

**MINUTES**

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 5, 2011**

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

Those present were: Commissioner Michael Edney, Commissioner Tommy Thompson, Commissioner Bill O'Connor, Commissioner Larry Young, Commissioner Charlie Messer, County Manager Steve Wyatt, Interim Assistant County Manager David Whitson, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Public Information Officer Christy DeStefano, Finance Director J. Carey McLelland, Planning Director Anthony Starr, Planner Parker Sloan, Engineer Marcus Jones, Assessor/Tax Collector Stan Duncan, Senior Planner Autumn Radcliff, Internal Auditor Darlene Burgess, Recreation Director Tim Hopkin, Delinquent Tax Collector Lee King, Research/Budget Analyst Amy Brantley, and Chief Deputy Greg Cochran.

**CALL TO ORDER/WELCOME**

Clerk to the Board Teresa Wilson called the meeting to order, noted this as the annual organizational meeting, and welcomed all in attendance.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Jared Johnson of the Mountain View 4H Club.

**INVOCATION**

Colby Coren of the East Flat Rock First Baptist Church gave the invocation.

**ELECTION OF CHAIRMAN**

The Clerk to the Board opened the floor to nominations.

*Commissioner Edney nominated Tommy Thompson for the position of Chairman. Commissioner Messer nominated Larry Young for the position of Chairman. Commissioner Edney made the motion to close nominations. All voted in favor of closing nominations and the motion carried.*

The Board was polled with the following results.

|                |               |             |                |             |
|----------------|---------------|-------------|----------------|-------------|
| Tommy Thompson | Bill O'Connor | Mike Edney  | Charlie Messer | Larry Young |
| 1. Thompson    | 1. Thompson   | 1. Thompson | 1. Young       | 1. Young    |

*Having received the majority of votes of the Board, Tommy Thompson was appointed as Chairman of the Henderson County Board of Commissioners. The meeting was turned over to the Chairman.*

**ELECTION OF VICE-CHAIR**

*Chairman Thompson nominated William O'Connor for Vice-Chairman. There were no other nominations. Commissioner Edney made the motion to close nominations and accept the appointment of Bill O'Connor as Vice-Chairman by acclamation. All voted in favor and the motion carried.*

**PUBLIC HEARING**

**Public Hearing for the Closeout of the 2008 Scattered Site Housing Project Grant No. 08-C-1826**

DATE APPROVED: January 3, 2012

Parker Sloan stated before the final paperwork can be submitted on behalf of the 2008 Scattered Site Housing funds that were awarded by the N. C. Department of Commerce, Division of Community Investment & Assistance, Henderson County is required to hold a closeout public hearing to receive public comments concerning the grant prior to completion.

The Closeout Public Hearing Notice was published in the Hendersonville Tribune on Thursday, November 17, 2011, which is within the required time frame of publishing no fewer than 10 days before the scheduled hearing and no more than 25 days before the hearing.

Alicia Broadway, Program Administrator of Benchmark CMR, Inc., stated Henderson County was awarded \$400,000 of Community Development Block Grant Funds from the N.C. Department of Commerce, Division of Community Investment & Assistance in November of 2008 to provide full, comprehensive rehabilitation to seven (7) units with the County and to assist five (5) units with grants of up to \$5,000 each on behalf of low and moderate income (LMI) residents.

- Henderson County assisted seven (7) families with full, comprehensive rehabilitation with deferred, forgiven loans ranging from \$31,320 to \$55,533.38.
- Henderson County assisted five (5) families with emergency repaid grants of up to \$5,000 each.

#### Total Expenditures

##### Total Expenditures: Full Rehabilitation Units

| Budget Line Item | Budgeted Amount | Amount Expended | Amt. Returned to CI |
|------------------|-----------------|-----------------|---------------------|
| Administration   | \$36,000.00     | \$36,000.00     | \$0.00              |
| Planning         | \$4,350.00      | \$4,350.00      | \$0.00              |
| Rehabilitation   | \$333,844.00    | \$324,906.88    | \$8,937.12          |
| Totals           | \$374,194.00    | \$365,256.88    | \$8,937.12          |

##### Total Expenditures: Emergency Repair Units

| Budget Line Item | Budgeted Amount | Amount Expended | Amt. Returned to CI |
|------------------|-----------------|-----------------|---------------------|
| Administration   | \$2,556.00      | \$2,556.00      | \$0.00              |
| Rehabilitation   | \$23,250.00     | \$23,250.00     | \$0.00              |
| Totals           | \$25,806.00     | \$25,806.00     | \$0.00              |

#### Demographic Breakdown of Households:

- Elderly Head of Household = 8 families
- Disabled Head of Household= 4 families

#### Total Number of Person Assisted:

- Full Rehabs – 11 Persons (2 males and 9 females)
- Emergency Repairs – 9 Persons (4 males and 5 females)

- Disabled or Elderly Household Members: 12 families
- Large Family (5 or more permanent residents): 0
- Number of Caucasian Families: 12 families

#### Assistance Provided

- Full Rehabs – Interior and Exterior Repairs including siding, repaired foundations, installed new vents, upgraded insulation, repaired plumbing systems, electrical upgrades, new windows, new doors, new central heating and air units, repaired floors, replaced bath amenities, repaired and covered damaged flooring, added new exhaust fans (kitchen and bath(s), new cabinets, new roofs, and new ceiling vents.

- Emergency Repairs – Interior and exterior Repairs including upgraded insulation, repaired plumbing systems, electrical upgrades, new windows, new doors, new central heating and air units, repaired floors, replaced bath amenities, repaired and covered damaged flooring, added new exhaust fans (kitchen and bath(s), new cabinets, new roofs, and new ceiling vents.

#### Overall Results

- Total Full Rehabilitation Costs: \$324,906.88
- Total Emergency Repair Costs: \$ 25, 806.00
- Average Cost Per Full Rehab: \$ 42, 646.39
- Average Cost Per Emergency Repair: \$ 4, 314.20
- Total Expended: \$391,062.88

#### PUBLIC INPUT

There was none.

#### DISCUSSION/ADJUSTMENT OF AGENDA

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

#### INFORMAL PUBLIC COMMENT

1. Thomas Hill – Mr. Hill spoke in regard to rumors about a County Insurance payout for an alleged sexual harassment by Sheriff Rick Davis in the amount of \$300,000.00. He requested that the State bureau of Investigation be brought in and the information made public.
2. Joe Pirog – Mr. Pirog spoke in regards to the proposed Highland Lake Soccer Complex. He felt that more transparency was necessary and that an apology by the Board should be placed in the paper for how the proposal was handled.
3. Ed Joran – Mr. Joran spoke in regard to the soccer complex at the Flat Rock site. He shared the motion made by the Flat Rock council against the complex as it was not in harmony with the location.
4. Dennis Justice – Mr. Justice spoke in regard to the soccer complex. He felt the proposal was poorly conceived and rushed. He has spent twelve years trying to get official football fields which he feels could be resurfaced as artificial turf at less cost than the soccer complex.

#### CONSENT AGENDA

*Commissioner Messer made the motion to adopt the Consent Agenda minus item N – request to use the Courtroom by Board of Education. 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):

November 16, 2011 – regularly scheduled meeting

#### **Tax Collector's Report**

Deputy Tax Collector Carol McCraw had presented the Tax Collector's Report to the Commissioners dated November 23, 2011 for information only. No action was required.

#### **Financial Report/Cash Balance Report – October 2011**

The October 2011 County Financial Report/Cash Balance Report was provided for the Board's review and approval.

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

- Dues/Non-profit Contributions – 2<sup>nd</sup> quarter non-profit contribution payment to outside agencies

- Administrative Services – payout of former employee’s final pay during 1<sup>st</sup> quarter
- Emergency Management – payment for contracted services
- Rescue Squad – 2<sup>nd</sup> quarter non-profit contribution payment
- Property Addressing – payout of former employee’s final pay during 1<sup>st</sup> quarter
- Mental Health – Maintenance of Effort (MOE) funding payment made to Western Highlands in during the 1<sup>st</sup> quarter

The YTD deficit in the Capital Reserve Fund is the balance remaining from the original \$750,000 approved and allocated by the Board for Recreation Park Projects from fund balance in this Fund.

The YTD deficit in the Emergency Telephone System (911) Fund is due to the payment of annual debt service (\$106,235.53) on financing for the 911 system upgrade during the 1<sup>st</sup> quarter.

The YTD deficit in the Immigration and Customs Enforcement (ICE) Fund is due to contractor payments made in for the new ICE vehicle storage building and the purchase of equipment capital outlay. Also, Federal ICE revenues for October will not be received and posted until December.

The YTD deficit in the Mud Creek Grant Project Fund and the Facilities Lighting Retrofit Grant Project is due to the timing difference between the expenditure of grant funds and subsequent reimbursement from the state.

The YTD deficit in the Solid Waste Landfill Fund is due to expenditures made for the Solid Waste Capital Improvements Project. Fund balance of \$1,950,000 was appropriated to pay for project expenditures in FY2012.

Motion:

*I move that the Board of Commissioners approves the October 2011 County Financial Report and Cash Balance Report as presented.*

#### **Henderson County Public Schools Financial Reports – October 2011**

The Henderson County Public Schools October 2011 Financial Reports were provided for the Board’s information.

Motion:

*I move that the Board of Commissioners approves the Henderson County Public Schools October 2011 Financial Reports as presented.*

#### **Capital / Facilities Status Reports**

Internal Auditor Darlene Burgess had provided a status report to the Commissioners for activity during the month of September and October 2011 on Capital and Facilities projects.

#### **Construction Management Update**

David Berry had provided a monthly report as a review of the scope and status of assigned construction management responsibilities.

#### **Western Highlands Area Authority – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended June 30, 2011**

G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR provided in the agenda packet for Western Highlands Area Authority was received by the County Finance Officer on November 9, 2011.

Motion:

*I move that the Board of Commissioners approves the Western Highlands Area Authority Fiscal Monitoring Report for the quarter ended September 30, 2011.*

### **Request for Deputy Sheriff Position, House Bill 918**

Recently the North Carolina Legislature passed House Bill 918 which provided for an increase in the fee charged for civil paper service from \$15 to \$30. This increase became effective August 1, 2011. In addition, this law includes a stipulation that requires at least fifty percent (50%) of the revenue “shall be used by the County to ensure the timely service of process with the county, which may include the hiring of law enforcement personnel upon the recommendation of the Sheriff.” I recommend the currently generated revenue be allocated for the purpose of hiring an additional Deputy Sheriff, which will bring Henderson County into compliance with General Statute §7A-311(C).

All Sheriff Service Fees Received (August-October):

|                  | <u>2010</u>  | <u>2011</u>             |
|------------------|--------------|-------------------------|
| August           | \$ 9,876.15  | \$ 17,460.87            |
| September        | \$ 10,293.55 | \$ 15,992.00            |
| October          | \$ 9,593.75  | \$ 14,637.63            |
| Total            | \$ 29,763.45 | \$ 48,090.50            |
| One Year Average | \$119,053.80 | \$192,361.99 (estimate) |

Motion:

*I move the Board approves a position for an additional Deputy Sheriff, to be funded entirely through civil service fees. I further move the Board approves the Budget Amendment for this position as provided in the agenda.*

### **Proclamation – Hendersonville Symphony Orchestra Day**

The Board is requested to adopt the Proclamation provided in the agenda packet designating December 9, 2011 as Hendersonville Symphony Orchestra Day in Henderson County.

Motion:

*I move the Board adopts the Proclamation designating December 9, 2011 as Hendersonville Symphony Orchestra Day in Henderson County.*

### **Education History Initiative – Resolution**

Shannon Baldwin and Tom Orr have submitted a request, for the Board to support a Henderson County Education History Initiative. This initiative would preserve, through publication, the history of education in Henderson County. If the Board is supportive of such an initiative, the next steps would be to create a plan that would serve as the basis and guide for this initiative. The attached resolution outlines the general parameters for the plan development process. Following completion of the draft plan, Mr. Baldwin and Mr. Orr would seek input and further approval by the Board.

Motion:

*I move that the Board adopts the Resolution provided in support of the Henderson County Education History Initiative.*

### **ABC Store Distribution**

The State ABC Board recently initiated new regulations, including a minimum distribution to government units based on the number of bottles sold. For FY11, the Laurel Park ABC store did not meet that minimum distribution to Henderson County. The Laurel Park ABC Board of Directors is requesting that the County issue a waiver of that minimum distribution for FY11. This would be a one year only waiver as noted in the letter provided with the agenda.

**Motion:**

*I move the Board waives the requirements of a minimum distribution from the Laurel Park ABC Store for FY10-11, and authorize the Chair to sign the draft letter provided with the agenda.*

**Review of Public Officials' Bond**

Pursuant to N.C. Gen. Stat. §58-72-20 and the Board's Rules of Procedure, after the Chairman and Vice-Chairman have been elected, the next order of business at the Board's annual organizational meeting is the annual review and approval of the size and issuer of the bonds for county public officials.

The bond is to insure proper handling of cash and finances. The following are a listing the county officials required to be bonded and their current bond amounts:

| <b>PUBLIC OFFICIAL</b>  | <b>BOND AMOUNT</b> | <b>BOND COMPANY</b>      |
|---|--------------------|--------------------------|
| Richard W. Davis, Sheriff<br>(No new bond needed)               | \$25,000           | Fidelity and Deposit Co. |
| Nedra Whitlock Moles, Register of Deeds<br>(No new bond needed) | \$50,000           | Fidelity and Deposit Co. |
| Stan Duncan, Tax Collector (paid July 2011)                     | \$1,000,000        | Fidelity and Deposit Co. |
| Lee King, Deputy Tax Collector (paid July 2011)                 | \$250,000          | Fidelity and Deposit Co. |
| J. Carey McLelland, Finance Director (paid July 2011)           | \$200,000          | Fidelity and Deposit Co. |

The County Attorney has reviewed the previous year's bonds and reports to the Board that they appear to be valid and in order.

**Motion Suggested:**

*I move that the Board approves the public officials' bonds as proposed.*

**Request for use of Courtroom – Board of Education**

This item was pulled from the Consent Agenda.

**Notification of Vacancies**

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

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

**Nominations**

1. Animal Services Committee – 1 vac.

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

2. EMS Quality Management Committee – 2 vac.

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

3. Henderson County Historic Courthouse Corporation dba/Heritage Museum – 1 vac. (Chair appointment)

Commissioner Young nominated Karen Baker for position #10. *Chairman Thompson made the motion that the Board accepts the appointment of Karen Baker to position #10 by acclamation. All voted in favor and the motion carried.*

Commissioner O'Connor nominated Judy Abrell for reappointment as Chair. *Chairman Thompson made the motion that the Board accepts the appointment of Judy Abrell as Chair by*

*acclamation. All voted in favor and the motion carried.*

4. Henderson County Zoning Board of Adjustment – 5 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
5. Hendersonville City Zoning Board of Adjustment – 1 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
6. Historic Resources Commission – 2 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
7. Home and Community Care Block Grant Advisory Committee – 2 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
8. Juvenile Crime Prevention Council – 10 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
9. Laurel Park Zoning Board of Adjustment – 1 vac.  
There were no nominations at this time so 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 so this item was rolled to the next meeting.
11. Senior Volunteer Services Advisory Council – 2 vac.  
There were no nominations at this time so this item was rolled to the next meeting.
12. Travel & Tourism Committee – 3 vac. (Chair appointment)  
Commissioner Young nominated for reappointment Lee Yudin for position #1, Phyllis Rogers for position #3 and Chair, and Chris Burns for appointment to position #2. *Chairman Thompson made the motion that the Board accepts the reappointments of Lee Yudin to position #1, Phyllis Rogers to position #3, the appointment of Chris Burns to position #2, and the appointment of Phyllis Rogers as Chair by acclamation. All voted in favor and the motion carried.*
13. Western Highlands Local Management Entity – 1 vac.  
There were no nominations at this time so this item was rolled to the next meeting.

**REGISTER OF DEEDS – REQUEST TO USE ROD RESTRICTED FUNDS FOR AUTOMATION, ENHANCEMENT AND DOCUMENT PRESERVATION**

David Whitson stated the General Assembly enacted legislation in 2002 that required counties to place 10 percent of certain revenues generated by the Register of Deeds Office into a fund to pay for automation enhancements and document preservation. This fund is a portion of the County's Restricted General Fund Balance.

The Register of Deeds Office has recently had documents scanned, preparing to make them available on line. However, a number of those documents contain individual social security numbers, which the office wishes to redact prior to placing them on-line for viewing. In order to expedite this process, the Board is requested to approve the use of \$75,000 in available funding, to hire temporary staff to redact this information and make the documents ready for on-line viewing.

The Board requests that this project be substantially complete, with documents ready to place on-line, by March 30, 2012.

A budget amendment was provided for the Board's consideration to use the Register of Deeds Restricted

General Fund Balance to pay for the temporary employees.

*Commissioner Young made the motion that the Board of Commissioners approves the budget amendment to use \$75,000 in Register of Deeds Restricted General Fund Balance. All voted in favor and the motion carried.*

#### **HIGHLAND LAKE GOLF COURSE PURCHASE**

Media reports have noted that the Village of Flat Rock has determined not to allow a soccer complex to be built on the current Highland Lake Golf Course site. The option obtained by the County has, in the offer to purchase and contract provided in the agenda packet, the following condition:

There must be no restrictions, easements, zoning or other governmental regulations that would prevent the reasonable use of the Property for recreational or park purposes.

*Commissioner Edney made the motion that the Board terminates its option to purchase the property and not purchase the property. All voted in favor and the motion carried.*

A citizen, Mr. Jim Kingsbury thanked the Board for their vote to cancel the soccer complex.

#### **BREAK**

A 15 minute break was taken.

#### **RECONVENE**

Chairman Thompson called the meeting back to order.

#### **WASTEWATER TREATMENT STUDY ENGINEER SELECTION**

Steve Wyatt stated as directed by the Board during the September 21, 2011 meeting, Engineering Staff solicited engineering firms to perform a Wastewater Treatment Study to analyze the treatment options for the District. Two firms were identified by staff as most qualified, and at the Board of Commissioners November 16, 2011 meeting, the Board heard presentations from each of those firms.

The Board was requested to discuss the presentations, and to determine which firm to select to perform a Wastewater Treatment Study to analyze the treatment options for the District.

Staff has determined that, in its view, both firms are well-qualified for the work to be performed. Given the specific requirements of this job, and given very specific desires of the Board, it may be that the Board views one or the other of the firms as better suited for this particular job.

*Commissioner Young made the motion that the Board authorizes staff to attempt to negotiate with Davis & Floyd to conduct the District's Treatment study to specify the scope of the work and a fee for the work, and to bring the same back before this Board for final approval. If staff is unable to reach a tentative agreement with Davis & Floyd, staff is authorized to negotiate with Pirnie/Arcadis to specify the scope of the work and a fee for the work, and to bring the same back before this Board for final approval. The motion passed 4-1 with Commissioner O'Connor voting nay.*

#### **AGRICULTURE DEVELOPMENT & FARMLAND PRESERVATION (ADFP) GRANT**

Mark Williams, Executive Director of the Henderson County Agribusiness Development stated NCDA&CS has announced an appropriation of \$1.7 million for each of the next two fiscal years through the North Carolina Agricultural Development and Farmland Preservation (ADFP) Trust Fund. Grants can be awarded to secure agricultural conservation easements on lands used for agricultural production; to support public and private enterprise programs that promote profitable sustainable agricultural, horticultural and forestland activities; and for the development of agricultural plans. All applicants must be non-profit conservation organizations or county agencies. Farmers, landowners, and others interested in applying must partner with a



non-profit conservation organization or county agency.

The Henderson County Agri-Business Development Board has voted in favor of the County applying for a grant for "Agricultural Development". This type grant is restricted to programs that will promote profitable sustainable farms by assisting in developing and implementing plans for the production of food, fiber, and value-added products, agritourism activities, marketing and sales of agricultural products produced on the farm, and other agriculture-related business activities. Requests are limited to \$100,000 per application and as a Tier Three Enterprise County (as defined in G.S. 143B-437.08) with a NCDA&CS approved County Farmland Protection Plan a minimum match of 15% of the ADFP Trust Fund monies received is required. A Letter of Commitment from matching fund sources is also required.

The intent is to leverage grant funding for Agri-Business Development, primarily to be used for marketing efforts, including a campaign to promote buying of Henderson County grown products, branding, website development, advertisement and general funding for agribusiness development. Our request will be a maximum of \$100,000 with the exact amount to be determined during the application process. The 15% match requirement would total \$15,000 or less.

The commitment or match from the County can be satisfied from the \$134,289 already budgeted for Agri-Business Development in the 2011/2012 Economic Development account. The grant funding appropriations pay out may carry over into the next fiscal year, which would require a commitment of funds extending beyond the 2011/2012 budget cycle.

*Commissioner Messer made the motion that the Board authorizes Agri-Business Development, as a County department, to make application for the ADFP grant, not to exceed \$100,000. I further move the Board authorize the Chairman to execute a Letter of Commitment for the match funding, using funds already available in the FY12 budget. The motion passed 4-1 with Commissioner O'Connor voting nay.*

#### **STAFF REPORTS**

Steve Wyatt reminded the Board of the Pearl Harbor Event being held in the meeting room on Wednesday, December 7, 2011 at 11:00 a.m. This will be the 70<sup>th</sup> anniversary of the attack on Pearl Harbor.

#### **IMPORTANT DATES**

##### **Reschedule December 21, 2011 Regularly Scheduled Meeting**

The Board is requested to reschedule the December 21, 2011 Board meeting, to be held on Monday, December 12, 2011 at 5:30 p.m.

*Commissioner Thompson made the motion that the Board reschedules the December 21, 2011 Board meeting, to be held on Monday, December 12, 2011 at 5:30 p.m. All voted in favor and the motion carried.*

##### **Request to set three public hearings to consider economic development incentives**

The Board is requested to set three public hearings on economic development incentives. The public hearings would involve the following companies:

- 1) Cane Creek Cycling Components, Inc.
- 2) Putsch & Company, Inc.
- 3) "Project 300 Company" (the company desires anonymity at this time, due to competitive pressures)

*Commissioner O'Connor made the motion that the Board set three public hearings on economic development incentives for Cane Creek Cycling Components, Inc., Putsch & Company, Inc., and "Project 300 Company" for Monday, December 12, 2011 at 5:30 p.m. All voted in favor and the motion carried.*

#### **CLOSED SESSION**

*Commissioner O'Connor made the motion for the Board to go into closed session as allowed pursuant to*

*NCGS 143-318.11 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 the area served by the public body.
2. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(6), To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

*All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner Messer made the motion to go out of closed session at 9:30 p.m. All voted in favor and the motion carried.*

*Commissioner O'Connor made the motion to adjourn at 9:30 p.m. All voted in favor and the motion carried.*

Attest:

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Teresa L. Wilson, Clerk to the Board

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Thomas H. Thompson, Chairman

# HENDERSON COUNTY BOARD OF COMMISSIONERS

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THOMAS THOMPSON  
Chairman  
BILL O'CONNOR  
Vice-Chairman

CHARLIE MESSER  
LARRY YOUNG  
J. MICHAEL EDNEY

## Resolution Supporting the Henderson County Education History Initiative

- WHEREAS,** the *Henderson County Board of Commissioners* believes there exists a need to launch a Henderson County Education History Initiative (HCEHI) to methodically collect, organize, and synthesize all known information about the education movement in Henderson County so that an accurate history can be created and made available in an accessible form for present and future generations; and
- WHEREAS,** a *Strategic Plan* (a formal decision making guide with clearly defined goals, objectives, and strategies used to assemble and allocate resources toward collecting, organizing, and synthesizing all known information about the education movement in Henderson County) needs to be created and implemented; and
- WHEREAS,** a *Steering Committee* (a committee appointed by the Henderson County Board of Education, Henderson County Education Foundation, Henderson County Board of Commissioners comprised of key stakeholders and strategic partners commissioned to create a strategic plan) needs to be appointed to oversee the development of this strategic plan for the HCEHI; and
- WHEREAS,** *Key Stakeholders* (persons or groups with a significant interest in collecting, organizing, and synthesizing all known information about the education movement in Henderson County) need to be identified and contacted regarding their participation in the HCEHI; and
- WHEREAS,** *Strategic Partners* (persons or groups with access to resources that can be allocated for collecting, organizing, and synthesizing all known information about the education movement in Henderson County) need to be identified and contacted regarding their willingness to participate in the HCEHI; and
- WHEREAS,** **Tom Orr** has expressed deep and sincere interest in the HCEHI, will outline a more detailed plan in accordance with above, and will submit said plan for board approval;

**NOW, THEREFORE, BE IT RESOLVED,** that we, the Henderson County Board of Commissioners, officially commission Tom Orr to secure support and assemble the necessary ways and means to facilitate the next stages of the Henderson County Education History Initiative.

Adopted this 5<sup>th</sup> day of December, 2011.

ATTEST:

  
  
TERESA L. WILSON, CLERK TO THE BOARD

  
THOMAS H. THOMPSON, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

# HENDERSON COUNTY BOARD OF COMMISSIONERS

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THOMAS THOMPSON  
Chairman  
BILL O'CONNOR  
Vice-Chairman

CHARLIE MESSER  
LARRY YOUNG  
J. MICHAEL EDNEY

## PROCLAMATION

**WHEREAS**, the 2011/2012 season marks the 40<sup>th</sup> Anniversary of the Hendersonville Symphony Orchestra founded in April, 1971. The first concert was held in December, 1971 with James Stokes conducting; and

**WHEREAS**, the Hendersonville Symphony mission is "To enrich the community with live symphonic performances and instrumental music education for youth and adults"; and

**WHEREAS**, the Hendersonville Symphony, started by Chauncey "Chan" Harbour, has made significant contributions to the community in the form of performance opportunities, scholarships, musical enrichment and education programs; and

**WHEREAS**, in 1978 the Hendersonville Symphony founded and funded the first strings program in the Henderson County School System ; and

**WHEREAS**, in 1982, the Hendersonville Symphony founded the Hendersonville Symphony Youth Orchestra; and

**WHEREAS**, in 1995, the Hendersonville Symphony began performing annual school concerts for all 3<sup>rd</sup> and 6<sup>th</sup> graders to introduce symphonic music into the educational curriculum; and

**WHEREAS**, the Hendersonville Symphony will, with the support of our community, continue to grow in excellence in music, education, and enriching the lives of the residents of Henderson County for the next 40 years and beyond;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Henderson County Board of Commissioners, do hereby proclaim December 9, 2011 as "**Hendersonville Symphony Orchestra Day**" in Henderson County.

**FURTHERMORE**, in recognition of their outstanding musical and educational outreach, and in testimony of the high regard in which this Symphony is held in our community, we ask all citizens to join us in congratulating the Hendersonville Symphony Orchestra for 40 years of service.

Adopted this 5<sup>th</sup> day of December, 2011.



THOMAS THOMPSON, CHAIRMAN

HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



**Department:** Sheriff

*Please make the following line-item transfers:*

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

| Account       | Line-Item Description | Amount   |
|---------------|-----------------------|----------|
| 115431-512100 | Salaries and Wages    | \$16,600 |
| 115431-513500 | 401K Deferred Comp    | \$1,162  |
| 115431-518000 | FICA                  | \$1,270  |
| 115431-518200 | Retirement - LEOBRS   | \$1,220  |
| 115431-518300 | Medical Insurance     | \$4,560  |
| 115431-518400 | Dental Insurance      | \$243    |
|               |                       |          |
|               |                       |          |

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

| Account       | Line-Item Description | Amount   |
|---------------|-----------------------|----------|
| 114431-473002 | Officer Fees          | \$25,055 |
|               |                       |          |
|               |                       |          |
|               |                       |          |
|               |                       |          |
|               |                       |          |
|               |                       |          |
|               |                       |          |

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

New position approved by the Board of Commissioners 12.5.2011 to bring Henderson County into compliance with General Statute §7A-311(C). Funded through new civil process fees approved by House Bill 918.

Sheriff Rick Davis  
Authorized by Department Head

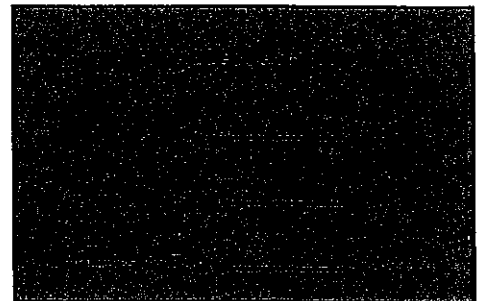
12/5/2011  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



**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 - 512600</u> | <u>S&amp;W - Temporary/Part Time</u> | <u>\$ 69,262</u> |
| <u>115418 - 513800</u> | <u>FICA</u>                          | <u>\$ 5,738</u>  |
| <u> </u>               | <u> </u>                             | <u> </u>         |
| <u> </u>               | <u> </u>                             | <u> </u>         |
| <u> </u>               | <u> </u>                             | <u> </u>         |

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

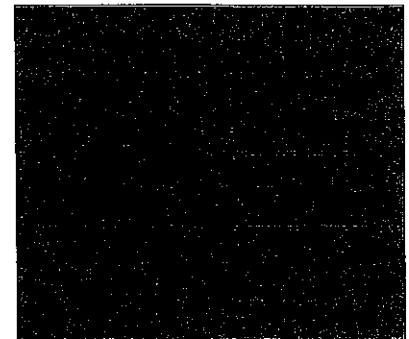
| Account                | Line-Item Description                   | Amount           |
|------------------------|---|------------------|
| <u>114990 - 401000</u> | <u>Fund Balance Approp-ROD Restrict</u> | <u>\$ 75,000</u> |
| <u> </u>               | <u> </u>                                | <u> </u>         |
| <u> </u>               | <u> </u>                                | <u> </u>         |
| <u> </u>               | <u> </u>                                | <u> </u>         |

Justification: *Please provide a brief justification for this line-item transfer request.*  
 AEPF funds to pay for temporary staff and associated benefits. Approved by the BOC 12.5.11

Register of Deeds 12/5/11  
 Authorized by Department Head Date

     
 Authorized by Budget Office Date

     
 Authorized by County Manager Date



# HENDERSON COUNTY TAX DEPARTMENT

**Collector's Office**  
200 North Grove Street  
Suite 66  
Hendersonville, NC 28792

Phone: 828/697-5595  
Fax: 828/698-6153

[www.hendersoncountync.org/tc/](http://www.hendersoncountync.org/tc/)

Stan C. Duncan  
County Assessor & Tax Collector

Sandy Allison  
Administrative Assistant II

November 23, 2011

Re: Tax Collector's Report to Commissioners – 12/05/11 Meeting

Please find outlined below collections information through November 19th for the 2011 bills, which were mailed out on August 19<sup>th</sup>, 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:

2011 Total Charge     \$57,592,768.65  
Payments & Releases: 26,987,238.99  
Unpaid Taxes:         30,605,529.66  
**Percentage Collected: 46.86%**  
(through 11/19/11)

2010 Total Charge:     \$57,489,131.02  
Payments & Releases: 27,129,473.79  
Unpaid Taxes:         30,359,657.23  
**Percentage Collected: 47.19%**  
(through 11/19/10)

### Motor Vehicle Bills G01 Only:

2011 Total Charge:     \$2,168,430.87  
Payments & Releases: 1,553,117.75  
Unpaid Taxes:         615,313.12  
**Percentage Collected: 71.62%**  
(through 11/19/11)


2010 Total Charge:     \$2,016,811.71  
Payments & Releases: 1,485,921.64  
Unpaid Taxes:         530,890.07  
**Percentage Collected: 73.68%**  
(through 11/19/10)

### Fire Districts All Bills:

2011 Total Charge:     \$6,598,320.56  
Payments & Releases: 3,346,089.08  
Unpaid Taxes:         3,252,231.48  
**Percentage Collected: 52.60%**  
(through 11/19/11)

2010 Total Charge:     \$6,480,203.00  
Payments & Releases: 3,298,396.69  
Unpaid Taxes:         3,181,806.31  
**Percentage Collected: 52.70%**  
(through 11/19/10)

Respectfully submitted,

  
Carol McCraw,  
Deputy Tax Collector

Stan C. Duncan,  
Tax Collector

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite #1  
Hendersonville, NC 28792

Phone (828) 697-4808 • Fax (828) 698-4443

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

THOMAS THOMPSON  
Chairman  
BILL O'CONNOR  
Vice-Chairman

CHARLIE MESSER  
LARRY YOUNG  
J. MICHAEL EDNEY

December 5, 2011

Town of Laurel Park ABC Board  
Attn: Michael Hodes  
1709 Brevard Road  
Laurel Park, NC 29739

Re: ABC Store Distribution

Chairman Hodes,

With respect to the minimum contribution set forth by NCGS 18B-805, the Board of Commissioners hereby authorizes a waiver to the requirements of a minimum distribution from the Laurel Park ABC Store for FY 10-11.

As this is a one-year only waiver, the County looks forward to resuming regular distributions for FY 11-12.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Thompson". The signature is written in black ink and is positioned above the typed name and title.

Thomas Thompson  
Chairman, Board of Commissioners



# HENDERSON COUNTY BOARD OF COMMISSIONERS

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THOMAS THOMPSON  
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WILLIAM O'CONNOR  
Vice-Chairman

CHARLIE MESSER  
LARRY YOUNG  
J. MICHAEL EDNEY

December 5, 2011

NCDA&CS  
NC ADFP Trust Fund  
2 W. Edenton Street  
Raleigh, NC 27601

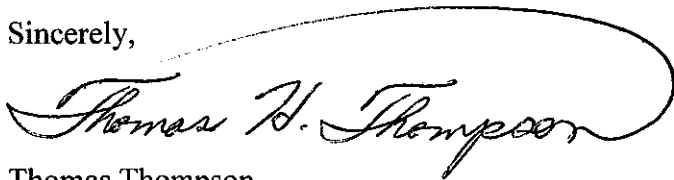
Re: Letter of Commitment, Agriculture Development and Farmland Preservation Grant

To whom it may concern,

Please accept this Letter of Commitment from Henderson County for the required 15% local government match on the Agriculture Development and Farmland Preservation Grant. The Board of Commissioners is in support of this application for Agricultural Development, and at their meeting on December 5, 2011 committed to a minimum 15% or \$15,000 match for this request, with the understanding that the ADFP grant request would not exceed \$100,000.

Our commitment to the development of agribusiness is further demonstrated by our creation of a county Agribusiness Development department and overall funding of \$134,289 for agriculture economic development in the 2012 budget. Funding from the ADFP grant, if awarded, would significantly benefit our efforts in this specific project and for continued agricultural development and farmland preservation.

Sincerely,



Thomas Thompson  
Chairman, Henderson County Board of Commissioners

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone: 828-697-4808 • Fax: 828-692-9855  
TDD: 828-697-4580  
www.hendersoncountync.org

THOMAS H. THOMPSON  
Chairman  
WILLIAM O'CONNOR  
Vice-Chairman

CHARLIE MESSER  
LARRY YOUNG  
J. MICHAEL EDNEY

December 6, 2011


Course Doctor's Inc.  
34 Highland Golf Drive  
Flat Rock, NC 28731

Gentlemen:

This letter is to notify you that at the County Commissioners meeting on Monday, December 5, 2011, the Board voted unanimously not to exercise the option to purchase the Highland Lake Golf Course. This is so given the Village of Flat Rock's indication that it would not grant zoning approval as necessary for the operation of a park on that site.

This will conclude this transaction.

Sincerely,

A handwritten signature in cursive script that reads "Thomas H. Thompson". The signature is written in black ink and is positioned above the printed name and title.

Thomas H. Thompson, Chairman  
Henderson County Board of Commissioners

THT/tlw