

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, JUNE 6, 2016**

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

Those present were: Chairman 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, Finance Director J. Carey McLelland, 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, Captain Jim Player, Public Health Director Steve Smith, Interim Assessor/Tax Collector – Internal Auditor Darlene Burgess, Recreation Director Tim Hopkin, EMS Director Mike Barnett, HR Director Jan Prichard, Central Services Supervisor Jerry Tucker, Code Enforcement Director Toby Linville, Deputy Register of Deeds Willa Blair, Fire Marshal Rocky Hyder, Library Director Trina Rushing, Environmental Programs Coordinator Rachel Kipar, Assistant Engineer Natalie Berry and PIO Kathy Finotti – videotaping, Deputy Ken McCraw and Deputy Brent Cantrell 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 Keira Hodge of the Barnyard Bandits 4-H Club.

### CERTIFICATE OF RECOGNITION – STARS AND STRIPES AWARD

#### **Katie Shehan**

Chairman Thompson explained that Miss Katie Shehan had been awarded the American Heritage Girls Troop 1412 Stars and Stripes Award. Katie is 18 years old and the first recipient in WNC to receive the award, and the 2nd in North Carolina to receive the award. This award is considered as the American Heritage Girls equivalent to the Boy Scouts Eagle Scout Award, and requires 16 merit badges, leadership for 6 months, and a community service project. Miss Shehan's community service project was beautification at the Edneyville Fire Department. The Commissioners presented Katie with a Certificate of Recognition.

### CERTIFICATE OF RECOGNITION – EAGLE SCOUTS

#### **Robert Mullinax, William Darnell & Patrick Darnell**

Chairman Thompson stated Robert Mullinax, William Darnell and Patrick Darnell have received their Eagle Scout Awards, which is the highest achievement award in the Boys Scouts. None of the young men were able to attend the meeting, so the certificates will be mailed to them.

### RESOLUTION – HONORING SERGEANT JEFFERY BANKS

The Henderson County Sheriff's Office requests that the service badge and sidearm of Jeffery Banks be given to him in recognition of his retirement from the Henderson County Sheriff's Office.

Sergeant Jeffery Banks began employment with the Henderson County Sheriff's Office on November 27, 1995. Throughout his career he has worked as a Detention Officer, Deputy, Master Deputy, Corporal, and Sergeant.

DATE APPROVED: July 20, 2016

Sergeant Banks has served for a total of 18 years in the Sheriff's Office. He has spent his adult life serving our community and agency. To honor him and show my gratitude, the Sheriff's Department intends to present his service badge and service sidearm to him.

Sheriff McDonald makes this request on behalf of the Henderson County Sheriff's Office pursuant to North Carolina General Statute 20-187.2(a). Mr. Banks is to receive his sidearm at a cost of twenty-five percent (25%) of the fair market value of the sidearm and upon his securing a permit required by N.C. G. S. 134-402.

Commissioner Edney asked Sheriff McDonald to let him know the cost of the sidearm to Mr. Banks, as he would like to pay that cost himself.

Chairman Thompson read the resolution aloud.

*Commissioner Hawkins made the motion that the Board allows Sheriff Charles McDonald to present the service badge and sidearm as a token of appreciation to Sergeant Jeffery Banks. All voted in favor and the motion carried.*

**RESOLUTION – HONORING MASTER DEPUTY LERAY COGGINS**

The Henderson County Sheriff's Office requests that the service badge and sidearm of LeRay Coggins be given to him in recognition of his retirement from the Henderson County Sheriff's Office.

Master Deputy Coggins began employment with the Henderson County Sheriff's Office on October 3, 1988. Throughout his career he has worked as a Tele-communicator and held the ranks of Tele-communicator, Deputy, Master Deputy, Corporal and Sergeant. Master Deputy Coggins has served for a total of 27 years in the Sheriff's Office. He has spent his adult life serving our community and agency. To honor him and show my gratitude, the Sheriff's Department intends to present his service badge and service sidearm to him.

Sheriff McDonald makes this request on behalf of the Henderson County Sheriff's Office pursuant to North Carolina General Statute 20-187.2(a). Mr. Coggins is to receive his sidearm at no cost and upon his securing a permit required by N.C.G.S. 14-402.

Chairman Thompson read the resolution aloud.

*Commissioner Messer made the motion that the Board allows Sheriff Charles McDonald to present the service badge and sidearm as a token of appreciation to Master Deputy Coggins. All voted in favor and the motion carried.*

Sheriff McDonald thanked the Board for their attention to tradition. He also recognized the commitment of Mr. Coggins and Mr. Banks.

Commissioner Messer noted that Master Deputy Coggins left for Afghanistan the day after retiring.

**PREMIER OF INFANT CPR**

Dr. Jennifer Hensley of the Social Services Board stated the Board has been working on a project to provide CPR training for children. The plan is to play the video in hospitals in new mother's rooms. It will also be played on the Government Channel 11. Dr. Hensley shared the short video with the audience.

Glen Gillette, the individual in the video showing how to perform CPR on infants, was present for the meeting.

**PUBLIC HEARINGS**

**Public Hearing for Rezoning Application #R-2016-01 – Russell Galloway**

Commissioner Messer made the motion to go into public hearing regarding Rezoning Application #r-2016-01. All voted in favor and the motion carried.

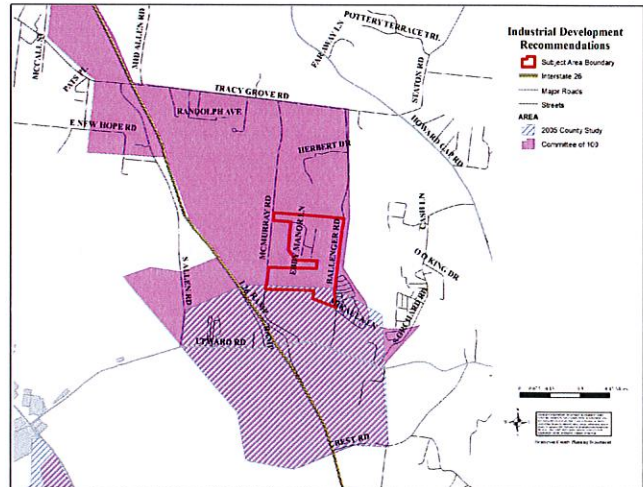
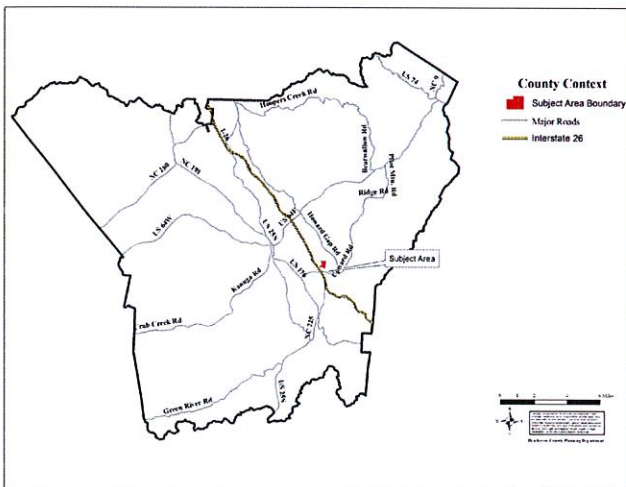
Planner Kyle Guie stated Rezoning Application #R-2016-01 which was initiated on March 15, 2016 at the request of applicant and agent, Mr. Russell Galloway, requests the County rezone approximately 67.34 acres of land (thereafter the “Subject Area”) from Industrial (I) zoning to Residential One (R1) zoning.

The Henderson County Planning Board considered rezoning application #R-2016-01 at its regularly scheduled meeting on April 21, 2016. During that meeting, the Planning Board voted unanimously to send forward a favorable recommendation to rezone the Subject Area to a Residential One (R1) zoning district.

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42A-314(C) and §42A-337(B) of the Henderson County Land Development Code and State Law, notices of the June 6, 2016, public hearing regarding rezoning application #R-2016-01 were published in the Hendersonville Lightning on May 19, 2016 and May 26, 2016. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the Subject Area on May 19, 2016 and the Subject Area property owners on May 17, 2016 and posted signs advertising the hearing on the Subject Area on May 23, 2016.

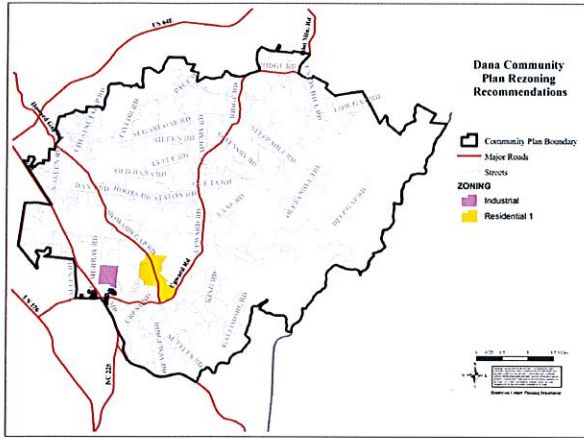
**Application Summary**

- Rezoning Request: R-2016-01
- Submitted on March 15, 2016
- Applicant/Agent: Mr. Russell Galloway
- Rezone from Industrial (I) Zoning to Residential One (R1) Zoning
- 67.34 acres
- 20 parcels
- 12 landowners



**Background**

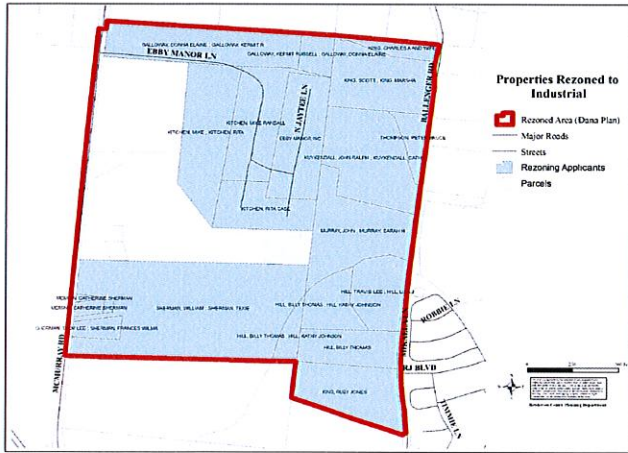
- 2004: Henderson County 2020 Comprehensive Plan
  - Future land use: Industrial, Urban Services, and Conservation Areas
- 2005: Henderson County Industrial Site Suitability Analysis
- The Partnership of Economic Development, formerly the Committee of 100 Recommended Industrial Areas



**Background**

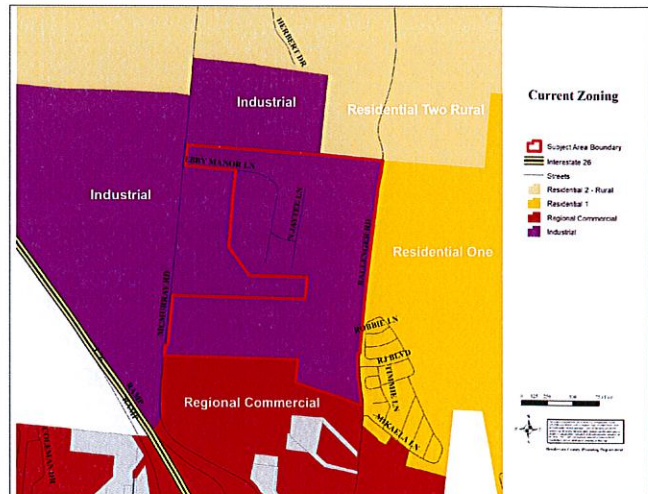
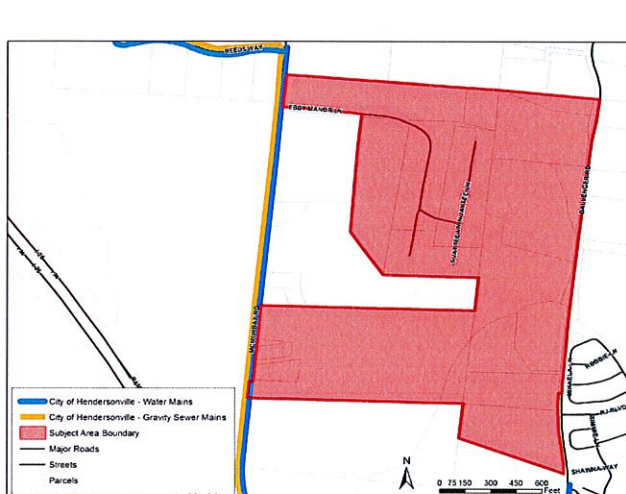
Dana Community adopted in March of 2011

- Recommended subject area be Rezoned from Residential One to Industrial
- 14 months to complete with 2 public meetings



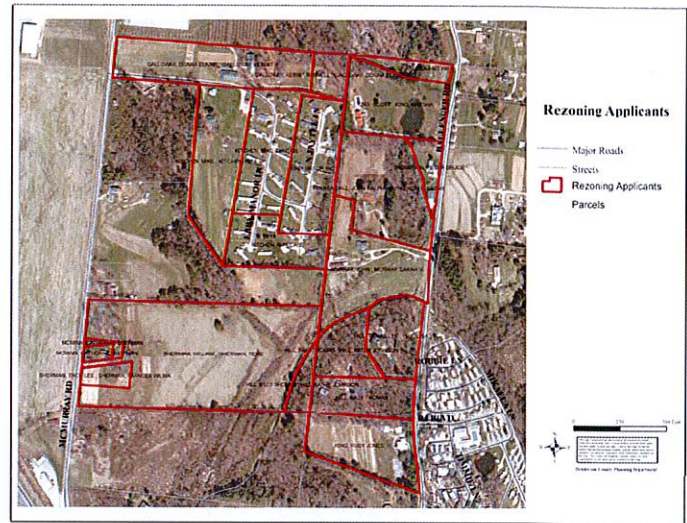
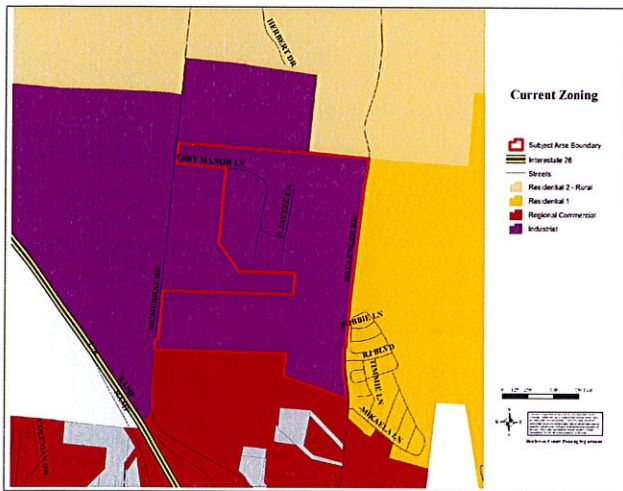
**Background**

- February 2014, Board of Commissioners directed staff to implement rezoning recommendations for GRTZ, Edneyville, and Dana Community plans
- November 2014, the Board of Commissioners voted to rezone the Subject Area to Industrial



**Zoning Overview**

- Current Zoning: Industrial
- Zoned Residential One with adoption of Land Development Code in 2007
- Zoned Open Use Prior to 2007
- Current Adjacent Zoning:
  - Industrial, Residential One, Residential Two Rural, Regional Commercial
- Planning Board voted unanimously to recommend approval at its April 21<sup>st</sup> meeting
- Public hearing advertised in the Hendersonville Lightning on May 19<sup>th</sup> and May 26<sup>th</sup>
- Letters to landowners sent out on May 17<sup>th</sup>
- Letters to adjacent landowners sent out May 19<sup>th</sup>
- Property was posted in 6 locations on May 23<sup>rd</sup>



**Public Input**

1. David Sherman is a tenant in common. He feels if the property is returned to residential zoning, the owners will lose money.
2. Marilyn Sherman is wife of Johnny Sherman and heir to the estate. Their property is listed for sale and they would like for it to remain zoned industrial. If it is changed to residential, they will lose money.
3. Chuck Francis stated Jim Whitehurst is the owner of property adjacent to the subject property. The costal agri-business was located there because of the industrial zoning, and is not compatible with residential zoning. An investment has been made and he asked the Board to deny the request and leave the property zoned industrial.
4. Russell Galloway is the applicant. His property is connected to the agri-business supply company. Mr. Galloway does not feel that changing the zoning back to residential would change the business. He feels his rights were taken away without permission. Most of the landowners of the subject project are senior citizens with plans of leaving the property to their children, in order to build their homes. Mr. Galloway informed the Board that he would take this to court if necessary.
5. Rebecca Sherman stated the subject property was her grandparent's property. It is her dream to keep the property in the family. She asked the Board to rezone as residential.

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

Commissioner Edney inquired about the initial zoning and the advertising used.

John Mitchell explained that property was posted properly, and a 1/2 page advertisement was placed in the newspaper.

Commissioner Edney is concerned that a corporation owns part of the property and does not look as if the proper authority had signed the application. If this goes to court, it would show defects in the procedural details.

Commissioner Thompson noted that he was Chair of the Dana Small Area Plan which contained 9 members.

Commissioner Hawkins verified that Applicant Russell Galloway owns 2 of the 20 subject parcels.

*Commissioner Edney made the motion for a continuance since the application was not properly presented to the Board, allowing time for any defects to be addressed for procedural details and brought back before the Board at a later date. All voted in favor and the motion carried.*

**INFORMAL COMMENTS**

1. Kimberly Heery has continued concern about the North Carolina General Statute in regards to building or renovating public school buildings. She said the plan for Hendersonville High School should go back to the Board of Education with an option to make changes as they see fit. Ms. Heery feels the commissioners are micro-managing and should instead allow the Board of Education to make decisions and choose a plan.
2. Amanda Fairley is with Waste Management. Recently they visited the Henderson County Transfer Station, and feel improvements need to be made. Waste Management is against flow control and feel Henderson County will see an increase of traffic at the Transfer Station with the Flow Control Ordinance.
3. Ken Fitch reminded the Board that more school nurses are needed.
4. Tom Hill is an alumni of Hendersonville High School and asked the Board to work together with the Board of Education. The alumni are still discussing the Stillwell Building and its use. He feels the 1/4 cent sales tax referendum, if passed, should be used for teacher pay increases.

**Discussion/Adjustment of Consent Agenda**

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

CONSENT AGENDA consisted of the following:

**Minutes**

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

May 18, 2016 - Regularly Scheduled Meeting

**Tax Collector's Report**

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated May 26, 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:

\$ 19,108.36

\$ 18,519.92

Motion:

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

**County Financial Report/Cash Balance Report – April**

The April 2016 County Financial Report and Cash Balance Report were provided for the Board's review and approval.

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

- Dues/Non-Profit – 4<sup>th</sup> quarter contributions were paid in March
- Facility Services – a large workers compensation claim was incurred in March
- Rescue Squad – 4<sup>th</sup> quarter approved non-profit contribution payment
- Soil & Water Conservation – contracted services payments totaling \$185,000 have been expended in total as of the end of April
- Economic Development – the budgeted amounts for Partnership for Economic Progress, Sierra Nevada and NC Rural Center have been expended in total as of the end of April
- Agri-Business – operational expenditures to be covered by Agri-Business program fees to be transferred in
- Medical Services – payments for autopsies conducted through April
- Mental Health – 4<sup>th</sup> quarter payment was made in April

The YTD deficit in the Emergency Telephone System Fund is due to the purchase of technology capital outlay that has been budgeted. Fund balance has been appropriated to cover these technology expenditures.

The YTD deficit in the CDBG – Dodd Meadows Project Fund is temporary and due to a timing delay between the expenditure of grant funds on the project and the subsequent reimbursement of expended funds from the Division of Community Assistance.

The YTD deficit in the Immigration and Customs Enforcement (ICE) Fund is from the transfer of the remaining funds available to the County's General Fund due to completion of participation in this federal program by the Sheriff's Department. Final ICE Program participation and funding ceased as of December 31, 2014.

The YTD deficit in the Westfeldt Park Project is due to the payment of project expenditures and the subsequent reimbursement of grant funds from the NCDENR – Recreational Trails Grant Program.

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to ongoing expenditures for multiple sewer capital projects. A total of \$2.478 million in fund balance, primarily for these capital projects, was budgeted to balance this Fund and cover these capital expenditures in the current fiscal year.

Motion:

*I move the Board of Commissioners approves the April 2016 County Financial Report and Cash Balance Report as presented.*

**Public Schools Financial Reports – April**

The Henderson County Public Schools April 2016 Local Current Expense Fund / Other Restricted Funds Financial Report was provided for the Board's review.

Motion:

*I move the Board of Commissioners approves the Henderson County Public Schools April 2016 Financial Report as presented.*

**Smoky Mountain Center – Quarterly Fiscal Monitoring Report (FMP) for the quarter ended March 31, 2016**

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for the Smoky Mountain Center was received by the County Finance Officer on April 30, 2016.

Motion:

*I move that the Board of Commissioners approves the Smoky Mountain Center Fiscal Monitoring Report for the quarter ended March 31, 2016.*

**Energy Management Update**

The report provides information to the Board about the County’s energy use across all County facilities in the areas of electricity, natural gas, and water/sewer. It compares the current FY 3<sup>rd</sup> quarter with the previous year to illustrate historical trends in commodity consumption. Supplementary cost analyses represent the monthly cost profile comparing 2015 and 2016 YTD for the highest-cost commodity at each facility. Selected fuel consumption information is also provided for the current FY 3<sup>rd</sup> quarter period.

**HCCBG Allocation Recommendations**

Each year, the Board of Commissioners is required to adopt a Funding Plan for the Home & Community Care Block Grant for Older Adults and identify the lead office or agency responsible for coordinating the County Funding Plan. The Home & Community Care Block Grant is a State/Federal program administered at the local level. The proposed Funding Plan supports the service priorities identified for the current planning cycle.

At this time, the HCCBG funding for FY2017 is estimated to be \$776,834.

SERVICE PROVIDER	SERVICE CATEGORY	FY2016 CURRENT ALLOCATION	FY2017 REQUESTED ALLOCATION	FY2017 RECOMENDED ALLOCATION	% OF FY2017 HCCBG FUNDING
ADVANTAGE HOME CARE	In Home Aide Level II	\$ 154,278	\$ 154,278	\$ 160,102	20.61%
HENDERSON COUNTY DSS	In Home Aide Level I	\$ 29,380	\$ 33,496	\$ 30,483	3.92%
CAREPARTNERS	Adult Day Care	\$ 6,970	\$ 10,000	\$ 7,232	0.93%
CAREPARTNERS	Adult Day Healthcare	\$ 26,921	\$ 30,000	\$ 27,931	3.60%
THE BYRD HEALTHCARE GROUP OF NC, LLC	In Home Aide Level II	\$ -	\$ 154,278	\$ -	0.00%
THE BYRD HEALTHCARE GROUP OF NC, LLC	In Home Aide Level I	\$ -	\$ 29,380	\$ -	0.00%
LAND OF SKY REGIONAL COUNCIL	Senior Companion	\$ 27,823	\$ 30,000	\$ 28,867	3.72%
<b>SUBTOTAL: IN-HOME SERVICES ALLOCATION:</b>		<b>\$ 245,372</b>	<b>\$ 441,432</b>	<b>\$ 254,615</b>	<b>32.78%</b>
WESTERN CAROLINA COMMUNITY ACTION	General Transportation	\$ 131,646	\$ 131,102	\$ 136,587	17.58%
WESTERN CAROLINA COMMUNITY ACTION	Medical Transportation	\$ 26,110	\$ 26,002	\$ 27,090	3.49%
CAREPARTNERS	Medical Transportation	\$ 2,890	\$ 5,000	\$ 2,998	0.39%
COUNCIL ON AGING	Care Management	\$ 45,171	\$ 45,171	\$ 46,866	6.03%
<b>SUBTOTAL: ACCESS SERVICES ALLOCATION:</b>		<b>\$ 205,817</b>	<b>\$ 207,275</b>	<b>\$ 213,541</b>	<b>27.49%</b>
PISGAH LEGAL SERVICES	Elder Law Program	\$ 26,303	\$ 30,762	\$ 26,303	3.39%
<b>SUBTOTAL: LEGAL SERVICES ALLOCATION:</b>		<b>\$ 26,303</b>	<b>\$ 30,762</b>	<b>\$ 26,303</b>	<b>3.39%</b>
COUNCIL ON AGING	Home Delivered Meals	\$ 207,149	\$ 213,363	\$ 214,923	27.67%
COUNCIL ON AGING	Congregate Meals	\$ 16,733	\$ 16,733	\$ 17,361	2.23%
JEWISH FAMILY SERVICES OF WNC, INC.	Group Respite	\$ -	\$ 5,000	\$ 5,000	0.64%
HOUSING ASSISTANCE CORPORATION	Home Repair	\$ 18,487	\$ 20,000	\$ 19,181	2.47%
WESTERN CAROLINA COMMUNITY ACTION	Liquid Nutrition	\$ 24,973	\$ 24,509	\$ 25,910	3.34%
<b>SUBTOTAL: OTHER HCCBG SERVICES ALLOCATION:</b>		<b>\$ 267,342</b>	<b>\$ 279,605</b>	<b>\$ 282,375</b>	<b>36.35%</b>
<b>TOTAL</b>		<b>\$ 744,834</b>	<b>\$ 959,074</b>	<b>\$ 776,834</b>	<b>100.00%</b>



**Comments:**

The last column entitled "% of FY2017 HCCBG Funding" indicates the percentage of total FY2017 HCCBG funding recommended by the Committee to be allocated for each provider. This includes the allocation for Legal Services, which is a statutory amount that must be allocated to Legal Services.

HCCBG Services have been categorized in accordance with priority services established by Title III-B of the Older Americans Act. Specific services falling within each priority service category are set forth above and color coded for your convenience.

**Motion:**

*I move that the Board appoints the County Manager's office as the Lead Agency and approves the proposed FY2017 Funding Plan.*

**Walk of Fame Steering Committee Revised Charter**

At the February 2, 2015 Board of Commissioners Meeting, Tom Orr presented for the Board's consideration, the concept for a "Walk of Fame" Committee. The purpose of the Committee would be to determine a means by which to recognize outstanding contributors to the growth and development of Henderson County. The Charter was originally approved on April 15, 2015, and revised on June 24, 2015.

The City of Hendersonville has requested the Board consider revising the Charter, with the proposed changes reflected in red on the draft provided. Primarily, the proposed revisions establish that a steering committee will serve as the selection committee, and that the selection of the Chairman will be determined by a vote of the members. Additionally the revision proposes that the City's 3rd member shall be the Public Works Director or their designee, serving in an ex-officio capacity. Staff supports this recommendation, since the Walk will primarily be located in Downtown Hendersonville, and City resources would be needed to install and maintain any proposed plaques of monuments.

**Motion:**

*I move the Board approves the revised Charter and By-Laws for the Walk of Fame Steering Committee as presented.*

**Budget Amendment – DSS**

The Department of Social Services and Facility Services is requesting that the Board approves a budget amendment necessary to renovate an existing space in the Department of Social Services into offices.

The total cost to convert existing breakroom into offices, construct new restrooms and other associated construction is estimated to be \$145,000. Facility Services will be performing a portion of the work, with a contractor performing the buildout of the office space.

The project is transforming existing space in the Human Services building, not utilizing any of the "future space".

**Motion:**

*I move the Board of Commissioners approves the Budget Amendment which moves the approved funding for this project from the DSS budget to Facility Services.*

**Mills River – Sheriff's Proposal**

At the Board's May 18, 2016 meeting, the Board discussed a proposal to offer law enforcement services to Mills River with a phased enactment over the course of three budget cycles, with full implementation in FY2019. The Board approved a motion to "offer the package to Mills River and see what response is received." Staff contacted Mills River following the meeting, and conveyed the offer.

Mills River has responded that they do wish to accept the proposal, which would begin July 1, 2016. The Board is requested to discuss the response, determine if it wishes to engage in a contract with Mills River going forward, and direct staff accordingly.

It was the Board's understanding that with the manning of two positions to Mills River, two additional manning positions will open in the Sheriff's Department using the revenue to cover the positions.

Motion:

*I move the Board directs Staff to develop a contract for the provision of law enforcement services in Mills River, annually determine the cost for provision of these services at 100% cost recovery, include that cost in the contract, and authorize the Chairman to execute the contract.*

#### **Pilgrim HOME loan program document request**

In 2000, a "HOME" program loan was made, as shown on the documents provided. A correction of promissory note was attempted in October of 2002, also as shown. This document was incorrectly executed and acknowledged.

From available records, in the 1990s, "HOME" loans did not automatically terminate if the recipient lived in the property which was improved by and the collateral for the loan for a period of ten years. This feature changed before this loan was made, but the paperwork prepared by outside counsel evidently was not corrected from previous forms. When, two years after the loan was originally made an attempt was made at such correction, it was not properly executed or acknowledged by the County.

Notwithstanding all those facts, the recipient of the loan has evidently in fact resided in the property for a period of greater than ten years. This would allow the lien on the property represented by the County's deed of trust to be withdrawn (noted on records as "Satisfied"), and the loan permanently forgiven.

Motion:

*I move that the Board directs staff to properly execute and acknowledge the Satisfaction of Security Instrument in this matter.*

#### **Proclamation – June 18-25 as Pollinator Week**

The Henderson County Board of Commissioners is requested to proclaim the week of June 18-25, 2016 as Pollinator Week and encourage all Henderson County officials, employees, schools and residents to participate in local Pollinator Week activities.

A variety of educational and interactive events for all ages are scheduled to take place throughout Henderson County during the week of June 18-25, 2016, hosted by certified Hendersonville Bee City USA® with partners from local non-profits, businesses, camps, and conservation organizations.

Motion:

*I move that the Board adopts the Proclamation designating June 18-25, 2016 as Pollinator Week.*

#### **DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Chairman Thompson made the motion to adopt the discussion agenda as presented. All voted in favor and the motion carried.*

#### **NOMINATIONS**

##### **Notification of Vacancies**

1. Blue Ridge Community College Board of Trustees – 1 vac.
2. Environmental Advisory Committee – 3 vac.

3. Fire and Rescue Advisory Committee – 2 vac.
4. Greater Asheville Regional Airport Authority Board – 1 vac.
5. Henderson County Board of Health – 3 vac.
6. Henderson County Historic Courthouse Corporation dba/Heritage Museum – 4 vac.
7. Henderson Tourism Development Authority – 1 vac.
8. Historic Resources Commission – 3 vac.
9. Juvenile Crime Prevention Council – 7 vac.
10. Library Board of Trustees – 2 vac.
11. Mountain Area Workforce Development Board – 2 vac.
12. Social Services Board – 1 vac.

### **Nominations**

1. 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.

2. Greater Asheville Regional Airport Authority Board – 1 vac.

Commissioner Messer nominated Andrew Tate for reappointment to position #1. *Commissioner Messer made the motion to accept the reappointment of Andrew Tate to position #1 by acclamation. All voted in favor and the motion carried.*

3. Henderson County Board of Health – 3 vac.

Commissioner Lapsley nominated for reappointment, George Richards for position #2, Graham Fields for position #9 and Dr. David Ellis for position #11. *Chairman Thompson made the motion to reappoint George Richards to position #2, Graham Fields to position #9, and Dr. David Ellis to position #11 by acclamation. All voted in favor and the motion carried.*

4. 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.

3. 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.

4. Juvenile Crime Prevention Council – 3 vac.

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

5. 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.

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

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

7. Senior Volunteer Services Advisory Council – 1 vac.

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

### **ADOPTION OF THE FY2016-2017 BUDGET**

The Board is requested to continue discussions with regard to the FY2016-2017 Budget. Should the Board wish to adopt the budget following the discussion, Staff will be prepared to present the FY 2017 Budget Ordinance.

*Chairman Thompson made the motion that the current policy of maintaining a 12% fund balance policy be reaffirmed. The motion passed 3-2 with Commissioners Hawkins and Lapsley voting nay.*

*Chairman Thompson made the motion that the Board order the County Attorney to guide the Board of Commissioners through the implementation of a solid waste flow control ordinance as soon as possible. The*

*motion passed 4-1 with Commissioner Lapsley voting nay.*

*Chairman Thompson made the motion to add to the base budget of all future budgets a school nurse each year until we have met the standard of 1 for every 750 students. All voted in favor and the motion carried.*

*Chairman Thompson made the motion to fully fund the Henderson County Public Schools at their request of \$1,394,230. All voted in favor and the motion carried.*

*Chairman Thompson made the motion to allocate \$60,577 for additional salary cost to the Cooperative Extension. All voted in favor and the motion carried.*

*Chairman Thompson made the motion to fund public safety advanced training pay for the Sheriff's Department in the amount of \$229,895.00, the Detention Center in the amount of \$32,683.00, and EMS in the amount of \$222,108.00 as defined by Assistant County Manager Amy Brantley. All voted in favor and the motion carried.*

*Commissioner Messer made the motion to fund an additional 2% pay increase for all (182) employees of the Sheriff's Department and Detention Center at a cost of \$145,860.00. The motion passed 4-1 with Commissioner Lapsley voting nay.*

*Chairman Thompson made the motion to earmark \$1,283,332.00 to build an inside training facility for law enforcement debt service. The motion passed 4-1 with Commissioner Lapsley voting nay.*

*It was the consensus of the Board that over the next year staff conduct and internal review of all departments looking at positions where we are unable to recruit or retain employees and salary is the issue.*

*Vice-Chairman Messer made the motion to approve a budget amendment for \$966,900 from the Bent Creek Fund for the Detention Center roof. All voted in favor and the motion carried.*

*Commissioner Hawkins made the motion to refund Fire Inspection fee payments over the next two years with those first paid being the first refunded, and last paid being refunded last in the total amount of \$200,000.00. The motion failed 1-4 with Commissioners Messer, Thompson, Lapsley and Edney voting nay.*

*Chairman Thompson made the motion to fund the additional membership fee to NCACC in the amount of \$103.00. All voted in favor and the motion carried.*

*Commissioner Lapsley made the motion to approve a budget amendment for the current year moving funds (\$570,000.00) from Bent Creek to Dana Park in the amount of \$150,000, and Tuxedo Park in the amount of \$150,000 for equipment, \$230,000 to Jackson Park for Tennis Courts, and \$40,000 to Jackson Park for scoreboards, fencing and portable score platforms at Fields 8 & 9. All voted in favor and the motion carried.*

*Commissioner Edney made the motion to approve funding for non-profit Interfaith Assistance and non-profit Medical Loan Closet at \$4500.00 each. All voted in favor and the motion carried.*

*Chairman Thompson made the motion to include in the budget a new EMS ambulance, staff and equipment at a cost of \$651,936. All voted in favor and the motion carried.*

Assistant County Manager Amy Brantley summarized the action taken by the Board as follows:

May 2, 2016 proposed budget:	\$126,098,407
Henderson County Public Schools	+ 1,394,230
Cooperative Extension Salary Adjustment	+ 60,577

June 6, 2016

13

Law Enforcement Training Facility	+	1,283,332
EMS crew and equipment	+	651,936
Law Enforcement and EMS Advanced Training	+	484,686
2% Sheriff's & Detention pay adjustment	+	145,860
NCACC Membership Fee increase	+	103
Fire Inspection Fee refunds	+	200,000
Interfaith Assistance Ministry	+	4,500
Medical Loan Closet	+	4,500
Library Courier (subtraction)	-	40,907
<b>Addition Total</b>	<b>+</b>	<b>4,188,817</b>
<b>FY 17 Expenditures</b>		<b>\$130,287,224</b>

*Chairman Thompson made the motion to set the tax levy for FY 16-17 at .565 per \$100. The motion passed 3-2 with Commissioners Hawkins and Lapsley voting nay.*

*Chairman Thompson made the motion to adopt the FY16-17 Budget Ordinance. The motion passed 3-2 with Commissioners Hawkins and Lapsley noting nay.*

#### **CLOSED SESSION**

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

Pursuant to N.C. Gen. Stat. §143-318.11(a)(4), (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.

*Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) 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.*

#### **REMEMBERING THE FLOOD OF 1916 – THIS ITEM WILL BE SHARED AT A FUTURE DATE**

#### **IMPORTANT DATES**

Chairman Thompson suggested canceling the June 15, 2016 meeting.

*Commissioner Messer made the motion that the June 15, 2016 meeting of the Board of Commissioners be canceled. All voted in favor and the motion carried.*

#### **ADJOURN**

*Commissioner Messer made the motion to adjourn at 11:25 p.m. All voted in favor and the motion carried.*

Attest:



Teresa L. Wilson, Clerk to the Board



Thomas H. Thompson, Chairman

# Certificate of Recognition

by the  
Henderson County Board of Commissioners

This certificate is awarded to

**Katie Shehan**

In recognition of achieving the American Heritage Girls  
Stars and Stripes Award



*Thomas H. Thompson*

Thomas H. Thompson, Chairman

*Charles D. Messer*

Charles D. Messer, Vice-Chairman

6/2/16

Date

6-2-16

Date

# Certificate of Recognition

by the  
Henderson County Board of Commissioners



This certificate is awarded to

*Robert Mullinax*

In recognition of achieving the rank of Eagle Scout



*Thomas H. Thompson*

Thomas H. Thompson, Chairman

*Charles D. Messer*

Charles D. Messer, Vice-Chairman

*6/2/16*

Date

*6-2-16*

Date

# Certificate of Recognition

by the  
Henderson County Board of Commissioners



This certificate is awarded to

*William Darnell*

In recognition of achieving the rank of Eagle Scout



*Thomas H. Thompson*

Thomas H. Thompson, Chairman

*Charles D. Messer*

Charles D. Messer, Vice-Chairman

*6/2/16*

Date

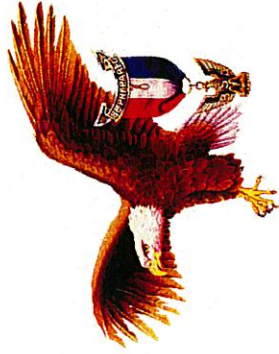
*6-2-16*

Date



# Certificate of Recognition

by the  
Henderson County Board of Commissioners



This certificate is awarded to

**Patrick Darnell**

In recognition of achieving the rank of Eagle Scout



*Thomas H. Thompson*

Thomas H. Thompson, Chairman

*Charles D. Messer*

Charles D. Messer, Vice-Chairman

*6/2/16*

Date

*6-22-16*

Date



## Resolution Honoring Sergeant Jeffery Banks



### For 18 Years of Law Enforcement Service and Awarding Him His Badge and Sidearm

**WHEREAS**, Sergeant Banks joined the Henderson County Sheriff's Office as a full-time Detention Officer on November 27, 1995. Sergeant Banks separated from full-time employment on December 7, 2008 and returned on January 3, 2011. During his benefit-eligible employment, he held the ranks of Detention Officer, Deputy, Master Deputy, Corporal, and Sergeant; and

**WHEREAS**, Sergeant Banks' service and dedication to the Henderson County Sheriff's Office and service, dedication and accomplishments in the field of law enforcement during his 18 years of service are hereby recognized and commended; and

**WHEREAS**, N.C.G.S. 20-187.2 provides that retiring officers of the Henderson County Sheriff's Office may receive, at the time of their retirement, the badge worn or carried by them during their service with Henderson County; and

**WHEREAS**, N.C.G.S. 20-187.2 further provides that the Henderson County Board of Commissioners may, in its discretion, award to a retiring officer the service sidearm of such retiring officer at a price determined by the Board of Commissioners, upon securing a permit as required by N.C.G.S. 14-402 et seq; and

**WHEREAS**, Sergeant Banks has served as a benefit-eligible member of the Henderson County Sheriff's Office for a period of more than 18 years and retired from the Henderson County Sheriff's Office on April 29, 2016; and

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

1. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Sergeant Banks the badge worn by him during his service with the Henderson County Sheriff's Office; and
2. Sheriff McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Sergeant Banks his service sidearm at a cost to the officer of twenty-five percent (25%) of the fair market value of the sidearm and upon his securing a permit required by N.C.G.S. 14-402.


**BE IT FURTHER RESOLVED**, that the Henderson County Board of Commissioners recognizes and thanks Sergeant Banks for his dedicated service to Henderson County and its citizens.

Adopted this the 6th day of June, 2016.



THOMAS THOMPSON, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

  
TERESA WILSON  
CLERK TO THE BOARD



## Resolution Honoring Master Deputy LeRay Coggins



### For 27 Years of Law Enforcement Service and Awarding Him His Badge and Sidearm

**WHEREAS**, Master Deputy Coggins joined the Henderson County Sheriff's Office as a Telecommunicator on October 3, 1988 and held the ranks of Telecommunicator, Deputy, Master Deputy, Corporal, and Sergeant; and

**WHEREAS**, Master Deputy Coggins' service and dedication to the Henderson County Sheriff's Office and service, dedication and accomplishments in the field of law enforcement during his 27 years of service are hereby recognized and commended; and

**WHEREAS**, N.C.G.S. 20-187.2 provides that retiring officers of the Henderson County Sheriff's Office may receive, at the time of their retirement, the badge worn or carried by them during their service with Henderson County; and

**WHEREAS**, N.C.G.S. 20-187.2 further provides that the Henderson County Board of Commissioners may, in its discretion, award to a retiring officer the service sidearm of such retiring officer at a price determined by the Board of Commissioners, upon securing a permit as required by N.C.G.S. 14-402 et seq; and

**WHEREAS**, Master Deputy Coggins has served as a member of the Henderson County Sheriff's Office for a period of more than 27 years and retired from the Henderson County Sheriff's Office on May 13, 2016; and

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


1. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Master Deputy Coggins the badge worn by him during his service with the Henderson County Sheriff's Office; and
2. Sheriff McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Master Deputy Coggins his service sidearm at no cost to the officer and upon his securing a permit required by N.C.G.S. 14-402.

**BE IT FURTHER RESOLVED**, that the Henderson County Board of Commissioners recognizes and thanks Master Deputy Coggins for his dedicated service to Henderson County and its citizens.

Adopted this the 6th day of June, 2016.

  
THOMAS THOMPSON, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

  
TERESA 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

26 May 2016

RE: Tax Collector's Report to Commissioners: 6 June 2016 Meeting

Please find outlined below collections information through 25 May 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 25 May 2016.

### Henderson County Annual Bills G01 Only:

<b>2015 Beginning Charge:</b> \$62,793,885.53 Discoveries & Imm. Irreg.: \$214,595.95 Releases & Refunds: <span style="color: red;">(\$373,763.03)</span> <b>Net Charge:</b> \$62,634,718.45 Unpaid Taxes: \$1,055,222.06 Amount Collected: \$61,579,496.39 <b>Percentage Collected:</b> 98.32% Through: 25-May-2016	<b>2014 Beginning Charge:</b> \$59,733,471.88 Discoveries & Imm. Irreg.: \$168,292.46 Releases & Refunds: <span style="color: red;">(\$344,072.25)</span> <b>Net Charge:</b> \$59,557,692.09 Unpaid Taxes: \$1,173,109.10 Amount Collected: \$58,384,582.99 <b>Percentage Collected:</b> 98.03% Through: 25-May-2015
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### 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	\$ 88,690,601	\$ 457,199.72	\$ 455,383.93	99.60%
Aug '15	9784	\$ 82,397,348	Aug '15	10139	\$ 91,229,089	\$ 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	\$ 71,417,939	\$ 368,323.28	\$ 365,624.34	99.27%
Jan '16	7843	\$ 71,771,241	Jan '16	7163	\$ 68,212,486	\$ 351,434.02	\$ 350,378.02	99.70%
Feb '16	7118	\$ 61,857,243	Feb '16	8821	\$ 80,845,274	\$ 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	7381	\$ 64,784,249	\$ 333,664.02	\$ 332,153.39	99.55%
June '16	9599	\$ 81,998,908	June '16					
<b>TOTALS:</b>	<b>110538</b>	<b>\$ 942,467,161</b>	<b>TOTALS:</b>	<b>100081</b>	<b>\$ 881,987,627</b>	<b>\$ 4,546,824.54</b>	<b>\$ 4,527,043.91</b>	<b>99.56%</b>

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:

<b>2015 Beginning Charge:</b> \$8,048,205.37 Discoveries & Imm. Irreg.: \$18,633.44 Releases & Refunds: <span style="color: red;">(\$70,104.82)</span> <b>Net Charge:</b> \$7,996,733.99 Unpaid Taxes: \$163,868.50 Amount Collected: \$7,832,865.49 <b>Percentage Collected:</b> 97.95% Through: 25-May-2016	<b>2014 Beginning Charge:</b> \$6,647,689.05 Discoveries & Imm. Irreg.: \$15,513.90 Releases & Refunds: <span style="color: red;">(\$46,392.89)</span> <b>Net Charge:</b> \$6,616,810.06 Unpaid Taxes: \$158,092.62 Amount Collected: \$6,458,717.44 <b>Percentage Collected:</b> 97.61% Through: 25-May-2015
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Respectfully Submitted,



Luke Small  
Deputy Tax Collector

Darlene Burgess  
Interim Tax Collector

# 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

June 6, 2016

Mrs. Darlene Burgess  
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 \$19,108.36, and tax refund requests in the amount of \$18,519.92, reviewed at the Board of Commissioners' Meeting on Monday, June 6, 2016. All refunds and releases were approved.

Sincerely,



**Thomas H. Thompson, Chairman**  
Henderson County  
Board of Commissioners

THT/tlw

Enclosures (1)

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

**MEETING DATE:** June 6, 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.

<b>Type:</b>	<b>Amount:</b>
Total Taxes Released from the Charge	\$ 19,108.36
Total Refunds as a Result of the Above Releases	\$ 18,519.92

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. Thursday, May 26, 2016\*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND	
ANDERS, GEORGE TODD	0002430802-2014-2014-0000	BOAT WAS SOLD 2/21/2013. VOID 2014-2015. DOCUMENTATION ON FILE	(\$2,495)	3364	KATHYS	23 FAITH HILL DR FLAT ROCK NC 28731	COUNTY	TAX	\$12.81	\$12.81	\$12.81	\$12.81	\$12.81
								LATE LIST FEE	\$1.28	\$1.28	\$1.28	\$1.28	
								TOTAL:			\$14.09	\$14.09	
								TAX	\$2.74	\$2.74	\$2.74	\$2.74	
		LATE LIST FEE	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	\$0.27	
		TOTAL:									\$3.01	\$3.01	
										ABSTRACT TOTAL:	\$17.10	\$17.10	
										TOTAL:	\$12.20	\$12.20	
											\$1.22	\$1.22	
											\$13.42	\$13.42	
											\$3.09	\$3.09	
											\$0.31	\$0.31	
											\$3.40	\$3.40	
											\$16.82	\$16.82	
											\$33.92	\$33.92	
BAKER, JEROME PERRY	0002864708-2011-2011-0000	FULL RELEASE AND REBILL TO REINSTATE PRESENT-USE VALUE.	(\$583,946)	3369	DHILL	223 LINDSEY LOOP RD UNINCORPORATED	COUNTY	TAX	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$583.95	\$583.95	
								TAX	\$583.95	\$583.95	\$583.95	\$583.95	
		LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
		TOTAL:									\$583.95	\$583.95	
										ABSTRACT TOTAL:	\$583.95	\$583.95	
											\$3,583.10	\$3,583.10	
										TOTAL:	\$2,999.15	\$2,999.15	
											\$0.00	\$0.00	
											\$2,999.15	\$2,999.15	
											\$583.95	\$583.95	
											\$583.95	\$583.95	
											\$0.00	\$0.00	
											\$583.95	\$583.95	
											\$3,583.10	\$3,583.10	
	0002864708-2012-2012-0000	FULL RELEASE AND REBILL TO REINSTATE PRESENT-USE VALUE.	(\$583,946)	3368	DHILL	223 LINDSEY LOOP RD FLETCHER NC 28732	COUNTY	TAX	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$583.95	\$583.95	
								TAX	\$583.95	\$583.95	\$583.95	\$583.95	
		LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
		TOTAL:									\$583.95	\$583.95	
										ABSTRACT TOTAL:	\$583.95	\$583.95	
											\$3,583.10	\$3,583.10	
	0002864708-2013-2013-0000	FULL RELEASE AND REBILL TO REINSTATE PRESENT-USE VALUE.	(\$583,946)	3367	DHILL	223 LINDSEY LOOP RD FLETCHER NC 28732	COUNTY	TAX	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$583.95	\$583.95	
								TAX	\$583.95	\$583.95	\$583.95	\$583.95	
		LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
		TOTAL:									\$583.95	\$583.95	
										ABSTRACT TOTAL:	\$583.95	\$583.95	
											\$3,583.10	\$3,583.10	
	0002864708-2014-2014-0000	FULL RELEASE AND REBILL TO REINSTATE PRESENT-USE VALUE.	(\$583,946)	3366	DHILL	223 LINDSEY LOOP RD FLETCHER NC 28732	COUNTY	TAX	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15	\$2,999.15
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$583.95	\$583.95	
								TAX	\$583.95	\$583.95	\$583.95	\$583.95	
		LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
		TOTAL:									\$583.95	\$583.95	
										ABSTRACT TOTAL:	\$583.95	\$583.95	
											\$3,583.10	\$3,583.10	

# NCPTS Pending Release/Refund Report. Thursday, May 26, 2016\*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEWY TYPE	BILLED	PAID	RELEASE	REFUND
CABIN DREAM HOMES	0002983902-2015-2015-0000	FULL RELEASE AND REBILL TO REINSTATE PRESENT-USE VALUE.	(\$663,447)	3365	DHILL	223 LINDSEY LOOP RD FLETCHER NC 28732	COUNTY	TAX	\$3,407.46	\$3,407.46	\$3,407.46	\$3,407.46
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
								TOTAL:				
								FLETCHER FIRE TAX	\$762.96	\$762.96	\$762.96	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
TOTAL:												
<b>OWNER TOTAL:</b>									ABSTRACT	\$4,170.42	\$4,170.42	\$4,170.42
<b>OWNER TOTAL:</b>									TOTAL:	\$18,502.82	\$18,502.82	\$18,502.82
HARDING, LARRY NEAL	0000005696-2015-2015-0000	BOAT WAS SOLD IN DECEMBER 2012. DOCUMENTATION ON FILE.	(\$18,545)	3373	KATHYS	3041 PACE RD	COUNTY	TAX	\$95.25	\$0.00	\$95.25	\$0.00
								LATE LIST FEE	\$9.52	\$0.00	\$9.52	
								TOTAL:				
								EDNEYVILLE FIRE TAX	\$19.47	\$0.00	\$19.47	
								LATE LIST FEE	\$1.95	\$0.00	\$1.95	
TOTAL:												
<b>OWNER TOTAL:</b>									ABSTRACT	\$126.19	\$126.19	\$0.00
<b>OWNER TOTAL:</b>									TOTAL:	\$126.19	\$126.19	\$0.00
HOMES, CABIN DREAM	0002983902-2013-2013-0000	BOAT WAS SOLD IN DECEMBER 2012. DOCUMENTATION ON FILE.	(\$2,127)	3374	JKITCHEN	93 MCCALL ST UNINCORPORATED	COUNTY	TAX	\$10.92	\$0.00	\$10.92	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
								TOTAL:				
								BLUE RIDGE FIRE TAX	\$2.55	\$0.00	\$2.55	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	
TOTAL:												
<b>OWNER TOTAL:</b>									ABSTRACT	\$25.50	\$25.50	\$0.00
<b>OWNER TOTAL:</b>									TOTAL:	\$25.50	\$25.50	\$0.00
PROMISE BUILDERS INC	0000355526-2015-2015-0000	BUSINESS HAS CLOSED AND NO LONGER IN OPERATION AS OF 2009.	(\$39,040)	3370	JKITCHEN	502 PACE RD UNINCORPORATED	COUNTY	TAX	\$123.78	\$0.00	\$123.78	\$0.00
								LATE LIST FEE	\$12.38	\$0.00	\$12.38	
								TOTAL:				
								DANA FIRE TAX	\$31.33	\$0.00	\$31.33	
								LATE LIST FEE	\$3.13	\$0.00	\$3.13	
TOTAL:												
<b>OWNER TOTAL:</b>									ABSTRACT	\$170.62	\$170.62	\$0.00
<b>OWNER TOTAL:</b>									TOTAL:	\$170.62	\$170.62	\$0.00
<b>GRAND TOTALS:</b>									ABSTRACT	\$19,108.36	\$19,108.36	\$18,519.92
<b>GRAND TOTALS:</b>									TOTAL:	\$19,108.36	\$19,108.36	\$18,519.92

\*Adjustments submitted for approval on or before



**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



**Department:** Facility Services/Department of Social Services

*Please make the following line-item transfers:*

**What expense line-item is to be increased?**

Account	Line-Item Description	Amount
<u>115419-535103</u>	<u>Planned Projects</u>	<u>\$130,000</u>
<u>115419-535100</u>	<u>M &amp; R Buildings &amp; Grounds</u>	<u>\$15,000</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

**What expense line-item is to be decreased? Or what additional revenue is now expected?**

Account	Line-Item Description	Amount
<u>115531-526020</u>	<u>Department Supplies- Non Expendable</u>	<u>\$27,755</u>
<u>115531-535100</u>	<u>M&amp;R Buildings &amp; Grounds</u>	<u>\$100,000</u>
<u>115531-539025</u>	<u>Contracted Services - Cost Allocation</u>	<u>\$17,245</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

**Justification:** *Please provide a brief justification for this line-item transfer request.*

Transferring money to Facility Services from Social Services to convert an existing breakroom into office space.

\_\_\_\_\_  
Authorized by Department Head

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by Budget Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by County Manager

\_\_\_\_\_  
Date

<i>For Budget Use Only</i>	
Batch #	_____
BA #	_____
Batch Date	_____

Record & Return To: Carolyn N. Pilgrim (mailing address : \_\_\_\_\_)

**SATISFACTION OF SECURITY INSTRUMENT**  
(G.S. §45-36.10; G.S. §45-37(a)(7))

The undersigned is now the Secured Creditor in the security instrument identified as follows:

Type of Security Instrument: Deed of Trust

Original Grantor(s): Carolyn N. Pilgrim, Unmarried

Original Secured Party: County of Henderson

Recorded in: Deed Book 911, Page 264, Office of the Register of Deeds for Henderson County, North Carolina.

This satisfaction terminates the effectiveness of the security instrument.

Date: 6/6/2016

**BENEFICIARY:**

**County of Henderson**

Attest:  
Teresa L. Wilson  
TERESA L. WILSON, Clerk

By: Thomas H. Thompson  
Name: Thomas H. Thompson  
Title: Chairman

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose state therein and in the capacity indicated:

Thomas H. Thompson

Date: 6/6/2016

Joanne Martin Hinson  
Notary Public  
JoAnne Martin Hinson  
(Printed Name of Notary)  
My Commission Expires: May 23, 2018

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

JOANNE MARTIN HINSON  
Notary Public, North Carolina  
Henderson County  
My Commission Expires  
May 23, 2018

NORTH CAROLINA

HENDERSON COUNTY

**DECLARATION OF DEED RESTRICTIONS**  
**HOME Program**

THIS DECLARATION OF DEED RESTRICTIONS ("Declaration"), made and entered into as of September 5, 2000, by and between Carolyn N. Pilgrim (the "Owner"), for the benefit of and enforceable by Henderson County (the "Lender");

WHEREAS, the Owner is the owner of a certain tract of real property, more particularly described on Exhibit A attached hereto and incorporated herein by reference ("Property"); and

WHEREAS, Lender has made a loan to Owner in the original principal amount of \$28,375.00 (the "Loan"), evidence by a promissory note dated September 5, 2002 and secured by a deed of trust of even date with the promissory note and recorded in the Book 911, Page 264, Henderson County Registry; and

WHEREAS, the Loan was made to provide assistance to a residential housing project with one unit(s) to be acquired, constructed or rehabilitated with the proceeds of the Loan, and with a known street address of 715 North Whitted Street, Hendersonville, NC 28791 for the Property ("Project") pursuant to the HOME Investment Partnerships Program (24 CFR Part 92) ("Program Regulations"), which Program Regulations, amount other things, restrict the use of Program assistance to property which will provide affordable housing for at least minimum period of time as prescribed therein; and that the Owner occupy the Property as his/her principal residence; and

WHEREAS, as a condition of making the Loan to Owner, Lender has required and Owner has agreed to restrict the Property as set forth herein;

NOW THEREFORE, in consideration of the mutual covenants and understandings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner hereby represents, covenants, warrants and agree:

1. Minimum Program Restrictions. At all times during the Term of this Declaration the Owner and the Project shall comply with all the regulations affecting recipient owner and a qualifying project pursuant to the Program Regulations, as the same may be amended from time to time, including, but not limited to the following:

The project shall qualify as and shall be maintained as "affordable housing" as prescribed in the applicable Program Regulation (24 CFR Part 92.255) based on the Owner's application for Program assistance and shall be suitable for occupancy.

2. Term. This Declaration shall remain in full force and effect for a period of 10 years from date hereof, which period must also equal or exceed the loan term of the HOME Program Loan to the Owner that closed on the same date of this Declaration; however, this Declaration period shall in no event be less than the required minimum period of affordability under the applicable Program Regulations ("Period of Affordability"). This declaration shall automatically terminate in the event of transfer of title by foreclosure

or by deed in lieu of foreclosure, or if pursuant to 24 CFR Part 92.254 (a)(5)(i)(A) assignment of an FHA insured mortgage to HUD, subject to automatic revival, if, at any time during the remainder of the original Period of Affordability, the owner of record immediately prior to the termination event, or any business ties, obtains an ownership interest in the Project or the Property. It is understood and agreed that the Term of this Declaration may extend beyond the term of the Loan or may be terminated by the Lender upon full and satisfactory repayment of the Loan prior to the full term of the Declaration at the sole discretion of the Lender.

3. Covenants to Run with the Land. The covenants, reservations and restrictions set forth herein (i) shall be deemed covenants running with the land and shall pass to and be binding upon Owner, the Owner's heirs, successors and assigns in title to the Property and all subsequent owners or operators of the Project and (ii) are not merely personal covenants of the Owner. The benefits shall inure to the Lender and any present or prospective tenants of the project during the term of this Agreement. The Owner hereby agrees that any and all requirements of the laws of the State of North Carolina to be satisfied in order for the provisions of this Agreement to constitute deed restrictions and covenants running with the Property and which touch and concern the Property, shall be deemed to be satisfied in full, and that any requirements of privity of estate are intending to be satisfied, and that an equitable servitude in the form of a negative easement has been created to insure that these restrictions run with the land. Each and every contract, deed or other instrument hereafter executed covering or conveying the Property or the Project or any portion thereof shall conclusively be held to have been executed, delivered and accepted subject to such covenants, reservations and restrictions, regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instruments. If a portion or portions of the Project are conveyed, all of such covenants, reservations and restrictions shall run to each portion of the Project.

4. Compliance Monitoring. The Owner agrees to permit, during normal business hours and upon reasonable notice, any duly authorized representation of the Lender to inspect any books and records of the Owner regarding the Project which pertain to compliance with this Agreement. The Owner shall submit any other information, documents or certifications requested by Lender which the Lender shall deem reasonably necessary to substantiate the Owner's continuing compliance with the Program, Program Regulations and this Agreement.

5. Remedies: Enforceability. The Owner and Lender acknowledge that the primary purpose for requiring compliance by the Owner with the restrictions provided in this Agreement is to assure compliance of the Project and the Owner with the Program, Program Regulations and additional Lender restrictions. **AND BY REASON THEREOF, THE OWNER IN CONSIDERATION FOR RECEIVING THE LOAN FOR THIS PROJECT HEREBY AGREES AND CONSENTS THAT THE LENDER AND ANY INDIVIDUAL WHO MEETS THE INCOME LIMITATIONS APPLICABLE UNDER THE PROGRAM (WHETHER PROSPECTIVE, PRESENT OR FORMER OCCUPANT) SHALL BE ENTITLED, FOR ANY BREACH OF THE PROVISIONS HEREOF, AND IN ADDITION TO ALL OTHER REMEDIES PROVIDED BY LAW OR IN EQUITY, TO OBTAIN SPECIFIC PERFORMANCE BY THE OWNER OF ITS OBLIGATIONS UNDER THIS AGREEMENT IN ANY COURT OF COMPETENT JURISDICTION.** The Owner further specifically acknowledges that the beneficiaries of the Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of any default hereunder.

The provisions hereof are imposed upon and made applicable to the Property and shall run with the land and shall be enforceable against Owner or any other person or entity that has or had an ownership interest in the Project at the time of such violation or attempted violation. No delay in enforcing the provisions hereof as

to any breach or violations shall impair, damage or waive the right of any party entitled to enforce the provisions hereof or to obtain relief against or recover for the continuation or repetition of such breach or violations or any similar breach of violation hereof at any later time or times.

6. Amendment. This declaration shall not be amended or, except otherwise provided herein, terminated except by written instrument, executed by the Lender and the Owner, or their successors or assigns, which amendment shall be duly recorded in the Office of the Register of Deeds for the county in which the Property is located.

7. Severability. If any provision hereof shall be invalid, illegal or unenforceable, the validity, legality, and enforceability of the remaining portions hereof shall not in any way be affected or impaired thereby.

8. Construction. Unless the context clearly requires otherwise, as used in this Declaration words of the masculine, feminine or neuter gender shall be construed to include any plural number, and vice versa, when appropriate. This Declaration and all the terms and provisions hereof shall be construed to effectuate the purposes set forth herein and to sustain the validity hereof.

9. Headings. The titles and headings of the sections of this Declaration have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof, or in ascertaining intent if any questions of intent shall arise.

10. Governing Law. This Declaration shall be governed by the laws of the State of North Carolina.

Declaration by duly authorized representatives, all on the date first written above.

Signature page to follow:

## **EXHIBIT A**

### **TRACT ONE:**

**BEGINNING** on a stake in the line of the former Jane Williams (now known as Robinson) property, said stake being located at the southwestern corner of the Walter Green lot described in Deed Book 103, at Page 212, Henderson County Registry, and run thence from said beginning point with the line of the Jane Williams property South 4 degrees West 50 feet to a stake, the northwest corner of the Robert Quinn lot; thence with the line of the Quinn lot South 86 degrees East 110 feet to a stake, northeastern corner of the Robert Quinn lot in the line of the John Penson property described in Deed Book 116, at Page 128; thence with the line of said Penson property North 4 degrees East 50 feet to a stake in the line of the Walter Green lot (referred to above); thence with the line of the Walter Green lot North 86 degrees West 110 feet to the **BEGINNING**.

### **TRACT 2:**

**BEGINNING** at the northeast corner of the Oakdale School property, also being the southeast corner of S.B. Wheeler's line, thence North 86 degrees West 200 feet to a stake; thence with Jane Williams line South 4 degrees West 45 feet to an iron pin; thence South 86 degrees East 200 feet to an iron pin on Curry Street; thence with Curry Street North 4 degrees East 55 feet to the **POINT AND PLACE OF BEGINNING**.

**BEING THE** same property described in Deed recorded in Deed Book 976, at Page 376, Henderson County Registry.

***THIS CONVEYANCE IS MADE SUBJECT TO*** easements, restrictions, rights of way of record and utility lines which may be in existence over or under the subject property.

# 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](http://www.hendersoncountync.org)

THOMAS THOMPSON  
Chairman  
CHARLIE MESSER  
Vice-Chairman

MICHAEL EDNEY  
GRADY HAWKINS  
WILLIAM LAPSLEY

## PROCLAMATION

*Pollinator Week*  
*June 18-25, 2016*

**WHEREAS**, Pollinator Week is celebrated annually by communities across the United States to bring awareness to the importance of supporting pollinator species of all types through a week of community-based activities and events to learn about the integral part pollinators play in our daily lives; and

**WHEREAS**, pollinators, such as thousands of species of bees are essential partners in producing much of our food supply; and

**WHEREAS**, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse urban and suburban ecosystems; and

**WHEREAS**, pollination plays a vital role for the trees and plants of our community, enhancing our quality of life, and creating recreational and economic development opportunities; and

**WHEREAS**, Henderson County manages urban landscapes and public lands that include many municipal parks and greenways, as well as wildlife habitats; and

**WHEREAS**, Henderson County provides conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats;

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Henderson County Board of Commissioners, do hereby designate the week of June 18-25, 2016 as Pollinator Week in Henderson County and encourage all Henderson County officials, employees, schools and residents to participate in local Pollinator Week activities.

Adopted this the 6<sup>th</sup> day of June, 2016



THOMAS THOMPSON, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

Section 7 – Effective Date

This Ordinance shall be effective by its terms for FY2017 upon adoption.

---

VOTING:

AYES: Commissioners Thompson, Messer, and Edney

NAYS: Commissioners Hawkins and Lapsley

Adopted this the 16<sup>th</sup> day of June, 2016.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By: Thomas H. Thompson  
THOMAS THOMPSON, Chairman

Attest:

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





# Henderson County, North Carolina

## Budget Ordinance

### Fiscal Year July 1, 2016 – June 30, 2017

#### Preamble

The County Manager's proposed budget for the Fiscal Year beginning July 1, 2016, and ending June 30, 2017 ("FY2017") was presented to the Henderson County Board of Commissioners on May 2, 2016, pursuant to the North Carolina Local Government Fiscal Control and Budget Act, Article 3 of Chapter 159 of the General Statutes. The Board of Commissioners considered the proposal, deliberated concerning it, and then held a public hearing on the budget pursuant to N.C. Gen. Stat. §159-12 on May 18, 2016.

The following Ordinance was offered by Commissioner Thompson, on June 6, 2016, who moved its adoption. The vote on this motion was as is shown below.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY, NORTH CAROLINA, THIS 6<sup>th</sup> DAY OF JUNE, 2016:**

#### Section 1 – General Fund

##### **A. General Fund Appropriations**

The following General Fund amounts are hereby appropriated to the County Manager for the operation of the Henderson County Government and its departments and agencies for FY2017. Other fund amounts as set forth in this Ordinance are also appropriated as presented in this section. Appropriations for land and new buildings included in this Ordinance may be expended only after release by the Board of Commissioners.

The County Manager or the Manager's designee is hereby authorized to execute all necessary agreements within funds included in the Budget Ordinance in departments subject to his control for the following purposes, and on the following terms and conditions:

- A) Grant agreements with public and non-profit agencies;
- B) Leases of normal and routine business equipment;
- C) Consultant, professional, or maintenance service agreements with a up to an anticipated contract amount of \$50,000;
- D) Purchase of supplies and materials when formal bids are not required by law, pursuant to the Manager's purchasing policy;
- E) Agreements for acceptance of State and Federal grant funds;
- F) Construction or repair work where formal bids are not required by law; and
- G) County departments shall not enter into contracts requiring formal bid procedures without having met with and received written approval from the County Manager.
- H) The Finance Director is hereby directed to release board-approved non-profit grants in quarterly installments upon the execution of and compliance with the funding agreement required by the County.
- I) The Finance Director may advance funds with the permission of the County Manager to the Sheriff's Department for their use in drug enforcement activities, for ultimate return by the Sheriff's Department.
- J) The County Manager may authorize pilot programs for the County's departments, and evaluate such programs for effectiveness and efficiency.
- K) In addition to the foregoing, the Sheriff may execute contracts that require no expenditure and have no negative fiscal impact on the county government budget (for example, a contract requiring no county match in personnel or funding). Contracts or agreements that require any type of County match outside of the Sheriff's approved budget must be approved by the Board of Commissioners. Further, in the absence of express authority from Federal or State Court, all seizure transactions shall comply with N.C. Gen. Stat. §15-11.1

- L) For purposes of the County Personnel Policies, Employee and Retiree Benefits, years of service to Henderson County shall include all prior years of service, whether consecutive or not.

The County Manager or the Manager's designee is hereby authorized to execute necessary agreements with regard to ongoing construction projects undertaken by the County, without the requirement of consultation with the Board of Commissioners, in the following circumstances:

- A) The Manager may approve any and all non-emergency change orders which do not increase the construction budget for the project by more than 25% of the then-unallocated budgeted amount for "contingencies" in the particular project budget.
- B) Any change order approved by the County Manager involving a change of more than \$10,000.00 to the construction budget shall be reported to the Board of Commissioners, as an information-only item within the County Manager's monthly report.
- C) In emergencies, change orders greater than those authorized above may be approved by the County Manager after consultation with and with the approval of the Chairman of the Board of Commissioners. In any such case, a report of the same shall be made to the Board of Commissioners at their next regularly-scheduled meeting.

The County Manager is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- A) The Manager may transfer amounts between objects of expenditure within a department without limitation and without a report being required.
- B) The Manager may transfer amounts up to \$50,000 between departments within the same fund with an official report on such transfers provided to the Board of Commissioners.
- C) The Manager may transfer amounts up to \$50,000 from any appropriation within the general fund to a separate fund with an official report on such transfers provided to the Board of Commissioners.
- D) The Manager may modify the budget for pass-through monies, additional funding, or any Federal or State program prior approved by the Board, without a report being required.
- E) The total of all amounts encumbered for outstanding purchase orders and contracts at June 30, 2016, shall be carried forward in fund balance as the amount Reserved for Encumbrances and the corresponding appropriations for these encumbrances shall not lapse in order to properly account for the payment in the fiscal year paid.

The County's authorized general fund appropriations are as shown on Appendix A hereto, which is incorporated herein by reference.

## **B. Revenues**

For the operation of the Henderson County's government and its subdivisions for FY2017, it is estimated that the revenues and fund balances of the General Fund will be available to meet the appropriations as set forth herein. All fees, commissions, and sums paid to or collected in any fund by any County official, officer, or agent for any service performed for such official, officer, or agent in his official capacity shall accrue solely to the benefit of the County and become County funds.

The County's estimated general fund revenues are as shown on Appendix A hereto, which is incorporated herein by reference.

### **1. Ad Valorem Tax Levy**

That there is hereby levied for FY2017 an *ad valorem* property tax at the rate shown in Appendix A hereto, which is incorporated herein by reference, for the purpose of raising the revenue for current year's taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations, pursuant to and in accordance with the North Carolina Machinery Act (codified within Chapter 105 of the North Carolina General Statutes) and other applicable laws. This rate is based on an estimated total valuation of \$13,230,227,518 of taxable property and a collection rate of ninety-seven percent (97%). The Budget Ordinance also names ad valorem property taxes as the specific revenue source to fund the Tax Revaluation Reserve Fund, budgeted in FY2017 as shown in Appendix C hereto, which is incorporated herein by reference.

**2. Fees, Licenses and Other Taxes**

There is hereby levied all County Privilege License Taxes as authorized by North Carolina General Statutes, and such other taxes and fees, as provided in the ordinances, resolutions, and fee schedules duly adopted by the Board of Commissioners. Fee schedules used in the development of this budget and adopted by the Board of Commissioners are set forth and a copy of such is maintained in the Office of the County Manager.

**C. Based on the Annual Budget**

The appropriations, schedules of expected revenues, and taxes levied, as stated herein, are based on the annual Budget as hereby approved, a summary of which Budget is attached as Schedule No. 1 to Appendix A, and the terms of which Budget are hereby specifically incorporated by reference.

## Section 2 – Fire Districts Fund

There are hereby appropriations and revenues estimated to be available in the Fire Districts Fund for FY2017 for payment to the appropriate corporation providing fire protection within each district as shown on Appendix B hereto, which is incorporated by reference.

## Section 3 – Other Funds

There are hereby appropriations and revenues estimated to be available in special County budget funds as shown in Appendix C hereto, which is incorporated herein by reference.

## Section 4 – Public Schools

The Henderson County Finance Director is hereby directed to remit the appropriation to the Henderson County Public Schools in monthly installments equivalent to one-twelfth (1/12) of the total county appropriation. The County Finance Director shall remit payment by not later than the thirtieth (30th) of each month.

## Section 5 – Elected Officials

Henderson County elected officials shall be compensated as shown on Appendix D, which is incorporated herein by reference.

## Section 6 – Use of Budget

This Ordinance and the budget shall be the basis for the financial plan for the County of Henderson, North Carolina, during FY2017. The County Manager shall administer the budget and insure that operation officials are provided guidance and information in sufficient detail to implement their portions of the budget.

The Finance Director shall establish records, which are in consonance with the budget, this Ordinance and regulating statutes of the State of North Carolina.

Notwithstanding other Ordinances, Resolutions or other adoptions of this Board, all County citizens shall have the right to use Henderson County's parks and other recreation facilities free of any admission charge, subject to regularly adopted and customary scheduling, participation fees, and other regulations.

## APPENDIX A

### GENERAL FUND APPROPRIATIONS

Governing Body	\$371,339
Dues & Non-Profit Contributions	475,418
County Manager	439,824
Administrative Services	432,848
Human Resources	671,207
Elections	921,956
Finance	866,530
Assessor	1,736,188
Tax Collections	400,914
Legal	730,616
Register of Deeds	661,353
Facility Services – Facility Services Division	3,380,709
Facility Services – Garage Division	380,064
Court Facilities	190,000
Information Technology	2,837,083
Sheriff	14,759,172
Detention Facility	4,291,499
Emergency Services – Emergency Management Division	471,666
Emergency Services – Fire Marshal Division	731,491
Building Services	925,534
Wellness Clinic	567,213
Emergency Services – Emergency Medical Services Division	6,319,491
Animal Services	596,364
Rescue Squad	281,360
Forestry Services	56,490
Soil & Water Conservation District	329,913
Planning	591,104
Code Enforcement	279,837
Heritage Museum	100,000
Cooperative Extension	398,261
Project Management	238,335
Economic Development	1,492,143
AgriBusiness Henderson County	140,711
Public Health	6,723,985
Public Health – Environmental Health Division	1,111,163
Home & Community Care Block Grant (H&CCBG)	733,648
Medical Services - Autopsies	60,000
Mental Health -- Maintenance of Effort Funding	528,612
Rural Operating Assistance Program (ROAP)	196,095
Social Services	13,362,591
Social Services – Federal & State Programs	7,460,138
Social Services – General Assistance Division	99,074
Juvenile Justice Grant	218,745

Veterans Services	43,416
Public Library	2,934,809
Recreation	1,614,385
Public School System	25,920,000
Blue Ridge Community College	3,387,235
Public Schools Debt Service	8,097,066
Community College Debt Service	2,036,746
General Debt Service	5,933,088
Non-Departmental	260,000
Transfers to Other Funds	2,499,795
<b>TOTAL GENERAL FUND APPROPRIATIONS:</b>	<b>\$130,287,224</b>

### GENERAL FUND REVENUES

Ad Valorem Taxes	\$73,075,676
Current year general levy	\$71,500,676
Prior year taxes, interest and penalties	\$1,575,000
County share of (local option only) sales taxes	\$20,685,933
Other taxes and licenses	\$1,137,400
Unrestricted intergovernmental revenue	\$60,000
Restricted intergovernmental revenue	\$18,955,086
Permits and fees	\$1,106,200
Sales and services	\$6,961,599
Investment earnings	\$500,000
Other revenues	\$537,478
Transfers from other funds	\$0
Fund balance appropriated	\$7,267,852
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$130,287,224</b>

### RATE OF AD VALOREM PROPERTY TAX LEVY

The *ad valorem* property tax is levied at the rate of **fifty-six and one half cents (\$ 0.565)** on each one hundred dollars (\$100) of assessed valuation of taxable property, based on a listing date of January 1, 2016.

## APPENDIX B

### FIRE DISTRICTS FUND

Revenues	\$ 8,644,449
Appropriations	\$ 8,644,449

Fire District Tax Rate for these special tax districts listed are as follows (at cents per \$100 value):

District	Rate
Bat Cave	.120
Blue Ridge	.120
Dana	.130
Edneyville	.105
Etowah-Horse Shoe	.105
Fletcher	.115
Gerton	.125
Green River	.080
Mills River	.090
Mountain Home	.120
Raven Rock	.100
Valley Hill	.095
Valley Hill II	.095

## APPENDIX C

### SPECIAL FUNDS, APPROPRIATIONS AND REVENUES

#### A. Capital Reserve Fund (Fund 21)

The following is hereby appropriated and revenues estimated to be available in the Capital Reserve Fund for FY2017:

Revenues	\$ 75,000
Appropriations	\$ 75,000
<b>Capital Reserve Fund:</b>	
Permits & Inspections Software	\$75,000

#### B. Revaluation Reserve Fund (Fund 25)

The following is hereby appropriated and revenues estimated to be available in the Revaluation Reserve Fund for FY 2017:

Revenues	\$ 1,007,586
Appropriations	\$ 1,007,586

#### C. Emergency Telephone System Fund (Fund 28)

The following is hereby appropriated and revenues estimated to be available in the Emergency Telephone System ("E-911") Fund for FY 2017 the following (revenues for this fund are based on a \$0.70 surcharge per phone line):

Revenues	\$ 615,161
Appropriations	\$ 615,161

#### D. Community Development Block Grants (Fund 30)

Dodd Meadows Project Fund

The following is hereby appropriated and revenues estimated to be available in the Community Block Development Grant: Dodd Meadows Project Fund for FY 2017:

Revenues	\$ 17,760
Appropriations	\$ 17,760

**E. Public Transit Fund (Fund 33)**

The following is hereby appropriated and revenues estimated to be available in the Public Transit Program Fund for FY 2017:

Revenues	\$ 953,576
Appropriations	\$ 953,576

**F. Capital Projects Fund (Fund 40)**

The following is hereby appropriated and revenues estimated to be available in the Capital Projects Fund for FY 2017:

Revenues	\$200,300
Appropriations	\$200,300
<b>Capital Projects:</b>	
IT Depreciation Fund	\$200,000
Economic Development Site Acquisition	\$30,000

**G. Debt Service Fund (Fund 50)**

The following is hereby appropriated and revenues estimated to be available in the Debt Service Fund for FY 2017:

Revenues	\$1,927,650
Appropriations	\$1,927,650

**H. Solid Waste Enterprise Fund (Fund 60)**

The following is hereby appropriated and revenues estimated to be available in the Solid Waste Enterprise Fund for FY 2017:

Revenues	\$ 5,692,157
Appropriations	\$ 5,692,157

**I. Cane Creek Sewer Enterprise Fund (Fund 61)**

The following is hereby appropriated and revenues estimated to be available in the Cane Creek Sewer Enterprise Fund for FY 2017:

Revenues	\$ 2,775,151
Appropriations	\$ 2,775,151



**J. Justice Academy Sewer Fund (Fund 63)**

The following is hereby appropriated and revenues estimated to be available in the Justice Academy Sewer Fund for FY 2017:

Revenues	\$ 64,821
Appropriations	\$ 64,821

## APPENDIX D

### PUBLIC OFFICIALS COMPENSATION

#### **A. Henderson County Board of Public Education**

The Chairman of the Board shall be compensated at an annual rate of \$4,500. Members of the Board, other than the Chair, shall be compensated at \$3,600 annually.

#### **B. Henderson County Board of Commissioners**

##### **(1) Salary**

The Chairman of the Board of Commissioners shall be compensated at an annual rate of \$19,194 paid on the same basis as other county employees. Members of the Board, other than the Chair, shall be compensated at an annual rate of \$11,917 paid on the same basis as other county employees.

##### **(2) Expenses and Special Meetings**

The Chairman and Members shall also receive an additional \$75 per special-called meeting and \$3,650 annually for in-county travel expenses.

#### **C. Sheriff**

The Sheriff shall be compensated at an annual rate of \$ 106,541. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.

#### **D. Register of Deeds**

The Register of Deeds shall be compensated at an annual rate of \$ 73,310. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.