

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, MARCH 5, 2018**

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

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

Also present were: Management Assistant Megan Powell, Finance Director J. Carey McLelland, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Recreation Director Carleen Dixon, Emergency Management/Rescue Coordinator Jimmy Brissie, Chief Deputy Jason Brown, Environmental Programs Coordinator Rachel Kipar, Wellness Nurse Practitioner Manager Jamie Gibbs, Planner Brian Burgess, Tax Administrator Darlene Burgess, Planning Director Autumn Radcliff, Projects Engineer Natalie Berry, PIO Kathy Finotti – videotaping, and Deputies John Ashe and Carl Greco as security.

Absent was: Attorney Russ Burrell

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Reverend Kenny Adcock.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

2018-32 Public Hearing for Land Development Code (LDC) Text Amendments (TX-2018-01, TX-2018-02, and TX-2018-03)

Commissioner Hawkins made the motion to go into public hearing for Land Development Code (LDC) Text Amendments (TX-2018-01, TX-2018-02, and TX-2018-03). All voted in favor and the motion carried.

Planning Board Director Steve Dozier stated the Board of Commissioners directed the Planning Board to address the Land Development Code due to issues in the Mills River area. There were many involved in the review. Overall the LDC looks good but the Planning Board tweaked a few areas.

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19, 2007, the Board of Commissioners directed staff to prepare annual updates to the LDC to prevent it from becoming outdated.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

The proposed text amendments include:

- TX-2018-01: As requested by the County Attorney, sign amendments based on recent court rulings and G.S. requirements for Zoning Board of Adjustment (ZBA) procedures.

DATE APPROVED: March 21, 2018

- TX-2018-02: Amendments related to places of assembly for residential zoning districts.
- TX-2018-03: Amendments related to density standards, multifamily developments and a requirement for neighborhood compatibility meetings for large developments.

The Henderson County Planning Board has been discussing the draft text amendments for several meetings and voted to send forward a favorable recommendation on all the LDC text amendments.

Public Notice

The required public notice of this hearing was published in the Hendersonville Times News on February 23rd, 2018 and March 2nd, 2018 (Certification of Notice of Public Hearing was provided in the agenda packet).

Land Development Code Text Amendments

There are three (3) Separate Text Amendment Packets:

1. TX-2018-01: Amendments requested by County Attorney based on legal changes that impact the LDC
 2. TX-2018-02: Amendments requested by the BOC related to permitted event venues
 3. TX-2018-03: Amendments requested by the BOC related to multi-family developments and density issues.
1. Planning Board reviewed and recommended the proposed amendments
 2. Public Hearing noticed was advertised in the Times News per G.S.
 3. A subcommittee of the Planning Board was selected to review text amendments TX-2018-02
 4. An Ad Hoc Subcommittee was selected by the Planning Board Chair to review text amendment TX-2018-03 and included:
 - Executive Director of Housing Assistance
 - President of the Home Builders Association
 - The Chair of each community plan or their designee
 - 4 Planning Board Members including the Chairman

Land Development Code Text Amendments (TX-2018-01)

LDC Text Amendment A: ZBA Procedures

Per G.S. 160A-388, clarify the required four-fifths vote for variances and a simple majority vote for all other quasi-judicial proceedings.

LDC Text Amendment B: Sign Regulation Amendments

Per the Supreme Court ruling in Reed v. Town of Gilbert, amend the sign regulations based on the sign size and location and not on the sign content.

1. Clarify the definitions of ground/monument signs, electronic message signs, flags and banners
2. Remove reference to signs types based on content
3. Change lighting standards to remove current candle measure

Note: BOC should determine if the size limitations are acceptable

- Exempt signs are allowed without a zoning permit
- Permitted signs require a zoning permit

A. Flags/Insignia. 200 square foot per face (currently there is no limitation)

B. Off Premise Sign.

- 10 square foot per face (3x3 sign); height is 5 ft.; allowed in all zoning districts

C. On Premise Sign in Residential and Local Commercial Zoning Districts.

- 16 square foot per face (4x4 sign); height is 8 ft.

D. On Premise Sign in Commercial, Office Institutional & Industrial Zoning Districts (excluding the local commercial zoning district).

- 36 square foot per face (6x6 sign); height is 8 ft.
- E. *Temporary Sign.*
 - Such signs shall be temporary in nature, no longer than 30 days per occurrence and only once per calendar year per lot of record.
 - Residential & Local Commercial districts: 32 square foot per face (4x8 sign); height is 10 ft.
 - Nonresidential zoning district excluding local commercial district: 72 square foot per face (8x9 sign); height is 18 ft.
 - Banners up to 200 square foot per face (anything larger would require a permit)
 - Clarify on premise sign standards for each zoning district
 - Residential and Local Commercial Zoning Districts
 - Office, Institutional, and Commercial Zoning Districts
 - Industrial Zoning Districts
 - Amend lighting requirements
 - Amend requirements and add in electronic message sign for clarification between these permitted signs and prohibited sign types

Land Development Code Text Amendments (TX-2018-02)

LDC Text Amendment A: Place of Assembly

Review the standards for place of assembly and related residential uses.

Table shows where these use are allowed.

USE TYPE	GENERAL USE DISTRICT											
	P=Permitted; S=Special Use Permit											
	R1	R2	R2R	R3	R4	OI	MU	LC	CC	RC	I	SR
Place of Assembly, Large						S		P	P	P	S	5.16
Place of Assembly, Small	S	S	S	S	S	P	P	P	P	P	S	5.17

Amend the supplemental requirements and uses.

- Reduce the person per structure threshold:
 - **Large Place of Assembly:** min of 251 persons
 - (current standard is 500 min)
 - **Small Place of Assembly:** max of 250 persons or fewer
 - (current standard is 40 to 499 persons)
 - Persons include: all event attendees, guest, hired staff, event workers, etc.
- Require 100 ft setback. No parking allowed in this setback
- Require a B2 buffer of 30 feet in width

Remove heliport and wind mill greater than 40 feet from the R1 district. Add urgent care clinic as a SUP to the listed districts.

USE TYPE	GENERAL USE DISTRICT				
	P=Permitted; S=Special Use Permit				
	R1	R2	R2R	R3	R4
3. ACCESSORY STRUCTURES					
Heliport (Private Accessory)	S (remove)	S	S	S	S
Wind Mill/Turbine, Accessory > 40 ft height	S (remove)	S	S	S	S
6. BUSINESS, PROFESSIONAL, AND PERSONAL SERVICES					
Urgent Care Clinic	S	S	S	S	S

LDC Text Amendment B: Site Plan Amendments

Clarify site plan modifications and defined building dimensions.

- Allow modifications up to a 10%
- Clarify building dimensions to include finished square footage calculations as well as building footprint

Land Development Code Text Amendments (TX-2018-03)

LDC Text Amendment A: Mixed Use (MU) Zoning District

MU districts require a conditional rezoning approved by the BOC and do not need to allow for any special use permit reviews by the Zoning Board of Adjustment.

- Change the special use permit requirement to permitted for all applicable uses in the MU district

LDC Text Amendment B: Permitted Residential Uses

Clarify single family developments and various multifamily developments/uses.

Amendment B1: Amend the Table of Permitted and Special Uses to the following use types:

- Single Family Dwelling
- Two Family Attached Dwelling
- Multifamily Dwelling

Amendment B2: Amend the definitions to match the above use types

Amendment B3: Add additional requirements for two family attached dwellings and multifamily dwellings

Amendment B3: Add the following requirements.

- **Two Family Attached**
 - A special use permit is required if more than one duplex is desired on a single parcel of land, or if part of a single family subdivision
- **Multifamily Dwelling**
 - A special use permit required if part of a single family subdivision
 - In the R2R and R2 districts, no single building may contain more than 3 dwelling units (ex: triplex)
 - Perimeter setback of 100 ft. required in residential zoning districts (including LC district)
 - 25 % open space required instead of 20% to match subdivision standards
- **If part of an approved subdivision, each dwelling unit must be deeded and recorded**

Amendment B4: Amend the zoning district requirements to match these use types for two family attached dwelling and multifamily dwelling.

- Amend so that multifamily requirements apply to any development with 3 or more units
- Require that multifamily developments be served by water and sewer (not individual wells and septic systems)
- **Option for additional review:** Require developments with 10 more multifamily dwellings to apply as a conditional rezoning or MU district, and require subdivision proposing to cluster the dwelling units on 50% or less of the total project area used to calculate the allowed density, to apply for a conditional rezoning or MU district as well.
 - **Example: 50 ac with allowed density of 4 units per ac**
 - Maximum of 200 units allowed
 - Conditional rezoning required if all the units were clustered on 25 ac or less

Amendment B5: Amend the allowed intermediate and maximum density thresholds for the R1 zoning district.

Table 2.1. R1 Density and Dimensional Requirements			
(1) Residential Density (units/acre)	(2) Standard	4	
	(3) Intermediate	8 6	
	(4) Maximum	±6 12	
(5) Yard Setbacks (feet)	Front or Right-of-Way (ROW)	Local	15
		Collector	20
		Thoroughfare	35
		Boulevard	50
		Expressway	60
		Freeway	90
	Side	10	
Rear	10		
(6) Maximum Height (feet)		40	

LDC Text Amendment C: Neighborhood Compatibility Meetings

Require a neighborhood compatibility meeting for developments with 100 or more units/lots and any proposed MU district. Below are the meeting standards.

- Planning Director, Zoning Administrator or their designee shall facilitate the meeting
- Mailed notice sent 7 days prior to meeting to owners within 400 ft of development property line
- Applicant their agent shall provide a presentation at the meeting and answer questions
- Discussion topics are limited to the development specifics only
- Meeting results become part of the staff report to the approving board

Public Input

1. Ken Fitch feels further work needs to be done on infrastructure such as roads. Conditional zoning could be used. A neighborhood compatibility meeting is key to gain information.

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

The Board of Commissioners agreed staff and the Planning Board have done a great job reviewing the LDC and making recommendations. The Commissioners ask Planning Board Chair Steve Dozier to have the Planning Board next look at the definition of tiny homes, RV’s, etc., and clarify the difference.

Commissioner Lapsley made the motion that the Board adopt the resolution regarding the consistency with the CCP, and he further moved that the Board adopt the proposed LDC Text Amendments TX-2018-01- A & B including changes in red and blue. All voted in favor and the motion carried.

Commissioner Thompson made the motion that the Board adopt the resolution regarding the consistency with the CCP, and he further moved that the Board adopt Text Amendments TX-2018-02-A & B including changes in red and blue. All voted in favor and the motion carried.

Commissioner Lapsley made the motion that the Board adopt the resolution regarding the consistency with the CCP and he further moved that the Board adopt Text Amendments TX-2018-03 A, B, B1, B2, B3, B4, B5, and C including changes in red and blue. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENT

1. Ken Fitch stated recently the NCDOT held an open house for the Balfour Parkway Project. He requested that the map from that meeting be placed at the Library. The plans coming from the DOT impact all and are already in place. Henderson County citizens do not feel they are safe in ownership of their property. He feels yet another surprise plan will pop up in the future. The current NCDOT plan does not work with large trucks.
2. Phil Flor provided the Board with a handout presentation. He feels the Balfour Parkway Project will impact several residences. It will allow truckers to dodge the weigh station. Mills River is also against the project. He asked the Board to do a resolution opposing the project and share it with the French Broad River MPO and municipalities.
3. William Erickson lives in Grimesdale and provided the Board with a handout. He feels the Balfour Parkway Project is a braindead solution. Truck traffic will increase, many families will be displaced and homes lost, and property values of neighboring homes reduced.
4. Katherine Montgomery stated that NCDOT informed the citizens that the project was joint with the State, County and City. It will destroy homes and properties. The neighborhoods are historic. She asked the Board if they agreed with the project.
5. Jordan Hunnicutt thanked the Board for the parks. She feels the Oklawaha Trail is greatly used and continues to grow and improve. Expanding it even more would be a win/win for all.
6. Kathy Watkins thanked the Board for the greenway projects. They are great for walking and biking and a selling point for realtors.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Thompson made the motion to approve Consent Agenda as presented. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Tax Collector’s Report

Deputy Tax Collector Luke Small had presented the Tax Collector’s Report to the commissioners dated February 23, 2018 for information only. No action was necessary.

2018-33 Pending Releases and Refunds

The pending releases and refunds have been reviewed by the Assessor. As a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County Assessor’s Office.

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

<u>Type</u>	<u>Amount</u>
Total Taxes Released from the Charge	\$ 2,197.38
Total Refunds as a Result of the Above Releases	\$ 79.44

Motion:

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

County Financial Report/Cash Balance Report

The January 2018 County Financial Report and Cash Balance Report were provided for the Board’s review and approval.

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

- Dues/Non-Profit Contributions: release of 3rd quarter approved non-profit contribution payments in January
- Human Resources: workers compensation claims
- Garage: January fuel costs to be allocated to user departments
- Fire Services: annual payment of workers compensation costs for the fire districts in the approved budget
- Rescue Squad: release of 3rd quarter approved non-profit contribution payments in January
- Agri-Business: excess operating expenditures, which will be covered by membership fees
- Mental Health: Third quarter maintenance of effort (MOE) payments to Vaya Health remitted.
- Rural Transportation Assistance Program: disbursement of remaining FY2017 ROAP funds to WCCA
- Public Education: payment 7 of 10 of annual appropriation made to the public schools

The YTD deficit in the Public Transit Fund is due a timing delay in billing from the previous year.

The YTD deficit in the Edneyville Elementary School, the Hendersonville High School and the Law Enforcement Training Center (LETC) Projects is due to the payment of architect fees for these projects from appropriated fund balance in the Capital Projects Funds that will be reimbursed from future financings.

The YTD deficits in the Recreation Parks Improvements Projects and the Artificial Turf Field Projects is due to these projects being paid from appropriated fund balance in the Capital Projects Fund, primarily from proceeds received from the sale of the Bent Creek property as approved in the prior year's budget.

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to sewer capital project expenditure payments on multiple projects. Fund Balance in the Cane Creek Fund was appropriated in the approved budget to cover these capital project expenditures.

Motion:

I move that the Board of Commissioners approves the January 2018 County Financial Report and Cash Balance Report as presented.

Vaya Health – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended December 31, 2017

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 Director on January 31, 2018

Motion:

I move that the Board of Commissioners approves the Vaya Health Fiscal Monitoring Report for the quarter ended December 31, 2017.

2018-34 Petition for additions to State Road system

Staff received a petition to add (Teaneck Trail & Teaneck Circle) the roads to the state road system. It

has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

Staff reviewed the petition and it appears that all affected property owners or developers have signed the required petition.

Motion:

I move that the Board approves the petition and direct staff to forward them to NCDOT.

2018-35 Resolution calling for road repair funding

The Board is requested to approve a resolution seeking funding of the immediate maintenance and repair of S.R. 1734 (Stepp Mill Rd.), due to a washout and other dangerous structural deficiencies.

Motion:

I move that the Board adopts the proposed Resolution.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Messer made the motion to adopt the discussion agenda with the addition of discussion on the Status of School Safety Issues in Henderson County and the Balfour Parkway Project. All voted in favor and the motion carried.

NOMINATIONS

Notification of Vacancies

1. EMS Peer Review Committee – 1 vac.
2. Equalization and Review, Henderson County Board of – 4 vac.
3. Governmental Financing Corporation – 1 vac.
4. Henderson County Planning Board – 3 vac.
5. Nursing/Adult Care Home Community Advisory Committee – 2 vac.

Nominations

1. Hendersonville Water and Sewer Advisory Committee – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting. Commissioner Lapsley requested this item continue to roll.

2. Historic Resources Commission – 1 vac.

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

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

Commissioner Messer nominated Thomas Keating for position #3. *Chairman Edney made the motion to accept the appointment of Thomas Keating to position #3 by acclamation. All voted in favor and the motion carried.*

4. Juvenile Crime Prevention Council – 4 vac.

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

5. Library Board of Trustees – 1 vac.

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

6. Nursing/Adult Care Home Community Advisory Committee – 10 vac.

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

7. Senior Volunteer Services Advisory Council – 2 vac.

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

2018-36 RESOLUTION FOR KUNZ FARM APPLICATION – NC DIVISION OF PARKS AND RECREATION – RECREATIONAL TRAILS PROGRAM (RTP) GRANT

Rachel Kipar stated Henderson County staff are prepared to apply to the Recreational Trails Program (RTP) Grant through the NC Division of Parks & Recreation for design, construction, and access to Kunz Farm Park, located adjacent to Westfeldt Park. The grant application requires a resolution of support from the Board of Commissioners. Phase 1 of the project includes pre-construction permitting and design costs. Phase 2 covers design and construction of the pedestrian bridge, additional parking expansion/construction in Westfeldt Park, and includes contingency funds.

The slide features a top section with the title "Kunz Farm Park" in white script on a blue background. Below the title is a photograph of a river flowing through a wooded area with trees showing autumn colors. At the bottom left of the photo, it reads "Henderson County Engineering • Henderson County Planning" and "March 5, 2018". A small Henderson County logo is at the bottom right of the photo.

The middle section has a blue header with the title "Location & Legacy" in white. Below this is a map showing the park's location. The map includes labels for "Westfeldt Park", "Broadpointe Industrial Park", "French Broad River", and "Diplomat Drive". A blue outline on the map indicates the park's boundaries. Text on the map includes "1874 Gallatin", "1930 16.75 ac", and "1996 27.82 ac".

To the right of the map is a text box with the following text: "In 1996, 27.82 acres of land was donated to the Community Foundation of Henderson County by the Cadgene family and subsequently deeded to Henderson County. As stipulated in the donation, the property, adjacent to Broadpointe Industrial Park and the French Broad River, was to be developed into a community park or designated for outdoor recreation."

Park Concept

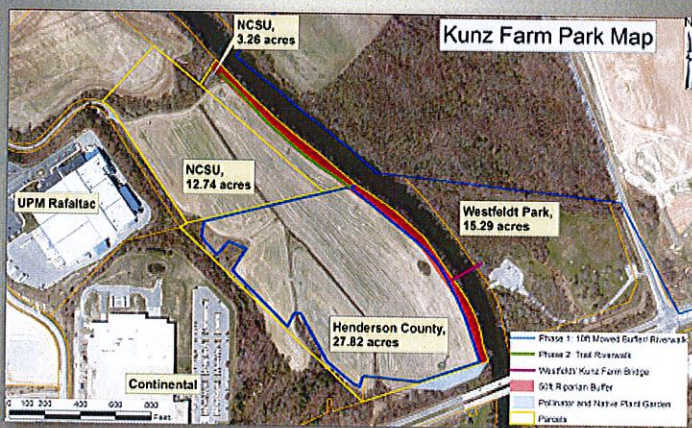
- ❖ **Design and implement** a riverwalk trail along the perimeter of the Henderson County parcel and along the NCSU parcel to connect with the Westfeldt Park trails across the French Broad River via pedestrian bridge
- ❖ **Partner** with NCSU's Mountain Horticultural Crops Research Station to allow farming and crops research to take place on the adjoined parcels, creating unique natural and educational opportunities for visitors, citizens, students, nearby employees



Park Concept



Project Location



Project Updates

- Still awaiting signed MOU from NCSU
- Two industries committed financially
- Awarded one large grant, signing contract in March 2018
- Re-applying for other grants in 2018

The County will seek \$100,000, the maximum amount available, and if awarded will be responsible for a 25% match. The \$25,000 match will come from one of two committed Broadpointe Industry donors. Staff plans to complete Phases 1-2 of the project using funds from RTP and a grant received in late 2017 from Division of Water Resources, creating access to the park by constructing an ADA-compliant pedestrian bridge across the French Broad River.

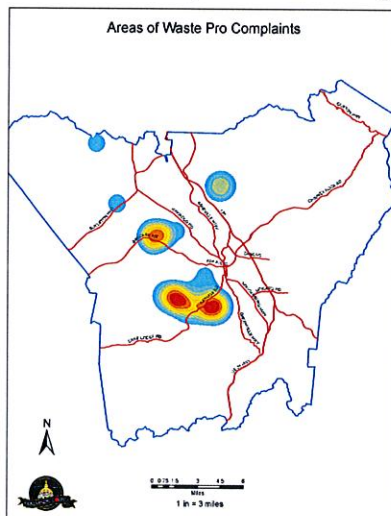
Kunz Farm Park will serve as a unique natural resources and agricultural heritage site with a ½ mile-long riverwalk trail along the French Broad River. The park will provide a multitude of conservation, agricultural, and educational opportunities for users, as well as provide connection for future multi-use corridors.

Steve Wyatt recommended contacting Representative McGrady and asking him to call the Chancellor at NCSU to put pressure on and keep the project going.

Commissioner Messer made the motion that the Board adopts the resolution supporting the NC Division of Parks & Recreation RTP Trail Project Grant Application for design, construction, and access to Kunz Farm Park. All voted in favor and the motion carried.

2018-37 30 DAY NOTICE FOLLOW UP – WASTE PRO WASTE HAULING PERMIT

Rachel Kipar stated in response to numerous calls to County staff and the Board of Commissioners regarding noncompliant hauler service, the Board placed Waste Pro’s permit to haul waste in Henderson County on a thirty day notice. During the following thirty days, staff has tracked Waste Pro customer calls, communicated with Waste Pro regarding each call, and followed up with the customers to verify corrective action from Waste Pro. Staff will present this information as of the morning of the meeting. In general, Waste Pro has made a sincere effort to address the customer concerns and dedicated resources to improve service. The number of calls has tracked downward showing improvement. However, we are still receiving customer calls as of the Wednesday prior to this meeting. Staff feels that zero calls is not an unrealistic expectation and experience this standard from the majority of the permitted haulers.



A Waste Pro representative spoke and stated they are committed and happy with the progress thus far. They will continue until there are zero calls coming in.

Commissioner Thompson made the motion that the Board extend notice of noncompliance for the Waste Pro's permit to haul waste in Henderson County for another thirty days and direct staff to report back to the Board during the April 2, 2018 Board meeting. All voted in favor and the motion carried.

STATUS OF SCHOOL SAFETY ISSUES IN HENDERSON COUNTY – Add on

Commissioner Lapsley stated since becoming aware of the tragic event in Florida, the Board has had many people contact them asking what the County is doing. The School Board and Sheriff will address and this Board keep their eye on the ball. Steve Wyatt will keep the Board of Commissioners updated.

Steve Wyatt and the Sheriff have met with the School Board Chair Amy Holt and Superintendent Bo Caldwell. Sheriff McDonald was in Washington, DC last week to share strategies with the President. We have a long list of strategies, and in these situations you will need layers of security per the Sheriff.

The efforts will be discussed in a meeting with the sheriff's leadership, county management staff and schools leadership on Friday, ahead of Monday's school board meeting, where school safety will be on the agenda. School safety and school security are priority items that must to be addressed. When the superintendent comes with his budget request, there's an expectation that there will be a thorough discussion on those issues, and the commissioners feel those issues will be addressed. The board is not experts, but can provide support and resources to protect our schools and kids.

Board Chair Mike Edney noted there is no quick solution. Possibly the county should look at adding school psychologists as well as school nurses in the county schools.

Steve Wyatt reminded the Board that in 2017 he has asked the mental health providers, including Vaya Health, to identify the priorities. There have been subsequent follow-up meetings. Judy Long provided a brief update to the Board in January. The team is trying to come up with a plan for mental health issues with the greatest impact.

BALFOUR PARKWAY PROJECT – Add on

Commissioner Messer is in favor of a resolution to stop the Balfour Parkway and get the I-26 project moving.

Commissioner Lapsley has been a member of the Henderson County Transportation Advisory Committee for 3 years. The two projects that have the highest priority are the widening of I-26 and the Balfour Parkway. Both projects are now funded and I-26 is well on its way. The Balfour Project is in three pieces. He feels the route through Grimesdale would be nixed due to the cost to buy the houses, and there are cheaper options. The purpose of the planning stage is to make sure every conceivable option is considered. The corridors shown on existing maps are 1,000 feet wide and the actual construction corridor will only be 250 feet.

Commissioner Lapsley expressed his concerns in writing to the NCDOT at this point. The NCDOT will begin eliminating options due to public concerns which will conceivably take several months. The public needs to express their concerns to NCDOT in writing.

Commissioner Thompson feels Mr. Lapsley's assessment is correct. The time and opportunity now is for the citizens to communicate with NCDOT.

Commissioner Hawkins is in agreement with Commissioner Lapsley.

Chairman Edney stated the Board will keep a close eye on the project.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4) &(5):

1. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.
2. 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 the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

Chairman Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4) &(5). All voted in favor and the motion carried.

ADJOURN

Commissioner Hawkins made the motion to go out of closed session and adjourn at 8:20 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

J. Michael Edney, Chairman



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Department and Planning Board provided recommendations regarding the proposed text amendments with case TX-2018-01, TX-2018-02 and TX-2018-03; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Department provided the prescribed public notice and the Board held the required public hearing on March 5, 2018; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

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

1. That the Board reviewed the proposed LDC text amendment (TX-2018-01, TX-2018-02, and TX-2018-03) and finds that it reasonable, in the public interest and it is consistent with the principles and goals of County Comprehensive Plan and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed text amendments provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.


THIS the 5th day of March, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 

MICHAEL EDNEY, Chairman
Henderson County Board of Commissioners

ATTEST:



TERESA L. WILSON

Clerk to the Board of Commissioners

[COUNTY SEAL]

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 23, 2018

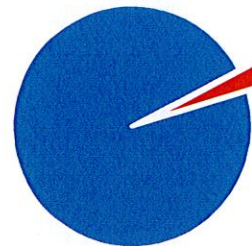
Re: Tax Collector's Report to Commissioners - Meeting Date March 5, 2018

Please find outlined below collections information through February 22, 2018 for the 2017 real and personal property bills mailed on August 4, 2017. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2017 Beginning Charge:	\$71,438,447.20
Discoveries & Imm. Irreg.:	\$556,804.07
Releases & Refunds:	(\$634,190.69)
<u>Net Charge:</u>	<u>\$71,361,060.58</u>
Unpaid Taxes:	\$2,143,383.13
Amount Collected:	\$69,217,677.45

**Paid
97.00%**



**Unpaid
3.00%**

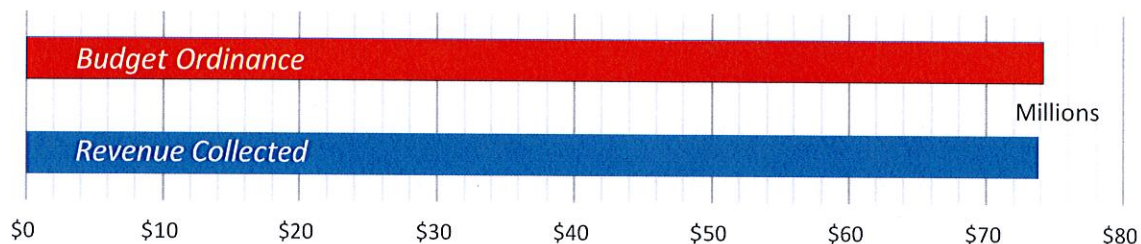
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$3,736,568.86
Unpaid Taxes:	\$14,994.24
Amount Collected:	\$3,721,574.62

99.60%

Henderson County FY18 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$72,826,301.00	\$72,939,252.07
Prior Years:	\$1,405,000.00	\$925,589.15
Budget Total:	\$74,231,301.00	YTD Revenue: \$73,864,841.22



Respectfully Submitted,

Luke Small
Deputy Tax Collector

Darlene Burgess
Tax Administrator

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
Hendersonville, North Carolina 28792
Phone: 828-697-4808 • Fax: 828-692-9855
www.hendersoncountync.org

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

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

March 5, 2018

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

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$2,197.38, and tax refund requests in the amount of \$79.44, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, March 5, 2018. All releases and refunds were approved.

Sincerely,


J. Michael Edney, Chairman
Henderson County Board of Commissioners

JME/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF
COMMISSIONERS**

MEETING DATE: March 5, 2018
SUBJECT: Pending Releases & Refunds
PRESENTER: Darlene Burgess, Tax Administrator
ATTACHMENT: Yes
1. Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

The attached pending releases and refunds have been reviewed by the Assessor. As a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County Assessor's Office.

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 2,197.38
Total Refunds as a Result of the Above Releases	\$ 79.44

BOARD ACTION REQUESTED:

The Board is requested to approve this pending release and refund report as presented.

Suggested Motion:

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

NCPTS Pending Release/Refund Report. Tuesday, February 20, 2018*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEWY TYPE	BILLED	PAID	RELEASE	REFUND
ASTIN, WADE LINDEN	0003057579-2017-2017-0000	ABSTRACT VOIDED DUE TO WATERCRAFT BEING SOLD 3/26/16 PER 2017 LISTING FORM.	(\$1,200)	4817	DTUCKER	152 RAVENWOOD LN HORSE SHOE NC 28742	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$9.61 \$0.96 \$1.79	\$9.61 \$0.96 \$1.79	\$6.78 \$0.68 \$7.46 \$1.26	\$6.78 \$0.68 \$7.46 \$1.26
OWNER TOTAL:	0003088742-2017-2017-0000	ABSTRACT VOIDED DUE TO UNREGISTERED VEHICLE BEING SOLD 9/3/16 PER DMV RECORDS.	(\$1,200)	4824	DTUCKER	1029 OLD US HWY 25 SOUTH ZIRCONIA NC 28790	COUNTY GREEN RIVER FIRE	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$47.51 \$4.75 \$6.73 \$0.67	\$0.00 \$0.00 \$0.00 \$0.00	\$8.85 \$47.51 \$4.75 \$52.26 \$6.73 \$0.67	\$8.85 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:	0003086305-2017-2017-0000	ABSTRACT VOIDED DUE TO WATERCRAFT BEING SOLD IN 2016 PER 2017 LISTING FORM.	(\$8,408)	4820	MIHANEY	472 KARLA CIR HENDERSONVILLE NC 28739	COUNTY ETOWAH-HORSESHOE FIRE	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$29.44 \$2.94 \$5.47 \$0.55	\$0.00 \$0.00 \$0.00 \$0.00	\$59.66 \$29.44 \$2.94 \$32.38 \$5.47 \$0.55	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:	0003057572-2017-2017-0000	ABSTRACT VOIDED DUE TO WATERCRAFT BEING SOLD IN MARCH 2016 PER 2017 LISTING FORM.	(\$5,210)	4816	HSALTER	165 SKYWAY DR LAUREL PARK NC 28739	COUNTY	TAX LATE LIST FEE TOTAL:	\$6.39 \$0.64	\$0.00 \$0.00	\$38.40 \$0.64 \$7.03	\$0.00 \$0.00 \$0.00
OWNER TOTAL:	0003088761-2017-2017-0000	ABSTRACT VOIDED DUE TO WATERCRAFT BEING SOLD IN MAY 2016 PER 2017 LISTING FORM.	(\$1,131)	4837	DTUCKER	214 ROCKAWAY LN HENDERSONVILLE NC 28791	COUNTY MOUNTAIN HOME FIRE	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$73.96 \$7.40 \$15.71 \$1.57	\$73.96 \$7.40 \$15.71 \$1.57	\$7.03 \$52.94 \$5.29 \$58.23 \$11.24 \$1.12	\$0.00 \$52.94 \$5.29 \$58.23 \$11.24 \$1.12
OWNER TOTAL:	0000507884-2017-2017-0000	BUSINESS SOLD IN JULY 2016. 2017 ABSTRACT VOIDED.	(\$9,370)	4822	HSALTER	640 5TH AVE W UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL:	\$54.92 \$5.49	\$0.00 \$0.00	\$70.59 \$54.92 \$5.49 \$60.41 \$60.41	\$70.59 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$9,720)								\$60.41	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Tuesday, February 20, 2018*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
GALE, HARVEY STEPHEN	0003091435-2017-0000	WATERCRAFT IS PERMANENTLY LOCATED IN RUTHERFORD COUNTY.	(\$21,830)	4826	HSALTER	103 RED ANDERSON RD HENDERSONVILLE NC 28792	COUNTY	TAX	\$123.34	\$0.00	\$123.34	\$0.00
								LATE LIST FEE	\$12.33	\$0.00	\$12.33	\$0.00
								TOTAL:	\$26.20	\$0.00	\$35.67	\$0.00
								TOTAL:	\$2.62	\$0.00	\$2.62	\$0.00
ABSTRACT TOTAL:									\$164.49	\$0.00	\$0.00	
GALL, JACK	0003091002-2017-0000	AIRCRAFT IS PERMANENTLY LOCATED IN PENNSYLVANIA COUNTY.	(\$37,000)	4819	MHANEY	230 RAINTREE DR HENDERSONVILLE NC 28791	COUNTY	TAX	\$209.05	\$0.00	\$209.05	\$0.00
								LATE LIST FEE	\$20.91	\$0.00	\$20.91	\$0.00
								TOTAL:	\$38.85	\$0.00	\$38.85	\$0.00
								TOTAL:	\$3.89	\$0.00	\$3.89	\$0.00
ABSTRACT TOTAL:									\$272.70	\$0.00	\$0.00	
GILLIS, ISAISH M	0000041024-2017-0000	PARCEL LINES CORRECTED FOR 2017. MOVED HOUSE FROM PARCEL 9929382 TO PARCEL 9932661 FOR 2017.	(\$37,000)	4827	MSUTTON	213 GYPSY LN HENDERSONVILLE NC 28792	COUNTY	TAX	\$537.32	\$0.00	\$537.32	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$123.63	\$0.00	\$123.63	\$0.00
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
ABSTRACT TOTAL:									\$553.92	\$0.00	\$0.00	
LINDSEY, MICHAEL BRIAN	0003081190-2017-0000	ABSTRACT VOIDED DUE TO WATERCRAFT BEING SOLD PER 2017 LISTING FORM.	(\$500)	4818	HSALTER	144 NORRIS RD ETOWAH NC 28729	COUNTY	TAX	\$2.83	\$0.00	\$2.83	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$2.83	\$0.00	\$2.83	\$0.00
								TOTAL:	\$0.53	\$0.00	\$0.53	\$0.00
ABSTRACT TOTAL:									\$3.36	\$0.00	\$0.00	
ORIHUELA, ACELA	0002450372-2011-2011-0000	MANUFACTURED HOME WAS SOLD 2/26/10. 2011 ABSTRACT VOIDED.	(\$500)	4829	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$75.50	\$0.00	\$75.50	\$0.00
								LATE LIST FEE	\$7.55	\$0.00	\$7.55	\$0.00
								TOTAL:	\$14.70	\$0.00	\$14.70	\$0.00
								TOTAL:	\$1.47	\$0.00	\$1.47	\$0.00
ABSTRACT TOTAL:									\$99.22	\$0.00	\$0.00	
GALL, JACK	0002450372-2012-2012-0000	MANUFACTURED HOME WAS SOLD 2/26/10. 2012 ABSTRACT VOIDED.	(\$14,700)	4830	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$75.50	\$0.00	\$75.50	\$0.00
								LATE LIST FEE	\$7.55	\$0.00	\$7.55	\$0.00
								TOTAL:	\$14.70	\$0.00	\$14.70	\$0.00
								TOTAL:	\$1.47	\$0.00	\$1.47	\$0.00
ABSTRACT TOTAL:									\$99.22	\$0.00	\$0.00	

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Tuesday, February 20, 2018*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
0002450372-2013-2013-0000		MANUFACTURED HOME WAS SOLD 2/26/10. 2013 ABSTRACT VOIDED.	(\$14,300)	4831	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$73.44	\$0.00	\$73.44	\$0.00
								LATE LIST FEE	\$7.34	\$0.00	\$7.34	\$0.00
								TOTAL:	\$14.30	\$0.00	\$80.78	\$0.00
								FLETCHER FIRE TAX	\$14.30	\$0.00	\$14.30	\$0.00
ABSTRACT TOTAL:									\$15.73	\$0.00	\$0.00	\$0.00
0002450372-2014-2014-0000		MANUFACTURED HOME WAS SOLD 2/26/10. 2014 ABSTRACT VOIDED.	(\$14,300)	4832	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$73.44	\$0.00	\$73.44	\$0.00
								LATE LIST FEE	\$7.34	\$0.00	\$7.34	\$0.00
								TOTAL:	\$14.30	\$0.00	\$80.78	\$0.00
								FLETCHER FIRE TAX	\$14.30	\$0.00	\$14.30	\$0.00
ABSTRACT TOTAL:									\$15.73	\$0.00	\$0.00	\$0.00
0002450372-2015-2015-0000		MANUFACTURED HOME WAS SOLD 2/26/10. 2015 ABSTRACT VOIDED.	(\$14,300)	4833	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$73.44	\$0.00	\$73.44	\$0.00
								LATE LIST FEE	\$7.34	\$0.00	\$7.34	\$0.00
								TOTAL:	\$16.45	\$0.00	\$80.78	\$0.00
								FLETCHER FIRE TAX	\$16.45	\$0.00	\$16.45	\$0.00
ABSTRACT TOTAL:									\$18.09	\$0.00	\$0.00	\$0.00
0002450372-2016-2016-0000		MANUFACTURED HOME WAS SOLD 2/26/10. 2016 ABSTRACT VOIDED.	(\$14,300)	4834	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$80.80	\$0.00	\$80.80	\$0.00
								LATE LIST FEE	\$8.08	\$0.00	\$8.08	\$0.00
								TOTAL:	\$16.45	\$0.00	\$88.88	\$0.00
								FLETCHER FIRE TAX	\$16.45	\$0.00	\$16.45	\$0.00
ABSTRACT TOTAL:									\$18.09	\$0.00	\$0.00	\$0.00
0002450372-2017-2017-0000		MANUFACTURED HOME WAS SOLD 2/26/10. 2017 ABSTRACT VOIDED.	(\$14,300)	4835	DTUCKER	22 W JOHNSON FARM CT FLETCHER NC 28732 NC	COUNTY	TAX	\$80.80	\$0.00	\$80.80	\$0.00
								LATE LIST FEE	\$8.08	\$0.00	\$8.08	\$0.00
								TOTAL:	\$16.45	\$0.00	\$88.88	\$0.00
								FLETCHER FIRE TAX	\$16.45	\$0.00	\$16.45	\$0.00
ABSTRACT TOTAL:									\$18.09	\$0.00	\$0.00	\$0.00
REYNOLDS, PATRICK S	OWNER TOTAL: 0003091003-2017-2017-0000	AIRCRAFT IS PERMANENTLY LOCATED IN CLEVELAND COUNTY.	(\$100,900) (\$24,250)	4825	KDECKARD	3202 DEBBIE DR HENDERSONVILLE NC 28791	COUNTY	TAX	\$137.01	\$0.00	\$137.01	\$0.00
								LATE LIST FEE	\$13.70	\$0.00	\$13.70	\$0.00
								TOTAL:	\$29.10	\$0.00	\$150.71	\$0.00
								MOUNTAIN HOME FIRE TAX	\$29.10	\$0.00	\$29.10	\$0.00
ABSTRACT TOTAL:									\$18.09	\$0.00	\$0.00	\$0.00
OWNER TOTAL:									\$704.27	\$0.00	\$0.00	\$0.00
ABSTRACT TOTAL:									\$18.09	\$0.00	\$0.00	\$0.00
OWNER TOTAL:									\$182.72	\$0.00	\$0.00	\$0.00
ABSTRACT TOTAL:									\$182.72	\$0.00	\$0.00	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Tuesday, February 20, 2018*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
SPECIAL NEEDS SPORTS INC	0003021814-2017-2017-0000	EXEMPTION APPLICATION APPROVED IN 2016. PROPERTY BILLED IN ERROR.	(\$7,807)	4821	KHENSLEY	115 ACORN DR HENDERSONVILLE NC 28792	COUNTY	TAX	\$44.11	\$0.00	\$44.11	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$9.37	\$0.00	\$44.11	\$0.00
								TAX	\$0.00	\$0.00	\$9.37	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$0.00	\$0.00	\$9.37	\$0.00
								ABSTRACT TOTAL:		\$53.48		\$0.00
WARREN, JAMES ANDREW	0003063087-2017-2017-0000	PERMANENT TAG DOUBLE BILLED AS ABSTRACT 3063087 AND 2131789. ABSTRACT 3063087 VOIDED.	(\$7,807)	4823	MHANEY	271 MISTY MEADOW LN	COUNTY	TAX	\$13.42	\$0.00	\$13.42	\$0.00
								LATE LIST FEE	\$1.34	\$0.00	\$1.34	\$0.00
								TOTAL:	\$2.49	\$0.00	\$14.76	\$0.00
								TAX	\$0.00	\$0.00	\$2.49	\$0.00
								LATE LIST FEE	\$0.25	\$0.00	\$0.25	\$0.00
								TOTAL:	\$0.00	\$0.00	\$2.74	\$0.00
								ABSTRACT TOTAL:		\$17.50		\$0.00
								OWNER TOTAL:		\$17.50		\$0.00
								GRAND TOTALS:		\$2,197.38		\$79.44

Henderson County
North Carolina

Before the Board of Commissioners

Resolution of the Board of Commissioners. This resolution requests the North Carolina Senate and the North Carolina Department of Transportation to address and repair certain roads within Henderson County.

BOARD OF COMMISSIONERS ENACTMENT 2018- 35

A Resolution of the Board of Commissioners of Henderson County

WHEREAS, certain public roads located within Henderson County which are a part of the North Carolina Department of Transportation's public roads system are in immediate need of maintenance and repair; and

WHEREAS, the already immediate need for maintenance and repair has been exacerbated by issues of unusual and intemperate weather; and

WHEREAS, among such roads in need of immediate maintenance and repair is Stepp Mill Road (state road 1734), which is a vital transportation link for citizens in the eastern part of Henderson County, and which has suffered washouts and other structural deficiencies in need of repair; and,

WHEREAS, the Department of Transportation is in agreement that such immediate maintenance and repair on state road 1734 is needed, pending sufficient funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Henderson County is in support of the immediate maintenance and repair of state road 1734 (Stepp Mill Road) by the North Carolina Department of Transportation, and requests the funding for the same by the North Carolina Senate.


Adopted this the 5th day of March, 2018.

BOARD OF COMMISSIONERS OF HENDERSON COUNTY

By: 

J. MICHAEL EDNEY, Chairman

Attest:


TERESA WILSON, Clerk to the Board of Commissioners

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

J. MICHAEL EDNEY
Chairman
GRADY HAWKINS
Vice-Chairman

CHARLES MESSER
WILLIAM LAPSLEY
THOMAS THOMPSON

AUTHORIZING RESOLUTION BY THE HENDERSON COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Henderson County Board of Commissioners desires to sponsor a grant application to the NC Division of Parks & Recreation Recreational Trails Program (RTP) Trail Project Grant Application for development of and access to Kunz Farm Park. The RTP grant request is \$100,000 and the grant requires a 25% cash match from the applicant (\$25,000), provided by one of two committed local Broadpointe Industry donors. The grant application requires a resolution of support from the Board of Commissioners.

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

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

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

The Board will obtain all necessary State and Federal permits;

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

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

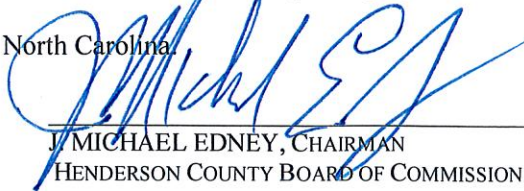
The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;

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

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

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

Adopted this date, March 5, 2018 at Hendersonville, North Carolina.



J. MICHAEL EDNEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

DURING THE MARCH 5, 2018 MEETING, THE BOARD ENACTED THE FOLLOWING:

2018-32 Public Hearing for Land Development Code (LDC) Text Amendments (TX-2018-01, TX-2018-02, and TX-2018-03)

2018-33 Pending Releases and Refunds

2018-34 Petition for additions to State Road system

2018-35 Resolution calling for road repair funding

2018-36 Resolution for Kunz Farm Park Application – NC Division of Parks and Recreation – Recreational Trails Program (RTP) Grant

2018-37 30 Day Notice Follow Up – Waste Pro Waste Hauling Permit