

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
MONDAY, APRIL 3, 2017

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

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

Also present were: Engineer Marcus Jones, Management Assistant Megan Powell, Director of Business and County Development John Mitchell, Finance Director Carey McLelland, Captain Jim Player, Sheriff Charlie McDonald, Chief Deputy Jason Brown, Registrar of Deeds Lee King, Emergency Management & Rescue Coordinator Jimmy Brissie, DSS Director Jerrie McFalls, Fire Marshal Rocky Hyder, Real Property Administrator Mike Sutton, Property Appraiser James Connell, Property Appraiser Hank Outlaw, IT Director Becky Snyder, Tax Administrator Darlene Burgess, Deputy Tax Collector Luke Small, Central Services and Construction Manager David Berry, Internal Auditor Samantha Reynolds, Assistant Engineer Natalie Berry, Environmental Programs Coordinator Rachel Kipar & PIO Kathryn Finotti – videotaping, Deputy Kandice Carland & Corporal John Tankersley as security.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was recognized by Michelle Skeele with a moment of silence.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Hannah Queen of the Barnyard Bandits 4-H club.

RESOLUTION – CHILD ABUSE PREVENTION MONTH

Chairman Edney stated the Department of Social Services has requested the Board of Commissioners adopt a Resolution, designating April as Child Abuse Prevention Month in Henderson County.

Commissioner Hawkins made the motion that the Board adopts a Resolution, designating April as Child Abuse Prevention Month in Henderson County. All voted in favor and the motion carried.

PUBLIC HEARING

Public Hearing to Consider Final Approval of the Financing Contract for the Emergency Services Headquarters Project

Commissioner Messer made the motion to go into public hearing to consider final approval of the financing contract for the Emergency Services Headquarters Project. All voted in favor and the motion carried.

Finance Director Carey McLelland stated at the conclusion of the public hearing, the Board may choose to take action, delay action to a subsequent meeting, or take no action.

Notice of this public hearing was published on March 19, 2017, stating that the Board would hold a public hearing at 5:30 p.m. on April 3, 2017 to receive public comments on the proposed execution and delivery by the County of (1) an installment financing contract in a principal amount not to exceed \$14,500,000 (the "Contract"), the proceeds of which would be used to finance the acquisition, construction and equipping of an emergency services headquarters facility for the County (the "Project"), and (2) a deed of trust, security agreement and fixture filing (the "Deed of Trust") under which the County would grant a lien on the

DATE APPROVED: April 19, 2017

County's fee simple interest in the real property on which the Project will be located, together with the improvements thereon, as may be required for the benefit of the entity providing the funds to the County under the Contract.

Public Comment

There was none.

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

Commissioner Lapsley noted that he accepts the project, but feels it can be done at a lower cost. He will vote against it for that reason.

Commissioner Thompson made the motion that the Board of Commissioners adopts the proposed resolution which approves an installment financing contract and provides for certain other related matters. The motion passed 4-1 with Commissioner Lapsley voting nay.

INFORMAL PUBLIC COMMENTS

1. Lucy Butler opposed the Law Enforcement Training Center (LETC) at Blue Ridge Community College (BRCC). She is concerned about young attendees at BRCC. There will not be enough students of BRCC using this facility and this type of training is excessive.
2. Will Sagar is concerned about the LETC at BRCC. He feels \$20m could go a long way toward training.
3. Doug Justice is the Assistant Principal and Athletic Director at East Henderson High School (EHHS). He and Coach Justin Heatherly thanked the Board for proposed turf fields.
4. Joe Pirog questioned who is in charge of the LETC (state, county, Sheriff) and who owns BRCC (state or county).
5. John Shepard is the Principal at North Henderson High School (NHHS). He thanked the Board for the proposed turf fields and for putting safety first. The proposed fields will be much appreciated by staff, the kids, and the community, and be used for many events.
6. John McDaris is the Assistant Principal and Athletic Director at North Henderson High School (NHHS). He thanked the Board for the proposed turf fields because they are constantly having to reschedule events and this removed a lot of worry.
7. Chris Walters is opposed to the LETC at BRCC. It is not included in BRCC's long term plan and will take the area that was proposed for horticulture. Only a small number of students would use the facility. Put it somewhere else.
8. Harold Hellickson is aware of the training that is needed for law enforcement, but this facility is too much and not needed. Use eminent domain and do an outdoor range if necessary.
9. Jeff Smith is the Athletic Director and Assistant Principal at West Henderson High School (WHHS). He thanked the Board for the proposed turf fields. The coaches can now focus on the students instead of the fields. They will be used for many functions.
10. Brian Brewer is the varsity soccer coach at WHHS. In addition to graduation, there are many events held on the football fields. Turf will make the fields available for more functions and preserve the field. He thanked the Board for the proposed turf fields.
11. Jerrold Klaes is the band director at WHHS. He thanked the Board for the proposed fields. Many functions will now not have to be cancelled.
12. Tom Hill feels an alternative to the LETC at BRCC is an outdoor range on the Pinnacle Mountain property.
13. David Rhode thanked the Board for the proposed turf fields. He stated that new tracks are also needed. He asked the Board to not give our water away to a regional authority. The community should work together.
14. William Cutler asked if anyone knew the operational costs for the LETC. He feels the cost could be significant.

- 15. Dennis Justice supports turf fields but asked the Board to please use organic infill turf. If is softer and much cooler.
- 16. Jordan Hunnicutt is concerned about the LETC project and questions if it is really needed here. He asked the Board to spend the money on students instead.
- 17. Ann Corbin is against the LETC on the BRCC campus. The area being looked at for the LETC is the only recreational area available at BRCC.
- 18. John Moore is against the LETC on the BRCC campus. Crime is going down in Henderson County and it is not needed. Invest in people instead. There is a large drug problem in Henderson County and funding has been cut for many programs by the state.

Discussion/Adjustment of Consent Agenda

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

CONSENT AGENDA consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meeting(s):

March 15, 2017 - Regularly Scheduled Meeting

Tax Collector’s Report

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

Pending Releases and Refunds

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

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

<u>Type</u>	<u>Amount</u>
Total Taxes Released from the Charge	\$ 5,287.61
Total Refunds as a Result of the Above Releases	\$ 90.27

Motion:

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

County Financial Report/Cash Balance Report – February 2017

The February 2017 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 February:

- Register of Deeds – contracted services for document image conversion and scanning services
- Garage – February fuel costs usage to be distributed out to departments
- Emergency Management - the purchase/encumbrance of capital outlay in the approved budget
- EMS – the purchase of four new ambulances in the approved budget
- Rescue Squad – 3rd quarter non-profit contribution payment in January
- Economic Development – 3rd quarter payment to the Partnership for Economic Development in January
- Agri-Business – excess operating expenditures over \$120,000 that will be covered by membership fees
- Mental Health – 3rd quarter mental health MOE funding payment to Vaya Health in January

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

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

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

The YTD deficit in the Westfeldt Park Project from project expenditures to date will be reimbursed from grant funds appropriated in the budget for FY2017. The remaining project reimbursement due will be received prior to the end of the current fiscal year.

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

The YTD deficit in the Justice Academy Sewer Fund is temporary and due to a timing delay in receipt of the monthly user fee paid by the State of North Carolina for January. These funds were received in early March.

Motion:

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

Public Schools financial Report – February 2017

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

Motion:

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

Annual Audit Contract

Staff is requesting that the Board approve the annual audit contract as required by N.C. General Statute 159-34(a) with Martin Starnes & Associates, CPAs, P.A. for the current fiscal year 2017. Martin Starnes has audited the County's accounts for several years and has done an excellent job. They have the qualifications, experience and manpower to conduct an audit of our County's size. Their fee to conduct the audit is \$59,750 which is included in the annual budget.

Motion:

The Board of Commissioners approves the annual audit contract as required by N.C.G.S. 159-34(a) with Martin Starnes & Associates, CPAs, P.A. for the fiscal year ending June 30, 2017.

Refund of excise tax paid on conveyance in error

The County Attorney's Office received a request for refund of overpaid tax for excise stamp on a real estate conveyance. The County Attorney acted as referee in the matter, and made the following recommended decision.

Findings by the Board of Commissioners:

1. An excise stamp tax on real estate conveyance, pursuant to Article 8E of Chapter 105 of the General Statutes, was paid on Deed recorded in Book 3005, at Page 598, of the Henderson County Registry (the

“Deed”), in the amount of \$720.00.

- 2. The real estate described in the Deed is not located within Henderson County.
- 3. Henderson County is not entitled to payment of tax pursuant to the Deed, and the amount paid pursuant to the Deed should be refunded as overpaid.
- 4. A refund request was timely made pursuant to G.S. 105-228.37.

Order:

The excise stamp transfer tax paid on the Deed, in the amount of \$720.00, shall be refunded as requested in the refund request.

Motion:

I move that the Board adopts the recommended Order.

Use of the BOC meeting room and conference room

The remaining litigants in the “Seven Falls” litigation have requested the use, again, of the County’s facilities for mediation conferences. The proposed date is May 3, 2017 (all day). They would use the Board’s meeting room, the conference room, and the community room.

Motion:

I move that the Board allows use of the facilities as requested.

Resolution – In Support House Bill 189 & Senate Bill 222

North Carolina Division of Emergency Management operates a number of statewide search and rescue programs (SAR) in cooperation with local jurisdictions. These state-local partnerships have created a statewide response system of well trained and equipped responders which can be placed throughout the state when needs arise.

Henderson County sponsors two state teams, a swiftwater/flood rescue team and a mountain rescue team. During the fall of 2016 Henderson County provided assistance to eight counties in Eastern North Carolina during Hurricane Matthew. Less than a month later Henderson County received assistance from numerous state and local resources while battling the Party Rock Fire. Recently NC House Bill 189 & Senate Bill 222 were introduced to provide program clarification and state level sustainment funding for NC Emergency Management’s SAR Programs. These bills, if approved, would continue to enhance the State programs and provide benefits to Henderson County as well as all the citizens and visitors of North Carolina.

Motion:

I move that the Board adopts the Resolution in support of House Bill 189 & Senate Bill 222, Search and Rescue (SAR) Structure and funding initiative.

Modification of Demmel A.G. economic incentives award

The Board voted to offer development incentives to Demmel A.G. for a new plant to be built in Hendersonville, at your meeting on April 20, 2016. Originally, the incentives grant involved the conveyance of real estate to the Company, on the following basis.

Value of Land (based on tax value per acre, dividing tax value of existing parcel by 17.12 acres (per survey noted in deed description to Henderson County))	(\$183,001.00)
County cost of grading of site (prorated County cost of grading entire tract)	(\$47,500.00)
TOTAL VALUE	(\$230,501.00)
TOTAL COMPENSATION TO BE PAID TO COUNTY FOR LAND	\$275,000.00

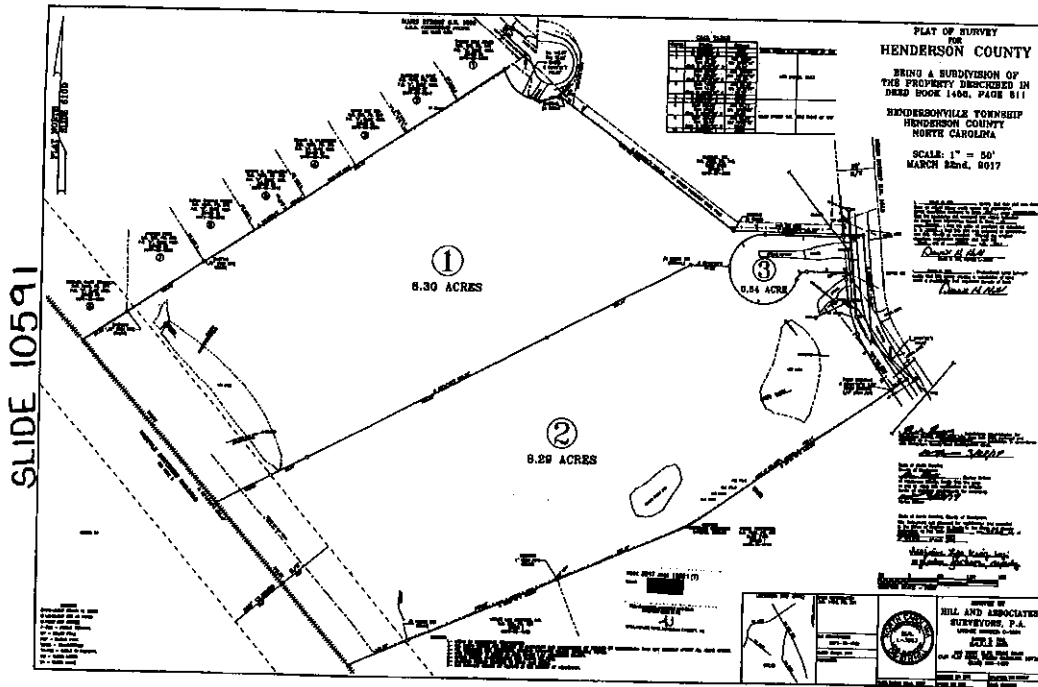
Since then, the property always contemplated to be conveyed to the Company has been surveyed. It is shown on the plat as Tract 2 (8.29 acres), rather than the 6.5 acres first thought. Since the land value was based at least partially “per acre”, the land cost has been recalculated, based on 8.29 acres.

Value of Land (based on tax value per acre, dividing tax value of existing parcel by 17.12 acres (per survey noted in deed description to Henderson County))	(\$290,150.00)
County cost of grading of site (prorated County cost of grading entire tract)	(\$62,500.00)
TOTAL VALUE	(\$352,650.00)
TOTAL COMPENSATION TO BE PAID TO COUNTY (BY DEMMEL AG) FOR LAND	\$352,650.00

The terms of the actual incentives payments would not be changed.

Motion:

I move that the Board modifies the land sale component of the incentives offer made to Demmel, A.G., on April 20, 2016, by increasing the cost of the land to be conveyed to the company as from \$275,000 to \$352,650.



Mandatory training for Board-appointed advisory boards; limits on number of terms

The Board of Commissioners, on March 6, 2017, adopted a requirement that there be “appropriate and regular training for members of Commissioner appointed boards and committees, as mandated or suggested by Federal and State governments, regional councils of government, and/or County staff.” The Board required a report on a proposed schedule for such training during appointee’s terms, and further that staff “report back to the Board on proposed term limitations for appointments to boards and committees where terms are not otherwise limited by law.”

Motion:

I move that the Board adopts the training requirements for Board of Commissioner appointees as stated in the policy attached to this agenda item.

I move that the Board adopts the policy regarding term limitations on Board of Commissioner Appointees as attached to this agenda item.

Mandatory Training Expectations for Appointees of the Henderson County Board of Commissioners

Each person appointed by the Board of Commissioners of Henderson County to a board, committee, or other groups shall meet the following requirements:

1. Appointees of boards, committees or other groups created by the State of North Carolina.

Appointees of boards, committees and other groups created by statute or other law of the State of North Carolina (the "State") shall fulfill, in a timely fashion, all requirements for training set out by the State. In addition to the requirements set out by the State, such appointees shall take at least once every four years or each term of appointment, whichever is more frequent, a generalized training concerning open meetings and public records, sponsored and presented by Henderson County.

2. Appointees of board, committees or other groups created by the County.

Appointees of boards, committees and other groups created by ordinance or resolution of the Board of Commissioners of Henderson County shall fulfill, in a timely fashion, the following:

- A. All requirements for training set out by the State.
- B. A generalized training concerning open meetings and public records, sponsored and presented by Henderson County to be completed within six (6) months of initial appointment, and at least once every four years or each term of appointment.
- C. Specific training recommended by County administration, to consist of not more than three (3) hours in any term of appointment, intended to assist the appointee in the role to which they are appointed. This training may be sponsored or presented by Henderson County, or by such other presenter as found in the discretion of the County administration to be possessed with useful information for such appointees.

All training other than that mandated by the State may be taken in a "live" session, or may consist of the viewing of a recording of a "live" session, such viewing to take place on County premises.

Should any appointee fail to complete training (other than training mandated by the State) within three (3) months of its "live" presentation, the Board of Commissioners may remove such appointee from office.

Policy of the Board of Commissioners of Henderson County on Certain Appointments

It shall be the policy of the Board of Commissioners of Henderson County, regarding its appointments, as follows:

1. Appointees may serve no more than three (3) consecutive terms of office, and in no case more than nine (9) years, in any particular role appointed by the Board of Commissioners. At the end of the three (3) consecutive terms of office (not to exceed in any case nine (9) years), the appointee's appointment shall end, and the position held by the appointee shall be open, to be filled by the Board of Commissioners.
2. If an appointee is appointed to fill an unexpired term, then such unexpired term shall count as a term of office if the unexpired portion filled by the appointee is at least one (1) year in length.
3. When an appointee is limited by the provisions hereof from serving, they are ineligible for reappointment to such position for a period of one (1) year, after which they may again be appointed, such appointment counting as their "first" appointment under the terms hereof.
4. When in the sole discretion of the Board of Commissioners particular circumstances regarding either the role filled by the appointee, the requirements of the appointment, or the skills and qualifications of the appointee require the suspension of this policy for a particular appointment, such action shall in no way affect the validity of the policy.
5. Nothing herein shall be interpreted as affecting the eligibility requirements for any boards, committees or other organizations created by the State of North Carolina.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Messer made the motion to adopt the discussion agenda as presented. All voted in favor and the motion carried.

NOMINATIONS

Notification of Vacancies

1. Child Protection and Fatality Prevention Team – 1 vac.
2. EMS Peer Review Committee – 6 vac.
3. Governmental Financing Corporation – 1 ac.
4. Henderson County Planning Board – 3 vac.
5. Home and Community Care Block Grant Advisory Committee – 1 vac.
6. Mills River Partnership – 1 vac.
7. Nursing/Adult Care Home Community Advisory Committee – 1 vac.

Chairman Edney made notice of vacancies and opened the floor to nominations.

Nominations

1. Agriculture Advisory Board – 1 vac.

Commissioner Thompson nominated Daniel McConnell for position #4. *Commissioner Thompson made the motion to accept the appointment of Daniel McConnell to position #4 by acclamation. All voted in favor and the motion carried.*

2. Equalization and Review, Henderson County Board of 2 vac.

Commissioner Hawkins nominated Harry Rising for position #1 and John Woodham for position #5. *Chairman Edney made the motion to accept the reappointments of Harry Rising to position #1 and John Woodham to position #5 by acclamation. All voted in favor and the motion carried.*

3. Juvenile Crime Prevention Council – 2 vac.

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

4. Nursing/Adult Care Home Community Advisory Committee – 4 vac.

Commissioner Thompson nominated Geoffrey Dick for position #21. *Chairman Edney made the motion to accept the appointment of Geoffrey to position #21 by acclamation. All voted in favor and the motion carried.*

5. Senior Volunteer Services Advisory Council – 1 vac.

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

TAX DEPARTMENT SOFTWARE UPDATE

Darlene Burgess, Tax Administrator, stated Henderson County utilizes the North Carolina Property Tax System (NCPTS) for tax administration functions, including Billing and Collections, Land Records, and Appraisal. Farragut is the vendor that provides ongoing implementation and support services to users of the system. In 2006 the County began using the Land Records/Computer Assisted Mass Appraisal System (LR/CAMA) for appraisal, and in October, 2016, transitioned to Farragut's new version for appraisal called Denali.

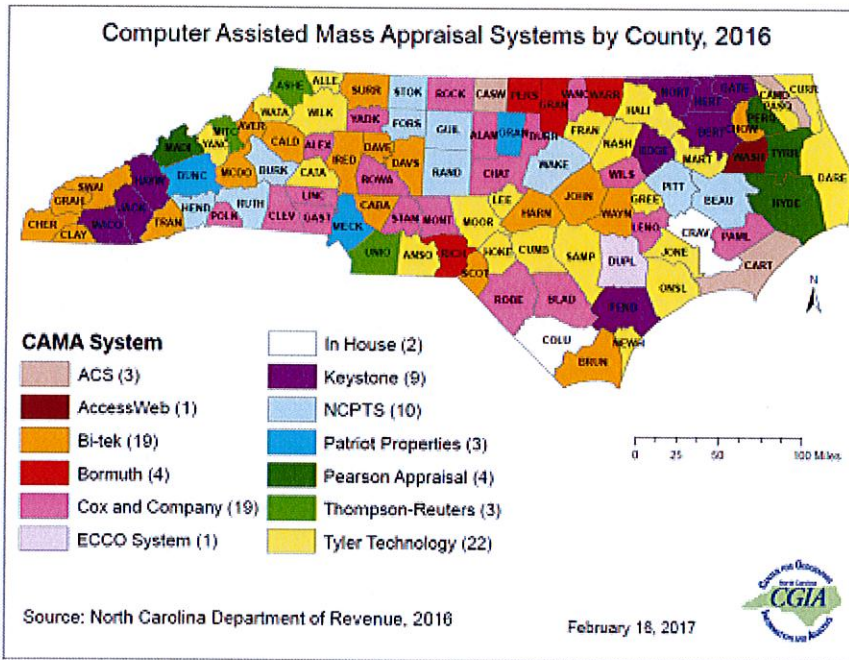
Staff has been working with Farragut on issues related to that transition, and provided the Board with an update on the current status of the project.

OVERVIEW:

- The North Carolina Property Tax System (NCPTS) is an integrated software system that facilitates billing and collection of local property tax *
- In 2003, part ownership of NCPTS was transferred to the NC Association of County Commissioners (NCACC) so all interested counties could use the software without paying a licensing fee*
- Farragut is the vendor that provides ongoing implementation and support services to users of the system

- NCPTS has several Modules, each being designed to administer tax office functions
- In 2004, Henderson County began using the system for its Billing & Collections function
- Currently, 10 counties use the NCPTS CAMA system**
 - Computer Assisted Mass Appraisal (CAMA)

* Source: NC Association of County Commissioners Website (NCACC.org)
 ** Source: NC Department of Revenue, CAMA Systems by County, 2016



How does Henderson County use the NCPTS System?

NCPTS Module	Used to:	Date Implemented:
Billing & Collections	<ul style="list-style-type: none"> ➤ Appraise personal property ➤ Facilitate Tax Relief Programs (Elderly/Disabled/Present Use Value) ➤ Generate and mail annual tax bills ➤ Collect tax payments ➤ Enforce the payment of delinquent tax 	2004
Denali (formerly LR/CAMA) * LR = Land Records	<ul style="list-style-type: none"> ➤ Collect data used to value real property ➤ Appraise and assess real property ➤ Facilitate Reappraisals 	October, 2016 (Denali) 2006 (LR/CAMA)
DEED SYNC / PARCEL SYNC	<ul style="list-style-type: none"> ➤ Manage real property ownership records ➤ Maintenance of tax map and GIS data 	August, 2016

Areas where the NCPTS System as improved Tax Department functions

Tax Department Division	Improvements
Tax Collections	<ul style="list-style-type: none"> ➤ Automation of many tasks allows staff to focus on other areas <ul style="list-style-type: none"> • Enforced collections • Site visits ➤ Tax payments are processed and deposited quickly ➤ Collections data is automatically transferred to Finance nightly ➤ Enforced collections are streamlined and can be performed in mass
Land Records	<ul style="list-style-type: none"> ➤ Allows staff to work in a more paperless environment ➤ Ownership transfers are processed faster ➤ Workflow can be monitored

Areas where attention is needed – Denali

What are the Obstacles?	What are we doing to resolve the Obstacles?	What work still needs to be done?
<ul style="list-style-type: none"> ➤ Issues from data migration ➤ Learning curve issues for Staff ➤ Workflow has been impeded ➤ Backlogs in the Appraisal Division 	<ul style="list-style-type: none"> ➤ Mass data fixes have been applied ➤ Frequent software Releases installed to address Help Desk tickets ➤ Tax Department Staff has taken steps to verify and (where necessary) improve system data ➤ Frequent training sessions are provided to staff ➤ Workflow improvements have been made 	<ul style="list-style-type: none"> ➤ Continue progress toward resolving all outstanding issues ➤ Use technology and resources to eliminate and prevent future backlogs ➤ Remove workflow impediments ➤ Review and improve overall workflow design to maximize staff efficiency ➤ Continue training ➤ Improve reporting to enable monitoring of reappraisal progress

Areas where attention is needed – NCPTS Reporting

What are the Obstacles?	What are we doing to resolve the obstacles?	What work still needs to be done?
<ul style="list-style-type: none"> ➤ Improvements to ensure accurate, verifiable data is provided in reports ➤ Enhancements to enable proper monitoring and control of activities 	<ul style="list-style-type: none"> ➤ Involvement of oversight agencies to ensure reporting is in accord with statute and best practices ➤ Involvement of other County stakeholders to identify reporting needs 	<ul style="list-style-type: none"> ➤ Define improvements to reporting ➤ Obtain input on format and content ➤ Design, test and implement

County Manager Steve Wyatt stated the next re-evaluation is January 2019. We need to make sure we are ready. He questioned if Mrs. Burgess needed to do something different. If she was confident with the software vendor.

Mrs. Burgess was directed to report back to the Board specifically on the Vendor Mary 1, 2017.

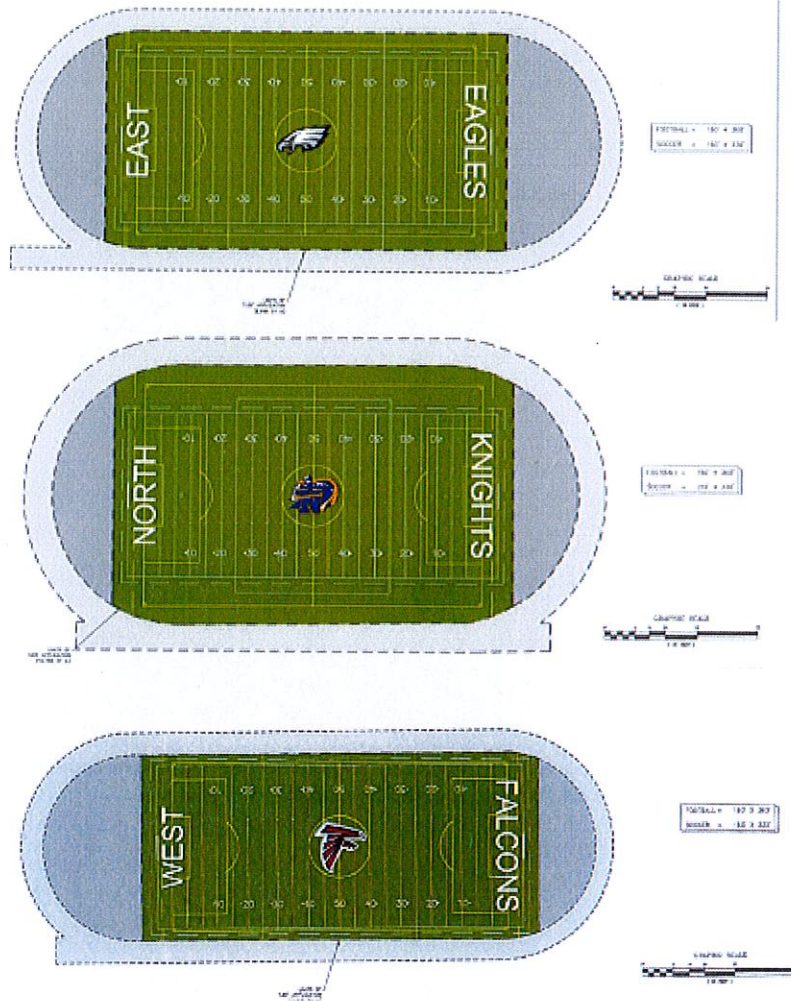
PROPOSAL(S) FOR ARTIFICIAL TURF FOOTBALL FIELDS – EAST, NORTH, AND WEST HIGH SCHOOLS

Marcus Jones stated during the March 15, 2017 meeting, the Board directed staff to develop and submit a Request for Proposals (RFP) for artificial turf fields at East, North, and West High Schools. The RFP was released on March 16, 2017.

- Staff and Tom Jones, PE from WGLA Engineering met with stakeholders from Henderson County Public Schools to capture their expectations, needs and scheduling information. This information was combined with the experience from installing an artificial turf field at the Athletic and Activity Center and additional research during the procurement process.
- The proposer list was closed at 5:00 pm on Wednesday March 22nd.
- At the time this agenda item was submitted on March 23rd, five vendors were on the proposer list: Carolina Green, Fieldturf, Medallion, Sports Construction Management and Deluxe Athletics.
- A mandatory proposer meeting was scheduled for Tuesday, March 28
- The proposals were due March 30 by 2:00 pm

Presentation Overview

- High School Field Drawings
- Tabulation of Proposals
- Proposal Options
- Additional Option for “D Zones”
- Additional Information
- Staff Recommendation & Budget



**Henderson County Public Schools
Turf Field Proposal Summary - East, North, West
3/30/2017**

PROPOSAL AMOUNTS					
Item	DESCRIPTION	Medallion	Deluxe Athletics	SCM	Carolina Green
		PRICE	PRICE	PRICE	PRICE
D	Turf Fields Standard Mill	\$1,799,985	\$1,937,725	\$1,690,814	\$2,634,998
1	Add Alternative #1 (encapsulated rubber)	\$279,456	\$212,885	\$262,012	\$167,489
2	Add Alternative #2 (pad system)	\$208,694	\$310,500	\$1,300,093	\$398,412
3	Add Alternative #3 (organic infill with pad)	\$467,360	\$447,655	\$1,427,794	\$698,994

RESULTING OPTIONS:					
Option	DESCRIPTION	Medallion	Deluxe Athletics	SCM	Carolina Green
		PRICE	PRICE	PRICE	PRICE
A	Standard Infill	\$1,799,985	\$1,937,725	\$1,690,814	\$2,634,998
B	Total with encapsulated rubber	\$2,079,441	\$2,150,610	\$2,242,826	\$2,802,487
C	Total with pad	\$2,008,679	\$2,248,225	\$3,300,897	\$3,031,410
D	Total with encapsulated rubber + pad	\$2,288,115	\$2,461,110	\$3,562,909	\$3,198,899
E	Total with organic infill & pad	\$2,267,325	\$2,385,380	\$3,400,608	\$3,143,902

Proposal Options

1. Add Encapsulated Rubber: \$279,456
2. Add Pad System: \$208,694
3. Add Organic Infill: \$467,360

“D Zone” Options

- At the time the RFP was released, staff did not think that installing artificial turf on the “D Zones” was feasible.
- With the proposals in hand, it is possible and will add value to the project with better play for track and field and for maintenance.

Medallion Pricing for "D Zones"

Bid Price with "D Zone"

Item	Description	Price
0	Turf Fields Standard Infill	\$ 2,115,992
1	Add Alternate #1 (encapsulated rubber)	\$ 334,341
2	Add Alternate #2 (pad system)	\$ 269,296
3	Add Alternate #3 (organic infill with pad)	\$ 532,892

Resulting Options

Item	Description	Price
A	Turf Fields Standard Infill	\$ 2,115,992
B	Total with encapsulated rubber	\$ 2,450,333
C	Total with pad system	\$ 2,385,288
D	Total with encapsulated rubber & pad	\$ 2,719,629
E	Total with organic infill & pad	\$ 2,648,884

Recommended Proposal

Staff recommends Medallion Athletic Turf Field with Standard Infill at \$1,799,965

- Budget will not fund any of the options and highest possible Stormwater cost
- HCAAC field has Standard Infill
- No research based evidence supporting need for options

Additional Information

- Medallion has committed to completion by August 1 with two fields completed by the beginning of July.
- \$500 per day Liquated damages.
- Storm water design, permitting and installation is not included in proposal.

Budget for Recommended Proposal

Field with Standard Infill	\$1,799,965
Contingency	\$200,000
Unallocated amount	\$750,035
Total	\$2,750,000

After proposals are reviewed by staff and WGLA Engineering, a recommendation and proposal tabulation will be prepared and presented to the Board prior to the April 3rd meeting. The procurement schedule is aggressive in order to meet the Board direction to have the fields complete by August 1, 2017.

“D zone” options were discussed and it was determined that it should not be grass, but left the decision up to the School Board.

Superintendent Bo Caldwell stated the School Board meets on Monday, April 10th, and will look at the

options, and keeping the budget in mind, make a decision on the "D zones". He informed the Commissioners that they had visited Brevard College and were very pleased with the turf field installed by Medallion.

Medallion's schedule would not be hindered by this decision, and they can still meet their deadline.

The Board questioned the difference between turf with standard infill, encapsulated rubber, the pad system, and organic infill.

It was determined that the biggest difference was the temperature of the turf. Organic turf requires more maintenance and irrigation. It was determined that it would probably be better to repair the tracks after the completion of the fields to repair damage also done by equipment.

Marcus Jones informed the Board that maintenance is not a significant amount. The shock pads are warranted for 16 years. The fields are warranted for 8 years.

Chairman Edney asked if Medallion is proposing a full 8 year warranty or just 8 years on materials. The County Engineer replied that Medallion's warranty was 8 years for material; however, the Medallion representative attending the meeting, agreed to match the full 8 year warranty as offer by a competitor.

The Board had some concern about rain days and meeting the timeline. Mr. Jones stated rain days are not built in, but buffers are.

Commissioner Messer made the motion that the Board approves the proposal from Medallion for the installation of artificial turf at East Henderson High, West Henderson High, and North Henderson High School(s)] for an amount not to exceed \$ 2,750,000 and authorizes the County Engineer and County Attorney to execute the required documents. All voted in favor and the motion carried.

PUBLIC SEWER SERVICE FOR EDNEYVILLE ELEMENTARY

Marcus Jones stated during the budget retreat on January 17, 2017, the Board approved the replacement of Edneyville Elementary on the same property as the existing school. In addition and in response to the documented problems with the current on-site system, the Board directed staff to investigate the feasibility of extending public sewer to the property.

Staff and Will Buie, PE from WGLA Engineering met with Hendersonville Utilities to determine if the City would accept the school's extension to their system. The school is within the City's proposed sewer service area, the City currently provides water to the area, and an extension would connect to the City's existing system. The City is agreed to accepting the extension as part of their system. The cost of the extension would be at the County's expense.

The next step was to determine a preliminary cost to extend the City's system to the school. WGLA determined that gravity service to the school is not feasible; almost five miles of new sewer line would be required at a cost of approximately \$4,000,000. Therefore, the school would need to be served by a pump station and force main running along US64 to the City's existing system in the vicinity of North High School. The preliminary cost of the pump station and force main is \$1,500,000. Unfortunately, this option would limit the customers that can connect to the extension in the future.

Chad Roberson with ClarkNexsen, the County's architect for the Edneyville School project has reported that the project's budget currently has \$500,000 allocated for an on-site sewer system. Therefore an additional \$1,000,000 is needed to add public sewer service to the school project. Edneyville is the only school in the County not currently on a public sewer system.

Coincidentally, staff recently received information from NC Commerce regarding a new grant opportunity to provide infrastructure to schools with documented problems with their existing water and sewer service. The grant funding is under the Community Development Block Grant program. There is \$4.5 Million available for grants up to \$1 Million. The schedule of the grant opportunity correlates with our project. After attending an information meeting on the grant, staff believes our project is eligible. The grant could cover the additional cost to the project.

Lastly, it is possible for other entities in the vicinity of the school to join the project to extend sewer to their property in addition to the school. Staff has been approached by several possible property owners, and the County's Environmental Health Supervisor has provided owner's in the vicinity that are experiencing problems with their private on-site systems. Another possible addition is the NC Justice Academy; the County owns and operates the wastewater plant serving the Academy.

To be consistent with typical sewer extension policies, any additional service connections and the added capacity to the pump station would need to be paid for by the private property owner. Also, any required utility easements for the private connections would need to be executed prior to the design of the extension. The design of the school's system will need to begin within the next four months to be completed by the new schools opening in August 2019.

With the approval of the proposed school, the Board also directed staff to investigate extending public sewer service to the school

- The current on-site sewer system has documented problems and is near the end of its life.
- Edneyville is the only County school not currently on public sewer.

The City of Hendersonville has agreed to accept an extension to the school as part of their sewer system.

- The school is within the City's proposed service area
- The City currently provides water to the school
- An extension to the school will connect to the City's existing sewer system in the vicinity of North High.

WGLA Engineering has determined the cost to extend sewer is \$1,500,000

- The extension is proposed to be a pump station located at the school and a force main along US 64 to the City's existing system.
- A gravity extension is not feasible at approximately \$4M
- An additional \$1,000,000 will be needed in the budget for the school.
- CDBG Grant opportunity of up to \$1M.

Possibility for other private property owners to join the sewer project.

- The NC Justice Academy is also a possible addition to the project. The County owns the plant serving the Academy.
- Private property owners will need to pay for the additional cost to the project and provide required utility easements before design.
- Design of the sewer will need to begin within the next four months to meet school projects completion before August 2019.

The Board was not ready to make a decision at this meeting.

County Manager Steve Wyatt informed them there is still time for the grant opportunity.

CANE CREEK WATER AND SEWER DISTRICT

Commissioner Thompson made the motion for the Board to convene as Cane Creek Water & Sewer District Board. All voted in favor and the motion carried.

Please see separate minutes for Cane Creek Water and Sewer District.

Commissioner Thompson made the motion to adjourn as the Cane Creek Water & Sewer District Board and reconvene as the Board of Commissioners. All voted in favor and the motion carried.

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt asked for predictions on tonight's basketball game between the North Carolina Tarheels and the Gonzaga Bulldogs.

Mike Edney – Tarheels
William Lapsley – Bulldogs
Grady Hawkins – Tarheels
Charlie Messer – Tarheels
Tommy Thompson – Tarheels
Steve Wyatt – Bulldogs
Amy Brantley – Bulldogs
Russ Burrell - Tarheels

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the following reason(s):

Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(5), to establish, or to instruct the staff or agents, concerning the position to be taken by or on behalf of the County 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.

Commissioner Thompson made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) and (a)(5), for the reasons of preserving attorney-client privilege and real property acquisition. All voted in favor and the motion carried.

ADJOURN

Chairman Edney made the motion to go out of closed session and adjourn at 9:30 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

J. Michael Edney, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

J. MICHAEL EDNEY
Chairman
GRADY HAWKINS
Vice-Chairman

CHARLES MESSER
WILLIAM LAPSLEY
THOMAS H. THOMPSON

RESOLUTION DESIGNATING APRIL AS CHILD ABUSE PREVENTION MONTH

- WHEREAS,** children are vital to our county's future success, prosperity and quality of life as well as being our most vulnerable assets; and,
- WHEREAS,** all children deserve to have safe, stable, nurturing and healthy homes and communities that foster their well-being; and,
- WHEREAS,** child abuse and neglect is a public responsibility affecting both the current and future quality of life of a state; and,
- WHEREAS,** parents need support and resources to cope with stress and nurture their children to grow to their full potential; and,
- WHEREAS,** effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies and the business community;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners, at their meeting on April 3, 2017 does hereby designate the month of April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Adopted this the 3rd day of April 2017.



J. MICHAEL EDNEY, 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 of the County of Henderson, North Carolina, was duly held on April 3, 2017 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman J. Michael Edney presiding.

The following members were present: Chairman J. Michael Edney, Vice Chairman Grady Hawkins, Thomas H. Thompson, Charlie Messer and William Lapsley

The following members were absent: None

* * * * *

The Finance Director of the County of Henderson, North Carolina (the "*County*") reported to the Board of Commissioners of the County (the "*Board*") that notice of a public hearing was published on March 19, 2017, stating that the Board would hold a public hearing at 5:30 p.m. on April 3, 2017 to receive public comments on the proposed execution and delivery by the County of (1) an installment financing contract in a principal amount not to exceed \$14,500,000 (the "*Contract*"), the proceeds of which would be used to finance the acquisition, construction and equipping of an emergency services headquarters facility for the County (the "*Project*"), and (2) a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") under which the County would grant a lien on the County's fee simple interest in the real property on which the Project will be located, together with the improvements thereon, as may be required for the benefit of the entity providing the funds to the County under the Contract.

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

[No one spoke at the public hearing.]

Commissioner Hawkins moved that the public hearing be closed. The motion was unanimously adopted.

After the closing of the public hearing, Commissioner Thompson moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,
NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND
PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a political subdivision validly existing under the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the "*Board*") has previously determined that it is in the best interest of the County to enter into an Installment Financing Contract dated as of June 1, 2017 (the "*Contract*") with the Henderson County Governmental Financing Corporation (the "*Corporation*") in order to (1) finance the acquisition, construction and equipping of an emergency services headquarters facility for the County (the "*Project*"), and (2) pay certain costs incurred in connection with the execution and delivery of the Project;

WHEREAS, to secure its obligations under the Contract, the County will execute and deliver a Deed of Trust, Security Agreement and Fixture Filing dated as of June 1, 2017 (the "*Deed of Trust*"), granting a lien on the County's fee simple interest in the real property on which the Project will be located, together with the improvements thereon;

WHEREAS, the Corporation will execute and deliver an aggregate principal amount not to exceed \$14,500,000 of its Limited Obligation Bonds (collectively, the "*Bonds*"), each evidencing proportionate undivided interests in rights to receive certain Revenues (as defined in the Contract) pursuant to the Contract;

WHEREAS, in connection with the sale of the Bonds to PNC Capital Markets LLC (the "*Underwriter*"), the Corporation will enter into a Contract of Purchase to be dated on or about June 15, 2017 (the "*Purchase Contract*") between the Corporation and the Underwriter relating to the Bonds, and the County will execute a Letter of Representation to the Underwriter (the "*Letter of Representation*");

WHEREAS, there have been described to the Board the forms of the following documents (collectively, the "*Instruments*"), copies of which have been made available to the Board, which the Board proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the Contract;
- (2) the Deed of Trust;
- (3) an Indenture of Trust dated as of June 1, 2017 (the “*Indenture*”) between the Corporation and U.S. Bank National Association, as trustee; and
- (3) the Letter of Representation.

WHEREAS, to make an offering and sale of the Bonds, there will be prepared a Preliminary Official Statement with respect to the Bonds (the “*Preliminary Official Statement*”), a draft thereof having been presented to the Board, and a final Official Statement relating to the Preliminary Official Statement (together with the Preliminary Official Statement, the “*Official Statement*”), which Official Statement will contain certain information regarding the County;

WHEREAS, it appears that each of the Instruments and the Preliminary Official Statement is in an appropriate form and is an appropriate instrument for the purposes intended;

WHEREAS, the Board has conducted a public hearing on this date to receive public comment on the proposed Contract and the transactions contemplated thereby; and

WHEREAS, the County has filed an application to the LGC for approval of the Contract;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Ratification of Instruments.*** All actions of the County, the Chairman of the Board (the “*Chairman*”), the Clerk to the Board (the “*Clerk*”), the County Manager, the Finance Director, the County Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. ***Authorization of the Official Statement.*** The form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and of the final Official Statement by the Underwriter in connection with the sale of the Bonds is hereby in all respects authorized, approved and confirmed. The Chairman, the County Manager and the Finance Director are each hereby authorized and directed, individually and collectively, to deliver, on behalf of the County, the Official Statement in substantially such form, with such changes, insertions and omissions as each may approve.

Section 3. ***Authorization to Execute the Contract.*** The County approves the financing of the Project in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Contract are hereby in all respects authorized, approved and confirmed, and the Chairman, the Clerk, the County Manager and the Finance Director and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County’s approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract presented to the Board. From and after the execution and delivery of the Contract, the Chairman, the Clerk, the County Manager and the Finance

Director are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 4. **Authorization to Execute the Deed of Trust.** The County approves the form and content of the Deed of Trust, and the Deed of Trust is in all respects authorized, approved and confirmed. The Chairman, the Clerk, the County Manager, the Finance Director and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Deed of Trust, including necessary counterparts, in substantially the form and content of the Deed of Trust presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Deed of Trust presented to the Board. From and after the execution and delivery of the Deed of Trust, the Chairman, the Clerk, the County Manager and the Finance Director are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

Section 5. **Letter of Representation.** The form and content of the Purchase Contract are hereby approved in all respects, and the County Manager or the Finance Director is authorized to execute the Letter of Representation for the purposes stated therein.

Section 6. **County Representative.** The Chairman, the County Manager and the Finance Director are hereby designated as the County's Representative to act on behalf of the County in connection with the transactions contemplated by the Instruments and the Preliminary Official Statement, and the Chairman, the County Manager and the Finance Director are authorized, individually and collectively, to proceed with the transactions contemplated by the Contract in accordance with the Instruments and to seek opinions as a matter of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated by this Resolution as required by law. The County's representatives or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County for use in the Official Statement and the transactions contemplated by the Instruments or the Preliminary Official Statement. The County's representatives or their respective designees are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary or appropriate to consummate the transactions contemplated by the Instruments or the Preliminary Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution. Without limiting the foregoing, the Finance Director is hereby authorized and directed to select one or more financial institutions to serve as an additional Underwriter for the Bonds if the Finance Director determines, in his discretion, that such an appointment is necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 7. **Severability.** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 8. **Repealer.** All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 9. **Effective Date.** This Resolution is effective on the date of its adoption.

On motion of Commissioner Thompson, the foregoing resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS”** was duly adopted by the following vote:

AYES: J. MICHAEL EDNEY, GRADY HAWKINS, THOMAS H. THOMPSON, CHARLIE MESSER

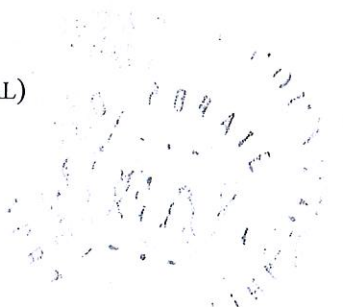
NAYS: WILLIAM LAPSLEY

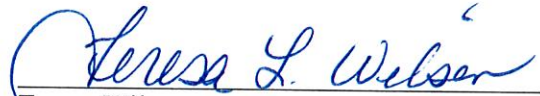
STATE OF NORTH CAROLINA)
)
COUNTY OF HENDERSON) SS:

I, TERESA WILSON, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS”** adopted by the Board of Commissioners of the County of Henderson, North Carolina at a meeting held on the 3rd day of April, 2017.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 4th day of April, 2017.

(SEAL)




Teresa Wilson
Clerk to the Board of Commissioners
County of Henderson, North Carolina

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

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

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

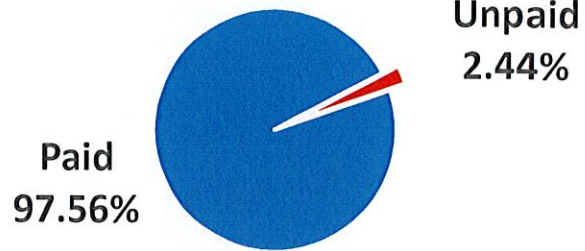
Thursday, March 23, 2017

Re: Tax Collector's Report to Commissioners - Meeting Date April 3, 2017

Please find outlined below collections information through March 22, 2017 for the 2016 real and personal property bills mailed on August 8, 2016. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2016 Beginning Charge:	\$69,947,046.43
Discoveries & Imm. Irreg.:	\$784,569.85
Releases & Refunds:	(\$648,933.37)
<u>Net Charge:</u>	<u>\$70,082,682.91</u>
Unpaid Taxes:	\$1,708,347.61
Amount Collected:	\$68,374,335.30



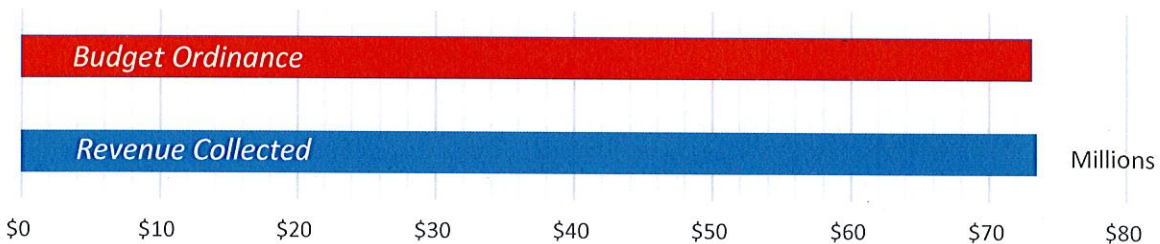
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$4,074,062.09
Unpaid Taxes:	\$17,696.54
Amount Collected:	\$4,056,365.55

99.57%

Henderson County FY17 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$71,500,676.00	Ad Valorem: \$72,430,700.85
Prior Years:	\$1,575,000.00	Prior Years: \$1,019,958.72
Budget Total:	\$73,075,676.00	YTD Revenue: \$73,450,659.57



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

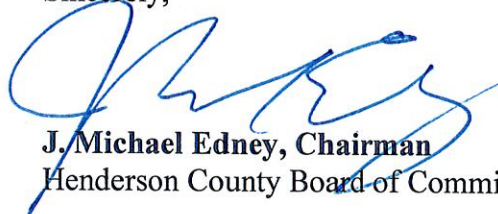
April 3, 2017

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

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$5,287.61, and tax refund requests in the amount of \$90.27, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, April 3, 2017. All releases and refunds were approved.

Sincerely,



J. Michael Edney, Chairman
Henderson County Board of Commissioners

JME/tlw

enclosures

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 3, 2017
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENT: Pending Release/Refund Combined Report


SUMMARY OF REQUEST:

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

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 5,287.61
Total Refunds as a Result of the Above Releases	\$ 90.27

Faithfully Submitted,


Darlene Burgess
Tax Administrator

BOARD ACTION REQUEST: Consent Approval Requested

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

NCPTS Pending Release/Refund Report. Wednesday, March 22, 2017*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
BANC OF CALIFORNIA, NA	0003088293-2016-2016-0000	VOIDED ABSTRACT 12/31/15 PER INFORMATION PROVIDED BY BANC OF CALIFORNIA. INFORMATION PROVIDED REVEALED THAT BANC OF CALIFORNIA ERRONEOUSLY LISTED THE PROPERTY ON A BPP 2016 LISTING. BANC OF CALIFORNIA LOANED MONEY TO WESTLAND GROUP INC. FOR THE PURCHASE OF RESTAURANT EQUIPMENT. AN ABSTRACT WAS CREATED FOR WESTLAND GROUP INC., (3090857) DOCUMENTATION SCANNED AND ATTACHED TO THIS ABSTRACT.	(\$225,840)	4189	MHANEY	420 PINNACLE PEAK LN FLAT ROCK NC 28731	COUNTY	TAX LATE LIST FEE TOTAL: LATE LIST FEE TOTAL:	\$1,276.00 \$0.00 \$1,276.00 \$180.67 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$1,276.00 \$0.00 \$1,276.00 \$180.67 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:												
CONDREY, ROBERT C	0002129089-2016-2016-0000	1985 MAURELL PONTOON, 1990 CIMARRON, 1986 WACO MFG ALOHA. BOATS RELEASED. PER NC WILDLIFE, BOATS ARE REGISTERED IN POLK COUNTY.	(\$225,840) (\$3,813)	4186	KATHYS	5730 HOWARD GAP RD FLAT ROCK NC 28731	COUNTY	TAX LATE LIST FEE TOTAL: LATE LIST FEE TOTAL:	\$21.54 \$2.15 \$23.69 \$4.58 \$0.46	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$1,456.67 \$21.54 \$2.15 \$23.69 \$4.58 \$0.46 \$5.04 \$28.73	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:												
CONDREY, ROBERT CALVIN	0002129089-2015-2015-0000	1985 MAURELL PONTOON, 1990 CIMARRON, 1986 WACO MFG ALOHA. BOATS RELEASED. PER NC WILDLIFE, BOATS ARE REGISTERED IN POLK COUNTY.	(\$3,813) (\$3,855)	4187	KATHYS	5730 HOWARD GAP RD FLAT ROCK NC 28731	COUNTY	TAX LATE LIST FEE TOTAL: LATE LIST FEE TOTAL:	\$19.80 \$1.98 \$21.78 \$4.63 \$0.46	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$28.73 \$19.80 \$1.98 \$21.78 \$4.63 \$0.46 \$5.09 \$26.87	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:												
FERRELL, THOMAS CHARLES	0003087559-2016-2016-0000	2015 DCAR AD98386 TRAILER VOIDED. DMV CANCELLED INCORRECT TITLE. DOCUMENTATION ON FILE.	(\$3,855) (\$4,873)	4170	KATHYS	92 ROYAL RETREAT DR APT 3 HENDERSOVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL: LATE LIST FEE TOTAL:	\$55.06 \$2.75 \$57.81 \$11.70 \$0.58	\$26.56 \$2.75 \$29.31 \$5.64 \$0.58	\$26.87 \$27.53 \$2.75 \$30.28 \$5.85 \$0.58 \$6.43 \$36.71	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.58 \$0.58 \$3.33
OWNER TOTAL:												
GILLIAM, GARY S	0002917297-2016-2016-0000	1996 FIESTA 20' 0" & MOTORS VOIDED. REGISTERED TO NEW OWNER 4/13/2015. DOCUMENTATION ON FILE.	(\$4,873) (\$2,190)	4168	KATHYS	312 BROOKLYN AVE HENDERSOVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL: LATE LIST FEE TOTAL:	\$12.37 \$1.24 \$13.61 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$36.71 \$12.37 \$1.24 \$13.61 \$13.61 \$0.00 \$0.00 \$0.00	\$3.33 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:												

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, March 22, 2017*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
KOBE, WINSTON FOLGER	0003080940-2016-2016-0000	2000 CORRECT CRAFT SKI NAUTIQUE VOIDED. BOAT WAS RE-REGISTERED TO NEW OWNER. DOCUMENTATION ON FILE.	(\$12,255)	4184	KATHYS	63 N SUNSET LN ZIRCONIA NC 28790	COUNTY	TAX	\$69.24	\$69.24	\$69.24	\$69.24
								LATE LIST FEE	\$6.92	\$6.92	\$6.92	
								TOTAL:	\$9.80	\$9.80	\$9.80	
								LATE LIST FEE	\$0.98	\$0.98	\$0.98	
ABSTRACT TOTAL:									\$10.78	\$10.78	\$10.78	\$86.94
LEDBETTER, MITZIE	0000082039-2016-2016-0000	PERSONAL PROPERTY MANUFACTURED HOME DOUBLE BILLED. BILL RELEASED. BILLED ON ABSTRACT #410424.	(\$12,255)	4169	CLOMBARDO	HENDERSON COUNTY NC	COUNTY	TAX	\$22.60	\$0.00	\$22.60	\$86.94
								LATE LIST FEE	\$2.26	\$0.00	\$2.26	
								TOTAL:	\$4.20	\$0.00	\$4.20	
								LATE LIST FEE	\$0.42	\$0.00	\$0.42	
ABSTRACT TOTAL:									\$4.62	\$4.62	\$4.62	\$0.00
MEDICAL LOAN CLOSET OF HENDERSON COUNTY INC	0003081954-2016-2016-0000	REINSTATE EXEMPTION GRANTED IN TAX YEAR 2015	(\$4,000)	4162	DHILL	1225 7TH AVE E HENDERSONVILLE NC 28792	COUNTY	TAX	\$2,935.74	\$0.00	\$2,935.74	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
								TOTAL:	\$2,935.74	\$0.00	\$2,935.74	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
ABSTRACT TOTAL:									\$2,935.74	\$2,935.74	\$2,935.74	\$0.00
POWDER CREEK MECHANICAL R EPAIR INC	0003010217-2016-2016-0000	BUSINESS CLOSED 12/31/15 PER CONTACT WITH MR. DAVIS ON 3/7/17 AND ALSO A COPY OF THE 2015 S CORP RETURN MARKED "FINAL RETURN". DOCUMENTATION ON FILE.	(\$519,600)	4173	MHANEY	261 SEQUOYAH KNOLL DR UNINCORPORATED	COUNTY	TAX	\$305.10	\$0.00	\$305.10	\$0.00
								LATE LIST FEE	\$30.51	\$0.00	\$30.51	
								TOTAL:	\$48.60	\$0.00	\$48.60	
								LATE LIST FEE	\$4.86	\$0.00	\$4.86	
ABSTRACT TOTAL:									\$53.46	\$53.46	\$53.46	\$0.00
PRESCOTT, STEPHANIA SAHALIA	0003004857-2012-2012-0000	2008 LONE UTILITY TRAILER SOLD IN DECEMBER 2011. TAG #AZ43270. DOCUMENTATION ON FILE.	(\$4,000)	4182	HSALTER	527 CARSON DR UNINCORPORATED	COUNTY	TAX	\$20.54	\$0.00	\$20.54	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
								TOTAL:	\$4.20	\$0.00	\$4.20	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
ABSTRACT TOTAL:									\$4.20	\$4.20	\$4.20	\$0.00
0003004857-2013-2013-0000	0003004857-2013-2013-0000	2008 LONE UTILITY TRAILER SOLD IN DECEMBER 2011. TAG #AZ43270. DOCUMENTATION ON FILE.	(\$4,000)	4178	HSALTER	527 CARSON DR UNINCORPORATED	COUNTY	TAX	\$20.54	\$0.00	\$20.54	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
								TOTAL:	\$4.20	\$0.00	\$4.20	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
ABSTRACT TOTAL:									\$4.20	\$4.20	\$4.20	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, March 22, 2017*

OWNER	ABSTRACT	NOTE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
	0003004857-2014-2014-0000	2008 LONE UTILITY TRAILER SOLD IN DECEMBER 2011. TAG #AZ43270. DOCUMENTATION ON FILE.	4179	HSALTER	527 CARSON DR UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$19.52 \$0.00 \$3.99 \$0.00	\$0.00 \$0.00 \$0.00	\$19.52 \$0.00 \$19.52 \$3.99	\$0.00 \$0.00 \$0.00 \$0.00
	0003004857-2015-2015-0000	2008 LONE UTILITY TRAILER SOLD IN DECEMBER 2011. TAG #AZ43270. DOCUMENTATION ON FILE.	4180	HSALTER	527 CARSON DR UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$18.54 \$0.00 \$4.33 \$0.00	\$0.00 \$0.00 \$0.00	\$18.54 \$0.00 \$18.54 \$4.33	\$0.00 \$0.00 \$0.00 \$0.00
	0003004857-2016-2016-0000	2008 LONE UTILITY TRAILER SOLD IN DECEMBER 2011. TAG #AZ43270. DOCUMENTATION ON FILE.	4181	HSALTER	527 CARSON DR UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$19.38 \$1.94 \$4.12 \$0.00	\$0.00 \$0.00 \$0.00	\$19.38 \$1.94 \$21.32 \$4.12	\$0.00 \$0.00 \$0.00 \$0.00
SITTON, JASON C	OWNER TOTAL: 0000012196-2016-2016-0000	2000 CLAYTON VOIDED DUE TO INCORRECT MOVING PERMIT INFORMATION. REBILLED UNDER ORIGINAL ABSTRACT NUMBER, ORIGINAL OWNER AND ORIGINAL ASSESSED VALUE. VOID WAS PROCESSED IN ERROR.	4130	KHENSLEY	249 UPPER RED OAK TRL HENDERSONVILLE NC	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$0.00 \$0.00 \$0.41 \$0.00	\$0.00 \$0.00 \$0.00	\$121.71 \$142.95 \$0.00 \$142.95	\$0.00 \$0.00 \$0.00 \$0.00
WILSON, DANNY LUDALE	OWNER TOTAL: 0002769811-2008-2008-0000	BILL RELEASED, ABSTRACT VOIDED, VEHICLE TITLE WAS REGISTERED IN BUINCOMBE COUNTY IN 2008	4172	KHENSLEY	30 MANNINGS FIELD DR FLETCHER, NC 28732 NC	COUNTY	TAX LATE LIST FEE TOTAL: TAX	\$19.13 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00	\$142.95 \$19.13 \$0.00 \$19.13	\$0.00 \$0.00 \$0.00 \$0.00
GRAND TOTALS:	OWNER TOTAL:								ABSTRACT TOTAL:	\$19.13	\$0.00
										\$5,287.61	\$90.27

*Adjustments submitted for approval on or before

CONTRACT TO AUDIT ACCOUNTS

Of Henderson County, NC
Primary Governmental Unit

N/A

Discretely Presented Component Unit (DPCU) if applicable

On this 9th day of March, 2017,

Auditor: Martin Starnes & Associates, CPAs, P.A. Auditor Mailing Address:

730 13th Avenue Dr. SE, Hickory, NC 28602

Hereinafter referred to as The Auditor

and Board of Commissioners (Governing Board(s)) of Henderson County, NC (Primary Government)

and N/A : hereinafter referred to as the Governmental Unit(s), agree as follows: (Discretely Presented Component Unit)

- 1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles (GAAP) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit (s) for the period beginning July 1, 2016, and ending June 30, 2017. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).
2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with Government Auditing Standards if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit and auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC CPA Board).

County and Multi-County Health Departments: The Office of State Auditor will designate certain programs that have eligibility requirements to be considered major programs in accordance with OMB Uniform Guidance for the State of North Carolina. The LGC will notify the auditor and the County and Multi-Health Department of these programs. A County or a Multi-County Health Department may be selected to audit any of these programs as major.

- 3. If an entity is determined to be a component of another government as defined by the group audit standards - the entity's auditor will make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unqualified opinion being rendered. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in Government Auditing Standards, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he has met the requirements for a peer review and continuing education as specified in Government

Discretely Presented Component Units (DPCU) if applicable

Auditing Standards. The Auditor agrees to provide a copy of their most recent peer review report regardless of the date of the prior peer review report to the Governmental Unit and the Secretary of the LGC prior to the execution of the audit contract (See Item 22). **If the audit firm received a peer review rating other than pass**, the Auditor shall not contract with the Governmental Unit without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to Government Accounting Standards or if financial statements are not prepared in accordance with GAAP and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to the State and Local Government Finance Division (SLGFD) within four months of fiscal year end. Audit report is due on: October 31, 2017. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay must be submitted to the secretary of the LGC for approval.
7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. **Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the LGC.** (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work must be submitted by email in PDF format to the Secretary of the LGC for approval. The invoices must be sent via upload through the current portal address: <http://nctreasurer.slgfd.leapfile.net> Subject line should read "Invoice – [Unit Name]. The PDF invoice marked 'approved' with approval date will be returned by email to the Auditor to present to the Governmental Unit for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. In consideration of the satisfactory performance of the provisions of this contract, the Primary Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the LGC, the fee, which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. (Note: **Fees listed on signature pages.**)
10. If the Governmental Unit has outstanding revenue bonds, the Auditor shall include documentation either in the notes to the audited financial statements or as a separate report submitted to the SLGFD along with the audit report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the SLGFD simultaneously with the Governmental Unit's audited financial statements unless otherwise specified in the bond documents.

11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the client or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.
12. If the audit firm is required by the NC CPA Board or the Secretary of the LGC to have a pre-issuance review of their audit work, there must be a statement added to the engagement letter specifying the pre-issuance review including a statement that the Governmental Unit will not be billed for the pre-issuance review. The pre-issuance review must be performed **prior** to the completed audit being submitted to the LGC. The pre-issuance report must accompany the audit report upon submission to the LGC.
13. The Auditor shall electronically submit the report of audit to the LGC as a text-based PDF file when (or prior to) submitting the invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the SLGFD by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings, by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and other lawful purposes of the Governmental Unit without subsequent consent of the Auditor. If it is determined by the LGC that corrections need to be made to the Governmental Unit's financial statements, they should be provided within three days of notification unless another time frame is agreed to by the LGC.

If the OSA designates certain programs to be audited as major programs, as discussed in item #2, a turnaround document and a representation letter addressed to the OSA shall be submitted to the LGC.

The LGC's process for submitting contracts, audit reports and invoices is subject to change. Auditors should use the submission process in effect at the time of submission. The most current instructions will be found on our website: <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>
14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor
15. If an approved contract needs to be varied or changed for any reason, the change must be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee. This amended contract needs to be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract, and then must be submitted through the audit contract portal to the Secretary of the LGC for approval. The portal address to upload your amended contract is <http://nctreasurer.slgfd.leapfile.net>
No change shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.
16. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit should be attached to the contract, and by reference here becomes part of the contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item #25 of this contract. Engagement letters containing indemnification clauses will not be approved by the LGC.

17. Special provisions should be limited. Please list any special provisions in an attachment.
18. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU must be named along with the parent government on this audit contract. Signatures from the DPCU Board chairman and finance officer also must be included on this contract.
19. The contract must be executed, pre-audited, physically signed by all parties including Governmental Unit and Auditor signatures and submitted in PDF format to the Secretary of the LGC. The current portal address to upload your contractual documents is <http://nctreasurer.slgfd.leapfile.net> Electronic signatures are not accepted at this time. Included with this contract are instructions to submit contracts and invoices for approval as of November 2016. These instructions are subject to change. Please check the NC Treasurer's web site at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx> for the most recent instructions.
20. The contract is not valid until it is approved by the LGC Secretary. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. **The audit should not be started before the contract is approved.**
21. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.
22. **E-Verify.** Auditor **shall comply** with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor **shall require** such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.
23. Contractor hereby certifies that Contractor, and all subcontractors, are not on the Iran Final Divestment List ("List") created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. Contractor shall not utilize any subcontractor that is identified on the List.
25. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted: (See Item 16 for clarification).

SIGNATURE PAGES FOLLOW

Contract to Audit Accounts (cont.)

Henderson County, NC

Primary Governmental Unit

N/A

Discretely Presented Component Units (DPCU) if applicable

Henderson County, NC

- FEES

Year-end bookkeeping assistance - [For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards]

Audit \$48,250

Preparation of the annual financial Statements \$11,500

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee.

The 75% cap for interim invoice approval for this audit contract is \$ 44,812.50

** NA if there is to be no interim billing

Communication regarding audit contract requests for modification or official approvals will be sent to the email addresses provided in the spaces below.

Audit Firm Signature:

Martin Starnes & Associates, CPAs, P.A.

Name of Audit Firm

By Amber Y. McGhinnis, Senior Audit Manager

Authorized Audit firm representative name: Type or print

Signature of authorized audit firm representative

Date March 9, 2017

amcghinnis@martinstarnes.com

Email Address of Audit Firm

Governmental Unit Signatures:

Henderson County, NC

Name of Primary Government

By J. Michael Edney, Chairman

Mayor/Chairperson: Type or print name and title

Signature of Mayor/Chairperson of governing board

Date 4.3.2017

By N/A

Chair of Audit Committee - Type or print name

N/A

**

Signature of Audit Committee Chairperson

Date N/A

** If Governmental Unit has no audit committee, mark this section "N/A"

Henderson County, NC

PRE-AUDIT CERTIFICATE: Required by G.S. 159-28 (a)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

By James C. McLelland, Finance Director

Primary Governmental Unit Finance Officer:

Type or print name

Primary Government Finance Officer Signature

Date

(Pre-audit Certificate must be dated.)

carey@hendersoncountync.org

Email Address of Finance Officer

Date Primary Government Governing Body Approved Audit Contract - G.S. 159-34(a)

Contract to Audit Accounts (cont.)

Henderson County, NC

Primary Governmental Unit

N/A

Discretely Presented Component Units (DPCU) if applicable

**** This page to only be completed by Discretely Presented Component Units ****

N/A

FEEES

Year-end bookkeeping assistance -- [For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards]

N/A

Audit

N/A

Preparation of the annual financial Statements

N/A

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee.

The 75% cap for interim invoice approval for this audit contract is \$ N/A

** NA if there is to be no interim billing

Communication regarding audit contract requests for modification or official approvals will be sent to the email addresses provided in the spaces below.

DPCU Governmental Unit Signatures:

N/A

Name of Discretely Presented Component Unit

By N/A

DPCU Board Chairperson: Type or print name and title

N/A

Signature of Chairperson of DPCU governing board

Date N/A

By N/A

Chair of Audit Committee - Type or print name

N/A

**

Signature of Audit Committee Chairperson

Date N/A

** If Governmental Unit has no audit committee, mark this section "N/A"

PRE-AUDIT CERTIFICATE: Required by G.S. 159-28

(a)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

By N/A

DPCU Finance Officer:

Type or print name

N/A

DPCU Finance Officer Signature

Date

(Pre-audit Certificate must be dated.)

N/A

Email Address of Finance Officer

Date DPCU Governing Body Approved Audit Contract - G.S. 159-34(a)

N/A

Primary Governmental Unit

N/A

Discretely Presented Component Units (DPCU) if applicable

Steps to Completing the Audit Contract

1. Complete the Header Information – NEW: If a DPCU is subject to the audit requirements as detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not issued for the DPCU and is to be included in the Primary Government's audit, the DPCU must be named with the parent government on this Audit contract. The Board chairman of the DPCU also must sign the Audit contract.
2. Item No. 1 – Complete the period covered by the audit
3. Item No. 6 – Fill in the audit due date. For Governmental Unit (s), the contract due date can be no later than 4 months after the end of the fiscal year, even though amended contracts may not be required until a later date.
4. Item No. 8 – If the process for invoice approval instructions changed, the Auditor should make sure he and his administrative staff are familiar with the current process. Instructions for each process can be found at the following link. <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>
5. Item No. 9 – NEW: Please note that the fee section has been moved to the signature pages, Pages 5 & 6.
6. Item No. 16 – NEW: It is now expected that an engagement letter will be attached to the contract. Has the engagement letter been attached to the contract submitted to the SLGFD?
 - a. Do the terms and fees specified in the engagement letter agree with the Audit contract? *"In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control."*
 - b. Does the engagement letter contain an indemnification clause? **The audit contract will not be approved if there is an indemnification clause – refer to LGC Memo # 986.**
7. Complete the fee section for BOTH the Primary Government and the DPCU (if applicable) on the signature pages, please note:
 - The cap on interim payments is 75% of the current audit fee for services rendered if the contracted fee amount is a fixed amount. If any part of the fee is variable, interim payments are limited to 75% of the prior year's total audit fee. If the contract fee is partially variable, we will compare the authorized interim payment on the contract to 75% of last year's actual approved total audit fee amount according to our records. There is a report of audit fees paid by each governmental unit on our web site: <https://www.nctreasurer.com/slg/Pages/Non-Audit-Services-and-Audit-Fees.aspx> - Auditors and Audit Fees.
Please call or email Darrus Cofield at 919-814-4299 darrus.cofield@nctreasurer.com if you have any questions about the fees on this list.
 - For variable fees for services, are the hourly rates or other rates clearly stated in detail? If issued separately in an addendum, has the separate page been acknowledged in writing by the Governmental Unit?

Primary Governmental Unit

N/A

Discretely Presented Component Units (DPCU) if applicable

- For fees for services that are a combination of fixed and variable fees, are the services to be provided for the fixed portion of the fee clearly stated? Are the hourly rates or other rates clearly stated for the variable portion of the fee? (Note: See previous bullet point regarding variable fees.)
 - If there is to be no interim billing, please indicate N/A instead of leaving the line blank.
8. Signature Area – There are now 2 Signature Pages: one for the Primary Government and one for the DPCU. Send the page(s) that are applicable to your Unit of Government. Make sure all signatures have been obtained, and properly dated. **The contract must be approved by Governing Boards pursuant to G.S. 159-34(a).** NEW - If this contract includes auditing a DPCU that is a Public Authority under the Local Government Budget and Fiscal Control Act it must be named in this Audit contract and the Board chairperson of the DPCU **must also sign** the Audit contract in the area indicated. If the DPCU has a separate Audit, a separate Audit contract is required for the DPCU.
 9. Please place the date the Unit's Governing Board and the DPCU's governing Board (if applicable) approved the audit contract in the space provided.
 - a. Please make sure that you provide email addresses for the audit firm and finance officer as these will be used to communicate official approval of the contract.
 - b. Has the pre-audit certificate for the Primary Government (and the DPCU if applicable) been signed and dated by the appropriate party?
 - c. Has the name and title of the Mayor or Chairperson of the Unit's Governing Board and the DPCU's Chairperson (if applicable) been typed or printed on the contract and has he/she signed in the correct area directly under the Auditor's signature?
 10. If the Auditor is performing an audit under the yellow book or single audit rules, has year-end bookkeeping assistance been limited to those areas permitted under the revised GAO Independence Standards? Although not required, we encourage Governmental Units and Auditors to disclose the nature of these services in the contract or an engagement letter. Fees for these services should be shown in the space indicated on the applicable signature page(s) of the contract.
 11. Has the most recently issued peer review report for the audit firm been included with the contract? This is required if the audit firm has received a new peer review report that has not yet been forwarded to us. The audit firm is only required to send the most current Peer Review report to us once – not multiple times.
 12. After all the signatures have been obtained and the contract is complete, please convert the contract and all other supporting documentation to be submitted for approval into a PDF file. Peer Review Reports should be submitted in a separate PDF file. These documents should be submitted using the most current submission process which can be obtained at the NC Treasurer's web site – <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.
 13. NEW: If an audit is unable to be completed by the due date, an Amended Contract should be completed and signed by the unit and auditor, using the new "Amended LGC-205" form (Rev. 2015). The written explanation for the delay is now included on the contract itself to complete, and must be signed by the original parties to the contract.

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

J. MICHAEL EDNEY
Chairman
GRADY HAWKINS
Vice-Chairman

CHARLIE MESSER
WILLIAM G. LAPSLEY
THOMAS H. THOMPSON

RESOLUTION OF SUPPORT FOR HOUSE BILL 189 & SENATE BILL 222, SEARCH AND RESCUE (SAR) STRUCTURE AND FUNDING

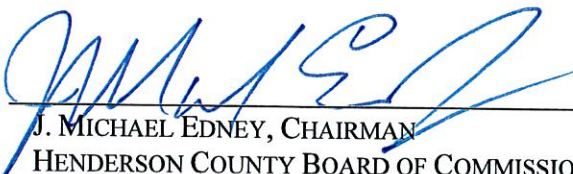
- WHEREAS**, North Carolina is considered a leader in innovative search and rescue services;
and
- WHEREAS**, since the devastation of Hurricane Floyd in 1999, the State Division of
Emergency Management has been working with local partners to build increased
capability for specialty rescue resources for 'all hazards' risks; and
- WHEREAS**, Henderson County has sent and received assistance around the state for disaster
support, with the most recent being the recipient of assistance for the Party Rock
fire in Fall of 2016; and
- WHEREAS**, Henderson County recognizes the benefit from the partnership with the State and
programs that it has developed; and
- WHEREAS**, Henderson County wishes to support HB 189 & SB 222 Search and Rescue
Structure and Funding to continue to enhance the partnerships between Henderson
County and the State of North Carolina Emergency Management;

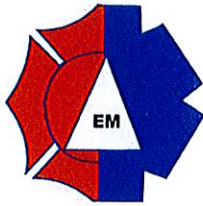
NOW THEREFORE, BE IT RESOLVED, that we, the Henderson County Board of
Commissioners, recognize the benefits that HB 189 & SB 222, Search and Rescue Structure and
Funding, provide for the citizens of Henderson County and the State of North Carolina, and
support these bills for NC Emergency Management's SAR Programs.

Adopted this the 3rd day of April, 2017.

ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD


J. MICHAEL EDNEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS



HENDERSON COUNTY EMERGENCY SERVICES

211 1st Avenue East
Hendersonville, NC 28792
(828) 697-4728 Fax (828) 698-6164

Rocky Hyder
Director

EMERGENCY MANAGEMENT - EMERGENCY MEDICAL SERVICES - FIRE MARSHAL

697-4527

697-4825

697-4728

March 22, 2017

The Honorable NC Representative Chuck McGrady
300 N. Salisbury Street, Room 304
Raleigh, NC 27603-5925

Dear Representative McGrady,

I wanted to share my support for a Search and Rescue (SAR) structure and funding initiative in the House of Representatives, HB 189. Search and Rescue is a discipline which I hold very near for support and commitment. I have been involved with the Henderson County Rescue Squad since 1990, serving as Chief since 2000. Most recently I was hired as the Emergency Management & Rescue Coordinator for Henderson County, serving in this role under the guidance of Rocky Hyder.

For several years, North Carolina has been a leader in providing innovative SAR services to the citizens of North Carolina, however this has not always been the case. Following Hurricane Floyd the State Division of Emergency Management began working with local partners to build increased capability for specialty rescue resources for "all-hazards" risks (manmade & natural disasters). Today this capability has grown to a wide variety of local and state partnerships for providing lifesaving search and rescue teams. Henderson County is honored to provide two of these teams: one of 24 Swiftwater/Flood Rescue Teams statewide as well as one of five Mountain Search & Rescue Teams.

In October of 2016, 33 Henderson County rescuers spent 10 days assisting our neighbors in Eastern North Carolina during Hurricane Matthew. These personnel rescued 72 individuals and checked an additional 136 flooded residences across seven counties. In anticipation of the rising waters Henderson County teams were staged for five days in Pitt County for response to the Tar and Neuse River basins. The outpouring of local support was tremendous to our responders. A month later I received a phone call from the Pitt County Emergency Manager, he expressed his thanks for our support and informed me they were sending 15 firefighters and fire apparatus to the Party Rock Fire to support our wildfire operations. This mutual aid sharing of resources is the reason North Carolina is so well prepared. During January 2017, the Henderson County Mountain Rescue Team personnel spent two days working with other state and Haywood County responders searching the Shining Rock Wilderness for two subjects lost during a snowstorm. On the second day Haywood & Henderson County personnel ultimately assisted in the rescue of the subjects in conjunction with a NC National Guard Helicopter and the NCHART Team. These statewide SAR initiatives have drastically improved the capabilities across the state, especially in Henderson County. Our County has benefited from our partnership with the State and the programs we help develop.

Recently legislation has been introduced into the NC House of Representatives to enhance the existing SAR programs and provide much needed sustainment funding for these initiatives. I would hope you

would consider supporting House Bill 189 which will undoubtedly benefit the Citizens of Henderson County as well as all communities across North Carolina.

Please feel free to contact me if you have any questions or would like to see some of the capability we have been able to build in Henderson County to serve our community.

Best regards,

A handwritten signature in black ink, appearing to read 'Jimmy Brissie', with a long horizontal flourish extending to the right.

Jimmy Brissie
Emergency Management & Rescue Coordinator



HENDERSON COUNTY EMERGENCY SERVICES

211 1st Avenue East
Hendersonville, NC 28792
(828) 697-4728 Fax (828) 698-6164

Rocky Hyder
Director

EMERGENCY MANAGEMENT - EMERGENCY MEDICAL SERVICES - FIRE MARSHAL

697-4527

697-4825

697-4728

March 22, 2017

The Honorable NC Senator Chuck Edwards
16 W. Jones Street, Room 2115
Raleigh, NC 27601-2808

Dear Senator Edwards,

I wanted to share my support for a Search and Rescue (SAR) structure and funding initiative in the Senate, SB 222. Search and Rescue is a discipline which I hold very near for support and commitment. I have been involved with the Henderson County Rescue Squad since 1990, serving as Chief since 2000. Most recently I was hired as the Emergency Management & Rescue Coordinator for Henderson County, serving in this role under the guidance of Rocky Hyder.

For several years, North Carolina has been a leader in providing innovative SAR services to the citizens of North Carolina, however this has not always been the case. Following Hurricane Floyd the State Division of Emergency Management began working with local partners to build increased capability for specialty rescue resources for "all-hazards" risks (manmade & natural disasters). Today this capability has grown to a wide variety of local and state partnerships for providing lifesaving search and rescue teams. Henderson County is honored to provide two of these teams: one of 24 Swiftwater/Flood Rescue Teams statewide as well as one of five Mountain Search & Rescue Teams.

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Recently legislation has been introduced into the NC Senate to enhance the existing SAR programs and provide much needed sustainment funding for these initiatives. I would hope you

would consider supporting Senate Bill 222 which will undoubtedly benefit the Citizens of Henderson County as well as all communities across North Carolina.

Please feel free to contact me if you have any questions or would like to see some of the capability we have been able to build in Henderson County to serve our community.

Best regards,

A handwritten signature in black ink, appearing to be 'J Brissie', with a long horizontal flourish extending to the right.

Jimmy Brissie
Emergency Management & Rescue Coordinator