

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JULY 20, 2016**

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

Those present were: Chairman Tommy Thompson, Vice-Chairman Charlie Messer, Commissioner Grady Hawkins, Commissioner Mike Edney, 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: Management Assistant Megan Powell, Director of Business and County Development John Mitchell, Engineer Marcus Jones, Sheriff Charles McDonald, Chief Deputy Jason Brown, DSS Interim Director Jerrie McFalls, Environmental Health Supervisor Seth Swift, Soil & Water Conservation Director Jonathan Wallin, Public Health Director Steve Smith, Interim Assessor/Tax Collector Darlene Burgess, Deputy Tax Collector Luke Small, Recreation Director Tim Hopkin, EMS Director Mike Barnett, HR Director Jan Prichard, Central Services Manager David Berry, Fire Marshal Rocky Hyder, Fire Marshal Wally Hollis, Building Services Director Tom Staufer, Senior Planner Autumn Radcliff, Library Director Trina Rushing, Environmental Programs Coordinator Rachel Kipar, Assistant Engineer Natalie Berry and PIO Kathy Finotti –videotaping, and Deputy Ken McCraw as security.

CALL TO ORDER/WELCOME

Chairman Thompson called the meeting to order, welcomed all in attendance.

INVOCATION

The invocation was provided by County Manager Steve Wyatt.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by David Rhoad, who will representing Henderson County Youth through the Cooperative Extension at the NCACC Conference.

RESOLUTION IN MEMORIAM

Chairman Thompson stated former Henderson County Commissioner Larry R. Young served the citizens of Henderson County, and the residents of District 3 throughout his twelve years on the Board of Commissioners from 2002 through 2014. He served as Vice-Chairman 2003 until 2004.

During his service to Henderson County, Larry R. Young provided leadership on many boards and committees, including the Board of Health, Hendersonville City Zoning Board of Adjustment, Joint School Facilities, Land-of-Sky Regional Council, Library Board of Trustees, and Solid Waste Advisory Committee and Travel and Tourism.

Chairman Thompson read the Resolution aloud. A framed Resolution including a picture were presented to Bettye Young, widow of Larry Young. The Board shared sentiments of loss of a colleague and great friend. Mr. Young worked hard to save the county citizens money for which they will benefit for years to come.

Commissioner Hawkins made the motion that the Board adopt the Resolution as presented. All voted in favor and the motion carried.

INFORMAL COMMENTS

1. Ron Kauffman spoke in opposition to refugee resettlement. He feels that immigrant refugees bring more health problems and crime. Radicals bring death and mayhem. We don't even have room for our own. We

DATE APPROVED: August 1, 2016

are compassionate but need to make sure our people are safe. We should not allow resettlement without full disclosure of their background.

2. Bill Puette spoke in regard to Hendersonville High School. He strongly supports the Stillwell Building remaining a part of HHS. The building is in good shape for its age and is a unique, integral part of the school legacy.
3. Jane Bilello spoke in opposition to refugee resettlement. She understands that the plan to house refugees requires a public hearing, and feels the process should be transparent.
4. Maureen DiRienzo shared information about the experience Minnesota had with refugee resettlement. Gangs and crime increased. The FBI warned that it is impossible to screen these individuals.
5. Robert Heltman spoke in opposition to refugee resettlement. He feels Radical Islam breaks the world into two parts. We are at war with religion and they intend to take over. Keep control of the borders and the immigration process.
6. Ursula Von Paczkowski spoke in opposition to refugee resettlement. Her home has been burglarized and she is fed up with it.
7. W. K. Nock spoke in opposition to refugee resettlement. He has a background in police work and fingerprints are distinctive. The Military General has said that the Middle East cannot be data based. Many men living there do not even exist in the system.

Discussion/Adjustment of Consent Agenda

Commissioner Hawkins made the motion to approve Consent Agenda pulling the Branch Library Extension Policy for discussion. 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):

June 6, 2016 - Regularly Scheduled Meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated July 12, 2016 for information only. No action was required.

Pending Releases and Refunds

The pending releases and refunds have been reviewed by the Interim Assessor and as a result of that review, it is the opinion of the Interim 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:

Total Taxes Released from the Charge

Total Refunds as a Result of the Above Releases

Amount:

\$ 20,303.83

\$ 13,518.18

Motion:

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

Final Approval of Terms and Documents for Henderson County Hospital Corporation Revenue Bond Financing

On June 6, 2016, this Board approved application to the Local Government Commission by Henderson County Hospital Corporation for approval of Hospital Revenue Bonds.

The Board is now being asked to issue the Bond Order, approving the final issuance of the Bonds.

Motion:

I move that the Board approves the Bond Order and approves in substance the form of the Third Supplemental Trust Indenture.

EMS Substation Lease Agreement

Emergency Medical Services wishes to establish a one year Lease Agreement with the Fletcher Fire And Rescue Department INC. to provide the necessary space to house a day time EMS crew and ambulance at the Station # 1, 49 East Fanning Bridge Road Fletcher location.

Emergency Medical Services recommends having a satellite EMS station in Fletcher in order to improve response times to emergency calls in the Fletcher and adjacent areas of the county.

Motion:

I move the Board approves the Lease Agreement between the County Of Henderson and the Fletcher Fire and Rescue INC. in order to house a daytime ambulance and crew at the Fletcher Fire and Rescue Station # 1.

HOME Funds (Owens)

At its November 7, 2015, meeting, this Board allowed the borrower in a 2001 home rehabilitation loan, Ms. Shirley Owens, to refinance her first mortgage by, in effect, subordinating the 2001 home rehabilitation loan to her new mortgage.

Since that date, Ms. Owens has provided documentation to the County that her 2001 loan documents (**not** form documents and **not** drafted by county personnel) are ambiguous regarding the duty to actually repay the loan, versus a duty to live in the benefitted structure for a period of ten years. Some of the repayment provisions appear to be in conflict with the program under which the loan was made (loans intended for rehabilitation of primary residence of borrower, who committed to live in the residence for ten years, at which point the “loan” was to be forgiven).

Ms. Owens has resided in the rehabilitated structure for all of the time since the 2001 loan. As Ms. Owens’ loan document is ambiguous – in some places calling for repayment, in others talking about the ten year residence obligation – County staff recommends reforming the documents to be in conformity with the underlying (Federal) program, and forgive the remaining indebtedness.

Motion:

I move that the Board waives any further repayment of this loan as reflected in the agenda item.

Parking Request at '95 Courthouse

The County has received a request from Crosstown Velo, LLC for the use of the 1995 Courthouse north parking lot, off of 4th Avenue. This request is associated with a bicycle race known as the “Hendersonville Historic 7th Ave Criterium”, which will utilize Locust St., Lynn St., Maple St. and 7th Avenue. The event is scheduled for Saturday, July 30th, and the parking lot would be utilized for parking and registration on that date from 8:00am through 5:00pm.

Motion:

I move the Board approves the use of the Courthouse’s parking lot on 4th Avenue by Crosstown Velo, LLC on Saturday, July 30, 2016 from 8:00am to 5:00pm.

Annual Volunteer Appreciation Banquet

Staff requests that the Board look at their calendars regarding the date for the 2016 Annual Volunteer Appreciation Banquet. The Banquet was held last year at the Henderson County Athletics and Activity Center in the gymnasium, and was very successful, accommodating well the number of volunteers who daily work to better Henderson County. Staff plans to hold this year's banquet again at the Activity Center, and has tentatively scheduled the date for Tuesday, October 18th.

Use of Courtroom – Sheriff's Office

A request has been submitted on behalf of the Sheriff's Office for use of the Courtroom on Thursday, September 1, 2016 from 12:00 p.m. until 2:00 p.m. for a Sheriff's Detention Officer Certification Course Graduation.

Motion:

I move that the Board approves use of the Commissioners' Meeting Room (Courtroom) as requested on Thursday, September 1, 2016 from 12:00 p.m. until 2:00 p.m. for a Sheriff's Detention Officer Certification Course Graduation.

Use of Courtroom – Heritage Museum

A request was submitted by Anne Ridings, on behalf of the Heritage Museum, for use of the Courtroom for a movie presentation ("Pork Chop Hill") on Saturday, September 17th at 12:00 p.m. until 5:00 p.m.

Motion:

I move the Board approves use of the Commissioners' Meeting Room (Courtroom) as requested on behalf of the Heritage Museum, for Saturday, September 17, 2016 from 12:00 p.m. until 5:00 p.m.

Tax Settlement with Morris Broadband

Pursuant to N.C. Gen. Stat. §105-312(k), "the board of county commissioners, upon the petition of the taxpayer, may compromise, settle, or adjust the county's claim for taxes arising therefrom."

The taxpayer in this instance self-reported an underpayment. This proposed settlement makes the County whole, in that it will receive all taxes owed (including those for fire districts), plus interest at the rate that the County was receiving interest on its deposits.

Motion:

I move that the Board approves the proposed settlement, and authorize the Chair and staff to execute the same.

Non-Profit Performance Agreements

Subsequent to the approval of the FY 2016-2017 Budget, staff has distributed the funding agreements to the non-profit agencies receiving County allocations.

Staff requests that the Board authorize the Chairman to execute the funding agreements and, in doing so, authorize the release of the first of the aforementioned agencies' quarterly allotments:

1. Arts Council of Henderson County	\$ 6,938.00
2. Blue Ridge Literacy Council	\$ 10,000.00
3. Boys & Girls Club	\$ 10,000.00
4. Children & Family Resource Center	\$ 17,340.00
5. Community Partnership for Pets	\$ 50,000.00
6. Council on Aging	\$ 36,075.00
7. Free Clinics—Medifind	\$ 21,645.00
8. Free Clinics—Volunteer Program	\$ 6,000.00
9. Flat Rock Playhouse	\$ 37,500.00

10. Henderson County Heritage Museum	\$100,000.00
11. Housing Assistance Corporation	\$ 11,750.00
12. Interfaith Assistance Ministry	\$ 4,500.00
13. Medical Loan Closet	\$ 4,500.00
14. Mountain True/VWIN	\$ 6,244.00
15. Pisgah Legal Services	\$ 35,000.00
16. Safelight	\$ 47,500.00

Motion:

I move the Board authorizes the Chairman to execute the funding agreements and, in doing so, authorize the release of the first of the aforementioned agencies' quarterly allotments.

Riverwalk Park Development

In 1996, the Cadgene sisters gifted Henderson County 27.82 acres through the Henderson County Community Foundation to eventually be developed as a community park. The parcel ("the park"), located adjacent to Hwy. 280 and the French Broad River near Broadpointe Industrial Park, is bounded to the north by property owned by North Carolina State University ("NCSU;" approximately 16 acres).

Development of a larger community park is possible through a partnership of the two adjoining landowners at this location: Henderson County and the NCSU Mountain Horticultural Crops Research and Extension Center in Mills River ("Research Station"). The two entities have been in discussions regarding the joint development and maintenance of a park area. Combined, these parcels would create an educational riverfront nature walk, highlighting the ecosystems in and around the French Broad River, as well as year-round agricultural practices and research performed by the Research Station.

The park is currently set to be developed over three phases, with the first mowed paths already underway on the Henderson County parcel. As grant funds are made available and sponsors or other partners are identified, development phases 2-3 will take place and will include further trail connection between the County and NCSU's parcels along the French Broad River, thereby increasing accessibility.

Motion:

I move that the Board directs staff to develop the property across from Westfeldt Park along the French Broad River into a park.

Mountain Community School

The Mountain Community School is planning to add a gym and ten classrooms to allow for an expansion to two classes per grade, kindergarten through eighth grade. The total estimated cost of the expansion is \$3.2million. Construction is planned to begin in the fall of 2017.

The School is applying for a loan from USDA Rural Development to complete the project. One of the requirements of the application is a letter of approval from the Board of Commissioners.

Additionally, the school is seeking space at the Henderson County Athletic and Activity Center (AAC) to house three classes during the 2017 school year while construction is taking place. This space could be accommodated on the first floor of the classroom building located at the AAC.

Motion:

I move the Board authorizes the Chairman to sign the USDA Rural Development approval letter, and directs staff to negotiate a lease for one year of classroom space at the AAC.

NC Cardinal Memorandum of Agreement

NC Cardinal is a consortium of North Carolina public libraries that share an online catalog and integrated library

system (ILS), and share resources with other member libraries. Henderson County joined this online consortium in fiscal year FY15-16.

All associated startup costs and the first two years of membership in the NC Cardinal consortium is fully supported by the State Library and funded using LSTA grant funds. After the initial two years, an annual cost share for continued membership will be determined based upon the size of the library's collection and patron base.

The FY16-17 Memorandum of Agreement, bylaws, and additional paperwork were included indicating our annual share cost at \$0 and provided for your approval.

Motion:

I move that the Board approves the request for approval of the FY16-17 NC Cardinal Memorandum of Agreement as presented.

New (Reduced) Fee – Public Health/Environmental Health – Engineered Option Permit – Private Sector Submissions

Fees. - The local health department may assess a fee for the engineered option permit of up to thirty percent (30%) of the cumulative total of the fees the department has established to obtain an improvement permit, an authorization to construct, and an operations permit for wastewater systems under its jurisdiction. The fee shall only be used by the department in support of its work pursuant to this section to conduct site inspections; support the department's staff participation at post-construction conference meetings; and archive the engineered permit with the county register of deeds or other recordation of the wastewater system as required.

The existing system fee of \$100 that the department anticipated using for the engineered option permit review is in excess of the statutory limit of 30% of the combined IP, ATC and OP fee. The current fee for the combined IP, ATC and OP is \$250. The 30% limitation yields a maximum fee of \$75.00 for engineered option permit reviews with our existing fee structure.

The Henderson County Department of Public Health proposes adding a new fee to the Environmental Health fee schedule for the engineered option permit review in the amount of \$75.00.

Motion:

I move that the Board of Commissioners approves the proposed fee of \$75.00 for the Engineered Option Permit Review in accordance with GS 130A-336.1.

Mountain Home Fire and Rescue, Inc. Tax Exempt Loan Agreement

At the May 12, 2016 meeting of the Fire and Rescue Advisory Committee, Mountain Home Fire & Rescue presented a proposal to partially finance a replacement Engine. The total amount to finance will be \$80,000 at a fixed interest rate of 2.43% with payments of \$20,611.17 twice a year for 3 years.

The Fire & Rescue Advisory Committee has unanimously recommended approval of the proposal.

Mountain Home Fire & Rescue respectfully request the Chairman sign the letter to United Financial of North Carolina

Motion:

I move the Board authorizes the Chairman to sign the letter to United Financial of North Carolina on behalf of Mountain Home Fire & Rescue

Public Records Disposal Request – Assessor

Staff is requesting approval from the Board of Commissioners to destroy the records listed on the Public Disposal Requests and Destruction Logs included in the agenda in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule, as the period of these records have expired, or they have been scanned and retained in said format.

Motion:

I move the Board approves the Public Records Disposal Request and Destruction Log.

Public Records Disposal Request – Building Services

Staff is requesting approval from the Board of Commissioners to destroy the records listed on the Public Records Disposal and Destruction Log included in the agenda packet, in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule as the period for retention has expired.

Motion:

I move the Board approves the Public Records Disposal Request and Destruction Log.

Abandonment of State Maintenance for a portion of Foster Creek Road (SR 1347)

The State of North Carolina, Department of Transportation has submitted a petition to the Henderson County Board of Commissioner's to abandon state maintenance for a portion of Foster Creek Road (SR 1347).

North Carolina General Statute 136-63 states that the Board of County Commissioners may, on its own motion or on petition of a group or citizens, request the Board of Transportation to change or abandon any road in the secondary system when the best interest of the people of the county will be served thereby.

Motion:

I move that the Board approves recommending abandonment of state maintenance.

Resolution – Designating July as Henderson County Month of Acceptance

Mr. Adam Farris has requested that the Board of Commissioners adopt a Resolution designating July as Henderson County Month of Acceptance.

Motion:

I move that the Board adopts the Resolution designating July as Henderson County Month of Acceptance.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Messer made the motion to adopt the discussion agenda with the addition of the Branch Library Extension Policy. All voted in favor and the motion carried.

NOMINATIONS

Notification of Vacancies

1. Asheville Regional Housing Consortium – 1 vac.
2. Juvenile Crime Prevention Council – 2 vac.
3. Library Board of Trustees – 1 vac.
4. Nursing/Adult Care Home Community Advisory Committee – 1 vac.

Nominations

1. Blue Ridge Community College Board of Trustees – 1 vac.

Commissioner Hawkins nominated Andrew Tate for reappointment to position #2. Chairman Thompson made the motion to accept the reappointment of Andrew Tate to position #2 by acclamation. All voted in favor and the motion carried.

2. Environmental Advisory Committee – 3 vac.

Commissioner Messer nominated Kimberly Baird for position #2, Christopher Grose for position #5, and Elizabeth Curtis for position #7. *Chairman Thompson made the motion to accept the reappointments of Kimberly Baird to position #2, Christopher Grose to position #5, and Elizabeth Curtis to position #7 by acclamation. All voted in favor and the motion carried.*

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

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

4. Fire and Rescue Advisory Committee – 2 vac.

Commissioner Lapsley nominated John Cudd for position #3. The Fire Association had nominated Justin Blythe for position #4. *Chairman Thompson made the motion to accept the appointments of John Cudd to position #3 and Justin Blythe to position #4 by acclamation. All voted in favor and the motion carried.*

5. Henderson County Historic Courthouse Corporation dba/Heritage Museum – 4 vac.

Commissioner Edney nominated Phoebe Blackwell for position #1, Terry Robinson for position #7, Barbara Lackey for position #8, and Jim Toms for position #9. *Chairman Thompson made the motion to accept the appointments of Phoebe Blackwell to position #1, Terry Robinson to position #7, and Barbara Lackey to position #8 by acclamation. He further moved to accept the reappointment of Jim Toms to position #8 by acclamation. All voted in favor and the motion carried.*

6. Henderson County Zoning Board of Adjustment – 1 vac. #9 alternate

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

7. Henderson Tourism Development Authority – 1 vac.

Commissioner Edney nominated Amber McCleery for position #2 and Shannon Clarke for Chair. Commissioner Hawkins nominated Mark Warwick for position #2 and Chair. The Board was polled with the following results:

	Edney	Messer	Thompson	Hawkins	Lapsley
Position #2	McCleery	Warwick	Warwick	Warwick	Warwick
Chair	Clarke	Clarke	Clarke	Warwick	Warwick

With the Majority of votes, Mark Warwick was appointed to position #2, and Shannon Clarke was appointed as Chair.

8. Historic Resources Commission – 3 vac.

Commissioner Messer nominated Stephen Fosberg for position #2, Bette Carter for position #6, and Ronald Schultz for position #8. *Chairman Thompson made the motion to accept the reappointments of Stephen Fosberg to position #2, Bette Carter to position #6, and Ronald Schultz to position #8 by acclamation. All voted in favor and the motion carried.*

9. Home and Community Care Block Grant Advisory Committee - 1 vac. #2 Older Adult

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

10. Hospital Corporation Board of Directors/UNCH – 1 vac.

Commissioner Edney nominated Tamela Albrecht for position #6. Commissioner Lapsley nominated Donald Cooper for position #6. The Board was polled with the following results:

Edney	Messer	Thompson	Hawkins	Lapsley
Albrecht	Albrecht	Albrecht	Cooper	Cooper

With the majority of votes, Tamela Albrecht was appointed to position #6.

11. Juvenile Crime Prevention Council – 10 vac.

Chairman Thompson nominated Lorie Horne for position #7, Marilyn Kaylor for position #9, Patty Adamic for position #15, and Richard Arell for position #21. *Chairman Thompson made the motion to accept the reappointments of Lorie Horne to position #7, Marilyn Kaylor to position #9, Patty Adamic to position #15, and Richard Arell to position #21 by acclamation. All voted in favor and the motion carried.*

12. Library Board of Trustees – 2 vac.

Commissioner Hawkins nominated Vance Yoder for position #3. Commissioner Hawkins nominated Max Kerlin for position #4. *Chairman Thompson made the motion to accept the reappointment of Vance Yoder to position #3, and the appointment of Max Kerlin to position #4 by acclamation. All voted in favor and the motion carried.*

13. Mountain Area Workforce Development Board – 2 vac.

Chairman Thompson nominated Autumn Weil for position #3 and Terry Collins for position #6. *Chairman Thompson made the motion to accept the reappointments of Autumn Weil to position #3 and Terry Collins to position #6 by acclamation. All voted in favor and the motion carried.*

14. Mountain Valleys Resource Conservation and Development Program – 1 vac.

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

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

Chairman Thompson nominated Pamela Bailey for position #13 and Barbara Hinson for position #16. *Chairman Thompson made the motion to accept the appointments of Pamela Bailey to position #13 and Barbara Hinson to position #16 by acclamation. All voted in favor and the motion carried.*

16. Senior Volunteer Services Advisory Council – 1 vac.

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

17. Social Services Board – 1 vac.

Commissioner Edney nominated Jennifer Hensley for position #1. *Chairman Thompson made the motion to accept the reappointment of Jennifer Hensley to position #1 by acclamation. All voted in favor and the motion carried.*

FY2015-2016 TAX COLLECTOR'S SETTLEMENT; APPROVAL OF BOND AMOUNTS FOR TAX COLLECTOR/DEPUTY; FY 2016—2017 TAX ORDER FOR COLLECTION

Interim Assessor Darlene Burgess stated it is time for the delivery of the tax receipts to the Henderson County Tax Collector (all references to the Tax Collector on this document and all subsequent attachments are to Interim Tax Collector Darlene Burgess); however before they can be delivered, the following must occur (pursuant to N.C.G.S. 105-352):

- (a) PREPAYMENTS. The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) SETTLEMENT. The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) BOND. The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) ORDER OF COLLECTION. An Order of Collection must be adopted at today's meeting, which will charge the Tax Collector with the collection of FY 2016-2017 taxes, plus all outstanding delinquent taxes.

For the FY2015-2016, we collected \$1,615,893.84 in prior-year taxes, plus all applicable fees and interest. At the close of this fiscal year, we have collected 99.60% of our prior-year (2014) annual tax bills (real property and listed personal property), and 99.8% for all previous years (including 2014 and years beyond our ten-year reach for enforced remedies.)

The responsibilities of the Deputy Tax Collector and staff include the monitoring and administration of statutorily-provided remedies used to collect delinquent tax. We have generated a great amount of revenue this year through the use of these remedies and are pleased to provide the following details on our efforts. While each effort is not always successful, our staff tirelessly explores all remedies for collection of delinquent taxes.

- Payment Arrangements: 200 new arrangements created, potential collection of \$416,632.76.
- Bank Attachments: 93 new actions created, potential collection of \$158,125.84.
- Wage Garnishments: 900 new actions created, potential collection of \$356,265.88.
- Rent Attachments: 1 new action created, potential collection of \$2,171.71.
- Pre-foreclosure: 215 new actions created, potential collection of \$527,866.98.
- Monies (Unclaimed Cash): 65 new actions created, potential collection of \$27,425.32.
- NC Debt Setoff: 2354 new actions created, \$1,778,516.76 total taxes submitted for possible setoff.

The progress relating to delinquent tax collections has truly been a team effort based on persistence, commitment, dedication and pride in carrying out our statutory charge.

The Preliminary Report for FY2015-2016 was included with the agenda along with the Settlement for Current-Year Taxes and Delinquent Taxes. A list of all unpaid tax liens is available for your review in the Office of the Clerk to the Board.

As of the close of FY2015-2016, the Henderson County Tax Collector's Office collected 98.50% of the annual tax bills and 99.56% processed through Tax & Tag Together, for an aggregate collection percentage of 98.58%.

The annual collection percentage, as reported, remains above the FY14-15 statewide average of 98.50% for annual tax bills.

Commissioner Edney requested that no letters be sent to the agriculture community without approval by the Board.

STATUTORY REQUIREMENTS FOR TAX COLLECTOR'S SETTLEMENT

(NCGS 105-373)

The Tax Collector's Settlement must:

1. Occur after July 1 and before the Board charges the Collector with the FY2017 Levy
2. Include two lists:
 - Persons owning real property whose taxes remain unpaid; and
 - Persons not owning real property whose taxes remain unpaid (the "Insolvents List")
3. Include an accounting of all amounts charged to the Collector and the amounts allowed as credits to the Collector
4. Include a statement from the Collector stating he/she has made diligent efforts to collect the tax
5. The Settlement for prior-year taxes shall be made in whatever form is satisfactory to the County's Chief Accounting Officer and the Governing Body

FY2016 ANNUAL LEVY

Includes Real Property, Personal Property, Business Personal Property, and Public Service Property billed and collected by the County

LEVY ADDITIONS				
<i>All amounts charged to the Tax Collector</i>				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 62,942,239.06	\$ 8,058,898.03	\$ 16,855.71	\$ 71,017,992.80
Penalty	\$ 69,264.25	\$ 8,035.92	\$ -	\$ 77,300.17
Interest	\$ 125,162.68	\$ 17,494.49	\$ 0.06	\$ 142,657.23
TOTAL	\$ 63,136,665.99	\$ 8,084,428.44	\$ 16,855.77	\$ 71,237,950.20

LEVY CREDITS				
<i>All sums allowed as credits to the Tax Collector</i>				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Deposits	\$ 61,673,790.67	\$ 7,848,690.91	\$ 16,855.29	\$ 69,539,336.87
Adjustments	\$ 349,965.65	\$ 68,932.13	\$ -	\$ 418,898.78
Releases	\$ 27,740.72	\$ 2,004.57	\$ 0.42	\$ 29,745.71
Interest	\$ 125,162.68	\$ 17,494.49	\$ 0.06	\$ 142,657.23
Unpaid Tax: Real & Personal Property	\$ 959,815.74	\$ 147,272.02	\$ -	\$ 1,107,087.76
Unpaid Tax: Registered Motor Vehicles	\$ 190.53	\$ 33.32	\$ -	\$ 223.85
TOTAL	\$ 63,136,665.99	\$ 8,084,428.44	\$ 16,855.77	\$ 71,237,950.20

REGISTERED MOTOR VEHICLE (RMV) LEVY

*Includes Registered (tagged) Motor Vehicle Tax Bills that are billed and collected on behalf of the County by NC's Tax & Tag Together Program
RMV tax is not part of the Collector's charge, however it is part of the Tax Levy.*

LEVY ADDITIONS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 5,185,582.54	\$ 698,742.47	\$ 1,073,797.60	\$ 6,958,122.61
Interest	\$ 32,944.72	\$ 4,419.97	\$ 6,852.12	\$ 44,216.81
TOTAL	\$ 5,218,527.26	\$ 703,162.44	\$ 1,080,649.72	\$ 7,002,339.42

LEVY CREDITS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Levy Collected	\$ 5,162,726.43	\$ 696,141.03	\$ 1,065,124.15	\$ 6,923,991.61
Unpaid Levy	\$ 5,983.51	\$ 481.17	\$ 3,438.46	\$ 9,903.14
Interest Collected	\$ 32,944.72	\$ 4,419.97	\$ 6,852.12	\$ 44,216.81
Collection Fees	\$ 16,872.60	\$ 2,120.27	\$ 5,234.99	\$ 24,227.86
TOTAL	\$ 5,218,527.26	\$ 703,162.44	\$ 1,080,649.72	\$ 7,002,339.42

COMBINED ANNUAL & RMV LEVY

Includes (1) Real Property, Personal Property, Business Personal Property and Public Service Property billed and collected by the County; and (2) RMV tax billed and collected on behalf of the County under NC's Tax & Tag Program

LEVY ADDITIONS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 68,127,821.60	\$ 8,757,640.50	\$ 1,090,653.31	\$ 77,976,115.41
Penalty	\$ 69,264.25	\$ 8,035.92	\$ -	\$ 77,300.17
Interest	\$ 158,107.40	\$ 21,914.46	\$ 6,852.18	\$ 186,874.04
TOTAL	\$ 68,355,193.25	\$ 8,787,590.88	\$ 1,097,505.49	\$ 78,240,289.62

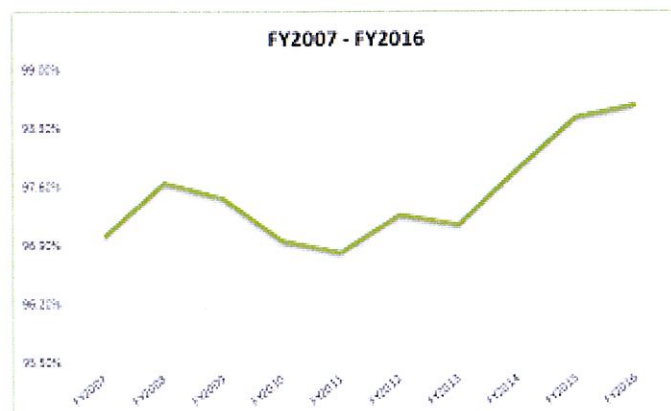
LEVY CREDITS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Deposits	\$ 66,836,517.10	\$ 8,544,831.94	\$ 1,081,980.34	\$ 76,463,329.38
Adjustments	\$ 349,965.65	\$ 68,933.13	\$ -	\$ 418,898.78
Releases	\$ 27,740.72	\$ 2,004.57	\$ 0.42	\$ 29,745.71
Interest	\$ 158,107.40	\$ 21,914.46	\$ 6,852.18	\$ 186,874.04
Unpaid Levy: Real & Personal Property	\$ 959,815.74	\$ 147,272.02	\$ -	\$ 1,107,087.76
Unpaid Levy: Registered Motor Vehicles	\$ 6,174.04	\$ 514.49	\$ 3,438.46	\$ 10,126.99
RMV Collection Fees	\$ 16,872.60	\$ 2,120.27	\$ 5,234.09	\$ 24,226.96
TOTAL	\$ 68,355,193.25	\$ 8,787,590.88	\$ 1,097,505.49	\$ 78,240,289.62

The following information focuses only on the County Levy for Annual Bills and do not include Fire Districts and/or Municipal Districts.

FISCAL YEAR-END COLLECTION RATES

	FY2016	FY2015
Annual Levy	98.50%	98.30%
RMV Levy	99.55%	100.00%
Combined Levy	98.58%	98.43%

10-YEAR TREND: COMBINED LEVY COLLECTION RATE



**LEVY COLLECTED
COMPARED TO
FY2016 BUDGETED PROPERTY TAX REVENUE**

	LEVY BUDGETED	LEVY COLLECTED (\$ DEPOSITED)	\$ COLLECTED OVER (UNDER) BUDGET
Current-Year General Levy	\$ 64,213,066.00	\$ 66,836,517.10	\$ 2,623,451.10
Prior-Year Taxes, Penalties & Interest	\$ 1,785,000.00	\$ 1,688,306.04	\$ (96,693.96)
TOTAL	\$ 65,998,066.00	\$ 68,524,823.14	\$ 2,526,757.14

*Includes RMV Levy

COLLECTOR'S EFFORTS TO COLLECT UNPAID TAX

ENFORCED COLLECTION ACTIVITY				
TYPE OF ACTION	FY2016 ACTIVITY		FY2015 ACTIVITY	
	# OF NEW ACTIONS	\$ VALUE *	# OF NEW ACTIONS	\$ VALUE*
Payment Arrangements	200	\$ 416,633	47	\$ 138,294
Bank Account Attachments	93	\$ 158,126	76	\$ 186,624
Wage Garnishments	900	\$ 356,266	713	\$ 291,817
Rent Attachments	1	\$ 2,172	3	\$ 29,339
Garnishments of Escheated Funds	65	\$ 27,425	63	\$ 25,875
NC Debt Setoff (State Income Tax Garnishment)	2,354	\$ 1,778,517	NO DATA	

* \$ Value includes the total value of each action when it was created. It should not be confused with collection activity resultant from the action. Total value includes levy, interest, penalties and any collection costs associated with the action.

COLLECTOR'S EFFORTS TO COLLECT UNPAID TAX

DELINQUENT REAL PROPERTY COLLECTION PROGRESS (2/1/2016 TO 6/30/2016)										
DELINQUENT PARCELS, 2/1/2016						DELINQUENT PARCELS, 6/30/2016				
	# of Bills	# of Parcels	\$ Tax	\$ Interest	\$ Total	# of Bills	# of Parcels	\$ Tax	\$ Interest	\$ Total
	3,028	1,379	\$ 988,428	\$ 248,617	\$ 1,237,045	1,993	660	\$563,888	\$179,899	\$743,787
Less Parcels that are not subject to Enforced Collections:										
Unknown Owner	387	51	\$ 43,487	\$ 20,236	\$ 63,723	378	51	\$ 32,399	\$ 17,921	\$ 50,320
Bankruptcies	55	28	\$ 49,440	\$ 5,157	\$ 54,598	55	25	\$ 49,749	\$ 5,620	\$ 55,369
Subtotal	442	79	\$ 92,928	\$ 25,393	\$ 118,321	433	76	\$ 82,148	\$ 23,541	\$105,689
TOTAL:	2,586	1,300	\$ 895,500	\$ 223,224	\$ 1,118,724	1,560	584	\$ 481,740	\$ 156,358	\$ 638,098
NET COLLECTIONS	1,026	716	\$ 413,760	\$ 66,866	\$ 480,626					
% REDUCTION	39.68%	55.08%	46.20%	29.95%	42.96%					

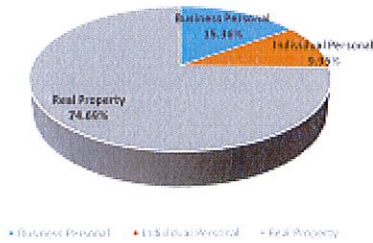
- In February of 2016, notices were sent to taxpayers owing delinquent real property tax for 2014 and previous years. This has allowed the County to reduce the number of parcels having delinquent tax by 755 parcels, and increase FY2016 Tax Revenue by \$480,626.
- During FY2016, Mortgage-Style tax foreclosures have been instituted on 17 parcels (NCGS 105-374).
- Future plans include an enhancement to staff resources to allow the County to proceed with In Rem tax foreclosures on a cyclical schedule (NCGS 105-375).

SUMMARY OF DELINQUENT ANNUAL LEVY

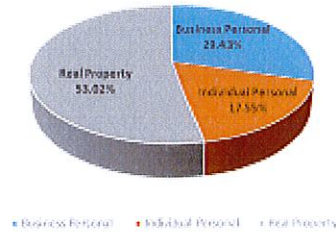
Does not include RMV Levy

- FY2016 Unpaid Levy at June 30, 2016 = \$960,006 *
- Delinquent Unpaid Levy (FY2006 – FY2015) at June 30, 2016 = \$1,431,610 *
- The charts below provide a breakdown of the types of bills that make up the outstanding levy

UNPAID LEVY - BEGINNING BALANCE



UNPAID LEVY - ENDING BALANCE



- * Does not include RMV Levy
- * Levy amounts listed above include associated Late List Penalties.

Commissioner Hawkins made the motion that the Board approves the tax collector's settlement for Fiscal Year 2015-2016 taxes, and further approve the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2016-2017 taxes. All voted in favor and the motion carried.

EMERGENCY SERVICES HEADQUARTERS

John Mitchell stated at the February 1st meeting of the Board of Commissioners, the Board instructed the County's Architect of Record, Clark Nexsen to proceed with developing a schematic design for an Emergency Services Headquarters (EMSHQ).

Clark Nexsen has completed programing for the space and drafted a schematic design. Programming meetings have been held with the Emergency Management Department, EMS and the Henderson County Rescue Squad. The schematic design is for a 57,500 square foot building at a cost of \$13,670,019.

Chad Roberson shared the following presentation and noted that all existing buildings with the exception of the BRCC Mechanical Facility will be torn down. The BRCC Mechanical Facility is a superior building with a lift which can be utilized for the County fleet.

Commission Lapsley noted that the facility cannot be constructed until the Innovative High School at Blue Ridge Community College is complete. He also explained that he would vote against the EMS Headquarters due to the cost.

Aerial View



- Emergency Management
- Emergency Medical Services
- Henderson County Rescue
- Vehicle wash and storage bays
- Office and training spaces
- Emergency Operation Center (EOC)



CLARK NEXSEN

Entry View



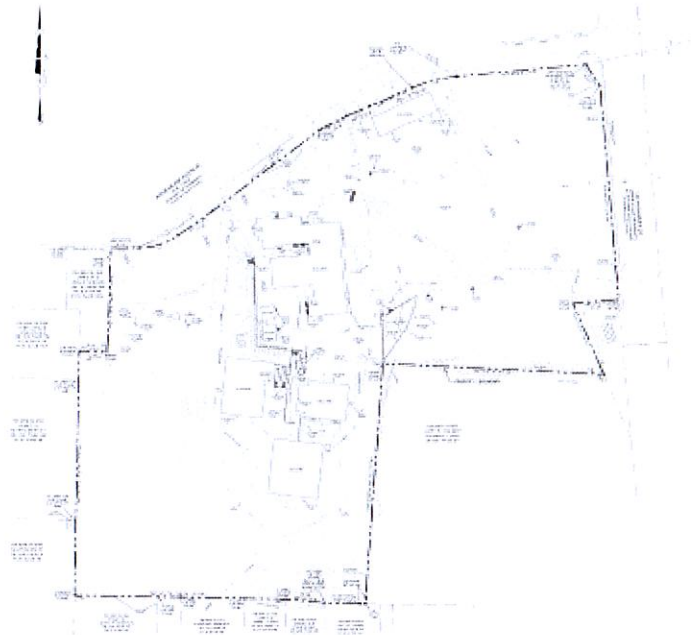
- 47,200 SF single-story structure
- Conventional steel framing
- Includes 10,000 SF pre-engineered storage building
- Fully-sprinklered main building
- High-efficiency hot water boilers
- Packaged roof top units
 - Natural gas pre-heat
 - DX cooling
- Radiant gas heaters in vehicle bays
- Diesel generator



CLARK NEXSEN

Existing Conditions

- Balfour Education Center Site
- 13.58 acres



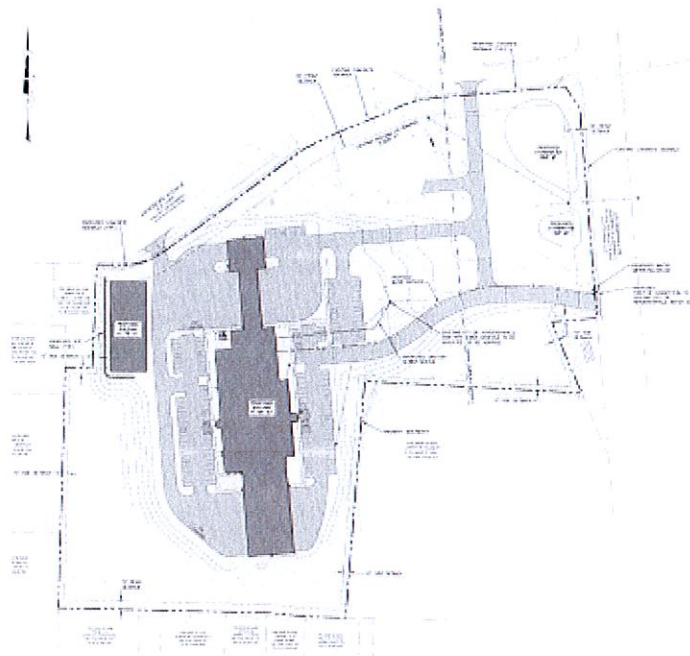
Existing Conditions

- Balfour Education Center Site
- 13.58 acres



Site Plan

- Demolish existing Balfour buildings
- Existing storage building to remain
- 125 new parking spaces
- Drive-through access for emergency vehicles



Commissioner Hawkins made the motion to accept the Emergency Services Headquarters Schematic Design and direct staff to begin the project. The motion passed 4-1 with Commissioner Lapsley voting nay.

ASHEVILLE AIRPORT UPDATE

Lew Bleiweis, Airport Director at the Asheville Regional Airport, provided an update to the Board of Commissioners on the Asheville Airport.

CONSTRUCTION MANAGER AT RISK CONTRACT

John Mitchell stated the Board of Commissioners approved selection of Beverly Grant/Barnhill Construction as the Construction Manager at Risk for the Innovative High School project at their April 20th, 2016 meeting.

Following the construction manager at risk process, Beverly Grant/Barnhill is preparing to begin construction on the project. The contracts formalize the agreement between Henderson County and Beverly Grant/Barnhill Construction.

The construction manager at risk process includes a Guaranteed Maximum Price (GMP). The final GMP will be determined by two attachments to be added to the Construction Manager at Risk Contract. The final GMP will be a combination of bids accepted for steel (GMP-1) and total building (GMP-2).

Chad Roberson shared information on 5 bids received on GMP-1. The pricing came in at \$50,000 less than determined. The steel has been ordered and construction will begin in October. Escalation cost have been included.

Commissioner Edney continues to be in favor of a full size gym and field and felt with the cost savings they could be done.

Chad Roberson explained that the savings was less than \$100,000 and the full size gym and field would cost an additional \$1m and a loss of parking. School staff had informed Mr. Roberson that the field and gym would only be used for exercise.

Commissioner Hawkins made the motion that the Board of Commissioners accept the contracts with Beverly Grant Barnhill Construction. The motion passed 4-1 with Commissioner Edney voting nay.

REVISION OF SOLID WASTE ORDINANCES

County Attorney Burrell, at the direction of the Board, presented a draft of modifications of the Solid Waste ordinance to provide for “flow control”. Burrell noted to the Board that the consideration of these changes would be a “milepost”, but not necessarily the “goal line”, in moving toward long-term solutions of funding the County’s solid waste programs.

Burrell further reminded the Board that on October 5, 2015, the Board heard a lengthy presentation on the solid waste program, and its funding. At the end of that presentation and subsequent discussion, the Board directed Burrell to draft proposed revisions to the Solid Waste ordinance to require waste haulers in the unincorporated areas of the County to deliver the waste to the County’s solid waste transfer facility.

Under the draft amendments:

1. The ordinance does not apply to any “collector” of solid waste that does not operate in the unincorporated area of Henderson County.
2. Solid waste (not including materials to be recycled) generated in Henderson County may not be transported outside Henderson County except pursuant to an agreement with the County. This does not apply to materials intended to be recycled.
3. To be allowed to be a “collector” in the unincorporated area of Henderson County, a permit must be obtained. It is a condition of such permit that all waste collected in Henderson County, whether in the unincorporated areas or elsewhere, must not.

Burrell stated that he realized that the Board had received a great deal of information, including letters from attorneys representing Waste Management, Inc., asserting the “flow control” ordinances were illegal. Burrell briefly discussed the United States Supreme Court’s opinion in *United Haulers Association, Inc. v. Oneida-Herkimer Solid Waste Management Authority*, in which an ordinance very much like proposed was upheld as a method of funding a solid waste management program almost identical to the County’s.

Burrell recommended to the Board, both as a practical matter and to emphasize compliance with the process approved in the *United Haulers* decision, that the Board seek public comment regarding this proposal via a public hearing. Burrell also noted that since the time for any particular speaker in such a public hearing at a meeting of the Board would have to be limited, that it would be wise for the Board to seek written comments from parties wishing to make their opinions known to the Board.

Commissioner Lapsley stated that he wanted to go on record that in his opinion this activity, which the County has called an “enterprise fund”, was of a type that it could be competed with by private business. In his opinion, this proposed modification to the ordinance would create a monopoly, which he opposed.

Commissioner Edney made the motion that the Board set a public hearing on the proposed ordinance amendments for the Board’s meeting on August 17th at 9:00 a.m. Edney further noted, as a part of his motion, that written comments are requested prior to the public hearing. The motion passed 3-2 with Commissioners Messer and Lapsley voting nay.

DESIGNATION OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE

The North Carolina Association of County Commissioners (NCACC) has requested that the Board of Commissioners designate a Voting Delegate to the 109th Annual Conference of the North Carolina Association of County Commissioners to be held in Forsyth County, N.C., on August 11-14, 2016.

Chairman Thompson made the motion that the Board designate Commissioner Charlie Messer as Henderson County's voting delegate to the NCACC Annual Conference. All voted in favor and the motion carried.

REFUGEE RESETTLEMENT

Commissioner Hawkins has requested this item be included on the agenda for Board discussion.

Recent events both nationally and local suggest some discussion related to re-settlement of refugees in our community is necessary. At least two major questions need to be discussed:

- 1) What impact does refugee re-settlement have on county services?
- 2) How re-settlement is decided?

The County already has unmet needs in housing; homeless; student poverty, and other needs that should be addressed. We should also be familiar with the vetting process.

Commissioner Hawkins stated there is much concern across the country which could have bearing to our community. The following could be affected:

1. Schools – half of our children are already on free or reduced lunch.
2. Affordable housing is limited in our area.
3. Refugees receive all US benefits such as Social Services. Take care of our people first.
4. Homelessness in the US is already high – Charlotte has over 1000 homeless families. Michael Absher has stated we have 90 homeless in Henderson County alone.
5. Nine agencies deal with refugee resettlement process that begins at the United Nations.
6. Security – No Arab Countries accept refugees. 10,000 will come to the US.
7. 70% of refugees stay on welfare. They are provided funding for 3 months and then on their own.
8. They will destroy our culture. They have no plan to simulate our culture.
9. The Vetting Process take 3 years with an inefficiency of the Government to come up with a conclusion.

Commissioner Hawkins made the motion that the Board approves the Resolution Declaring the Henderson County Board of Commissioners' Opposition to the relocation of refugees from the US Refugee Settlement Program. All voted in favor and the motion carried.

The Resolution will be shared with the Governor, Federal and State elected officials, NCACC, NACo, The Department of Health and Human Services, and other Counties.

UPDATE ON PENDING ISSUES

Sales Tax Referendum

Commissioner Lapsley has requested this item be include on the agenda for Board discussion. Mr. Lapsley stated the 2016-2017 budget was approved in June with a .05 tax increase on \$100. The following New Recurring Budget Expenses were included:

New Recurring Budget Expenses

HC Public Schools	\$1,394,230
EMS - new Fletcher crew	\$388,576

Sherriff & Detention - Advanced Pay	\$262,578
EMS - Advanced Pay	\$222,108
Sheriff - General Salary Increase	\$145,860
Cooperative Extension - Salaries	\$60,577
Total	\$2,473,929
New Revenues (Property Tax)	\$6,596,326
(0.05 property tax increase)	
Surplus Revenue	\$4,122,401
(0.0321 property tax)	
Proposed Sales Tax Revenue Increase	\$2,500,000
0.0025 increase equals 0.0194 property tax	

Commissioner Lapsley stated that if the proposed Sales Tax Referendum in November is approved, the Commissioners should commit to reducing the tax rate next year by .03 per \$100.00.

County Manager Steve Wyatt reminded the Board that also included in the 2016-2017 Budget for new recurring budget expenses was the Sheriff's Training Center, with a debt service of \$1.28m. This item was not included in Commissioner Lapsley's numbers. The minutes of the June 6, 2016 meeting reflect that the Board earmarked \$1.28m annually for the Law Enforcement Training Facility. The numbers presented by Commissioner Lapsley had not been reviewed by staff.

Commissioner Lapsley made the motion that the Board commit to lowering the County property tax rate by at least \$.03 if the Sales Tax Referendum is approved by voters. The motion failed 2-3 with Commissions Messer, Thompson and Edney voting nay.

It was the consensus of the Board to bring this item back for discussion during the August 1st meeting.

Branch Library Extension Policy – pulled for discussion

The Branch Library Extension Policy provides guidance to the library system when determining levels of library service to residents of Henderson County. The original Branch Library Extension Policy was written in 1993 and amended to include the Mills River Library in 2007. Both statistics used and the level of service described in that policy are no longer applicable to our library system.

The Policy was recently rewritten and was approved by the Library Board of Trustees in June 2016. It is the feeling of the Board that this policy more accurately reflects the levels of service that both currently and in the future will be provided by the County and reflects the most recent Public Library Standards.

BRANCH LIBRARY EXTENSION POLICY

It is the policy of the Henderson County Public Library to provide library services to all residents of Henderson County.

Tier I: Main Library

The Tier I library is the Main Library located in Hendersonville, North Carolina. This facility is owned by the County of Henderson and provides a full range of services and programs to all who wish to use them.

Tier II: Branch Library

A Tier II library may be provided in communities eight or more miles distance from the Tier I library and from other Tier II libraries. The County may build, own, or enter into long term lease to acquire Tier II libraries located

within unincorporated areas of Henderson County. Expansion or addition of these facilities must be provided by the incorporated area in which they are located.

Tier III: Library Service Outlet

A Tier III library may be established in communities that are closer than eight miles to an established Tier I or Tier II library. The County will not build, own, or lease Tier III libraries. These facilities must be provided for and maintained by the incorporated area in which they are located.

Service Levels:

Service levels for Tier I and Tier II libraries will be determined in relation to their levels of use, community needs, the library's service goals, and budgetary constraints. The County will make effort to align with the current recommended Public Library Standards:

Staff:	.5 FTE/1,200 population of service area
Facility Size:	1.25 SF/capita
Print Collection:	2 items/capita

Tier III libraries, with approval of the Henderson County Board of Commissioners, may be provided furnishings, technology, and a print collection by the County in accordance with Public Library Standards. Should a Tier III library maintain an annual circulation level of 16,500 checkouts for two consecutive twelve month periods, the Library Board may be petitioned to recommend the provision of staffing by the Henderson County Board of Commissioners.

It is required that no library be open with less than two staff, paid or volunteer, in attendance.

Implementation of this policy and extension of new service outlets is subject to the approval of the Henderson County Board of Commissioners. The Board reserves the right to approve or disapprove such requests as they may impact county resources and service priorities.

Commissioner Messer and Hawkins noted the County can work with municipalities as needed.

Chairman Thompson stated that during the LGCCA meeting yesterday, it was evident that the Town of Fletcher believes it is the County's responsibility to build them a library. He shared NCGS 160-209 which stated that taxing authorities have the right to establish and maintain public libraries. Fletcher is a tax authority.

Commissioner Hawkins made the motion that the Board approves the rewritten Branch Library Extension Policy as amended during the meeting. All voted in favor and the motion carried.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)&(6), for the following reason(s):

1. (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. To consult with an attorney employed or retained by the public body in order to consider and give instructions to the attorney with respect to a claim.
2. (a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)&(6) for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

ADJOURN

Commissioner Hawkins made the motion to go out of closed session and adjourn at 12:55 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Thomas H. Thompson, Chairman

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

THOMAS THOMPSON
Chairman
CHARLIE MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY HAWKINS
WILLIAM LAPSLEY

RESOLUTION OF MEMORIAM

LARRY RAY YOUNG

March 19, 1941 – May 12, 2016

WHEREAS, former Henderson County Commissioner Larry R. Young served the citizens of Henderson County, and the residents of District 3 throughout his twelve years on the Board of Commissioners from 2002 through 2014; and

WHEREAS, Larry R. Young served as Vice-Chairman of the Henderson County Board of Commissioners from 2003 until 2004;

WHEREAS, during his service to Henderson County, Larry R. Young provided leadership on many boards and committees, including the Board of Health, Hendersonville City Zoning Board of Adjustment, Joint School Facilities, Land-of-Sky Regional Council, Library Board of Trustees, Solid Waste Advisory Committee and Travel and Tourism; and

WHEREAS, Larry R. Young helped build a county government that is fiscally sound and puts its citizens first; and

WHEREAS, Larry R. Young helped plant the seed and nurture many good ideas in education, business and industry in Henderson County, which are paying dividends now, and will continue to serve the citizens for decades to come, and

WHEREAS, Larry R. Young worked tirelessly to ensure cost-effective government, while helping Henderson County maintain a business-friendly environment; and

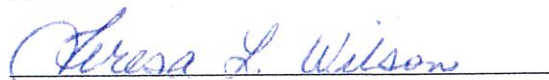
NOW, THEREFORE, BE IT RESOLVED that Larry R. Young will be remembered for his outstanding contributions to our community through his service on the Henderson County Board of Commissioners, and his commitment to the citizens of the county will be remembered and missed.

In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 20th day of July, 2016.


THOMAS THOMPSON, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD

Office of the Henderson County Tax Collector
200 North Grove Street, Suite 66 • Hendersonville, NC 28792-5027
Phone: (828)697-5595 | Fax: (828)698-6153 | www.hendersoncountync.org/ca

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

12 July 2016

RE: Tax Collector's Report to Commissioners: Meeting Date 20 July 2016

Please find outlined below collections information through 11 July 2016 for the 2015 real and personal property bills mailed out on 31 July 2015. As a point of reference, we also have included collections information as of the same date last year. Registered Motor Vehicles reported as billed and collected by the Department of Motor Vehicles through 11 July 2016.

Henderson County Annual Bills G01 Only:

2015 Beginning Charge:	\$62,796,326.68	2014 Beginning Charge:	\$59,733,471.88
Discoveries & Imm. Irreg.:	\$214,595.95	Discoveries & Imm. Irreg.:	\$168,318.38
Releases & Refunds:	(\$377,665.61)	Releases & Refunds:	(\$346,116.25)
Net Charge:	\$62,633,257.02	Net Charge:	\$59,555,674.01
Unpaid Taxes:	\$915,982.57	Unpaid Taxes:	\$998,898.58
Amount Collected:	\$61,717,274.45	Amount Collected:	\$58,556,775.43
Percentage Collected:	98.54%	Percentage Collected:	98.32%
Through: 11-Jul-2016		Through: 11-Jul-2015	

Henderson County Only Registered Motor Vehicles

Regstr. Month	# Veh. Regstrd.	Gross Value Upon Reg.	Regstr. Month	# Veh. Regstrd.	Gross Value	Gross Levy	Net Levy Collection	Percent Collected
July '15	9888	\$ 86,255,648	July '15	10352	\$ 88,681,443	\$ 457,199.72	\$ 455,383.93	99.60%
Aug '15	9784	\$ 82,397,348	Aug '15	10139	\$ 91,218,589	\$ 469,609.15	\$ 468,629.50	99.79%
Sept '15	9559	\$ 81,357,984	Sept '15	9404	\$ 79,908,385	\$ 412,338.61	\$ 410,717.92	99.61%
Oct '15	9312	\$ 77,527,270	Oct '15	10478	\$ 91,778,510	\$ 472,752.69	\$ 469,823.23	99.38%
Nov '15	7855	\$ 68,074,597	Nov '15	6934	\$ 61,054,680	\$ 315,688.16	\$ 314,019.44	99.47%
Dec '15	8169	\$ 71,274,565	Dec '15	7867	\$ 71,400,967	\$ 368,323.28	\$ 365,624.34	99.27%
Jan '16	7843	\$ 71,771,241	Jan '16	7163	\$ 68,186,489	\$ 351,434.02	\$ 350,378.02	99.70%
Feb '16	7118	\$ 61,857,243	Feb '16	8821	\$ 80,811,536	\$ 416,482.99	\$ 414,980.17	99.64%
Mar '16	10852	\$ 89,862,021	Mar '16	11089	\$ 94,672,054	\$ 488,534.00	\$ 486,288.34	99.54%
Apr '16	10182	\$ 84,564,218	Apr '16	10453	\$ 89,394,360	\$ 460,797.90	\$ 459,045.63	99.62%
May '16	10377	\$ 85,526,118	May '16	10262	\$ 90,576,412	\$ 467,026.73	\$ 464,798.53	99.52%
June '16	9599	\$ 81,998,908	June '16	10766	\$ 97,997,640	\$ 505,395.29	\$ 503,037.38	99.53%
TOTALS:	110538	\$ 942,467,161	TOTALS:	113728	\$ 1,005,681,065	\$ 5,185,582.54	\$ 5,162,726.43	99.56%

Note: Final results for the 2015-16FY will not be confirmed until mid-July 2016.

Note: Projections rendered for budgetary purposes prior to adoption of the 2015-16FY Budget.

Fire Districts' Annual Bills Only:

2015 Beginning Charge:	\$8,048,205.37	2014 Beginning Charge:	\$6,647,689.05
Discoveries & Imm. Irreg.:	\$18,633.44	Discoveries & Imm. Irreg.:	\$15,518.19
Releases & Refunds:	(\$70,930.00)	Releases & Refunds:	(\$46,510.88)
Net Charge:	\$7,995,908.81	Net Charge:	\$6,616,696.36
Unpaid Taxes:	\$144,941.26	Unpaid Taxes:	\$136,387.74
Amount Collected:	\$7,850,967.55	Amount Collected:	\$6,480,308.62
Percentage Collected:	98.19%	Percentage Collected:	97.94%
Through: 11-Jul-2016		Through: 11-Jul-2015	

Respectfully Submitted,



Luke Small
 Deputy Tax Collector

Darlene Burgess
 Interim Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
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Chairman
CHARLES D. MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY H. HAWKINS
WILLIAM G. LAPSLEY

July 20, 2016

Darlene Burgess, Interim 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 \$20,303.83, and tax refund requests in the amount of \$13,518.18, reviewed at the Henderson County Board of Commissioners' Meeting on Wednesday, July 20, 2016. All releases and refunds were approved.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County Board of Commissioners

THT/tlw

enclosures

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: July 20, 2016
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 Interim Assessor and as a result of that review, it is the opinion of the Interim 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	\$ 20,303.83
Total Refunds as a Result of the Above Releases	\$ 13,518.18

Faithfully Submitted,



Darlene Burgess
Interim Assessor

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, July 06, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
BALLARD, JOHN DAVID JR	0003042373-2013-2013-0000	COLLECTION RESEARCH: DOUBLE BILLED. THIS PERSONAL PROPERTY MANUFACTURED HOME IS ON AS REAL PROPERTY FOR 2013 ON PARCEL 1011901.	(\$23,800) (\$2,536,700)	3389	CLOWBARDO	643 BELL MOUNTAIN RD ZIRCONIA NC 28790	COUNTY	TAX	\$122.24	\$122.24	\$122.24	\$122.24
							COUNTY	LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							GREEN RIVER FIRE	TOTAL:	\$16.66	\$16.66	\$16.66	\$16.66
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
BLUE RIDGE MALL LLC	0000232913-2015-2015-0000	OWNER TOTAL: AS PER 2015 PTC APPEAL, VALUE REDUCED FROM \$11,186,700 TO \$8,650,000 FOR 2015.	(\$23,800) (\$2,536,700)	3380	MSLUTTON	1800 FOUR SEASONS BLVD HENDERSONVILLE NC	COUNTY	TAX	\$57,454.89	\$57,454.89	\$138.90	\$138.90
							COUNTY	LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$16.66	\$16.66	\$16.66	\$16.66
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
EPLEY, CHRIS	00002858502-2015-2015-0000	OWNER TOTAL: AS PER 2015 PTC APPEAL, VALUE REDUCED FROM \$168,300 TO \$100,000 FOR 2015.	(\$68,300)	3381	MSLUTTON	0 NO ADDRESS ASSIGNED HENDERSONVILLE NC	COUNTY	TAX	\$864.39	\$864.39	\$350.79	\$350.79
							COUNTY	LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$19.19	\$19.19	\$19.19	\$19.19
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
	0000480643-2006-2006-0000	OWNER TOTAL: COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$2,605,000) (\$20,200)	3391	CLOWBARDO	HENDERSON COUNTY NC	COUNTY	TAX	\$114.13	\$114.13	\$114.13	\$114.13
							COUNTY	LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							FLETCHER FIRE TAX	TOTAL:	\$19.19	\$19.19	\$19.19	\$19.19
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
	0000480643-2007-2007-0000	COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$19,200)	3392	CLOWBARDO	HENDERSON COUNTY NC	COUNTY	TAX	\$88.70	\$88.70	\$88.70	\$88.70
							COUNTY	LATE LIST FEE	\$8.87	\$8.87	\$8.87	\$8.87
							FLETCHER FIRE TAX	TOTAL:	\$18.24	\$18.24	\$18.24	\$18.24
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
	0000480643-2008-2008-0000	COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$19,200)	3393	CLOWBARDO	HENDERSON COUNTY NC	COUNTY	TAX	\$88.70	\$88.70	\$88.70	\$88.70
							COUNTY	LATE LIST FEE	\$8.87	\$8.87	\$8.87	\$8.87
							FLETCHER FIRE TAX	TOTAL:	\$18.24	\$18.24	\$18.24	\$18.24
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
	0000480643-2009-2009-0000	COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$19,200)	3394	CLOWBARDO	HENDERSON COUNTY NC	COUNTY	TAX	\$88.70	\$88.70	\$88.70	\$88.70
							COUNTY	LATE LIST FEE	\$8.87	\$8.87	\$8.87	\$8.87
							FLETCHER FIRE TAX	TOTAL:	\$18.24	\$18.24	\$18.24	\$18.24
								TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00

NCPTS Pending Release/Refund Report. Wednesday, July 06, 2016*

OWNER TOTAL:													\$0.00					
OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND						
0000480643-2010-2010-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$18,200)	3395	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$84.08	\$0.00	\$84.08	\$0.00						
							LATE LIST FEE		\$8.41	\$0.00	\$0.00	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$17.29	\$0.00	\$17.29	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.73	\$0.00	\$1.73	\$0.00						
0000480643-2011-2011-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$17,700)	3396	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$90.91	\$0.00	\$90.91	\$0.00						
							LATE LIST FEE		\$9.09	\$0.00	\$9.09	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$17.70	\$0.00	\$17.70	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.77	\$0.00	\$1.77	\$0.00						
0000480643-2012-2012-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$17,700)	3397	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$90.91	\$0.00	\$90.91	\$0.00						
							LATE LIST FEE		\$9.09	\$0.00	\$9.09	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$17.70	\$0.00	\$17.70	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.77	\$0.00	\$1.77	\$0.00						
0000480643-2013-2013-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$17,200)	3398	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$88.34	\$0.00	\$88.34	\$0.00						
							LATE LIST FEE		\$8.83	\$0.00	\$8.83	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$17.20	\$0.00	\$17.20	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.72	\$0.00	\$1.72	\$0.00						
0000480643-2014-2014-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$17,200)	3399	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$88.34	\$0.00	\$88.34	\$0.00						
							LATE LIST FEE		\$8.83	\$0.00	\$8.83	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$17.20	\$0.00	\$17.20	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.72	\$0.00	\$1.72	\$0.00						
0000480643-2015-2015-0000		COLLECTION RESEARCH: RELEASE BILLS ON MANUFACTURED HOME FOR YEARS 2006 - 2015. MANUFACTURED HOME SOLD AND MOVED TO BUNCOMBE COUNTY. CALLED BUNCOMBE AND VERIFIED THEY ARE BILLING THIS AS REAL PROPERTY.	(\$17,200)	3400	CLOMBARDO	HENDERSON COUNTY NC	TAX		\$88.34	\$0.00	\$88.34	\$0.00						
							LATE LIST FEE		\$8.83	\$0.00	\$8.83	\$0.00						
							TOTAL:											
							FLETCHER FIRE TAX		\$19.78	\$0.00	\$19.78	\$0.00						
		LATE LIST FEE	TOTAL:						\$1.98	\$0.00	\$1.98	\$0.00						
OWNER TOTAL:											\$1,201.10							

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, July 06, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
GASPERSON, ASHLEY BROOKE	0002983933-2015-2015-0000	BOAT SOLD, REGISTRATION TRANSFERRED 3/5/2014. DOCUMENTATION ON FILE.	(\$4,775)	3406	KATHYS	40 ENCHANTED HILLS WAY HENDERSONVILLE NC 28791	COUNTY	TAX	\$24.52	\$0.00	\$24.52	\$0.00
								LATE LIST FEE	\$2.45	\$0.00	\$2.45	\$0.00
								TOTAL:	\$26.97	\$0.00	\$26.97	\$0.00
								TAX	\$5.01	\$0.00	\$5.01	\$0.00
GODMAN, BRANDON FORREST LEE	0003081120-2014-2014-0000	2007 TRACKER MARINE WAS SOLD ON 9/23/2013. TITLE TRANSFER ON FILE.	(\$4,775) (\$5,130)	3386	PNOVOTNY	413 LOW GAP RD HENDERSONVILLE NC 28792	COUNTY	TAX	\$26.35	\$0.00	\$26.35	\$0.00
								LATE LIST FEE	\$2.63	\$0.00	\$2.63	\$0.00
								TOTAL:	\$28.98	\$0.00	\$28.98	\$0.00
								TAX	\$4.87	\$0.00	\$4.87	\$0.00
	0003081120-2015-2015-0000	2007 TRACKER MARINE WAS SOLD ON 9/23/2013. TITLE TRANSFER ON FILE.	(\$4,875)	3388	PNOVOTNY	413 LOW GAP RD HENDERSONVILLE NC 28792	COUNTY	TAX	\$25.04	\$0.00	\$25.04	\$0.00
								LATE LIST FEE	\$2.50	\$0.00	\$2.50	\$0.00
								TOTAL:	\$27.54	\$0.00	\$27.54	\$0.00
								TAX	\$5.12	\$0.00	\$5.12	\$0.00
HEWLETT PACKARD FINANCIAL SVS CORP.	0002667347-2016-2015-0000	PARTIAL REBATE. WHEN DISCOVERY BILL CREATED FOR 2014 ACQUISITION ONLY, FAILED TO REMOVE PRIOR YR ASSESTS 2013 & 2012 WHICH HAD BEEN BILLED IN REGULAR BILLING CYCLE.	(\$10,005) (\$5,444)	3405	ESWOPE	99 UNDERWOOD RD	COUNTY	TAX	\$95.93	\$0.00	\$95.93	\$0.00
								LATE LIST FEE	\$19.19	\$0.00	\$19.19	\$0.00
								TOTAL:	\$33.55	\$0.00	\$33.55	\$0.00
								TOTAL:	\$67.51	\$0.00	\$67.51	\$0.00
NETZSCH PUMPS NORTH AMERICA LLC	0002992806-2012-2012-0000	NO LONGER HAS LEASED EQUIPMENT TO KYOCERA INDUSTRIAL CERAMICS (141310).	(\$5,444) (\$187,000)	3404	JKITCHEN	HENDERSON COUNTY NC	COUNTY	TAX	\$960.43	\$0.00	\$960.43	\$0.00
								LATE LIST FEE	\$96.04	\$0.00	\$96.04	\$0.00
								TOTAL:	\$1,056.47	\$0.00	\$1,056.47	\$0.00
								TAX	\$196.35	\$0.00	\$196.35	\$0.00
	0002992806-2013-2013-0000	NO LONGER HAS LEASED EQUIPMENT TO KYOCERA INDUSTRIAL CERAMICS (141310).	(\$187,000)	3403	JKITCHEN	HENDERSON COUNTY NC	COUNTY	TAX	\$19.64	\$0.00	\$19.64	\$0.00
								LATE LIST FEE	\$215.99	\$0.00	\$215.99	\$0.00
								TOTAL:	\$1,272.46	\$0.00	\$1,272.46	\$0.00
								TOTAL:	\$960.43	\$0.00	\$960.43	\$0.00
	0002992806-2013-2013-0000	NO LONGER HAS LEASED EQUIPMENT TO KYOCERA INDUSTRIAL CERAMICS (141310).	(\$187,000)	3403	JKITCHEN	HENDERSON COUNTY NC	COUNTY	TAX	\$96.04	\$0.00	\$96.04	\$0.00
								LATE LIST FEE	\$196.35	\$0.00	\$196.35	\$0.00
								TOTAL:	\$1,056.47	\$0.00	\$1,056.47	\$0.00
								TAX	\$19.64	\$0.00	\$19.64	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, July 06, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
REDDEN, RUSSELL	0002992806-2014-2014-0000	NO LONGER HAS LEASED EQUIPMENT TO KYOCERA INDUSTRIAL CERAMICS (141310).	(\$187,000)	3402	JKITCHEN	HENDERSON COUNTY NC	COUNTY	TAX	\$960.43	\$0.00	\$960.43	\$0.00
								LATE LIST FEE	\$96.04	\$0.00	\$96.04	\$0.00
								TOTAL:			\$1,056.47	\$0.00
								TAX	\$196.35	\$0.00	\$196.35	\$0.00
								LATE LIST FEE	\$19.64	\$0.00	\$19.64	\$0.00
								TOTAL:			\$215.99	\$0.00
								ABSTRACT TOTAL:	\$1,272.46			\$0.00
								TAX	\$960.43	\$0.00	\$960.43	\$0.00
								LATE LIST FEE	\$96.04	\$0.00	\$96.04	\$0.00
								TOTAL:			\$1,056.47	\$0.00
								TAX	\$224.40	\$0.00	\$224.40	\$0.00
								LATE LIST FEE	\$22.44	\$0.00	\$22.44	\$0.00
								TOTAL:			\$246.84	\$0.00
								ABSTRACT TOTAL:	\$1,303.31			\$0.00
								TOTAL:			\$5,120.69	\$0.00
			COLLECTION RESEARCH: RELEASE BILLS 2008, 2009 AND 2010 ON MANUFACTURED HOME. MANUFACTURED HOME SOLD AND MOVED IN 2007. SOLD TO OLAN MCKEE AND MOVED FROM SHADOW LAKE MHP TO SUGAR KNOLL MHP	(\$748,000)	3382	CLOMBARDO	39 HELEN LN HENDERSONVILLE NC 28792	COUNTY	TAX	\$85.93	\$0.00	\$85.93
LATE LIST FEE									\$8.59	\$0.00	\$8.59	\$0.00
TOTAL:											\$94.52	\$0.00
TAX									\$15.81	\$0.00	\$15.81	\$0.00
								LATE LIST FEE	\$1.58	\$0.00	\$1.58	\$0.00
								TOTAL:			\$17.39	\$0.00
								ABSTRACT TOTAL:	\$111.91			\$0.00
								TOTAL:			\$85.93	\$0.00
								LATE LIST FEE	\$8.59	\$0.00	\$8.59	\$0.00
								TOTAL:			\$94.52	\$0.00
								TAX	\$15.81	\$0.00	\$15.81	\$0.00
								LATE LIST FEE	\$1.58	\$0.00	\$1.58	\$0.00
								TOTAL:			\$17.39	\$0.00
								ABSTRACT TOTAL:	\$111.91			\$0.00
								TOTAL:			\$81.77	\$0.00
								LATE LIST FEE	\$8.18	\$0.00	\$8.18	\$0.00
							TOTAL:			\$89.95	\$0.00	
							TAX	\$15.05	\$0.00	\$15.05	\$0.00	
							LATE LIST FEE	\$1.50	\$0.00	\$1.50	\$0.00	
							TOTAL:			\$16.55	\$0.00	
							ABSTRACT TOTAL:	\$106.50			\$0.00	
							TOTAL:			\$330.32	\$0.00	
										\$20,303.83	\$13,518.18	

*Adjustments submitted for approval on or before

STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF HENDERSON

THIS LEASE AGREEMENT made and entered into this the 20th day of July, 2016, by and between FLETCHER FIRE AND RESCUE DEPARTMENT, INC. (hereinafter referred to as "LANDLORD") and COUNTY OF HENDERSON, a body politic and corporate of the State of North Carolina (hereinafter referred to as "TENANT");

W I T N E S S E T H:

WHEREAS, LANDLORD operates its Station 1 at 49 East Fanning Bridge Road in Fletcher, North Carolina ("Station 1"); and

WHEREAS, for the mutual benefit of the citizens of Henderson County and the Town of Fletcher, LANDLORD has agreed to Lease to TENANT and TENANT has agreed to Lease from LANDLORD certain space within Station 1 as more particularly described in Exhibit A which is attached hereto and incorporated herein by reference (all of the property described herein to be leased by Tenant hereinafter collectively referred to as the "Demised Premises"); and

WHEREAS, LANDLORD has agreed to lease to TENANT and TENANT has agreed to lease from LANDLORD the Demised Premises on the terms and conditions hereinafter described.

NOW, THEREFORE, in consideration of the premises and of the provision of emergency medical services by the TENANT from the Demised Premises, and in further consideration of the sum of One Dollar (\$1.00) per year in any extension years of this Lease, and the mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, LANDLORD and TENANT agree as follows:

1) Demise of Premises and Use. LANDLORD leases to TENANT and TENANT hereby leases from LANDLORD the Demised Premises. TENANT shall use the Demised Premises to house an emergency medical service substation for Henderson County Emergency Medical Services and such related services as the TENANT may deem fit and proper (of a similar scope and nature as done in the TENANT's other emergency medical service substations), on a schedule set by the TENANT in its sole discretion.

2) Commencement and Term. The term of this Lease Agreement is for a period of twelve (12) months, commencing on July 20th, 2016, and expiring on July 20th, 2017. Thereafter, the Lease shall automatically renew for successive one (1) year terms until such time as one party gives the other party six (6) months advance written notice of termination. The consideration for the one (1) year extensions shall be One Dollar (\$1.00) per year and the mutual covenants and conditions contained herein.

3) Utilities. During the term of this Lease, or any extension thereof, LANDLORD shall provide all electricity, heat, ventilating, air conditioning, janitor services, if any, garbage disposal and any and all other utilities or services required by LANDLORD in the use of the Demised Premises.

4) TENANT Duties. TENANT shall during the term of this lease: provide insurance (liability and workers compensation) for its employees stationed at Station 1 in the same amounts and

Exhibit A

The Demised Premises will consist of the following, located within the "Station 1" facility of Fletcher Fire and Rescue, Inc. located at 49 East Fanning Bridge Road, in the Town of Fletcher, Henderson County, North Carolina:

- A vehicle bay sufficient in size to house one Advanced Life Support transport unit ("the unit"), including all electrical service needed by the unit, giving reasonable access for ingress and egress from the Station 1 facility to allow for customary emergency response by the unit and its crew.
- A designated space for medical and supply cabinets reasonably convenient to the location of the transport unit.
- Living quarters for the crew of the unit, including but not limited to a reasonably sized dayroom with line access for telephone and cable television service, bath/shower room, and space for staff lockers.
- Designated office space/work area for the crew of the unit with access to such area controlled by the crew of the unit, of a size and with electric power sufficient to house and power the following: a desk top computer, a multi-function copier/printer/scanner (to be located within USB cable distance from the computer), unrestricted and unmonitored internet access, a telephone line, and reasonable quantities of office supplies.
- Installation by the TENANT of an alert radio system connecting with the existing alert speaker system in Station 1.
- Reasonable access to kitchen and laundry facilities already existing within Station 1.

TENANT will be responsible for:


- Alert radio system installation and maintenance, and connection of the radio system with the existing alert speaker system in Station 1..
- Reasonable living area furnishings.
- All office equipment and supplies to be located within the designated and TENANT-controlled office space for the TENANT.
- Medical and supply cabinet/lockers to be installed hereunder.
- Reasonable cleaning supplies and household items used by TENANT.

(liability and workers compensation) for its employees stationed at Station 1 in the same amounts and on the same terms as for all employees of TENANT; obtain LANDLORD approval of any building changes; abide by all LANDLORD policies regarding behavior and living arrangements of persons housed in Station 1; maintain the designated EMS spaces in a clean and organized condition.

5) Mutual Undertaking: LANDLORD and TENANT both undertake to provide excellent customer service to the community at all times pursuant to their respective missions and roles, and to show mutual respect to one another in those missions and roles.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals on the day and year first above written.

LANDLORD:
FLETCHER FIRE AND RESCUE, INC.

BY: , President

ATTEST:

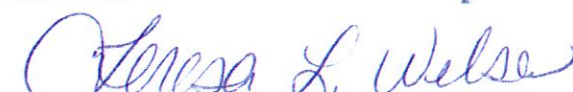

SECRETARY, Secretary

(CORPORATE SEAL)

TENANT:
COUNTY OF HENDERSON

BY: 
THOMAS H. THOMPSON, Chairman
Henderson County Board of Commissioners

ATTEST:


TERESA WILSON, Clerk to the Board

(OFFICIAL SEAL)

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

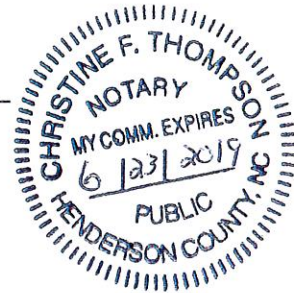
I, Christine F. Thompson, Notary Public for said State and County certify that William M Wilson Jr came before me this day and acknowledged that s/he is the Secretary of Fletcher Fire and Rescue, Inc., and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

THIS the 28 day of June, 2016.

Christine F. Thompson
Notary Public

My Commission Expires: 06/23/19

[NOTARIAL SEAL]



STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

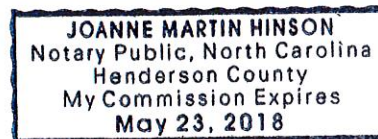
I, JoAnne Martin Hinson, Notary Public for said State and County certify that Teresa Wilson came before me this day and acknowledged that she is the Clerk to the Henderson County Board of Commissioners and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by its Chairman, sealed with its official seal, and attested by herself as the Clerk to the Board.

THIS the 20th day of July, 2016.

JoAnne Martin Hinson
Notary Public

My Commission Expires: May 23, 2018

[NOTARIAL SEAL]



EXTRACTS FROM MINUTES OF BOARD OF COMMISSIONERS

On July 20, 2016, the Board of Commissioners (the "*Board*") of the County of Henderson, North Carolina (the "*County*") held a regular meeting in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. The following Commissioners were:

Present: Chairman Tommy Thompson, Vice-Chairman Charlie Messer, Commissioner Mike Edney, Commissioners William Lapsley, Commissioner Grady Hawkins

Absent: None

The Chairman of the Board introduced the following bond order, the title of which was read and copies of which had been previously distributed to the Board:

BOND ORDER AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF HENDERSON, NORTH CAROLINA OF NOT TO EXCEED \$17,000,000 HOSPITAL REVENUE BONDS (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT), SERIES 2016 OF THE COUNTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

BE IT ORDERED by the Board of Commissioners (the "*Board*") of the County of Henderson, North Carolina (the "*County*"):

Section 1. The Board does hereby find and determine as follows:

(a) The filing of an application with the North Carolina Local Government Commission (the "*Commission*") requesting approval of the issuance of its \$17,000,000 County of Henderson, North Carolina Hospital Revenue Bonds (Margaret R. Pardee Memorial Hospital Project), Series 2016 (the "*2016 Bonds*"), in one or more series, for the purpose of providing funds relating to the financing by the Margaret R. Pardee Hospital and Henderson County Hospital Corporation of capital expenditures in connection with (1) various parking improvements for the Hospital's Comprehensive Cancer Center, (2) the acquisition of a 30% ownership interest in the limited liability company that owns the Phase 3 Facility located on the Mission Pardee Health Campus, (3) the upfitting and equipping of the Hospital's Comprehensive Cancer Center, (4) the acquisition of land and improvements thereto to accommodate construction of a strategic ambulatory clinic and (5) various improvements to the Hospital's ambulatory services (collectively, the "*Projects*"), all for use by the Hospital.

(b) The County, by resolution, also requested the Commission to sell the 2016 Bonds at private sale without advertisement.

(c) The Commission has been requested to approve the application of the County for the issuance of the 2016 Bonds in an aggregate principal amount not to exceed \$17,000,000 in accordance with N.C.G.S. 159-86.

(d) The County has determined to issue the 2016 Bonds in an aggregate principal amount not to exceed \$17,000,000 for the purpose of providing funds, together with other available funds, to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Projects and (2) pay the costs of issuing the 2016 Bonds.

(e) The County proposes to sell the 2016 Bonds to First-Citizens Bank & Trust Company (the "*Purchaser*").

(f) There have been presented to the County at this meeting copies of the following documents relating to the issuance and sale of the 2016 Bonds:

(1) Master Trust Indenture dated as of September 1, 2001 (the "*Master Indenture*") between the County and First-Citizens Bank & Trust Company, the successor to which is U.S. Bank National Association, as trustee (the "*Trustee*"); and

(2) A draft of the Sixth Supplemental Trust Indenture to be dated as of July 1, 2016 between the County and the Trustee (the "*Sixth Supplemental Indenture*").

(g) The County has determined that the issuance and sale of the 2016 Bonds in the manner provided in this Bond Order is in the best interests of the County.

Section 2. Capitalized words and terms used in this Bond Order and not defined herein have the same meanings given such words and terms in the Master Indenture and the Sixth Supplemental Indenture.

Section 3. Pursuant to the provisions of The State and Local Government Revenue Bond Act, as amended (the "*Act*"), particularly N.C.G.S. 159-88, the County hereby authorizes the issuance of the 2016 Bonds in an aggregate principal amount not to exceed \$17,000,000. The 2016 Bonds will be issued as a fixed-rate, fully registered bonds maturing in annual installments at such times and in such amounts as set forth in the Sixth Supplemental Indenture, subject to the provisions of this Bond Order and the Master Indenture.

Section 4. The 2016 Bonds are subject to optional redemption at the times, on the terms and conditions, and at the prices as set forth in the Sixth Supplemental Indenture.

Section 5. The proceeds of the 2016 Bonds will be applied as provided in the Sixth Supplemental Indenture.

Section 6. The 2016 Bonds, together with any additional Bonds hereafter issued under the Master Indenture, are secured on a parity basis by a pledge, charge and lien on the Net Revenues of the Hospital System to the extent set forth in the Master Indenture. The 2016 Bonds are additionally secured by a pledge, charge and lien on the funds in the Bond Fund to the extent set forth in the Sixth Supplemental Indenture.

Section 7. The form, terms and conditions of the Sixth Supplemental Indenture are hereby approved, and the Chairman and Vice Chairman of the Board are hereby authorized to execute and directed to deliver, or cause to be delivered, the Sixth Supplemental Indenture together with such changes, additions and deletions as the Chairman and Vice Chairman of the Board, with the advice of counsel, may deem necessary and appropriate, including, without limitation, changes, additions and deletions necessary to incorporate the final terms of the 2016 Bonds as set forth in the Sixth Supplemental Indenture, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof and the Clerk or the Deputy Clerk are hereby authorized to attest to the same.

Section 8. The Chairman and Vice Chairman of the Board and the County Manager and the Finance Director of the County, or any of them or their deputies, are authorized and directed without

limitation except as may be expressly set forth in this Bond Order to take such action and to execute and deliver such certificates, agreements, instruments, opinions or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this Bond Order, the Master Indenture and the Sixth Supplemental Indenture.

The officers of the County and the agents and employees of the County are hereby authorized and directed to do all acts and things required of them by the provisions of this Bond Order, the 2016 Bonds, the Master Indenture and the Sixth Supplemental Indenture for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 9. The issuance and private sale without advertisement of the 2016 Bonds are hereby approved, subject to the terms and conditions set forth in this Bond Order.

Section 10. This Bond Order is effective immediately on its passage.

On motion of Commissioner Grady Hawkins, ~~seconded by Commissioner~~, the foregoing Bond Order entitled "BOND ORDER AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF HENDERSON, NORTH CAROLINA OF NOT TO EXCEED \$17,000,000 HOSPITAL REVENUE BONDS (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT), SERIES 2016 OF THE COUNTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH" was passed by the following vote:

AYES: ALL

NAYS: NONE

ABSTAIN: NONE

Adopted this the 20th day of July, 2016.

HENDERSON COUNTY BOARD OF COMMISSIONERS

[SEAL]

By:

Thomas D. Thompson
Chairman

ATTESTED BY:

Heaven L. Wilson

Clerk to the Board

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

LEASE AGREEMENT

THIS LEASE AGREEMENT made and entered into this the 20th day of July, 2016, by and between FLETCHER FIRE AND RESCUE DEPARTMENT, INC. (hereinafter referred to as "LANDLORD") and COUNTY OF HENDERSON, a body politic and corporate of the State of North Carolina (hereinafter referred to as "TENANT");

WITNESSETH:

WHEREAS, LANDLORD operates its Station 1 at 49 East Fanning Bridge Road in Fletcher, North Carolina ("Station 1"); and

WHEREAS, for the mutual benefit of the citizens of Henderson County and the Town of Fletcher, LANDLORD has agreed to Lease to TENANT and TENANT has agreed to Lease from LANDLORD certain space within Station 1 as more particularly described in Exhibit A which is attached hereto and incorporated herein by reference (all of the property described herein to be leased by Tenant hereinafter collectively referred to as the "Demised Premises"); and

WHEREAS, LANDLORD has agreed to lease to TENANT and TENANT has agreed to lease from LANDLORD the Demised Premises on the terms and conditions hereinafter described.

NOW, THEREFORE, in consideration of the premises and of the provision of emergency medical services by the TENANT from the Demised Premises, and in further consideration of the sum of One Dollar (\$1.00) per year in any extension years of this Lease, and the mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, LANDLORD and TENANT agree as follows:

- 1) Demise of Premises and Use. LANDLORD leases to TENANT and TENANT hereby leases from LANDLORD the Demised Premises. TENANT shall use the Demised Premises to house an emergency medical service substation for Henderson County Emergency Medical Services and such related services as the TENANT may deem fit and proper (of a similar scope and nature as done in the TENANT's other emergency medical service substations), on a schedule set by the TENANT in its sole discretion.
- 2) Commencement and Term. The term of this Lease Agreement is for a period of twelve (12) months, commencing on July 20th, 2016, and expiring on July 20th, 2017. Thereafter, the Lease shall automatically renew for successive one (1) year terms until such time as one party gives the other party six (6) months advance written notice of termination. The consideration for the one (1) year extensions shall be One Dollar (\$1.00) per year and the mutual covenants and conditions contained herein.
- 3) Utilities. During the term of this Lease, or any extension thereof, LANDLORD shall provide all electricity, heat, ventilating, air conditioning, janitor services, if any, garbage disposal and any and all other utilities or services required by LANDLORD in the use of the Demised Premises.
- 4) TENANT Duties. TENANT shall during the term of this lease: provide insurance (liability and workers compensation) for its employees stationed at Station 1 in the same amounts and

Exhibit A

The Demised Premises will consist of the following, located within the "Station 1" facility of Fletcher Fire and Rescue, Inc. located at 49 East Fanning Bridge Road, in the Town of Fletcher, Henderson County, North Carolina:

- A vehicle bay sufficient in size to house one Advanced Life Support transport unit ("the unit"), including all electrical service needed by the unit, giving reasonable access for ingress and egress from the Station 1 facility to allow for customary emergency response by the unit and its crew.
- A designated space for medical and supply cabinets reasonably convenient to the location of the transport unit.
- Living quarters for the crew of the unit, including but not limited to a reasonably sized dayroom with line access for telephone and cable television service, bath/shower room, and space for staff lockers.
- Designated office space/work area for the crew of the unit with access to such area controlled by the crew of the unit, of a size and with electric power sufficient to house and power the following: a desk top computer, a multi-function copier/printer/scanner (to be located within USB cable distance from the computer), unrestricted and unmonitored internet access, a telephone line, and reasonable quantities of office supplies.
- Installation by the TENANT of an alert radio system connecting with the existing alert speaker system in Station 1.
- Reasonable access to kitchen and laundry facilities already existing within Station 1.

TENANT will be responsible for:

- Alert radio system installation and maintenance, and connection of the radio system with the existing alert speaker system in Station 1..
- Reasonable living area furnishings.
- All office equipment and supplies to be located within the designated and TENANT-controlled office space for the TENANT.
- Medical and supply cabinet/lockers to be installed hereunder.
- Reasonable cleaning supplies and household items used by TENANT.

(liability and workers compensation) for its employees stationed at Station 1 in the same amounts and on the same terms as for all employees of TENANT; obtain LANDLORD approval of any building changes; abide by all LANDLORD policies regarding behavior and living arrangements of persons housed in Station 1; maintain the designated EMS spaces in a clean and organized condition.

5) Mutual Undertaking: LANDLORD and TENANT both undertake to provide excellent customer service to the community at all times pursuant to their respective missions and roles, and to show mutual respect to one another in those missions and roles.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals on the day and year first above written.

LANDLORD:
FLETCHER FIRE AND RESCUE, INC.

BY: W. J. [Signature]
President, President

ATTEST:

James R. Field
Secretary, Secretary

(CORPORATE SEAL)

TENANT:
COUNTY OF HENDERSON

BY: _____
THOMAS H. THOMPSON, Chairman
Henderson County Board of Commissioners

ATTEST:

TERESA WILSON, Clerk to the Board

(OFFICIAL SEAL)

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

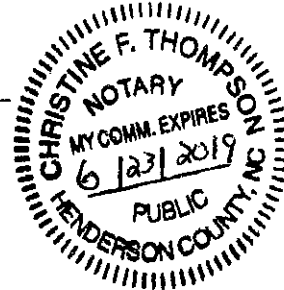
I, Christine F. Thompson, Notary Public for said State and County certify that William M Wilson Jr came before me this day and acknowledged that s/he is the Secretary of Fletcher Fire and Rescue, Inc., and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

THIS the 28 day of June, 2016.

Ch F Thompson
Notary Public

My Commission Expires: 06/23/19

[NOTARIAL SEAL]



STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, Notary Public for said State and County certify that Teresa Wilson came before me this day and acknowledged that she is the Clerk to the Henderson County Board of Commissioners and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by its Chairman, sealed with its official seal, and attested by herself as the Clerk to the Board.

THIS the _____ day of _____, 2016.

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

State of North Carolina
County of Wake

**Department of Natural and Cultural Resources
State Library of North Carolina
NC Cardinal Memorandum of Agreement
Contract Number 2237**

This Agreement is hereby made between the North Carolina Department of Natural and Cultural Resources, State Library of North Carolina, 109 East Jones Street, Raleigh, NC (hereinafter referred to as "Department") and the Henderson County Public Library, 301 N. Washington Street, Hendersonville, NC 28739 (hereinafter referred to as "Library" and together, the "Parties").

WHEREAS, NC Cardinal is a project of the State Library of North Carolina conducted in partnership with North Carolina public libraries;

WHEREAS, this collaboration leverages federal and local funds to achieve operational efficiencies and cost savings for public libraries and provide for more effective use of public resources;

WHEREAS, the use of a single, shared online catalog expands resource sharing and cooperative services among public libraries and delivers faster access to a greater number and variety of resources for library patrons;

NOW, THEREFORE, the Parties hereto, desiring to establish or renew their commitment to NC Cardinal upon the terms set forth below, do hereby agree as follows:

I. Terms and Conditions

While the Library retains autonomy over its local operations, participation in NC Cardinal requires collaboration in developing common policies and shared decision making. For acceptance into and continuing participation in NC Cardinal, the Library shall abide by the NC Cardinal Bylaws (Attachment A) and adhere to the following terms and conditions:

A. General Terms and Conditions

- 1) Comply with NC Cardinal policies, procedures, and protocols, including regulations approved by the State Library and policies of the NC Cardinal Governance Committee;
- 2) Connect to the network exclusively with equipment that is compatible with NC Cardinal;
- 3) Support the development and implementation of electronic and physical delivery of NC Cardinal materials and services to other members of NC Cardinal;
- 4) Provide in-person services to patrons of all NC Cardinal libraries in the same manner as to the Library's own patrons and local residents;
- 5) Refrain from making internal policy changes that would adversely affect other NC Cardinal libraries;
- 6) Provide Library representation at NC Cardinal General Membership meetings;
- 7) Provide Library representation and service to committees, task forces, and forums sponsored by the NC Cardinal Governance Committee;
- 8) Ensure Library personnel participation in appropriate training and continuing education programs;

- 9) Allow use of the Library's name in NC Cardinal official documents and informational sites;
- 10) Agree to and adhere to the GNU General Public License (GNU GPL) for Evergreen software, a copyleft license which ensures free software rights are preserved when the work is distributed; and
- 11) Make no changes to the Evergreen software code other than alterations of bibliographic holdings data.

B. Data Terms and Conditions

- 1) Input, maintain, and share bibliographic holdings with all NC Cardinal libraries;
- 2) Input newly acquired holdings according to the standards developed by the NC Cardinal Cataloging Committee and approved by the NC Cardinal Governance Committee;
- 3) Input, maintain, share, and keep patron records confidential according to applicable federal and State laws, including G.S. § 125-19 of the North Carolina General Statutes;
- 4) Comply with the NC Cardinal cataloging best practices and procedures for item and patron records prior to migrating data into NC Cardinal;
- 5) Restrict the creation of data records and other cataloging-related activity in NC Cardinal to authorized and NC Cardinal certified personnel;
- 6) Enter accurate information for all NC Cardinal transactions and statistics; and
- 7) Adhere to the NC Cardinal membership policies as defined in Appendix A: Bylaws, Section 2, Membership.

C. Lending and Resource Sharing Terms and Conditions

- 1) Lend Library materials to patrons of NC Cardinal libraries in the same manner as to the Library's own patrons and local residents. This does not preclude charging standard Interlibrary Loan (ILL) fees if the loan is transacted through ILL rather than in person; and
- 2) Begin sharing Library resources with other NC Cardinal libraries through the Resource Sharing Delivery System within two (2) months of the Library's "GoLive!" date.

II. Governance Committee

- A. The Governance Committee provides guidance to the State Library of North Carolina in terms of communications, organizational structure, review of NC Cardinal Bylaws and Memoranda of Agreement, and the recommendation of cost sharing and common, consistent policies.
- B. The State Library has final decision-making authority for all matters pertaining to NC Cardinal and may override a recommendation of the Governance Committee that is determined to be:
 - 1) detrimental to the majority of NC Cardinal libraries;
 - 2) not cost-effective to implement;
 - 3) adversely impacting NC Cardinal project management and support operations; or
 - 4) negatively received by NC Cardinal's hosting vendor or the Evergreen Community at large.

III. Financial Responsibilities – State Library of North Carolina

- A. NC Cardinal is a project of the State Library of North Carolina, supported by grant funds from the Institute of Museum and Library Services under the provisions of the Federal Library Services and Technology Act. The Department shall fund migration costs and

base level access costs for the Library's participation in NC Cardinal during its migration year and one (1) additional State Fiscal Year (July 1 – June 30) of base level access costs. Base level access is defined as access to and use of the NC Cardinal Integrated Library System (ILS) software, hardware, integral components, and tools related to the statewide resource sharing distribution system.

- B. The Department shall fund and manage project administration for NC Cardinal. Project administration includes project oversight, project schedule development, vendor negotiations and contract administration, budget forecasting, migration management, development and maintenance of communications channels, and coordination of NC Cardinal Committees.
- C. The Department shall fund and manage first-line software support for NC Cardinal. First-line support includes maintaining a help ticket system, providing remote and onsite assistance, training, and facilitating communications with second-level vendor support.
- D. The Department shall fund and manage resource sharing services for NC Cardinal. Resource sharing services include delivery system administration, purchase and distribution of shipping supplies, training, vendor communications, and problem resolution.
- E. The Department retains final financial decision-making authority for all matters pertaining to the NC Cardinal Integrated Library System (ILS) and its users.
- F. The Department shall not exceed \$895,000 in total State Fiscal Year 2016-17 expenditures for NC Cardinal.

IV. Financial Responsibilities – Participating Library

- A. Upon the third (3rd) State Fiscal Year of participation in NC Cardinal, the Library shall fund its portion of branch costs and subscription costs for the NC Cardinal ILS. Subscription costs include hardware maintenance, hardware administration, database administration, Standard Internet Protocol (SIP) services, software upgrades, and second-level system support.

The Library's annual cost shall be calculated based upon the following formula:

$$(\# \text{ of Qualifying Branches} * \text{Cost per Branch}) + (\% \text{ of Active Items} * \text{Total ILS Subscription Cost})$$

- B. Qualifying branches are those that incur an annual outlet fee by meeting the following criteria:
 - 1) Open more than 18 hours per week
 - 2) Store and circulate items to the general public
 - 3) Act as a circulating branch as their primary responsibility
- C. Non-optional third party services may be required to support the NC Cardinal ILS and may incur additional annual costs to the Library. Non-optional third party services must be agreed to by a two-thirds majority of all NC Cardinal libraries and approved by the State Library's NC Cardinal Program Manager. Written notification of the implementation of non-optional third party services shall be given to all NC Cardinal libraries on or before July 1. The new service shall become effective July 1 of the following State Fiscal Year. The Library's annual third party service costs shall be calculated based upon the following formula:

$$\% \text{ of Active Items} * \text{Total Annual Service Cost}$$

- D. The Library shall pay the combined total for its portion of subscription costs, if any, and third party vendor service costs, if any, as detailed in Attachment B for the current State Fiscal Year.
- E. Optional third party services that do not directly support NC Cardinal ILS maintenance may be added at the discretion of the Library. The Library shall not adopt optional third party services that may adversely affect other NC Cardinal libraries.
- F. The Library shall comply with the provisions of subscription agreements made by the Department on behalf of NC Cardinal libraries and shall accept responsibility only for the actions of the Library's own employees related to these agreements.

V. Availability of Funds

All terms and conditions of this Agreement are dependent upon and subject to the allocation of funds for the purposes set forth and the Agreement shall automatically terminate if funds cease to be available.

VI. Withdrawal from NC Cardinal

- A. The Library shall have the right to discontinue participation in NC Cardinal by giving written notice on or before June 30 to the Department. The withdrawal shall be effective September 30 of the following State Fiscal Year. Upon completion of withdrawal, this Agreement shall be considered terminated.

- B. Notice shall be made only through written notice to the State Librarian at the following address:

State Library of North Carolina
4640 Mail Service Center
Raleigh, NC 27699-4640

- C. In the event of withdrawal, the Library shall:

- 1) lose all rights and benefits to NC Cardinal service delivery and governance;
- 2) have their patrons withdrawn from NC Cardinal resource sharing, delivery systems, and cooperative fine and fee processes;
- 3) have sole responsibility for replacement of all services provided through NC Cardinal and the Department's subscription agreements;
- 4) have sole responsibility for notifying third party software vendors of the Library's effective date of withdrawal from NC Cardinal;
- 5) pay the cost to remove the Library's complete policy set, circulation rules, hold policies, library settings, staff accounts, item records, and patron records from NC Cardinal at the current rate of its hosting vendor;
- 6) not be required to return LSTA grant monies so long as the Library is in full compliance of grant requirements; and
- 7) not receive a refund for any portion of annual subscription costs or third party vendor costs paid by the Library as the effective date of withdrawal shall occur after completion of a full service year.

- D. In the event of withdrawal, the Department shall:

- 1) discontinue NC Cardinal funding and services for the Library on the designated termination date; and
- 2) provide up to two (2) data export files of the Library's bibliographic, item, patron, and circulation data at no cost to the Library.

VII. Default

- A. A violation of any provision, policy, or requirement that is not corrected by the Library within sixty (60) days after written notice by the Department will constitute default under the terms of this Agreement.
- B. If default occurs, the Department may terminate the Library's participation in NC Cardinal by sending written notice of termination to the Library. The termination shall be effective on September 30 of the following State Fiscal Year.
- C. Upon receiving notice of termination from the Department, the Library shall proceed with withdrawal from NC Cardinal pursuant to Section VI above.

VIII. Modification/Amendment of Agreement

This Agreement shall not be amended orally or by performance. This Agreement must be amended only by written amendments duly executed by the Secretary of the Department of Natural and Cultural Resources or designee and the Library. This Agreement may be amended at any time upon written agreement of the Parties.

IX. Term and Termination of Agreement

- A. This Agreement shall be effective upon final signature of the Parties and shall end on June 30th of the next calendar year, unless sooner terminated as set forth in Sections VI or VII above. The Library and the Department may, either by amendment to this Agreement pursuant to Section VIII above or by approval of a new Agreement, extend the term annually by July 1 for each subsequent State Fiscal Year.
- B. If the term of this Agreement is not extended and no successor agreement is to be executed upon the expiration of the term of this Agreement, the Library shall immediately proceed with withdrawal from NC Cardinal pursuant to Section VI above. Upon completion of withdrawal, this Agreement shall be considered terminated.

X. Agreement Documents

- A. This Agreement shall consist of the following documents in order of precedence:
 - 1) Amendments to this Agreement, if any;
 - 2) This Agreement;
 - 3) Attachment A: NC Cardinal Bylaws
 - 4) Attachment B: NC Cardinal Annual Costs by Library
- B. In the event of a conflict between or among the terms of the Agreement Documents, the term in the Agreement Document with the highest precedence shall prevail. Amendments to the Agreement, if any, shall have the highest precedence, the Agreement shall have the second highest precedence, and Attachments the third highest precedence. These documents shall constitute the entire agreement between the Parties and supersede all other prior oral or written agreements.

XI. Severability

If any provision of this Agreement is determined to be invalid, illegal or unenforceable, the remaining provisions of this Agreement remain in full force, if the essential terms and conditions of this Agreement for each party remain valid, binding, and enforceable.

XII. Governing Law and Situs

This Agreement shall be construed in accordance with the laws of the State of North Carolina. The place of this Agreement, its situs and forum, shall be North Carolina, where all

matters, whether sounding in contract or tort, relating to its validity, construction, interpretation and enforcement shall be determined.

XIII. Notices

All notices issued under this Agreement shall be reduced to writing and a signed original document shall be sent to the Agreement Administrator.

Administrator of the Agreement for the Department: The Agreement Administrators are the persons to whom all required notices shall be given and to whom all matters relating to the administration or interpretation of this Memorandum of Agreement shall be addressed. The Library shall designate a single Agreement Administrator, who shall be the Library's primary contact with the Department for all issues regarding this Contract. The Contractor shall identify its initial Contract Administrator in its proposal and shall confirm the name, title, address, telephone number, facsimile number, and email address of its Contractor Administrator within 5 business days after the Effective Date of the Contract. The Library's Contract Administrator shall be available by phone, facsimile, or e-mail, upon 24-hour notice. DCR's contract administrators are named below.

Agreement Administrator for the Library

Trina M Rushing Library Director
Name Title
301 N Washington Street
Street Address
Hendersonville, NC 28739
City Zip
trushing@hendersoncountync.org
Email
828-697-4725 828-692-8449
Phone Fax

Agreement Administrators for the Department of Natural and Cultural Resources

For All Day-To-Day Activities	For All Other Agreement Issues
Tanya Prokrym Director of Library Development (USPS) 4640 Mail Service Center Raleigh, NC 27699-4640 (FedEx, UPS) 109 East Jones Street Raleigh, NC 27601 Telephone: (919) 807-7415 Facsimile: (919) 799-8748 E-mail: tanya.prokrym@ncdcr.gov	Roger Odom Director of Procurement and Contract Monitoring NC DCR, Purchasing Office 109 E. Jones Street Raleigh NC 27601 Telephone: (919) 807-7269 Facsimile: (919) 733-6993 E-mail: roger.odom@ncdcr.gov

XIV. Care of Property

The Library agrees that it shall be responsible for the proper custody and care of any property furnished it for use in connection with the performance of this Contract or purchased by it for this Contract and will reimburse the State for loss of damage of such property.

XV. Access to Persons and Records

The State Auditor and the using agency's internal auditors shall have access to persons and records as a result of all Contracts or grants entered into by State agencies or political subdivisions in accordance with General Statute 147-64.7 and Session Law 2010-194, Section 21 (i.e., the State Auditors and internal auditors may audit the records of the Library during and after the term of the Contract to verify accounts and data affecting fees or performance).

SIGNATURE PAGE FOLLOWS

SIGNATURE PAGE

IN WITNESS WHEREOF, the Library and the Department have each executed this Agreement in duplicate originals.

Henderson County Public Library

Trina Rushing
Director

Date

Henderson County Board of Commissioners

Thomas H. Thompson
Thomas Thompson
Chairman

7/20/16
Date

State Library of North Carolina

Cal Shepard
State Librarian

Date

North Carolina Department of Natural and Cultural Resources

Karin Cochran
Chief Deputy Secretary

Date

Approved as to the Availability of Funds

Budget Code: 4601 / 535830 / 1495425

Sarah Dozier
Chief Financial Officer

Date

Roger Odom
Director of Procurement and Contract Monitoring

Date

Attachment A: NC Cardinal Bylaws

July 2014

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Section 1: Name and Mission

1. The name of this organization shall be NC Cardinal. NC stands for North Carolina.
2. The purpose of NC Cardinal is to provide North Carolina residents greater access to public resources.

NC Cardinal is a partnership between the State Library of North Carolina and North Carolina public library systems. NC Cardinal uses an open-source integrated library system (ILS) to expand resource sharing and cooperative services development through a single, shared online catalog.

Section 2: Membership

Members are those eligible organizations that have submitted applications and been approved by the State Library. NC Cardinal is supported by the Library Services & Technology Act (LSTA) grant program which, in turn, supports the implementation of North Carolina's current LSTA Five-Year Plan. LSTA funds are awarded to the State Library of North Carolina by the Institute of Museum and Library Services (IMLS).

NC Cardinal Member Libraries must agree to:

1. participate in NC Cardinal and share their bibliographic and patron databases;
2. participate in NC Cardinal decision making and abide by Governance Committee decisions;
3. participate in resource sharing and provide in-person services to all patrons of NC Cardinal libraries in the same manner as to their own patrons; and
4. allow the use of the library name in NC Cardinal official documents and informational sites.

Section 2a: Application for Membership

Prospective members may join NC Cardinal by submitting an NC Cardinal Grant Application. Applicants should understand the annual State Library of North Carolina's LSTA General Information & Provisions and the Program-Specific Information & Guidelines.

Qualifications

To be eligible for participation in NC Cardinal, public libraries must:

1. qualify for grants from the Aid to Public Libraries Fund; and
2. meet basic hardware and network speed requirements.

Approval of Application

The State Library of North Carolina may review and approve membership based upon funding and resource capacity, may refuse an application for membership, or may postpone consideration of an application for membership.

Upon approval, the applicant library must execute the NC Cardinal Memorandum of Agreement and adopt the NC Cardinal Bylaws. Failure to do so will disqualify the applicant from participation in NC Cardinal. The State Library may provide funds for the library to migrate its automated system data into

NC Cardinal, to receive training in using NC Cardinal, to access the NC Cardinal services subscription, and to make other expenditures determined by the State Library to be necessary for a successful migration.

In the event that funds or program capacity are not available to support all public libraries that apply, applicants will be selected based on the following criteria:

1. expiration date of the library's automated system contract;
2. scope and complexity of the library's migration requirements; and
3. other circumstances affecting the library as determined by the State Library.

Section 2b: Membership Activation

Membership is effective on the date the NC Cardinal Memorandum of Agreement is fully executed.

Section 2c: Member Withdrawal

Prior to terminating or taking action to withdraw from NC Cardinal, the Member Library shall discuss their intentions with authorized representatives of the State Library and the NC Cardinal Governance Committee. Critical issues that the Member Library believes justify such withdrawal must be presented in written form. If discussions with the State Library and the NC Cardinal Governance Committee do not resolve the issues to the Member's reasonable satisfaction, the Member Library shall have the right to discontinue participation in NC Cardinal by give written notice on or before June 30 to the State Library, subject to the terms and conditions of the Memorandum of Agreement.

Section 2d: Effective Date of Withdrawal

The membership of a Member Library giving written notice on or before June 30 will cease on September 30 of the following State Fiscal Year.

Section 2e: Default

A violation of any provision, policy, or requirement that is not corrected by the Member Library within sixty (60) days after written notice by the State Library will constitute default under the terms of their NC Cardinal Memorandum of Agreement and these Bylaws, subject to the terms and conditions of the Memorandum of Agreement.

Section 2f: Electronic Balloting

At the discretion of the State Library or by a consensus vote of the Governance Committee, electronic balloting may be employed. Notice of issues for electronic ballot must be electronically emailed to each member of the Governance Committee no less than one (1) week prior to the designated "ballot start time." Electronic balloting may proceed after approval by the Governance Committee.

Section 3: Governance Committee

The Governance Committee provides guidance to the State Library of North Carolina in terms of communications, organizational structure, review of NC Cardinal Bylaws and Memorandum of Agreement, cost sharing policies, and the approval of common, consistent policies. Powers and Authority for this committee are outlined in Section 3h, Powers and Authority.

Section 3a: Number and Composition

The Governance Committee shall consist of five (5) members from participating NC Cardinal Libraries and two (2) members from the State Library: the NC Cardinal Program Manager and a representative from the Library Development Section. Governance Committee members must be selected from the Senior Management staff of Member Libraries.

NC Cardinal Member Library representation on the Governance Committee shall be composed of:

1. one (1) member from a Municipal library;
2. one (1) member from a County library;
3. one (1) member from a Regional library; and
4. two (2) members at large.

Section 3b: Nomination

At least sixty (60) days prior to the NC Cardinal General Membership Meeting, the Governance Committee must appoint a Nominations Committee of two (2) or more Members who are not seeking election. The Nominations Committee is required to receive and coordinate nominations for election to the Governance Committee.

Section 3c: Election

An election of Governance Committee members must be held at an NC Cardinal General Meeting to replace those members whose terms of office have expired or will expire at the end of the meeting.

Section 3d: Terms

A term of office shall be two (2) years, to commence at the beginning of the next Quarter after the election with the exception of the first year. Following the election, an announcement of the newly elected officers will be sent to the membership promptly. Committee members may serve two (2) consecutive terms with a two-thirds (2/3) majority vote of the membership. Committee appointments shall be staggered to promote consistency as well as to accommodate change.

Section 3e: Vacancies

Vacancies on the Governance Committee shall be filled by appointment by the Governance Committee until the next election of members.

Section 3f: Meetings of Governance Committee

The Governance Committee shall hold at least two meetings per year, with other meetings scheduled as needed. At least thirty (30) days in advance, the General Membership shall be notified of Governance Committee meetings. Governance Committee meetings are closed and attendance is limited to Committee members, administrative staff of Member Libraries, and invited guests.

Additional meetings may be scheduled:

1. at the request of the State Library;
2. at the request of two Governance Committee members; or
3. upon receipt of a written request signed by at least fifty (50) percent of the membership.

At least one (1) annual meeting will be held for the General Membership. Members will be notified at least thirty (30) days in advance of the annual meeting. Minutes of meetings shall be kept and distributed to the membership.

Section 3g: Attendance

It is expected that Governance Committee members will attend all meetings in person. If a Governance Committee member cannot attend a Committee meeting, the member may make advance arrangements with the NC Cardinal Program Manager and the hosting site to participate electronically, by conference call or other technology.

Governance Committee members will not send a representative to the meeting as a substitution.

If a Governance Committee member cannot actively participate in more than two (2) consecutive meetings, the member may be replaced for the duration of their term by appointment of the other members of the Governance Committee.

Section 3h: Powers and Authority

The Governance Committee shall provide counsel and support to the State Library of North Carolina and Member Libraries in the operation of NC Cardinal by:

1. recommending policy;
2. monitoring current research and trends to determine the best practices;
3. communicating to the entire membership; and
4. reviewing and discussing recommendations from other NC Cardinal Committees and providing a final recommendation.

Topics may cover a wide range of subjects, including information technology, vendor purchases, upgrades, enhancements, support, membership costs, and budget considerations.

NC Cardinal Member Libraries will act upon recommendations approved by the Governance Committee.

Section 3i: Voting

Only Governance Committee members may vote at a Governance Committee meeting. Each Governance Committee member has one (1) vote. This vote must be cast in person. Proxy representation and proxy voting are not allowed. If an elected member cannot attend a Committee meeting, the member has the option of making advance arrangements with the NC Cardinal Program Manager to participate via technology, or forfeit the right to vote at the meeting. A two-thirds (2/3) majority vote among Governance Committee members is required to pass a policy or recommendation.

Section 3j: Non-voting Members

The NC Cardinal Program Manager shall be a non-voting member.

Section 3k: Appeal Process

A Member Library(ies) may request reconsideration of a decision made by the NC Cardinal Governance Committee. A written request for reconsideration must be submitted within fourteen (14) days of the Committee decision. The appeal must include a justification for submitting the request for reconsideration, with supporting facts, and be signed by the submitting Member Library(ies). The Governance Committee will review the request for reconsideration within fourteen (14) days of submission. A written notice of action and/or decision will be distributed by the Governance Committee to the appealing Member Library(ies).

Section 3l: Removal

Should it become necessary to dissolve the Governance Committee, a two-thirds (2/3) majority vote of no-confidence from the NC Cardinal membership shall dissolve the Governance Committee. Should the Governance Committee be dissolved, a nominating committee selected from the membership shall propose new candidates.

Section 4: Working Committees

Category-specific NC Cardinal task forces/committees, for example Cataloging or Resource Sharing, will submit recommendations for approval to the Governance Committee. These recommendations will be voted upon for implementation. Voting will adhere to the procedures as outlined Section 3i of these Bylaws.

Section 4a: Creation of Working Committees

Recommendations for new committees are submitted by NC Cardinal Member Libraries directly to NC Cardinal Program Staff or the NC Cardinal Governance Committee. Requests for project- or category-specific committees will be vetted and approved by the NC Cardinal Governance Committee. Committee member nominations will be solicited from Member Library Directors. Final member selections will be determined by NC Cardinal Program Staff according to the following composition:

1. at least one (1) member from a Municipal library;
2. at least one (1) member from a County library;
3. at least one (1) member from a Regional library; and
4. other members by level of expertise in the project- or category-specific area.

Section 5: Amendment of Bylaws

The NC Cardinal Bylaws may be amended at any time by a two-thirds (2/3) majority of vote of Member Libraries. Thirty (30) days prior written notice shall be given to Member Libraries of any proposed amendment. Proposed amendments may originate from the NC Cardinal membership with signatures from one-third (1/3) of the Member Libraries.

The Bylaws shall be reviewed every two (2) years by the NC Cardinal Governance Committee at the beginning of new Committee appointments. The Committee shall recommend any modifications and

submit the Bylaws for review and renewal to the Member Libraries with thirty (30) days written notice for a vote to extend or rescind the agreement.

Section 6: Definitions

Library System	The organization unit as defined by the Evergreen Software, to be distinguished from branches, book mobiles, etc.
Member Library	A library system that participates in the NC Cardinal program.

Attachment B – NC Cardinal Annual Costs by Library State Fiscal Year 2016-2017

Annual Cost Calculations

- A. The Department shall fund migration costs and base level access costs for the Library's participation in NC Cardinal during its migration year and one (1) additional State Fiscal Year (July 1 – June 30) of base level access costs. Base level access is defined as access to and use of the NC Cardinal Integrated Library System (ILS) software, hardware, integral components, and tools related to the statewide resource sharing distribution system. Upon the third (3rd) State Fiscal Year of participation in NC Cardinal, the Library shall fund its portion of base level access costs for the NC Cardinal ILS.
- B. The Library's annual costs for participation in the NC Cardinal ILS shall be calculated based upon the following formula:
- | | |
|---------------------------|----------------------|
| Library Branch Cost | (6 * \$0) |
| + Subscription Cost Share | (5.16% * \$82,874) |
| <u>Total Library Cost</u> | <u>\$0, Year One</u> |
- C. The **Library Branch Cost** consists of an annual flat fee for each qualifying branch location within a Library's service area. Library outlets that are not qualifying branches will not incur the annual fee.
- 1) A **Qualifying Branch** meets the following criteria:
 - a. Is open more than 18 hours per week;
 - b. Stores and circulates items to the general public; and
 - c. Acts as a circulating branch as their primary responsibility.
 - 2) The **Cost per Branch** is the annual flat fee charged by the NC Cardinal hosting vendor. This fee is annually reviewed and negotiated.
- D. The **Subscription Cost Share** is the Library's percentage of the total fee charged by the NC Cardinal hosting vendor to maintain and administer the shared ILS software and hardware.

- 1) An **Active Item** is a catalog record associated with a specific barcode which has not been withdrawn, discarded, or deleted during the fiscal year. The Library's percentage of active items is calculated based on the total number of active items in the NC Cardinal shared catalog. Active item counts for the calculation of annual costs shall be captured on January 1 of each year.
 - 2) The **Total ILS Subscription Cost** charged by the NC Cardinal hosting vendor is annually reviewed and negotiated. The subscription provides for:
 - a. maintenance for server administration;
 - b. implementation of software upgrades;
 - c. maintenance of database storage performance optimization;
 - d. upgrade of server configuration; and
 - e. support of software issues and problem resolution.
- E. The Library's payment for the following annual costs shall be made directly to the Department within 30 days of receiving the annual invoice. Payment shall be made to the following address:

State Library of North Carolina
 4640 Mail Service Center
 Raleigh, NC 27699-4640

Henderson County Public Library

Library Branch Cost	# of Qualifying Branches	Cost per Branch		
\$0	6	\$0		
Subscription Cost Share	# of Library Active Items	Total ILS Active Items	Library % of Total Active Items	Total ILS Subscription Cost
\$0	290,848	5,632,359	5.16%	\$82,874

Total Library Cost FY2016-17 \$0, Year One

**APPLICATION FOR USE OF
COMMISSIONERS' MEETING ROOM 208
COURTROOM
Henderson County Historic Courthouse
1 Historic Courthouse Square
Hendersonville, NC 28792**

Name Of Applicant Making Request¹:

E-mail address:

Date of Application

Anne Ridings

museumoffice@hendersoncountync.org

June 16, 2016

Address of Applicant:

1 Historic Courthouse Square, Suite 4
Hendersonville, NC 28792

Phone Number of Applicant

(828) 694-5007

Mailing Address, State, Zip Code

(Area Code)

Purpose:

to show movie "Pork Chop Hill" one week prior to Jeff Miller's Honor Flight
Name of Event to Washington, DC

Date of Event

Saturday, Sept. 17, 2016

Time of Event

12:00 pm

(Beginning Time)

5:00 pm

(Ending Time)

The remainder of the application below will be completed by the Clerk to the Board



PERMISSION GRANTED TO USE COMMISSIONERS' MEETING ROOM 208

Terry Wilson
Clerk to the Board/Designee

7/20/16

Date Request Approved



PERMISSION DENIED TO USE COMMISSIONERS' MEETING ROOM 208

Clerk to the Board/Designee

Date Request Approved

REASON DENIED:

Date Payment Received	Amount Remitted		Check Number	Check Date
	Cash	Check		

¹ Effective July 7, 2008, the Henderson County Board of Commissioners approved a Facility Use Fee to cover expenses to utilize county staff to secure the building when the community room is used for non-county government purposes after business hours, 5:00 pm until 9:00 pm Monday through Friday, 8:30 am until 9:00 pm Saturday through Sunday. The Facility Use Fee is \$25 per hour with a \$50 minimum. The fee is based upon the number of hours listed in the beginning and ending time on this application and is payable to Henderson County upon presentation of this completed application to Clerk to the Board Terry Wilson. No refund is given for hours reserved but not used; no extension of hours is permitted. The room must be cleaned after use and restored to the original configuration.

**APPLICATION FOR USE OF
COURTROOM #208**
Henderson County Historic Courthouse
1 Historic Courthouse Square
Hendersonville, NC 28792

Use of the Courtroom must be preapproved by the Board of Commissioners at a regularly scheduled meeting on the Consent Agenda.

Lt. Tim Fuss tfuss@hendersoncountync.org 6/1/16
Name of Applicant Making Request: E-mail address: Date of Application

100 N Grove Street, NC 28792 694-2977
Mailing Address, State, Zip Code of Applicant: Phone Number of Applicant

Detention Officer Certification School Graduation
Name of Event or Purpose:

9/1/16 12:00 pm until 2:00 pm
Date of Event (Beginning Time) Time of Event (Ending Time)

The remainder of the application will be completed by the Clerk to the Board

☒ **PERMISSION GRANTED TO USE COURTROOM #208**
Thomas H. Thompson
Chairman, Board of Commissioners

Date Request Approved
7/20/16

☐ **PERMISSION TO USE COURTROOM #208 DENIED**

Date Request Denied

Chairman, Board of Commissioners

REASON DENIED:

Date Payment Received	Amount Remitted		Check Number	Check Date
	Cash	Check		

¹Effective July 7, 2008, the Henderson County Board of Commissioners approved a Facility Use Fee to cover expenses to utilize county staff to secure the building when the Courtroom is used for non-county government purposes after business hours, 5:00 pm until 9:00 pm Monday through Friday, 8:30 am until 9:00 pm Saturday through Sunday. The Facility Use Fee is \$25 per hour with a \$50 minimum. The fee is based upon the number of hours listed in the beginning and ending time on this application and is payable to Henderson County upon presentation of this completed application to Clerk to the Board Terry Wilson. No refund is given for hours reserved but not used; no extension of hours is permitted. The courtroom must be cleaned after use.

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

**AGREEMENT ON PARTIAL REMISSION OF
DISCOVERY PENALTIES ON *AD VALOREM*
TAXATION**

THIS AGREEMENT is between the County of Henderson, a body corporate and politic of the State of North Carolina (the "County"), and Morris Broadband, LLC ("Morris"), a Georgia limited liability company authorized to do business in North Carolina.

Circumstances Leading to Agreement

1. Pursuant to a statewide franchise, Morris provides cable service over a cable system (as those terms are defined in N.C. Gen. Stat. §66-350) owned by Morris within Henderson County.
2. Morris acquired the cable system in 2009. It was the first cable operation owned by Morris.
3. Morris' cable system in the County is subject to *ad valorem* taxation pursuant to the Machinery Act of North Carolina.
4. The Machinery Act of North Carolina requires taxpayers owning systems such as that owned by Morris to list the value of the business property used in the operation of the system for *ad valorem* taxation.
5. When Morris acquired the cable system, it continued the procedure Morris believed, but could not confirm, was used by the prior owner for the listing of the value of the property used in the operation of the system.
6. The procedure used by Morris in listing business property for *ad valorem* taxation failed to account for the full cost of the installation of the property used in the operation of the system.
7. Such cost of installation is a significant part of the listable value of the system under the Machinery Act.
8. As a result, Morris failed to list for purposes of *ad valorem* taxation under the Machinery Act significant value in taxable business property.
9. The Machinery Act does not provide for amended listings of property, but rather for the "discovery" of untaxed but taxable property.
10. When property is "discovered" under the Machinery Act, there is a presumption of taxes owed for a period of five years, and of a significant penalty to be added to the taxes owed on the "discovered" property, pursuant to N.C. Gen. Stat. §105-312(h).

11. Morris discovered the foregoing, and self-reported the same to the Assessor of the County.

12. This is the first time of any instance of business personal property listing error by Morris.

13. As a result of the "discovered" property, the following additional taxes (not including any possible penalties) have been levied against Morris:

Henderson County	\$107,633.09
Blue Ridge Fire District	\$2,458.79
Dana Fire District	\$1,795.28
Edneyville Fire District	\$1,469.67
Etowah-Horse Shoe Fire District	\$2,498.49
Fletcher Fire District	\$1,718.54
Mountain Home Fire District	\$1,778.07
Mountain Home Fire District (2)	\$67.28

14. Pursuant to N.C. Gen. Stat. §105-312(k), "the board of county commissioners, upon the petition of the taxpayer, may compromise, settle, or adjust the county's claim for taxes arising therefrom."

15. Morris has petitioned the County for the "compromise, settlement or adjustment" of the taxes owed as a result of the discovery.

16. The Board of Commissioners of Henderson County has determined and Morris has agreed that full payment of all taxes owed, plus interest at the rate of two percent (2%) per year for each year owed (approximating the interest actually earned by the County on its deposits), is a fair compromise, settlement and adjustment of the taxes under all the circumstances listed above.

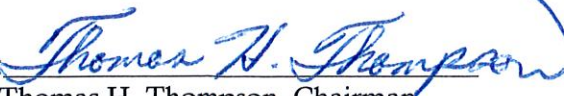
Agreement

Morris shall pay the County the sums listed above as taxes owed, plus interest at the rate of two percent (2%) per year or portion thereof such taxes were owed (as indicated on the attached spreadsheet), by not later than August 1, 2016.

Terry K. House, Jr.
Morris Communications Company, LLC
Director of Tax/Assistant Secretary

HENDERSON COUNTY

By


Thomas H. Thompson, Chairman
Henderson County Board of Commissioners

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

THOMAS H. THOMPSON
Chairman
CHARLES D. MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY H. HAWKINS
WILLIAM G. LAPSLEY

July 20, 2016

Randall Gore, State Director
USDA Rural Development
4405 Bland Road
Raleigh, North Carolina 27609

Mr. Gore:

We have recently been made aware of a proposed expansion of the Mountain Community School in Hendersonville, North Carolina. The Board of Directors of the school contacted Henderson County concerning the proposed United States Department of Agriculture Rural Development loan to complete the project.

This letter is to serve as the Board of Commissioners acknowledgement and support of the project, which is required for the loan application.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County Board of Commissioners

BRANCH LIBRARY EXTENSION POLICY

It is the policy of the Henderson County Public Library to provide library services to all residents of Henderson County.

Tier I: Main Library

The Tier I library is the Main Library located in Hendersonville, North Carolina. This facility is owned by the County of Henderson and provides a full range of services and programs to all who wish to use them.

Tier II: Branch Library

A Tier II library may be provided in communities eight or more miles distance from the Tier I library and from other Tier II libraries. The County may build, own, or enter into long term lease to acquire Tier II libraries located within unincorporated areas of Henderson County. Expansion or addition of these facilities must be provided by the incorporated area in which they are located.

Tier III: Library Service Outlet

A Tier III library may be established in communities that are closer than eight miles to an established Tier I or Tier II library. The County will not build, own, or lease Tier III libraries. These facilities must be provided for and maintained by the incorporated area in which they are located.

Service Levels:

Service levels for Tier I and Tier II libraries will be determined in relation to their levels of use, community needs, the library's service goals, and budgetary constraints. The County will make effort to align with the current recommended Public Library Standards:

Staff:	.5 FTE/1,200 population of service area
Facility Size:	1.25 SF/capita
Print Collection:	2 items/capita

Tier III libraries, with approval of the Henderson County Board of Commissioners, may be provided furnishings, technology, and a print collection by the County in accordance with Public Library Standards. Should a Tier III library maintain an annual circulation level of 16,500 checkouts for two consecutive twelve months periods the Library Board may be petitioned to recommend the provision of staffing by the Henderson County Board of Commissioners.

It is required that no library be open with less than two staff, paid or volunteer, in attendance.

Implementation of this policy and extension of new service outlets is subject to the approval of the Henderson County Board of Commissioners. The Board reserves the right to approve or disapprove such requests as they may impact county resources and service priorities.

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

THOMAS H. THOMPSON
Chairman
CHARLES D. MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY H. HAWKINS
WILLIAM G. LAPSLEY

July 20, 2016

United Financial of North Carolina, Inc.
58 Wilkie Way
Fletcher, NC 28732

Re: Lease Purchase Agreement between United Financial of North Carolina, Inc. and Mountain Home Fire & Rescue Department, Inc.

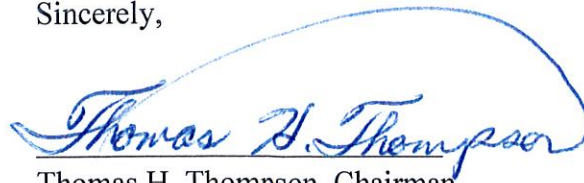
Dear Sirs,

I am Chairman of the County Commissioner of Henderson County. This letter is to advise you that: Mountain Home Fire & Rescue Department, Inc. is a qualified Volunteer Department, assigned to protect a specific Fire District within this County.

In addition, a special ad valorem (fire tax) is assessed on the real property owners of this district. Said tax is to be used exclusively to provide equipment, facilities, and training as in necessary to provide fire protection for said district. Said funds may also be used to upgrade equipment as the need arises. This tax is collected by the County and disbursed by the Finance Office to the Fire Department on a regular basis by the County Finance Officer. The Fire Department is operated and managed by the Board of Directors of the Fire Department and the Officers of said Department. The Department is currently meeting the requirements of their fire service contract.

The Fire Department has made us aware of their intention to acquire new capital assets through a Lease Purchase transaction with your firm. Please be advised that the County has no objection to this transaction.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County Commission

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT: Office of the Henderson County Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Appraisal Monitoring Records Permits / Appeals 2005 - 2010 13	✓		Standard 8,	Item 1
Release and Refund Records Motor Vehicle 2009-2010 5	✓		Standard 8,	Item 10
Tax ABSTRACTS and Lists Business Personal Property 1989 - 2006 15	✓		Standard 8,	Item 18
Motor Vehicle Tax Adjustment Records 2001-2011 1	✓		Standard 11,	Item 8
Board of Equalization and Review Personal Property Appeals 1992-2008 1	✓		Standard 8,	Item 2

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; OR where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. NONE of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

DeDee B...

Department Head

7/8/16

Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED ☒
DISAPPROVED ☐

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 20th day of July, 2016.

Cherese G. Wilson

Clerk to the Board

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG


(Revised March 13, 2002)

DEPARTMENT: Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Mail - Undeliverable + Returned 3 boxes	✓		Standard 1 Item 33	
Calendars and Appt. Books 1 box - obsolete	✓		Standard 1 Item 17	
Accounts Payable greater than 3 years old - 3 Boxes	✓		Standard 2 Item 1	
Timesheets, Cards, + Attendance	✓		Standard 2 Item 41	
Records 2 boxes				
> 3 years old				

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.


Department Head

7/7/16
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED ☒
DISAPPROVED ☐

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 20th day of July, 2016.


Clerk to the Board

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT: Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Tax Relief Records > 2 eval. cycles 4 Boxes	X		Standard 8 Item 19	
2008 Real Property Listing Forms (AIS)	X		Standard 8 Item 18	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

[Signature]
Department Head

7/7/16
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED ☒
DISAPPROVED ☐

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 7th day of July, 2016.

[Signature]
Clerk to the Board

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT:

Office of the Henderson County Assessor

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
Appraisal Monitoring Records TMA BPP Audits 1993 3	✓		Standard 8, Item 1	
Release and Refund Records Personal Property 2004 - 2006 18	✓		Standard 9, Item 10	
Tax Abstracts and Lists BPP Listing Forms 2004 - 2005 2	✓		Standard 8, Item 18	
Tax Abstract and Lists PP Listing Forms 1993 - 2006 2	✓		Standard 8, Item 18	
Appraisal Monitoring Records Discoveries 1990 - 2000 1	✓		Standard 8, Item 1	
Appraisal Monitoring Records PP Correspondence 2005 - 2006 2	✓		Standard 8, Item 1	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Lawrence B. Buzyn
Department Head

5/26/16
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED ☒
DISAPPROVED ☐

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 20th day of July, 2016.

Leresa L. Wilson
Clerk to the Board

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT: BUILDING SERVICES

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
BLUEPRINTS 1 YR AFTER PERMITTED	✓		5.3	8-1-16
PERMITS + APPLICATIONS 6 YRS AFTER CD	✓		5.4	8-1-16
SUBSTANDARD HOUSING 2010 + PRIOR	✓		5.24	8-1-16
PERMIT LOG 2010 + PRIOR	✓		5.33	8-1-16
PERMIT RECEIPT BOOKS 2013 + PRIOR	✓		5.34	8-1-16
PERMITS - MISC 2013 + PRIOR	✓		5.40	8-1-16
MONTHLY REPORTS 2013 + PRIOR	✓		5.48	8-1-16

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Don Stauffer
Department Head

7-6-16
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED ☒
DISAPPROVED ☐

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 20 day of July, 2016

Leresa L. Wilson
Clerk to the Board

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

THOMAS THOMPSON
Chairman
CHARLIE MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY HAWKINS
WILLIAM LAPSLEY

RESOLUTION

Designating July as Henderson County Month of Acceptance

WHEREAS, Henderson County recognizes the importance of increasing public awareness and acceptance for people with unique abilities, and recognizing their contributions to their communities; and

WHEREAS, the Americans with Disabilities Act of 1990 was founded on four principles: inclusion, full-participation, economic self-sufficiency and equality of opportunity for all people with unique abilities; and

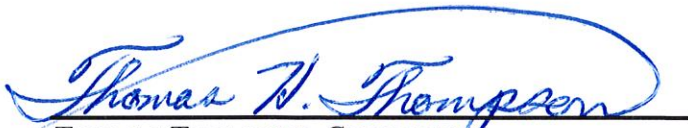
WHEREAS, Henderson County Month of Acceptance is intended to focus on those four principles, bringing awareness to the unique abilities, not the disabilities, of each person; and

WHEREAS, by celebrating the unique abilities and contributions of all our citizens, we enrich the community; and

NOW, THEREFORE, BE IT RESOLVED that we, the Henderson County Board of Commissioners, do hereby designate July as Henderson County Month of Acceptance.

In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 20th day of July 2016.


THOMAS THOMPSON, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 20 July 2016

SUBJECT: FY 2015-2016 Tax Collector's Settlement;
Approval of Bond Amounts for Tax Collector/Deputy;
FY 2016-2017 Tax Order For Collection

PRESENTER: Darlene Burgess, Henderson County Interim Tax Collector

ATTACHMENT(S): Proposed Order and Resolution

SUMMARY OF REQUEST:

It is time once again for the delivery of the tax receipts to the Henderson County Tax Collector (all references to the Tax Collector on this document and all subsequent attachments are to Interim Tax Collector Darlene Burgess); however before they can be delivered, the following must occur (pursuant to N.C.G.S. 105-352):

- (a) PREPAYMENTS. The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) SETTLEMENT. The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) BOND. The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) ORDER OF COLLECTION. An Order of Collection must be adopted at today's meeting, which will charge the Tax Collector with the collection of FY 2016-2017 taxes, plus all outstanding delinquent taxes.

The tax collector will be available to present further information on this matter.

BOARD ACTION REQUESTED:

Approval of tax collector's settlement for FY 2015-2016 taxes and approval of order of collection and charge for FY 2016-2017 taxes.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the tax collector's settlement for Fiscal Year 2015-2016 taxes, and further approve the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2016-2017 taxes.

Resolution Approving the Settlement with the Tax Collector for the 2015-2016 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that settlement be made with the Tax Collector for the taxes charged to the Tax Collector in the previous tax year prior to delivery of the tax receipts to the Tax Collector for the current tax year, said settlement being conducted in accordance with N.C.G.S. 105-373; and

WHEREAS, N.C.G.S. 105-373 requires that settlement be made for both taxes charged to the Tax Collector in the previous tax year, and for all delinquent taxes charged to the Tax Collector, there being a specified format for current tax year settlements, but not delinquent taxes; and

WHEREAS, the Henderson County Board Commissioners has received a proposed settlement for the 2015-2016 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Settlement for the 2015-2016 taxes charged to the Tax Collector is hereby approved. The Board finds:
 - a. All prepayments received by the Tax Collector were properly deposited;
 - b. The settlement is in proper form;
 - c. A diligent effort was made to collect from the person who were legally obligated to pay their taxes for the 2015-2016 fiscal year; and
 - d. Those persons identified in the report of insolvents submitted by the Tax Collector are found to be insolvents. The insolvents list shall be entered into the minutes and credited to the Tax Collector as part of this settlement.
2. The Settlement for the delinquent taxes charged to the tax collector for the previous fiscal years is hereby approved. The Board finds that the settlement for the delinquent taxes is in an appropriate form.

THIS the 20th day of July, 2016.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 

Thomas Thompson, Chairman

Attest:

(County Seal)



Teresa L. Wilson, Clerk to the Board

Resolution Setting the Bond Amounts for the Tax Collector and Deputy Tax Collector

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts are delivered to the Tax Collector for collection, the Board of Commissioners must approve a bond amount for the Tax Collector and Deputy Tax Collector; and

WHEREAS, the Board of Commissioners is desirous of complying with N.C.G.S. 105-352;


NOW THEREFORE IT BE RESOLVED AS FOLLOWS:

1. The Bond amount for the Tax Collector shall be set at \$1,000,000 through August of 2017.
2. The bond amount for the Deputy Tax Collector shall be set at \$250,000 to run through August of 2017.

THIS the 20th day of July, 2016.


THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:


Thomas Thompson, Chairman

Attest:

(County Seal)


Teresa L. Wilson, Clerk to the Board

Resolution Adopting the Order of Collection for the 2016-2017 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts for the 2016-2017 Tax Year may be delivered to the Tax Collector for collection the following must occur: (1) the Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited; (2) the Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the 2015-2016 tax year; and (3) the Board of Commissioners must approve the bonds proposed for the Tax Collector (and the Deputy Tax Collector) for collection of all taxes charged for the 2016-2017 Tax Year and all delinquent taxes

WHEREAS, prepayments were received for 2016 taxes; and

WHEREAS, the Board of Commissioners has approved the settlement for the taxes charged to the Tax Collector for collection for the 2015-2016 tax year, including the delinquent taxes; and

WHEREAS, The Board of Commissioners has approved the bonds proposed for the Tax Collector and the Deputy Tax Collector;

NOW THEREFORE BE IT RESOLVED that the order of collection attached hereto is hereby adopted.

THIS the 20th day of July, 2016.


THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:


Thomas Thompson, Chairman

Attest:

(County Seal)



Teresa L. Wilson, Clerk to the Board

STATE OF NORTH CAROLINA

ORDER OF COLLECTION

COUNTY OF HENDERSON

TO THE TAX COLLECTOR OF HENDERSON COUNTY:

You are hereby authorized, empowered, and commanded to collect the taxes, including current, insolvent and delinquent, set forth in the tax records filed in the Office of the Assessor for Henderson County and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Henderson, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

WITNESS my hand and official seal, this 20th day of July, 2016.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:

Thomas W. Thompson
THOMAS THOMPSON, Chairman

ATTEST: (OFFICIAL SEAL)

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

OFFICE OF THE HENDERSON COUNTY TAX COLLECTOR

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595

FAX: (828) 697-4652

*Darlene Burges
Henderson County
Interim Tax Collector*

20 July 2016

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

RE: Tax Collector's Settlement: FY2015-2016

Dear Henderson County Commissioners:

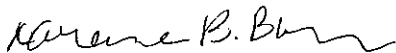
Attached please find the Preliminary Report for FY2015-2016 along with the Settlement for Current-Year Taxes and Delinquent Taxes. A list of all unpaid tax liens is available for your review in the Office of the Clerk to the Board.

I am happy to report that as of the close of FY2015-2016, the Henderson County Tax Collector's Office collected 98.50% of the annual tax bills and 99.56% processed through Tax & Tag Together, for an aggregate collection percentage of 98.58%.

I would like to take the opportunity to thank the staff for their hard work and dedication toward these accomplishments. The annual collection percentage, as reported, remains above the FY14-15 statewide average of 98.50% for annual tax bills.

Thank you for the opportunity to be of service to you.

Respectfully submitted,



Darlene Burgess
Henderson County Interim Tax Collector

PRELIMINARY REPORT FOR FISCAL YEAR 2015-2016

TO: Henderson County Board of Commissioners
FROM: Darlene Burgess, Henderson County Interim Tax Collector
DATE: 20 July 2016

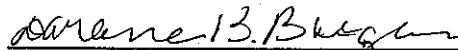
In accordance with N.C.G.S. 105-373(a)(1), I respectfully submit the following Report:

Attached to this Report is (1) a list of the persons owning real property whose taxes for 2015 remain unpaid, along with the principal amount owed by each person; and (2) a list of the persons not owning real property whose personal property taxes for 2015 remain unpaid, along with the principal amount owed by each person.

In compliance with N.C.G.S. 105-373(a)(3), attached hereto is a Report entitled "Settlement for Current Taxes for Fiscal Year 2015-2016" dated 20 July 2016 setting forth my full settlement for all taxes in my hands for collection for the fiscal year 2015-2016.


Further, I hereby certify that I have made diligent efforts to collect the taxes due from the persons listed in such a manner that is reasonably necessary.

Respectfully submitted,



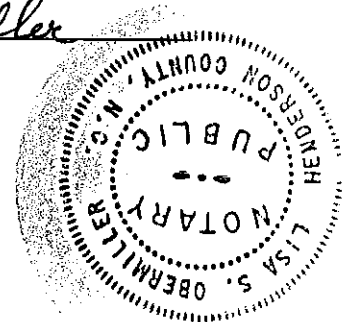
Darlene Burgess, Henderson County Interim Tax Collector

SWORN TO AND SUBSCRIBED BEFORE ME, this 11 day of July, 2016.


Notary Public

My Commission expires:

12-18-2017



SETTLEMENT FOR CURRENT TAXES: FY 2015-2016

Report date 30 June 2016

CHARGES TO THE TAX COLLECTOR:

Total amount of all taxes placed in the Tax Collector's hands for collection for the year:					
	Tax & Penalty	Interest	Charge	Credit	Difference
G01 General County	63,011,503.31	125,162.68	63,136,665.99	63,136,665.99	0.00
Total General County					
Fire Districts:					
F15 Bat Cave	108,168.57	279.98	108,448.55	108,448.55	0.00
F01 Blue Ridge	1,039,047.25	2,455.00	1,041,502.25	1,041,502.25	0.00
F09 Dana	556,078.93	1,370.07	557,449.00	557,449.00	0.00
F03 Edneyville	688,314.95	2,631.91	690,946.86	690,946.86	0.00
F04 Etowah-Horse Shoe	1,106,361.20	1,801.29	1,108,162.49	1,108,162.49	0.00
F05 Fletcher	886,458.94	1,717.97	888,176.91	888,176.91	0.00
F11 Gerton	107,381.50	167.03	107,548.53	107,548.53	0.00
F06 Green River	467,389.35	1,427.91	468,817.26	468,817.26	0.00
F08 Mills River	112,333.85	315.05	112,648.90	112,648.90	0.00
F07 Mountain Home	1,420,168.50	2,519.17	1,422,687.67	1,422,687.67	0.00
F12 Raven Rock	184,532.86	379.23	184,912.09	184,912.09	0.00
F02 Valley Hill	1,390,698.05	2,429.88	1,393,127.93	1,393,127.93	0.00
Total Fire Districts					
Municipal Districts:					
C01 (City of Hendersonville	0.00	0.00	0.00	0.00	0.00
C02 (Town of Laurel Park	0.00	0.00	0.00	0.00	0.00
C03 (City of Saluda	16,843.46	0.06	16,843.52	16,843.52	0.00
C04 (Town of Fletcher	0.00	0.00	0.00	0.00	0.00
C50 Village of Flat Rock 51	0.42	0.00	0.42	0.42	0.00
Village of Flat Rock 52	0.00	0.00	0.00	0.00	0.00
Village of Flat Rock 56	0.00	0.00	0.00	0.00	0.00
C60 Town of Mills River	11.83	0.00	11.83	11.83	0.00
Total Municipal Districts					
SUBTOTAL	16,855.71	0.06			
	\$71,095,292.97	\$142,657.23			

TOTAL CHARGE TO TAX COLLECTOR

\$71,237,950.20

CREDITS TO THE TAX COLLECTOR:

All sums deposited by the Tax Collector to the credit of the Taxing Unit:		Deposits		Adjustments		Releases		Interest		Outstanding Tax / Liens against Real & Personal Property		Outstanding Tax / Liens against Registered Motor Vehicles	
G01 General County		61,673,790.67		349,965.65		27,740.72		125,162.68		959,815.74		190.53	
Total General County													
Fire Districts:													
F15 Bat Cave		105,576.31		0.00		12.85		279.98		2,579.41		0.00	2,579.41
F01 Blue Ridge		964,377.90		49,924.50		120.26		2,455.00		24,623.52		1.07	24,624.59
F09 Dana		543,493.29		309.93		358.73		1,370.07		11,916.98		0.00	11,916.98
F03 Edneyville		655,043.25		9,669.14		796.09		2,631.91		22,806.47		0.00	22,806.47
F04 Etowah-Horse Shoe		1,064,288.20		1,985.35		214.90		1,801.29		19,872.75		0.00	19,872.75
F05 Fletcher		871,303.62		2,904.97		68.27		1,717.97		12,182.08		0.00	12,182.08
F11 Gerton		105,742.88		14.44		11.14		167.03		1,613.04		0.00	1,613.04
F06 Green River		459,233.65		793.80		69.12		1,427.91		7,288.02		4.76	7,292.78
F08 Mills River		109,304.59		24.90		14.68		315.05		2,989.68		0.00	2,989.68
F07 Mountain Home		1,400,858.87		2,507.33		204.65		2,519.17		16,596.03		1.62	16,597.65
F12 Raven Rock		180,977.58		146.63		26.21		379.23		3,356.57		25.87	3,382.44
F02 Valley Hill		1,368,490.77		652.14		107.67		2,429.88		21,447.47		0.00	21,447.47
Total Fire Districts		7,848,690.91		68,933.13		2,004.57		17,494.49		147,272.02		33.32	147,305.34
Municipal Districts:													
C01 City of Hendersonville		0.00		0.00		0.00		0.00				0.00	
C02 City of Laurel Park		0.00		0.00		0.00		0.00				0.00	
C03 City of Saluda		16,843.46		0.00		0.00		0.06		0.00		0.00	
C04 Town of Fletcher		0.00		0.00		0.00		0.00				0.00	
C50 Village of Flat Rock 51		0.00		0.00		0.42		0.00				0.00	
Village of Flat Rock 52		0.00		0.00		0.00		0.00				0.00	
Village of Flat Rock 56		0.00		0.00		0.00		0.00				0.00	
C60 Town of Mills River		11.83		0.00		0.00		0.00				0.00	
Total Municipal Districts		16,855.29		0.00		0.42		0.06		0.00		0.00	
TOTAL		\$69,539,336.87		\$418,898.78		\$29,745.71		\$142,657.23		\$1,107,087.76		\$223.85	

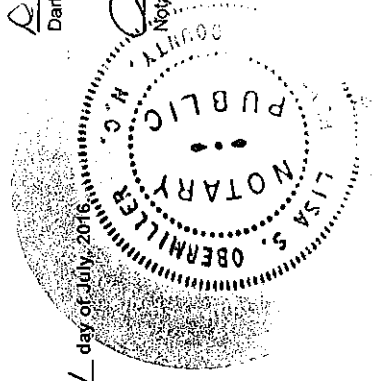
TOTAL CREDITS TO TAX COLLECTOR: \$71,237,950.20

Respectfully Submitted,

Darlene B. Burgess
Darlene Burgess, Interim Tax Collector

SWORN TO AND SUBSCRIBED BEFORE ME this 11 day of July, 2016.

Lisa S. Obermiller
Notary Public



My Commission expires: 12-18-2017

OFFICE OF THE HENDERSON COUNTY TAX COLLECTOR

200 North Grove Street, Suite 66

Hendersonville, NC 28792

Darlene Burgess
Interim Assessor & Tax Collector

Phone: 828/697-5595
Fax: 828/698-6153
www.hendersoncountync.org/tc/

Lisa Obermiller
Administrative Assistant II

20 July 2016

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

RE: FY 2015-2016 Progress Report regarding Delinquent Property Tax Collections

Dear Henderson County Commissioners:

For the FY2015-2016, we collected \$1,615,893.84 in prior-year taxes, plus all applicable fees and interest. At the close of this fiscal year, we have collected 99.60% of our prior-year (2014) annual tax bills (real property and listed personal property), and 99.8% for all previous years (including 2014 and years beyond our ten-year reach for enforced remedies.)

The responsibilities of the Deputy Tax Collector and staff include the monitoring and administration of statutorily-provided remedies used to collect delinquent tax. We have generated a great amount of revenue this year through the use of these remedies and are pleased to provide the following details on our efforts. While each effort is not always successful, our staff tirelessly explores all remedies for collection of delinquent taxes.

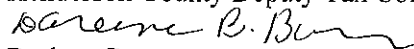
- Payment Arrangements: 200 new arrangements created, potential collection of \$416,632.76.
- Bank Attachments: 93 new actions created, potential collection of \$158,125.84.
- Wage Garnishments: 900 new actions created, potential collection of \$356,265.88.
- Rent Attachments: 1 new action created, potential collection of \$2,171.71.
- Pre-foreclosure: 215 new actions created, potential collection of \$527,866.98.
- Monies (Unclaimed Cash): 65 new actions created, potential collection of \$27,425.32.
- NC Debt Setoff: 2354 new actions created, \$1,778,516.76 total taxes submitted for possible setoff.

The progress relating to delinquent tax collections has truly been a team effort based on persistence, commitment, dedication and pride in carrying out our statutory charge. Thank you for the opportunity to be of service to you as the governing body, and to our fellow taxpayers and citizens.

Respectfully submitted,



Luke Small
Henderson County Deputy Tax Collector



Darlene Burgess
Henderson County Interim Assessor & Tax Collector

FY2015-2016 Delinquent Property Tax Collections

DELINQUENT PROPERTY TAX COLLECTED FOR GENERAL COUNTY:

TAX YEAR	TOTAL COUNTY LEVY CREDIT (Tax + Late List Penalties + Rebates and Releases)		ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL COUNTY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END COUNTY LEVY DUE	
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
2014	790,014.25	104.29	96,732.38	137.41	867,671.46	241.35	236,072.69	823.26
2013	151,992.75	9,816.48	34,118.35	5,175.95	178,319.70	14,990.27	174,964.34	49,280.91
2012	109,248.14	12,997.91	51,794.98	8,652.47	157,717.65	21,533.29	146,471.35	84,806.37
2011	26,258.59	5,153.13	9,228.87	4,620.22	31,322.35	9,772.39	134,351.32	50,149.47
2010	14,505.33	3,946.49	6,916.17	4,203.29	19,488.90	8,138.47	134,681.57	44,395.15
2009	12,760.52	4,382.56	5,614.02	5,443.83	16,902.55	9,829.19	108,992.31	48,137.34
2008	8,860.09	4,954.60	5,510.09	6,718.86	13,009.42	11,672.19	133,075.69	59,256.37
2007	7,436.33	5,768.79	5,112.63	8,189.38	11,692.70	13,956.95	113,816.57	74,750.13
2006	15,992.71	3,843.17	6,900.88	5,777.52	14,812.24	9,619.98	169,077.74	84,368.97
2005	7,072.35	3,082.42	5,825.39	6,167.94	11,413.37	9,172.02	80,106.64	68,614.53
2004/Prior	20,503.85	2,468.07	21,061.64	3,120.55	38,201.63	5,538.92	643,829.69	814,797.41
TOTAL:	1,166,645.91	56,517.91	248,815.40	58,219.42	1,360,551.97	114,465.02	2,075,439.92	1,379,359.91

DELINQUENT PROPERTY TAX COLLECTED FOR MUNICIPALITIES:

MUNICIPALITY	TOTAL CITY LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)		ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL CITY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END CITY LEVY DUE	
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
Hendersonville		5,822.94		3,288.45		9,096.32		188,345.42
Laurel Park		414.68		160.58		575.26		10,102.15
Saluda		0.00		0.00		0.00		115.00
Fletcher		2,910.72		1,361.42		4,271.79		35,995.56
Flat Rock 51		12.51		3.69		16.20		1,011.32
Flat Rock 52		12.50		2.40		14.90		363.80
Flat Rock 56		0.00		0.00		0.00		27.40
Mills River		399.34		208.80		607.96		5,606.18
TOTAL:		9,572.69		5,025.34		14,582.43		241,566.83

DELINQUENT PRO		TAX COLLECTED FOR FIRE DISTRICTS:				TOTAL SPECIAL DISTRICT CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END SPECIAL DISTRICT LEVY DUE	
FIRE DISTRICT	TOTAL SPECIAL DISTRICT LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)	ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL SPECIAL DISTRICT CASH COLLECTED		YEAR END SPECIAL DISTRICT LEVY DUE			
		Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
Bat Cave	3,986.08	44.16	737.34	20.31	4,723.32	2,968.13	883.30		
Blue Ridge	18,677.33	1,462.79	3,156.52	869.45	21,524.67	42,529.30	36,369.02		
Dana	13,275.08	581.02	2,453.78	379.48	15,420.71	19,052.69	18,901.96		
Edneyville	23,164.46	986.80	3,555.02	664.68	25,048.14	1,650.94	20,619.93		
Etowah/HS	12,977.81	674.39	1,740.63	453.83	14,556.12	1,128.17	14,548.86		
Fletcher	11,667.21	1,086.91	1,524.27	590.63	9,458.13	1,651.48	16,688.43		
Gerton	2,459.88	63.77	297.06	50.91	2,756.94	120.68	1,028.27		
Green River	21,715.21	241.23	10,015.80	127.23	31,577.96	368.28	5,958.12		
Millis River	5,401.76	64.78	972.04	44.18	6,293.11	108.96	6,691.45		
Mtn Home	20,592.87	1,285.70	2,422.87	787.23	20,354.57	2,056.62	27,164.12		
Raven Rock	4,107.00	66.16	637.30	35.20	4,698.85	101.36	1,503.89		
Valley Hill	20,721.45	752.96	2,032.53	669.97	22,376.57	1,422.92	17,194.97		
Valley Hill #2	0.00	31.49	0.00	33.59	-46.41	1,235.44	1,701.44		
TOTAL:	158,746.14	7,348.16	29,545.16	4,726.69	178,742.68	12,027.09	243,522.79		169,253.76

TOTAL DELINQUENT PROPERTY TAX COLLECTED:				TOTAL CASH COLLECTED		YEAR END LEVY DUE	
	TOTAL LEVY CREDIT		ACCRUED INTEREST COLLECTED +	TOTAL CASH COLLECTED		YEAR END LEVY DUE	
	Total	Total		Total	Total	Total	Total
General County	1,223,163.82	307,034.82		1,475,016.99	3,454,799.83		
Municipalities	9,572.69	5,025.34		14,582.43	241,566.83		
Fire Districts	166,094.30	34,271.95		190,769.77	412,776.55		
TOTAL:	1,398,830.81	346,332.01		1,690,369.19	4,109,143.21		

Notes:

- (1) Differences in the sum of Levy Credit + Accrued Interest and Total Cash Collected is attributable to Rebates (aka Releases) and Refunds
- (2) The Year End Levy Due columns include amounts due for years prior to 2005 which are legally unenforceable.

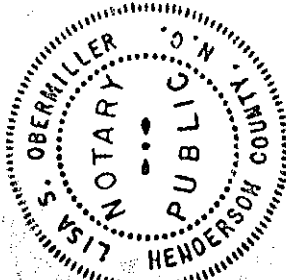
Respectfully Submitted,

Darlene Burgess
Darlene Burgess, Interim Tax Collector

SWORN TO AND SUBSCRIBED BEFORE ME this 11 day of July, 2016.

Notary Public
Notary Public

My Commission expires: 12-18-2017



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

THOMAS THOMPSON
Chairman
CHARLIE MESSER
Vice-Chairman

J. MICHAEL EDNEY
GRADY HAWKINS
WILLIAM LAPSLEY

RESOLUTION

DECLARING THE HENDERSON COUNTY BOARD OF COMMISSIONERS' OPPOSITION TO THE RELOCATION OF REFUGEES FROM THE UNITED STATES REFUGEE RESETTLEMENT PROGRAM

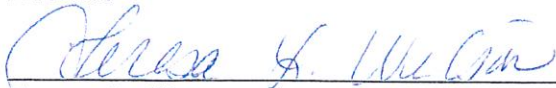
- WHEREAS,** the United States Refugee Resettlement Program is run through the US Department of State, which works with domestic resettlement agencies to resettle refugees; and
- WHEREAS,** there are serious security concerns with the Federal Bureau of Investigation ("FBI") indicating that they are unable to fully vet incoming Syrian refugees because there are no systems in place on the ground to collect information, according to Michael Steinbach, Assistant Director for the FBI on February 12, 2015; and
- WHEREAS,** Secretary of State John Kerry has stated that "nowhere is there a greater hotbed or incubator for these terrorists than in Syria"; and
- WHEREAS,** the mission of the Henderson County Board of Commissioners includes the protection of life and property, as well as balancing the preservation and utilization of all of our resources; and
- WHEREAS,** although the US Department of State supplies resettlement agencies with federal funds for each refugee, those resources are limited to the first three months after arrival; and
- WHEREAS,** the resettlement program creates financial areas of concern related to unfunded burdens on schools, law enforcement, social services, housing and housing agencies, and health care providers; and
- WHEREAS,** the Henderson County Board of Commissioners opposes the relocation of refugees in Henderson County, as well as the expenditure of state funds to assist the United States Refugee Resettlement Program;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners does hereby request that the Governor of North Carolina withhold any state funds that would be expended to assist in the United States Refugee Resettlement Program. Be it further resolved that Henderson County shall inform both federal and state elected officials of the Board's position on refugee resettlement, and expect full compliance with 8 USC 1522 Chapter 2 of Title 4 reporting.

Adopted this the 20th day of July, 2016:


THOMAS H. THOMPSON, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD