As Built" plans as requested.
- I. Prior to the final acceptance and payment by the Department, the Division Engineer shall make a final inspection of the completed work. The Division Engineer will be responsible for final acceptance of the completed work on behalf of the Department.
- J. During construction of the Project, the County shall provide and maintain adequate barricades, signs, signal lights, flagmen, and other warning devices for the protection of traffic in conformation with standards and specifications of the Department and the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Federal Highway Administration.
- K. In the event the Project is not let to contract within six (6) months after receiving final approval of construction plans and proposals from the Department, the County shall be responsible for documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.
- L. The County shall complete construction of the Project, in accordance with the terms of this Agreement within One year(s) of execution of this Agreement. If the County has not completed its responsibilities to the satisfaction of the Department, including satisfactory

progress of the various phases of the Project, the unexpended balance of funds may be recalled by the Department and assigned to other Projects by the Board of Transportation and the County shall reimburse costs incurred by the Department associated with the Project.

## **CONSTRUCTION SUBCONTRACTOR GUIDELINES**

8. Any construction contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Minority Businesses and Women Businesses as required by GS 136-28.4 and the North Carolina Administrative Code.
  - A. The Department will provide the appropriate provisions to be contained in those contracts. Those provisions are available on the Department's website at <https://connect.ncdot.gov/projects/Contracts/Pages/LGA-Projects.aspx>
  - B. No advertisement shall be made nor any contract be entered into for services to be performed as part of this Agreement without prior written approval of the advertisement or contents of the contract by the Department.
  - C. Failure to comply with these requirements will result in funding being withheld until such time as these requirements are met.

## **FUNDING**

9. Subject to compliance by the County with the provisions set forth in this Agreement, and the availability of funds, the Department shall participate in the actual Construction costs up to a maximum amount of \$60,000 (estimated costs are \$60,000). The Department shall not be responsible for costs which exceed this amount. Reimbursement to the County shall be made upon approval of the invoice by the Department's Division Engineer and the Department's Fiscal Section.
  - A. The County may bill the Department for actual costs by submitting an itemized invoice and requested documentation to the Department. Reimbursement shall be made upon completion. By submittal of said invoice, the County certifies that it has adhered to all applicable state laws and regulations as set forth in this Agreement.

- B. Force account work is only allowed when 1) there is a finding of cost effectiveness for the work to be performed by some method other than contract awarded by competitive bidding process, and 2) the force account work is in compliance with NC General Statute 143-135, found at [www.ncleg.net/gascrpts/Statutes/Statutes.asp](http://www.ncleg.net/gascrpts/Statutes/Statutes.asp). Written approval from the Division Engineer is required prior to the use of force account by the County. Said invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in Office of Management and Budget (OMB) Circular A-87 ([http://www.whitehouse.gov/omb/circulars\\_a087\\_2004/](http://www.whitehouse.gov/omb/circulars_a087_2004/)). Reimbursement shall be based on actual cost incurred with the exception of equipment owned by the County or its Project partners. Reimbursement rates for equipment owned by the County or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.
- C. In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" ([http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133\\_revised\\_2007.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf)), the County shall arrange for an annual independent financial and compliance audit of its fiscal operations. The County shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the County's fiscal year ends.
- D. The County shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the County shall make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of final payment under this Agreement, for inspection and audit by the Department's Fiscal Section.
- E. The County agrees that it shall bear all costs for which it is unable to substantiate actual costs.
- F. Failure on the part of the County to comply with any of these provisions will be grounds for the Department to terminate participation in the costs of the Project.
- G. All invoices associated with the Project must be submitted within six months of the completion of the Project to be eligible for reimbursement by the Department.



- H. The Project must progress in a satisfactory manner as determined by the Department. If the Project does not remain active, the Department reserves the right to de-obligate said funding.
- I. The expenses incurred by the Department for reviews, approvals, inspections and other tasks set forth in this Agreement are an eligible Project cost and charged to allocated Project funding.

## **TRAFFIC**

- 10. All traffic operating controls and devices shall be established, enforced, and installed in accordance with the North Carolina General Statutes, the latest edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways", the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and maintained and controlled by the Department upon completion of the Project.

## **MAINTENANCE**

- 11. Upon completion of the Project, only those improvements within the state owned right of way shall be considered on the State Highway System and owned and maintained by the Department.

## **ADDITIONAL PROVISIONS**

- 12. The County shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.
- 13. This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.
- 14. It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency. By execution of this Agreement, the County certifies, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by a governmental department or agency.

15. The County shall certify to the Department compliance with all applicable State laws and regulations and ordinances and shall indemnify the Department against any fines, assessments or other penalties resulting from noncompliance by the County or any entity performing work under contract with the County.
16. The County is solely responsible for all agreements, contracts, and work orders entered into or issued by the County for this Project. The Department is not responsible, for any expenses or obligations incurred for the Project except those specifically eligible in the terms of this Agreement. However, at no time shall the Department reimburse the County costs which exceed the total funding for this Project.
17. The County will indemnify and hold harmless the Department and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability in connection with the Project activities performed pursuant to this Agreement including construction of the Project. The Department shall not be responsible for any damages claims, which may be initiated by third parties.
18. The Department must approve any assignment or transfer of the responsibilities of the County set forth in this Agreement to other parties or entities.
19. If the County decides to terminate the Project without the concurrence of the Department, the County shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project. Any notification of termination of this Project shall be in writing to the other party. Reimbursement to the Department shall be made in one lump sum payment within sixty (60) days of billing. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23 and G.S. 105-241.21.
20. In compliance with state policy, the County, and/or its agent, including all contractors, subcontractors, or sub-recipients shall have a Conflict of Interest Policy and adhere to the Department's Women Business Enterprise (WBE) and Minority Business Enterprise (MBE) policy which requires goals to be set and participation to be reported, as more fully described in the Subcontractor Guidelines section of this Agreement.
21. All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

22. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor ( i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

23. IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the County.



IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Henderson County by authority duly given.

L.S. ATTEST:

HENDERSON COUNTY

BY: Alicia L. Wilson

BY: Dee S. Henters

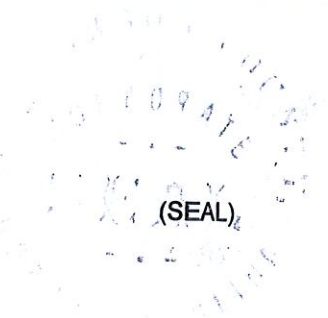
TITLE: Clerk to the Board

TITLE: Chairman

DATE: 2.20.2019

"N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization."

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.



(SEAL)

Samantha Reynolds  
(FINANCE OFFICER)

Federal Tax Identification Number

56-6000307

Remittance Address:

Henderson County

\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(CHIEF ENGINEER)

DATE: \_\_\_\_\_

PRESENTED TO THE BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



**Department:** Sheriff

*Please make the following line-item transfers:*


**What expense line-item is to be increased?**

Account	Line-Item Description	Amount
<u>115431-526003</u>	<u>K9 Program Supplies</u>	<u>\$11,500.00</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
<u>Total</u>	_____	<u>\$11,500.00</u>
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>115431-537100</u>	<u>Travel &amp; Staff Development</u>	<u>\$11,500.00</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
<u>Total</u>	_____	<u>\$11,500.00</u>
_____	_____	_____

**Justification:** *Please provide a brief justification for this line-item transfer request.*  
To purchase an additional K-9 Unit.

 \_\_\_\_\_ 2/12/2019  
Authorized by Department Head Date

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

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

<i>For Budget Use Only</i>	
Batch #	_____
BA #	_____
Batch Date	_____





**HENDERSON COUNTY TOURISM DEVELOPMENT AUTHORITY (HCTDA)  
PRODUCT DEVELOPMENT GRANT APPLICATION**

**Date of Application:** \_\_\_\_\_

**GRANTEE INFORMATION**

Name of Organization/Business applying for PD Grant: Henderson County Parks and Recreation

Project Title: Parks Restroom Facility Expansion

Contact Person Title Carleen Dixon, Parks & Recreation Director

Address 708 S. Grove St. Hendersonville, NC 28792

Phone 828-697-4884 Fax \_\_\_\_\_ Cell \_\_\_\_\_

Email: cdixon@hendesoncountync.gov Website: www.hendersoncountync.gov

Federal Tax ID#: 41-0852411

FOR PROFIT                       INCORPORATED     YES     NO

NON PROFIT – 501C STATUS     YES     NO                      OTHER: Local Government

**Requested Grant Amount:** \$199,017                      **Total Project Cost:** \$199,017

**ATTACHMENTS REQUIRED WITH APPLICATION:**

- List of the Board of Trustees/Directors) and/or management team for the applying organization/business.
- Complete and detailed project description
- Budget for the project request
- Documentation of other funding (grants, cash match, sponsorships, donations, etc.)
- Certified cost estimates (Bricks & Mortar)
- Budget - Revenue & Expenses (All project applications)
- Marketing Plan promoting the development of funded project including required HCTDA recognition

**ELIGIBILITY**

Which of the following best describes the focus of your project?

- |  |  |
|--|--|
| <input type="checkbox"/> Development of Plans/Studies that support the tourism industry              | <input checked="" type="checkbox"/> Festival                   |
| <input checked="" type="checkbox"/> Performances   | <input type="checkbox"/> Historic Preservation project         |
| <input type="checkbox"/> Art Project   | <input type="checkbox"/> Exhibit                               |
| <input checked="" type="checkbox"/> Culture, Heritage, Nature/Outdoor based attraction enhancement   | <input type="checkbox"/> Directional Signage (HCTDA Standards) |
| <input checked="" type="checkbox"/> Other projects that expand, strengthen and sustain local tourism |  |

Describe:  
Expansion of existing restroom facilities at Etowah Park and  
purchase of portable restroom trailers to be used for  
tournament and park events.

**PRODUCT INFORMATION**

Briefly describe project scope: \_\_\_\_\_

This project will be completed in two phases. First, purchase two commercial restroom trailers to meet the immediate need of higher park use while providing a long term, flexible solution. The second phase is to expand the existing restroom facility at Etowah Park.

Location of product (Bricks & Mortar): Etowah Park - 449 Etowah School Rd. Hendersonville, NC 28793

or Date(s) of Event: \_\_\_\_\_ Event location: \_\_\_\_\_

Goals of the product: Drive tourism and economic development by creating a competitive tournament facility.

Provide adequate facilities for increased number of park visitors due to higher volume of use during sports tournaments throughout the year.

Date work to begin on project/event: January 28, 2019 Expected completion date: Phase 1: April 2019  
Phase 2: November 2019

**GENERAL CRITERIA**

Will your product/program/event increase visitation to Henderson County?  YES  NO

What is the estimated number of visitors to your event/attraction for the: 1<sup>st</sup> Year 7000 3<sup>rd</sup> Year 10000 5<sup>th</sup> Year 13000

Provide an estimated percentage of attendees/users served by product:  
Local 50% 40 miles away 15% 100 miles away 35% 500 miles away \_\_\_\_\_ Further \_\_\_\_\_

What is the estimated number of visitors that will stay in local accommodations? 35-50% for each tournament

Have grants been awarded or applied to your organization/business for this same product in the past?  YES  NO  
If yes, list years received, type and amount of grant(s): \_\_\_\_\_

**GRANTEE COMMENTS**

Pitch why your organization/business thinks your product will be successful and positively impact our local economy:  
Henderson County parks hosted eight tournaments in 2018. For 2019, 25 tournaments are booked with more waiting to be scheduled. These tournaments will be held primarily at Etowah Park and Jackson Park. With improvements to the park facilities, Henderson County will be able to attract and host a greater number of people at each tournament and handle more tournaments throughout the year to have a greater economic impact on the community. Currently, projected economic impact for the 8 month tournament season, March through October, is estimated to be \$1,500,000.00 to 2,000,000.00. The proposed improvements to the park facilities will meet the needs of greater park use and make Henderson County parks more attractive for future tournaments.



**SIGNATURE REQUIRED**

Your signature on this application affirms that you legally represent the grantee (organization/business) in requesting funds from HCTDA and indicates that you read & accepted the Product Development Grant Guidelines.

Required Wendy Hawkins Date 2/20/2019  
Signature  
Chairman Phone 828-697-4808  
Printed Name

**REIMBURSEMENT**

If proposed project receives a grant from HCTDA, all required documentation should be submitted by deadline set by Grant Committee. Provide the following information for check processing purposes:

Mail Check To: Henderson County  
Organization/Business Name  
Parks and Recreation Department  
Attention  
1 Historic Courthouse Sq. Suite 1  
Street Address  
Hendersonville NC 28792  
City State Zip

**REQUIRED PRODUCT SUMMARY**

Applicants are required to submit Product Development Summary Documents to HCTDA no later than **thirty days** after project completion provided in the application. Documents must include the following:

- Final Budget (Revenues/Expenses)
- Marketing materials recognizing HCTDA as funding source
- Economic Impact Survey Summary (All Projects Except Bricks & Mortar)
- Brief Project Summary
- Timeline Pictures of Project



**Henderson County Tourism Development Authority  
Product Development Grant Application**

**List of Management Team:**

-Carleen Dixon, Parks and Recreation Director

**Project Description:**

The Henderson County Parks and Recreation Department has attracted multiple large tournaments to be held at Jackson and Etowah Parks. The success of these tournaments has created a desirability to hold more tournaments at Henderson County park facilities. For this upcoming year, Henderson County is scheduled to hold close to 30 tournaments for Baseball and Softball at Jackson and Etowah Parks having an economic impact of \$1.5 to \$2 million. The project the county is proposing will help ensure success in hosting these numerous tournaments and attract more in coming years. To meet the needs of higher park use during tournament season, the county is proposing a restroom facility expansion and field renovation at Etowah Park, and the purchase of two commercial restroom trailers. The restroom trailers will provide an immediate solution during construction and provide availability for use at community events in other locations.

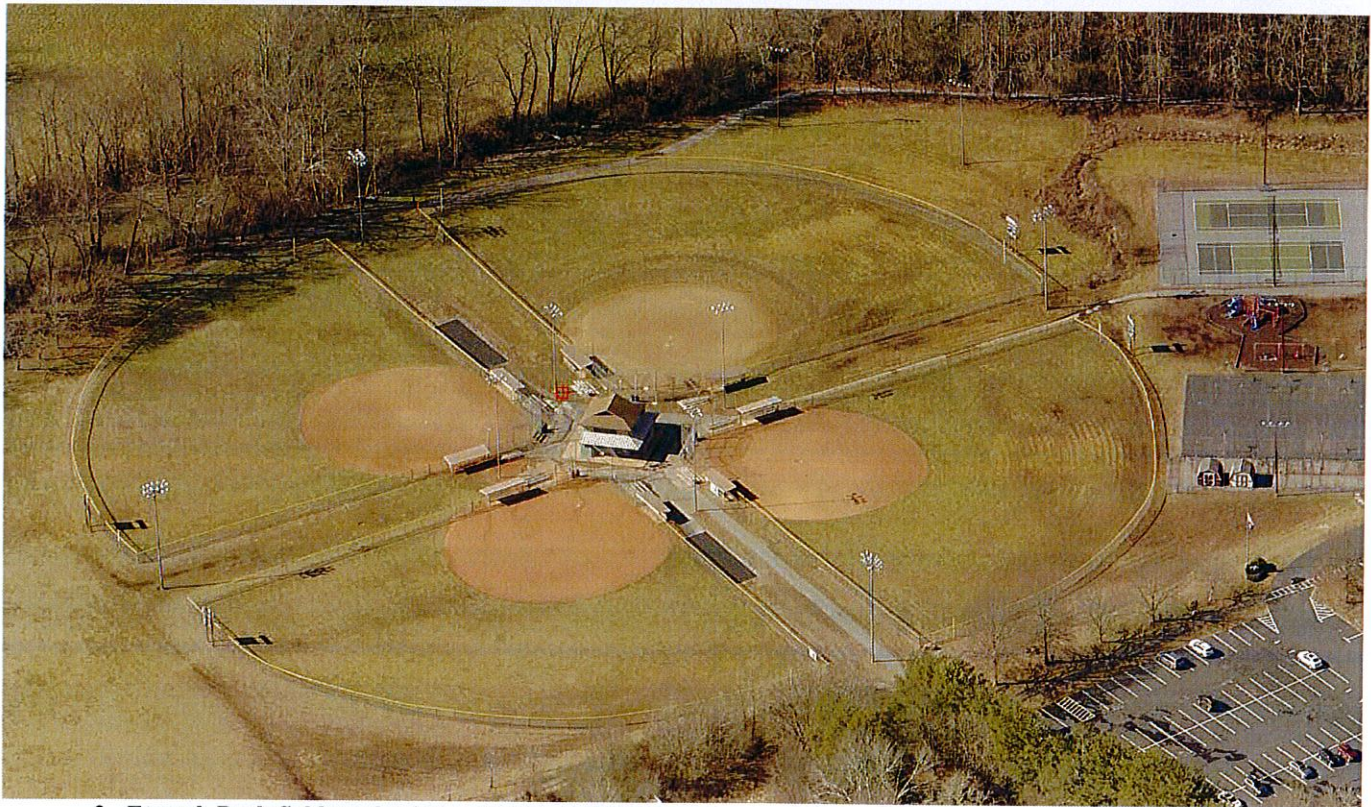
The expansion of restroom facilities will be completed in two phases. Phase one will be completed by purchasing two commercial restroom trailers each with a six-person capacity each. The two restroom trailers will allow for an immediate solution for higher park use while phase two is being constructed. The restroom trailers will also provide a flexible solution to use throughout all Henderson County parks when the needs arise and at partner community events when they occur. The total cost of Phase One is \$89,017. Phase two of this project is construction of an expansion to the existing restroom facility at Etowah Park. The construction is proposed to be completed over 4 to 5 months with an estimated cost of \$110,000. Once construction is complete the expansion will bring the total restroom capacity to 4 water closets for both men and women.

The total amount of this grant request is \$199,017.





**1. Example of portable commercial restroom trailer.**



**2. Etowah Park fields and existing facility building**





**3. Etowah Park Existing Facility Building**





# HENDERSON COUNTY PUBLIC SCHOOLS

414 Fourth Avenue West, Hendersonville, NC 28739-4261  
Bo Caldwell, Superintendent

Board of Public Education  
Amy Lynn Holt, *Chairperson*  
Mary Louise Corn, *Vice Chairperson*  
Michael Absher  
Dot Case  
Blair Craven  
Jay Egolf  
Rick R. Wood

February 12, 2019

Mr. Grady Hawkins, Chairman  
Henderson County Board of Commissioners  
One Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792

RE: Emergency Funding Request

Dear Mr. Hawkins,

I am writing to you today on behalf of the members of the Henderson County Board of Public Education to request immediate emergency funding for the replacement of outdated and failing HVAC systems at Rugby Middle School and Flat Rock Middle School. These systems have far exceeded their useful life and require a complete replacement with upgraded units.

At a Board of Education workshop held last night, members of the Board of Education were presented with the summary results of a 10-year facility assessment conducted by Novus Architects. In addition to identifying the future capital needs of the school system, the assessment confirmed an urgent need to address the failing HVAC systems at Rugby Middle School and Flat Rock Middle School.

It was the consensus of the Board of Education that we communicate this urgent need directly to the Board of Commissioners for immediate funding consideration. Please accept this letter as a formal request for funding each of these replacement projects at an estimated cost of \$2,000,000 each.

My thanks in advance for your support of this request, and please do not hesitate to let me know if you have any questions or would like additional information.

Sincerely,

HENDERSON COUNTY BOARD OF PUBLIC EDUCATION  
Amy Lynn Holt, Chairperson

cc: Members, Henderson County Board of Commissioners  
Mr. Steven D. Wyatt, Henderson County Manager  
Members, Henderson County Board of Public Education  
Mr. Bo Caldwell, Superintendent