

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, APRIL 17, 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, DSS Social Work Program Administrator Jerrie McFalls, HR Director Jan Prichard, Sheriff's Department PIO Frank Stout, Tourism Director Beth Carden, and IT Network Administrator Chris Staton, videotaping.

Absent were: Public Information Officer Christina Hallingse.

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 Grady Hawkins.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Young made the motion to adopt the agenda with the addition of a closed session for attorney/client privilege. 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):

April 1, 2013 – regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated April 5, 2013 for information only. No action was required.

Petition for Addition to State Road system

Pin Oak Trail of Riverstone Subdivision Phase I, and Roanoke Road, Lumber River Road, Haw River Road, Black River Road of Riverstone Subdivision Phase II

Staff received petitions to add Pin Oak Trail and Phase II of the Riverstone Subdivision to the state road system. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

DATE APPROVED: May 6, 2013

Staff reviewed the petitions and it appears that all affected property owners or developers have signed the required petitions.

Motion:

I move that the Board approves the petitions and direct staff to forward them to NCDOT.

Service Badge and Sidearm Request – Carol Coss and Raymond Tatham

The Henderson County Sheriff's Office requests that the service badges and sidearms of Carol Coss and Raymond Tatham be given to them in recognition of their retirements from the Henderson County Sheriff's Office.

Deputy Carol Coss began employment with the Sheriff's Office on August 10, 1989. Throughout her career she has worked at the Detention Center, in the Patrol Division, and in Criminal Investigations. Deputy Coss has worked for five different Sheriffs and has spent her adult life serving our community and agency with integrity and morals. To honor her and show my gratitude, Sheriff McDonald intends to present her service badge and service sidearm to her.

Deputy Raymond Tatham began employment with the Sheriff's Office on September 17, 1984. Throughout his career, he has worked in Communications, Patrol, and Support Services. Deputy Tatham has worked for five different Sheriffs and has spent his adult life serving our community and agency with integrity and morals. To honor him and show my gratitude, Sheriff McDonald intends to present his service badge and service sidearm to him.

Sheriff McDonald makes this request on behalf of the Henderson County Sheriff's Office pursuant to North Carolina General Statute §20-187.2(a).

Motion:

I move the Board allows Sheriff Charles McDonald to present these service badges and sidearms as a token of appreciation to Deputies Carol Coss and Raymond Tatham.

Regulation Review Committee

At the Board's February 4, 2013 meeting, it was the consensus of the Board to form a Regulation Review Committee with the purpose of reviewing and evaluating County regulations. At the Board's March 20, 2013 meeting, appointments were made to the Committee. The Board is requested to add an additional ex-officio (non-voting) position to the Committee, which would be for a member from the Henderson County Planning Board.

Motion:

I move the Board add an additional ex-officio (non-voting) position to the Committee for a member of the Henderson County Planning Board, and to appoint Planning Board member Mike Cooper to this position.

Henderson County Personnel Handbook - Amendment

The current County Personnel Handbook dealing with Political Activity currently states that "No employee may serve in an elected position or be a candidate for an elected position, in the Henderson County Government." The Board is requested to amend the policy, to clarify that such prohibition against being a candidate for an elected position in the Henderson County Government does not apply to elections for Sheriff, or Register of Deeds.

Candidates for these positions would still be subject to restrictions in State and Federal law, including but not

limited to the "Hatch Act", prohibiting employees whose positions are funded with Federal dollars from candidacy.

Motion:

I move the Board amends the Henderson County Personnel Handbook, to clarify that prohibition against being a candidate for an elected position in the Henderson County Government does not apply to elections for Sheriff, or Register of Deeds.

Notification of Vacancies

Chairman Messer reminded the Board of the following vacancies and opened the floor to nominations:

1. Animal Services Committee – 1 vac.
2. Henderson county Zoning Board of Adjustment – 1 vac.
3. Home and Community Care Block Grant Advisory Committee – 1 vac.

Nominations

1. Child Protection and Fatality Prevention Team - 1 vac.

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

2. French Broad River MPO/Transportation Advisory Committee – 1 vac.

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

3. Governmental Financing Corporation – 1 vac.

Commissioner Hawkins nominated Steve Wyatt for position #2. *Chairman Messer made the motion to accept the reappointment of Steve Wyatt to position #2 by acclamation. All voted in favor and the motion carried.*

4. Henderson County Planning Board – 3 vac.

Commissioner Hawkins nominated Marilyn Gordon for position #1. Commissioner Young nominated David Blackley for position #3. Chairman Messer nominated Wayne Garren for position #9. *Chairman Messer made the motion to accept the reappointments of Wayne Garren to position #9 and Marilyn Gordon to position #1, and the appointment of David Blackley to position #3 by acclamation. All voted in favor and the motion carried.*

5. Juvenile Crime Prevention Council – 7 vac.

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

6. Library Board of Trustees – 1 vac.

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

7. 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.

8. Nursing/Adult Care Home Community Advisory Committee 2 – vac.

Commissioner Thompson nominated Deanna McWilliams for position #17 and Lorrie Shelly for position #18. *Chairman Messer made the motion to accept the appointments of Deanna McWilliams to position #17 and Lorrie Shelly to position #18 by acclamation. All voted in favor and the motion carried.*

9. Senior Volunteer Services Advisory Council – 2 vac.

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

10. Smartstart – 1 vac.

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

SOCIAL SERVICES' INFORMATIONAL UPDATE

The DSS Board provides monthly three-minute informational updates to the Board of Commissioners regarding various Social Services issues. The April 2013 update, provided by DSS Board Member Melinda Lowrance, pertains to the Special Assistance Program.

Providing care to older adults at home can improve their quality of life as well as provide a better value. The majority of older people and those with disabilities overwhelmingly want to remain independent and receive the assistance they need in their homes, instead of rest homes. Most, in fact, do so. For many of these adults, the care they need as they age is personal care, not medical care, such as help with various activities including dressing, bathing or preparing meals. Often this assistance is provided informally by family members. But some older people with disabilities confront barriers that take the choice away from them...particularly if no family is present to help.

Henderson County provides a program that helps older people and those with disabilities have a choice regarding the help they need. This program allows for assistance in a rest home or in a private living arrangement.

The program is called the Special Assistance Program. Based on an eligibility assessment and need, an older person/person with a disability can receive help with the cost of living in a rest home or services, support and additional income for care in their home. The Special Assistance Program supplements the Social Security income of an older person or person with disabilities; they must be age 65 and older or age 18-64 with disability according to Social Security disability standards and:

- Require assistance with their daily living activities at the rest home level of care based on their doctor's verification; and,
- A U.S. citizen; and,
- Meet income and asset eligibility requirements.

Older people or those with disabilities who reside in a rest home are assisted by Special Assistance with the cost of room and board. The program assists with the cost of care by supplementing a person's Social Security income. Both the person and the program contribute to the costs of care in the rest home.

Older people or those with disabilities who live at home are assisted by Special Assistance with the cost of care and additionally have a case manager helping with services and support. An assessment is completed by a case manager to determine whether the adult can remain home safely and what service supports and income are needed to assure the adult's needs are met. Using the assessment information, the case manager works directly with the person and their family, or other supports, to develop a care plan that enables the adult to live at home safely rather than moving to a rest home. The care plan includes both the needed costs of care such as shelter repair, food and other daily necessities and the arrangement of needed services such as in-home aides, senior companions and transportation. The case manager's role is essential, and all Special Assistance In-Home Program participants receive on-going case management. Family, friends and neighbors can also be an essential part of the care plan.

An example of the Special Assistance Program for a person who lives at home is the case of "Mr. R.". "Mr. R." lives in Henderson County and suffers from multiple, debilitating health problems, such as diabetes. A friend assists with his care. "Mr. R." is eighty-seven years old...he values his independence and wants to avoid out-of-home placement. He uses services arranged by his Special Assistance case manager, as well as

additional funds for home repair, utility bills and special food for his dietary needs. "Mr. R.", his friend and the Special Assistance case manager meet monthly to plan for his care and safety. Without his friend and case manager, "Mr. R.'s" needs could not be met and out-of-home placement would be necessary.

Research and a study of the North Carolina General Assembly found that enabling people to live in their homes instead of in facilities is a better value for everyone. Programs used by older adults and disabled adults, including the Special Assistance Program, allow people an opportunity to live at home longer. Overall, in-home service, support and additional income cost 29% less than assistance with the cost of room and board in a rest home. Medicaid and prescription drug cost savings were 30%.

The Board of Social Services believes that in times of belt tightening, Henderson County must find ways to reduce costs without denying essential care and self-determination for our community's older people and those with disabilities. The Special Assistance Program helping older people and those with disabilities is a win-win.

TOURISM DEVELOPMENT AUTHORITY UPDATE

David Nicholson, Chairman of the Tourism Development Authority, presented an update the Board on the Tourism Development Authority's activities to date.

History/Legal

1. Travel & Tourism Department
 - a) Founded in 1980s
 - b) Basically, a committee/department of County Government
 - i. Appointments
 - ii. Budget Adoption
 - iii. Facilities/Personal Property

2. Henderson (County) Tourism Development Authority
 - a) House Bill 1215 – Ratified on July 3, 2012
 - b) Effective on September 1, 2012
 - i. Inter-Local Agreement between Henderson County and the TDA
 1. Expires on June 30, 2013
 - c) Tax Revenues (5% of gross room receipts)
 - i. Paid to County – distributed to the TDA
 1. County receives 3% of the first \$500,000 and 1% of any additional for administrating and collecting the tax
 - ii. Promote travel and tourism
 1. Advertise or market the area or an activity
 2. Publish/distribute materials
 3. Conduct market research
 4. Engage in promotional activities that attract tourists of business visitors to the area
 5. Administrative expenses
 - iii. Expending net proceeds to increase the use of lodging facilities, meeting facilities; convention facilities

3. What is the TDA?
 - a) Membership
 - i. 3 members appointed by Henderson County (Chairman)
 - ii. 3 members appointed by City of Hendersonville
 - iii. 1 member appointed by Village of Flat Rock
 - iv. 1 member appointed by Town of Fletcher

- v. 1 member appointed by Chamber of Commerce
 - b) Authority – a municipal corporation, as defined by the Local Government Fiscal Control Act
 - c) Legal Body under North Carolina Law
 - i. Open Meetings Law
 - ii. Adoption of Budget
 - iii. Audit Report – Component Unit
4. Overview of the Travel Industry
- a) 2012/2013 – Cautious Optimistic
 - i. Occupancy percentages are moving up nationally and locally
 - ii. Travel is changing
 - 1. Last minute planning
 - 2. Seeking value/packages
 - 3. More shorter trips
 - 4. Using technology
 - 5. More active activities
 - 6. Lots of competition
 - iii. Brand Messaging
 - 1. You must stand out
 - 2. Unique experience
 - 3. Stay connected
5. Importance of Tourism to Henderson County (2011 NC Division of Tourism)
- a) Impact of \$209.4 Million Dollars (+3.1%) and 17th County in state
 - b) 1,930 jobs are directly attributable to tourism with \$36 Million in payroll
 - c) Governmental revenues from travel amounted to \$19.1 Million Dollars
 - d) \$176.97 in tax savings for each county resident
6. Henderson County Research and Strategic Planning
- a) Young Strategies, Inc.
 - i. Visitors Research/Statistics
 - 1. Market data
 - 2. Analysis of attractions; dining; retail
 - 3. Review all current travel promotions and marketing efforts
 - 4. Review the latest travel trends
 - ii. Lodging Survey and Market Analysis
 - iii. Visitor Profile On-line Survey
 - iv. Final Report – Late fall of 2013
 - 1. Strategic Plan including short and long term goals
7. “Stay and Play” Ticket Program
- a) Initially purchased \$25,000 worth of tickets to the Flat Rock Playhouse
 - b) Worked with our local accommodations to develop and promote packages for 2 free tickets to the Playhouse for a two night stay
 - c) Program was credited as one of the reasons that the request for the additional occupancy tax was withdrawn by Playhouse
8. Other Activities since September 1, 2012
- a) Organize legal and administrative functions
 - b) Hosted first – Annual Tourism Conference
 - c) Joined and attended National American Bus Association Conference

- d) Reformatted – Travel Planner
- e) Expanded Marketing Campaign
- f) Developed Co-Op Ads in major publications
- g) Revised Grant Program to meet new legislation
- h) New permanent stage

9. Future Initiatives

- a) 20th Garden Jubilee (Vendor Fees and Sponsors)
- b) Music on Main Concert Series (Sponsors)
- c) New TDA Website
- d) Automated accommodations program
- e) Develop relationships with other groups
 - i. Local Organizations
 - ii. Travel Industry – Regional and Statewide

Commissioner Young disclosed that he is not connected in any way with Young Strategies, Inc.

APPROVE PERMANENT UTILITY EASEMENT – PROPOSED JACKSON PARK INTERCEPTOR – HENDERSONVILLE UTILITIES

Engineer Marcus Jones stated the City of Hendersonville is requesting a permanent utility easement for their proposed Jackson Park Interceptor. A detailed description of the project was provided by the City Engineer. A portion of the project is located on a currently unused, wooded area of Jackson Park. The alignment as presented in the easement has been reviewed by the County Engineer and the Recreation Director with no significant negative impacts anticipated. The park will be positively impacted by replacing the pump station at southeastern edge of the park with a gravity sewer line greatly reducing the possibility of sewage spills. Also with the proposed line, we will be able to provide sewer service to the Jackson Park office at a lesser cost if needed.

City of Hendersonville Utilities Director Lee Smith stated the City is willing to work with the County and make recommendations to their council.

Commissioner Edney made the motion that the Board approves the Permanent Utility Easement with the City of Hendersonville for the Jackson Park Sewer Interceptor located County property in Jackson Park, contingent upon the inclusion of necessary bridges for stream and swamp crossings, easement maintenance allowing for biking and walking trails, and fees waived by the City for additional park facility lines. All voted in favor and the motion carried.

CANE CREEK WATER AND SEWER DISTRICT

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

Please see separate Cane Creek minutes for action.

Commissioner Thompson made the motion to go out of session as the Cane Creek Water & Sewer District Board and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) & (5), for the following reason(s):

1. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.
2. Pursuant to N.C. Gen. Stat. §143-318.11(a)(5), 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)(3) & (5), for the reasons stated above. All voted in favor and the motion carried.

Commissioner Thompson made the motion to go out of closed session and return to open session at 11:15 a.m. All voted in favor and the motion carried.

HOUSE BILL 488

On March 28, Representative Tim Moffitt, Representative Chuck McGrady, and Representative Nathan Ramsey filed stated legislation, House Bill 488, which would have the effect of establishing an independent Metropolitan Water and Sewerage District Authority.

The new authority will be composed of the Metropolitan Sewerage District of Buncombe County (MSD), the Public Water Utility System managed by the City of Asheville, and the Cane Creek Water and Sewer District. All assets and liabilities of these respective systems will be transferred to the Authority.

On April 2, 2013, the Bill passed the first reading in the House, and was referred to the Committee on Finance.

County Manager Steve Wyatt reported that the Bill has passed the House and gone to the Senate where we are represented by Senator Apodaca. This meeting provides an opportunity to discuss and formulate a position formally or informally. Historically there have been discussions with MSD about a consolidation or merger. The issue stopping it every time has been “meaningful” representation. During the last conversation with MSD they were looking at 1 or 2 potential board seats for Henderson County which has been consistently rejected by the Henderson County Board of Commissioners. There are advantages for the rate payer to a consolidated system. It is estimated that the average rate payer would see an approximate savings of \$10 per month as the Cane Creek charges would disappear. The Board of Commissioners has commissioned a study for a potential wastewater treatment plant which is doable but very expensive, subject to permitting. As long as MSD has a substantial ability to absorb the wastewater flow, Mr. Wyatt feels it would be very difficult to obtain a wastewater discharge permit. The State wants to see as much consolidation of effluent discharge as possible.

Commissioner Hawkins made the motion that the Board correspond to legislature asking that Henderson County not participate in House Bill 488 and continue to work with MSD. The motion failed 2 – 3 with Commissioners Thompson, Messer and Edney voting nay.

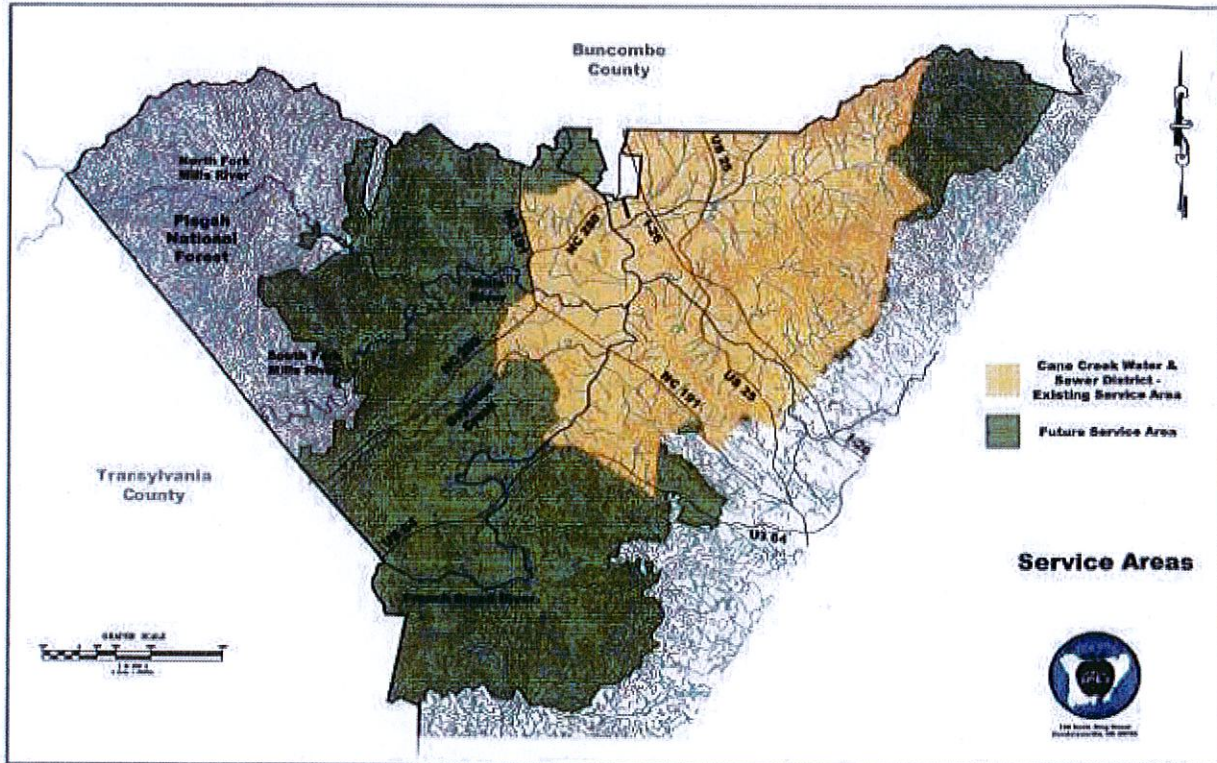
Commissioner Hawkins made the motion that the Board directs staff to send correspondence to Representatives requesting representation of 5 members on the new MSD Board in H488, in order to be fairly represented. All voted in favor and the motion carried.

County Attorney Russ Burrell sent the following information via email to Senator Apodaca after conclusion of the meeting:

The Board of Commissioners asked that I inform you that they today voted in general support of H488, AN ACT TO PROMOTE THE PROVISION OF REGIONAL WATER AND SEWER SERVICES BY

TRANSFERRING OWNERSHIP AND OPERATION OF CERTAIN PUBLIC WATER AND SEWER SYSTEMS TO A METROPOLITAN WATER AND SEWERAGE DISTRICT”.

The Board notes its concern, however, regarding the representation of Henderson County on the new MSD board in H488. Rather than the current “2 plus 1” (two members at large from Henderson County, one from Mills River appointed by Henderson County), the Board of Commissioner member required to reside in Mills River, and another required to reside in Fletcher. Having five votes from Henderson County residents on this new Board would assist in securing the future of the County for its economic development and for the welfare of all its citizens.



ADJOURN

Commissioner Hawkins made the motion to adjourn at noon. 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, April 05, 2013

Re: Tax Collector's Report to Commissioners – 17 April 2013 Meeting

Please find outlined below collections information through 04 April 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.: \$309,205.45
Releases & Refunds: (\$120,508.96)
Net Charge: \$58,137,081.51
Unpaid Taxes: \$1,721,988.42
Amount Collected: \$56,415,093.09
Percentage Collected: 97.04%
Through: 4-Apr-2013

2011 Beginning Charge: \$57,516,609.25
Discoveries & Imm. Irreg.: \$112,419.34
Releases & Refunds: (\$106,047.98)
Net Charge: \$57,522,980.61
Unpaid Taxes: \$1,748,679.86
Amount Collected: \$55,774,300.75
Percentage Collected: 96.96%
Through: 4-Apr-2012

Motor Vehicle Bills G01 Only:

2012 Beginning Charge: \$4,116,964.07
Discoveries & Imm. Irreg.: \$2,992.86
Releases & Refunds: (\$70,907.69)
Net Charge: \$4,049,049.24
Unpaid Taxes: \$1,001,687.84
Amount Collected: \$3,047,361.40
Percentage Collected: 75.26%
Through: 4-Apr-2013

2011 Beginning Charge: \$3,830,442.46
Discoveries & Imm. Irreg.: \$2,716.93
Releases & Refunds: (\$87,330.31)
Net Charge: \$3,745,829.08
Unpaid Taxes: \$836,525.27
Amount Collected: \$2,909,303.81
Percentage Collected: 77.67%
Through: 4-Apr-2012

Fire Districts All Bills:

2012 Beginning Charge: \$6,901,805.03
Discoveries & Imm. Irreg.: \$46,850.04
Releases & Refunds: (\$26,813.89)
Net Charge: \$6,921,841.18
Unpaid Taxes: \$342,439.68
Amount Collected: \$6,579,401.50
Percentage Collected: 95.05%
Through: 4-Apr-2013

2011 Beginning Charge: \$6,798,296.35
Discoveries & Imm. Irreg.: \$13,311.89
Releases & Refunds: (\$20,453.44)
Net Charge: \$6,791,154.80
Unpaid Taxes: \$310,005.37
Amount Collected: \$6,481,149.43
Percentage Collected: 95.44%
Through: 4-Apr-2012

Respectfully submitted,



Luke Small

Collections Specialist

Stan C. Duncan

Tax Collector



**Resolution Honoring Deputy Carol Coss
For 23 Years of Law Enforcement Service
and Awarding Her, Her Badge and Sidearm**

WHEREAS, Carol Coss joined the Henderson County Sheriff's Office as a Deputy on August 10, 1989 and held the ranks of Deputy and Detention Officer; and

WHEREAS, Deputy Coss's service and dedication to the Henderson County Sheriff's Office and Service, dedication and accomplishments in the field of law enforcement during her 23 years of total years of service are hereby recognized and commended; and

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

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

WHEREAS, Deputy Coss has served as a member of the Henderson County Sheriff's Office for a period of more than 23 years and is retiring from the Henderson County Sheriff's Office on May 31, 2013; and

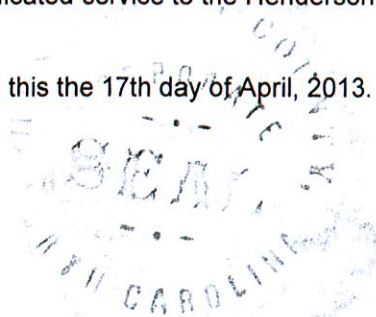
NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Deputy Carol Coss the badge worn by her during her service with the Henderson County Sheriff's Office; and

2. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Deputy Carol Coss, her service sidearm
 - at no cost to the officer
 - for and in consideration of the sum of \$ _____ received from _____ and upon (his/her) securing a permit required by N.C.G.S. 14-402.

BE IT FURTHER RESOLVED, that the Henderson County Board of Commissioners recognizes and thanks Deputy Carol Coss for her dedicated service to the Henderson County and its citizens.

A. Adopted this the 17th day of April, 2013.



Chad Messer
CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:
Ceresa L. Welton
CLERK TO THE BOARD



**Resolution Honoring Deputy Carol Coss
For 23 Years of Law Enforcement Service
and Awarding Her, Her Badge and Sidearm**

WHEREAS, Carol Coss joined the Henderson County Sheriff's Office as a Deputy on August 10, 1989 and held the ranks of Deputy and Detention Officer; and

WHEREAS, Deputy Coss's service and dedication to the Henderson County Sheriff's Office and Service, dedication and accomplishments in the field of law enforcement during her 23 years of total years of service are hereby recognized and commended; and

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

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

WHEREAS, Deputy Coss has served as a member of the Henderson County Sheriff's Office for a period of more than 23 years and is retiring from the Henderson County Sheriff's Office on May 31, 2013; and

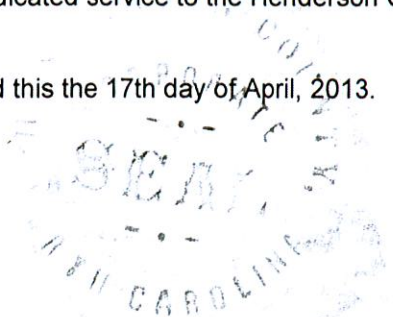
NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Deputy Carol Coss the badge worn by her during her service with the Henderson County Sheriff's Office; and

2. Sheriff Charles McDonald is hereby authorized in accordance with the provisions of N.C.G.S. 20-187.2 to transfer to Deputy Carol Coss, her service sidearm
 - at no cost to the officer
 - for and in consideration of the sum of \$ _____ received from _____ and upon (his/her) securing a permit required by N.C.G.S. 14-402.

BE IT FURTHER RESOLVED, that the Henderson County Board of Commissioners recognizes and thanks Deputy Carol Coss for her dedicated service to the Henderson County and its citizens.

A. Adopted this the 17th day of April, 2013.



Chae Messer

CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Chelsea L. Wilson

CLERK TO THE BOARD

Excise Tax: \$0.00

This document was prepared by: Samuel H. Fritschner

Return to: Fritschner

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

Brief Description for the index

Jackson Park Sewer Line Easement

NORTH CAROLINA DEED OF EASEMENT

This Deed made this 17th day of April, 2013 by and between THE COUNTY OF HENDERSON, NORTH CAROLINA, GRANTOR, a North Carolina body politic, and THE CITY OF HENDERSONVILLE, a North Carolina municipal corporation, 145 Fifth Avenue East of the County of HENDERSON, State of NORTH CAROLINA, Grantee.

WITNESSETH:

That for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the has bargained, sold and conveyed, and by these presents does bargain, sell and convey unto the Grantee, its successors and assigns in fee simple absolute the following described parcel or interest in real property situated in the Township of Hendersonville, County of Henderson, State of North Carolina:

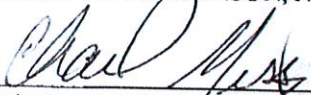
Being a sewer easement forty feet in width, having as its center line that "Center of Proposed Jackson Park Sewer Interceptor" as shown on the plat thereof attached hereto, which may be marked as Appendix A, and which is made a part hereof by this reference, for the purposes of operation and maintenance of its wastewater system.

There is also conveyed herewith the right to enter upon the land for purposes of laying additional lines, pipes and conduits, and as a means of ingress and egress to repair and maintain the sewer system as shown on the said Appendix A.

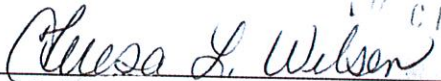
~~TO HAVE AND TO HOLD THE SAME, Together with all hereditaments and appurtenances thereunto in any wise appearing, unto the said part of the second part heirs and assigns forever.~~

IN TESTIMONY WHEREOF, said Grantor has caused these presents to be signed in its name by the Chairman of its Board of Commissioners, and its county seal to be hereto affixed and attested by its Clerk the day and year first above written.

COUNTY OF HENDERSON, NORTH CAROLINA


Charles Messer, Chair
Henderson County Board of Commissioners

Attest:

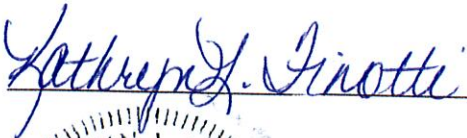

Teresa L. Wilson,
Clerk to the Board of Commissioners

COUNTY SEAL

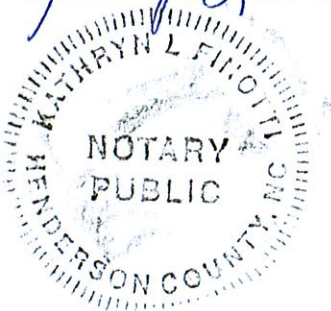
State of North Carolina
County of Henderson.

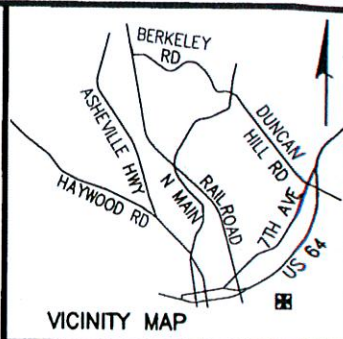
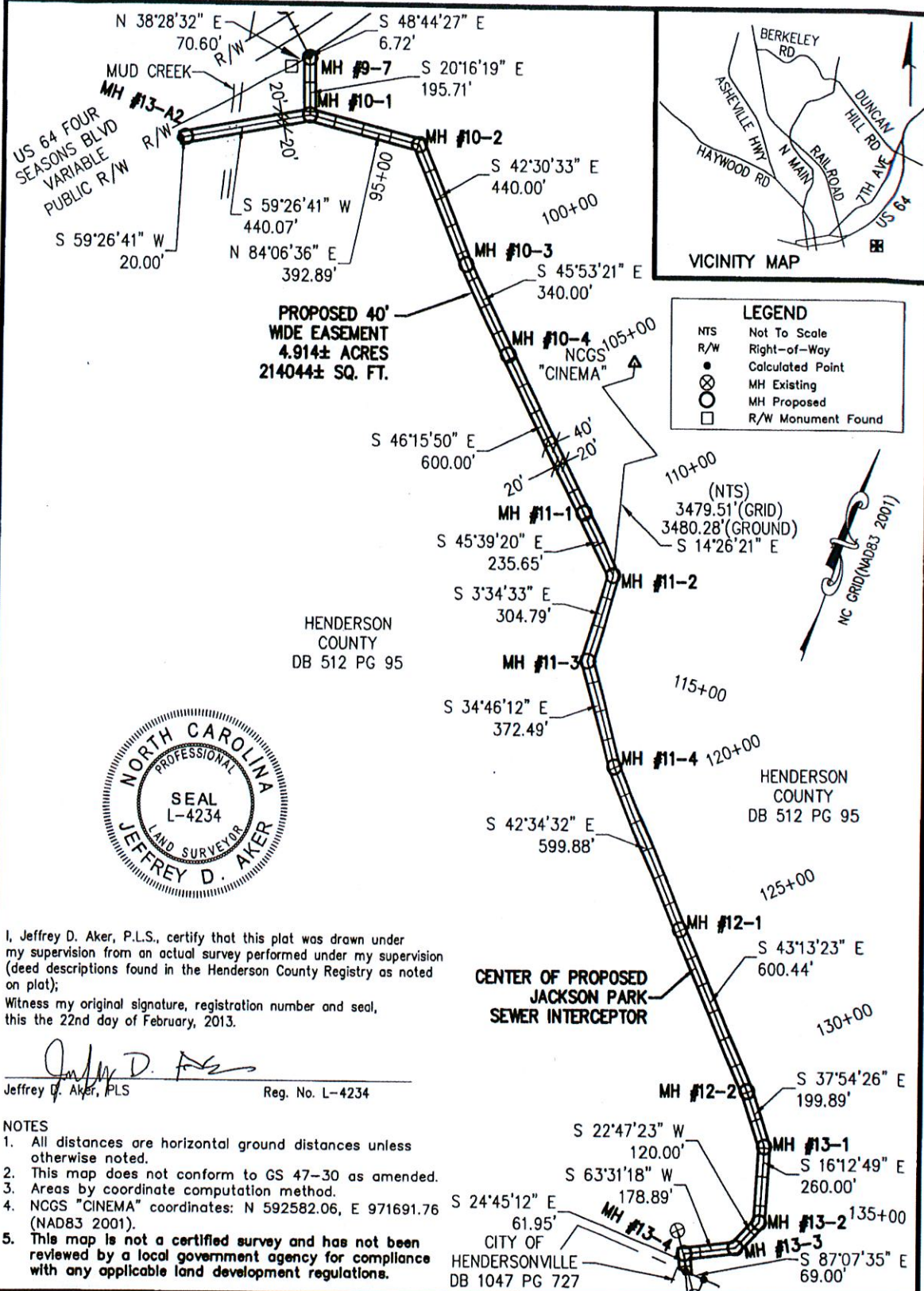
I, Kathryn L. Finotti, a Notary Public of the County and State aforesaid, certify that Charles Messer, in his capacity as Chairman of the Board of Commissioners of Henderson County and Teresa L. Wilson, in her capacity as Henderson County Clerk, appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23rd day of April 2013.

My commission expires: 3-23-18


Notary Public

SEAL





LEGEND

NTS	Not To Scale
R/W	Right-of-Way
•	Calculated Point
⊗	MH Existing
○	MH Proposed
□	R/W Monument Found



I, Jeffrey D. Aker, P.L.S., certify that this plat was drawn under my supervision from an actual survey performed under my supervision (deed descriptions found in the Henderson County Registry as noted on plat);
 Witness my original signature, registration number and seal, this the 22nd day of February, 2013.

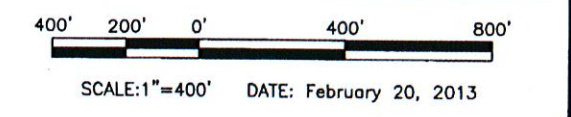
Jeffrey D. Aker
 Jeffrey D. Aker, PLS Reg. No. L-4234

- NOTES**
- All distances are horizontal ground distances unless otherwise noted.
 - This map does not conform to GS 47-30 as amended.
 - Areas by coordinate computation method.
 - NCGS "CINEMA" coordinates: N 592582.06, E 971691.76 (NAD83 2001).
 - This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

Mattern & Craig
 CONSULTING ENGINEERS • SURVEYORS
 12 BROAD STREET
 ASHEVILLE, NORTH CAROLINA 28801
 (828) 254-2201
 FAX (828) 254-4562
 Comm. No. 3126B

Survey For
City of Hendersonville
 Henderson County, North Carolina

**Sanitary Sewer Easement
 Henderson County Property**



TAX REFERENCE: 9578280466 & 9578095003
 LEGAL REFERENCE: Deed Book 512 Page 95
 TOWNSHIP: Hendersonville Township



Path: H:\A_E_Design\2011\11003-Jackson Park Sanitary Sewer Improvements\GIS\20130504 - Henderson County easement 11x17.mxd Date: 4/3/2013 Time: 11:22:35 AM

07021804 177.00 ACRES
 04/18/75 OR 08/17/72 CO-20
 HENDERSON COUNTY
 0151204

04491213
 24.15 ACRES
 01/17/75 OR 02/13/75 CO-20
 CITY OF WILMONTVILLE
 02220

07021804 177.00 ACRES
 04/18/75 OR 08/17/72 CO-20
 HENDERSON COUNTY
 0151204

07021804 177.00 ACRES
 04/18/75 OR 08/17/72 CO-20
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 HENDERSON COUNTY
 0151204

07021804 177.00 ACRES
 04/18/75 OR 08/17/72 CO-20
 HENDERSON COUNTY
 0151204

Rich = 400 feet

WILMONT DR

DE

80H1005

MOORE CREEK

WILMONT DR

WILMONT DR

WILMONT DR

WILMONT DR

7TH AVE E

MARTIN LUTHER KING JR BLVD

WILMONT DR

WILMONT DR

WILMONT DR

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