

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 1, 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, Director of Business and County Development John Mitchell, Finance Director Carey McLelland, Senior Planner Autumn Radcliff, Interim Tax Assessor Darlene Burgess, Engineer Marcus Jones, Interim DSS Director Jerrie McFalls, Income Maintenance Administrator Sandy Morgan, HR Director Jan Pritchard, IT Director Becky Snyder, Deputy Tax Collector Luke Small, Fire Marshal Rocky Hyder, Sheriff Charlie McDonald, Registrar of Deeds Lee King, Director of Communications Lisha Stanley, Central Services and Construction Manager David Berry, Environmental Programs Coordinator Rachel Kipar, Assistant Engineer Natalie Berry and PIO Kathy Finotti – videotaping, Deputy Candy Carland and Jeff Banks 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 Hannah Queen of the Young Naturalists and Barnyard Bandit 4-H Clubs.

RESOLUTION IN MEMORIAM PRESENTATION– F. ERIC BUSH

Chairman Thompson stated at the January 4, 2016 meeting of the Henderson County Board of Commissioners, the Board unanimously adopted a Resolution in Memoriam for F. Eric Bush, in remembrance of Mr. Bush's accomplishments and contributions to the community during his years of service with Henderson County, Department of Social Services Director Floyd Eric Bush passed away unexpectedly on December 18, 2015.

Chairman Thompson read the Resolution aloud, and on behalf of the Board gave his condolences to Mr. Bush's widow.

RESOLUTION IN SUPPORT – CONNECT NC BOND ACT

The Henderson County Board of Commissioners is requested to adopt the Resolution provided in Support of the Connect NC Bond Act, which will be on the Tuesday, March 15, 2016 Primary General Election ballot.

According to the 2015 population estimates released by the U.S. Census Bureau, North Carolina surpassed Michigan to become the ninth most populous state. The State has seen the population grow by 2 million people since 2000, and there is a need to expand and repair existing infrastructure to ensure we can meet the demands of our growing population, continue the development of new jobs, and grow our economy.

Locally, if passed, the bond would provide \$2.96 million to Blue Ridge Community College for construction, repairs and renovations to the campus.

DATE APPROVED: February 17, 2016

Chairman Thompson read the Resolution aloud.

Chairman Thompson made the motion that the Board adopts the Resolution in support of the Connect NC Bond Act. All voted in favor and the motion carried.

PROCLAMATION – Proclaiming March as National Athletic Training Month in Henderson County

The Henderson County Board of Commissioners is requested to adopt the provided Proclamation, proclaiming March as National Athletic Training Month in Henderson County.

Chairman Thompson read the Resolution aloud.

Chairman Thompson made the motion that the Board adopts the Proclamation, proclaiming March as National Athletic Training Month in Henderson County. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

1. Ben Campen – Mr. Campen owns Smiley’s Flea Market and spoke in regard to Fire Inspection Fees. He is concerned about the cost of the Fire Inspection Fees to his vendors, and asked the Board to reconsider their new policy.
2. Dennis Justice – Mr. Justice is opposed to the Connect NC Bond Act and feels it only brings more debt to the government. It was put on a referendum for ballot too quickly. He felt investment should be made instead in high speed internet and online degrees.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Hawkins made the motion to approve discussion agenda with the addition of a Public Hearing to consideration of economic development incentives for Project Red Company, and a closed session. All voted in favor and the motion carried.

PUBLIC HEARING – ADD ON

Public Hearing for consideration of economic development incentives for Project Red Company

(Advertised January 21, 2016 in the Tribune)

Commissioner Messer made the motion to go into public hearing in regard to consideration of economic development incentives for Project Red Company. All voted in favor and the motion carried.

Notice was hereby given pursuant to N.C. Gen. Stat. §158-7.1 that the Henderson County Board of Commissioners will hold a public hearing on February 1, 2016, at 5:30 p.m., or as soon thereafter as the Board can consider the matter, to consider the request of a company (“Project Red Company”) for economic development incentives.

Project Red Company is a manufacturing concern located outside Henderson County contemplating a new manufacturing facility in Henderson County.

Brittany Brady, of the Partnership for Economic Development, stated under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by Project Red Company of at least \$1,500,000.00 in real property improvements (new construction), and \$1,741,782.00 in business personal property (equipment). The project would result in the creation of twenty-six (26) new jobs, at an average wage in excess of the average wage in Henderson County for full-time employment, plus other benefits. The contemplated incentives would last for a period of five (5) years. The first year’s contemplated incentive, if granted, would be not more than \$11,654.85, based on the new investment, the number of new employees, and the Board’s incentives guidelines. The maximum amount of incentives to be considered in this grant over the

five years would be \$51,564.93.

Henderson County will consider granting assistance toward actual start-up expenditures incurred in the investment of Project Red Company.

If approved, the request would be funded through the general property tax revenue.

The Board has been accused of only offering economic development incentives to large companies. Commissioner Edney pointed out that Project Red Company, is indeed a small business.

Public Input

There was none.

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

Commissioner Edney, pursuant to N.C. Gen. Stat. §158-7.1(a) made the motion that the Board offer economic development incentives to Project Red Company as presented. All voted in favor and the motion carried.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Messer made the motion to approve the Consent Agenda with the addition of the Letter of Support – Frostbite Races. 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):

- January 4, 2016 - Regularly Scheduled Meeting
- January 4, 2016 - Special Called Meeting
- January 20, 2016 - Regularly Scheduled Meeting

Tax Collector’s Report

Collections Specialist Luke Small had presented the Tax Collector’s Report to the Commissioners dated January 21, 2016 for information only. No action was required.

Pending Releases & Refunds

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

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

<u>Type</u>	<u>Amount</u>
Total Taxes Released from the Charge	\$ 799.02
Total Refunds as a Result of the Above Releases	\$ 388.76

Motion:

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

Financial Reports – December 2015

The December 2015 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 December:

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

- Dues/Non-profits – 3rd quarter approved non-profit contribution payments
- Facility Services – planned maintenance project expenditures incurred through December
- Fire Services – payment of annual worker’s compensation coverage premium for the fire departments
- EMS – purchase order encumbered for the purchase of three new ambulance units approved in the budget
- Rescue Squad – 3rd quarter approved non-profit contribution payment
- Soil & Water Conservation – contracted services payment (\$125,000) on a grant-funded streambank restoration project
- Economic Development – economic development incentive payments due and payable in December
- Agri-Business – operational expenditures to be covered by Agri-Business program fees to be transferred in

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 sewer capital project expenditures. 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 that the Board of Commissioners approves the December 2015 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Report – December 2015

The Henderson County Public Schools December 2015 Local Current Expense Fund / Other Restricted Funds Financial Report was provided for the Board’s information.

Motion:

I move that the Board of Commissioners approves the Henderson County Public Schools December 2015 Financial Report as presented.

2016 HOME Grant Application

Habitat for Humanity of Henderson County and Henderson County Homeward Bound Homeless Coalition are requesting application approval for HOME Investment Partnerships Program (HOME) funds. HOME funds are administered through the Asheville Regional Housing Consortium. All projects propose to serve County residents within a range of median household income. The median Henderson County household income in 2014 was \$53,482.

Habitat for Humanity of Henderson County is requesting \$135,800 in HOME funds in order to aid in the construction of 7 homes in phase four of the Dodd Meadows residential neighborhood off Crest Road. Habitat for Humanity plans to use the funds to pay for costs of footings and slab, HVAC, insulation, and flooring. Using the

grant funds, Habitat for Humanity plans to provide affordable housing for families whose income is between 30% and 65% of the median income in Henderson County.

Homeward Bound Homeless Coalition requests \$50,000 in HOME funds to continue to provide short or medium term tenant based rental assistance to individuals of families experiencing homelessness. With these funds Henderson County Homeward Bound will assist 25 additional households move from homelessness to permanent housing.

These grants require no County matching funds. The Asheville Regional Housing Consortium requires approval by the Board of Commissioners as part of the application process. The complete applications were too lengthy to include in the agenda packet but are available upon request.

Motion:

I move that the Board approves the HOME applications for Homeward Bound and Henderson County Habitat for Humanity.

Request for Approval of Western Carolina Community Action 2016-2017 CDBG Grant Application for funding

Deb Haight, WCCA Community Services Director is requesting approval of the Western Carolina Community Action Community Services Block Grant Program application. The grant provided in the agenda packed is unsigned and will be presented to the WCCA Board of Directors prior to the meeting of the Board of Commissioners for their approval. No Henderson County funding is required.

Motion:

I move that the Board approves the request for application by the Western Carolina Community Action of the 2016-2017 CDBG Grant, authorizes the clerk to insert the date of February 1, 2016 on page 37, and further authorize the clerk to execute the document.

Budget Amendment – SAN and Virtual House Servers

The IT Department respectfully requests Board approval to spend \$100,300 from the \$200,000 IT Depreciation Fund, established by the Board in the FY16 Budget. The transfer would fund the County's portion of equipment that will be replacing the SAN and Virtual Host Servers that serve E911 and the Sheriff. The SAN is a "storage area network" that stores data for the Sheriff and E911, and the virtual hosts run the applications required for E911 and the Sheriff network.

The existing equipment, which has reached the end of its useful life, was purchased with E911 funding in 2009, but as the years have gone by, much of the Sheriff's data and software has moved to this system due to the need to integrate functionality. The replacement costs have been prorated according to the percentage of the hardware that will be dedicated to Sheriff and E911.

The total cost for the project is \$303,938. The E911 Board has approved the expenditure of 911 funds for this project, at 67% of the total cost. Therefore, 911 will cover \$203,638, with the remainder to be transferred from the IT Depreciation Fund.

Motion:

I move the Board of Commissioners approves the Budget Amendment to transfer \$100,300 from the IT Depreciation Fund to the General Fund, and appropriate \$203,638 in E911 Funds.

Reimbursement Resolution for Career Academy Financing and potential land financing

A proposed reimbursement resolution from bond counsel was provided for the Board's consideration. The purpose of a reimbursement resolution is to allow construction project and planning costs for the Career

Academy and the purchase of land as a part of the incentive package previously approved for G.F. Linamar (if such project is awarded to Henderson County) incurred prior to the closing of the (tax-free) financing to be reimbursed from the financing proceeds.

NOTE: The “not to exceed” figures in the resolution is *not* intended to accurately state the project costs or land costs (if the project should be awarded), but rather to act as a safe harbor number for the purpose of these resolutions only and to allow any project to go forward when needed rather than awaiting the closing of the financing.

Motion:

I move that the Board approves the reimbursement resolution for the Career Academy to be constructed on the campus on Blue Ridge Community College.

Appointment of Deputy Tax Collector

Luke Small has been recommended by Interim (Acting) Tax Collector Burgess to be appointed to the currently vacant Deputy Tax Collector position, pursuant to N.C. Gen. Stat. §105-349(f).

Motion:

I move that the Board appoints Luke Small as the County’s Deputy Tax Collector, with immediate effect.

Use of Courtroom – Heritage Museum

A request was previously submitted by Carolyn Justus, on behalf of the Heritage Museum, for use of the Courtroom for a performance by Ronnie Pepper to celebrate Black History Month on Saturday, February 20th from noon until 9:00 p.m. and Sunday, February 21st from noon until 5:00 p.m.

An additional request has been made for use of the Courtroom on Saturday, February 27th from noon until 9:00 p.m. and Sunday, February 28th from noon until 5:00 p.m. in case of increment weather during the first dates requested.

Motion:

I move the Board approves use of the Commissioners’ Meeting Room (Courtroom) as requested on behalf of the Heritage Museum, for Saturday, February 20th from noon until 9:00 p.m. and Sunday, February 21st from noon until 5:00 p.m. and in case of increment weather, Saturday, February 27th from noon until 9:00 p.m. and Sunday, February 28th from noon until 5:00 p.m.

Use of Courtroom – Walk of Fame Steering Committee

A request was submitted by Michael Edney, on behalf of the Walk of Fame Steering Committee, for use of the Courtroom for a rehearsals and an event to raise money for the Walk of Fame Steering Committee.

The request is for use of the Courtroom from December 9, 2016 through December 18, 2016.

Motion:

I move that the Board approves use of the Commissioners’ Meeting Room (Courtroom) as requested on behalf of the Walk of Fame Steering Committee from December 9, 2016 through December 18, 2016.

Resolution pursuant to N.C. Gen. Stat. §158-7.1(a)

Pursuant to N.C. Gen. Stat. §158-7.1(a), appropriations for economic development “must be determined . . . to increase the population, taxable property, agricultural industries, employment, industrial output or business prospects” of the County. All incentives agreements entered into by the County, or contemplated to be entered into by the County, have included express language of such “determination”, and have complied with the statute. However, a recent modification of this statute by the legislature has created uncertainty as to how to demonstrate the Board’s “determination”.

The purposes of this agenda item are:

1. To clarify for the record that in every case in which the Board has held a public hearing on the issue of economic development incentives and voted to award such incentives it has in fact made the determination required in §158-7.1(a); and,
2. To note that in the absence of express language in the Board's motion to the contrary, in any award by this Board of economic development incentives in the future, this Board shall be presumed to have made such a "determination" even in the absence of its specific mention.

Motion:

I move that the Board adopts the proposed Resolution accompanying this agenda item.

Letter of Support – Frostbite Races – Add on

The County received a request from Mindy Smith regarding a letter of support for the 24th Annual Frostbite Races, to benefit the Henderson County Boys & Girls Club, on Sunday, February 21, 2016. The new NCDOT rules have requested that they obtain written approval from all Counties affected. They have been in contact with the Henderson County Sheriff's Department and will have proper police presence at the intersections as well as the Rescue Squad in place. A draft Letter of Support was provided, and the Board was requested to adopt the letter as presented.

Motion:

I move the Board adopts the Letter of Support as presented.

Nominations

Chairman Thompson noted the vacancies and opened the floor for nominations.

Notification of Vacancies

1. Animal Services Committee – 2 vac.
2. Hendersonville City Zoning Board of Adjustment - 1 vac.
3. Recreation Advisory Board – 3vac.

Nominations

1. EMS Peer Review Committee – 1 vac.

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

2. Equalization and Review, Henderson County Board of – 1 vac.

Commissioner Hawkins nominated Nick Mazarrella for position #7.

Chairman Thompson made the motion to accept the appointment of Nick Mazarrella to position #7 by acclamation. All voted in favor and the motion carried.

3. Henderson County Transportation Advisory Committee – 3 vac.

Commissioner Messer nominated Renee Kumor for position #1, James Crafton for position #3, and Beau Waddell for position #4.

Chairman Thompson made the motion to accept the reappointments of Renee Kumor to position #1, James Crafton to position #3, and Beau Waddell to position #4 by acclamation. All voted in favor and the motion carried.

4. Historic Resources Commission – 1 vac.

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

5. Juvenile Crime Prevention Council – 5 vac.

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

6. 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.

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

Chairman Thompson nominated Larry Kosowsky for reappointment to position #10 and Nancy Torres for position #16.

Chairman Thompson made the motion to accept the reappointment of Larry Kosowsky to position #10, and the appointment of Nancy Torres to position #16 by acclamation. All voted in favor and the motion carried.

8. Senior Volunteer Services Advisory Council – 4 vac.

Commissioner Messer nominated Wendy Billings for position #2, and Jane Cartledge for position #1.

Chairman Thompson made the motion to accept the appointments of Wendy Billings to position #2, and Jane Cartledge to position #1 by acclamation. All voted in favor and the motion carried.

TAX COLLECTOR’S REPORT – ORDER ADVERTISING TAXES

Interim Tax Assessor Darlene Burgess stated the February Tax Collector’s report (required by N.C. Gen. Stat. §105-369(a)) is presented for the Board’s information. Among the data presented is the amount of delinquencies for the 2015 tax year. Letters were mailed last week informing citizens with delinquent 2015 taxes that they must pay them by February 29, 2016 to prevent advertisement in March.

The Board is required each February to order the publication of the tax lien notification for tax year 2015 to delinquent tax payers.

Commissioner Hawkins made the motion that the Board enter the proposed Order directing the Tax Collector to advertise the delinquent real property tax liens for 2015. He further directed the Tax Collector to publish such advertisement pursuant to the General Statutes in the newspaper of general circulation in Henderson County willing to so advertise at the lowest cost to the County. All voted in favor and the motion carried.

TAX COLLECTOR’S REPORT AS PER NCGS 105-369(a)

Darlene Burgess stated the Tax Collector’s Report is provided for the Board’s information. The Tax Collector’s office is ahead of last year with percent collected. As of January 20, 2016, 94.14% has been collected. The Tax/Tag system is working.

Report of Unpaid Taxes that are Liens on Real Property as required by N.C.G.S. 105-369(a). In accordance with N.C.G.S. 105-369, Advertisements of Tax Liens on Real Property for Failure to Pay Taxes the following report is submitted.

Annual Bills (not including Motor Vehicle)

2015 Beginning Charge:	\$62,793,546.73	2014 Beginning Charge:	\$59,733,153.63
Discoveries & Imm. Irreg.:	\$210,670.65	Discoveries & Imm. Irreg.:	\$167,535.98
Releases & Refunds:	(\$357,078.55)	Releases & Refunds:	(\$333,185.75)
Net Charge:	\$62,647,138.83	Net Charge:	\$59,567,503.86
Unpaid Taxes:	\$3,668,115.47	Unpaid Taxes:	\$3,604,263.54
Amount Collected:	\$58,979,023.36	Amount Collected:	\$55,963,240.32
Percentage Collected:	94.14%	Percentage Collected:	93.95%
Through: 20-Jan-2016		Through: 20-Jan-2015	

Advertisement of Tax Liens:

Effective January 1, 1985, Ch. 1013 (H1676) amends N.C.G.S. 105-369 to provide that tax liens need to be advertised only once. A taxing unit may choose to advertise the tax liens more than one time, but it is not required to do so. The list must still be posted at the Courthouse or City Hall door and it must be advertised in

one or more newspapers having a general circulation in the taxing unit. The advertising may be done at any time from March 1 through June 30.

Effective July 1, 2006, N.C.G.S. 105-369 was amended, requiring us to provide notice to and advertise liens under the name of the "record owner as of the date the taxes became delinquent" of real property.

Mrs. Burgess recommends to the Board of Commissioners that unpaid tax liens be advertised once on 19 March 2015 (the third Wednesday in March or the week thereof). The reason for her recommendation is two-fold; (1), to give taxpayers additional time to satisfy this tax obligation without incurring the advertising fee, and (2), to ensure the local print media have ample time to prepare the printed advertisement.

Deputy Tax Collector Luke Small provided the following information:

Update on Delinquent Tax Collections for FY2015-2016

The purpose of this letter is to communicate to you the status of delinquent tax collections for the fiscal year 2015-2016. The Office of the Tax Collector continuously submits new debts to the clearinghouse as part of the Debt Set Off Program. We now have over \$3,966,267.95 in delinquent debts (EMS, Tax, Sewer, and other debts owed to Henderson County) to be collected at the clearinghouse. The tax portion of these debts totals \$1,171,450.69. This will allow us to receive monies if a taxpayer is due a refund on his/her state income tax or lottery winnings by attaching our tax lien to the refund/lottery winnings. Debt setoff collections since 01 July 2015 total \$14,141.05 with a tax amount of \$5,006.20.

We continue to set up partial payment arrangements for those taxpayers who have difficulties and hardships paying their taxes. We also monitor and maintain these partial payment arrangements to ensure taxpayers are making their payments as specified in their payment schedule.

Since July 1, 2015, the tax collections staff has created numerous enforced collection actions in an effort to collect delinquent taxes and has faithfully collected on existing actions.

- Bank Attachments: 60 new actions created, \$90,003.26 collected.
- Wage Garnishments: 569 new actions created, \$203,346.44 collected.
- Rent Attachments: 5 new actions created, \$32,278.38 collected.
- Pre-foreclosure: 147 new actions created, \$209,369.44 collected.
- Monies (Unclaimed Cash): 50 new actions created, \$3,884.96 collected.

Overall since 01 July 2015, \$926,049.63 in delinquent taxes has been collected. This reflects 51.88% of the budgeted goal of \$1,785,000.

SPACE ALLOCATION FOR 1995 COURTHOUSE

Per Commissioner Edney's request during the January 20th Budget Retreat, this agenda item is for Board discussion regarding allocation of space within the 1995 Courthouse.

Commissioner Edney had met with Engineer Marcus Jones and they discussed the consideration of removing the staircase in the lobby of the 1995 Courthouse for security purposes, at a cost of approximately \$100,000. Mr. Edney suggested consideration of turning the staircase around which would cost substantially less, or leave the staircase as is and create a security area in the Land Records office space.

The public entrance will need to be ADA compliant with an elevator. It could be located next to the patio or at the IT entrance.

The former Juvenile Probation area is no longer being used and could be cleaned up and used by the District

Attorney's office. Mr. Edney feels the cost would be less and security better.

District Attorney Greg Newman stated four of his staff need office space immediately. There are five spaces and a lobby in the Juvenile area. Mr. Newman is okay with moving into the Juvenile area at this time with the understanding that it may be necessary to move again.

Commissioner Hawkins made the motion that the Board authorizes staff to move forward with work as indicated, preparing space for the District Attorney.

Commissioner Edney stated the Sheriff is concerned with security and an expert is needed to review security needs and verify the best options for the money being spent.

Sheriff McDonald stated originally a company was helping with security. The short term fixes need to be reviewed to make sure security is covered. We need a system that alerts everyone if an active shooter is present.

Commissioner Hawkins called to question. All voted in favor and the motion passed.

Commissioner Edney made the motion that the Board appoints a committee made up of Mike Edney, Amy Brantley, Marcus Jones, Tommy Thompson, Sheriff McDonald, and the Clerk of Court to review Phase III and bring a plan back to the Board in 60 days.

Commissioner Hawkins called to question. All voted in favor and the motion passed.

Chairman Thompson asked that the committee look at the entire picture and add any additional cost to this year's budget.

Commissioner Hawkins would like more details and material for review included in the agenda packet.

RESOLUTION ASKING FOR REMOVAL FROM STATE CONSTRUCTION REQUIREMENT

John Mitchell stated the Henderson County Board of Commissioners is requested to adopt a Resolution asking the Legislative Delegation to draft and introduce a Local Bill to exempt the Career Academy project at Blue Ridge Community College from State Construction Office review, due to the compressed timeline. At this point the project is on time and budget.

Any building for Blue Ridge Community college must be reviewed by the State. The last project presented by the County took about 14 months for review. Mr. Mitchell noted that timelines need to be met in order for the students to be housed.

A model Local Bill (HB 501) accomplishing a similar exemption in Buncombe County was provided.

Commissioner Lapsley made the motion that the Board adopts the Resolution asking Henderson County's Legislative Delegation to exempt the career academy from State Construction Office review. All voted in favor and the motion passed.

EMERGENCY SERVICES HEADQUARTERS PROPOSAL

John Mitchell stated at the January Budget Retreat, the Board of Commissioners instructed staff to solicit a proposal from the County's Architect of Record, Clark Nexsen to build an Emergency Services Headquarters to be located at the Balfour School property.

The Emergency Services Headquarters proposal has a construction budget of \$8,375,000. The architect's proposed fee is 7% of the construction budget which is \$615,550.

The total budget for the project is \$10,000,000 with the completion scheduled for August of 2018.

Commissioner Lapsley expressed concern about the project cost. He feels it is too expensive and could be done at less cost.

Commissioner Messer made the motion that the Board accepts the Emergency Services Headquarters proposal and direct staff to begin the project.

Commissioner Hawkins called to question. The motion passed 4-1 with Commissioner Lapsley voting nay.

CANE CREEK WATER AND SEWER DISTRICT

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

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

Commissioner Messer made the motion to adjourn as the Cane Creek Water & Sewer District Board and reconvene as the Henderson County Board of Commissioners. 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), for the following reason(s):

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

Pursuant to N.C. Gen. Stat. §143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.

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

Chairman Thompson made the motion to go out of closed session and adjourn at 8:15 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

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Hendersonville, North Carolina 28792
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THOMAS H. THOMPSON
Chairman
CHARLES D. MESSER
Vice-Chairman

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

Resolution in Memoriam FLOYD ERIC BUSH


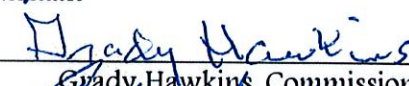

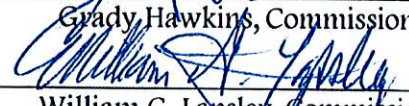
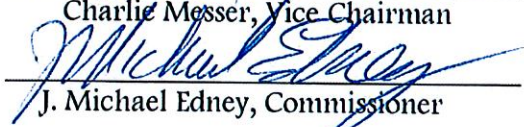
December 6, 1957 – December 18, 2015

- WHEREAS, Henderson County celebrates the life and public service of Floyd Eric Bush, Department of Social Services Director; and
- WHEREAS, Mr. Bush dedicated 2 years of service to Henderson County, and served in both Duplin County, NC and Marion County OH; and
- WHEREAS, Mr. Bush served on the boards of Western Carolina Community Action, Boys and Girls Club Henderson County, Duplin County Partnership for Children, and Boys and Girls Club of Marion County; and
- WHEREAS, Mr. Bush served as the President of Habitat for Humanity of Duplin County, Treasurer of El Centro Latino de Duplin, and other state committees devoted to helping others. Mr. Bush previously served time as District Commissioner, Harding Area District, Boy Scouts of America, and Assistant Scoutmaster, Troop 26, Marion, Ohio; and
- WHEREAS, it is fitting and proper that the Henderson County Board of Commissioners and staff remember Mr. Bush for his accomplishments and contributions to the community during his years of service with Henderson County;

NOW, THEREFORE, BE IT RESOLVED, THAT Mr. Eric Bush be remembered for his service and dedication to the citizens of Henderson County and his performance and accomplishments for County Government. The Board of Commissioners and staff extend our deepest sympathy to his family and friends.

Adopted this 4th day of January, 2016.

Henderson County Board of Commissioners:

 Thomas Thompson, Chairman	 Grady Hawkins, Commissioner
 Charlie Messer, Vice Chairman	 William G. Lapsley, Commissioner
 J. Michael Edney, Commissioner	

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 IN SUPPORT OF CONNECT NC BOND ACT

WHEREAS, North Carolina has seen its population grow by 2 million people since 2000, and there is a need to expand and repair existing infrastructure to ensure we can meet the demands of our growing population, continue the development of new jobs, and grow our economy; and

WHEREAS, a primary driver of job creation is our higher education system of community colleges and universities; and

WHEREAS, \$1.25 billion dollars will be invested across the state in capital construction, repair and renovation; and

WHEREAS, beneficiaries will include 17 colleges and universities, together with investment in new construction, repairs, and renovations to all of the community colleges; and

WHEREAS, \$309 million in loans and grants will be invested in sewer and water projects statewide; and

WHEREAS, \$100 million will be invested in 48 state parks and the NC Zoo to repair and renovate, as well as update, facilities to make them accessible to citizens with disabilities; and

WHEREAS, \$180 million will be invested in agriculture, which contributes \$78 billion to the state's economy and accounts for 17% of the state's revenue; and

WHEREAS, \$70 million will be invested in modernizing National Guard facilities, which will also make the guard eligible for additional federal funding as North Carolina moves toward more centralized facilities;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners supports the \$2 Billion Connect NC Bond that invests in North Carolina's future, and urges all North Carolinians to Vote Yes in the Tuesday, March 15, 2016 Primary General Election.


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

Adopted this the 1st day of February, 2016.



THOMAS THOMPSON, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

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J. MICHAEL EDNEY
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WILLIAM LAPSLEY

PROCLAMATION - PROCLAIMING MARCH AS NATIONAL ATHLETIC TRAINING MONTH IN HENDERSON COUNTY

WHEREAS, athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity based on specific tasks, knowledge and skills acquired through their nationally regulated educational processes; and

WHEREAS, athletic trainers provide prevention of injuries, recognition, evaluation and aggressive treatment, rehabilitation, health care administration, education and guidance; and

WHEREAS, the National Athletic Trainers' Association represents and supports 43,000 members of the athletic training profession employed in the following settings: professional sports, colleges and universities, high schools, clinics and hospitals, corporate and industrial settings and military branches; and

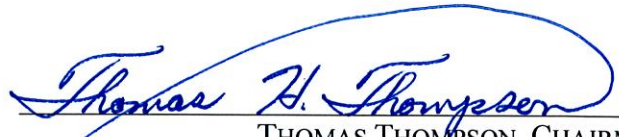
WHEREAS, leading organizations concerned with athletic training and health care have joined together in a common desire to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care within the aforementioned settings; and

WHEREAS, such an effort will improve health care for athletes and those engaged in physical activity and promote athletic trainers as health professionals;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners do hereby proclaim the month of March as National Athletic Training Month in Henderson County and urge the citizens of the County to learn more about the importance of athletic training.

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

Adopted this the 1st day of February, 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

21 January 2016

RE: Tax Collector's Report to Commissioners: 01 February 2016 Meeting

Please find outlined below collections information through 20 January 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 19 January 2016.

Henderson County Annual Bills G01 Only:

2015 Beginning Charge:	\$62,793,546.73	2014 Beginning Charge:	\$59,733,153.63
Discoveries & Imm. Irreg.:	\$210,670.65	Discoveries & Imm. Irreg.:	\$167,535.98
Releases & Refunds:	(\$357,078.55)	Releases & Refunds:	(\$333,185.75)
Net Charge:	\$62,647,138.83	Net Charge:	\$59,567,503.86
Unpaid Taxes:	\$3,668,115.47	Unpaid Taxes:	\$3,604,263.54
Amount Collected:	\$58,979,023.36	Amount Collected:	\$55,963,240.32
Percentage Collected:	94.14%	Percentage Collected:	93.95%
Through: 20-Jan-2016		Through: 20-Jan-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	\$ 88,701,901	\$ 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	\$ 79,969,285	\$ 412,338.61	\$ 410,717.92	99.61%
Oct '15	9312	\$ 77,527,270	Oct '15	10478	\$ 91,789,725	\$ 472,752.69	\$ 469,823.23	99.38%
Nov '15	7855	\$ 68,074,597	Nov '15	6934	\$ 61,121,188	\$ 315,688.16	\$ 314,019.44	99.47%
Dec '15	8169	\$ 71,274,565	Dec '15	7867	\$ 71,484,148	\$ 368,323.28	\$ 365,624.34	99.27%
Jan '16	7843	\$ 71,771,241	Jan '16	3721	\$ 34,437,098	\$ 177,345.10	\$ 176,809.60	99.70%
Feb '16	7118	\$ 61,857,243	Feb '16					
Mar '16	10852	\$ 89,862,021	Mar '16					
Apr '16	10182	\$ 84,564,218	Apr '16					
May '16	10377	\$ 85,526,118	May '16					
June '16	9599	\$ 81,998,908	June '16					
TOTALS:	110538	\$ 942,467,161	TOTALS:	58895	\$ 518,732,434	\$ 2,673,256.71	\$ 2,661,007.96	99.54%

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:	\$8,048,182.01	2014 Beginning Charge:	\$6,647,630.08
Discoveries & Imm. Irreg.:	\$17,764.78	Discoveries & Imm. Irreg.:	\$15,416.34
Releases & Refunds:	(\$66,903.00)	Releases & Refunds:	(\$44,866.24)
Net Charge:	\$7,999,043.79	Net Charge:	\$6,618,180.18
Unpaid Taxes:	\$548,852.21	Unpaid Taxes:	\$464,285.12
Amount Collected:	\$7,450,191.58	Amount Collected:	\$6,153,895.06
Percentage Collected:	93.14%	Percentage Collected:	92.98%
Through: 20-Jan-2016		Through: 20-Jan-2015	

Respectfully Submitted,



Luke Small
Collections Specialist

Darlene Burgess
Interim Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

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Vice-Chairman

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

February 1, 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 \$799.02, and tax refund requests in the amount of \$388.76 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, February 1, 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: February 1, 2016
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENT: Pending Release/Refund Combined Report

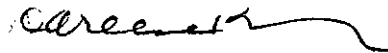
SUMMARY OF REQUEST:

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	\$ 799.02
Total Refunds as a Result of the Above Releases	\$ 388.76

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, January 20, 2016*

OWNER	ABSTRACT	NOTE	ADJ. NUMBER	USER ID	SITUS ADDRESS	DISTRICT	TAX	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
CARLAND, ANTHONY E	0000156112-2014-2014-0000	REBATE IN FULL. BUSINESS CLOSED 6-8-2013. DOCUMENTATION ON FILE.	3285	ESWOPE	1 N. MILLS RIVER RD HORSE SHOE NC 28742 NC	COUNTY	TAX	LATE LIST FEE	\$109.14	\$109.14	\$109.14	\$109.14
							TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$109.14	\$109.14	\$109.14	\$109.14	\$109.14
COFFIN, DAVID PRESTON	0000156112-2015-2015-0000	BUSINESS CLOSED 6-8-2013. DOCUMENTATION ON FILE.	3289	ESWOPE	1 N. MILLS RIVER RD HORSE SHOE NC 28742 NC	COUNTY	TAX	LATE LIST FEE	\$314.71	\$0.00	\$314.71	\$0.00
							TOTAL:	\$31.47	\$0.00	\$31.47	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$346.18	\$0.00	\$346.18	\$0.00	\$0.00
	OWNER TOTAL:										\$455.32	\$109.14
HOLLIFIELD, RENEE LIVELY	0003007655-2015-2015-0000	2011 DIAG TRAILER WAS SOLD AND TITLE TRANSFERRED 03/2012. PERMANENT MULTIYEAR TAG WAS TURNED IN 06/08/2012. DOCUMENTATION ON FILE.	3278	PNOVOTNY	125 ICE HOLLOW RD UNINCORPORATED	COUNTY	TAX	LATE LIST FEE	\$12.74	\$0.00	\$12.74	\$0.00
							TOTAL:	\$1.27	\$0.00	\$1.27	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$1.98	\$0.00	\$1.98	\$0.00	\$0.00
	OWNER TOTAL:										\$16.19	\$0.00
JOHNSON, RENEE LIVELY	0002888131-2015-2015-0000	1993 JEEP CHEROKEE BILLED AS A REGISTERED VEHICLE. IND BILL RELEASED, DOUBLE BILLED.	3270	KATHYS	75 OSCAR HENRY RD HENDERSONVILLE NC	COUNTY	TAX	LATE LIST FEE	\$5.50	\$0.00	\$5.50	\$0.00
							TOTAL:	\$0.55	\$0.00	\$0.55	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$1.39	\$0.00	\$1.39	\$0.00	\$0.00
	OWNER TOTAL:										\$1.53	\$0.00
JOHNSON, RENEE LIVELY	0003080794-2015-2015-0000	1993 JEEP CHEROKEE BILLED AS A REGISTERED VEHICLE. IND BILL RELEASED, DOUBLE BILLED.	3288	KATHYS	75 OSCAR HENRY RD FLAT ROCK NC 28731	COUNTY	TAX	LATE LIST FEE	\$4.11	\$4.11	\$4.11	\$0.00
							TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$1.04	\$1.04	\$1.04	\$1.04	\$1.04
	OWNER TOTAL:										\$5.15	\$5.15
KUHN, TIMOTHY ANTHONY	0002983733-2014-2014-0000	1991 BLUE FIN BOAT BILLED TO NEW OWNER ON BILL 2917301 FOR 2014 AND 2015. PRIOR OWNER BILLS RELEASED.	3283	KATHYS	186 GLAZENERS WY UNINCORPORATED	COUNTY	TAX	LATE LIST FEE	\$5.00	\$0.00	\$5.00	\$0.00
							TOTAL:	\$0.50	\$0.00	\$0.50	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$0.97	\$0.00	\$0.97	\$0.00	\$0.00
	OWNER TOTAL:										\$5.15	\$5.15
KUHN, TIMOTHY ANTHONY	0002983733-2015-2015-0000	1991 BLUE FIN BOAT BILLED TO NEW OWNER ON BILL 2917301 FOR 2014 AND 2015. PRIOR OWNER BILLS RELEASED.	3284	KATHYS	186 GLAZENERS WY WAY FLETCHER NC 28732	COUNTY	TAX	LATE LIST FEE	\$4.75	\$0.00	\$4.75	\$0.00
							TOTAL:	\$0.48	\$0.00	\$0.48	\$0.00	\$0.00
							ABSTRACT TOTAL:	\$1.06	\$0.00	\$1.06	\$0.00	\$0.00
	OWNER TOTAL:										\$1.17	\$0.00

*Adjustments submitted for approval on or before

NCPTS Pending Release/Refund Report. Wednesday, January 20, 2016*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	STATUS ADDRESS	TAX DISTRICT	LEWY TYPE	BILLED	PAID	RELEASE	REFUND
MCMINN, WILLIAM SHIRLEY JR	0003081550-2015-2015-0000	VOID THIS ABSTRACT 3081550. THIS 2006 HAWK TRAILER WAS ALSO LISTED AND PAID ON ABSTRACT 30655818.	(\$3,955)	3273	PN0VOTNY	569 HUTCH MOUNTAIN RD FLETCHER NC 28732	COUNTY	TAX LATE LIST FEE TOTAL: FLETCHER FIRE TAX	\$0.00 \$20.31 \$2.03 \$4.55	\$0.00 \$0.00 \$0.00	\$20.31 \$2.03 \$22.34 \$4.55	\$0.00 \$0.00 \$0.00
	OWNER TOTAL:		(\$3,955)						ABSTRACT TOTAL:		\$27.34	\$0.00
PAYNE, CHRISTOPHER FRANCIS	0002916808-2013-2013-0000	VEHICLE, 2006 MAZDA TRIBUTE PERSONAL UTILITY VEH, WAS TAGGED AND TAXES PAID THROUGH VTS. TAG BKF-7926	(\$7,600)	3282	KATHYS	97 AMBLE LN UNINCORPORATED	COUNTY	TAX LATE LIST FEE TOTAL: FLETCHER FIRE TAX	\$41.60 \$4.16 \$8.10	\$41.60 \$4.16 \$8.10	\$27.34 \$39.03 \$3.90 \$42.93 \$7.60	\$0.00 \$39.03 \$3.90 \$42.93 \$7.60
	OWNER TOTAL:		(\$7,220)						ABSTRACT TOTAL:		\$51.29	\$51.29
TORREY, JAMES A	0000160680-2015-2015-0000	VEHICLE, 2006 MAZDA TRIBUTE PERSONAL UTILITY VEH, WAS TAGGED AND TAXES PAID THROUGH VTS. TAG BKF-7926	(\$14,820)	3281	KATHYS	97 AMBLE LN FLETCHER NC 28732	COUNTY	TAX LATE LIST FEE TOTAL: FLETCHER FIRE TAX	\$39.65 \$3.96 \$7.72	\$39.65 \$3.96 \$7.72	\$37.08 \$3.71 \$40.79 \$7.22	\$37.08 \$3.71 \$40.79 \$7.22
	OWNER TOTAL:		(\$14,820)						ABSTRACT TOTAL:		\$7.94	\$7.94
	0000160680-2015-2015-0000	CORRECTED (DEDUCTED) FINISHED SQUARE FOOTAGE STORY FACTOR FROM 2 TO 1.5, CORRECTED (ADDED) FINISHED SQUARE FOOTAGE ON FIRST FLOOR & 2ND FLOOR (FA/FA), CORRECTED (ADDED) FINISHED SQUARE FOOTAGE ABOVE GARAGE VALUE CHANGE- 1/2015 ORIGINALLY \$436,300; REVISED 1/2015 \$408,100 PER CAMA TEST.	(\$28,200)	3290	EPARKER	1 FAIR OAKS DR HENDERSONVILLE NC 28791	COUNTY	TAX LATE LIST FEE TOTAL: ETOWAH-HORSESHOE FIRE	\$2,240.84 \$0.00 \$458.12	\$2,240.84 \$0.00 \$458.12	\$144.84 \$0.00 \$144.84 \$29.61	\$144.84 \$0.00 \$144.84 \$29.61
	OWNER TOTAL:		(\$28,200)						ABSTRACT TOTAL:		\$29.61	\$29.61
GRAND TOTALS:			(\$28,200)								\$174.45	\$174.45
			(\$135,749)								\$799.02	\$388.76

*Adjustments submitted for approval on or before



**Community Services Block Grant [CSBG]
Documentation of Submission to County Commissioners**

Background: The North Carolina Administrative Code [10A NCAC 97C.0111 (b)(1)(A)] requires that each CSBG grant recipient submit its Community Anti-Poverty Plan [grant application] to each County Commissioner Board that it serves.

Instructions: This form is to be completed and notarized by the Clerk to the Board.

Agency Name: Western Carolina Community Action

County: Henderson
Emailed on 12/30/2015

Date of Application Submission: _____

[Note: This application should be submitted to the County Commissioners at least thirty [30] days prior to application submission to the Office of Economic Opportunity [OEO]. The grant application is due to OEO **February 12, 2016**

Clerk to the Board should initial all items below.

JW

The agency submitted a complete grant application for Commissioner review.

JW

The Clerk to the Board will be responsible for assuring that the application is distributed to the Commissioners.

N/A

Commissioners' comments provided those to the agency. (If applicable)

Teresa L. Wilson

Clerk to the Board

2/2/2016

Date

Joanne M. Hinson

Witness/Notary

2/2/2016

Date

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

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Information Technology

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115422 - 552000</u>	<u>Capital Outlay - Technology</u>	<u>\$ 100,300</u>
<u>285411 - 552000</u>	<u>Capital Outlay - Technology</u>	<u>\$ 203,638</u>
<u>405400 - 598011 - 1601</u>	<u>Transfer to General Fund</u>	<u>\$ 100,300</u>
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>114980 - 405400</u>	<u>Transfer from Capital Project Fund</u>	<u>\$ 100,300</u>
<u>284411 - 401000</u>	<u>Fund Balance Appropriated</u>	<u>\$ 203,638</u>
<u>404400 - 401000 - 1601</u>	<u>Fund Balance Appropriated</u>	<u>\$ 100,300</u>
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*
 Appropriation to replace the SAN and Virtual Host Servers
 Approved by the Board February 1, 2016.

Budget 2/1/2016
 Authorized by Department Head Date

 Authorized by Budget Office Date

 Authorized by County Manager Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

Extract of Minutes of a regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on February 1, 2016 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman Thomas H. Thompson presiding.

* * *

The following members were present: Thomas Thompson, Charlie Messer, Mike Edney, Grady Hawkins, and William Lapsley

The following members were absent: None

Also present: County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell, Clerk to the Board Teresa Wilson

* * *

Commissioner Messer moved that the following resolution (the "*Resolution*"), a copy of which was available with the Board and which was read by title:

RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF HENDERSON, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A CAREER ACADEMY ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE AND IN THE ACQUISITION OF LAND FOR AN ECONOMIC DEVELOPMENT PROJECT (G. F. LINAMAR LLC) FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN FISCAL YEAR 2017

WHEREAS, the Board of Commissioners of the County of Henderson, North Carolina ("*County*") has determined that it is in the best interests of County to finance the acquisition, construction and equipping of a Career Academy on the campus of Blue Ridge Community College ("the Career Academy"); and

WHEREAS, the County has approved the offer of economic development incentives to G. F. Linamar LLC, contingent upon their commitment to construct and equip a new plant located in Henderson County (with certain other terms and conditions), pursuant to which offer the County would, if the offer is accepted, provide the purchase cost of the land upon which the plant is to be located as an advance payment of incentives, which award the Board of Commissioners of the County has determined to be in the best interest of the County to finance ("the potential economic development award"); and

WHEREAS, it would be in the best interest of the County that the Career Academy and the potential economic development award (together, "the Project") be financed together; and

WHEREAS, the County presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to execute and deliver its tax-exempt obligations (the "*Obligations*") to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the County desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the "*Original Expenditures*"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the County intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

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

Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Project and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Project is \$20,500,000.

Section 2. ***Compliance with Regulations.*** The County adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. ***Itemization of Capital Expenditures.*** The Finance Officer of the County, with advice from special counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Obligations.

Section 4. ***Effective Date.*** This Resolution is effective immediately on the date of its adoption.

On motion of Commissioner Messer, the foregoing resolution entitled "**RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF HENDERSON, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A CAREER ACADEMY ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN FISCAL YEAR 2017**" was duly adopted by the following vote:

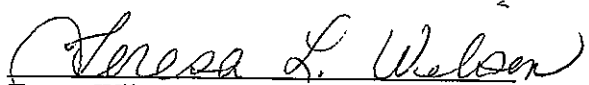
AYES: 5

NAYS: 0

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

I, *Teresa Wilson*, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF HENDERSON, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A CAREER ACADEMY ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN FISCAL YEAR 2017”** adopted by the Board of Commissioners of the County of Henderson, North Carolina, at a meeting held on the 1st day of February, 2016.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 1st day of February, 2016.


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



**Before the
Board of Commissioners
Of Henderson County**

**A RESOLUTION REGARDING
ECONOMIC INCENTIVES "DETERMINATIONS"**

WHEREAS, in every case in which the Board of Commissioners has held a public hearing regarding the award of economic development incentives and determined to award the same, it has made a determination that such an award, if accepted by the proposed recipient on the terms and conditions offered by the County, would increase the population, taxable property, agricultural industries, employment, industrial output or business prospects of the County; and,

WHEREAS, in every case where a contract for award of economic development incentives has been entered by the County, it has expressly made a determination such as that noted, above; and,

WHEREAS, the General Assembly's recent modification of N.C. Gen. Stat. §158-7.1 has created uncertainty as to how to demonstrate the Board's "determination"; and,

WHEREAS, the Board adopts this resolution in clarification of its determinations, both in previous awards of economic development incentives, and in the future.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. In every case in which the Board has held a public hearing on the issue of economic development incentives and voted to award such incentives, it has in fact made the determination required in §158-7.1(a) as noted above, and this is to expressly confirm the same.

2. In the absence of express language to the contrary in any motion approved by the Board awarding economic development incentives, this Board shall be presumed to have made the determination required in §158-7.1(a) (as noted above) by the Board's approving vote.

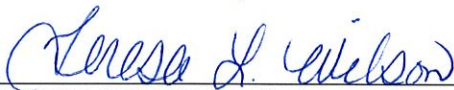
This the 1st day of February, 2016.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By: 

THOMAS H. THOMPSON, Chairman

Attest:



TERESA 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

February 1, 2016

Mindy Smith
1979 Hendersonville Road, Suite E
Asheville, NC 28803

Re: February 21st Frostbite Races

Dear Ms. Smith,

Henderson County acknowledges that we have been informed of the 24th Annual Frostbite Races, to benefit the Henderson County Boys & Girls Club, on Sunday, February 21, 2016. The County does not own any roads along the proposed route for the event. However, Henderson County has no objection to the event, given that you have already worked out certain logistics with the Sheriff's Department and Rescue Squad. Please follow all rules and regulations as set forth by the NC Department of Transportation during the event.

We appreciate you making us aware of the event, and wish you well.

Sincerely,



Thomas H. Thompson, Chairman
Henderson County Board of Commissioners

Sheriff Charles S. McDonald

HENDERSON COUNTY SHERIFF'S OFFICE
100 North Grove Street
Hendersonville, NC 28792

January 27, 2016

Mindy Smith
Community Outreach Coordinator
IDaph Events

RE: Frostbite Races- Park Ridge Foundation

Dear Ms. Smith;

I wanted to take this opportunity to verify that we have been informed of your upcoming Frostbite Race event and will work with you and other official entities regarding the temporary closing of any state maintained road affected by this event on the morning of Sunday, February 21, 2016.

We will gladly provide traffic control and the assistance of our deputies and Volunteers in Partnership (VIP's) during this event. Please don't hesitate to contact our agency should you require anything further.

Sincerely,



Charles S. McDonald, Sheriff

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON COUNTY

BEFORE THE HENDERSON COUNTY
BOARD OF COMMISSIONERS

IN THE MATTER OF THE ADVERTISEMENT OF TAX LIENS

ORDER

Having received the report of the Henderson County Tax Collector dated January 21, 2016, which report indicates that there exist unpaid taxes for Tax Year 2015 of \$3,668,115.47, it appears to the Board of Commissioners of Henderson County and the Board so finds that it is appropriate and necessary to advertise, pursuant to N.C. Gen. Stat. §105-369, Tax Liens on Real Property for Failure to Pay Taxes.

WHEREFORE, IT IS ORDERED that the Henderson County Tax Collector proceed to advertise the tax liens pursuant to N.C. Gen. Stat. §105-369.

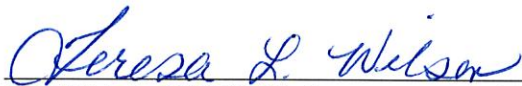
Unanimously adopted, this 1st day of February 2016.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By: 

THOMAS H. THOMPSON, Chairman

Attest:



TERESA L. WILSON, Secretary 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

Darlene Burgess
Interim County Assessor & Tax Collector

www.hendersoncountync.org/ca/

Lisa Obermiller
Administrative Assistant II

21 January 2016

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

RE: Tax Collector's Report to Commissioners: 01 February 2016 Meeting
Report of Unpaid Taxes that are Liens on Real Property as required by N.C.G.S. 105-369(a)

Dear Henderson County Commissioners:

In accordance with N.C.G.S. 105-369, Advertisements of Tax Liens on Real Property for Failure to Pay Taxes, I respectfully submit the following report:

Annual Bills (not Including Motor Vehicle)

2015 Beginning Charge:	\$62,793,546.73	2014 Beginning Charge:	\$59,733,153.63
Discoveries & Imm. Irreg.:	\$210,670.65	Discoveries & Imm. Irreg.:	\$167,535.98
Releases & Refunds:	(\$357,078.55)	Releases & Refunds:	(\$333,185.75)
Net Charge:	\$62,647,138.83	Net Charge:	\$59,567,503.86
Unpaid Taxes:	\$3,668,115.47	Unpaid Taxes:	\$3,604,263.54
Amount Collected:	\$58,979,023.36	Amount Collected:	\$55,963,240.32
Percentage Collected:	94.14%	Percentage Collected:	93.95%
Through: 20-Jan-2016		Through: 20-Jan-2015	

Advertisement of Tax Liens:

Effective January 1, 1985, Ch. 1013 (H1676) amends N.C.G.S. 105-369 to provide that tax liens need to be advertised only once. A taxing unit may choose to advertise the tax liens more than one time, but it is not required to do so. The list must still be posted at the Courthouse or City Hall door and it must be advertised in one or more newspapers having a general circulation in the taxing unit. The advertising may be done at any time from March 1 through June 30.

Effective July 1, 2006, N.C.G.S. 105-369 was amended, requiring us to provide notice to and advertise liens under the name of the "record owner as of the date the taxes became delinquent" of real property.

It is my recommendation to the Board of Commissioners that unpaid tax liens be advertised once on 19 March 2015 (the third Wednesday in March or the week thereof). The reason for my recommendation is two-fold; (1), to give taxpayers additional time to satisfy this tax obligation without incurring the advertising fee, and (2), to ensure the local print media have ample time to prepare the printed advertisement.

Respectfully submitted,



Darlene Burgess
Interim County Assessor & Tax Collector

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

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Lisa Obermiller
Administrative Assistant II

21 January 2016

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

RE: Tax Collector's Report to Commissioners: 01 February 2016 Meeting
Update on Delinquent Tax Collections for FY2015-2016

Dear Henderson County Commissioners:

The purpose of this letter is to communicate to you the status of delinquent tax collections for the fiscal year 2015-2016. The Office of the Tax Collector continuously submits new debts to the clearinghouse as part of the Debt Set Off Program. We now have over \$3,966,267.95 in delinquent debts (EMS, Tax, Sewer, and other debts owed to Henderson County) to be collected at the clearinghouse. The tax portion of these debts totals \$1,171,450.69. This will allow us to receive monies if a taxpayer is due a refund on his/her state income tax or lottery winnings by attaching our tax lien to the refund/lottery winnings. Debt setoff collections since 01 July 2015 total \$14,141.05 with a tax amount of \$5,006.20.

We continue to set up partial payment arrangements for those taxpayers who have difficulties and hardships paying their taxes. We also monitor and maintain these partial payment arrangements to ensure taxpayers are making their payments as specified in their payment schedule.

Since July 1, 2015, the tax collections staff has created numerous enforced collection actions in an effort to collect delinquent taxes and has faithfully collected on existing actions.

- Bank Attachments: 60 new actions created, \$90,003.26 collected.
- Wage Garnishments: 569 new actions created, \$203,346.44 collected.
- Rent Attachments: 5 new actions created, \$32,278.38 collected.
- Pre-foreclosure: 147 new actions created, \$209,369.44 collected.
- Monies (Unclaimed Cash): 50 new actions created, \$3,884.96 collected.

Overall since 01 July 2015 we have collected \$926,049.63 in delinquent taxes. This reflects 51.88% of the budgeted goal of \$1,785,000.

Respectfully submitted,



Luke Small
Deputy Tax Collector

Darlene Burgess
Interim County Assessor & Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

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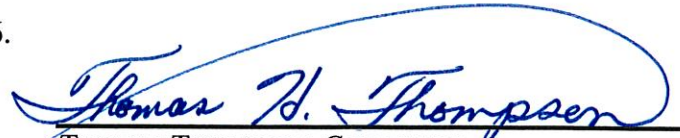
J. MICHAEL EDNEY
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WILLIAM LAPSLEY

RESOLUTION

ASKING HENDERSON COUNTY'S LEGISLATIVE DELEGATION TO EXEMPT THE CAREER ACADEMY PROJECT FROM STATE CONSTRUCTION OFFICE REVIEW

- WHEREAS**, the Balfour Education Center is in need of replacement; and
- WHEREAS**, Henderson County has proposed to build a new Career Academy (Academy) to replace the Balfour Education Center on the campus of Blue Ridge Community College (BRCC); and
- WHEREAS**, This Academy will consolidate the Early College, Balfour Education Center and career readiness programs in partnership with BRCC; and
- WHEREAS**, Henderson County has also proposed to build an Emergency Services - Headquarters on the current Balfour Education Center site; and
- WHEREAS**, As a result of the time constraints required to meet school term commencement for the 2017 school year, the project must be expedited; and
- WHEREAS**, State Construction Office review is currently required, and could take many months to accomplish; and
- WHEREAS**, Buncombe County successfully exempted projects from State Construction Office review through House Bill 501 in the 2013 Session of the General Assembly;
- NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners request that a Local Bill be adopted which will exempt the Career Academy project from State Construction Office review.

Adopted this the 1st day of February, 2016.


THOMAS THOMPSON, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD