



**HENDERSON COUNTY  
OFFICE OF THE COUNTY MANAGER**

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# MEMO

**TO: Board of Commissioners**

**FROM: David E. Nicholson**  
**County Manager**

**DATE: February 2, 2005**

**SUBJECT: Joint Meeting with Buncombe County**

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I was approached by the Buncombe County Manager concerning a joint meeting between the two boards in order to generate knowledge and support for the North Carolina Association of County Commissioners' Legislative Goals. They have indicated their willingness to attend your next regularly scheduled meeting of February 16, 2005.

I have attached a copy of the Legislative Goals for your information.



## **2005-06 LEGISLATIVE GOALS**

**(Adopted at the Legislative Goals Conference, January 13-14, 2005)**

1. **Medicaid Relief** – Seek legislation to implement a six-year phase out of county participation in the costs of Medicaid; and, for the first year, cap county costs at the fiscal year 2004-05 level and provide relief by targeting supplemental financial assistance to any county in which more than X percent of the population is eligible for Medicaid.
2. **Revenue Options** – Seek legislation to allow all counties to enact any or all of several revenue options from among those that have already been authorized for any other county.
3. **School Construction Bonds** – Support legislation to provide for a statewide referendum on a bond issue to meet school construction needs caused by increased enrollment and mandated reduction in class size.

## **POSITIONS**

### **TAXATION AND FINANCE**

1. **Impact Tax** – Support legislation that will give counties the option of applying an impact tax to support capital improvements for county government infrastructure responsibilities, such as the needs of education, the construction of jails, or any other county facility currently authorized under existing state law.
2. **Motor Vehicle Property Tax Collection** – Support legislation to replace the current registered motor vehicle property tax collection process with one that requires the simultaneous payment of vehicle property taxes with purchase of the license plate/renewal.
3. **Motor Vehicle Owner Identification** – Support legislation to require the NC Division of Motor Vehicles to provide the Social Security numbers of motor vehicle owners who owe delinquent motor vehicle taxes to county tax collectors. The legislation shall contain safeguards to protect the confidentiality of this information.



4. **Definition of Charity** – Support legislation to clarify the definition of “charity” for hospitals, including facilities financed through medical bonds, and continuing care facilities, and require that any property valuation exclusion formula provide for a higher test of “charity.”
5. **Manufactured Home Taxes** – Support legislation to require all taxes levied on a manufactured home to be paid before the home may be moved, repossessed or sold on site.
6. **Sales Tax Exemption** – Support legislation to exempt counties, cities, school boards and community colleges from payment of state and local sales taxes on purchases within North Carolina. The legislation shall contain a provision permitting the state to repay the last refund over a five-year period to minimize state budget impacts.
7. **Sales Tax** – Support legislation to allow counties by resolution to assume the one-half cent state sales tax if it is allowed to expire on July 1, 2005.
8. **Department of Revenue Positions** – Support legislation to fund two new positions in the Department of Revenue’s Property Tax Division to increase auditing and accelerate property appeals disposition.

## **PUBLIC EDUCATION**

1. **Public School Capital Building Fund** – Support legislation to assure that the Public School Capital Building Fund remains intact and to direct the state treasurer to report on long-term commitments that are dependent on this fund.
2. **Community College Funding** – Support legislation to fund expansion budget requests of the community college system to meet demands resulting from increased enrollment, especially in critical areas in which there are waiting periods for admission, and to train and retrain workers responding to a changing economy.



3. **Community College Appointments** – Support legislation to allow each board of county commissioners that participates in funding to appoint one trustee to each of the boards of trustees of the several community colleges in cases of multi-county campuses.
4. **Reinstitute State Funding of School Utility Costs** – Support legislation to reinstitute state funding of local school system utility costs.
5. **Add School Nursing** – Support legislation to appropriate state funds to add school health personnel in all counties so that over a three-year period the state reaches a nurse/student ratio of 1:750.
6. **Teacher Pay and Availability** – Support legislation to create a study commission to review the School Budget and Fiscal Control Act to update and clarify state and county responsibility for public school education, with special attention to competition between school districts for professional personnel and the effect of uneven competition for teachers and teacher assistants through supplemental pay offers upon the constitutional mandate for equal educational opportunity in North Carolina.
7. **Resolution to School Budget Disputes** – Support legislation to amend G.S. 115C-431 to require that the courts consider factors in addition to the sum of money necessary to support a system of free public schools to include: other funding responsibilities of the county and prevailing economic conditions.
8. **Education of Children in Group Homes** – Support legislation to amend G.S. 115C-140.1 to provide for reporting by local school administrative units of the number of children with special needs that are placed in or assigned to group or foster homes, and the related costs, to better enforce the requirement that local school administrative units in which such children are domiciled transfer appropriate funds to the local school administrative units in which the group or foster homes are located.



## ENVIRONMENT

1. **Air Quality** – Support the establishment of an Air Quality Trust Fund or similar mechanism that will provide a source of funding for local governments to address air quality problems.
2. **Water Quality/Supply and Infrastructure** – Support funding from legislative appropriations and/or bond funds to improve infrastructure that will enable local governments to meet increasingly stringent water quality requirements. Support state funding incentives that promote development of regional water and wastewater systems.

## AGRICULTURE

1. **Compensation for Lost Taxes** – Support legislation to require compensation from state agencies for lost property taxes when they obtain any real property interest in previously taxed lands for conservation or preservation purposes.
2. **Support Working Lands** – Support legislation that includes, as part of the state conservation plan, an emphasis on the protection and support of private working lands.
3. **Study Present-Use Value** – Support legislation to study the present-use value statutes, in order to simplify the administration of the program for the counties, by clarifying the land value differences between agriculture and horticulture, providing greater equity for taxpayers.
4. **Conduct Land Rent Studies** – Support legislation to appropriate funds required to conduct land rent studies every four years to inform the development of the Use Value Manual by the North Carolina Department of Revenue.
5. **Fund Cooperative Extension** – Support legislation to maintain funding for the extension function and the research function housed within North Carolina Cooperative Extension.



## INTERGOVERNMENTAL RELATIONS

1. **Public Duty Doctrine** – Support legislation to restore application of the “Public Duty Doctrine” to local governments.
2. **Library Maintenance of Effort** – Support legislation to repeal or revise the administrative rule that requires local funding of libraries at continuous levels in order to receive funding from the State Aid to Public Libraries Fund.
3. **Workforce Development** – Support legislation that coordinates, increases efficiency and eliminates duplication in workforce development programs (including Workfirst) and continues the funding of the North Carolina Employment Training and Grant Program.
4. **Affordable Housing** – Support appropriations by the General Assembly authorizing recurring funds for the North Carolina Housing Trust Fund to provide new home ownership opportunities and affordable rental homes for those qualified under the North Carolina Housing Trust Fund, while looking to enhance federal funding opportunities where appropriate.
5. **Temporary Tier Designation** – Support legislation creating a temporary Bill Lee Act tier designation for counties experiencing unemployment rates in excess of the previous year’s statewide average.
6. **Retirement System Governance and Administration** – Support legislation to increase local government representation on the Board of Trustees of the Local Governmental Employees’ Retirement System.
7. **Abandoned Manufactured Housing** – Support the creation of a legislative study concerning the disposal of abandoned manufactured housing.
8. **Second Primary** – Support legislation to eliminate the Second Primary.
9. **Election Funding** – Seek legislation to require the state to bear the total cost of holding a new election, if the North Carolina State Board of Elections determines that a new statewide election is required for any reason under G.S 163-182.13.



10. **Public-Private Partnerships** – Support legislation to allow the county to enter into public-private partnerships in the development of land and sale of properties owned by the county.
11. **Informal Bid Limit** – Support legislation to increase the informal bid limit from \$5,000 to \$25,000.
12. **Regional Planning Services** – Support an increase in state funding for the 17 regional councils to carry out community and economic planning and development activities for local government.
13. **Regional Councils to Own Property** – Support legislation amending G.S. 160A-475 to authorize regional councils to acquire and own real property for the limited purposes of meeting office space needs and program responsibilities.
14. **Transportation** – Support legislation providing continued funding of rural transportation planning organizations (RPOs), enabling increased participation in transportation planning for the state's non-urban areas by local governments.
15. **Workers' Compensation Reform** – Support legislation to reform the state Workers' Compensation system to reduce inappropriate extended disability findings and open-ended streams of payment to address the trend in favor of long-term disability findings, to eliminate unreasonable control over these findings on the part of claimants and their legal representatives, and to curtail adoption of rules that inappropriately limit return-to-work efforts.
16. **Unified Government** – Support legislation to allow the creation of a unified government system in those counties that do not have any incorporated entities within their borders.



## **CRIMINAL JUSTICE**

1. **Video Poker** – Support legislation to ban video poker.
2. **Criminal Justice Partnership** – Support legislation to restore full funding to the Criminal Justice Partnership Program (CJPP).
3. **Flexible Use of E-911 Funds** – Support legislation to allow counties greater flexibility in the use of county E-911 funds, in accordance with an adopted three-year system improvement plan, giving priority to the updating of necessary software and related equipment and to services specifically aiding in locating, receiving, processing or dispatching emergency calls for public safety.
4. **Homeland Security Funds** – Support legislation to ensure that federal Homeland Security funds are distributed by the state to counties in a timely and equitable manner.
5. **Inmate Medical Care Fees** – Support legislation that would authorize medical care providers to charge counties no more than the rates set in the Workers' Compensation schedule of charges for county inmate medical care.
6. **Funding for Court System** – Support legislation to provide adequate funding for the court system in each county and additional funding for technicians in the SBI lab in order to reduce delays in the prosecution of offenders.
7. **Service of Process** – Support legislation to increase the service of process fee to \$25.
8. **Handgun Permit Application Fee** – Support legislation to authorize counties to charge a non-refundable handgun permit application fee for those who do not possess a concealed carry permit.





## **HUMAN RESOURCES**

1. **Public Health** – Support an increase in the tobacco tax to fund programs that decrease tobacco dependence in children, and to provide state funds for a reduction in the county Medicaid share.
2. **Mental Health**
  - Support an increase in alcohol taxes to fund mental health services for target populations that are not Medicaid-eligible.
  - Support legislation to expand funding, oversight and lower individual funding caps for the community alternative placements for disabled adults.
3. **Social Services**
  - Support additional state funds to complete expansion of Children’s Services Multiple Response System (MRS) to include reduced caseloads to 1:10.
  - Support funds for comprehensive long-term care planning at the county level that includes identification of local barriers to employment for direct care givers.
4. **Special Assistance** – Support legislation to phase out county responsibility for funding Special Assistance to adults.