

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JULY 16, 2014**

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

Those present were: Chairman Charlie Messer, Vice-Chairman Tommy Thompson, Commissioner Mike Edney (arrived at 10:45), Commissioner Larry Young, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: PIO Kathryn Finotti (video-taping), Finance Director J. Carey McLelland, Planning Director Autumn Radcliff, Fire Marshal Rocky Hyder, Engineer Marcus Jones, Budget Analyst Megan Powell, Public Health Director Steve Smith, Assessor/Tax Collector Stan Duncan, Environmental Programs Coordinator Rachel Hodge, Director of Business and County Development John Mitchell, Animal Services Director Brad Rayfield, Planner Matt Champion, Planner Christopher Todd, Assistant Engineer Natalie Berry, Property Addressing Coordinator Curtis Griffin, Code Enforcement Director Toby Linville, Delinquent Tax Collector Lee King, HR Director Jan Prichard, and Deputy Mitchell Jacobsen as security.

Absent was: Commissioner Grady Hawkins (attending NACo Conference in New Orleans).

CALL TO ORDER/WELCOME

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

INVOCATION

County Manager Steve Wyatt provided the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Commissioner Young.

RECOGNITION – NACo Achievement Award – Animal Services “Adopt a Dog, Train a Dog, Retain a Dog”

Chairman Messer recognized Animal Services Director Brad Rayfield and Animal Services Committee members Pam Hodges, and Carol Vaseleski for their work on the “Adopt a Dog, Train a Dog, Retain a Dog” program, and noted this was a great accomplishment. Chairman Messer presented them with an Achievement Award Certificate on behalf of NACo.

Brad Rayfield explained that the idea was Carol Vaseleski's, and that Carol and Pam had spent countless hours working on the program. This program is used to enhance interaction between animals and their owners.

PUBLIC HEARINGS

Rezoning Application #R-2014-02 Clear Creek Road

Chairman Messer made the motion to go into public hearing in regard to rezoning application #R-2014-02. All voted (3-0) in favor and the motion carried.

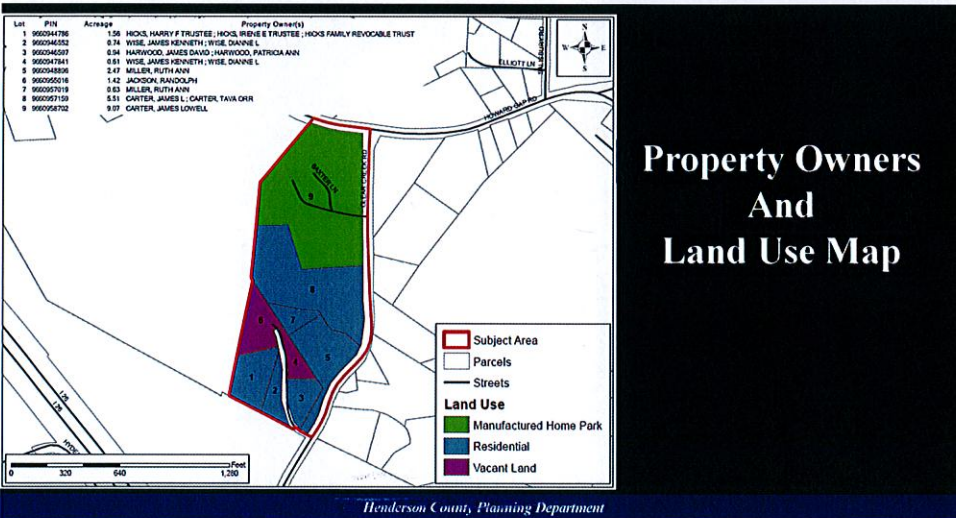
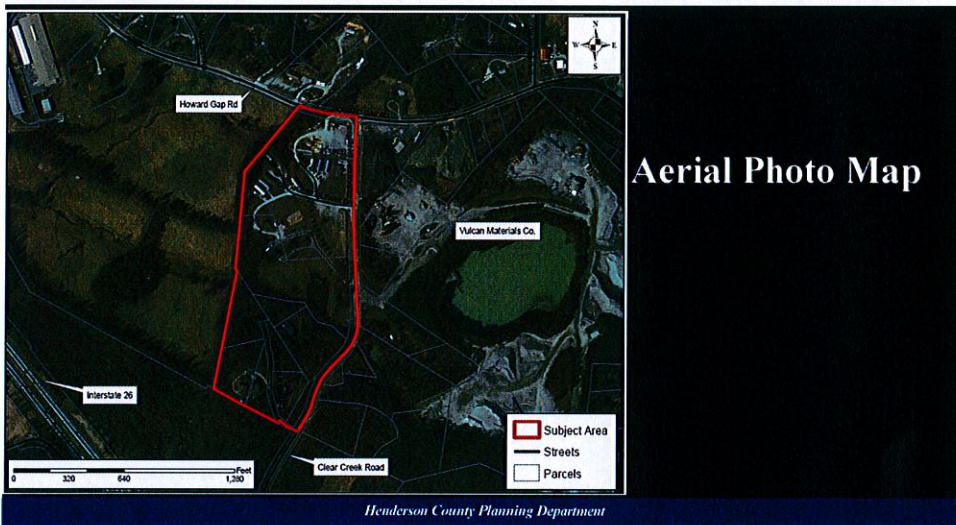
Matt Champion stated Rezoning Application #R-2014-02, which was initiated on March 20, 2014 at the request of several property owners, requests the County rezone approximately nine parcels or 24.89 acres of land (thereafter the “Subject Area”) (Please see attached property owners map). Henderson County Planning Staff recommends rezoning the Subject Area from an Industrial (I) zoning district to a Residential Two Rural (R2R) zoning district to address property owners concerns.

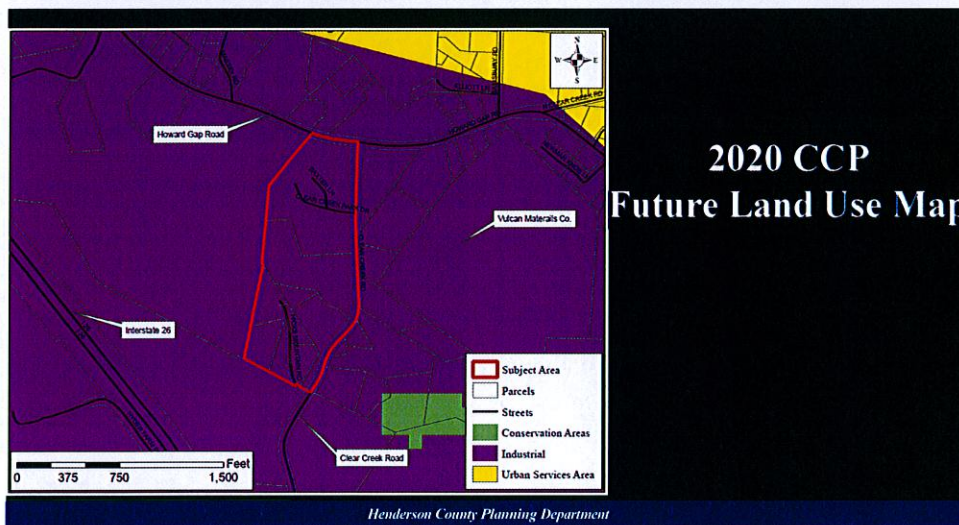
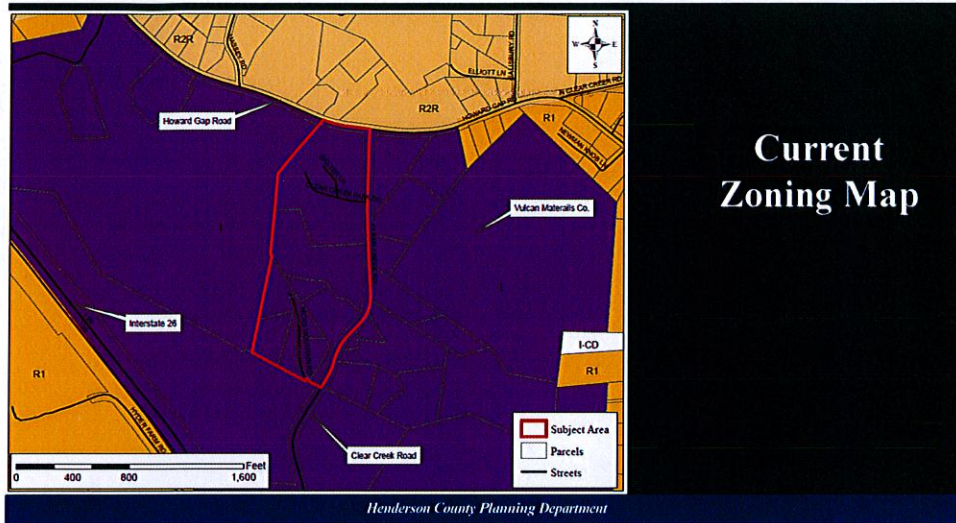
DATE APPROVED: August 4, 2014

The Henderson County Planning Board considered rezoning application #R-2014-02 at its regularly scheduled meeting on May 15, 2014. During that meeting, the Planning Board voted unanimously to send forward a favorable recommendation on rezoning application #R-2014-02 to rezone the Subject Area to Residential Two Rural (R2R) 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 July 16 2014, public hearing regarding rezoning application #R-2014-02 were published in the Hendersonville Tribune on June 26, 2014 and July 3, 2014. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the Subject Area and the Subject Area property owner on July 7, 2014 and posted signs advertising the hearing on the Subject Area on July 7, 2014.

After holding the required hearing, Planning Staff recommends that the Board of Commissioners approve the application to rezone the Subject Area to a Residential Two Rural (R2R) zoning district. State law requires that the Board adopt a written statement of consistency with the County Comprehensive Plan (CCP). A draft was provided.





Public Input

There was none.

The Board was concerned that Vulcan Materials was located in the area, and noted that property owners requesting the change are aware. If the change of zoning is approved, the commission would not be sympathetic about noise, dust, etc. complaints in regard to Vulcan Materials in the future.

Chairman Messer made the motion to go out of public hearing. All voted (3-0) in favor and the motion carried.

Commissioner Thompson made the motion that the Board adopts the resolution regarding the consistency with the CCP. He further moved that the Board adopt the proposed map amendment. The motion passed 2-1 with Commissioner Young noting nay.

Consideration of assignment of new road name

Chairman Messer made the motion to go into public hearing in regard to consideration of assignment of new road name. All voted (3-0) in favor and the motion carried.

Curtis Griffin stated the Planning Department staff requests the Board conduct a public hearing to consider assignment of a new road names. Staff received a petition from the affected property owners meeting the required majority (66%). The petition requests the following:

New Road Name Old Road Name
Barbara Ann Lane Yorkshire Boulevard

Consideration of the road name assignment is required by Henderson County Property Addressing Ordinance (Chapter 41), North Carolina General Statute 153A-239.1 and the Property Addressing Ordinance require the Board to hold a public hearing prior to assigning a new road name.

Staff posted signs in the affected area regarding the public hearing and advertised the public hearing in a local newspaper.

The Planning Department staff requests the Board hold the scheduled public hearing and consider the proposed road name change.

Public Input

1. William Virginia – Mr. Virginia’s daughter Tracy spoke on behalf of her father. She stated her parents found a perfect place to retire in Hendersonville. Shortly after moving here, her mother died of cancer. Their wish was to name the street in memory of her mother “Barbara Ann Lane”. She doesn’t understand why the neighbor’s are opposed.
2. James Elgin – Mr. Elgin is opposed to the street name change. He opposed the first request in April of Barbaras Mountain Terrace, and was surprised to find out a second public hearing had been scheduled. He feels the name Yorkshire Boulevard is more fitting to streets located around the area. The third property owner is opposed to the change also. They have offered to pay 2/3 of the cost of a personal sign to be placed at the end of Mr. Virginia’s drive.

Commissioner Messer made the motion to go out of public hearing. All voted (3-0) in favor and the motion carried.

Commissioner Young made the motion that the Board denies the road name of Barbara Ann Lane as requested, and further requested that county policy be amended so that only one (1) request can be made within a one (1) year period. All voted (3-0) in favor and the motion carried.

County Manager Steve Wyatt will work with staff to draft an amendment to the policy and bring it back before the Board in August.

Consideration of Economic Development Incentives for Cane Creek Cycling Components

Chairman Messer made the motion to go into public hearing in regard to consideration of economic development incentives for Cane Creek Cycling Components. All voted (3-0) in favor and the motion carried.

A public hearing has been scheduled on 16 July 2014 in the above matter.

Cane Creek Cycling Components, Inc. is a manufacturing concern located inside Henderson County contemplating expansion.

Henderson County Partnership for Economic Development President Andrew Tate stated under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by

Cane Creek Cycling Components, Inc. of at least \$750,000.00 in real property (not including any land acquisition costs), and \$345,500.00 in business personal property (equipment). The project would result in the creation of fifty-five (55) 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 seven years. The first year's contemplated incentive, if granted, would be not more than \$5,063.84, 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 seven years would be \$31,854.00.

The Town of Fletcher approved their support on July 14, 2014.

At the conclusion of the public hearing, the Board may choose to take action, delay action to a subsequent meeting, or take no action.

Public Input

There was none.

Cane Creek Cycling Components CEO Scott Sonnone thanked the Board for their consideration.

Commissioner Messer made the motion to go out of public hearing. All voted (3-0) in favor and the motion carried.

Commissioner Young made the motion that the Board approves economic development incentives as stated. All voted (3-0) in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

1. Rebecca Coleman – Mrs. Coleman spoke in regard to compression engine brakes, “Jake Brakes”. She lives at 177 Slick Road and has a business at 4611 Chimney Rock Road. It began on June 18, 2014 at 6:00 a.m. when a logging operation began hauling lumber. They were awakened by noise and called the Sheriff's Office to see what they could do. It was recommended they call the lumber company to discuss the issue. They did, but it only got worse. Mrs. Coleman provided the Board with a petition from thirty-one (31) property owners requesting an ordinance restricting compression engine brakes.

See discussion item, in regard to compression engine brakes, later in the meeting.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Thompson requested Item I “Inter-local Agreement with Hendersonville on secondary 911 public safety answering point” be pulled for brief discussion.

Fire Marshal Rocky Hyder explained that the “enhanced service” provides more detail. It will determine the location whether or not the individual can speak.

Chairman Messer requested Item F “Revision to Fee Schedule: Add Roofing Shingle Recycling Fee at \$35/ton, Solid Waste Enterprise Fund” be pulled for brief discussion.

Director of Business and County Development John Mitchell explained that the Revision to the Fee Schedule is a reduction in cost to citizens.

After discussion, Commissioner Young made the motion to adopt the agenda as presented. All voted (3-0) in favor and the motion carried.

CONSENT AGENDA

Commissioner Young made the motion to adopt the Consent Agenda as presented. All voted (3-0) in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Minutes

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

June 30, 2014 – regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated July 3, 2014 for information only. No action was required.

Historic Courthouse Heritage Museum

Currently, Rule #4 in the County's Facility Use Policy states that "Solicitation is not permitted within County Facilities or Grounds". The Historic Courthouse Heritage Museum however, has received permission to run a small gift shop within the building. Due to their location inside the facility, the Board is requested to consider also allowing them to conduct sales on the Historic Courthouse grounds.

Motion:

I move the Board allow the Historic Courthouse Heritage Museum to conduct sales on the Historic Courthouse grounds.

Modification of Recreation Advisory Committee Bylaws

The Recreation Advisory Board asks to change their meetings from the third Tuesday to the second Tuesday of the month. This change was voted on and recommended by the Advisory Board. This is the only change to the bylaws requested at this time.

Motion:

I move that the Board adopts the Recreation Advisory Board's revised bylaws as recommended.

Register of Deeds – Request to Use ROD Restricted Funds for Automation, Enhancement and Document Preservation

N.C.G.S. 161-11.3 regulates the retention of 10% of the fees collected by the Register of Deeds office. These funds are to be set aside annually in a non-reverting Automation Enhancement and Preservation Fund and are to be used for computer and imaging technology, and document preservation. The Register of Deeds is requesting that \$20,777 be released from the Automation Enhancement and Preservation Fund to pay for the following expenses:

\$ 17,000 Printing and Binding to purchase book binders

\$ 3,777 Data Processing

A budget amendment to use the Register of Deeds Restricted General Fund Balance to pay for printing and binding needs, temporary staffing for the ongoing redaction and scanning project, and software maintenance was provided for the Board's consideration.

The Board is requested to approve the Budget Amendment appropriating the funds from the Automation Enhancement and Preservation Fund. No county funds are involved in this request.

Motion:

I move the Board of Commissioners approves the budget amendment to use \$20,777 in Register of Deeds Restricted General Fund Balance

Revision to Fee Schedule: Add Roofing Shingle Recycling Fee at \$35/ton, Solid Waste Enterprise Fund

Engineering has developed a program that will divert roofing shingles from our waste stream at the Stoney Mountain Transfer Facility. The proposed program also reduces the cost of shingles disposal to roofing contractors and residents from the tipping fee of \$57/ ton to the proposed fee of \$35/ ton. A request for proposals was released to haul and recycle our shingles, and the successful bid is a significant reduction per ton from the waste hauling and disposal cost which will permit the reduced fee. The vendor will recycle the shingles collected at our Facility into asphalt production. An education and outreach program for county-wide contractors, roofers, and the general public is being developed by Environmental Programs and Solid Waste and will be presented through local industry-related organizations in 2014.

Henderson County will be the second county in the region to offer this service to residents and contractors through our Transfer Station facility.

Request the Board approve the revision of the FY15 Solid Waste Fee Schedule to add a fee of \$35/ ton for Roofing Shingle Recycling.

SOLID WASTE	
Item	FY15 Fee
Transfer Station	
Municipal Solid Waste (MSW)	\$57.00/ton
Construction and Demolition Debris	\$57.00/ton
Clean, unpainted concrete and masonry debris	\$30.00/ton
Yard Debris brush ("Yard Waste" per DENR)	\$57.00/ton
Bulk Debagged Leaves ("Yard Trash" per DENR)	\$57.00/ton
White Goods/Scrap Metal	No Charge
Minimum scale fee	\$10.00/load (maximum 340 lbs)
Shingles eligible for recycling	\$35.00/ton
Recyclables	
County Recycling	No Charge
Tires	
Scrap tires eligible for free disposal / 5 per year	No Charge
Scrap tires ineligible for free disposal	\$82.00/ton
Oversize equipment tires	\$156.00/ton
Tire stacking fee (optional)	\$0.30/tire or \$30.00/ton
Household Hazardous Waste Program Fees	
Pesticides	No Charge
Liquid paint	\$2.00/gallon
CESQG HHW Event	Price per vendor
Convenience Center Recyclables	

Bag for Bag Program (1)	
Household Trash (2)	Bag for Bag, No Charge
Recycling: Bottles, jugs and jars	Bag for Bag, No Charge
Recycling: Corrugated Cardboard	Bag for Bag, No Charge
Recycling: Paper	Bag for Bag, No Charge
Electronics/Televisions	No Charge
Batteries	No Charge
Oil & Oil Filters	No Charge
Cooking Oil	No Charge
Bagged Leaves / 5 per day (must empty bags)	No Charge
White Goods / Scrap Metal	No Charge
(1) Bag for Bag Program: Bags of household trash may be disposed of at no charge when an equal number and sized bags of recycling are recycled.	
(2) Household Trash is trash typically generated in a residential bathroom or kitchen	

Motion:

I move that the Board approves the revision of the FY15 Solid Waste Fee Schedule to add a fee of \$35/ ton for Roofing Shingle Recycling.

Designation of Plat Review Officers

N.C. Gen. Stat. §47-30.2 requires that all persons appointed as plat review officers be so appointed by a resolution recorded in the Register of Deeds office. “Plat review officers” insure that all plats to be recorded comply with the plat requirements set out in the General Statutes.

On September 17, 1997 this Board first adopted a plat review officer resolution. This resolution was revised March 12, 2007, May 7, 2007, June 4, 2007, April 20, 2011, September 19, 2012 and February 3, 2014. This resolution also sets out certain other procedures that all plat review officers must follow.

The Board needs to update the list of those persons appointed as plat review officers. A proposed resolution has been prepared and is attached for the Board’s consideration in order to accomplish this update. This proposed resolution restates all other persons currently appointed as plat review officers and removes former county employees.

Tina Ball, Andy Bartley, Matthew Cable, Pamela Carver, Matthew Champion, Jacob Hansen, Autumn Radcliff, Christopher Todd, Eric Warren.

Action by the Board of Commissioners is needed to adopt the proposed resolution to add one additional plat review officer within the Planning Department to the current list of plat review officers for Henderson County, and remove any employees that are no longer employed by the County.

Motion:

I move that the Board adopts the resolution appointing a new list of plat review officers for Henderson County.

Staff Organization of Offices of County Assessor and Tax Collector

The General Statutes for the appointment of the Assistant Assessor (N.C. Gen. Stat. §105.297) and Deputy Tax Collector (N.C. Gen. Stat. §105.349(f)) requires the “governing body” to appoint the same. It is not clear whether this was done in the past with persons holding these titles.

To clarify this for the future, the Assessor and Tax Collector proposes that C. Ed Parker be appointed the sole Assistant Assessor, and that W. Lee King be appointed the sole Deputy Tax Collector. (All bonding requirements for the Deputy Tax Collector have been previously fulfilled.)

(NOTE: No employee of the Offices of County Assessor and Tax Collector will suffer a demotion, as that term is recognized in North Carolina law, under this action.)

Motion:

I move that the Board appoint C. Ed Parker as the County's sole Assistant Assessor, and further that the Board appoint W. Lee King as the County's sole Deputy Tax Collector, and further no employee of the Offices of County Assessor and Tax Collector will suffer a demotion, reduction in pay or benefits under this action.

Inter-local Agreement with Hendersonville on secondary 911 public safety answering point

North Carolina's 911 Board has approved a "secondary public safety answering point" (PSAP) funding arrangement, where State 911 funds can flow to a secondary provider of services as a PSAP for 911. Henderson County is the primary PSAP for the county.

This will not affect the funding that the County receives from the state 911 Board, but will provide security by assisting the operation of a secondary PSAP if needed.

Motion:

I move that the Board approves the inter-local agreement with Hendersonville.

Non-Profit performance Agreements

Subsequent to the approval of the FY 2014-2015 Budget, staff has distributed the funding agreements to the non-profit agencies receiving County allocations.

Henderson County Partnership for Economic Development	\$336,750
Mediation Center	\$ 10,500

Motion:

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

Emergency Debris Site Agreement – WNC Ag Center and Buncombe County

Staff has worked with Buncombe County and the WNC Ag Center to permit the lower Ag Center, gravel parking as an emergency debris collection site for Henderson and Buncombe County in the event of a major storm. The site will require a permit from NCDENR with the first step being execution of a written agreement between the parties to use the property. The agreement will satisfy the requirement. After Henderson's County's signature, the agreement will go to Buncombe County and then WNC Ag Center. This agreement will also be a requirement for FEMA funds to operate the site.

Motion:

I move that the Board of Commissioners approves the Three Party Agreement between Henderson County, Buncombe County and the Western North Carolina Agriculture Center for use of the Center's parking lot as an emergency debris site.

Notification of Vacancies

Chairman Messer noted the following vacancies and opened the floor to nominations.

1. Nursing/Adult Care Home Community Advisory Committee 2 vac.

Nominations

1. Asheville Regional Housing Consortium – 1 vac.

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

2. Child Protection and Fatality Prevention Team – 2 vac.

Commissioner Thompson nominated Paige Prichard for position #7, and Kesha McClure for position #2. *Chairman Messer made the motion to accept the appointment of Paige Prichard to position #7 and Kesha McClure to position #2 by acclamation. All voted in favor and the motion carried.*

3. EMS Peer Review Committee – 4 vac.

At the last meeting Commissioner Thompson nominated Dr. Thomas Lacey for position #5, and Dr. Jerry Poole for position #3. He withdrew his nominations.

Commissioner Thompson nominated Dr. Samuel Douglass for position #5. *Chairman Messer made the motion to accept the appointment of Dr. Samuel Douglass to position #5 by acclamation. All voted in favor and the motion carried.*

4. Environmental Advisory Committee – 4 vac.

Chairman Messer nominated Kevin Wetzel for position #5, and Sheila Olvera for position #1. *Chairman Messer made the motion to accept the reappointment of Kevin Wetzel to position #5, and the appointment of Sheila Olvera to position #1 by acclamation. All voted in favor and the motion carried.*

5. Henderson County Board of Health – 2 vac.

At the last meeting Commissioner Thompson nominated David Ellis for position #1 and Commissioner Young nominated Jerry Pyle for position #1. Commissioner Thompson withdrew his nomination for David Ellis.

Commissioner Young nominated Craig Poole for position #3, and his nomination for Dr. Jerald Pyles for position #1 stood. *Chairman Messer made the motion to accept the appointment of Craig Poole to position #3, and the appointment of Dr. Jerald Pyles for position #1 by acclamation. All voted in favor and the motion carried.*

6. Henderson County Planning Board – 1 vac.

Commissioner Young nominated Ronald Kauffman for position #3. *It was the consensus of the Board to roll this item to the next meeting.*

7. Hendersonville City Zoning Board of Adjustment – 1 vac.

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

8. Juvenile Crime Prevention Council – 7 vac.

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

9. Mountain Area Workforce Development Board – 3 vac.

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

10. 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.

11. Nursing/Adult Care Home Community Advisory Committee – 3 vac.

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

12. Senior Volunteer Services Advisory Council – 2 vac.

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

13. Social Services Board – 1 vac.

Commissioner Thompson noted the only application on file is Mary Murray. Ms. Murray is the Chair of the Juvenile Crime Prevention Council which deals directly with Social Services. Not only would this be a work load, but may also be a conflict of interest. This item was rolled to the next meeting.

14. WCCA Board of Directors (Western Carolina Community Action) – 1 vac.

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

PRESENTATION OF EMERGENCY SERVICES FACILITIES SPACE NEEDS

Steve Wyatt stated at the Board’s Budget Workshop in January, the Board directed Staff to engage a facilitator with expertise in emergency services to work with Emergency Medical Services and the Rescue Squad to develop options to meet the long term obligations of both organizations. In February, the County engaged with Solutions for Local Government to develop an assessment of those needs.

Purpose

1. To assess and document the space needs of the County’s Emergency Management Department, the County’s EMS Department (Administration and EMS Station #1) and the Henderson County Rescue Squad.
2. To determine if economies can be realized with regards to the total space needed and the associated costs, if the departments are consolidated in a single building.

Emergency Management

In current space since: 2007
 Size of current space: 3,826 nsf
 Condition of space: Good
 Limitations: Vehicles & major equipment stored off-site, need additional warehouse storage space and technology & space for data/media controls.

Emergency Medical Services (EMS)

In current space since: 1978
 Size of current space: 10,516 nsf
 Condition of Space: Poor
 Limitations: Building old, in disrepair & very crowded, was not designed for the purpose it is used for, and is functionally inefficient

Henderson County Rescue Squad

In current space since: 1973
 Size of current space: 9,076 nsf
 Condition of Space: Poor
 Limitations: Has assumed additional responsibilities, personnel, and vehicles, original space is *very* crowded, need additional training & administrative space, post incident response staging is very difficult.

Space Needs Summary by Department

Department	Building	Garage	Total NSF
Emergency Management	5222	1035	6257
Emergency Medical Services	8736	6756	15492
Rescue Squad	6800	13804	20604
Total	20758	21595	42353



Areas Considered for Sharing/Consolidation

- Building lobby & reception area
- Training/multipurpose meeting space
- Server & utility rooms
- Vehicle wash area
- Backup UPS space
- Kitchen space
- General storage space

Space Reductions w/Revised Total NSF

Department	Calculated as Individual Buildings			Consolidated	
	Building	Garage	Total	Reductions	Rev. Total
Emergency Management	5222	1035	6257	1145	5112
Emergency Medical Services	8736	6756	15492	1480	14012
Rescue Squad	6800	13804	20604	1728	18876
Total	20758	21595	42353	4353	38000

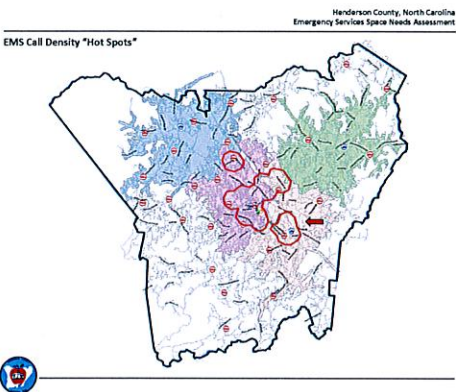
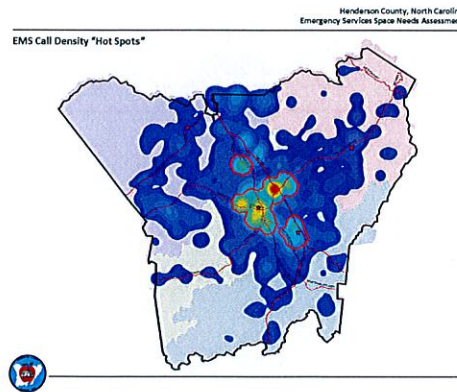
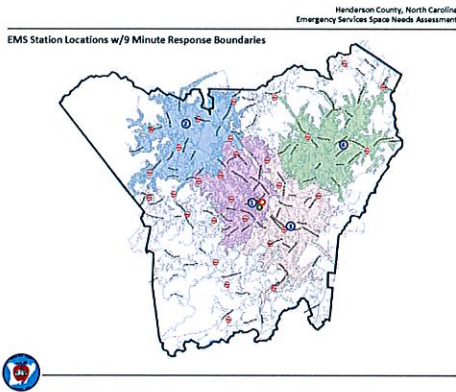


Site Requirements

Area Requirements	NSF	Mult.	GSF
Building w/Garage A Space	37,918	1.25	47,398
Building w/Garage B Space	4,435	1.15	5,100
Parking-Staff			35,750
Parking-Public			3,900
Access/egress & site driveways			14,500
Building/parking-driveway buffer			3,520
Staging/loading/on site activities			10,900
Adjoining property setbacks			14,000
Water runoff/retention			8,000
Total Land Area (square feet)			182,718
Total Land Area (acres)			4.19

(Note building multipliers (1.25 and 1.15) used to convert NSF to GSF)





Probable Costs

Preliminary Estimate of Probable Construction & Project Related Costs

Construction	GSF	Unit Cost	Total
Main Building	47,398	\$ 125	\$ 5,924,750
Support Vehicle Garage	5,100	\$ 95	\$ 484,500
Site Development		Estimate	\$ 500,000
Subtotal-Construction Costs:			\$ 6,909,250

Project Related	Unit Cost	Total
A/E Design Fees	0.07	\$ 483,648
Site & Materials Testing	0.0025	\$ 17,273
Printing	Lump Sum	\$ 16,000
Fatures, Furnishings & Equipment	0.04	\$ 276,370
Escalation	0.05	\$ 345,463
Contingencies	0.05	\$ 345,463
Subtotal-Project Related Costs:		\$ 1,484,216

Total Estimated Project Costs: \$ 8,393,466

Staff recommends that representatives from Solutions for Local Government, EMS and the Rescue Squad be present at the August 4th meeting for a more detailed discussion.

County Manager Steve Wyatt suggested the Board look over the information, and he would bring it back before the Board at the August 4th meeting for a thorough discussion with all involved in attendance.

FY2013-2014 TAX COLLECTOR'S SETTLEMENT; APPROVAL OF BOND AMOUNTS FOR TAX COLLECTOR/DEPUTY; FY2014-2015 TAX ORDER FOR COLLECTION

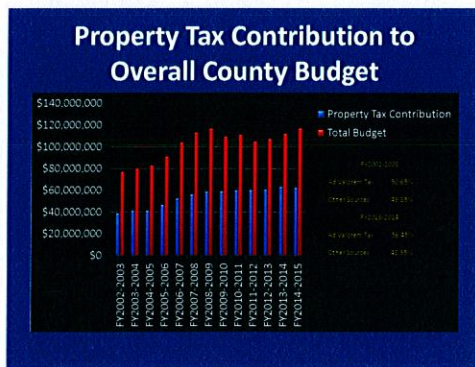
Stan Duncan recognized Lee King as the newly elected Registrar of Deeds. He will take office in December.

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

- (a) PREPAYMENTS. The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) SETTLEMENT. The Tax Collector must make settlement with the Board of Commissioners for all

taxes placed in his hands for collection for the past year.

- (c) BOND. The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) ORDER OF COLLECTION. An Order of Collection must be adopted at today’s meeting, which will charge the Tax Collector with the collection of FY 2014-2015 taxes, plus all outstanding delinquent taxes.



Budget Ordinance 2013-2014FY

BE IT ORDAINED by the Henderson County Board of Commissioners, meeting on the 24th day of June 2013:

Ad Valorem Taxes

- Current Year Taxes \$ 61,468,139.00
- Prior Year Taxes, Interest, and Penalties \$ 1,880,000.00

TOTAL to be contributed: **\$ 63,348,139.00**

2013-14FY; a Year of Change

The most significant change to the local property tax program since the State adopted the market value assessment standard in 1973:

Effective 1 September 2013, eight long years after ratification by the NC General Assembly, Tag & Tax Together was finally implemented.

2013-14FY; Component Breakdown

Tax Base Component	Appraised Value Estimate
Real Property:	\$ 10,325,000,000
Personal Property:	\$ 800,000,000
(Individual & Business-Personal Property)	
Public Service Companies:	\$ 200,000,000
(Regulated Utilities)	
Registered Motor Vehicles:	\$ 1,150,000,000
Legacy System; 1993 – 2013	\$ 460,000,000
New, VTS (Combined Vehicle Tax System)	\$ 690,000,000

TOTAL TAX BASE: **\$ 12,475,000,000**

(\$12,475,000,000.00 x \$.005136 = \$64,071,600.00; x .97% for rate of collection percentage = \$62,149,452.00; less \$681,313.00 for reappraisal reserve budget = \$61,468,139.00 revenue due current FY; plus \$1,880,000.00 prior year delinquent taxes = \$63,348,139.00 total revenue due from all ad valorem tax sources.)

Annual Billed Taxes: **\$ 58,165,200.00**

(Real & Personal Property, & Public Utilities)
 Registered Motor Vehicles: \$ 5,906,400.00
 (Legacy System; 1993 - 2013) \$ 2,362,560.00
 (New, VTS (Combined Vehicle Tax System) \$ 3,543,840.00
 Gross Calculated Tax: \$ 64,071,600.00
 TOTAL to be contributed: \$ 62,149,452.00
 (at a 97% collection rate and including \$681,313 for reappraisal reserve budget)

Component to the Tax Base	Projected Tax Base	Revenue		Actual Revenue Collected (excl. interest, but incl. discoveries & immaterial irregularities)	Difference +/-
		Projected at \$.5136 /\$100 & 97% Collection Rate	Actual Tax Base		
Real Property:	\$ 10,325,000,000	\$ 51,438,324.00	\$ 10,348,047,910	\$ 52,138,492.51	\$ 700,168.51
Personal Property: (Individual & Business Personal Property)	\$ 800,000,000	\$ 3,985,536.00	\$ 829,959,780	\$ 4,145,731.22	\$ 160,195.22
Public Service Co's: (Public Utilities as Certified by NC DOR)	\$ 200,000,000	\$ 996,384.00	\$ 215,774,146	\$ 1,108,889.47	\$ 112,505.47
TOTAL ANNUAL BILLING	\$ 11,325,000,000	\$ 56,420,244.00	\$ 11,393,781,836	\$ 57,393,113.20	\$ 972,869.20
Registered MV's					
Legacy:	\$ 460,000,000	\$ 2,291,683.20	\$ 512,975,227	\$ 2,435,621.45	\$ 143,938.25
* VTS:	\$ 600,000,000	\$ 3,437,524.80	\$ 659,584,822	\$ 3,385,876.92	\$ (51,647.88)
TOTAL RMV's:	\$ 1,150,000,000	\$ 5,729,208.00	\$ 1,172,560,049	\$ 5,821,498.37	\$ 92,290.37
GRAND TOTALS:	\$ 12,475,000,000	\$ 62,149,452.00	\$ 12,566,341,885	\$ 63,214,611.57	\$ 1,065,159.57

NOTES:
 * denotes ad valorem valuations determined by the County, but billed and collected by NC DMV after their costs (transaction fees to the DMV and LPA, credit card & debit card charges) have been deducted.

N.C.G.S. 105-373. Settlements

Per NCGS 105-373(a)(3)b., The tax collector shall be credited with:

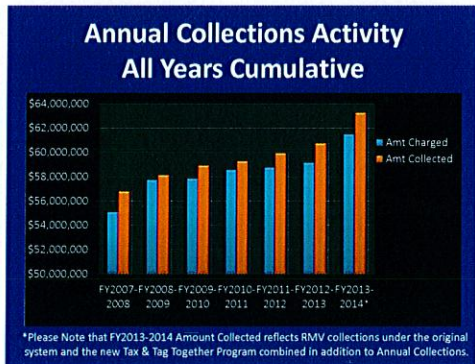
1. All sums representing taxes for the year deposited by him to the credit of the taxing unit or received for by a proper official of the unit;
2. Releases duly allowed by the governing body;
3. The principal amount of taxes constituting liens on real property;
4. The principal amount of taxes included in the insolvent list determined in accordance with subdivision (a)(2), above;
5. Discounts allowed by law (NOT applicable for Henderson County);
6. Commissions (if any) lawfully payable to the tax collector as compensation; (NOT applicable for Henderson County), and
7. The principal amount of taxes for any assessment appealed to the Property Tax Commission where the appeal has not been finally adjudicated.

Total Collected for 2013-14FY Taxes

As of 30 June 2014, compared to the original charge as stated in the FY2013-2014 Budget Ordinance, tax collections were:

- \$63,214,611.57 for current year (2013-14FY) taxes; \$1,746,472.57 above the original annual levy charge:
 - \$57,393,113.20 from Annual Bills
 - \$ 2,435,621.45 collected under original RMV legacy system

- \$ 3,385,876.92 collected under Tax & Tag Together program (incl. \$21,718.53 interest, but not adjusted for \$116,539.73 for DMV-related collection costs for credit & debit card use, LPA commission & DMV transaction fees, etc.,)
- \$1,890,031.20 for prior years taxes (delinquent taxes) \$10,031.20 above the delinquent charge.

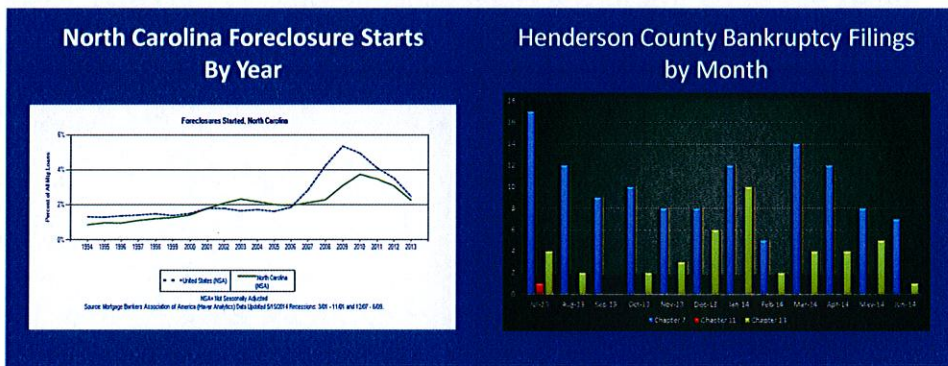


1st Goal; Meet Budgetary Charge

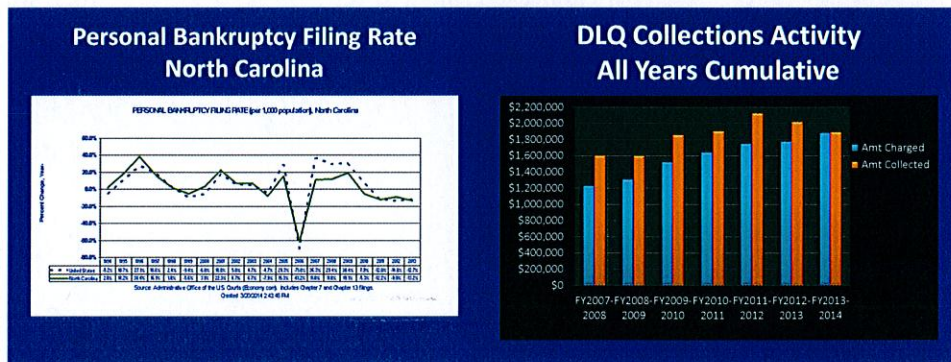
For the 2013-14FY, exceeded the charge of \$61,468,139.00, by \$1,746,472.57 in Annual Taxes.

- Collected \$2,435,621.45 in RMV Taxes under legacy billing system.
- Collected \$3,385,876.92 in RMV Taxes under the new VTS System (Tax & Tag Together Program).
- TOTAL for CURRENT YEAR (FY2013-14) collected \$63,214,611.57.

For delinquent taxes (uncollected taxes from prior years), exceeded the charge of \$1,880,000.00 by \$10,031.20, collected \$1,890,031.20.

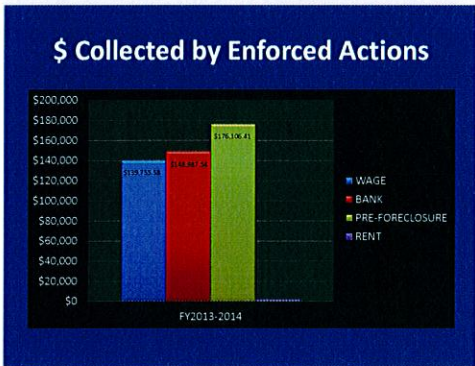
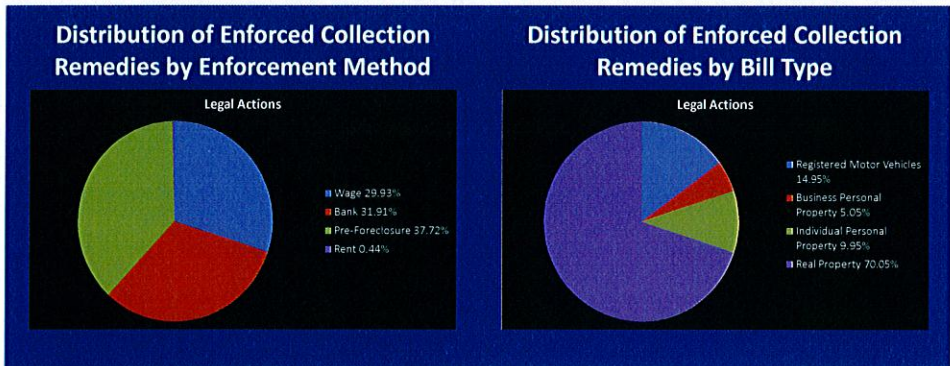


Lee King shared the following information.



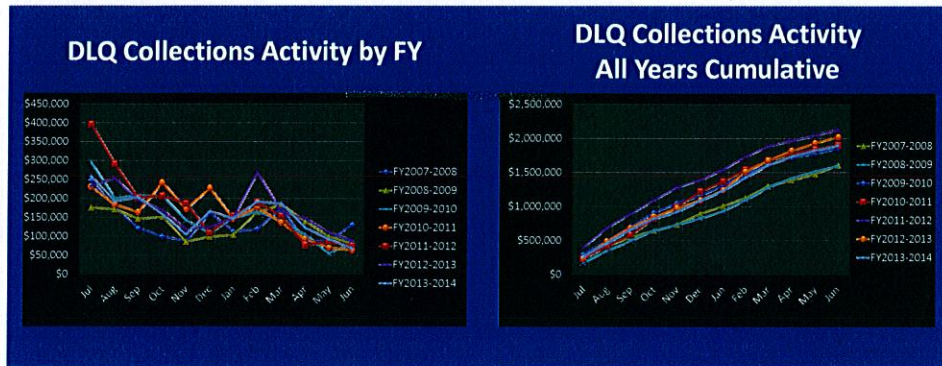
Working with Property Owners

- Our office strives for a payment plan that will:
 - Work toward satisfying the delinquency and bring the taxpayer current in taxes owed the county.
- Payment Arrangements:
 - Number of arrangements FY 2013-2014: 53
 - Total revenue under arrangement: \$100,615.60
- Payment Extensions:
 - A payment extension is on a case by case basis and usually involves Delinquent Real Property Taxes. It is an informal arrangement with our office to bring the delinquency current within 30, 60, or 90 days depending on the degree of financial hardship.
- Wage Attachment Policy:
 - In an attempt to work with taxpayers, our office notifies the taxpayer FIRST. This allows them 15 Business Days to satisfy the Attachment before our office forwards the attachment to the taxpayer’s employer.
 - Our office has found this to be very effective in collecting back taxes owed our County.



County Tax Foreclosure Statistics

- Parcels in pre-foreclosure FY2013-2014: 382
- Potential Amount of Taxes to be collected: \$262,654.80
- Approximate Date of Next Tax Sale: Late 2014



A list of people owning real property whose taxes for 2013 remain unpaid, along with the principal amount owed by each person; and (2) a list of the persons not owning real property whose personal property taxes for 2013 remain unpaid, along with the principal amount owed by each person, was provided.

In compliance with N.C.G.S. 105-373(a)(3), Also provided is a Report entitled "Settlement for Current Taxes for Fiscal Year 2013-2014" dated 16 July 2014 setting forth my full settlement for all taxes in my hands for collection for the fiscal year 2013-2014.

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

FY 2013-2014 Progress Report regarding Delinquent Property Tax Collections and Report on Efforts to Collect Delinquent Taxes – Year 15 of the delinquent tax collection project

Since the inception of the project in October of 1999, the tax office has collected \$22,015,730.46, in delinquent tax, including interest. Of this amount, \$1,712,884.14 in prior year taxes, fees and interest were collected during FY 2013-2014. At the close of this fiscal year, they have collected 99.69% of our prior-years' annual tax bills (real estate and listed personal property) and 98.04% of our prior-years' motor vehicle tax.

The responsibilities of the Delinquent Tax Collections staff include the monitoring and administration of legal remedies used to collect delinquent tax. They have made a great deal of progress this year through the use of these remedies and are pleased to provide detailed information depicting this year's achievements:

In Rem Foreclosures (pursuant to NCGS 105-375). Approximately 85% of Henderson County's tax base is attributable to real estate and improvements thereon. It stands to reason, therefore, that Henderson County act assertively to preserve this revenue, and our foreclosure program serves to achieve this objective. Henderson County is one of few North Carolina counties that administer tax foreclosures from start to finish without the assistance of outside attorneys. We feel that this system increases efficiency and equates to minimal cost passed on to the taxpayers, who may already be financially distressed.

Prior to instituting a tax foreclosure, the statutes require us to first conduct a title examination of the subject property and send notices via certified mail to all persons having an interest in the property. In addition to the statutory requirements to which we are bound, we attempt to make telephone contact with the taxpayer and in all cases, personally visit the taxpayer and/or the subject property. Additionally, we send pre-foreclosure notices to taxpayers as well as all mortgage holders as disclosed by the title examination. We also post the properties when we docket a judgment against the property. During FY 2013-2014 our office has continued a tracking program for properties that are in pre-foreclosure. Currently, 382 parcels are in this tracking program with a potential collection of \$262,654.80 in taxes. The diligence of our staff has resulted in more taxes being collected and less property having to be foreclosed upon. We are currently looking at a tax foreclosure sale to be scheduled in late 2014.

Garnishments and Attachments (pursuant to NCGS 105-368). This year (FY 2013-2014) we have issued Enforced Collection Actions totaling \$466,863.75. Of that amount, 31.91% or \$148,987.54 were collected by way of Bank Account Attachment. Wage Attachments accounted for 29.93% or \$139,755.58 and Rent Attachments have accounted for 0.44% or \$2,014.72. The remaining 37.72% are from Parcels in our pre-foreclosure program that have been paid in full amounting to \$176,106.41.

NC Debt Setoff Program (pursuant to NCGS Chapter 105A). The North Carolina Debt Setoff Program allows local government to collect outstanding debts by garnishing North Carolina State income tax refunds. Delinquent Tax Collections administers the Debt Setoff Program for the collection of property tax as well as debts owed to other county agencies. During FY 2013-2014, Henderson County collected \$127,240.88 through the use of Debt Setoff. Property Taxes accounts for \$27,410.84 of that total. Henderson County agencies using the Debt Setoff Program include EMS, the Health Department, and the Finance Department.

Payment Arrangements. Taxpayers are encouraged to enter into payment agreements prior to taxes becoming delinquent. During FY 2013-2014, Delinquent Tax Collections entered into 53 payment agreements totaling \$100,615.60 in tax revenue.

Bankruptcy. As part of an effective collection program, it is important to keep abreast of the statutes and procedural issues pertaining to bankruptcy. Proofs of Claim must be filed in a timely manner when appropriate and tax bills involved in an active bankruptcy case must be carefully monitored and segregated to avoid violation of the automatic stay imposed by the Bankruptcy Court. Presently, there are 368 tax bills amounting to \$133,574.49 that are involved in active bankruptcy cases. This is an increase over last fiscal year. As depicted in the following chart of North Carolina Bankruptcy filings, during Fiscal Year 2013-2014 there were 166 Bankruptcy Cases filed by residents of Henderson County. Chapter 7 is the largest component with 122 Cases.

Total Bankruptcy Filings in Henderson County FY2013-2014			
Chapter 7	Chapter 11	Chapter 13	Total
122	1	43	166

The most difficult collections remain in the area of motor vehicle tax. The total prior-year (i.e., 2003-2012) sum of outstanding motor vehicle tax is \$771,200.32, which represents 29.54% of the total outstanding enforceable delinquent tax. The amount of delinquent motor vehicle bills will continue to decrease as the County transitions to the new Tax and Tag Together Program. Over \$500,000 was collected from delinquent motor vehicles this year, with that portion of the pie going away, the pool of collectable delinquent bills will continue to get smaller, resulting in it becoming harder to collect the remaining debts owed to Henderson County.

Commissioner Young made the motion that the Board approves the tax collector's settlement for Fiscal Year 2013-2014 taxes, and further approves the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2014-2015 taxes. All voted (3-0) in favor and the motion carried.

Commissioner Edney arrived (10:45 a.m.).

REQUEST BY GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY ("GARAA") TO ACQUIRE HENDERSON COUNTY LAND

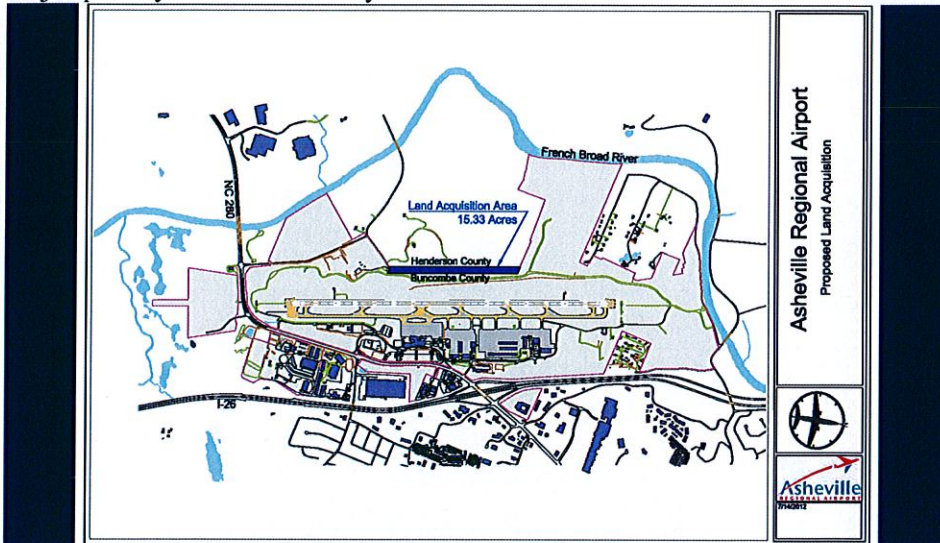
John Mitchell stated GARAA seeks permission to acquire 15.33 acres in the Ferncliff Industrial Park abutting the new runway to be built at the airport. Even though GARAA is an authority under North Carolina law,

[n]otwithstanding the provisions of G.S. 153A-158, 160A-240.1, 130A-55, or any other general law or local act conferring the power to acquire real property, before any county, city or town, special district, or other unit of local government which is located wholly or

primarily outside another county acquires any real property located in the other county by exchange, purchase or lease, it must have the approval of the county board of commissioners of the county where the land is located.

GARAA has reached agreement with the owners of the property to acquire this land. A map of the affected land was provided.

Mike Reisma, Deputy Executive Director at Greater Asheville Regional Airport Authority stated this is a major priority for a new runway.



Commissioner Edney made the motion that the Board grant its approval to the acquisition by Greater Asheville Regional Airport Authority of the land described in the documents included with this agenda item. All voted in favor (4-0) and the motion carried.

ENGINE COMPRESSION BRAKE DISCUSSION

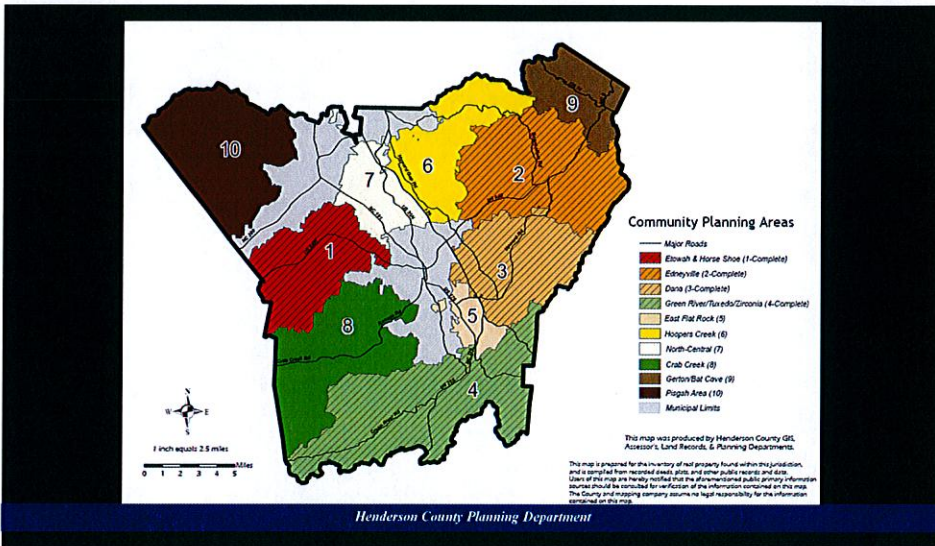
Toby Linville stated the Code Enforcement Services Department has received numerous complaints from residents along Highway 64 concerning excessive noise from truck compression brakes. These residents have requested the Board consider an ordinance prohibiting compression brakes along portions of Highway 64.

It was recommended that a letter be written to the lumber company addressing the concerns of the Board.

SELECTION OF NEXT COMMUNITY PLAN

Autumn Radcliff stated the Henderson County 2020 Comprehensive Plan (CCP) recommended the creation of several community plans, four of which are complete (Dana, Etowah-Horse Shoe, Edneyville, and Green River-Tuxedo-Zirconia (GRTZ)). At the direction of the Board, the Planning Department is prepared to begin the fifth community plan.

The CCP recommended a tentative schedule for the development of each community plan, but the plan selection is determined by the Board of Commissioners. The Dana Community Plan initially included the East Flat Rock area, but the Board voted to split these areas into two separate community plans. The GRTZ Community Plan was selected as the most recent community plan based on residents’ concerns and the development of the Tuxedo Park.



The next community plan scheduled for development is the East Flat Rock area followed by the Hoopers Creek area.

Commissioner Thompson made the motion that the Board selects the East Flat Rock area for the fifth community planning area. All voted in favor (4-0) and the motion carried.

CARDIAC ARREST RESUSCITATION SYSTEM (CARES)

Rocky Hyder, Emergency Services Manager, presented information to the Board on the County’s Cardiac Arrest Resuscitation System (CARES), an initiative started in late 2012. The Cardiac Arrest Resuscitation System has proven great results with the cardiac arrest return rate.

2010	13% cardiac arrest return rate
2013	39.8% cardiac arrest return rate with 6.5% walking out of hospital

DESIGNATION OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE

The North Carolina Association of County Commissioners (NCACC) has requested that the Board of Commissioners designate a Voting Delegate to the 107th Annual Conference of the North Carolina Association of County Commissioners to be held in Buncombe County, N.C., on August 14-17, 2014.

Commissioner Thompson made the motion that the Board designates Chairman Charlie Messer as Henderson County's voting delegate to the NCACC Annual Conference. All voted in favor (4-0) and the motion carried.

COUNTY MANAGER'S REPORT

NCACC CONFERENCE

County Manager Steve Wyatt reminded the Board of the NCACC Conference in August to be held in Buncombe County. A tour will be provided of Sierra Nevada at 3:00 on Friday afternoon as part of the conference.

PARTF GRANT – TUXEDO PARK

The Board was informed that Henderson County did not receive the PARTF Grant as hoped for the Tuxedo Park in this cycle. He plans to bring this item before the Board at the next meeting to look at a schedule for the Tuxedo Park with dedicated funds of \$425,000.00.

IMPORTANT DATES

ANNUAL VOLUNTEER APPRECIATION BANQUET

Chairman Messer made the motion that the Board approves the date for the Annual Volunteer Appreciation Banquet for Tuesday, October 21, 2014 at the Athletics and Activity Center Gym for 6:00 p.m. All voted in favor (4-0) and the motion passed.

ADJOURN

Commissioner Thompson made the motion to adjourn at 11:30 a.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Charles D. Messer, Chairman



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

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

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

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

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2014-02; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on July 16, 2014; and

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

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

1. That the Board reviewed the proposed map amendment #R-2014-02 – (Clear Creek Road Rezoning) and finds that it reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

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

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

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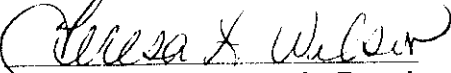
1. That the Board reviewed the proposed map amendment #R-2014-02 – (Clear Creek Road Rezoning) and finds that it reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 16th day of July, 2014.

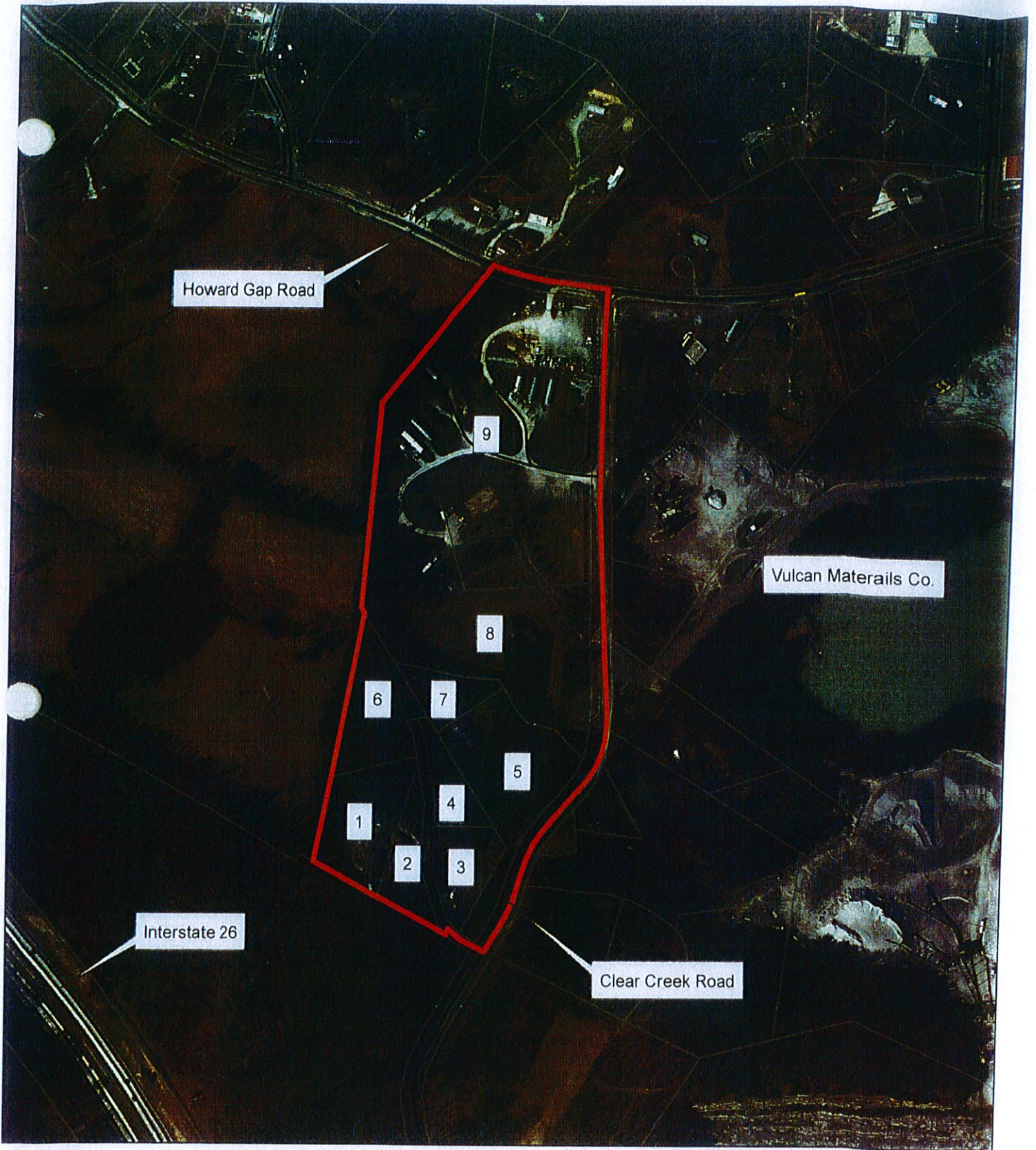
HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
CHARLIE MESSER, Chairman

ATTEST:


Terry Wilson, Clerk to the Board

[COUNTY SEAL]

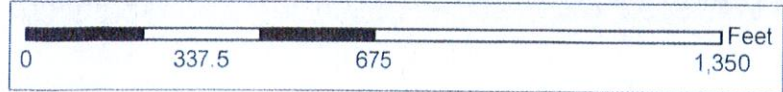


Howard Gap Road

Vulcan Materials Co.




Interstate 26

Clear Creek Road



Possible Rezoning R-2014-02 HC Planning Department



-  Subject Area
-  Parcels
-  Streets

Lot	PIN	Acreage	Property Owner(s)	Street	City	State	Zip Code
1	9660944786	1.56	HICKS, HARRY F TRUSTEE ; HICKS, IRENE E TRUSTEE ; HICKS FAMILY REVOCABLE TRUST	69 HICKS MOUNTAIN RD	HENDERSONVILLE	NC	28792
2	9660946552	0.74	WISE, JAMES KENNETH ; WISE, DIANNE L	65 HICKS MOUNTAIN RD	HENDERSONVILLE	NC	28792
3	9660946597	0.94	HARWOOD, JAMES DAVID ; HARWOOD, PATRICIA ANN	58 HICKS MOUNTAIN RD	HENDERSONVILLE	NC	28792
4	9660947841	0.61	WISE, JAMES KENNETH ; WISE, DIANNE L	65 HICKS MOUNTAIN RD	HENDERSONVILLE	NC	28792
5	9660948896	2.47	MILLER, RUTH ANN	2189 CLEAR CREEK RD	HENDERSONVILLE	NC	28792
6	9660955016	1.42	JACKSON, RANDOLPH	PO BOX 49	EAST FLAT ROCK	NC	28726
7	9660957019	0.63	MILLER, RUTH ANN	2189 CLEAR CREEK RD	HENDERSONVILLE	NC	28792
8	9660957159	5.51	CARTER, JAMES L ; CARTER, TAVA ORR	2323 CLEAR CREEK RD	HENDERSONVILLE	NC	28792
9	9660958702	9.07	CARTER, JAMES LOWELL	2323 CLEAR CREEK RD	HENDERSONVILLE	NC	28792

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

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

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

Thursday, July 03, 2014

Re: Tax Collector's Report to Commissioners - Meeting Date 16 July 2014

Please find outlined below collections information through 02 July 2014 for the 2013 real and personal property bills mailed out on 08 August 2013, as well as registered motor vehicles billed and collected by our office. As a point of reference, we also have included collections information as of the same date last year.

Annual Bills G01 Only:

2013 Beginning Charge: \$58,589,371.71
Discoveries & Imm. Irreg.: \$285,361.96
Releases & Refunds: (\$236,483.49)
Net Charge: \$58,638,250.18
Unpaid Taxes: \$1,210,672.38
Amount Collected: \$57,427,577.80
Percentage Collected: 97.94%
Through: 2-Jul-2014

2012 Beginning Charge: \$57,948,543.21
Discoveries & Imm. Irreg.: \$310,120.10
Releases & Refunds: (\$137,543.63)
Net Charge: \$58,121,119.68
Unpaid Taxes: \$1,200,543.90
Amount Collected: \$56,920,575.78
Percentage Collected: 97.93%
Through: 2-Jul-2013

Motor Vehicle Bills G01 Only:

2013 Beginning Charge: \$2,675,010.72
Discoveries & Imm. Irreg.: \$1,815.92
Releases & Refunds: (\$62,021.45)
Net Charge: \$2,614,805.19
Unpaid Taxes: \$176,660.97
Amount Collected: \$2,438,144.22
Percentage Collected: 93.24%
Through: 2-Jul-2014

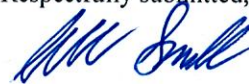
2012 Beginning Charge: \$4,459,975.56
Discoveries & Imm. Irreg.: \$3,765.57
Releases & Refunds: (\$94,094.89)
Net Charge: \$4,369,646.24
Unpaid Taxes: \$543,640.08
Amount Collected: \$3,826,006.16
Percentage Collected: 87.56%
Through: 2-Jul-2013

Fire Districts All Bills:

2013 Beginning Charge: \$6,878,771.58
Discoveries & Imm. Irreg.: \$45,334.18
Releases & Refunds: (\$35,981.56)
Net Charge: \$6,888,124.20
Unpaid Taxes: \$184,791.50
Amount Collected: \$6,703,332.70
Percentage Collected: 97.32%
Through: 2-Jul-2014

2012 Beginning Charge: \$6,943,765.63
Discoveries & Imm. Irreg.: \$47,088.48
Releases & Refunds: (\$29,281.45)
Net Charge: \$6,961,572.66
Unpaid Taxes: \$221,172.83
Amount Collected: \$6,740,399.83
Percentage Collected: 96.82%
Through: 2-Jul-2013

Respectfully submitted,



Luke Small
Collections Specialist

Stan C. Duncan
Tax Collector

**BYLAWS FOR
THE HENDERSON COUNTY PARKS & RECREATION ADVISORY BOARD**

Article I: Name

The name of this committee shall be called the Henderson County Parks & Recreation Advisory Board, hereinafter referred to as the "Recreation Board". The Recreation Board is formed by the Henderson County Board of Commissioners pursuant to the authority of North Carolina General Statutes 153A-76 and 160A Article 18.

Article II: Function

- A. The Recreation Board shall serve in an advisory capacity only. The Recreation Board shall provide recommendations to the Board of Commissioners, advocate for recreational services in Henderson County, and advise the Parks and Recreation Director regarding long-term planning and policies of the Parks and Recreation Department as appropriate. The Recreation Board shall also hear appeals of Parks matters as needed.
- B. The Recreation Board shall have no supervisory authority over the Parks and Recreation Director or department personnel. The Director shall report to the County Manager's Office and shall supervise the operation and administration of the Parks and Recreation Department.

Article III: Membership

- A. The Henderson County Parks and Recreation Advisory Board shall consist of nine (9) voting members, and in addition may include a tenth non-voting, ex-officio member who is also a Henderson County Commissioner. All members shall serve three 3 year terms. Members shall be appointed by the Henderson County Board of Commissioners and may be re-appointed upon expiration of terms. Terms shall expire the first day of March. The Recreation Advisory Board may also have a non-voting member from the Henderson County schools to advise and inform the Board's recommendations from the education perspective.
- B. Compliance with Recreation Ordinance. All members must comply with the Henderson County Recreation Ordinance, and local, state and federal law as the parks system and recreation. Failure to comply with this provision may result in the immediate dismissal from the Board.

Article IV: Officers

- A. The Recreation Board shall elect its own officers, by a majority vote of the voting members. Officers shall serve a term of one year, to correspond to the County's fiscal year of July 1 – June 30. Two officers shall be elected, a Chairman and Vice-Chairman.
- B. The election of officers, Chairman and Vice-Chairman, shall take place by the following procedure:
 1. The chairman shall appoint a Policy Committee, consisting of 4 members, which shall have the responsibility of nominating officers at the May meeting of the Recreation Board.
 2. Election of officers shall take place at the June meeting.
- C. The new officers shall take office on July 1 each year, which is the beginning of the county fiscal year.
- D. It shall be the duty of the Chairman to preside at all meetings.
- E. The Vice-Chairman shall perform duties of the Chairman in the absence of the Chairman.
- F. In the absence of the Chairman and Vice-Chairman from a meeting, the longest tenured advisory board member shall serve as Chairman of that meeting.

Article V: Organization

- A. The Administrative Secretary of the Parks and Recreation Department shall serve as the Clerk of the Recreation Board. It shall be the duty of the Clerk to notify members of all meetings, to keep full and accurate minutes of all meetings, to capture the votes on the Board's recommendations, and to have a copy of the agenda and minutes of each meeting sent to each member, to the County Manager's Office and the Clerk of the Board for the Henderson County Commissioners. The meeting minutes shall be signed by the Clerk of the Recreation Board.

- B. The Director will provide program reports concerning the Recreation Departments programs, events, Park updates, and policies at the regular meetings of the Recreation Board each month as appropriate. Budget update reports will be provided as requested by the members. These reports may be in a written or spoken form. A copy of these reports or a copy of the minutes describing the reports shall be available to each member, the Henderson County Manager's Office and the Clerk of the Board of Commissioners by the Clerk to the Recreation Board upon request. Annual reports concerning the Parks and Recreation Department, such as financial information, may be required by the County Manager's Office and copies shall be provided to the "Recreation Board". Reports, minutes, and recommendations of the Recreational Advisory Board shall be available to the public under North Carolina Public Records Law.

Article VI: Meetings

- A. Regular meetings of the Recreation Board shall be held on the ~~second~~ third Tuesday of each month and shall be held in the office of the Recreation Department or at some other designated place. A list of the monthly meeting dates each year shall be sent to the Clerk of the Henderson County Board of Commissioners at the beginning of each year, as per the North Carolina Open Meetings Law.
- B. Presiding Officer. The presiding officer of each meeting of the Committee shall be the chair of the Committee. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Committee, the vice-chair shall preside. In the event that neither the chair nor the vice-chair is available, the members of the Committee, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.
- C. The order of business at regular meetings shall be as follows:
1. Call to order by Chairman
 2. Approval of Minutes
 3. Public Input- public testimony not related to quasi-judicial hearings shall be limited to 3 minutes unless approved by the Chair.
 4. Information Items
 5. Unfinished Business
 6. Update from the Recreation Director
- D. Special meetings may be called by the Chairman or upon written request from a majority of the body. Written notice of such meetings shall be mailed to each Recreation Board member's home address at least 48 hours in advance of the meeting. In addition, written notice of such special called meetings shall be posted on the Recreation Department website, sent to the Clerk to the Henderson County Board of Commissioners and mailed or delivered to the media, and sent to those who have requested such notice. The notice of the special meeting shall state the purpose of said special meeting. Only those items stated in the notice can be considered at the special meeting.
- E. The meetings of the Recreation Board and all standing and special committees shall be conducted in accordance with the North Carolina Open Meetings Law.

Article VII: Committees

- A. Standing committees shall be appointed by the Chairman at the regular July meeting of each year as needed. Vacancies on the committees may be filled by the Chairman at any regular meeting.
- B. Committee meetings may be called at the request of the Chairman.
- C. Special committees and park advisory sub-committees may be appointed by the Chairman for such purposes as may be deemed necessary.
- D. The Chairman and Director shall be ex-officio members of all committees and sub-committees and as such, notified of all committee meetings.

Article VIII: Procedures

- A. A majority of the voting members present at an official meeting shall constitute a quorum. Once quorum is established at a meeting it cannot be lost for the remainder of the meeting. Quasi-Judicial proceedings must have the necessary number of members present for the entire hearing. For a motion to pass, approval must be given by a simple majority of the members present.
- B. Roberts Rules of Order- (revised edition) shall constitute the parliamentary authority for the procedures at all meetings.
- C. QUASI-JUDICIAL PROCEEDINGS. Such proceedings shall be ruled by North Carolina General Statute, case law, and the Henderson County Code and the Rules established by the Board of Commissioners.
 1. m. The Recreation Advisory Board has the authority to hear appeals of staff decisions based on Parks and Recreation Department policies and procedures. Matters concerning such issues may only be determined by the Board after conducting a quasi-judicial proceeding.
 2. Formation of Appellate Committee. The Recreation Advisory Board shall form a sub-group of 3 to 5 members to serve on the Appellate Committee. Members of the Appellate Committee shall be chosen at the same time as Officer Elections.
 3. Purposes and Objectives. The purpose of these procedures is to provide an orderly method by which the Committee can hear and decide all quasi-judicial proceedings. The Board's objectives when conducting such proceedings are (1) to conduct all proceedings in a fair and efficient manner, (2) to base all decisions on competent and relevant evidence, (3) to ensure that the applicable policy and procedures are being enforced and administered in a fair and efficient manner, and, (4) to provide the citizens of Henderson County an administrative avenue to contest and appeal decisions made pursuant to the Parks and Recreation Department policies and procedures which adversely affected them.
 4. Notice. Notice shall be provided to the appellant and shall be advertised in the regular meeting notice or special meeting notice.
 5. Rules of Procedure. Each quasi-judicial proceeding must be conducted in substantial conformity with the Henderson County Board of Commissioners procedures for quasi-judicial proceeding.
 6. Decisions. Decisions shall be rendered by the Committee by a majority of the members present required to pass a motion.
 7. Written Findings. Appeal decisions shall be in writing.
 8. Minutes and Maintenance of Records. The minutes for quasi-judicial proceedings shall be taken in detail with detailed summaries of all evidence or testimony presented and statements made by members of the Board. The minutes may be verbatim transcripts of the hearing.

Article IX: Voting

- A. Tie Vote- Tie votes at meetings shall be broken by the vote of the Chairman or acting Chairman.
- B. Abstentions- Should a member fail to vote on any matter before the Committee, without having been excused from such vote, such abstention will count as an affirmative vote.
- C. Duty to Vote. It is the duty of each member, including the chair, to vote unless otherwise excused. The Committee may excuse members from voting on any matter involving their own financial interest or official conduct or when a member has indicated an inability to be impartial in any quasi-judicial matter before the Committee.

Article X: Attendance. All members of the Committee are expected to attend the regular and/or special meetings of the Committee. Any member not able to attend must notify the secretary in advance of the meeting. Any member having missing 25% of meetings in a calendar year running July to June will be reviewed by the Committee and may be reported to the Board of Commissioners to be replaced.

Article XI: Amendments

All amendments to these bylaws shall be proposed in writing and discussed at the next meeting of the Recreation Board, then submitted to the Henderson County Board of Commissioners for final approval.

Originally adopted by the Henderson County Board of Commissioners on July 18, 1984. Amended on May 1989 and June 1992, March 1997, and March 2011.

Respectfully submitted by the Recreation Advisory Committee on this the ____ of _____, 2011.

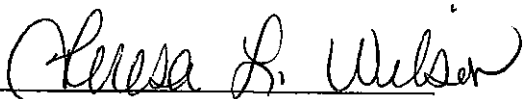


Jeff Donaldson, Chair

Approved by the Henderson County Board of Commissioners on this then 16th day of July, 2014.



Charlie Messer, Chairman

Attest: 

Terry Wilson
Clerk to the Board

LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY



Department: Register of Deeds

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115418 - 522600</u>	<u>Printing and Binding</u>	<u>\$ 17,000</u>
<u>115418 - 526200</u>	<u>Data Processing Supplies</u>	<u>\$ 3,777</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>114990 - 401002</u>	<u>Fund Balance Approp-ROD Restrict</u>	<u>\$ 20,777</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*
 AEPF funds to pay for printing and binding, and data processing supplies.
 Approved by the BOC 7/16/14.

<u>Register of Deeds</u>	<u>7/16/14</u>
Authorized by Department Head	Date
_____	_____
Authorized by Budget Office	Date
_____	_____
Authorized by County Manager	Date
_____	_____



RESOLUTION APPOINTING PLAT REVIEW OFFICERS

WHEREAS, pursuant to N.C. Gen. Stat. §47-30.2 the Henderson County Board of Commissioners has from time to time since September 17, 1997, adopted resolutions appointing one or more named persons experienced in mapping or land records management as Review Officers, with the same being recorded in the Office of the Register of Deeds for Henderson County;

WHEREAS, the Henderson County board of Commissioners desires to update, revise and restate the persons named as Review Officers;

WHEREAS, pursuant to NCGS 47-30.2, said revision must be made by resolutions of the Board of Commissioners with said resolution being recorded in the Office of the Register of Deeds for Henderson County;

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

- 1. That the following persons are experienced in mapping and/or land records management, and pursuant to NCGS 47-30.2, have been and are hereby appointed as Review Officers in Henderson County:

Tina Ball
Andy Bartley
Matthew Cable
Pamela Carver
Matthew Champion

Jacob Hansen
Autumn Radcliff
Christopher Todd
Eric Warren



- 2. That the above named persons, as Review Officers, shall comply with all statutory requirements and shall follow all procedures, statutorily prescribed and as prescribed N.C. Gen. Stat. §47-30.2 and that Resolution adopted September 17, 1997;
- 3. That the above list of Review Officers is a complete and inclusive list of Review Officers for Henderson County. This list replaces previous lists of review officers in the Resolutions made in September 1997, May 2007, June 2007, April 20, 2011, September 19, 2012 and February 3, 2014. Former Review Officers not listed above are no longer permitted to be Review Officers in Henderson County.
- 4. That the Resolution adopted September 17, 1997 will continue in effect except as modified by this Resolution;
- 5. That this Resolution shall be recorded in the Office of the Register of Deeds for Henderson County as soon as practicable after its adoption.

THIS the 16th day of July 2014.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: *Charlie Messer*
CHARLIE MESSER, Chairman

ATTEST:

Terry Wilson
Terry Wilson, Clerk to the Board

[COUNTY SEAL]

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON COUNTY

I, JoAnne Martin Hinson, a Notary Public for said County and State, do hereby certify that Terry L. Wilson personally appeared before me this day and acknowledged that she is the Clerk for the Board of Commissioners.

Witness my hand and official seal, this the 16th of July, 2014.

(Official Seal)

JoAnne Martin Hinson
Notary Public

My Commission Expires May 23, 2018

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

WESTERN NORTH CAROLINA
AGRICULTURAL CENTER

-AND-
HENDERSON COUNTY

-AND-
BUNCOMBE COUNTY

THREE PARTY
ENCROACHMENT AGREEMENT FOR EMERGENCY
DEBRIS SITE

THIS AGREEMENT, made and entered into this the 16th day of July, 2014, by and between the Western North Carolina Agricultural Center, party of the first part; and Henderson County party of the second part; and Buncombe County party of the third part.

WITNESSETH

THAT WHEREAS, the parties of the second and third part desires to encroach on the property of the first part designated as

Western North Carolina Agricultural Center property, located At 1301 Fanning Bridge Road, Fletcher, NC 28732

for use as an Emergency Disaster Debris Site. Vegetative disaster debris from within Buncombe County and Henderson County may be brought to the area of the property designated on the exhibit (Sheet C-101) in the event of a significant natural disaster. Buncombe County and Henderson County operating in conjunction with the Western North Carolina Agricultural Center may have the option to stage/store the accumulated material for subsequent removal for processing and/or disposal at an offsite permitted facility, or chipping the staged/stored debris to produce a mulch material prior to the removal of the product for further processing at an offsite permitted facility.

WHEREAS, it is to the material advantage of the parties of the second and third part to effect this encroachment, and the party of the first part in the exercise of authority conferred upon it by statute, is willing to permit the encroachment within the proposed limits, subject to the conditions of this agreement;

NOW, THEREFORE, IT IS AGREED that the party of the first part hereby grants to the parties of the second and third part the right and privilege to make this encroachment as shown on attached exhibit (Sheet C-101), specifications and special provisions which are made a part hereof upon the following conditions, to wit:

That the installation, operation, maintenance, and closure of the above described facility will be accomplished in accordance with all North Carolina Department of Environment and Natural Resources Division of Waste Management and Federal Emergency Management Agency requirements.

That the parties of the second and/or third part hereby agrees to indemnify and save harmless the party of the first part from all damages and claims for damage that may arise by reason of the installation, use, maintenance, and enclosure of this encroachment.

That the parties of the second and third part agrees to restore all areas disturbed during use of the site as an Emergency Disaster Debris Site to the satisfaction of the party of the first part. The parties of the second and third part agrees to exercise every reasonable precaution during use of the site to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air. There shall be compliance with applicable rules and regulations of the North Carolina Division of Environmental Management, North Carolina Sedimentation Control Commission, and with ordinances and regulations of various counties, municipalities and other official agencies relating to pollution prevention and control.

Activation of the proposed area of the property as an Emergency Disaster Debris Site shall be agreed upon by the Western North Carolina Agricultural Center prior to the second and/or third party's request to the North Carolina Department of Environment and Natural Resources Division of Waste Management. The party of the first part retains the right to deny access or activation of this property as an Emergency Disaster Debris site at times when it would not be feasible or safe to use it as such, including but not limited to, during the dates the property is host of the Mountain State Fair.

That in the case of noncompliance with the terms of this agreement by the party of the second part, the party of the first part reserves the right to stop all work until the site has been brought into compliance.

That when title to the subject that constitutes the aforesaid encroachment passes from the party of the second part and vests in the party of the third part, the party of the third part agrees to assume all responsibilities and rights and to perform all obligations as agreed to herein by the party of the second part.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

WESTERN NORTH CAROLINA AGRICULTURAL
CENTER

BY: _____
MANAGER

WITNESS:

Alicia L. Wilson, Clerk

Chad Messer

Henderson County
1 Historic Courthouse Square, Suite 6
Hendersonville, NC 28792
Second Party

WITNESS:

Buncombe County Emergency Management
164 Erwin Hills Road
Asheville, NC 28806
Third Party



INTER-LOCAL AGREEMENT

THIS AGREEMENT is made and entered into this 16th day of July, 2014, by and between the County of Henderson, a body corporate and politic of the State of North Carolina ("Henderson County") and the City of Hendersonville, a North Carolina municipal corporation ("Hendersonville").

WITNESSETH:

WHEREAS, the parties have the authority pursuant to Article 20 of NCGS Chapter 160A to enter into this Interlocal Agreement; and

WHEREAS, pursuant to N.C. Gen. Stat. §62A-40 *et seq.*, Henderson County's Emergency Communications Center is a "Primary PSAP", defined in that statute as the first point of reception of a 911 call by a public safety answering point; and,

WHEREAS, Henderson County has or is about to enter into an "Agreement For 911 Fund Allocations to a Secondary PSAP" ("the State Agreement") with the North Carolina 911 Board, in a form substantially identical to that of Exhibit IL-1 hereto (including its own exhibits), pursuant to that statute; and,

WHEREAS, also pursuant to that statute, Hendersonville maintains a backup or secondary PSAP as those terms are defined in the State Agreement, did so well prior to 2010, and will be providing enhanced service; and,

WHEREAS, the parties wish to specify their respective rights and expectations under the State Agreement, as set out in this Agreement;

NOW, THEREFORE, in consideration of the premises and the sum of \$1.00 paid by each party to the other, the receipt and sufficiency of which is hereby acknowledged, the parties do covenant and agree as follows:

1. So long as the North Carolina 911 Board actually forwards funds to Henderson County which are identified as intended to be forwarded to Hendersonville ("Hendersonville 911 funds"), Henderson County shall forward such funds to Hendersonville within ten (10) days of receipt.
2. Should the North Carolina 911 Board later identify any Hendersonville 911 funds which were forwarded to Henderson County in error which Henderson County has subsequently forwarded to Hendersonville, Hendersonville will promptly repay such funds to the North Carolina 911 Board (insuring proper crediting for the same for both Hendersonville and Henderson County).
3. The decision of whether Hendersonville 911 funds are forwarded to Henderson County shall be solely that of the North Carolina 911 Board.
4. Hendersonville's use of Hendersonville 911 funds shall comply with North Carolina law and all rules, regulations and procedures required by the North Carolina 911 Board.
5. Hendersonville will retain and maintain full, accurate and verifiable accounting records for the Hendersonville 911 funds to the same extent and for the same duration as required of Henderson County in the State Agreement.

6. Henderson County's remedies as to Hendersonville 911 funds are identical to those of the North Carolina 911 Board in the State Agreement.

7. The terms of the State Agreement concerning Henderson County's obligations to the North Carolina 911 Board, including those for record-keeping, dispute resolution, warranties, and confidential information, and all general provisions and conditions contained therein, are incorporated herein by reference, and shall be deemed to apply to and be enforceable against Hendersonville to the same extent they are enforceable against Henderson County.

This Agreement shall be ratified by the City Council of Hendersonville and the Board of Commissioners of Henderson County, and a copy thereof shall be spread upon the minutes of both bodies.

IN WITNESS WHEREOF, the parties have executed this Agreement, the City of Hendersonville by causing it to be signed in its corporate name by its Mayor and attested by its City Clerk, and sealed with its corporate seal, and the County of Henderson by causing it to be signed by the Chairman of its Board of Commissioners and attested by the Clerk to the Board of Commissioners and sealed with its seal, on the day and year first above written.

[signature page follows]

Attest:

CITY OF HENDERSONVILLE

Tammy Drake, City Clerk
(official seal)

By: _____
BARBARA VOLK, Mayor

HENDERSON COUNTY BOARD
OF COMMISSIONERS

Attest:

Teresa Wilson, Clerk to the Board
(official seal)

By:  _____
CHARLES D. MESSER, Chairman

APPROVED AS TO FORM:

Henderson County Attorney

Hendersonville City Attorney

Resolution Approving the Settlement with the Tax Collector for the 2013-2014 Tax Year

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

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

WHEREAS, the Henderson County Board Commissioners has received a proposed settlement for the 2013-2014 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;


NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Settlement for the 2013-2014 taxes charged to the Tax Collector is hereby approved. The Board finds:
 - a. All prepayments received by the Tax Collector were properly deposited;
 - b. The settlement is in proper form;
 - c. A diligent effort was made to collect from the person who were legally obligated to pay their taxes for the 2013-2014 fiscal year; and
 - d. Those persons identified in the report of insolvents submitted by the Tax Collector are found to be insolvents. The insolvents list shall be entered into the minutes and credited to the Tax Collector as part of this settlement.

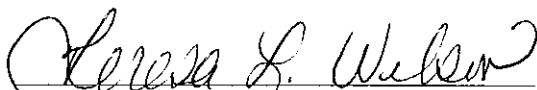
2. The Settlement for the delinquent taxes charged to the tax collector for the previous fiscal years is hereby approved. The Board finds that the settlement for the delinquent taxes is in an appropriate form.

THIS the 16th day of July, 2014.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
Charles Messer, Chairman

Attest: (County Seal)


Teresa L. Wilson, Clerk to the Board

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

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


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

NOW THEREFORE IT BE RESOLVED AS FOLLOWS:

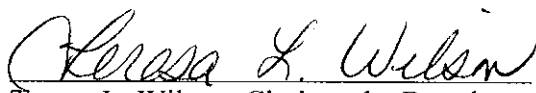
1. The Bond amount for the Tax Collector shall be set at \$1,000,000 through August of 2015.
2. The bond amount for the Deputy Tax Collector shall be set at \$250,000 to run through August of 2015.

THIS the 16th day of July, 2014.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
Charles Messer, Chairman

Attest: (County Seal)


Teresa L. Wilson, Clerk to the Board

Resolution Adopting the Order of Collection for the 2014-2015 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts for the 2014-2015 Tax Year may be delivered to the Tax Collector for collection the following must occur: (1) the Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited; (2) the Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the 2013-2014 tax year; and (3) the Board of Commissioners must approve the bonds proposed for the Tax Collector (and the Deputy Tax Collector) for collection of all taxes charged for the 2014-2015 Tax Year and all delinquent taxes

WHEREAS, prepayments were received for 2014 taxes; and

WHEREAS, the Board of Commissioners has approved the settlement for the taxes charged to the Tax Collector for collection for the 2013-2014 tax year, including the delinquent taxes; and

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

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

THIS the 16th day of July, 2014.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: Charles Messer
Charles Messer, Chairman

Attest: (County Seal)

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

STATE OF NORTH CAROLINA

ORDER OF COLLECTION

COUNTY OF HENDERSON

TO THE TAX COLLECTOR OF HENDERSON COUNTY:

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

WITNESS my hand and official seal, this 16th day of July, 2014.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
CHARLES MESSER, Chairman

ATTEST: (OFFICIAL SEAL)


Teresa L. Wilson, Clerk to the Board

OFFICE OF THE HENDERSON COUNTY TAX COLLECTOR

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595

FAX: (828) 697-4652

Stan C. Duncan
Henderson County Tax Collector

16 July 2014

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

RE: Tax Collector's Settlement: FY 2013-2014

Dear Henderson County Commissioners:

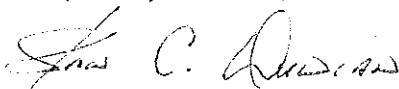
Attached please find the Preliminary Report for FY 2013-2014 along with the Settlement for Current-Year Taxes and Delinquent Taxes. A list of all unpaid tax liens is available for your review in the Office of the Clerk to the Board.

I am happy to report that as of the close of FY 2013-2014, the Henderson County Tax Collector's Office collected 97.90% of the annual tax bills and 93.15% of the motor vehicle tax bills processed by our legacy NCPTS system (not a part of the new combined VTS).

I would like to take the opportunity to thank the staff for their hard work and dedication toward these accomplishments. The annual collection percentage, as reported, remains above the last reported state average of 95.91% for annual tax bills.

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

Respectfully submitted,



Stan C. Duncan
Henderson County Tax Collector

wlk
Attachment

PRELIMINARY REPORT FOR FISCAL YEAR 2013-2014

TO: Henderson County Board of Commissioners
FROM: Stan C. Duncan, Henderson County Tax Collector
DATE: 16 July 2014


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

Attached to this Report is (1) a list of the persons owning real property whose taxes for 2013 remain unpaid, along with the principal amount owed by each person; and (2) a list of the persons not owning real property whose personal property taxes for 2013 remain unpaid, along with the principal amount owed by each person.

In compliance with N.C.G.S. 105-373(a)(3), attached hereto is a Report entitled "Settlement for Current Taxes for Fiscal Year 2013-2014" dated 16 July 2014 setting forth my full settlement for all taxes in my hands for collection for the fiscal year 2013-2014.

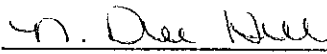
Further, I hereby certify that I have made diligent efforts to collect the taxes due from the persons listed in such a manner that is reasonably necessary.

Respectfully submitted,



Stan C. Duncan, Henderson County Tax Collector

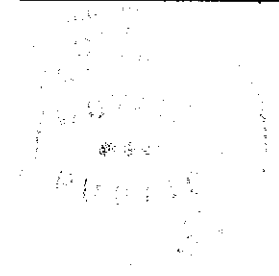
SWORN TO AND SUBSCRIBED BEFORE ME, this 7 day of July, 2014.



Notary Public

My Commission expires:

6-5-2016



SETTLEMENT FOR CURRENT TAXES: FY 2013-2014


CHARGES TO THE HENDERSON COUNTY TAX COLLECTOR:


Total amount of all taxes placed in the Tax Collector's hands for collection for the year:	Tax & Penalty	Interest	Charge	Credit	Difference
G01 General County	61,551,560.31	157,485.20	61,709,045.51	61,709,045.51	0.00
<u>Fire Districts:</u>					
F15 Bat Cave	87,090.95	384.45	87,475.40	87,475.40	0.00
F01 Blue Ridge	778,182.34	2,754.14	780,936.48	780,936.48	0.00
F09 Dana	475,895.63	1,912.34	477,807.97	477,807.97	0.00
F03 Edneyville	606,996.59	2,750.64	609,747.23	609,747.23	0.00
F04 Etowah-Horse Shoe	1,013,952.64	2,305.08	1,016,257.72	1,016,257.72	0.00
F05 Fletcher	730,595.99	1,958.39	732,554.38	732,554.38	0.00
F11 Gerton	101,802.08	587.68	102,389.76	102,389.76	0.00
F06 Green River	401,418.77	1,297.41	402,716.18	402,716.18	0.00
F08 Millis River	100,860.27	601.02	101,461.29	101,461.29	0.00
F07 Mountain Home	1,218,794.87	2,717.79	1,221,512.66	1,221,512.66	0.00
F12 Raven Rock	151,500.03	337.09	151,837.12	151,837.12	0.00
F02 Valley Hill	1,257,015.60	2,598.71	1,259,614.31	1,259,614.31	0.00
Total Fire Districts	6,924,105.76	20,204.74			
<u>Municipal Districts:</u>					
C01 City of Hendersonville	211,978.89	2,854.07	214,832.96	214,832.96	0.00
C02 Town of Laurel Park	44,148.82	339.35	44,488.17	44,488.17	0.00
C03 City of Saluda	336.95	0.00	336.95	336.95	0.00
C04 Town of Fletcher	125,576.84	1,810.12	127,386.96	127,386.96	0.00
C50 Village of Flat Rock 51	10,809.50	90.84	10,900.34	10,900.34	0.00
Village of Flat Rock 52	7,217.21	53.84	7,271.05	7,271.05	0.00
Village of Flat Rock 56	2,789.33	14.27	2,803.60	2,803.60	0.00
C60 Town of Millis River	38,481.73	525.96	39,007.69	39,007.69	0.00
Total Municipal Districts	441,339.27	5,688.45			
SUBTOTAL	\$68,917,005.34	\$183,378.39			
TOTAL CHARGE TO TAX COLLECTOR	\$69,100,383.73				

CREDITS TO THE HENDERSON COUNTY TAX COLLECTOR:

	Deposits	Adjustments	Releases	Interest	Outstanding Tax / Liens against Real Property	Outstanding Tax / Liens against Personal Property
All sums deposited by the Tax Collector to the credit of the Taxing Unit:						
G01 General County	59,836,869.00	95,713.22	185,730.19	157,485.20	1,252,031.66	181,216.24
Total General County						
Fire Districts:						
F15 Bat Cave	84,008.29	24.49	189.91	384.45	2,818.16	50.10
F01 Blue Ridge	742,134.47	202.82	5,393.45	2,754.14	25,871.16	4,580.44
F09 Dana	454,864.19	489.70	3,899.92	1,912.34	14,168.53	2,473.29
F03 Edneyville	574,887.00	1,562.61	6,085.09	2,750.64	21,604.19	2,857.70
F04 Etowah-Horse Shoe	974,409.99	332.72	3,378.70	2,305.08	32,973.63	2,857.60
F05 Fletcher	711,515.20	2,049.00	2,312.44	1,958.39	11,970.37	2,748.98
F11 Gerton	99,421.75	21.88	143.20	587.68	2,063.70	151.55
F06 Green River	390,597.01	314.40	1,010.94	1,297.41	8,743.79	752.63
F08 Mills River	96,329.32	0.00	223.12	601.02	3,997.16	9,496.42
F07 Mountain Home	1,194,005.19	715.42	4,162.72	2,717.79	16,373.23	4,307.83
F12 Raven Rock	147,471.05	43.43	454.09	337.09	3,138.76	19,911.54
F02 Valley Hill	1,232,901.69	264.67	1,948.79	2,598.71	19,022.19	3,531.46
Total Fire Districts	6,702,545.15	6,021.14	29,202.37	20,204.74	162,744.87	23,592.23
Municipal Districts:						
C01 City of Hendersonville	189,576.80	2,366.93	2,684.36	2,854.07	17,350.80	1,271.48
C02 Town of Laurel Park	41,972.65	219.46	685.23	339.35	0.00	0.00
C03 City of Saluda	336.95	0.00	0.00	0.00	0.00	0.00
C04 Town of Fletcher	114,724.94	829.93	918.27	1,810.12	9,103.70	181.77
C50 Village of Flat Rock 51	10,409.56	64.72	153.45	90.84	178.91	8.17
Village of Flat Rock 52	6,692.29	34.46	311.55	53.84	525.96	2,188.79
Village of Flat Rock 56	2,705.03	50.38	25.75	14.27	0.00	30,283.62
Town of Mills River	35,379.57	214.07	699.30	525.96	0.00	\$235,092.09
Total Municipal Districts	401,797.79	3,779.95	5,477.91	5,688.45	\$1,414,776.53	
TOTAL	\$66,941,211.94	\$105,514.31	\$220,410.47	\$183,378.39		

TOTAL CREDITS TO TAX COLLECTOR: \$69,100,383.73

Respectfully Submitted,

 Stan C. Duncan, Henderson County Tax Collector


 Notary Public

SWORN TO AND SUBSCRIBED BEFORE ME this 7 day of July, 2014.

My Commission expires: 6-5-2016

FY 2013-2014 Delinquent Property Tax Collections

DELINQUENT PROPERTY TAX COLLECTED FOR HENDERSON COUNTY:

TAX YEAR	TOTAL COUNTY LEVY CREDIT (Tax + Late List Penalties + Rebates and Releases)		ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL COUNTY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END COUNTY LEVY DUE	
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
2012	582,911.13	435,234.59	91,650.99	48,844.53	746,105.15	474,543.35	526,374.01	118,570.30
2011	202,973.22	16,763.61	42,212.56	5,296.38	242,409.17	21,612.20	238,063.22	61,203.81
2010	68,483.99	6,099.62	20,962.44	2,296.44	87,902.34	8,189.73	260,907.82	51,493.70
2009	24,873.85	3,010.24	9,291.59	1,750.82	33,192.30	4,760.45	132,364.61	54,704.80
2008	10,760.49	2,995.80	4,416.38	2,069.96	14,775.57	5,065.76	147,706.20	66,835.10
2007	4,991.65	3,583.66	2,894.35	2,652.13	7,535.00	6,235.01	125,530.48	84,146.35
2006	5,399.77	3,065.70	4,372.20	2,675.91	9,271.96	5,741.10	186,332.80	90,609.75
2005	5,129.37	2,194.14	3,325.51	2,270.44	7,872.10	4,463.94	88,633.81	74,470.70
2004	2,285.49	1,657.37	1,894.97	1,847.43	3,854.58	3,704.80	56,027.52	69,723.28
2003	2,125.08	2,148.20	1,984.60	3,442.79	3,726.66	5,590.80	55,259.30	93,112.86
2002/Prior	5,698.00	2,906.04	4,907.79	4,237.14	9,280.35	7,051.82	554,984.60	660,364.01
TOTAL:	1,015,632.04	479,858.97	187,893.38	77,385.97	1,165,925.18	548,958.96	2,374,184.37	1,425,234.66

DELINQUENT PROPERTY TAX COLLECTED FOR MUNICIPALITIES:

MUNICIPALITY	TOTAL CITY LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)		ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL CITY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END CITY LEVY DUE	
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
Hendersonville		39,418.21		5,488.55		43,952.27		192,163.66
Laurel Park		3,884.12		441.23		4,111.01		10,095.90
Saluda		0.00		0.00		0.00		115.00
Fletcher		23,482.80		2,824.61		25,536.30		37,934.67
Flat Rock 51		872.64		0.00		0.00		990.65
Flat Rock 52		347.90		36.26		374.63		325.64
Flat Rock 56		120.96		13.07		133.34		27.40
Mills River		5,687.82		760.21		6,351.26		5,725.89
TOTAL:		73,814.24		9,563.93		80,458.81		247,379.01

DELINQUENT PROPERTY TAX COLLECTED FOR FIRE DISTRICTS:						
FIRE DISTRICT	TOTAL SPECIAL DISTRICT LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)		ACCURUED INTEREST COLLECTED + COSTS COLLECTED	TOTAL SPECIAL DISTRICT CASH COLLECTED (includes Tax, Penalties, Interest & Costs)	YEAR END SPECIAL DISTRICT LEVY DUE	
	Regular	RMV			Regular	RMV
Bat Cave	3,409.48	292.76	467.61	3,877.00	3,820.08	912.67
Blue Ridge	18,634.71	10,723.27	5,287.71	19,963.15	45,957.33	37,470.77
Dana	12,540.79	7,388.75	1,896.64	14,079.43	22,772.47	19,487.45
Echeyville	18,873.96	8,590.27	2,958.50	21,714.38	39,398.75	21,436.03
Etowah/HS	15,030.24	7,417.36	2,344.43	912.22	44,927.85	14,850.19
Fletcher	9,558.86	7,172.42	1,353.33	875.27	43,485.82	17,346.30
Gerton	3,906.76	292.08	739.30	40.61	2,213.13	1,123.75
Green River	7,513.46	2,527.87	1,260.02	347.69	23,298.09	6,335.44
Mills River	2,991.71	647.26	439.47	3,431.17	10,317.82	6,769.49
Mtn Home	12,328.67	10,210.69	1,813.46	14,088.70	22,837.28	28,666.11
Raven Rock	4,131.83	918.93	546.26	4,663.94	3,607.95	1,507.66
Valley Hill	13,157.14	7,459.69	1,498.02	14,514.00	20,221.61	17,724.00
Valley Hill #2	236.41	48.55	82.32	314.55	1,251.94	1,783.28
TOTAL:	122,314.02	63,689.90	20,687.07	136,902.84	284,110.12	175,443.13

TOTAL DELINQUENT PROPERTY TAX COLLECTED:						
	TOTAL LEVY CREDIT		ACCURUED INTEREST COLLECTED + COSTS COLLECTED	TOTAL CASH COLLECTED	YEAR END LEVY DUE	
	Total	RMV			Total	Total
General County	1,495,491.01	265,279.35	1,712,884.14	1,712,884.14	3,799,419.03	3,799,419.03
Municipalities	73,814.24	9,563.93	80,458.81	80,458.81	247,379.01	247,379.01
Fire Districts	186,003.92	29,127.26	207,825.37	207,825.37	459,553.25	459,553.25
TOTAL:	1,755,309.17	303,970.54	2,091,168.32	2,091,168.32	4,506,351.29	4,506,351.29

Notes:

- (1) Differences in the sum of Levy Credit + Accrued Interest and Total Cash Collected is attributable to Rebates (aka Releases) and Refunds
- (2) The Year End Levy Due columns include amounts due for years prior to 2003 which are legally unenforceable.

Respectfully Submitted,

Stan C. Duncan
 Stan C. Duncan, Henderson County Tax Collector

SWORN TO AND SUBSCRIBED BEFORE ME this 17 day of July, 2014.

D. Dew HAN
 Notary Public

My Commission expires: 6-5-2016