

DRAFT

11/23/09
MINUTES

cc. BOC
Steve
Selena
Russ
Christy

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
NOVEMBER 18, 2009**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Larry Young, Commissioner Chuck McGrady, Commissioner Mark Williams, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, Attorney Russell Burrell, and Clerk to the Board Teresa L. Wilson.

Also present were: Planning Director Anthony Starr, Finance Director J. Carey McLelland, Research/Budget Analyst Amy Brantley, Engineering and Facility Services Director Marcus Jones, Associate County Attorney Sarah Zambon, Captain Greg Cochran, Sheriff Rick Davis, Major Rodney Raines, Code Enforcement Director Toby Linville, Captain of Patrol Tim Griffin and PIO Christy DeStefano.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

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

INVOCATION

Commissioner Williams gave the invocation.

INFORMAL PUBLIC COMMENT

There was none.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Moyer requested the addition of one item, a Resolution to support the North Carolina Division of Forest Resources B.R.I.D.G.E. and Aviation Programs.

Commissioner McGrady made the motion to approve the agenda with the addition of one item as noted. All voted in favor and the motion carried.

Resolution to support the North Carolina Division of Forest Resources B.R.I.D.G.E (Building, Rehabilitation, Instructing, Developing, Growing and Employing) and Aviation Programs

Commissioner Messer introduced Michael Byrd of the U.S. Forest Service.

Mr. Byrd explained that a meeting was held earlier in the week in regards to the B.R.I.D.G.E. Program. Representatives from every fire department and the rescue squad attended the meeting to show their support for the agency.

Henderson County receives a benefit from the North Carolina Forest Service; it is a cooperative program that is represented state wide. Henderson County pays 40% of the local operating budget including utilities at the office facility, fuel, salaries, etc. Mr. Byrd is the only full-time permanent employee in Henderson County. The State Forest Service provides many of the resources necessary for Mr. Byrd and the local fire departments to do what the State Forest Service is charged by law to do.

DATE APPROVED:

In 1986, the NC General Assembly approved the funding for The Young Offenders Forest Conservation Program (B.R.I.D.G.E), a cooperative effort between the N.C. Division of Forest Resources and the N.C. Division of Prisons, was created. The Governor of North Carolina has proposed to eliminate the NC Forest Service Young Offenders Forest Conservation Program through budget cuts. It continues to be under continuation review.

During the day, these inmates age 18-25 work under the supervision of the Division of Forest Resources, perform jobs that range in scope from forest firefighting, emergency relief, emergency rescue operations, chain saw operation, tree planting and a variety of other jobs. They each receive \$1.00 per day and one day off of their sentence for each day served in this program. Since 1986 there have been 4,042 participants saving \$19,322,221 based on \$9.05 pickup firefighter rate

These inmate crews are a critical firefighting resource in all 32 counties of Western North Carolina. Request for crews on high fire danger days often exceed the capabilities of the programs' current fourteen (14) available crews. If the Division were to hire additional firefighters, to perform this job, this expense to the state would result in thousands of dollars a day. The daily cost of contract crew is \$6,240. This reduction in the number of crews will severely impact local Volunteer Fire Departments, who will be requesting additional time away from their place of employment to assist with suppression of wildfires.

The job these young men perform not only saves North Carolina thousands of dollars a year, but more importantly teaches them self esteem useful job skills, and work ethics which they can apply to the rest of their lives. Many inmates continue their education and/or work in the forestry related field upon their release from prison.

Chairman Moyer stated, with respect to the wild fires, the reason we have been able to control them in the area is because of the Forest Service responding to them very quickly, spotting them by air. He feels the aviation piece is of great importance because we need the eyes in the air.

Chairman Moyer noted at the LGCCA (Local Government Committee for Cooperative Action) meeting the prior day, a resolution was provided supporting these efforts. It is important to let the State know how important this program is to us and why we need to continue it. The Mayors unanimously adopted a resolution as the LGCCA. Chairman Moyer suggested the Board of Commissioners adopt the resolution, and the County Manager will prepare a letter to other county managers asking them to adopt the resolution. A copy of the resolution is attached hereto and incorporated as part of the minutes.

Chairman Moyer made the motion that the Board supports the NC Division of Forest Resources B.R.I.D.G.E program and authorizes the County Manager to prepare a letter requesting support of the resolution by other counties in North Carolina bringing this issue to the attention of the County Commissioner Association. All voted in favor and the motion carried.

CONSENT AGENDA

Chairman Moyer requested that Consent Agenda items I (Local Energy Assurance Planning Initiative Resolution) and L (Engineering Agreement with McGill & Associates – Solid Waste Capital improvements) be pulled for discussion.

Local Energy Assurance Planning Initiative Resolution (I)

The Land of Sky Regional Council is coordinating a grant application through the City of Asheville to develop a regional strategic fuels plan utilizing the US Department of Energy's Local Energy Assurance Planning (LEAP) initiative. The Land of Sky Regional Council is requesting Henderson County's support along with Buncombe, Haywood, Madison and Transylvania counties. A copy of the resolution is attached hereto and incorporated as a part of the minutes.

The Board is requested to consider supporting the regional energy assurance planning initiative by adopting the resolution and authorizing the Chairman to send a letter of support.

Commissioner McGrady felt this effort grew out of the fuel shortage issue two summers prior. For whatever reason the pipeline coming out of the gulf was not supplying adequate fuel to Western North Carolina further leaving us with a shortage. In response, some of the municipalities, specifically the City of Asheville, began looking to see whether we could acquire additional pipelines or something could be done to get additional storage. He understands that The Land of Sky Regional Council has applied for a grant from the United States Department of Energy to fund a regional effort to look at how local governments could cooperate in the time of a fuel crisis or whether there is some role to be played in securing a more adequate supply or handed supply of gas to our region if such a shortage were to occur. Mr. McGrady was unaware of any need for financial commitment in any way from the County.

Chairman Moyer was concerned about the wording in the resolution of “plan and implement a plan”. He felt any plan should come back before the Board of Commissioners for review and consideration so the Board is aware of what is going on and whether or not it is consistent with what is going on within the County. He requested the resolution be modified.

Commissioner McGrady made the motion that the Board approves the resolution as amended, striking the words implementation, adding that any plans be brought back before the County Board, and supporting the Local Energy Assurance Planning initiative, and authorize the Chairman to send a letter of support for same. All voted in favor and the motion carried.

Engineering Agreement with McGill & Associates – Solid Waste Capital Improvements (L)

Marcus Jones stated with the approval of McGill & Associates as the most qualified responding Engineer for the subject project during the November 2, 2009 Board Meeting, Engineering staff has negotiated the attached agreement with McGill & Associates. The scope of services is to perform the permitting, design, bidding and construction administration for the proposed Capital Improvements approved in the recent Feasibility Study for a lump sum fee of \$518,850.

The funding for this agreement was included in this year’s Solid Waste Enterprise Fund budget. However, the budgeted amount was only for permitting, design and bidding of the first year’s improvements which were estimated at \$3.2 million. The agreement presented above includes the improvements for the entire plan and the construction administration for these improvements. This strategy will put us in a position to take advantage of favorable construction bids due to the economy and the economies of scale received from a large project. Should the savings not be realized, portions of the project can be removed from the construction contract as needed and funded at a later date.

The construction estimate for the improvements included in this agreement is \$4,504,000 and detailed in the following table:

Year 1:

New Entrance Facility	\$1,146,000
Relocate Convenience Center	\$974,600
Recycle Transfer Area	\$99,800
Recycling Processing Facility	\$976,700

Year 3:

C&D Processing Area	\$167,100
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Year 6:

Composting Area	\$270,100
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Year 10:

Wood Waste – White Goods Area	<u>\$869,700</u>
	\$4,504,000

In addition to including significantly more engineering as originally budgeted, the original proposal from McGill was challenged and reduced by \$88,600. A budget amendment of \$50,000 will be needed for this agreement and contingencies to bring the budget line item to \$550,000. Retained Earnings is the proposed line item to cover this increase. A detailed scope of work and a project schedule are included in the attached agreement.

Staff requests the Board authorize the County Engineer to execute the proposed agreement for \$518,850 with McGill & Associates to perform the permitting, design, bidding and construction administration for the proposed Solid Waste Capital Improvements and approve the proposed budget amendment for an additional \$50,000.

Chairman Moyer felt with the size of the program discussion was necessary. He was surprised by the fee associated with the project. He requested that Marcus Jones provide a brief overview.

Marcus Jones explained that staff has negotiated with McGill & Associates and received a bid 17% lower than the original contract. Mr. Jones noted that this contract is lower than the industry standards that he has experienced throughout his career.

Chairman Moyer questioned the industry standards being referred to and asked if Mr. Jones was referring to percentages.

Mr. Jones responded yes and explained that typically for this level of contract you are looking at a geotechnical investigation material testing of 2%, permitting design of 8-10%, and construction & administration of 6%. If the break down the agreement being presented the geotechnical investigations is included in the design contract at 7.9% and the construction & administration is at 3.6%. The 17% reduction after bidding negotiations reduced the cost by \$88,600.

Commissioner Young pointed out that the fee cost is approximately 15% of the total project. He felt these fees were high.

Mr. Jones explained the strategy is to bid the entire CIP but if we see favorable construction prices we would have the option during the bid process to either pursue the entire CIP or back off and just look at the first year.

Chairman Moyer noted that the laws require us to look at the “most qualified” without any regard to the cost. He would like to see what other firms would charge to do this project. He again felt this figure was high.

It was the Consensus of the Board to ask County Manager Steve Wyatt meet with McGill & Associates and see if the cost can be brought down and if the Board is not comfortable with the figure they can look at other bids. The County Manager would bring back information to the Board at the December 7 meeting.

Commissioner McGrady made the motion to approve the Consent Agenda minus items I and L as noted. 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 meetings(s):

November 2, 2009 – Regularly Scheduled Meeting

Tax Collector's Report

Deputy Tax Collector Carol McCraw had presented the Tax Collector's Report to the Commissioners dated November 6, 2009 for information only. No action was required.

Tax Releases

A list of 53 tax release requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Release Report as presented.

Tax Refund

A list of 6 refund requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Refund Report as presented.

Western Highland's Area Authority – Quarterly Fiscal Monitoring Report (FMR) for the period ended September 30, 2009

G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly 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 Western Highlands Area Authority was received by the County Finance Officer on October 30, 2009.

Suggested Motion:

I move that the Board of Commissioners approves the Western Highlands Area Authority Fiscal Monitoring Report for the period ended September 30, 2009.

Capital / Facilities Status Reports

Internal Auditor Darlene Burgess had provided a status report to the Commissioners for the period ended October 30, 2009 on Capital and Facilities projects.

Construction Management Update

Construction Manager David H. Berry & Associates, LLC provided a monthly status report to the Commissioners for Henderson County facilities.

Soil Erosion and Sedimentation Control Update

Natalie Berry, Erosion Control Division Chief, provided the Board with an update status of the Soil Erosion and Sedimentation Control Division.

The erosion control division has:

- July 2009 – 1 plans
- August 2009 – 2 plans
- September 2009 – 0 plans
- October 2009 – 2 plans

Note: Land Disturbance \geq 1 acre

Amount of Land Disturbance

- 18.76 acres
- Revenues - \$7,600.00

Sketch plans processed

- July 2009 – 43 sketches
- August 2009 – 53 sketches
- September 2009 – 37 sketches
- October 2009 – 35 sketches

Note: Land Disturbance \leq 1 acre

- Revenue - \$1,680.00

Complaints received:

- July 2009 – 17 complaints
- August 2009 – 21 complaints
- September 2009 – 20 complaints
- October 2009 – 9 complaints

Proclamation – GIS Day in Henderson County

The Henderson County Information Technology Department has requested that the Board adopt the provided Proclamation designating November 18th, 2009 as GIS Day in Henderson County. A copy of the proclamation is attached hereto and incorporated as a part of the minutes.

Suggested Motion:

I move that the Board adopt the attached Proclamation designating November 18, 2009 as GIS Day in Henderson County.

Dissolution of Mud Creek District Advisory Council

The Mud Creek Advisory Council was created by the Board of Commissioners on September 16, 2003. The Council consist of three members (including a Commissioner Representative) appointed by the Board of Commissioners. The Board should consider whether it wishes to dissolve the committee. The committee has not met since November 18, 2004.

Staff suggests that the Mud Creek District Advisory Council be dissolved effective immediately.

Suggested Motion:

I move that the Board dissolves the Mud Creek District Advisory Council effective immediately.

Abandoned Manufactured Home Removal Program Income Level Assistance

NC DENR has allocated funding for the removal of abandoned manufactured homes throughout the state. Each county can request reimbursement for the removal of up to 25 homes at \$1000 per home. Henderson County will contract with local companies to remove these homes and then request a reimbursement from the state of NC. Staff recommends that the Board of Commissioners approve program as presented.

Suggested Motion:

I move that the Board of Commissioners approves the Henderson County Abandoned Manufactured Housing Removal Program.

NOMINATIONS

Notification of Vacancies

1. CJPP Task Force (Criminal Justice Partnership Program) – 6 vac.
2. Dana Community Plan Advisory Committee – 1 vac.
3. Henderson County Historic Courthouse Corp. dba/ Heritage Museum – 2 vac.
4. Henderson County Zoning Board of Adjustment – 2 vac.
5. Hendersonville Planning Board – 1 vac.
6. Home and Community Care Block Grant Advisory Committee – 4 vac.
7. Laurel Park Zoning Board of Adjustment – 1 vac.
8. Library Board of Trustees – 1 vac.
9. Nursing/Adult Care Home Community Advisory Committee – 1 vac.
10. Senior Volunteer Services Advisory Council – 2 vac.
11. Solid Waste Advisory Committee – 1 vac.
12. Travel & Tourism Committee – 4 vac.

Nominations

1. **CJPP (Criminal Justice Partnership Program) – 2 vac.**

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

2. **Downtown Hendersonville, Inc. – 2 vac.**

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

3. **Historic Resources Commission – 1 vac.**

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

4. **Juvenile Crime Prevention Council – 9 vac.**

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

5. **Senior Volunteer Services Advisory Council – 1 vac.**

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

Commissioner Williams noted that the Dana Community Plan Advisory Committee has received a resignation and it was the consensus of the Board to accept applications for the Dana Community Plan Advisory Committee prior to making an appointment at the December 7 meeting.

HENDERSON COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2009

Mr. Bryan Starnes, Partner with our external audit firm, Martin Starnes and Associates, CPAs P.A. and Carey McLelland, Finance Director, were present at the meeting to present and discuss the fiscal year ended June 30, 2009 audit results with the Board of Commissioners and Management.

Carey McLelland introduced the Audit Manager Erica Brown, and Partner with Martin Starnes and Associates Bryan Starnes. The audit will be placed on the Finance Department's web page within a couple of days. A hard copy will be available in the main branch of the public library.

The Comprehensive Annual Financial Report for the fiscal year ended June 30, 2009 is being presented as information for the Board and Management. No Board action is being requested.

Bryan Starnes stated the focus is primarily on the general fund. The audit process begins in January with Martin Starnes and Associates requesting the six month trial balance. They begin forecasting numbers compared to the budget referring back to Commissioner Minutes. Risk assessments will be evaluated with comparisons to the prior year's budget based on changes of this year's budget. Martin Starnes and Associates tests internal controls in every department where money is collected and also analyses how the County spends Federal and State dollars.

The Audit process includes: Planning and Risk Assessment, Interim Procedures, Final Procedures and year around process.

Audit Highlights

- Unqualified opinion
- No material internal control weakness identified
- No findings or questioned costs
- Cooperative staff

Chairman Moyer questioned if there were any issues identified with the audit that need to be discussed during closed session.

Mr. Starnes responded no. The Board of Commissioners will receive a responsibility letter outlining the auditor responsibility and management responsibility, ending with there are no issues that need to be discussed.

The Fund Balance serves as a measure of the County's financial resources available. It always deals with twelve (12) months of activity.

Assets – Liabilities = Fund Balance

3 Classifications:

- Reserved
- Unreserved Designated (Available)
- Unreserved Undesignated (Available)

Fund Balance Position General Fund – 2009

Total Fund Balance	35,211,964
Required Reservations	- 7,706,193
Designations	- 758,200
Unreserved Undesignated	\$ 26,747,571

The Unreserved Fund Balance as a Percent of Expenditures – General Fund

2008 21%
2009 24%

The increase of Fund Balance was accomplished by not spending all of the prior year's budget.

Top 3 Revenues: General Fund

Local Option Sales Tax 18%
Restricted Inter-governmental 19%

Ad Valorem Taxes 53%
 Other Revenue 10%
 Top 3 Comprise \$101,417,010 (90%) of Revenues

Other Revenue

Unrestricted Intergovernmental
 Permits & Fees
 Sales & Services
 Investment Income
 Misc. Revenue

Ad Valorem Taxes
 2008 \$58,210,259
 2009 \$59,517,515

Local Option Sales Taxes
 2008 \$23,380,137
 2009 \$20,674,811

Restricted Inter-governmental
 2008 \$19,247,048
 2009 \$21,224,684

Top 3 Expenditures: General Fund
 Other Expenditures 18%
 Public Safety: 20%
 Human Services 30%
 Education: (including debt service) 32%
 Top 3 Comprise of \$91,058,633 (82%) of Expenditures

Other Expenditures:
 General Government
 Environmental protection
 Economic and physical development
 Culture and recreation
 Debt Service (County only)

Human Services
 2008 \$31,791,107
 2009 \$32,376,144

Education (including related debt service)
 2008 \$31,145,305
 2009 \$35,758,511

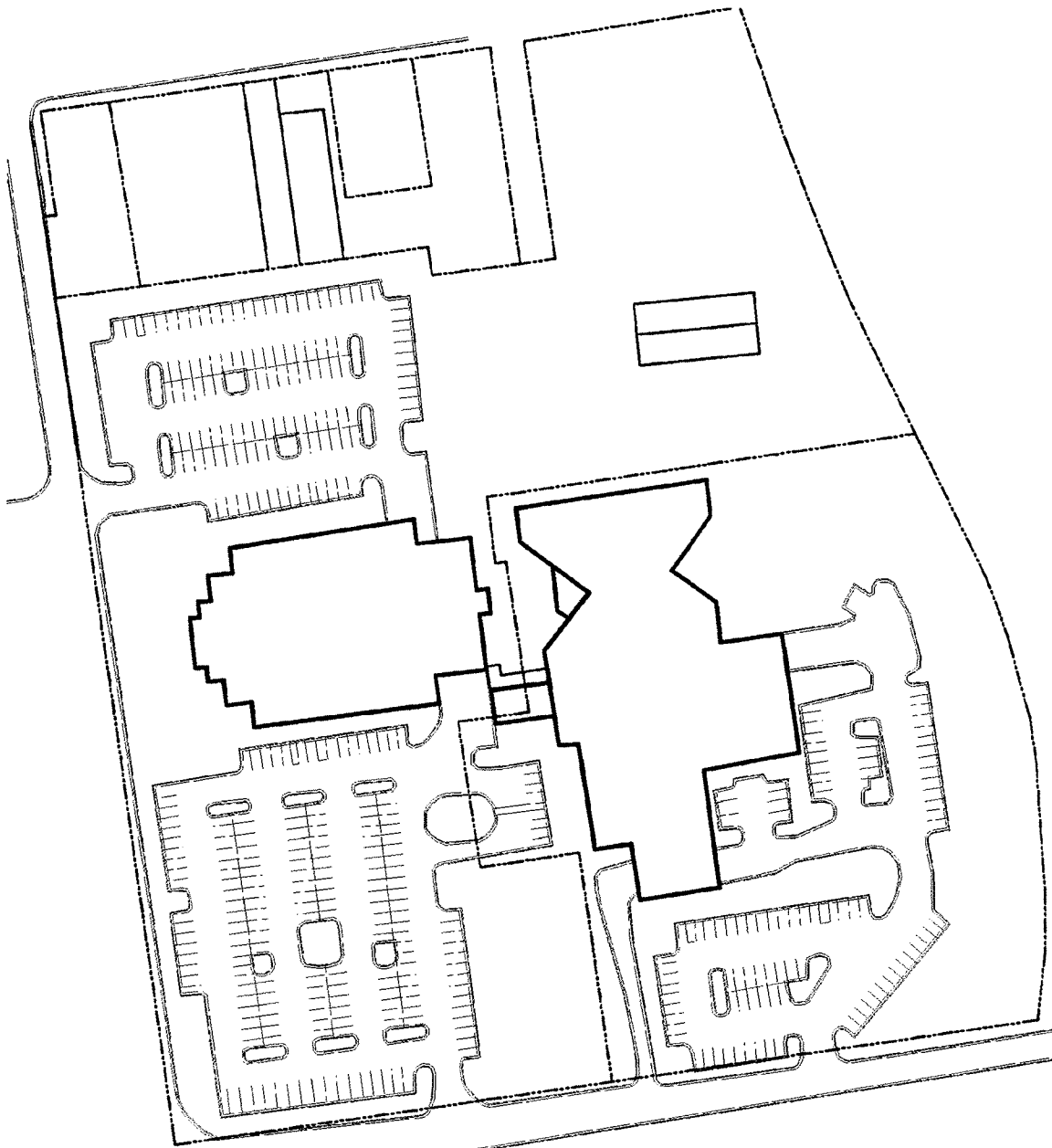
Public Safety
 2008 \$21,567,927
 2009 \$22,923,978

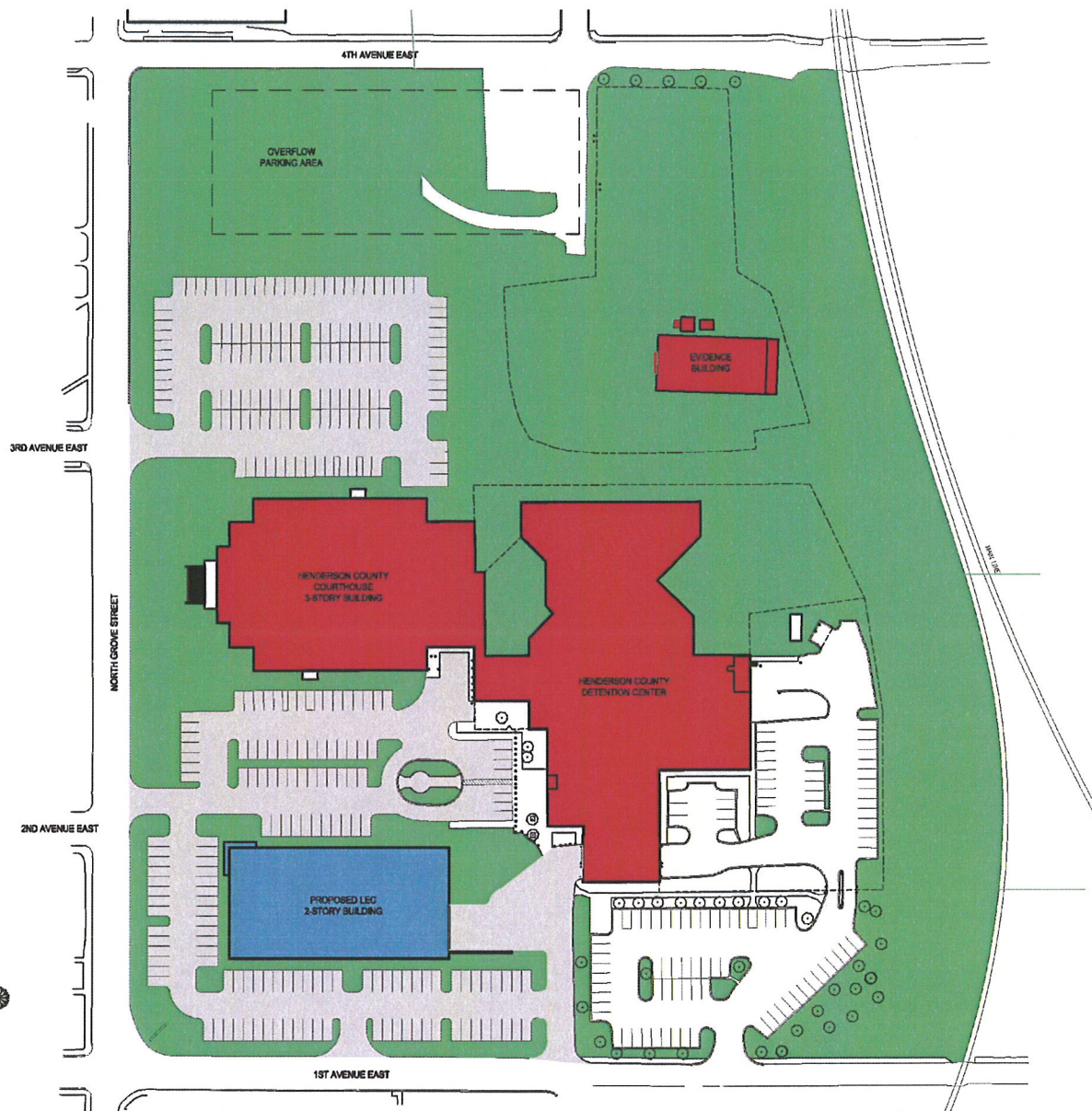
Debt Service (excluding Education)
 2008 \$3,775,835

2009 \$3,711,356

CAPITAL FACILITIES UPDATE

Dan Mace, with Moseley Architects, was present to update the Board of Commissioners on the status of the Capital Facility projects taking place within the County. Mr. Mace provided a power-point presentation identifying the Law Enforcement Center.





This project consists of two floors with approximately 20,000 square feet per floor. It is proposed to be located at the corner of North Grove Street and First Avenue East to keep the Law Enforcement Center (LEC) as close as possible to the jail facility. There is economy and efficiency of operation at this location should the Law Enforcement Center be placed in proximity to the Detention Center. This also creates an opportunity to place the Law Enforcement Center on this site and dedicate the remaining parking between the LEC and the Courthouse for either visitors to the jail or the LEC. The remaining parking around the LEC would be designated for official use only (i.e. law enforcement staff or Judge parking). All Courthouse public parking would be located on one side of the Courthouse.

There were issues for the vehicular Sally Port for the jail with some turn radius problems. To solve that problem the existing old house would be removed. It is currently occupied with the Criminal Justice Protection Partnership (CJPP), and the jail ministry.

Sheriff Rick Davis stated both could be relocated to the Detention Center or the new facility.

Carol Roberts, Director of Criminal Justice Consulting, had worked with Steve Allen to fit the best function ability of the LEC.

Robert Smith, Project Manager, had met with the Sheriff weekly to develop the plan. He provided information on entrances, parking, and office space.

The Board was concerned about adequate parking for fleet and citizens.

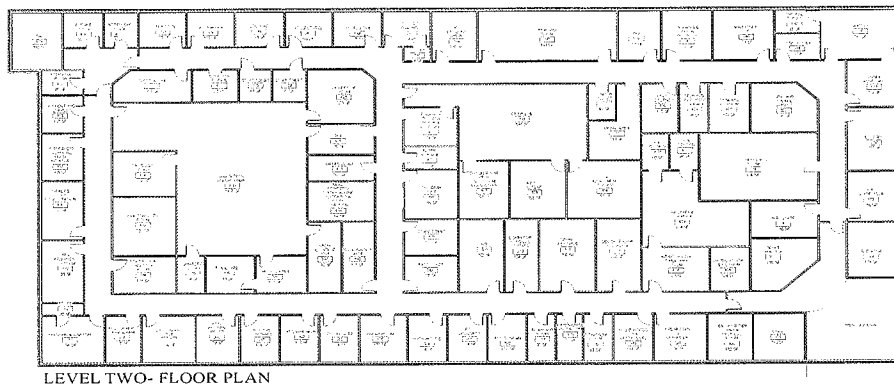
Sheriff Davis stated that this plan would help alleviate the problem that existed with security at the Courthouse. It also helps correct the problem of the sally port and would provide more public parking. Evidence storage would be taken care of by an additional metal frame building located next to the existing metal frame building where the impound yard is located. This cost has been included in the estimate. This type of building requires separate ventilation to house hazard materials that have been confiscated.

Chairman Moyer would like to have a report detailing the number of parking spaces now versus parking spaces with the new design.

David Berry, Construction Manager, discussed concerns of the soil in both locations. ECS has tested the soil and the report should be in within the week. Boring has already indicated water for approximately 40 feet and he suggested looking at building a basement instead of replacement soil providing even more space. It would support a parking lot.



LEVEL ONE- FLOOR PLAN



Robert Smith explained that they are still within the schedule for the LEC and hope to advertise for bids in spring 2010. He further discussed progress on the old health department building and stated they are still on schedule there also.

Break

A five minute break was taken in order to change video tapes.

STAFF REPORTS

County Attorney's Report

There was nothing further at this time.

County Manager's Report

Steve Wyatt provided a brief update in regards to sales tax information. August collections took a nose dive. There was a difference of about -\$326,000 between July and August. Our total target to make budget after the two month period is 3,094,000. We are slightly ahead at \$3,128,000 by \$34,422.

The forecast from the State financial indicators on their revenues are running 2-5% below revenue. Across the State they are running 10-12% less then or below last year's sales tax numbers. The State number one revenue source is income tax followed by sales tax. With the unemployment numbers, payroll taxes are down and income taxes are taking a substantial hit.

IMPORTANT DATES

Chairman Moyer noted an event to be held in the courtroom on December 7th at 11:00 a.m., "Pearl Harbor Day".

Cancel December 16, 2009 Regularly Scheduled Meeting

Chairman Moyer made the motion that the Board cancels the regularly scheduled December 16 Board meeting. All voted in favor and the motion carried.

Schedule FY 2010-2011 Budget Workshop Date

Chairman Moyer made the motion that the Board designate the Wednesday, January 20, 2010 as the date for the FY2010-2011 Budget Workshop at 8:00 a.m. All voted in favor and the motion carried.

CANE CREEK WATER & SEWER DISTRICT

Commissioner McGrady made the motion that the Board adjourn as the Henderson County Board of Commissioners and convene as the Cane Creek Water & Sewer District. All voted in favor and the motion carried.

Please see separate Cane Creek minutes for action.

Commissioner McGrady made the motion that the Board adjourn as Cane Creek Water & Sewer District and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board go into public hearing. All voted in favor and the motion carried.

PUBLIC HEARING – PROPOSED INSTALLMENT CONTRACT FINANCING (QSCB's)

Finance Director Carey McLelland stated this public hearing is to hear comments on a proposed installment contract financing to pay the capital costs of various school construction, repair and renovation projects is required by the State of North Carolina when entering into a bank installment purchase contract financing pursuant to G.S. 160A-20.

A notice of the public hearing shall be published once at least 10 days before the hearing. This notice was duly advertised in the Times-News on Friday, November 6, 2009.

This proposed financing is related to repair and renovation projects that were approved for funding by the Board in the current year's budget related to qualified school construction bonds. The Board may recall that previously an application was made to the Department of Public Construction. The School Board as well as the Board of Commissioners had to make the application. We were awarded an allotment of \$4,270,400 in QSCB's.

A financing proposal from Branch Banking and Trust Company (BB&T) is included as a part of this agenda item for discussion upon closing the public hearing. Should the Board accept BB&T's proposal, the financing documents in substantially final form will be presented to the Board at the December 7th regularly scheduled meeting for approval. There has not been a lot of interest in buyers of the QSCB's but BB&T has stepped up and is willing to do the financing.

BB&T Financing Proposal - \$4,270,400:

<u>Term</u>	<u>Fixed Interest Rate Proposed</u>	<u>First Annual Payment</u>	<u>(+/-)</u>	<u>Cumulative Interest Paid</u>	<u>(+/-)</u>
10 yrs	1.87%	\$506,896	-	\$439,211	-
12 yrs	1.97%	\$439,993	-\$ 66,903	\$546,818	+\$107,607
15 yrs	2.03%	\$371,372	-\$135,514	\$693,509	+\$254,298

In comparison with a standard bank-qualified financing currently:

10 yrs	4.00%	\$597,800	+\$ 90,904	\$ 939,400	+\$500,189
12 yrs	4.22%	\$536,027	+\$ 96,034	\$1,171,261	+\$624,443
15 yrs	4.50%	\$476,817	+\$105,435	\$1,537,200	+\$843,691

Upon closing the public hearing, the Board is asked to consider approving the proposal from BB&T to finance \$4,270,400 for 10 years at an annual interest rate not to exceed 1.87 percent.

Public Comment

There was none.

The Community College will be covered at a later date.

Commissioner McGrady made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

Commissioner Williams made the motion that the Board approves the proposal from BB&T to finance the projects in the amount of \$4,270,400 for 10 years at an annual interest rate not to exceed 1.87 percent. All voted in favor and the motion carried.

CLOSED SESSION

Commissioner McGrady made the motion for the Board to go into closed session as allowed pursuant to NCGS 143-318.11 for the following reason(s):

1. (a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.
2. (a)(5), To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (I) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease; or (II) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- 3.

All voted in favor and the motion carried.

ADJOURN

Commissioner McGrady made the motion that the Board go out of closed session and adjourn at 11:30 a.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

William L. Moyer, Chairman

HENDERSON COUNTY TAX DEPARTMENT
Collector's Office
200 North Grove Street
Suite 66
Hendersonville, NC 28792

Phone: 828/697-5595

Fax: 828/698-6153

www.hendersoncountync.org/tc/

Stan C. Duncan
Tax Collector & County Assessor

Sandy Allison
Administrative Assistant II

November 6, 2009

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

Re: Tax Collector's Report to Commissioners – 11/18/09 Meeting

Please find outlined below collections information through November 5th for the 2009 bills mailed out on August 5th, as well as registered motor vehicle bills. As a point of reference, we also have included collections information as of the same date last year.

Annual Bills G01 Only:

2009 Total Charge: \$56,993,611.48
Payments & Releases: 14,284,442.32
Unpaid Taxes: 42,709,169.16
Percentage collected: 25.06%
(through 11/05/09)

2008 Total Charge: \$55,810,610.77
Payments & Releases: 12,232,878.66
Unpaid Taxes: 43,577,732.11
Percentage Collected: 21.92%
(through 11/05/08)

Motor Vehicle Bills G01 Only:

2009 Total Charge: \$2,174,781.10
Payments & Releases: 1,412,409.88
Unpaid Taxes: 762,371.22
Percentage collected: 64.94%
(through 11/05/09)

2008 Total Charge: \$2,323,951.90
Payments & Releases: 1,490,598.40
Unpaid Taxes: 833,353.50
Percentage collected: 64.14%
(through 11/05/08)

Fire Districts All Bills

2009 Total Charge: \$6,377,425.51
Payments & Releases: 1,710,070.60
Unpaid Taxes: 4,667,354.91
Percentage collected: 29.54%
(through 11/05/09)

2008 Total Charge: \$6,309,397.46
Payments & Releases: 1,482,033.85
Unpaid Taxes: 4,827,363.61
Percentage collected: 26.43%
(through 11/05/08)

Respectfully submitted,



Carol McCraw,
Deputy Tax Collector

Stan C. Duncan,
Tax Collector

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: November 18, 2009

SUBJECT: Tax Releases

ATTACHMENTS: Release Report

SUMMARY OF REQUEST:

The enclosed release requests (53) have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office.

These release requests are submitted for the approval by the Henderson County Board of Commissioners.

Type	Number of Items:	Revenue Amount:
Releases	53	\$ 27,029.71

Faithfully Submitted,

Stan C. Duncan

County Assessor

BOARD ACTION REQUESTED: Consent Approval Requested.

Suggested Motion: "I move the Board approve the Tax Release Report as presented."

RELEASES

00007102-2008-2009-000000 FULL REBATE

RELEASE 2008 AND 2009 BILLS. MS. ALLEN NEVER OWNED MOBILE HOME. HUGH HOOTS, OWNER, DECEASED IN 2004. MR. HOOTS BILLED THRU 2007. MOBILE HOME DESTROYED IN 2004.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76593	CNTY	FIRE	20.33	0.00	0.00	\$ 20.33
76593	CNTY	BLUE RIDGE	3.74	0.00	0.00	\$ 3.74
Bill Total:						\$ 24.07

0000621132-2009-2009-000000 FULL REBATE

RELEASE 2008 AND 2009 BILLS. MS. ALLEN NEVER OWNED MOBILE HOME. HUGH HOOTS, OWNER, DECEASED IN 2004. MR. HOOTS BILLED THRU 2007. MOBILE HOME DESTROYED IN 2004.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
76594	CNTY	FIRE	20.33	2.03	0.00	\$ 22.36
76594	CNTY	BLUE RIDGE	3.74	0.37	0.00	\$ 4.11
Bill Total:						\$ 26.47
Grand Total:						\$ 50.54

000032322-2006-2006-000000 FULL REBATE

RELEASE BILLS 2006, 2007, 2008 AND 2009. MANUFACTURED HOME MOVED TO TRANSYLVANIA COUNTY. DOCUMENTATION ON FILE FROM TRANSYLVANIA COUNTY. MOVED IN YEAR 2005.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78955	CNTY	FIRE	23.17	0.00	0.00	\$ 23.17
78955	CNTY	ETOWAH-HORSESHOE	3.49	0.00	0.00	\$ 3.49
Bill Total:						\$ 26.66

000032322-2007-2007-000000 FULL REBATE

RELEASE BILLS 2006, 2007, 2008 AND 2009. MANUFACTURED HOME MOVED TO TRANSYLVANIA COUNTY. DOCUMENTATION ON FILE FROM TRANSYLVANIA COUNTY. MOVED IN YEAR 2005.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78938	CNTY	FIRE	3.12	0.00	0.00	\$ 3.12
78938	CNTY	ETOWAH-HORSESHOE	18.02	0.00	0.00	\$ 18.02
Bill Total:						\$ 21.14

000032322-2008-2008-000000 FULL REBATE

RELEASE BILLS 2006, 2007, 2008 AND 2009. MANUFACTURED HOME MOVED TO TRANSYLVANIA COUNTY. DOCUMENTATION ON FILE FROM TRANSYLVANIA COUNTY. MOVED IN YEAR 2005.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78937	CNTY	FIRE	18.02	1.80	0.00	\$ 19.82
78937	CNTY	ETOWAH-HORSESHOE	3.32	0.33	0.00	\$ 3.65
Bill Total:						\$ 23.47

000032322-2009-2009-000000 FULL REBATE

RELEASE BILLS 2006, 2007, 2008 AND 2009. MANUFACTURED HOME MOVED TO TRANSYLVANIA COUNTY. DOCUMENTATION ON FILE FROM TRANSYLVANIA COUNTY. MOVED IN YEAR 2005.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78936	CNTY	FIRE	3.32	0.33	0.00	\$ 3.65
78936	CNTY	ETOWAH-HORSESHOE	18.02	1.80	0.00	\$ 19.82
Bill Total:						\$ 23.47
Grand Total:						\$ 94.74

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RELEASES

0000723048-2003-2003-000000 FULL REBATE

INDIVIDUAL ABSTRACT #723048 - 1997 BAJA. RELEASE BILL. PAID 9-17-2003 IN CUMBERLAND COUNTY. SEE RECEIPT 02520928 ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79183	CNTY	FIRE	9.25	0.00	0.00	\$ 9.25
79183	CNTY	ETOWAH-HORSESHOE	58.56	0.00	0.00	\$ 58.56
Bill Total:						\$ 67.81

0000723048-2002-2002-000000 FULL REBATE

INDIVIDUAL ABSTRACT #723048 - 1997 BAJA. RELEASE BILL. PAID 12-17-2002 AND 01-08-2003 IN CUMBERLAND COUNTY. SEE RECEIPT 2412243 AND 2454564 ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79184	CNTY	FIRE	67.00	0.00	0.00	\$ 67.00
79184	CNTY	ETOWAH-HORSESHOE	10.72	0.00	0.00	\$ 10.72
Bill Total:						\$ 77.72
Grand Total:						\$ 145.53

0000323251-2009-2009-000000 FULL REBATE

2003 YAMAHA BOAT REPOSSESSED IN FEBRUARY, 2008. RELEASE 2008 BILL. DOCUMENTATION ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78880	CNTY	FIRE	20.00	2.00	0.00	\$ 22.00
78880	CNTY	BLUE RIDGE	3.68	0.37	0.00	\$ 4.05
Bill Total:						\$ 26.05
Grand Total:						\$ 26.05

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RELEASES

COLLIER, GEORGE

000068375-2009-2009-110000

FULL REBATE

PER OWNER, THIS BUSINESS WAS CLOSED AS OF 12/31/2008. ALL ASSETS WERE DISPOSED OF PRIOR TO 1/1/2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78690	CNTY	COUNTY	23.10	2.31	0.00	\$ 25.41
78690	FIRE	VALLEY HILL	3.50	0.35	0.00	\$ 3.85
Bill Total:						\$ 29.26
Grand Total:						\$ 29.26

RELEASES

BESCHE, JANICE/HTR

000049887-2006-2006-000000

FULL REBATE

RELEASE 2005 BILL ON MANUFACTURED HOME. MH GONE, JUNKED PER JANICE BESCHE. VERIFIED ON ARC MAP ON 2001 AND 2007. ONLY BUILDING THERE IS A GARAGE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78612	CNTY	COUNTY	10.17	1.02	0.00	\$ 11.19
78612	CITY	MILLS RIVER	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 11.19
Grand Total:						\$ 11.19

BLUE RIDGE COMMUNITY COLLEGE INTRUSTEES

0002420071-2009-2009-000000

FULL REBATE

LISTING ERROR TAX YEAR 2009. WHEN PROCESSING TRANSFER, 28.61 ACRES WERE TRANSFERRED. ONLY 2.31 ACRES SHOULD HAVE BEEN TRANSFERRED. (HOSPICE) CORRECTED FOR TAX YEAR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78758	CNTY	COUNTY	11,588.27	0.00	0.00	\$ 11,588.27
78758	FIRE	BLUE RIDGE	2,132.23	0.00	0.00	\$ 2,132.23
Bill Total:						\$ 13,721.50
Grand Total:						\$ 13,721.50

CAROLINA MOUNTAIN LAND COMPANY/LC ANGLE COMPANY

0002431658-2009-2009-000000

FULL REBATE

SYSTEM FAILED TO MAKE THIS PARCEL INACTIVE WHEN IT WAS SPLIT ON 4/25/2008 FOR 2009, TRANSACTION #2300. CORRECT PARCEL ALSO BILLED FOR 2009 ON REID 1011227

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78868	CITY	MILLS RIVER	0.00	0.00	0.00	\$ 0.00
78868	CNTY	COUNTY	4,670.36	0.00	0.00	\$ 4,670.36
Bill Total:						\$ 4,670.36
Grand Total:						\$ 4,670.36

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RELEASES

COLLIER, GEORGE

000043762-2001-2001-000000

FULL REBATE

RELEASE 1997, 1998, 1999, 2000 AND 2001 ON MANUFACTURED HOME DUE TO DEBT SET RESEARCH. INCORRECT OWNER.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78741	CNTY	COUNTY	30.95	0.00	0.00	\$ 30.95
78741	FIRE	DANA	6.19	0.00	0.00	\$ 6.19
Bill Total:						\$ 37.14

000043763-2000-2000-000000

FULL REBATE

RELEASE 1987, 1998, 1999, 2000 AND 2001 ON MANUFACTURED HOME DUE TO DEBT SET RESEARCH. INCORRECT OWNER.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78740	FIRE	DANA	6.57	0.00	0.00	\$ 6.57
78740	CNTY	COUNTY	32.85	0.00	0.00	\$ 32.85
Bill Total:						\$ 39.42

000043764-1998-1998-000000

FULL REBATE

RELEASE 1997, 1998, 1999, 2000 AND 2001 ON MANUFACTURED HOME DUE TO DEBT SET RESEARCH. INCORRECT OWNER.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78739	CNTY	COUNTY	34.90	0.00	0.00	\$ 34.90
78739	FIRE	DANA	5.24	0.00	0.00	\$ 5.24
Bill Total:						\$ 40.14

000043765-1998-1998-000000

FULL REBATE

RELEASE 1997, 1998, 1999, 2000 AND 2001 ON MANUFACTURED HOME DUE TO DEBT SET RESEARCH. INCORRECT OWNER.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78738	FIRE	DANA	6.06	0.00	0.00	\$ 6.06
78738	CNTY	COUNTY	39.38	0.00	0.00	\$ 39.38
Bill Total:						\$ 45.44

000043766-1997-1997-000000

FULL REBATE

RELEASE 1997, 1998, 1999, 2000 AND 2001 ON MANUFACTURED HOME DUE TO DEBT SET RESEARCH. INCORRECT OWNER.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78737	CNTY	COUNTY	36.68	3.07	0.00	\$ 39.75
78737	FIRE	DANA	6.06	0.51	0.00	\$ 6.57
Bill Total:						\$ 46.32

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RELEASES

CASTILLO, JOSE

0000651066-2009-2009-000000

FULL REBATE

RELEASE 2009 BILL ON MANUFACTURED HOME. DOUBLE BILLED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78598	CNTY	COUNTY	9.70	0.00	0.00	\$ 9.70
78599	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 9.70
Grand Total:						\$ 9.70

CISCO SYSTEMS CAPITAL CORPORATION

0002768278-2009-2009-000000

FULL REBATE

THIS EQUIPMENT HAS BEEN DOUBLE ASSESSED AND PAID ON ABSTRACT #2768278. FULL REBATE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79112	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
79112	CNTY	COUNTY	32.62	0.00	0.00	\$ 32.62
Bill Total:						\$ 32.62
Grand Total:						\$ 32.62

COLDSOPE, ELLERREY

000276774-2009-2009-000000

VALUE DECREASE

MANUFACTURED HOME RELEASED IN FULL FOR TAX YEAR 2009 TO REINSTATE THE ELDERLY / DISABLED PERSON EXCLUSION.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79811	CNTY	COUNTY	46.20	0.00	0.00	\$ 46.20
79811	FIRE	VALLEY HILL #2	7.00	0.00	0.00	\$ 7.00
Bill Total:						\$ 53.20
Grand Total:						\$ 53.20

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0000256521-2009-2009-000000 FULL REBATE
ASSET BUY OUT BY LESSEE (DAN GILBERT INSURANCE INC) 5/8/2008. DISCOVERY MADE TO DAN GILBERT INSURANCE
ACCT#277183 9/23/2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78623	CNTY	COUNTY	12.02	0.00	0.00	\$ 12.02
78623	CITY	FLETCHER	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 12.02
Grand Total:						\$ 12.02

0000253061-2009-2009-000000 FULL REBATE
RELEASE SUBMITTED FOR TAX YEAR 2008 TO REINSTATE THE ELDERLY EXCLUSION.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79853	CNTY	COUNTY	57.29	5.73	0.00	\$ 63.02
Bill Total:						\$ 63.02
Grand Total:						\$ 63.02

0000519238-2009-2009-000000 VALUE DECREASE

DEPARTMENT OF TRANSPORTATION TOOK HOUSE NOVEMBER 2008 FOR WIDENING OF UPWARD ROAD.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79351	CNTY	COUNTY	477.71	0.00	0.00	\$ 477.71
79351	FIRE	BLUE RIDGE	87.89	0.00	0.00	\$ 87.89
Bill Total:						\$ 565.60
Grand Total:						\$ 565.60

00005158542-2009-2009-000000 VALUE DECREASE

DEPARTMENT OF TRANSPORTATION TOOK HOUSE NOVEMBER 2008 FOR WIDENING OF UPWARD ROAD.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79371	CNTY	COUNTY	514.21	0.00	0.00	\$ 514.21
79371	FIRE	BLUE RIDGE	94.60	0.00	0.00	\$ 94.60
Bill Total:						\$ 608.81
Grand Total:						\$ 608.81

0000516295-2009-2009-000000 VALUE DECREASE

DEPARTMENT OF TRANSPORTATION TOOK HOUSE NOVEMBER 2008 FOR WIDENING OF UPWARD ROAD.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79354	CNTY	COUNTY	692.05	0.00	0.00	\$ 692.05
79354	FIRE	BLUE RIDGE	121.80	0.00	0.00	\$ 121.80
Bill Total:						\$ 783.85
Grand Total:						\$ 783.85

0000407004-2009-2009-000000 VALUE DECREASE

DEPARTMENT OF TRANSPORTATION TOOK HOUSE NOVEMBER 2008 FOR WIDENING OF UPWARD ROAD.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79811	CNTY	COUNTY	387.16	0.00	0.00	\$ 387.16
79811	FIRE	BLUE RIDGE	71.23	0.00	0.00	\$ 71.23
Bill Total:						\$ 458.39
Grand Total:						\$ 458.39

0000262495-2009-2009-000000 FULL REBATE

RELEASE LATE LIST PENALTY FROM 2009 TAXBILL. TOTAL TAXABLE VALUE WAS EXCLUDED DUE TO TAX RELIEF.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78958	FIRE	DANA	0.00	1.40	0.00	\$ 1.40
78958	CNTY	COUNTY	0.00	6.47	0.00	\$ 6.47
Bill Total:						\$ 7.87
Grand Total:						\$ 7.87

0000263996-2009-2009-000000 MISC. DECREASE

RELEASE LATE LIST PENALTY FROM 2009 TAX BILL.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79331	FIRE	EDNEYVILLE	0.00	2.54	0.00	\$ 2.54
79331	CNTY	COUNTY	0.00	13.81	0.00	\$ 13.81
Bill Total:						\$ 16.35
Grand Total:						\$ 16.35

0000397382-2008-2008-000000 FULL REBATE

1970'S MANUFACTURED HOME JUNKED 11/2005. VERIFIED ON PICTOMETRY AND ARC MAPS. NO JUNK RECEIPT. NOTARIZED AFFIDAVIT ON FILE. MODULAR ON LAND & BEING BILLED SINCE 2007.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79191	FIRE	GREEN RIVER	1.98	0.20	0.00	\$ 2.18
79191	CNTY	COUNTY	15.25	1.52	0.00	\$ 16.77
Bill Total:						\$ 18.95

0000397382-2009-2009-000000 FULL REBATE

1970'S MANUFACTURED HOME JUNKED 11/2005. VERIFIED ON PICTOMETRY AND ARC MAPS. NO JUNK RECEIPT. NOTARIZED AFFIDAVIT ON FILE. MODULAR ON LAND & BEING BILLED SINCE 2007.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
79192	CNTY	COUNTY	15.25	1.52	0.00	\$ 16.77
79192	FIRE	GREEN RIVER	1.98	0.20	0.00	\$ 2.18
Bill Total:						\$ 18.95

000015163-2009-2009-000000 FULL REBATE

RELEASE 2009 BILL. HOME MOVED TO SOUTH CAROLINA JULY, 2008. A COPY OF THE LISTING FOR 2008 FROM SOUTH CAROLINA IS ON FILE.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78639	CNTY	COUNTY	90.55	0.00	0.00	\$ 90.55
78639	FIRE	DANA	19.60	0.00	0.00	\$ 19.60
Bill Total:						\$ 110.15
Grand Total:						\$ 110.15

RELEASES									
JAMES MITCHELL									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79274	CITY	FLETCHER	66.53	0.00	0.00	\$ 0.00			
79274	CNTY	COUNTY		0.00	0.00	\$ 66.53			
Bill Total:						\$ 66.53			
Grand Total:						\$ 66.53			

DOSSIER									
000244702-2009-2009-000000 FULL REBATE									
000244702-2009-2009 THIS BOAT WAS ALSO LISTED ON WLD ABSTRACT #2572794.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79692	CNTY	COUNTY	14.39	0.00	0.00	\$ 14.39			
79692	FIRE	EDNEYVILLE	2.65	0.00	0.00	\$ 2.65			
Bill Total:						\$ 17.04			
Grand Total:						\$ 17.04			

JERRY WATKINS									
000006891-2009-2009-000000 FULL REBATE									
REINSTATE THE DISABLED EXCLUSION FOR 2009.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
78649	FIRE	EDNEYVILLE	9.83	0.89	0.00	\$ 9.82			
78649	CNTY	COUNTY	48.51	4.85	0.00	\$ 53.36			
Bill Total:						\$ 63.18			
Grand Total:						\$ 63.18			

STATE OF NORTH CAROLINA									
000053748-2009-2009-000000 FULL REBATE									
THIS PROPERTY (WOLDS EDGE) WAS SOLD TO THE STATE OF NORTH CAROLINA ON 12/30/2008. DEEDS HAD BEEN PROCESSED INCORRECTLY. THIS SHOULD HAVE BEEN EXEMPT FOR 2009.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
78591	CNTY	COUNTY	153.85	0.00	0.00	\$ 153.85			
Bill Total:						\$ 153.85			
Grand Total:						\$ 153.85			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79274	CITY	FLETCHER	66.53	0.00	0.00	\$ 0.00			
79274	CNTY	COUNTY		0.00	0.00	\$ 66.53			
Bill Total:						\$ 66.53			
Grand Total:						\$ 66.53			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79431	CITY	HENDERSONVILLE	730.89	0.00	0.00	\$ 730.89			
79431	CNTY	COUNTY		0.00	0.00	\$ 730.89			
Bill Total:						\$ 730.89			
Grand Total:						\$ 730.89			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79074	CNTY	COUNTY	102.23	19.08	0.00	\$ 118.65			
79074	FIRE	ETOWAH-HORSESHOE	199.24	0.00	0.00	\$ 218.32			
Bill Total:						\$ 1,404.97			
Grand Total:						\$ 1,404.97			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79074	CNTY	COUNTY	102.23	19.08	0.00	\$ 118.65			
79074	FIRE	ETOWAH-HORSESHOE	199.24	0.00	0.00	\$ 218.32			
Bill Total:						\$ 1,404.97			
Grand Total:						\$ 1,404.97			

RELEASES									
JAMES MITCHELL									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79274	CITY	FLETCHER	66.53	0.00	0.00	\$ 0.00			
79274	CNTY	COUNTY		0.00	0.00	\$ 66.53			
Bill Total:						\$ 66.53			
Grand Total:						\$ 66.53			

DOSSIER									
000244702-2009-2009-000000 FULL REBATE									
000244702-2009-2009 THIS BOAT WAS ALSO LISTED ON WLD ABSTRACT #2572794.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79692	CNTY	COUNTY	14.39	0.00	0.00	\$ 14.39			
79692	FIRE	EDNEYVILLE	2.65	0.00	0.00	\$ 2.65			
Bill Total:						\$ 17.04			
Grand Total:						\$ 17.04			

JERRY WATKINS									
000006891-2009-2009-000000 FULL REBATE									
REINSTATE THE DISABLED EXCLUSION FOR 2009.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
78649	FIRE	EDNEYVILLE	9.83	0.89	0.00	\$ 9.82			
78649	CNTY	COUNTY	48.51	4.85	0.00	\$ 53.36			
Bill Total:						\$ 63.18			
Grand Total:						\$ 63.18			

STATE OF NORTH CAROLINA									
000053748-2009-2009-000000 FULL REBATE									
THIS PROPERTY (WOLDS EDGE) WAS SOLD TO THE STATE OF NORTH CAROLINA ON 12/30/2008. DEEDS HAD BEEN PROCESSED INCORRECTLY. THIS SHOULD HAVE BEEN EXEMPT FOR 2009.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
78591	CNTY	COUNTY	153.85	0.00	0.00	\$ 153.85			
Bill Total:						\$ 153.85			
Grand Total:						\$ 153.85			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79274	CITY	FLETCHER	66.53	0.00	0.00	\$ 0.00			
79274	CNTY	COUNTY		0.00	0.00	\$ 66.53			
Bill Total:						\$ 66.53			
Grand Total:						\$ 66.53			

STATE OF NORTH CAROLINA									
000244683-2009-2009-000000 FULL REBATE									
000244683-2009-2009 THIS BOAT WAS SOLD 6/08. THIS WAS STATED ON 2009 LISTING FORM THAT WAS RETURNED.									
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total			
79431	CITY	HENDERSONVILLE	730.89	0.00	0.00	\$ 730.89			
79431	CNTY	COUNTY		0.00	0.00	\$ 730.89			
Bill Total:						\$ 730.89			
Grand Total:						\$ 730.89			

0002779165-2009-2009-110000 FULL REBATE						
THIS BUSINESS IS LOCATED AT 165 NEW HENDERSONVILLE HIGHWAY AND HAS PAID 2009 TAXES IN TRANSYLVANIA COUNTY.						
Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billd Interest	Total
79205	CNTY	COUNTY	23.10	2.31	0.00	\$ 25.41
79205	FIRE	FLETCHER	4.75	0.48	0.00	\$ 5.23
					Bill Total:	\$ 30.64
					Grand Total:	\$ 30.64

PER SIGNED LETTER FROM OWNER (RONALD RAY), OUT OF BUSINESS AS OF DECEMBER 31, 2008. A 2009 DISCOVERY HAS BEEN MADE FOR THE NEW OWNER, MOUNTAIN HOME TOWING INC. #2327895

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78613	NTY	COUNTY	1,127.28	112.73	0.00	\$ 1,240.01
78613	FIRE	COUNTY	231.80	23.18	0.00	\$ 254.98
Bill Total:						\$ 1,494.99
Grand Total:						\$ 1,494.99

EXCLUSION WAS REMOVED FOR TX YEAR 2009 BECAUSE PROPERTY OWNER DID NOT LIST PERSONAL PROPERTY MANUFACTURED HOME. THIS RELEASE IS TO GRANT EXCLUSION FOR TAX YEAR 2009.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78952	NTY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
78952	CNTY	COUNTY	0.00	7.30	0.00	\$ 7.30
Bill Total:						\$ 7.30
Grand Total:						\$ 7.30

PER OWNER, MARC PAULHUS, THIS BUSINESS CLOSED SEPTEMBER 30, 2008.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78595	FIRE	ETOWAH-HORSESHOE	2.88	0.30	0.00	\$ 3.28
78595	CNTY	COUNTY	16.17	1.62	0.00	\$ 17.79
Bill Total:						\$ 21.07
Grand Total:						\$ 21.07

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RELEASE LATE LIST PENALTY FROM 2009 TAXBILL. TOTAL TAXABLE VALUE WAS EXCLUDED DUE TO ELDERLY EXCLUSION.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78954	FIRE	MOUNTAIN HOME	0.00	1.04	0.00	\$ 1.04
78954	CNTY	COUNTY	0.00	5.04	0.00	\$ 5.04
Bill Total:						\$ 6.08
Grand Total:						\$ 6.08

WILDLIFE ABSTRACT #: 2762119 - 1989 EBBTIDE. BILL RELEASED. PREVIOUSLY VOIDED - BILLED TO BUNCOMBE COUNTY, NC

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
78750	NTY	COUNTY	24.53	2.45	0.00	\$ 26.98
78750	FIRE	MOUNTAIN HOME	5.04	0.50	0.00	\$ 5.54
Bill Total:						\$ 32.52
Grand Total:						\$ 32.52

Total Amount: \$27,025.71

Number of Bills: 53

*Includes Releases on Pages 18 & 19

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Process Rebate

Rebate #: 80291 Board Meeting Date: 0000615926-2009-2009-000000
(For pre-approved LU/Exempt only)

DALTON, JUDITH D W-283196

Property Tax Commission

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	83.27		0.00			83.27
Late List 100%	0.00	0.00	0.00			0.00
County	71.61	0.00	71.61			71.61
Interest						
Fire District F03	13.18	0.00	13.18			13.18
Interest						
Late List 100%	8.48	0.00	8.48			8.48
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	83.27	0.00	83.27			83.27

Abstract Details Reason: FULLRBT - Full rebate/no rebt Approve Reject

Manufactured home removed as personal property and attached to parcel #: 99-67417 as real property.

Process Rebate

Rebate #: 80294 Board Meeting Date: 0002318617-2009-2009-000000
(For pre-approved LU/Exempt only)

HENDERSON COUNTY W-589377

Property Tax Commission

Total Real Value 217,800 Land Def Value 206,323 Historic Def Value 11,477 Use Value 11,477

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	53.02		0.00			53.02
City C40	0.00	0.00	0.00			0.00
Interest						
Late List 100%	0.00	0.00	0.00			0.00
County	53.02	0.00	53.02			53.02
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	53.02	0.00	53.02			53.02

Abstract Details Reason: FULLRBT - Full rebate/no rebt Approve Reject

PARCEL IS OWNED BY HENDERSON COUNTY. LEASED TO CARLAND FARMS. RELEASED IN FULL FOR TAX YEAR 2009. CARLAND FARMS PAYS RENT IN LIEU OF TAXES.

Process Rebate

Rebate #: 80293 Board Meeting Date: 0000617735-2009-2009-000000
(For pre-approved LU/Exempt only)

WILLIAMS, ROSA MCCALL W-1013318

Property Tax Commission

Total Real Value 75,200 Land Def Value 75,200

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Late List 100%	0.00	0.00	0.00			0.00
County	347.42	0.00	347.42			115.50
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	347.42	0.00	347.42			115.50

Abstract Details Reason: VALDOR - Value decrease Approve Reject

REINSTATE THE ELDERLY EXCLUSION

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PHIPPS, RICHARD C
0002544956-2008-2009-000000 VALUE DECREASE
OUTBUILDING WAS INCORRECTLY APPLIED TO THIS PARCEL WITH LATE LIST PENALTY. OUTBUILDING
SUBSEQUENTLY MOVED TO CORRECT PARCEL #1003761.

SPIDOK, DAVID CHARLES
0002762271-2009-2009-000001 VALUE DECREASE
WILDLIFE ABSTRACT #: 2762271 RE: 1999 TRACKER PRO TEAM 175 W/40 HP MOTOR. VALUE ADJUSTMENT
TO ABOS VALUE. PREVIOUS VALUE ADDED MOTOR WHICH WAS INCLUDED IN ORIGINAL VALUE.

SPINK, HERBERT BARRY
0000748564-2009-2009-000000 MISC. DECREASE
REFUND LATE LIST PENALTY. MANUFACTURED HOME WAS LISTED ON TIME.

REQUEST FOR BOARD ACTION

HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: November 18, 2009
SUBJECT: Tax Refunds
ATTACHMENTS: Refund Report

SUMMARY OF REQUEST:

The enclosed refund requests (6) have been reviewed by the County Assessor and as a result of that review, it is the opinion of the Assessor that these findings are in order. The supporting documentation is on file in the County Assessor's Office.

These refund requests are submitted for the approval by the Henderson County Board of Commissioners.

Table with 3 columns: Type, Number of Items, Revenue Amount. Row 1: Refunds, 6, \$ 285.16

Faithfully Submitted,
Stan C. Duncan
County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

Suggested Motion: "I move the Board approve the Tax Refund Report as presented."

REFUNDS

Table with 7 columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebated Billed Interest, Total. Includes FARESE, DENNIS EMIL.

Table with 7 columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebated Billed Interest, Total. Includes FIRST CITIZENS LEASING.

Table with 7 columns: Rebate #, Rate Type, Jurisdiction, Rebated Tax, Rebated Late List, Rebated Billed Interest, Total. Includes JONES, MARGIE EILEEN.

HENDERSON COUNTY BOARD OF COMMISSIONERS

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BILL MOYER
Chairman
CHARLIE MESSER
Vice-Chairman

CHUCK MCGRADY
MARK WILLIAMS
LARRY YOUNG

RESOLUTION TO SUPPORT THE NORTH CAROLINA DIVISION OF FOREST RESOURCES B.R.I.D.G.E. AND AVIATION PROGRAMS


WHEREAS, it is the intent of the County Commissioners to fulfill its obligation to the citizens to provide fire protection, to include Wildland Fire Protection, through local Fire and Rescue Departments and the North Carolina Division of Forest Resources; and

WHEREAS, the North Carolina Division of Forest Resources is charged by law to: detect and suppress all wildfires on any state and private owned lands, accomplished by a partnership between Henderson County and the NC Forest Service. The State provides resources such as: specially trained fire crews (B.R.I.D.G.E. Program – Building, Rehabilitation, Instructing, Developing, Growing and Employing), aircraft, heavy equipment and command staff with support from County Fire and Rescue Departments; and

WHEREAS, recent developments in the North Carolina General Assembly have indicated possible budget cuts resulting in the loss of the B.R.I.D.G.E. program and equipment allocations including aircraft to Western North Carolina;

NOW THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners does hereby support the NC Division of Forest Resources B.R.I.D.G.E and Aviation programs to effectively control and suppress wildfires in Western North Carolina.

Adopted this 18th day of November, 2009.



WILLIAM L. MOYER, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

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MARK WILLIAMS
LARRY YOUNG

November 19, 2009

Ms. Diane Franklin
Contract Specialist
National Energy Technology Laboratory
U.S. Department of Energy
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-0880

Ms. Franklin:

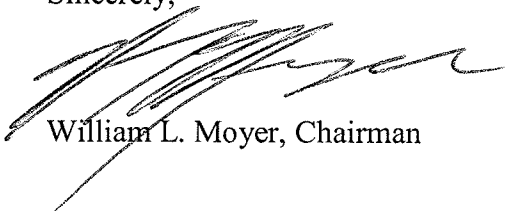
The Henderson County Board of Commissioners fully support the concept of a regional partnership to create and implement a Regional Strategic Fuels Plan using the Department of Energy's Local Energy Assurance Planning (LEAP) initiative. We support the City of Asheville and the Land-of-Sky Regional Council in the formation of a multi-governmental integrated plan.

As a local government in the Western North Carolina Region, we recognize Western North Carolina has a vulnerable fuel infrastructure. This has caused several fuel shortages with the shortage in the fall of 2008 being the most extreme. In the fall of 2008 the NC League of Municipalities conducted a survey which highlighted a willingness of local governments to collaborate regionally to prevent or mitigate fuel shortages. The Land-of-Sky held a meeting on January 16, 2009 and again on September 14, 2009 to address this regional issue.

We agree to participate in activities with our local government partners which will lead to a regional energy assurance plan that meets the scope and scale of the grant including staffing to analyze the current fueling infrastructure, developing a regional plan to mitigate and minimize the effects of future fuel shortages, and creating a diversified fueling infrastructure including bio-fuels, Compressed Natural Gas, and electric vehicles where appropriate.

Henderson County has an estimated population of 104,000 persons and we understand the need to ensure emergency services to our citizens even in times of severe shortages. We believe the Regional Strategic Fuels Project initiated by Land-of-Sky is one part of a successful plan to protect the region from shortages in the future.

Sincerely,



William L. Moyer, Chairman

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CHARLIE MESSER
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RESOLUTION to support and participate in regional collaboration of county and city governments to address regional fuel planning through the US Department of Energy's Local Energy Assurance Planning (LEAP) Initiative

WHEREAS, Henderson County is part of a five-county region defined by the French Broad River Metropolitan Planning Organization and the Land-of-Sky Rural Planning Organization; and

WHEREAS, Henderson County recognizes individual and corporate vulnerability to a fuel crisis which should be mitigated to the extent possible at the municipal, county, regional, state and federal government level; and

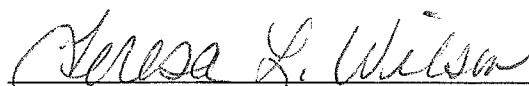
WHEREAS, these crises have occurred due to limitations in the national fuel infrastructure provided to the region through the Colonial Pipeline. In the past, tropical storms affecting the gulf coast and political situations on the other side of the world have exposed this vulnerability; and

WHEREAS, these variables cannot be controlled locally, we will work with the governments of the region to develop a Regional Strategic Fuel Program to plan for regional strategies that limit future exposure to fuel shortages and create a long-term fuel stability plan. Any proposed plan shall be brought back to the Henderson County Board of Commissioners for approval;

NOW THEREFORE, be it resolved on the 18th day of November, 2009 the Henderson County Board of Commissioners in cooperation with the City of Asheville and Land-of-Sky Regional Council supports the Local Energy Assurance Planning Initiative grant application to create an integrated regionally based strategic fuels plan for the betterment of our county and the region.

NOV 19 2009

Attest:


Teresa L. Wilson, Clerk to the Board


William L. Moyer, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

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November 18, 2009

Mr. Stan Duncan, Tax Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, N. C. 28792

Dear Mr. Duncan:

Attached please find the list of tax release requests (53) and tax refund requests (6) approved at the Henderson County Board of Commissioners' Meeting on Wednesday, November 18, 2009.

Sincerely,



William L. Moyer, Chairman
Henderson County Board of
Commissioners

WLM/tlw

enclosures

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PROCLAMATION

WHEREAS, Henderson County is located in the Blue Ridge Mountains, in a broad basin formed by the French Broad River and its tributaries. Its diverse geography of gentle mountains, fertile valleys and rich forests has played a pivotal role in its unique history; and

WHEREAS, Geography Awareness Week is November 16 – 20, 2009; and

WHEREAS, National Geographic Information Systems (GIS) Day is November 18, 2009; and

WHEREAS, GIS is an important part of geography awareness, providing not only the study of maps, but also relationships among people, places and environments that are continuously being examined on local, national and global levels; and


WHEREAS, Henderson County has GIS personnel in various departments that manage the complex systems providing GIS data that is critical to health, public safety, emergency management, disaster preparedness, economic development, and quality of life of our citizens; and

WHEREAS, Henderson County GIS personnel are sponsoring an educational program with demonstrations on November 18, 2009, to further promote the study of geography and the use of Henderson County's GoMaps online GIS system.

NOW, THEREFORE, BE IT RESOLVED, that we, the Henderson County Board of Commissioners, do hereby proclaim November 18, 2009 as "**GIS Day**" in Henderson County.

FURTHERMORE, we commend the individuals and organizations that are involved in the field of geographic information systems, and extend our gratitude to all Henderson County GIS personnel for their commitment to providing GIS resources to meet the needs of the citizens of Henderson County.

Adopted this 18th day of November, 2009.



WILLIAM L. MOYER, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A Regular Meeting of the Board of Commissioners (the "*Board of Commissioners*") of the County of Henderson, North Carolina (the "*County*") was held on Wednesday, November 18, 2009 at 11:00 a.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina.

Commissioners Present: William Moyer, Chairman
Charlie Messer, Vice Chairman
Chuck McGrady
Larry Young
Mark Williams

Commissioners Absent: None

* * * * *

The Chairman of the Board (the "*Chairman*") reported to the Board that notice of a public hearing to receive public comments on the proposed execution and delivery by the County of (1) an Installment Financing Contract to pay the capital costs of various construction, repair and renovation projects at (a) Apple Valley Middle, (b) Balfour Elementary, (c) Dana Elementary, (d) East Henderson High, (e) Hendersonville Elementary, (f) North Henderson High, (g) Rugby Middle, (h) Upward Elementary and (i) West Henderson High (collectively, the "*Projects*") and (2) a deed of trust and security agreement to create a security interest in the real property on which Hendersonville Elementary School is located and the improvements thereon was published on November 6, 2009 stating that the Board would hold a public hearing thereon on November 18, 2009 at 11:00 a.m.

The Chairman then announced that the Board would hear anyone who wished to be heard on the questions of the proposed Contract and the Projects to be financed thereby.

The following people spoke at the public hearing: No persons spoke at the hearing.

The Finance Director then presented a financing proposal from Branch Banking and Trust Company (BB&T) to fund the capital costs of the various construction, repair and renovation projects.

Commissioner McGrady moved that the public hearing be closed and the motion was unanimously adopted.

The Board was asked to approve the proposal from BB&T to finance the Projects in the amount of \$4,270,400 for a term of 10 years at an annual interest rate not to exceed 1.87 percent. Commissioner Williams made the motion to approve the financing proposal from BB&T at the terms stated by the Finance Director which was duly adopted by the following vote:

Ayes: William Moyer, Chairman
Charlie Messer, Vice Chairman
Chuck McGrady
Larry Young
Mark Williams

Nays: None

HELD the 18th day of November, 2009.



Aleresa L. Wilson
Clerk to the Board of Commissioners
County of Henderson, North Carolina