

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
WEDNESDAY, MAY 15, 2013

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 Grady Hawkins, Commissioner Mike Edney, Commissioner Larry Young, County Manager Steve Wyatt, Interim Assistant County Manager David Whitson, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Finance Director J. Carey McLelland, Senior Planner Autumn Radcliff, Director of Business and County Development John Mitchell, Engineer Marcus Jones, Research/Budget Analyst Amy Brantley, Environmental Programs Coordinator Megan Piner, Assessor/Tax Collector Stan Duncan, HR Director Jan Prichard, Planner Parker Sloan, DSS Social Work Program Administrator Jerrie McFalls, and Public Information Officer Christina Hallingse, videotaping.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

Public Hearing to Consider Economic Incentives for BorgWarner – “Project Growth”

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

Henderson County Partnership for Economic Progress President Andrew Tate stated BorgWarner is a manufacturing concern located inside and outside the United States contemplating expansion at its site in Henderson County. Under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by BorgWarner of at least \$24,000,000.00 in business personal property (equipment) of a period of five years (approximately equal investments each year). The project would result in the creation of eighty (80) new jobs, at an average wage of \$27.91 per hour, plus other benefits.

Russ Burrell stated the contemplated incentives would last for a period of seven years for each year's investment (with incentives calculations based on depreciated tax value). The first year's contemplated incentive, if granted, would be not be more than \$24,653.00, 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 period would be \$585,504.00.

The Board is requested to consider granting assistance under your guidelines toward actual start-up expenditures incurred in the investment of BorgWarner.

Public Input

There was none.

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

DATE APPROVED: June 3, 2013

Commissioner Thompson made the motion that the Board grants economic development incentives, under the Board's guidelines, for a period of seven years, as stated in the agenda item. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

1. Clay Eddleman – Mr. Eddleman is concerned with budget cuts in public education. He asked the Board to communicate with Washington.
2. Dan Pendergast – Mr. Pendergast provided copies of an NCDOT survey for the Banner Farm Road and Highway 64 rezoning project. Between 2010 and 2013 nine (9) accidents were reported, but he feels there were more. The traffic study was completed quickly with only a few hours of exposure. Mr. Pendergast is also concerned with water run-off.
3. Donna Hastie – Ms. Hastie is the president of the Hendersonville Symphony. He asked the Board to include funding for the Youth Orchestra Program in the County budget.
4. Sylvia Staton – Ms. Staton is against the rezoning request for Dollar General. The site is not appropriate for the store and will cause more traffic and troubles in the area. Petitions were provided to the Board.
5. Fred Diehn – Mr. Diehn provided two (2) letters in regard to the traffic study for the Dollar General rezoning request along with a petition. Mr. Diehn is concerned about more accidents, water run-off, and the need for an environmental impact study.

DISCUSSION/ADJUSTMENT OF AGENDA

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

CONSENT AGENDA

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

CONSENT AGENDA consisted of the following:

Minutes

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

May 6, 2013 – regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated May 3, 2013 for information only. No action was required.

Pending Releases & Refunds

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

The following release and refund requests were submitted for approval by the Henderson County Board of Commissioners.

TYPE	REVENUE AMOUNT
Releases	\$6,213.37
Refunds	\$ 0.00

Motion:

I move the Board approves the release report as presented.

Juvenile Justice and Delinquency Prevention Grants – JCPC County Plan FY 2013-2016

The Henderson County Juvenile Crime Prevention Council (JCPC) has approved funding for local juvenile crime prevention programs. These funds for Fiscal Year 2013-2014 to Fiscal Year 2015-2016 in the amount of \$193,745 are available for this purpose through the State of North Carolina. Each Program is required to provide a 30% match.

The programs approved by the J.C.P.C. are as follows:

1. J.C. P.C. Administrative Expenses	\$6,307
2. Project Challenge	\$78,858
3. Hendersonville Police Department/Temp Shelter	\$9,000
4. Hendersonville Police Department/Psych Assessment	\$4,000
5. The Mediation Center	\$47,580
6. Aspire Youth & Family, Inc.	\$25,000
7. Hendersonville Boys & Girls Club	<u>\$23,000</u>
Total	\$193,745

These Grant applications have been recommended for approval to the Board of Commissioners by Henderson County J.C. P.C.

The Henderson County Juvenile Crime Prevention Council (J.C.P.C.) has approved the 2013-2016 County Plans for Henderson County. This County Plan has been recommended for approval to the Board of Commissioners by the J.C.P.C.

Motion:

I move that the Board approves the JCPC recommendations for both the FY 13-16 Annual Plan, and the distribution of the FY 2013 Juvenile Crime Prevention Program funds.

Adoption of Fair Housing Plan for the CDBG Scattered Site Housing Grant

The Community Development Block Grant (CDBG) program requires a fair housing plan for grant funding. Historically, Henderson County has adopted individual fair housing plans for each grant the County is the recipient of. The fair housing plan covering the 2011 Scattered Site Housing program that is currently in progress expires in June. The County has the option to adopt a fair housing plan that will cover the current Scattered Site Housing grant and any future CDBG grants the County has been awarded or will be awarded for the next five years. Adopting a five-year fair housing plan will prevent the County from reviewing and approving a new fair housing plan for each individual grant.

The fair housing activities within the plan are simply meant to inform citizens concerning fair housing laws and affordable housing related programs that the County and local non-profits are conducting. The identified activities are goals that the County makes an effort to achieve. In the past 10 years, Henderson County has accomplished several activities to further fair housing choice for its citizens.

Motion:

I move that the Board adopt the five-year fair housing plan as presented.

Nominations

1. Animal Services Committee – 1 vac.

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

2. Child Protection and Fatality Prevention Team – 1 vac.

Commissioner Hawkins nominated Ms. Shawn Gallagher for position #3. *Chairman Messer made the motion to accept the appointment of Shawn Gallagher to position #3 by acclamation. All voted in favor and the motion carried.*

3. French Broad River MPO/Transportation Advisory Committee – 1 vac.
Commissioner Thompson nominated Commissioner Edney for position #2. *Chairman Messer made the motion to accept the appointment of Commissioner Edney to position #2 by acclamation. All voted in favor and the motion carried.*

4. Henderson County Historic Courthouse Corporation/dba Heritage Museum – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

5. Home and Community Care Block Grant Advisory Committee – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

6. Juvenile Crime Prevention Council – 7 vac.
There were no nominations at this time so this item was rolled to the next meeting.

7. Library Board of Trustees – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

8. Mountain Valleys Resource Conservation and Development Program – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

9. Nursing/Adult Care Home Community Advisory Committee – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

10. Senior Volunteer Services Advisory Council – 2 vac.
There were no nominations at this time so this item was rolled to the next meeting.

11. Smartstart – 1 vac.
There were no nominations at this time so this item was rolled to the next meeting.

COUNTY MANAGER’S FY 2013-2014 RECOMMENDED BUDGET

The County Manager presented his FY 2013-2014 Recommended Budget during this meeting. The Board is requested to schedule a Work Session on the FY14 Budget for Tuesday, May 28, 2013 at 9:00am. The Board is also requested to schedule the Public Hearing on the FY14 Budget for Monday, June 3, 2013 at 5:30pm.

Budget Preparation Framework

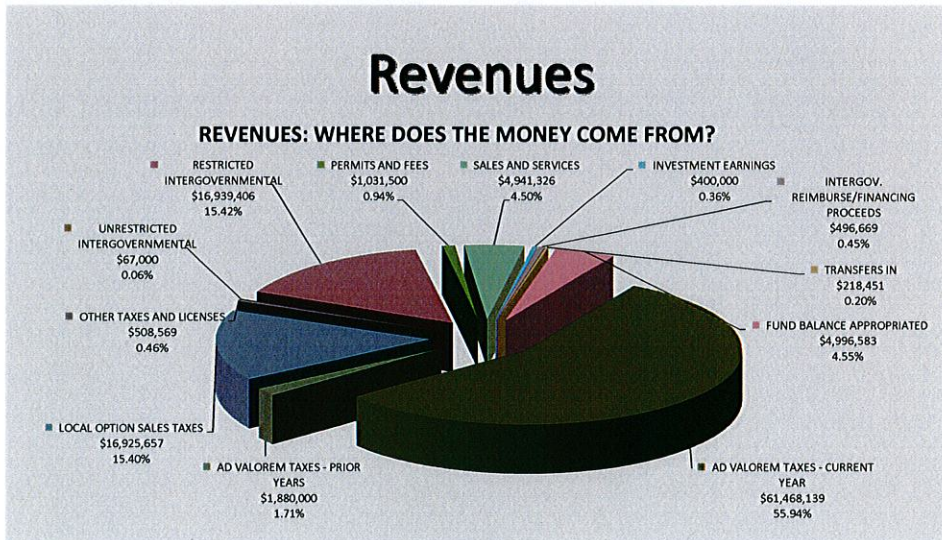
- I. Property tax remains at the FY13 rate of \$.5136, with an optional rate of \$.50
- II. Sales tax projections increased to FY12 actual receipts
- III. Expenditures were capped at a base budget amount of \$110,000,000

FY 13-14 Proposed Budget

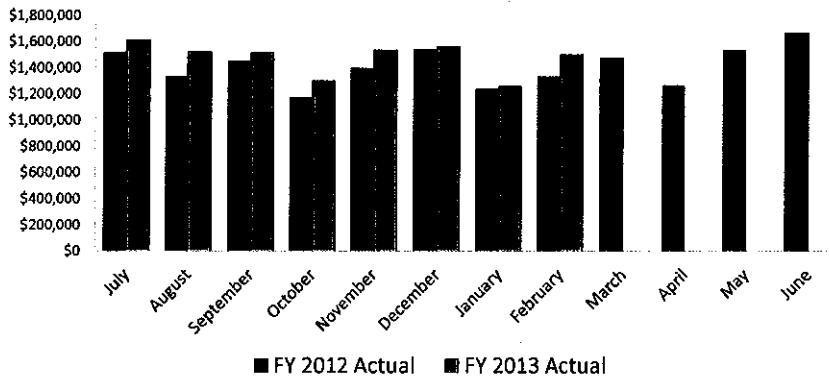
- Base budget target was \$110,000,000
- Fund balance target was \$5,000,000
- Maintains funding to meet current obligations
- Full funding of County’s Debt Service obligation of \$14,493,555
- No new positions included in base budget
- No property tax increase
- Option of \$0.50 cent tax rate – increases fund balance from \$4,996,583 to \$6,642,285
- 1 cent TRE = \$1,210,075

FY 13-14 Proposed Budget \$109,873,300

County		
	Operations	\$ 71,353,768
	Debt Service	\$ 3,800,106
TOTAL COUNTY GOVERNMENT		\$ 75,153,874
Henderson County Public Schools		
	Operations	\$ 21,200,000
	Debt Service	\$ 8,562,351
	Debt Service – QZAB	\$ 607,062
TOTAL HENDERSON COUNTY PUBLIC SCHOOLS		\$ 30,369,413
Blue Ridge Community College		
	Operations	\$ 2,825,977
	Debt Service	\$ 1,524,036
TOTAL BLUE RIDGE COMMUNITY COLLEGE		\$ 4,350,013
TOTAL		\$ 109,873,300

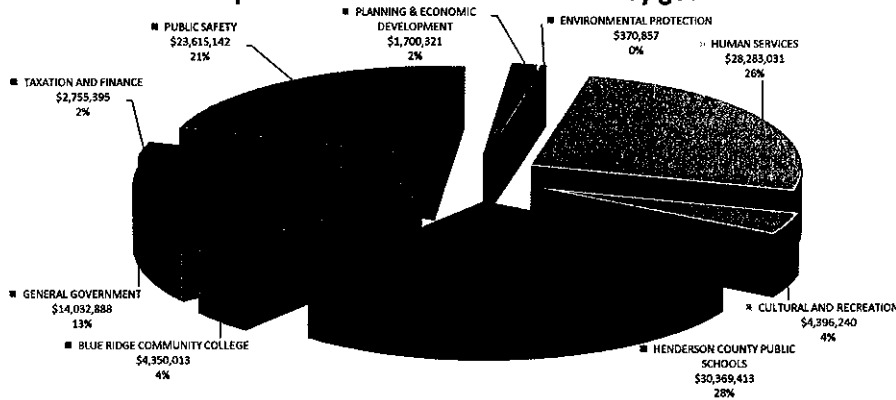


Sales Tax Revenues



Total Expenditures

Expenditures: Where does the money go?



Commissioner Hawkins made the motion that the Board schedules a Work Session on the FY14 Budget for Tuesday, May 28, 2013 at 11:00am. All voted in favor and the motion carried.

Commissioner Hawkins made the motion that the Board schedules the Public Hearing on the FY14 Budget for Monday, June 3, 2013 at 5:30pm. All voted in favor and the motion carried.

SOCIAL SERVICES' INFORMATIONAL UPDATE

The DSS Board provides a monthly three-minute informational updates to the Board of Commissioners regarding various Social Services issues. The May 2013 update, provided by DSS Board Vice-Chair Don Cooper, addresses Medicaid Mytbusters.

Medicaid is a federal program providing much more than health insurance for the poor. Medicaid is North Carolina's largest health insurer, covering 1 out of 5 state residents, 52% of all births and eventually 70% of all nursing home residents. Of the people insured by Medicaid, 48% are children, 17% are disabled and 7.5% are elderly. Medicaid is a revenue source of approximately \$100 million for health care providers in Henderson County. Medicaid reduces health care provider cost shifts from the uninsured to the insured...which reduces costs that you and I pay for medical care.

A look at the facts about Medicaid can resolve common myths.

Myth #1: Most Medicaid recipients do not work.

The majority of non-elderly/disabled people receiving Medicaid live in families where people do work. Workers are typically employed in low-wage service sector jobs that do not have employer sponsored health insurance coverage. Working age adults without a child are not eligible for Medicaid regardless of income.

Myth #2: Most Medicaid people are on welfare.

The vast majority of people insured by Medicaid today receive no cash welfare assistance. Instead, Medicaid has evolved into an insurance program for the children of the working poor, the elderly and disabled.

Myth #3: Hardworking people who save for their retirement years will not need to rely on Medicaid for long-term care.

Medicare and private health insurance do not cover most care expenses after 100 days, making Medicaid the safety net for many middle income people. In North Carolina, 70% of all nursing home residents eventually become Medicaid insured. More often than not, within the first three years of care, middle income nursing home residents exhaust their savings. The average cost of nursing home care, according to the latest figures available from Genworth's 2013 Cost of Care Survey is approximately \$75,405 per year for a semi-private room and \$83,950 for a private room.

Myth #4: Medicaid could save lots of money if it cracked down on rich, older people hiding their assets to get on welfare.

Medicaid eligibility is denied if a person has transferred assets in order to qualify. North Carolina "looks back" five years when determining Medicaid eligibility. Medicaid also has a program for recovering costs from the estates of deceased beneficiaries. That being said, there are people that try to hide assets and unscrupulous individuals who make a business of helping them.

Myth #5: Medicaid spending is out of control because of undocumented immigrants.

Except to help hospitals and public health providers pay for emergency treatment as provided by federal law, undocumented immigrants are strictly prohibited from Medicaid coverage. Documentation of Citizenship is required. A child of an undocumented immigrant may be eligible for Medicaid because birth in the country makes the child a citizen; however, the child's undocumented parent continues to be ineligible.

Myth #6: Medicaid spending is out of control because so many more people are enrolling.

Health care cost inflation is increasing the cost for private and public insurance. Overall increased prices of care for people currently enrolled in Medicaid accounts for 65% of the cost increases, particularly the costs of caring for the elderly and disabled for example. According to the Congressional Budget Office, Medicaid increased costs lag far behind private insurance and Medicare.

CONTINUE DISCUSSION ON REZONING APPLICATION #R-2013-01-C

Parker Sloan stated on April 1, 2013, the Board of Commissioners held a public hearing on rezoning application #R-2013-01-C to rezone 1.71 acres (PIN: 9539-98-3442) from a Residential Two Rural (R2R) zoning district to a Community Commercial Conditional (CC-CD) zoning district. After hearing resident's concerns, the Board requested the applicant, the Broadway Group, complete a traffic impact analysis (TIA) for the proposed retail sales and service use to determine if any improvements were needed.

The Broadway Group hired J.M. Teague Engineering, PLLC, located in Waynesville, NC, to conduct the TIA. On May 2, 2013, planning staff met with the engineer and NCDOT representatives to discuss the TIA findings. NCDOT concurs with the TIA findings and requests J.M. Teague Engineering provide a plan for

traffic signal timing and optimization. NCDOT will also require the developer pay for clearing of vegetation for site visibility if the rezoning request is approved.

On December 28, 2012, the Broadway Group LLC, submitted rezoning application #R-2013-01-C, to rezone 1.71 acres from a Residential Two Rural (R2R) zoning district to a Community Commercial Conditional CC-CD) zoning district.

Conditional zoning district decisions are a legislative process subject to the same procedures as traditional zoning districts. Conditional zoning districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and (in order to, among other reasons, carry out the purposes of the Comprehensive Plan) proposes to impose special limitations and conditions on the use of the property proposed for rezoning.

Planning staff suggested the applicant request a conditional rezoning to address potential concerns from adjacent property owners and to limit the commercial uses on the subject area to retail sales and services based on a proposed site plan approval. Staff suggests the following conditions be imposed on the Subject Area:

- (1) Site Plan. Major *Site Plan* required in accordance with §200A-299 (Major Site Plan Review).
- (2) Lighting. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting mitigation required.
- (3) Building Orientation: The building may be located within 35 feet from the edge of the ROW. The main entrance of the building should face the street and all of the parking should be located on the side and rear of the building.
- (4) Hydrant: A fire hydrant must be located within 400 of any part of the building. This needs to be indicated on the site plan and confirmed.
- (5) Water Supply Watershed: The subject property is located within a WS-IV-PA and allows a maximum built upon limit of 70% under the high density option. Engineered storm water controls as prescribed in the County LDC is required.
- (6) Buffer: The County LDC requires a B1 buffer (20 feet) along each side of the property that is adjacent to a residential district.
- (7) All required parking spaces must meet the design requirements of the Land Development Code §200A-161-165. The proposed parking spaces shall comply with the landscape design standards and off street parking provisions as outlined in the Land Development Code (LDC Article V and VI). It appears the applicant is proposing more than the required parking spaces and the spaces shown on the site plan meet the requirements of the Land Development Code.
- (8) Etowah-Horse Shoe Community Plan Recommendations. All three of the following recommendations were agreed to by the applicant on March 19, 2013:
 - a. Design Standards: The Etowah-Horse Shoe Community Plan recommended design standards for nonresidential uses (Goal CCD1, Objective CCD1.1). Design standards should prohibit unfinished steel or aluminum roofing and aluminum siding material and vinyl siding, and require at least 30% masonry fronts which includes stone or brick (log or timber materials may be acceptable). Where buildings are visible from the side, appropriate evergreen plantings shall be used to obscure the view from adjoining streets. The site plan should indicate compliance.
 - b. Signs: The Etowah-Horse Shoe Community Plan recommended new sign requirements (Goal CCD1, Objective CCD1.3). Restrict sign height for commercially zoned areas to a maximum of eight (8) feet. Require adequate landscaping around signs to improve aesthetics of signage. The proposed sign on the subject property shall be a monument sign (sign base shall be wider than the sign). The site plan should indicate compliance.
 - c. Lighting: The Etowah-Horse Shoe Community Plan recommended standards to limit light pollution (Goal CCD1, Objective CCD1.3). Incorporate standards that require semi-cutoff or full-cutoff lighting

for major subdivisions and commercial developments within the Planning Area. The site plan should indicate compliance.

(9) Any signs used on site must meet current standards of Article VII of the LDC.

(10) If the applicant has plans for future expansion of the existing business, all potential modification or expansions should be noted on the site plan.

(11) TIA and other identified traffic improvements as requested by NCDOT. Refer to NCDOT letter from Steve Cannon dated May 3, 2013.

Commissioner Thompson disclosed that he is a partner with four (4) individuals and they own property on Highway 191. A Dollar General is located on that property, and he and his partners hold their lease.

Chairman Messer did not feel that the disclosure is a concern as Commissioner Thompson is just a landlord and has no direct involvement with Dollar General.

Mark Teague and West Stokes of JM Teague Engineering, PLLC, shared information in regard to the traffic study they had conducted and the results. They felt the impact of the Dollar General in this subject area would be minimal. The following Summary of Traffic Impact Study was provided:

- The traffic study recommended that since this development will only minimally increase the number of trips generated, an appropriate and routine traffic signal timing revision be implemented by NCDOT.
- According to NCDOT records, there have been a total of 33 accidents between Horseshoe Baptist Church and Sunshine Drive over a 10 year period of time. Only one of the 33 accidents was directly in front of the proposed access.
- In order to maximize line of sight, they will work with NCDOT to trim shrubbery on US64.
- NCDOT has issued a letter of acceptance of the traffic impact study results.

Etowah-Horseshoe Community Plan

- Staff report indicates that this site is best classified as a Community Commercial district with Conditional Rezoning
- Required site plan was presented to and approved by county staff
- Building design meets or exceeds the Etowah-Horseshoe Design Standards

Etowah-Horseshoe Design Standards

- Beautiful 9,100 square foot building with front and sides to be full brick
- Adequate lighting for vehicle and pedestrian access and safety will full-cutoff capability
- Building meets all stated setbacks
- Meets required 20' landscape buffer requirements for sides bordering residential zone. Privacy fence to be installed on sides bordering residential zone
- Retaining wall under 12' at the highest point and designed to include railing for added safety
- Signage to comply with design standards

Economic Factors

- Retail will employ approximately 8 full time and 2 peak hour part time employees
- Creates a convenience store product without the convenience store price
- Dollar General makes shopping for everyday needs simpler and hassle-free by offering an assortment of the most popular brands at low everyday prices in convenient locations

Mr. Steve Cannon with the NCDOT explained that a Dollar General does not generate the volume of traffic necessary for a Traffic Impact Analysis by NCDOT. A letter was presented by JM Teague Engineering PLLC from the NCDOT's Steve Cannon and is attached.

Concerns by the Board of Commissioners:

- Harm to the community
- Length of time actually spent completing the traffic study
- To soon after the completion of the Small Area Plan to make changes
- Not the proper place for a store

Commissioner Edney made the motion that the Board denies the request for rezoning and the proposed map amendment. All voted in favor and the motion carried.

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt reported that the City of Asheville has been granted a 10 day stay on the consolidation of Water and Sewer Utility (Metropolitan Sewerage District) with a lawsuit to follow. Henderson County is a party to the consolidation and working to resolve issues. He has requested that MSD set up an orientation session for the three (3) county representatives; Larry Young, Charlie Messer, and Larry Freeman.

IMPORTANT DATES

The Board is requested to reschedule the June 19, 2013 Board meeting, to be held on Monday, June 17, 2013 at 9:00 a.m.

Chairman Messer made the motion that the Board reschedules the June 19, 2013 Board meeting for Monday, June 17, 2013 at 9:00 a.m. All voted in favor and the motion carried.

The Board is requested to schedule a public hearing on the economic development incentives for "Project Cloud" for June 3, 2013, at 5:30 p.m. (add-on)

Commissioner Edney made the motion that the Board set a public hearing on economic development incentives for "Project Cloud" for June 3, 2013, at 5:30 p.m. All voted in favor and the motion carried.

CLOSED SESSION

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

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

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4), for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

ADJOURN

Commissioner Thompson made the motion to go out of closed session and adjourn at 11:00 a.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Charles D. Messer, Chairman

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

Friday, May 03, 2013

Re: Tax Collector's Report to Commissioners – 15 May 2013 Meeting

Please find outlined below collections information through 02 May 2013 for the 2012 bills mailed out on 14 August 2012, as well as registered motor vehicle bills. As a point of reference, we also have included collections information as of the same date last year.

Annual Bills G01 Only:

2012 Beginning Charge: \$57,948,385.02
Discoveries & Imm. Irreg.: \$309,581.92
Releases & Refunds: (\$120,891.10)
Net Charge: \$58,137,075.84
Unpaid Taxes: \$1,492,863.09
Amount Collected: \$56,644,212.75
Percentage Collected: 97.43%
Through: 2-May-2013

2011 Beginning Charge: \$57,516,609.25
Discoveries & Imm. Irreg.: \$112,499.56
Releases & Refunds: (\$111,465.56)
Net Charge: \$57,517,643.25
Unpaid Taxes: \$1,552,939.21
Amount Collected: \$55,964,704.04
Percentage Collected: 97.30%
Through: 2-May-2012

Motor Vehicle Bills G01 Only:

2012 Beginning Charge: \$4,459,821.87
Discoveries & Imm. Irreg.: \$3,434.25
Releases & Refunds: (\$81,007.87)
Net Charge: \$4,382,248.25
Unpaid Taxes: \$1,000,529.41
Amount Collected: \$3,381,718.84
Percentage Collected: 77.17%
Through: 2-May-2013

2011 Beginning Charge: \$3,830,957.04
Discoveries & Imm. Irreg.: \$2,881.51
Releases & Refunds: (\$92,067.83)
Net Charge: \$3,741,770.72
Unpaid Taxes: \$555,309.22
Amount Collected: \$3,186,461.50
Percentage Collected: 85.16%
Through: 2-May-2012

Fire Districts All Bills:

2012 Beginning Charge: \$6,943,749.92
Discoveries & Imm. Irreg.: \$46,994.75
Releases & Refunds: (\$27,805.11)
Net Charge: \$6,962,939.56
Unpaid Taxes: \$313,204.82
Amount Collected: \$6,649,734.74
Percentage Collected: 95.50%
Through: 2-May-2013

2011 Beginning Charge: \$6,798,384.79
Discoveries & Imm. Irreg.: \$13,359.52
Releases & Refunds: (\$21,850.25)
Net Charge: \$6,789,894.06
Unpaid Taxes: \$254,261.89
Amount Collected: \$6,535,632.17
Percentage Collected: 96.26%
Through: 2-May-2012

Respectfully submitted,



Luke Small

Collections Specialist

Stan C. Duncan

Tax Collector

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
Hendersonville, North Carolina 28792
Phone: 828-697-4808 • Fax: 828-692-9855
www.hendersoncountync.org

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

LARRY R. YOUNG
J. MICHAEL EDNEY
GRADY H. HAWKINS

May 15, 2013

Mr. Stan Duncan, Tax Assessor
Henderson County Assessor's Office
200 N. Grove Street, Suite 102
Hendersonville, NC 28792

Dear Mr. Duncan:

Attached please find a list of tax release requests in the amount of \$6,213.37 approved at the Henderson County Board of Commissioners' Meeting on Wednesday, May 15, 2013.

Sincerely,



Charlie Messer, Chairman
Henderson County Board of Commissioners

CDM/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: May 15, 2013
SUBJECT: Pending Releases & Refunds
PRESENTER: Assessor
ATTACHMENTS: Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

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

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

Type	Revenue Amount:
Refunds	\$ 0.00
Releases	\$ 6,213.37

Faithfully Submitted,


Stan C. Duncan

County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

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

NCPTS Pending Release/Refund Report. Wednesday, May 08, 2013*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
CAROLINA LIVING CENTER LLC	0000297956-2012-2012-0000	AS OF JANUARY 1 2012, THIS BUSINESS WAS OWNED BY TAMMY TATE (WILLOW SPRINGS ASSISTED LIVING 2, INC). 2012 BILL FOR CAROLINA LIVING CENTER (KENNETH HODGES) RELEASED IN FULL. DISCOVERY CREATED FOR 2012 AND LISTED FOR 2013 BOTH TO WILLOW SPRINGS ASSISTED LIVING 2, INC.	(\$600,000)	1176	SWOOTEN	1310 HEBRON ST NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$3,081.60 \$308.16 \$3,389.76	\$0.00 \$0.00 ABSTRACT TOTAL:	\$3,081.60 \$308.16 \$3,389.76	\$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$600,000)								\$3,389.76	\$0.00
PRUITT, ROGER DALE	0000049971-2000-2000-0000	DEBT SETOFF RESEARCH FOR PERSONAL PROPERTY MANUFACTURED HOME. RELEASE BILLS 1999 AND 2000. PRUITT DOES NOT OWN. IMMATERIAL IRREGULARITY ON FILE FOR PENNY HICKS MORROW FOR SAME TWO YEARS.	(\$13,360)	1175	GIOMBARDI	HENDERSON COUNTY NC	COUNTY BLUE RIDGE FIRE	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$66.80 \$0.00 \$66.80 \$12.02 \$0.00 \$12.02	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$66.80 \$0.00 \$66.80 \$12.02 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$13,360)								\$78.82	\$0.00
	0000049972-1999-1999-0000	DEBT SETOFF RESEARCH FOR PERSONAL PROPERTY MANUFACTURED HOME. RELEASE BILLS 1999 AND 2000. PRUITT DOES NOT OWN. IMMATERIAL IRREGULARITY ON FILE FOR PENNY HICKS MORROW FOR SAME TWO YEARS.	(\$14,490)	1174	GIOMBARDI	HENDERSON COUNTY NC	COUNTY BLUE RIDGE FIRE	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$72.45 \$0.00 \$72.45 \$11.59 \$0.00 \$11.59	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$72.45 \$0.00 \$72.45 \$11.59 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
OWNER TOTAL:			(\$14,490)								\$84.04	\$0.00
OWNER TOTAL:			(\$27,850)								\$162.86	\$0.00

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
SEARCY, RONALD S	0003017875-2012-2012-0000	TRANSYLVANIA COUNTY LINE- PORTION OF PARCEL ADDED TO HENDERSON COUNTY TAX ROLL IN 2011 FOR 2012 REFERENCING DOCUMENTS PROVIDED BY THE TRANSYLVANIA CO TAX DEPARTMENT. VALUE NOTICE FOR 2012 AND 2012 BILL WERE MAILED TO AN INCORRECT ADDRESS. OWNER CONTACTED BY DELINQUENT COLLECTOR MARCH OF 2013. OWNER PROVIDED ADDITIONAL DOCUMENTATION (ADVERSE DEEDS FROM THE ORIGINAL TRACT THAT ARE RECORDED IN TRANSYLVANIA COUNTY AND NOT IN HENDERSON COUNTY) TO VERIFY PORTION IN HENDERSON COUNTY IS MAPPED CORRECTLY AND MAPPED ACREE AGREES WITH DEEDED, LESS ADVERSES, LESS AMOUNT ASSESSED IN TRANSYLVAIN COUNTY. PROPERTY HAS BEEN REMAPPED REFERENCING THE OFFICIAL COUNTY LINE AND VALUED ACCORDINGLY. OWNER REQUESTS AN ADJUSTMENT TO THE 2012 BILL BASED ON ADJUSTED VALUE.	(\$17,100)	1141	PCARVER	0 NO ADDRESS ASSIGNED HENDERSOVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$105.80 \$0.00 \$19.57 \$0.00	\$0.00 \$0.00	\$87.83 \$0.00 \$87.83 \$16.25	\$0.00 \$0.00 \$0.00 \$0.00
										ABSTRACT TOTAL:	\$104.08	\$0.00
SUGGS, WILLIAM MICHAEL	0000566275-2008-2008-0001	POOL SOURCE (WILLIAM SUGGS) CLOSED IN THIS LOCATION IN 2007. 2008-2011 BILLS RELEASED IN FULL. BUILDING WAS EMPTY JANUARY 1, 2008. CUTAIN CONCEPTS PLUS OCCUPIED BUILDING JANUARY 1, 2009. BILLED TO CURTAIN CONCEPTS PLUS FOR 2009-2013.	(\$17,100)	1154	SWOOTEN	1680 SPARTANBURG HWY NC	COUNTY	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$189.42 \$18.94 \$34.85 \$3.49	\$0.00 \$0.00	\$189.42 \$18.94 \$208.36 \$34.85 \$3.49	\$0.00 \$0.00 \$0.00 \$0.00
										ABSTRACT TOTAL:	\$104.08	\$0.00
	0000566275-2009-2009-0001	POOL SOURCE (WILLIAM SUGGS) CLOSED IN THIS LOCATION IN 2007. 2008-2011 BILLS RELEASED IN FULL. BUILDING WAS EMPTY JANUARY 1, 2008. CUTAIN CONCEPTS PLUS OCCUPIED BUILDING JANUARY 1, 2009. BILLED TO CURTAIN CONCEPTS PLUS FOR 2009-2013.	(\$49,000)	1155	SWOOTEN	1680 SPARTANBURG HWY NC	COUNTY	TAX LATE LIST FEE TOTAL: TAX LATE LIST FEE TOTAL:	\$226.38 \$22.64 \$41.65 \$4.17	\$0.00 \$0.00	\$226.38 \$22.64 \$249.02 \$41.65 \$4.17	\$0.00 \$0.00 \$0.00 \$0.00
										ABSTRACT TOTAL:	\$246.70	\$0.00
										ABSTRACT TOTAL:	\$294.84	\$0.00

*Adjustments submitted for approval on or before 5/9/2013

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
SUGGS, WILLIAM MICHAEL	0000566275-2010-2010-0001	POOL SOURCE (WILLIAM SUGGS) CLOSED IN THIS LOCATION IN 2007. 2008-2011 BILLS RELEASED IN FULL. BUILDING WAS EMPTY JANUARY 1, 2008. CURTAIN CONCEPTS PLUS OCCUPIED BUILDING JANUARY 1, 2009. BILLED TO CURTAIN CONCEPTS PLUS FOR 2009-2013.	(\$54,000)	1156	SWOOTEN	1680 SPARTANBURG HWY NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$249.48 \$24.95 \$274.43	\$0.00 \$0.00	\$249.48 \$24.95 \$274.43	\$0.00 \$0.00 \$0.00
							BLUE RIDGE FIRE	TAX	\$45.90	\$0.00	\$45.90	\$0.00
								LATE LIST FEE	\$4.59	\$0.00	\$4.59	\$0.00
								TOTAL:	\$50.49		\$50.49	\$0.00
								ABSTRACT TOTAL:	\$324.92		\$324.92	\$0.00
								TAX	\$333.84	\$0.00	\$333.84	\$0.00
								LATE LIST FEE	\$33.38	\$0.00	\$33.38	\$0.00
								TOTAL:	\$367.22		\$367.22	\$0.00
								TAX	\$61.75	\$0.00	\$61.75	\$0.00
								LATE LIST FEE	\$6.18	\$0.00	\$6.18	\$0.00
							TOTAL:	\$67.93		\$67.93	\$0.00	
							ABSTRACT TOTAL:	\$435.15		\$435.15	\$0.00	
THRIFT, THOMAS WILLIAM	0000290497-2005-2005-0000	DEBT SETOFF RESEARCH. DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$209,000)	1105	GIOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX LATE LIST FEE TOTAL:	\$133.90 \$13.39 \$147.29	\$0.00 \$0.00	\$133.90 \$13.39 \$147.29	\$0.00 \$0.00 \$0.00
							EDNEYVILLE FIRE	TAX	\$24.05	\$0.00	\$24.05	\$0.00
								LATE LIST FEE	\$2.41	\$0.00	\$2.41	\$0.00
								TOTAL:	\$26.46		\$26.46	\$0.00
								ABSTRACT TOTAL:	\$173.75		\$173.75	\$0.00
								TAX	\$146.90	\$0.00	\$146.90	\$0.00
								LATE LIST FEE	\$14.69	\$0.00	\$14.69	\$0.00
								TOTAL:	\$161.59		\$161.59	\$0.00
								TAX	\$24.70	\$0.00	\$24.70	\$0.00
								LATE LIST FEE	\$2.47	\$0.00	\$2.47	\$0.00
							TOTAL:	\$27.17		\$27.17	\$0.00	
							ABSTRACT TOTAL:	\$188.76		\$188.76	\$0.00	
							OWNER TOTAL:	\$1,301.61		\$1,301.61	\$0.00	
							(\$209,000)					
							(\$25,000)					
							(\$25,000)					

*Adjustments submitted for approval on or before 5/9/2013

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND	
THRIFT, THOMAS WILLIAM	0000290497-2007-2007-0000	DEBT SETOFF RESEARCH. DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$24,700)	1103	GLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$114.11	\$0.00	\$114.11	\$0.00	
								LATE LIST FEE	\$11.41	\$0.00	\$11.41	\$0.00	
								TOTAL:			\$125.52	\$0.00	
							EDNEYVILLE FIRE	TAX	\$21.00	\$0.00	\$21.00	\$0.00	
								LATE LIST FEE	\$2.10	\$0.00	\$2.10	\$0.00	
								TOTAL:			\$23.10	\$0.00	
								ABSTRACT TOTAL:			\$148.62	\$0.00	
	0000290497-2008-2008-0000	DEBT SETOFF RESEARCH. DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005-2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP.	(\$24,700)	1189	GLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$114.11	\$0.00	\$114.11	\$0.00	
								LATE LIST FEE	\$11.41	\$0.00	\$11.41	\$0.00	
								TOTAL:			\$125.52	\$0.00	
							EDNEYVILLE FIRE	TAX	\$21.00	\$0.00	\$21.00	\$0.00	
								LATE LIST FEE	\$2.10	\$0.00	\$2.10	\$0.00	
								TOTAL:			\$23.10	\$0.00	
								ABSTRACT TOTAL:			\$148.62	\$0.00	
	0000290497-2009-2009-0000	DEBT SETOFF RESEARCH. DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$24,700)	1102	GLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$114.11	\$0.00	\$114.11	\$0.00	
								LATE LIST FEE	\$11.41	\$0.00	\$11.41	\$0.00	
								TOTAL:			\$125.52	\$0.00	
							EDNEYVILLE FIRE	TAX	\$21.00	\$0.00	\$21.00	\$0.00	
								LATE LIST FEE	\$2.10	\$0.00	\$2.10	\$0.00	
								TOTAL:			\$23.10	\$0.00	
								ABSTRACT TOTAL:			\$148.62	\$0.00	
	0000290497-2010-2010-0000	DEBT SETOFF RESEARCH. DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$23,500)	1101	GLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$108.57	\$0.00	\$108.57	\$0.00	
								LATE LIST FEE	\$10.86	\$0.00	\$10.86	\$0.00	
								TOTAL:			\$119.43	\$0.00	
							EDNEYVILLE FIRE	TAX	\$19.98	\$0.00	\$19.98	\$0.00	
								LATE LIST FEE	\$2.00	\$0.00	\$2.00	\$0.00	
								TOTAL:			\$21.98	\$0.00	
								ABSTRACT TOTAL:			\$141.41	\$0.00	

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
THRIFT, THOMAS WILLIAM	0000290497-2011-2011-0000	DEBT SETOFF RESEARCH. RELEASE BILLS DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$22,800)	1100	CLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$117.10	\$0.00	\$117.10	\$0.00
								LATE LIST FEE	\$11.71	\$0.00	\$11.71	\$0.00
								TOTAL:			\$128.81	\$0.00
							EDNEYVILLE FIRE	TAX	\$21.66	\$0.00	\$21.66	\$0.00
								LATE LIST FEE	\$2.17	\$0.00	\$2.17	\$0.00
								TOTAL:			\$23.83	\$0.00
		ABSTRACT TOTAL:				\$152.64	\$0.00					
	0000290497-2012-2012-0000	DEBT SETOFF RESEARCH. RELEASE BILLS DOUBLE BILLED. RELEASE BILLS ON PERSONAL PROPERTY MANUFACTURED HOME FOR BILLS 2005 - 2012. CORRECT OWNER IS MANUEL RAMIREZ WHOM HAS BEEN BILLED AND PAID. THIS MANUFACTURED HOME WAS MOVED TO CATHERINE'S MHP IN 2004.	(\$22,800)	1099	CLOMBARDO	458 GARREN RD HENDERSONVILLE NC 28792 NC	COUNTY	TAX	\$117.10	\$0.00	\$117.10	\$0.00
								LATE LIST FEE	\$11.71	\$0.00	\$11.71	\$0.00
								TOTAL:			\$128.81	\$0.00
							EDNEYVILLE FIRE	TAX	\$21.66	\$0.00	\$21.66	\$0.00
								LATE LIST FEE	\$2.17	\$0.00	\$2.17	\$0.00
							TOTAL:			\$23.83	\$0.00	
	ABSTRACT TOTAL:				\$152.64	\$0.00						
OWNER TOTAL:			(\$195,200)								\$1,255.06	\$0.00
GRAND TOTALS:			(\$1,049,150)								\$6,213.37	\$0.00

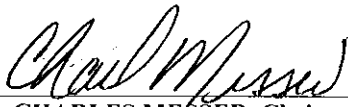
*Adjustments submitted for approval on or before 5/9/2013

Henderson County - Five Year Fair Housing Activities

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>July – Sept.</i>	2012	\$200	\$
<i>Develop and publish Fair Housing, Renter Rights information on the County website.</i>	<i>Oct. – Dec.</i>	2012	\$150	
<i>Create a county-wide Housing Services and Housing Directory – link directory with area-wide housing services websites</i>	<i>Jan. - March</i>	2013	\$400	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>April - June</i>	2013	\$600	
<i>Publish Fair Housing, Renter Rights information on the County website.</i>	<i>July – Sept.</i>	2013	\$250	
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>Oct. – Dec.</i>	2013	\$200	
<i>Continue to improve Apple Country Transit, including the fixed route transit and paratransit systems that provide freedom, access, opportunity and choice for people in all walks of life, including people with low incomes.</i>	<i>Jan. - March</i>	2014	\$400	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>April - June</i>	2014	\$600	
<i>Review and update county-wide Housing Services Directory – link directory to all available housing websites</i>	<i>July – Sept.</i>	2014	\$400	
<i>Develop and publish Fair Housing, Renter Rights information on the County website.</i>	<i>Oct. – Dec.</i>	2014	\$150	
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>Jan. - March</i>	2015	\$200	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>April - June</i>	2015	\$600	
<i>Review and update county-wide Housing Services Directory – link directory to all available housing websites</i>	<i>July – Sept.</i>	2015	\$400	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>Oct. – Dec.</i>	2015	\$150	
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>Jan. - March</i>	2016	\$200	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>April - June</i>	2016	\$600	
<i>Continue to improve Apple Country Transit, including the fixed route transit and paratransit systems that provide freedom, access, opportunity and choice for people in all walks of life, including people with low incomes.</i>	<i>July – Sept.</i>	2016	\$400	
<i>Develop and publish Fair Housing, Renter Rights information on the County website.</i>	<i>Oct. – Dec.</i>	2016	\$150	

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>Jan. - March</i>	<i>2017</i>	<i>\$350</i>	
<i>Attend NCCDA Conference and other Fair Housing workshops</i>	<i>April - June</i>	<i>2017</i>	<i>\$1500</i>	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>July - Sept.</i>	<i>2017</i>	<i>\$750</i>	
<i>Continue to improve Apple Country Transit, including the fixed route transit and paratransit systems that provide freedom, access, opportunity and choice for people in all walks of life, including people with low incomes.</i>	<i>Oct. - Dec.</i>	<i>2017</i>	<i>\$400</i>	
<i>Public Advertisement of County-wide Fair Housing Policy and Complaint Procedure</i>	<i>Jan. - March</i>	<i>2017</i>	<i>\$350</i>	
<i>Distribute Fair Housing Brochures throughout Henderson County (libraries, DSS office, Pisgah Legal Services etc.)</i>	<i>April - June</i>	<i>2018</i>	<i>\$250</i>	
<i>Review County codes and ordinances to promote fair housing choices within the County</i>	<i>July - Sept.</i>	<i>2018</i>	<i>\$750</i>	
<i>Continue to improve Apple Country Transit, including the fixed route transit and paratransit systems that provide freedom, access, opportunity and choice for people in all walks of life, including people with low incomes.</i>	<i>Oct. - Dec.</i>	<i>2018</i>	<i>\$400</i>	

Approved By: Henderson County Board of Commissioners



CHARLES MESSER, Chairman

5/15/2013

Date

IN THE MATTER OF THE REQUEST of Broadway Group, LLC,
Applicant,

To the

HENDERSON COUNTY BOARD OF COMMISSIONERS,
Approving Authority

ORDER DENYING CONDITIONAL ZONING DISTRICT R-2013-01-C

The HENDERSON COUNTY BOARD OF COMMISSIONERS having held a public hearing on April 1, 2013 and on May 15, 2013 to consider the request initiated by the Board of Commissioners at the request of the Broadway Group, to request a Conditional Zoning District. The Broadway Group, LLC, has requested the rezoning and hereinafter is referred to as the "Applicant". Roger Gagnon is the owner of the subject property. Notice was provided pursuant to North Carolina General Statute and the Henderson County Land Development Code.

The subject property has a PIN of 9539-98-3442 and is a 1.71 acres and is currently zoned Residential Two Rural (R2R) off Road (US Hwy 64 West). The subject property is surrounded by R2R zoning and there is existing Community Commercial zoning near but not adjacent to the property. The proposed use for the subject property is retail sales. The Horse Shoe hardware store is nearby and Horse Shoe Baptist Church is on the adjacent property. The request would change the subject property from a Residential Two Rural (R2R) zoning district to a Community Commercial Conditional District (CC-CD).

The public raised concerns about traffic congestion created by retail sales, citing existing traffic concerns because of the topography, current traffic pattern, and surrounding uses. The Board also discussed conflict with the request with the existing Small Area Plan. Based on traffic concerns raised by residents and the adjacent religious institution, the Board of Commissioners denies the Conditional Zoning request.

ORDERED this the 15th day of May 2013.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

By: Charlie Messer
Charlie Messer, Chairman

ATTEST:

Theresa L. Wilson
Theresa L. Wilson
Clerk to the Board of Commissioners



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PATRICK L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

May 3, 2013

Henderson County Planning Department
C/o Mrs. Autumn Radcliff, Interim Planning Director
100 North King Street
Hendersonville, NC 28792

Re: NCDOT Review of TIA for proposed Dollar Store on US 64W in Horse Shoe, NC

Dear Mrs. Radcliff,

Thank you and your staff for meeting with Mr. Stokes (J.M. Teague Engineering), Mr. Ownbey, and myself to review the TIA for the proposed Dollar Store on US 64W in Horse Shoe, NC.

NCDOT staff, to include Mr. Cook, Mr. Ownbey, and myself, has reviewed the TIA prepared by J.M. Teague Engineering on April 18, 2013 and concur with the findings within.

NCDOT has requested J.M. Teague Engineering provide additional information as follows:

- Traffic signal timing and optimization to address the eastbound left turning queue during the AM peak hour.

Additionally if the rezoning request is approved NCDOT will require the developer to fund, by means of reimbursable agreement with NCDOT, additional clearing of vegetation with the Right of Way of US 64W to provide optimal sight distance to the west from the proposed entrance. With this clearing adequate sight distance can be obtained.

If you have any questions please contact me at (828) 891-7911 or by email at slcannon@ncdot.gov

Sincerely,

A handwritten signature in cursive script that reads "Steve Cannon".

Steve Cannon, PE
NCDOT
District Engineer