

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MARCH 1, 2010**

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

Those present were: Chairman Bill Moyer, Vice-Chairman Mark Williams, Commissioner Chuck McGrady, Commissioner Charlie Messer, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, Clerk to the Board Teresa L. Wilson, and Attorney Russ Burrell.

Also present were: Associate County Attorney Sarah Zambon, Public Information Officer Christy DeStefano, Finance Director J. Carey McLelland, County Engineer Marcus Jones, Planning Director Anthony Starr, Captain Greg Cochran, Planner Autumn Radcliff, Planner Matt Cable, Code Enforcement Director Toby Linville, Construction Manager David Berry, Budget Analyst Amy Brantley, officers David Pearce, Daniel Lindsey, Mike Pepper, Ken McCraw, Steve Geyer, Richard Tatham, and Alan McCrary (as security).

Absent was: Commissioner Larry Young.

CALL TO ORDER/WELCOME

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Eagle Scout Brandon Nix of Scout Troup #611.

RESOLUTION OF APPRECIATION

The Board of Commissioners presented Eagle Scout Brandon Nix a Resolution of Appreciation. A copy of the resolution is hereby attached and incorporated as part of the minutes.

INVOCATION

Rabbi Phillip Bentley gave the invocation.

PUBLIC INPUT

Chairman Moyer noted that Commissioner Larry Young was absent due to medical procedures and time for healing. He contemplates returning for the April meeting.

Chairman Moyer stated that public input time is usually 15 minutes with people limited to 3 minutes to speak with respect to whatever is on their mind. The item that most speakers have signed up for tonight is "Prayer" which the Board takes very seriously and would like to try to present a forum where everyone has a chance to speak at the same meeting getting all views out and allowing the Board consideration of how to move forward on this issue. Since so many people had signed up to speak, Chairman Moyer suggested scheduling a special meeting designated specifically for public input and petitions in regards to prayer. This item was not on the agenda for this meeting. It was the consensus of the Board to set a date for the special meeting at the April 5, 2010 meeting. Chairman Moyer felt that once advertised a larger space would have to be utilized, possibly a school auditorium or Blue Ridge Community College.

Two citizens had signed up for public input unrelated to "prayer" and were allowed to speak.

1. Fielding Lucas – Mr. Lucas spoke in regards to a vacancy on the Hospital Corporation Board of Directors. He feels since Chairman Lapsley has taken over the Board, two dramatic changes have

DATE APPROVED: April 5, 2010

occurred; the Agenda now formally provides an opportunity for public input at the Board meeting, and Closed Session has now been moved from the beginning of the meeting to the end, saving citizens from waiting for Closed Session to end. Mr. Lucas feels that 2010 will be a momentous year for the hospital. The three-year contract of the CEO Chris Hose expires in early August which means that the Board must face the challenge of getting a renewal or finding a successor.

Regardless of how you feel about the current issue of healthcare, there is an eleven page document floating around with information about the Obama Health Plan. It is an incredibly complex document with a tremendous amount of material and Mr. Lucas urged the Board to read it. Mr. Lucas stated he has an application on file for the Hospital Corporation Board of Directors and he has almost fifteen years experience in healthcare. He asked the Board to consider appointing him to the vacant position. He does not feel this is the appropriate time to appoint someone who would be a board member in training.

2. Dan Kealy – Mr. Kealy spoke in regards to school nurses. He is a guidance counselor at Hendersonville High School. Mr. Kealy was thankful for the increase of funding for school nurses during the last fiscal year. Prior to the increase of funding the nurse for Hendersonville High School was spread between seven schools. Now her responsibility is between three schools which means she is at Hendersonville High School four days instead of two days. He asked the Board to consider increasing funding for school nurses again.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Moyer requested the addition of approval of the construction contract for North Henderson High/Apple Valley Middle and piping projects as item A of Discussion.

Commissioner McGrady made the motion to adopt the agenda with the addition as requested. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner McGrady requested the February 1, 2010 minutes be pulled from the Consent Agenda.

Commissioner Williams made the motion to approve the Consent Agenda minus the February 1, 2010 minutes. 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 meetings(s):

January 28, 2010 – Special Called Meeting

February 17, 2010 – Special Called Meeting

Tax Collector’s Report

Deputy Tax Collector Carol McCraw had presented the Tax Collector’s Report to the Commissioners dated February 22, 2010 for information only. No action was required.

Tax Refund

A list of 13 refund requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Refund Report as presented.

Tax Releases

A list of 24 tax release requests was presented for the Board of Commissioners review and approval.

Suggested Motion:

I move the Board approves the Tax Release Report as presented.

Financial Report/ Cash Balance Report – January 2010

Provided were the Henderson County Financial Report/Cash Report for January 2010.

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

- Dues/Non-Profit Contributions – 3rd quarter FY2010 non-profit contribution paid as of 1/31/10
- Fire Marshal – worker’s compensation premium/fire district(s) contracts and annual communications maintenance contract for fire services paid during first half of FY2010
- Rescue Squad – 3rd quarter FY2010 non-profit contribution paid as of 1/31/10

The YTD deficit in the Travel and Tourism Fund is mostly the result of lower occupancy tax collections due to the current local economy, reduced room rates being offered for stays and travel effects from the I-40 landslide shutdown.

The Emergency 911 Communications Fund YTD deficit of \$28,169 is due to the budgeted capital expenditure of funds for the scheduled replacement of Computer-aided Dispatch (CAD) servers in the 911 Center. These expenditures are paid entirely from 911 telephone surcharge fees.

The YTD deficit in the CDBG – 2008 Scattered Site Housing Project Grant Fund and the CDBG – Warm Company Project Grant Fund is due to the timing difference between the expenditure of grant funds and subsequent reimbursement from the state.

The YTD deficit of \$8,595 in the Edneyville Park Project is recreation equipment purchased and additional soccer field work required by the state that will be reimbursed from the State PARTF Grant. This grant has been extended for six months until May 1st to complete the additional field work.

The YTD deficit in the BRCC Facilities Repairs and Renovations Project Fund are expenditures that will be reimbursed from future FY2010 financing proceeds.

Suggested Motion:

I move that the Board of Commissioners approve the January 2010 County Financial Report and Cash Balance Report as presented. Henderson County Public Schools Financial Reports – January 2010.

Provided were the Henderson County Public Schools January 2010 Financial Reports for the Board’s information. Staff requested that the Board consider approving the School System’s January 2010 Financial Reports as presented.

Suggested Motion:

I move that the Board of Commissioners approve the Henderson County Public Schools January 2010 Financial Reports as presented.

Henderson County Public Schools Financial Reports – January 2010

Provided were the Henderson County Public Schools January 2010 Financial Reports for the Board’s information. Staff requested that the Board consider approving the School System’s January 2010 Financial Reports as presented.

Suggested Motion:

I move that the Board of Commissioners approve the Henderson County Public Schools January 2010 Financial Reports as presented.

Resolutions – Recovery Zone Bonds (RZEDBs) Financing and Refinancing of Prior Financing Contracts

The Board approved a resolution in December 2009 which authorized Staff to make an application for an allocation of Recovery Zone Economic Development Bonds (RZEDBs), a financing mechanism out of the American Recovery and Reinvestment Act (ARRA), for issuance to fund \$2 million in repair and renovation projects at Blue Ridge Community College and \$1,925,000 for public school system repair and renovation projects. RZEDBs are taxable bonds that have a 45 percent interest subsidy/repayment to the issuer by the federal government.

Subsequent to this initial allocation request, notification was sent out by the N.C. Department of Commerce in January 2010 that over \$298 million of unallocated RZEDBs were available for local governments to request an additional allocation, if needed. Staff responded and requested an additional allocation to fund the Apple Valley Middle School/North High School Classroom Building Project in case this funding mechanism could be utilized. Approval of this additional allocation request is currently pending.

Also, due to a currently favorable debt market, Staff has been working with our financial advisor on the possible refunding/refinancing of the County's outstanding 2001 Certificates of Participation (COPs) and several other privately placed bank installment financing contracts. Potential annual debt service savings are currently at a favorable level that is acceptable by the Local Government Commission.

Staff is presenting to the Board a required resolution prepared by our bond counsel to start the RZED bond issuance process for financing the projects mentioned and potentially refinancing some of the County's prior financing contracts. The resolution has been drafted by bond counsel such that depending on the debt market and savings at the time of contract execution, anticipated to be in the month of May, the County can make a decision as to whether to combine the RZED bond financing with the refinancing of prior financing contracts or not.

The resolution makes the necessary findings for issuing the bonds and refinancing prior financing contracts while authorizing the negotiation of an installment financing contract and certain other related matters including the filing of an application with the Local Government Commission for approval. The resolution also calls for a required public hearing on the proposed financing to be held on the Board's April 5, 2010 meeting at 7:00 p.m. and directs Staff to cause a notice of the public hearing to be published in the local newspaper.

Staff will be requesting proposals from financial institutions for the RZED bond financing and will provide to the Board as soon as they are received along with potential savings from refinancing prior financing contracts for discussion at the next meeting or at the public hearing.

It would be appropriate for the Board to approve the resolution drafted by bond counsel at today's meeting which will authorize the necessary actions to be taken to move forward with the RZED bond financing and the potential refinancing of prior financing contracts and set a required public hearing for the Board's April 5, 2010 meeting at 7:00 p.m.

Suggested Motion:

I move the approval of the Resolution of the Board of Commissioners of the County of Henderson, North Carolina, authorizing the negotiation of an installment financing contract and providing for certain other related matters thereto which includes the setting of a public hearing on the proposed financing for the Board's April 5th meeting at 7:00 p.m.

Resolution – Qualified Zone Academy Bonds (QZABs) Financing for School Repair and Renovation Projects

The Board of Commissioner's funding plan for school capital projects in the current fiscal year includes the issuance of Qualified Zone Academy Bonds (QZABs) to finance repair and renovation projects at multiple school facilities. The County and the public schools made applications to the N.C. Department of Public Instruction in July 2009 for QZAB funds to finance the various projects. The State Board of Education has approved the applications and has authorized the issuance of \$1,807,500 million in QZABs for school renovation and repair projects. This financing will provide the remaining funds necessary to complete the \$4 million in school repair and renovation projects approved for funding by the Board of Commissioners in the current fiscal year.

Staff is presenting to the Board a required resolution prepared by our bond counsel to start the QZAB issuance process for financing the school projects. The resolution makes the necessary findings for issuing the bonds and authorizes the negotiation of an installment financing contract and certain other related matters including the filing of an application with the Local Government Commission for approval.

The resolution also calls for a required public hearing on the proposed financing to be held on the Board's April 5, 2010 meeting date at 7:00 p.m. and directs Staff to cause a notice of the public hearing to be published in the local newspaper.

Staff will be requesting proposals from financial institutions for the QZAB financing and will provide to the Board as soon as they are received for discussion at the next meeting or at the public hearing.

It would be appropriate for the Board to approve the resolution drafted by bond counsel at today's meeting which will authorize the necessary actions to be taken to move forward with the QZAB financing and set a required public hearing for the Board's April 5, 2010 meeting at 7:00 p.m.

Suggested Motion:

I move the approval of the Resolution of the Board of Commissioners of the County of Henderson, North Carolina, authorizing the negotiation of an installment financing contract and providing for certain other related matters thereto which includes the setting of a public hearing on the proposed financing for the Board's April 5th meeting at 7:00 p.m.

Construction Management Update

Construction Manager David H. Berry & Associates, LLC provided a monthly status report to the Commissioners for Henderson County facilities.

Capital / Facilities Status Reports

Internal Auditor Darlene Burgess had provided a status report to the Commissioners for the period ended January 2010 on Capital and Facilities projects.

Soil Erosion and Sedimentation Control Update

Natalie Berry PE, Assistant County Engineer, provided the Board with a update on the status of the Soil Erosion and Sedimentation Control Division.

The erosion control division has:

- November 2009 – 2 plans
- December 2009 – 0 plans
- January 2010 – 0 plans
- February 2010 – 0 plans

Note: Land Disturbance \geq 1 acre.

Amount of Land Disturbance

- 12.00 acres
- Revenues - \$4,800.00

Sketch plans processed

- November 2009 – 29 sketches
- December 2009 – 22 sketches
- January 2010 – 25 sketches
- February 2010 – 53 sketches

Note: Land Disturbance \leq one acre.

Revenue - \$1,290.00

Complaints received:

- November 2009 – 8 complaints
- December 2009 – 14 complaints
- January 2010 – 23 complaints
- February 2010 – 6 complaints

EPA Source Reduction Grant

A grant application was submitted on February 4, 2010 to the Environmental Protection Agency. The grant application requests \$20,000 for a debagger for the proposed material recovery facility. The proposed budget for the material recovery facility greatly exceeds all match requirements. In the event that the application is approved, the contract will be brought back to the Board of Commissioners for consideration.

No specific Board action is requested. This item is for informational purposes only.

2010 Community Waste Reduction and Recycling Grant

The subject grant application is for the North Carolina Division of Pollution Prevention and Environmental Assistance and with Board approval will be submitted by the March 26, 2010 deadline. This \$40,000 grant application is for a skid steer and fork truck to be used in the proposed material recovery facility. The proposed budget for the material recovery facility greatly exceeds all match requirements. In the event that the application is approved, the contract will be brought back to the BOC for consideration.

Suggested Motion:

I move that the Board approve the attached 2010 Community Reduction and Recycling Grant to the Division of Pollution Prevention and Environmental Assistance for \$40,000.

Public Records Disposal Request

Staff requested approval from the Board of Commissioners to destroy the list of records provided on the Public Records Disposal Request and Destruction Log in accordance with the County's Records Retention Policy located under Tab 14 of the Henderson county Administrative Manual and the provisions of N.C.G.S. 121 and 132 as the period for retention of these records has expired.

Suggested Motion:

I move that the Board approves the Public Records Disposal Request and Destruction Log as submitted by Building Services.

Consolidated Contract Agreement with the NC Department of Health and Human Services

Each year, as part of the normal budgetary process, in order to keep the funding cycles without disruption of federal and state funds, the Consolidated Agreement with the NC Department of Health and Human Services is signed ahead of the final county budget. It is understood by the State Division of Public Health and the Henderson County Department of Public Health that the local budgets are still being negotiated and will be finalized at a later date. It is also understood that program service levels and funding support can be renegotiated as necessary. This agreement contains items that include:

- Business Associate Agreement re: HIPAA compliance
- Assurance of Compliance with Title VI, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments, and the Age Discrimination Act
- Four Certification Forms re: Lobbying, Drug-Free Work Place and Environmental Tobacco Smoke, and Certification Regarding Debarment, Suspension, Ineligible and Voluntary Exclusion – Lower Tier Covered Transactions
- Agreement Addenda
- Maintenance of Effort (MOE) Report for WCH Programs
- Public health Nurse Training Funds Reimbursement Request

Suggested Motion:

I move that the Consolidated Contract Agreement for Fiscal Year 2011 between the NC Department of Health and Human Services and the Henderson County Department of Public Health be approved with the understanding that program service levels and funding support can be renegotiated when necessary.

Sidearm Request – To the family of Sergeant John Russell

The Henderson county Sheriff’s Office requests that the service sidearm of Sergeant John Russell, Who recently passed away while employed with the Sheriff’s Department, be presented to his family.

Sergeant Russell was an exemplary law enforcement officer as well as employee. He began his career as a Tele-communicator on August 4, 1986. On August 28, 2989 he was sworn in as a Deputy Sheriff and filled a patrol position. Sergeant Russell reached the position of Lieutenant on March 6, 1995. The Sheriff’s Office requests that to honor him and his exemplary service to the agency, Henderson County and the citizens of the community, they be allowed to present to his family the service firearm that he carried while on duty.

Sergeant Russell’s service to the people of Henderson County is greatly appreciated and will be remembered.

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

Suggested Motion:

I move the Board allows Sheriff Rick Davis and the Henderson County Sheriff’s Office to present the service sidearm of Sergeant John Russell to his family.

Spring 2010 Litter Sweep Resolution

The Spring 2010 LITTER SWEEP roadside cleanup, organized by the NC Department of Transportation, will be taking place April 17th through May 1st, 2010. Henderson County encourages citizens in Henderson County to take an active role in making our community cleaner through participating in local litter sweep activities.

Suggested Motion:

I move that the Board adopts the Resolution provided designating April 17, 2010 – May 1, 2010 as LITTER SWEEP time in Henderson County.

Western Highlands Area Authority – Quarterly Fiscal Monitoring Report (FMR) for the period ended December 31, 2009

G.S. 122C-117(c) required 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 provided FMR for Western Highlands Area Authority was received by the County Finance Officer on February 23, 2010.

Suggested Motion:

I move that the Board of Commissioners approves the Western Highlands Area Authority Fiscal Monitoring Report for the period ended December 31, 2009.

NOMINATIONS

Notification of Vacancies

The Board was notified of the following vacancies which will appear on the next agenda for nominations:

1. **EMS Quality Management Committee – 1 vac.**
2. **Fletcher Zoning Board of Adjustment – 1 vac.**
3. **Hospital Corporation Board of Directors – 1 vac.**
4. **Juvenile Crime Prevention Council - 1 vac.**
5. **Solid Waste Advisory Committee (SWAC) – 1 vac.**

Nominations

Chairman Moyer opened the floor to nominations:

1. **Agriculture Advisory Board – 1 vac.**

Commissioner Williams nominated Kenneth Allison for reappointment to position #1. *Chairman Moyer made the motion to accept the reappointment of Kenneth Allison by acclamation. All voted in favor and the motion carried.*

2. **Animal Services Committee – 2 vac.**

Commissioner McGrady nominated Catherine Beall for reappointment to position #5. *Chairman Moyer made the motion to accept the reappointment of Catherine Beall by acclamation. All voted in favor and the motion carried.*

3. **CJPP (Criminal Justice Partnership Program) - 2 vac.**

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

4. **Community Child Protection Team (CCPT) – 1 vac.**

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

5. **Downtown Hendersonville Inc. – 1 vac.**

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

6. **Equalization and Review, Henderson County Board of – 5 vac.**

Commissioner McGrady nominated for reappointment Steve Dozier to position #2, John Porter to position #4 and Marguerite Harris to position #8. *Chairman Moyer made the motion to accept the reappointments by acclamation. All voted in favor and the motion carried.*

7. **Fire and Rescue Advisory Committee – 1 vac.**

Commissioner Williams nominated Robert Wayne Dotson for reappointment to position #7 with term expiration change to August from February of each year. *Chairman Moyer made the motion to accept the reappointment of Robert Wayne Dotson by acclamation. All voted in favor and the motion carried.*

8. **Henderson County Transportation Advisory Committee – 1 vac. and Chair appt.**

Commissioner McGrady nominated Jim Crafton for Chair of the Henderson County Transportation Advisory Committee. *Chairman Moyer made the motion to accept the appointment of Jim Crafton as Chair by acclamation. All voted in favor and the motion carried.*

9. **Home and Community Care Block Grant Advisory Committee – 2 vac.**

Commissioner McGrady nominated Robert Field for position #1. *Chairman Moyer made the motion to accept the appointment of Robert Field to position #1 by acclamation. All voted in favor and the motion carried.*

10. Industrial Facilities and Pollution Control Financing Authority – 1 vac.

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

11. Juvenile Crime Prevention Council – 9 vac.

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

12. Nursing / Adult Care Home Community Advisory Committee – 1 vac. and Chair appt.

Commissioner McGrady nominated Carol Lackey for appointment to position #22. *Chairman Moyer made the motion to accept the appointment of Carol Lackey to position #22 by acclamation. All voted in favor and the motion carried.* Commissioner McGrady nominated Julianne Kilcullen as Chair of the Nursing/Adult Care Home Community Advisory Committee. *Chairman Moyer made the motion to accept the appointment of Julianne Kilcullen as Chair by acclamation. All voted in favor and the motion carried.*

13. Recreation Advisory Board – 3 vac.

Commissioner Messer nominated for reappointment Roy Huntley for position #1, Jeffrey Donaldson for position #6 and Corum Smith for position #7. Commissioner McGrady nominated Jim Goodwin for position #1. Position #1 will be rolled to the next meeting. *Chairman Moyer made the motion to accept the reappointments of Jeffrey Donaldson to position #6 and Corum Smith to position #7 by acclamation. All voted in favor and the motion carried.*

14. Senior Volunteer Services Advisory Council – 3 vac.

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

Chairman Moyer noted the Board plans to cancel the mid-month March meeting and asked if the Board could see any extenuating reason to suspend the rules and make appointments to the vacancy report list. The JCPC Council has worked feverishly to fill position #12, person under 18, and the Chair of JCPC had requested appointment of Nicholas Knable. This would be the only appointment necessary for suspending the rules.

- **Juvenile Crime Prevention Council – 1 vac.**

Chairman Moyer nominated Nicholas Knable for appointment to position #12. *Chairman Moyer made the motion to accept the appointment of Nicholas Knable to position #12 by acclamation. All voted in favor and the motion carried.*

HENDERSON COUNTY PUBLIC SCHOOLS BIDS FOR APPLE VALLEY MIDDLE/NORTH HENDERSON HIGH SCHOOL

Construction Manager David Berry had provided an update of all County construction activity including Henderson County Schools. Mr. Berry noted that staff worked hard to improve the situation where on County construction projects, the word get out to all of the local construction people who might have an interest in bidding the work and participating in the bids whether the projects be large or small. An additional method being utilized to facilitate the awareness of the upcoming County construction project activity and information has been discussed and will be utilized. From this point forward any and all construction project work or construction type work which is out source, will be listed on the Henderson County website including specific information pertaining to the project of the work will be included.

The Board received a letter from Ervin Bazzle, Chairperson of the Henderson County Board for Public Education stating during its regular business meeting on February 8, 2010, the Henderson Board of Public Education was advised that bids for the final phase (Phase II (B) (a.k.a. Phase III) of the Apple Valley Middle School / North Henderson High School HVAC piping project were received on January 12. After

review of the bids and staff discussions with the project manager and Henderson County Construction Manager David Berry, Dr. Page recommended approval of the apparent low bid of \$602,276 submitted by Triangle Contractors. The Board unanimously approved the bid on February 8. A copy of the bid tabulation was provided to the Board for information purposes.

Also during the February 8 meeting, staff advised the Board that bids for the Apple Valley Middle / North High construction addition and renovation project were received on January 19. After a review of the bids and discussions with Jimmy Wilhide of Moseley Architects, David Berry, and Board attorney Chris Campbell, the Superintendent recommended approval of the apparent low bid of \$5,595,000 submitted by Beam Construction Company, Inc. The Board unanimously approved the bid. A copy of the bid tabulation was provided to the Board for information purposes.

The Board of Commissioners earlier approved \$1,000,000 for the Apple Valley Middle / North Henderson High HVAC piping project and \$8,000,000 for the construction addition and renovation project. While current expenditures for the HVAC piping project are \$994,220, the total cost of the project is currently estimated to be \$1,596,496 (\$596,496 over the budget). A copy of the HVAC project summary sheet was provided for review. The request is that the overage be covered in the remaining balance of the construction budget and that the Henderson County Board of Commissioners approves \$8.6 million for completion of both projects.

Commissioner Williams made the motion that the Board approves the contracts as recommended by staff and School Board and authorize the Chairman and staff to execute proper documents. All voted in favor and the motion carried.

DRAFT EDNEYVILLE COMMUNITY PLAN OVERVIEW

Anthony Starr stated the Edneyville Community Plan Advisory Committee, formed by the Board of Commissioners on April 7, 2008, was responsible for developing and recommending a community-specific comprehensive plan for the Edneyville Community. After meeting monthly for 18 months, holding two public input sessions, and using information provided by Henderson County staff and relevant experts, the committee completed the Draft Edneyville Community Plan. On December 17, 2009, the Planning Board held a joint meeting with the Edneyville Community Plan Advisory Committee and voted unanimously (9-0) to send forth a favorable recommendation on the Edneyville Community Plan.

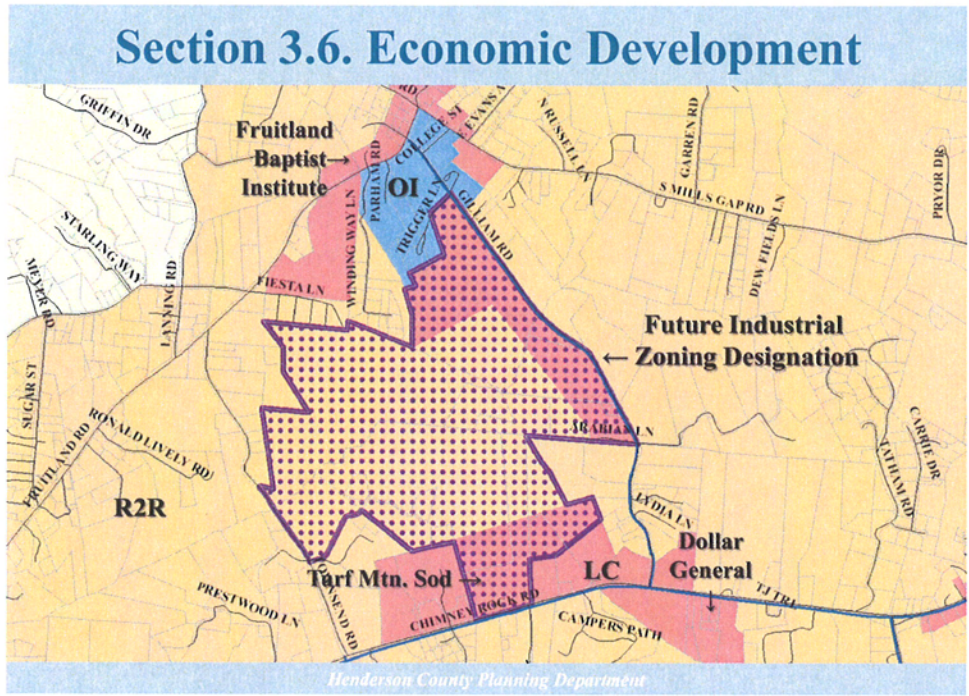
Mr. Starr provided a brief PowerPoint presentation highlighting the sections and recommendations of the Draft Plan. Copies of the Draft Plan were distributed to the Board of Commissioners immediately following the Planning Board meeting.

February 20, 2008	Community Plan Charter Adopted
April 7, 2008	Community Plan Advisory Committee Formed
May 6, 2008	Committee held first of 20 meetings
May 20, 2008	1 st Public Input Meeting
Oct 27, 2009	2 nd Public Input Meeting
December 17, 2009	Planning Board review

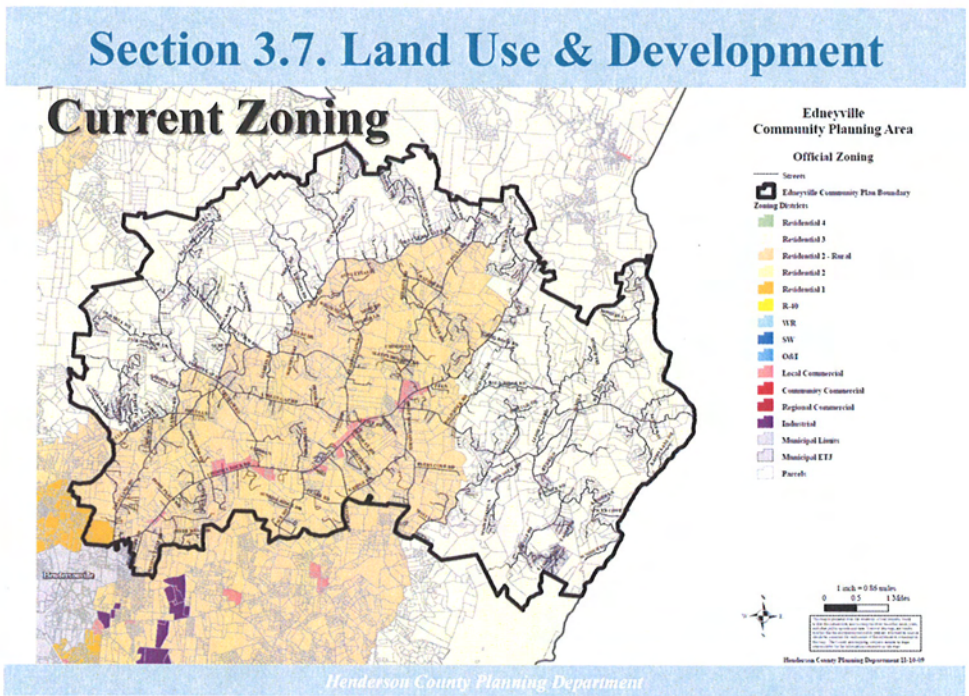
The same process was followed including:

- Natural and Cultural Resources
 - Protect water quality...
 - Consider implementing voluntary stream buffer incentives
 - Protect land quality...
 - Consider permitting only conservation subdivisions in the Planning Area.
 - Limit cutting on ridges and slopes, and
 - Minimize development on designated steep slopes.

- Agriculture – Agriculture was a significant area of interest to the committee.
 - Reduce farmland loss...
 - Consider establishing a farmland protection fund,
 - Consider establishing a local land link program, and
 - Support estate tax waiver/deferment for agricultural lands.*
*Changes to State law may be required to implement a waiver/deferment
 - Promote development regulations sensitive to farming...
 - Require subdivision applicants and adjacent to Voluntary Agricultural Districts (VADs) and Enhanced VADs to obtain or review information regarding farm practices, and
 - Consider a Transfer of Development Rights (TDR) program.*
*Changes to State law may be required to implement a TDR Program
 - Expand and diversify agricultural markets through establishment of an agricultural directional signage program.
 - Expand economic development and promotion programs to agriculture.
- Housing
 - Encourage equitable distribution of affordable housing...
 - Establish locational criteria for accessing any County established or supported affordable housing trust fund to avoid over-concentration of lower-income housing.
 - Improve development standards for manufactured homes and manufactured home parks in the Planning Area...
 - Prohibit new manufacturing home parks in the Planning Area, and
 - Consider requiring improvements to existing manufactured home parks (pave interior roads, improve landscaping).
- Community Facilities and Public Services
 - Schools should function as focal points and should be more available for community use.
 - Improve parks & recreation service levels and facilities...
 - Construct multipurpose fields at the existing Edneyville Community Park, and
 - Conduct community-specific parks needs assessments
 - Form a community and regional greenway network...
 - Expand the proposed greenway to connect Planning Area parks and schools,
 - Consider establishing a greenways fund.
 - Public water and sewer should be extended to areas identified as commercial, industrial and office institutional.
- Transportation
 - Improve the transportation network...
 - Increase public information related to NDCOT projects,
 - Prioritize projects in accordance with plan goals,
 - Improve identified intersections,
 - Consider implementing more stringent access management,
 - Facilitate safer movement of Fruitland Road and US Hwy 64 E at school peak hour traffic,
 - Improve the bike trail network and paving,
 - Promote tourism along the NC Scenic Byway, and
 - Support public transit expansions in the Planning Area.
- Economic Development

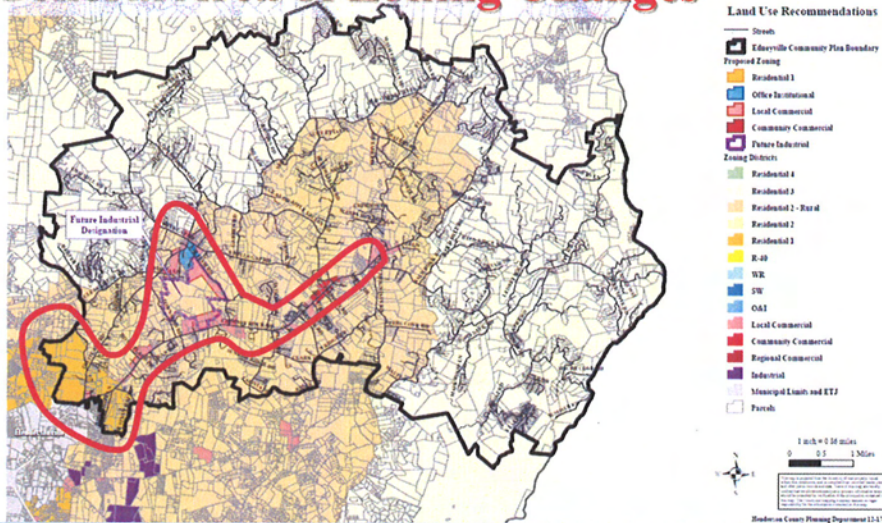


- Land Use and Development

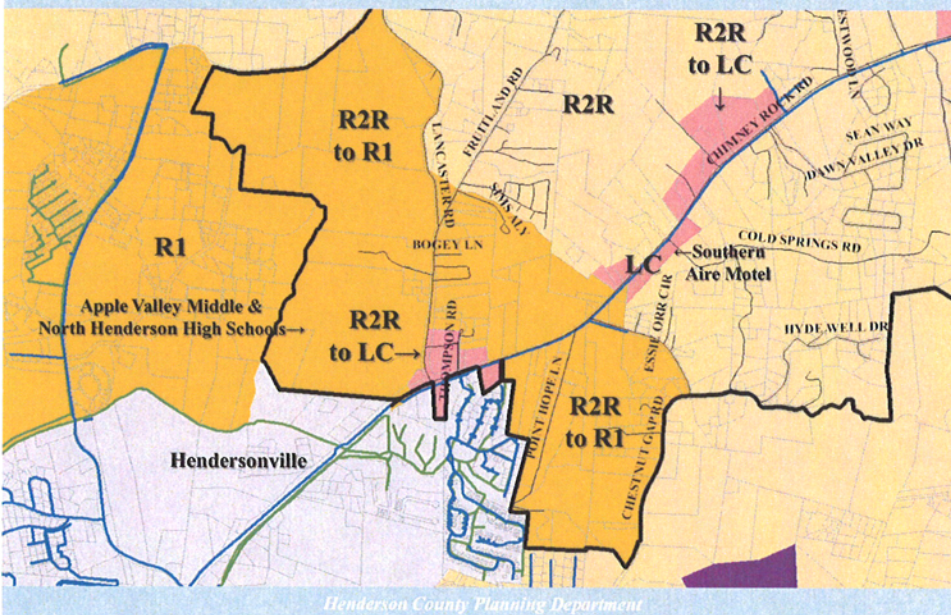


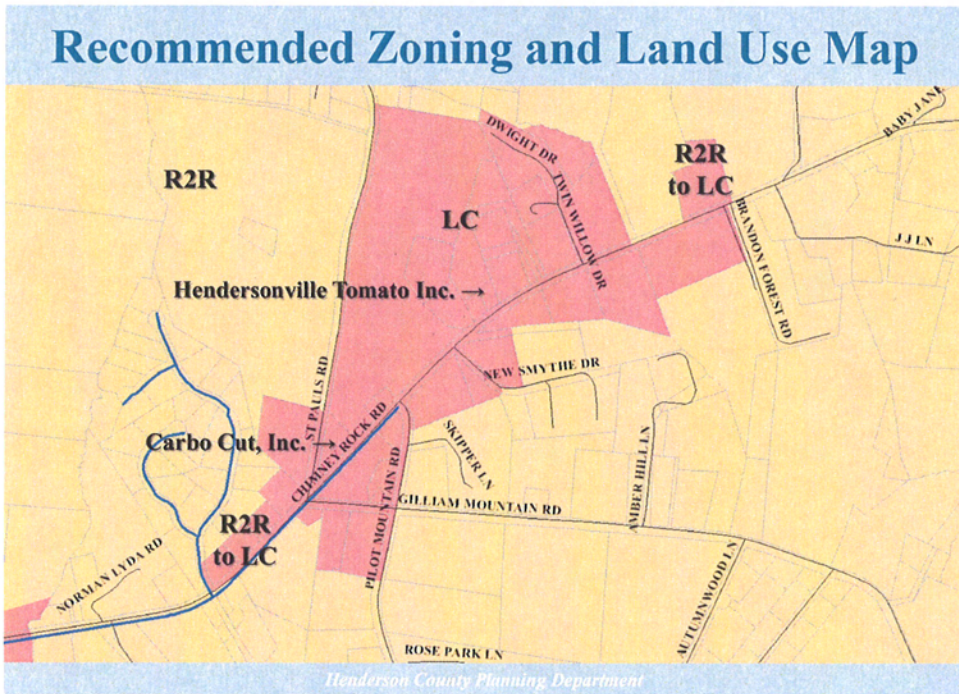
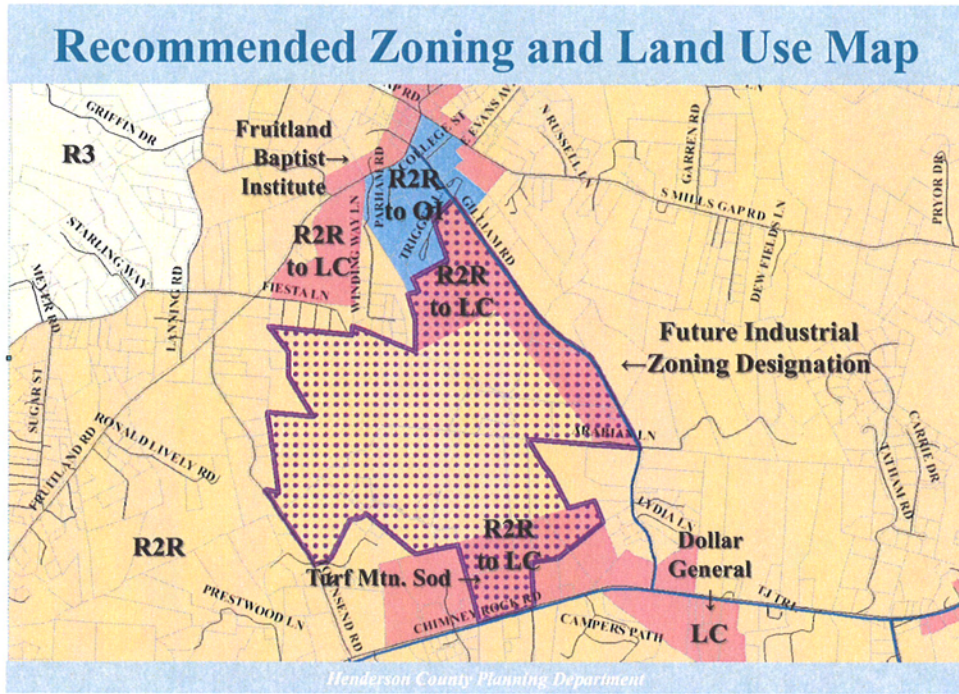
Recommended Zoning Map

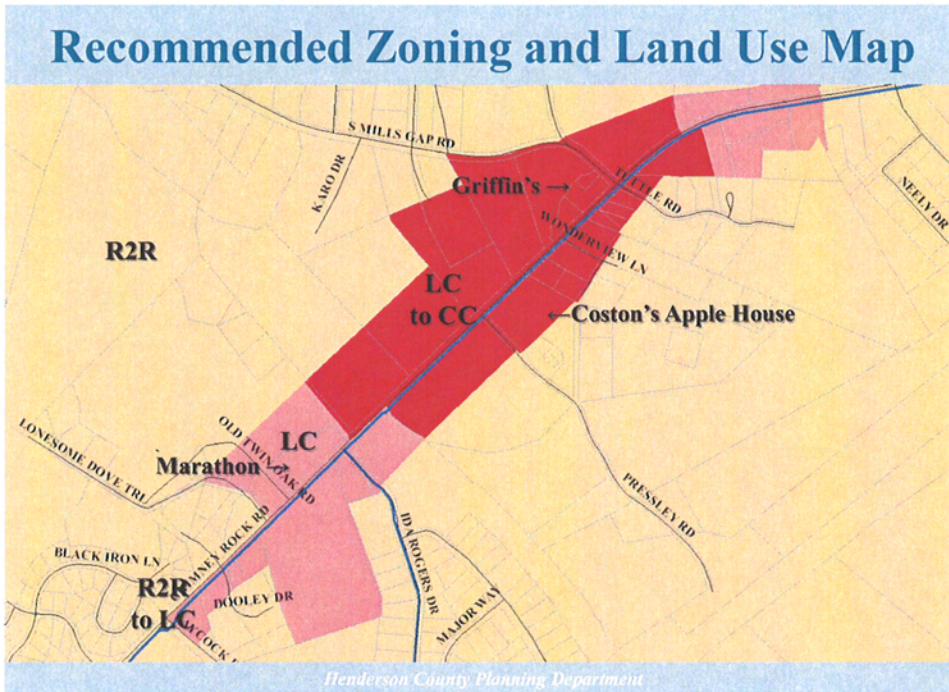
General Area of Zoning Changes



Recommended Zoning and Land Use Map







- Community Character and Design
 - Promote development compatible with rural character...
 - Identify community character features and promote their protection and preservation , and
 - Adopt lighting regulations for Planning Area nonresidential uses.
 - Establish a Planning Area Overlay District with design standards for nonresidential development.

The Board may wish to continue its discussion, schedule a workshop, schedule a public hearing, or consider approval of the plan. As with any plan, approval does not obligate the County to implement every recommendation. Given that circumstances and needs change over time with any plan, it is expected that the County may not move forward with all action items.

Chairman Moyer stated the Board will discuss this information when Commissioner Young returns. The Board of Commissioners will try to set a workshop date at the April 5, 2010 meeting.

DESIGN REVIEW AND UPDATE – SOLID WASTE CAPITAL IMPROVEMENTS

Engineer Marcus Jones stated the layout was provided to the Board for review prior to detailed design and production of construction drawings. The only significant change from the layout presented with the Feasibility Plan is the relocation of the new convenience center deeper into the Stoney Mountain Transfer Facilities (SMTF) property (indicated in red on the attached layout). The original estimate for the construction is unchanged at this point in the project, \$4.5 Million. This estimate includes the offsite Recycling Processing Center or Material Recovery Facility (MRF). Pending a responsible review time by the Solid Waste section of the Department of Natural Resources, the SMTF portion of the project could go to bid this summer. Of course, the funding for this project is from the Solid Waste Enterprise fund.

The project team is currently developing a Request for Qualifications (RFQ) for the MRF portion of the project. From this RFQ, a small number of vendors will be selected to respond to a Request for Proposals on the new facility. The Proposals will list the vendor’s price to deliver the detailed MRF design, installation, training and service. Concurrently with the RFQ process and prior to the RFP, the location for the MRF will be identified. The schedule for the MRF completion is ahead of the other improvements.

We are looking at \$3.2 million in capital improvements. The location of the Convenience Center has been changed making it further from neighbors yet closer to other operations. This does add a small amount of paving to the project but Mr. Jones does not feel that it will affect the budget significantly. A separate entrance will be utilized for commercial traffic.

County Manager Steve Wyatt noted that MRF is the Materials Recovery Facility which is a recycling center where separation and preparation occurs for marketing of materials. This will be done off site as an indoor operation. This will help control future cost and comply with State regulations.

Commissioner Williams questioned the cost of the additional paving.

Mr. Jones responded it would be within the budget as they are deleting another service road. It would be in the \$10,000 range.

Chairman Moyer questioned how the two grants approved in this agenda tied into the capital plan.

Mr. Jones responded the grants are for equipment that would be utilized within the materials recycling center. The grant will also provide an opportunity to purchase a skid steer, de-bagger, and forklift.

Commissioner McGrady noted that this plan was presented to the public at a meeting hosted by the League of Women Voters. A large number of people attended including members of the hauling community with all positive feedback.

LAW ENFORCEMENT CENTER UPDATE

Mr. Jones made the Board aware that a recent meeting was held with the architects on the Law Enforcement Center which effects the scheduling for demolition of existing properties. The current location of the Law Enforcement Center will necessitate the demolition of the small house located on the campus now where CJPP is located. In order for local contractors to have ability for opportunities, this demolition will be pulled from the larger contract in order to proceed with the project. Over the next month staff will be working with CJPP to relocate them either temporarily or permanently.

PROPOSED EASEMENT WITH PROGRESS ENERGY FOR BENT CREEK PROPERTY

Marcus Jones stated the proposed Easement was hand delivered by Progress Energy for construction of a new transmission line across the County's "Bent Creek Property" in Buncombe County. The property is located in the vicinity of the French Broad River and NC 191. The attached copy of the property's deed description highlights the easement location relative to the entire property and the proposed easement contains a more detailed description of the easement. The proposed easement will hand rail the existing Progress Energy easement. The existing easement is 100 feet wide across the property and the proposed easement will add an additional 70 feet of width to the southern side.

Gene Garner with Progress Energy made a verbal offer of compensation for \$8,500 for the easement. The tax value of the 137.22 acreage property per Buncombe County is \$1,111,500, see attached tax card.

Commissioner McGrady stated this property relates to the piece of property that has been a subject of much discussion with the City of Asheville. When this proposal was originally put forward, and it has been changed a little, there were several different options. The informal opinion he got from the City of Asheville is that there are no issues here, and likewise from an adjoining land owner. Out of a sense of caution, while he supports moving forward with the easement, he suggested Henderson County give the owner of the reversionary interest here, the City of Asheville, notice of what is being done so that at some point in the future they do not come back and say they had no idea of what the County was doing.

Attorney Russ Burrell explained that the Counties ability to affect the underlying fee, given that our ownership is terminable by the non-existence of some action, is somewhat limited. He felt giving them notice would probably be a reasonable route to take. If they choose to try to stop the process, so be it. He suggested giving the authority that Henderson County has the legal ability to give, unless they are joining in the same deed.

Chairman Moyer suggested the Board authorize the granting of easement but subject to clarification that Henderson County is only giving the legal right to whatever we have the right to give, covered with a joint deed or language that protects us and makes it clear that we are not saying that we have full title. We have reversionary interest and this must be recognized.

Commissioner Williams asked why the offer was verbal and had not been put into writing.

Mr. Jones responded when Mr. Garner hand delivered the easement to him the compensation sum line was not filled out. He asked Mr. Garner what they anticipated offering and his response was \$8,500.00.

Chairman Moyer questioned if \$8,500 was a reasonable amount for the easement.

Mr. Jones responded he had tried to equate it. Typically on easement compensation you look at the value of the property before the easement and the value after the easement, and take the difference. In this case the offer appears to be consistent with the full tax value per acre of the property.

Commissioner Williams questioned the impact on the remainder of the property which must be taken into consideration.

Mr. Jones explained this would be adding an additional seventy feet on the existing 100 foot power line easement.

Commissioner McGrady felt this was exactly the issue he had looked into. He had requested William Lapsley to look at this in terms of the potential impact upon the rest of the property and Mr. Lapsley's opinion was that because it piggybacked the other easement, it had very little impact on the other property.

Commissioner Messer questioned the timeframe and since there was none he suggested rolling this item to a future agenda, making the written offer (not verbal), and continue discussion after the Board has more information and Commissioner Young returns.

It was the consensus of the Board to proceed, try to justify the value and get a firm offer, realize the impact on the land and notify the City of Asheville of the plans to see what their take is, and bring it back before the Board at a later date.

STAFF REPORTS

County Attorney's Report

There was nothing further at this time.

County Manager's Report

Steve Wyatt updated the Board on possible snow accumulation expected the following day.

IMPORTANT DATES

Set a Public Hearing Date for the Draft Storm water Regulations (TX-2009-01)

Commissioner McGrady made the motion that the Board schedules a public hearing on text amendment #TX-2009-01, Storm water Regulations for Tuesday, March 30, 2010 at 7:00 p.m. All voted in favor and the motion carried.

Set a Public Hearing Date for Text Amendment (TX-2010-01) County Owned/Operated Solid Waste Facility

Commissioner McGrady made the motion that the Board schedules a public hearing on text amendment #TX-2010-01 for Monday, April 5, 2010 at 7:00 p.m. All voted in favor and the motion carried.

Cancel March 17, 2010 Regularly Scheduled Meeting

Chairman Moyer made the motion that the Board cancels the regularly scheduled meeting of March 17, 2010. All voted in favor and the motion carried.

CLOSED SESSION

Commissioner McGrady made the motion for the Board to go into closed session as allowed pursuant to NCGS 143-318.11 for the following reason(s):

1. (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.
2. (a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

All voted in favor and the motion carried.

Commissioner McGrady made the motion for the Board to go out of closed session and return to open session. All voted in favor and the motion carried.

Chairman Moyer called the meeting back to order.

PUBLIC HEARINGS

Commissioner McGrady made the motion for the Board to go into public hearing with respect to assignment of new road names. All voted in favor and the motion carried.

Public Hearing for assignment of new road names

Planning Department staff requested the Board to hold a public hearing to consider assignment of new road names. The Board set the public hearing date and time at the February 1, 2010 Board of Commissioners meeting.

Curtis Griffin stated the following two road names being proposed.

New Road Names

Thunder Cloud Trl (new road name)

Cove Park Ln (new road name)

Both road name assignments are located on drives that have more than three addressable structures located along the drive and are required by the Henderson County Property Addressing Ordinance (Chapter 142). North Carolina General Statute 153A-239.1 and the Property Addressing Ordinance require the Board to hold a public hearing prior to assigning a new road name. Assignment of the new road names, as presented, will avoid possible confusion when responding to emergency situations.

The Planning Department staff requests the Board conduct the public hearing and approve or deny the proposed road name assignments.

Public Input

There was none.

Commissioner McGrady made the motion that the Board approves the assignment of road names as presented. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board go out of public hearing. All voted in favor and the motion carried.

CLOSED SESSION CONTINUED

Commissioner McGrady made the motion that the Board go back into Closed Session. All voted in favor and the motion carried.

ADJOURN

Commissioner McGrady made the motion that the Board go out of Closed Session and further motioned that the Board adjourn at 7:40 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

William L. Moyer, Chairman

HENDERSON COUNTY BOARD OF COMMISSIONERS

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BILL MOYER
Chairman
MARK WILLIAMS
Vice-Chairman

CHUCK McGRADY
CHARLIE MESSER
LARRY YOUNG

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: March 1, 2010

SUBJECT: Tax Refunds

ATTACHMENTS: Refund Report

SUMMARY OF REQUEST:

The enclosed refund requests (13) 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. The supporting documentation is on file in the County Assessor's Office.

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

Type	Number of Items:	Revenue Amount:
Refunds	13	\$ 2,011.66

March 1, 2010

Mr. Stan Duncan, Tax Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, N. C. 28792

Dear Mr. Duncan:

Attached please find the list of tax release requests (24) and tax refund requests (13) approved at the Henderson County Board of Commissioners' Meeting on Monday, February 1, 2010.

Sincerely,

William L. Moyer
William L. Moyer, Chairman
Henderson County Board of
Commissioners

Faithfully Submitted,

Stan C. Duncan
Stan C. Duncan
County Assessor

BOARD ACTION REQUEST: Consent Approval Requested

Suggested Motion: "I move the Board approve the Tax Refund Report as presented."

WLM/tlw

enclosures

REFUNDS

0002445902-2009-2009-000000 FULL REBATE
REFUND 2010. LEASING COMPANY REPORTED EQUIPMENT TWICE TO SAME LESSEE BUT AT DIFFERENT LOCATIONS. ONLY ONE PIECE OF LEASED PROPERTY IN COUNTY AT S. MAIN ST LOCATION. REBATE CHADWICK AVE LOCATION.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82585	CNTY	COUNTY	41.66	0.00	0.00	\$ 41.66
82585	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 41.66

0002771035-2009-2009-000000 MISC. DECREASE
ABSTRACT/LATE-LISTED IN ERROR. RELEASE 10% PENALTY ONLY.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82586	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
82586	CNTY	COUNTY	0.00	4.17	0.00	\$ 4.17
82586	SPEC	D13	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 4.17
Grand Total:						\$ 45.83

REFUNDS

0000592423-2009-2009-000000 VALUE DECREASE
CHANGE LISTING FROM RESIDENCE TO OUTBUILDING SHED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82823	FIRE	MOUNTAIN HOME	30.02	0.00	0.00	\$ 30.02
82823	CNTY	COUNTY	145.99	0.00	0.00	\$ 145.99
Bill Total:						\$ 176.01
Grand Total:						\$ 176.01

REFUNDS

0000518989-2009-2009-000000 FULL REBATE
REFUND 5 YEARS BILLS FOR MANUFACTURED HOME. DOUBLE BILLED. MANUFACTURED HOME ON AS REAL & PAID ON REAL
PARCEL NUMBER 99618556.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82741	CNTY	COUNTY	47.90	4.79	0.00	\$ 52.69
Bill Total:						\$ 52.69

0000518989-2006-2006-000000 FULL REBATE
REFUND 5 YEARS BILLS FOR MANUFACTURED HOME. DOUBLE BILLED. MANUFACTURED HOME ON AS REAL & PAID ON REAL
PARCEL NUMBER 99618556.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82742	CNTY	COUNTY	52.55	0.00	0.00	\$ 52.55
Bill Total:						\$ 52.55

0000518989-2007-2007-000000 FULL REBATE
REFUND 5 YEARS BILLS FOR MANUFACTURED HOME. DOUBLE BILLED. MANUFACTURED HOME ON AS REAL & PAID ON REAL
PARCEL NUMBER 99618556.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82743	CNTY	COUNTY	40.86	4.07	0.00	\$ 44.73
Bill Total:						\$ 44.73

0000518989-2009-2009-000000 FULL REBATE
REFUND 5 YEARS BILLS FOR MANUFACTURED HOME. DOUBLE BILLED. MANUFACTURED HOME ON AS REAL & PAID ON REAL
PARCEL NUMBER 99618556.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82744	CNTY	COUNTY	40.66	0.00	0.00	\$ 40.66
Bill Total:						\$ 40.66

0000518989-2009-2009-000000 FULL REBATE
REFUND 5 YEARS BILLS FOR MANUFACTURED HOME. DOUBLE BILLED. MANUFACTURED HOME ON AS REAL & PAID ON REAL
PARCEL NUMBER 99618556.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82745	CNTY	COUNTY	40.66	0.00	0.00	\$ 40.66
Bill Total:						\$ 40.66
Grand Total:						\$ 231.29

000024898-2004-2004-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82590	CNTY	COUNTY	180.03	0.00	0.00	\$ 180.03
82590	FIRE	FLETCHER	36.01	0.00	0.00	\$ 36.01
Bill Total:						\$ 216.04

000024898-2005-2005-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82579	CNTY	COUNTY	195.19	0.00	0.00	\$ 195.19
82579	FIRE	FLETCHER	36.01	0.00	0.00	\$ 36.01
Bill Total:						\$ 231.20

000024898-2007-2007-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82578	FIRE	FLETCHER	36.01	0.00	0.00	\$ 36.01
82578	CNTY	COUNTY	214.14	0.00	0.00	\$ 214.14
Bill Total:						\$ 250.15

000024898-2007-2007-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82577	CNTY	COUNTY	357.13	0.00	0.00	\$ 357.13
82577	FIRE	FLETCHER	73.44	0.00	0.00	\$ 73.44
Bill Total:						\$ 430.57

000024898-2008-2008-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82576	FIRE	FLETCHER	73.44	0.00	0.00	\$ 73.44
82576	CNTY	COUNTY	357.13	0.00	0.00	\$ 357.13
Bill Total:						\$ 430.57

3

REFUNDS

Grand Total: \$ 1,558.53

Number of Bills = 13 Total Amount = \$2,017.66

4

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: March 1, 2010

SUBJECT: Tax Releases

ATTACHMENTS: Release Report

SUMMARY OF REQUEST:

The enclosed release requests (24) 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. The supporting documentation is on file in the County Assessor's Office.

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

Type	Number of Items:	Revenue Amount:
Releases	24	\$ 11,173.03

Faithfully Submitted,

Stan C. Duncan

Stan C. Duncan

County Assessor

BOARD ACTION REQUESTED: Consent Approval Requested.

Suggested Motion: "I move the Board approve the Tax Release Report as presented."

RELEASES

000258785-2009-2009-110000 FULL REBATE
 BUSINESS CLOSED 10/30/2008. REBATE 2009 DISCOVERY BILL IN FULL

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82654	CNTY	COUNTY	27.72	2.77	0.00	\$ 30.49
82654	FIRE	ETOWAH-HORSESHOE	5.10	0.51	0.00	\$ 5.61
Bill Total:						\$ 36.10
Grand Total:						\$ 36.10

0002241908-2009-2009-000000 FULL REBATE
 INDIVIDUAL ABSTRACT#: 0002241908 1/13/2010 1987 FORD. VEHICLE REGISTERED IN SC AND TAXES PAID FOR 3/07 THROUGH 3/08. BILL RELEASED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82842	CNTY	COUNTY	6.75	0.67	0.00	\$ 7.42
82842	FIRE	MOUNTAIN HOME	1.39	0.14	0.00	\$ 1.53
Bill Total:						\$ 8.95
Grand Total:						\$ 8.95

000085380-2009-2009-000000 FULL REBATE
 MH BURNED DOWN IN 2008. FIRE REPORT ON FILE. RELEASE 2009 BILL. VOID MH.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82842	CNTY	COUNTY	19.87	1.99	0.00	\$ 21.86
82842	FIRE	MOUNTAIN HOME	4.09	0.41	0.00	\$ 4.50
Bill Total:						\$ 26.36
Grand Total:						\$ 26.36

1

000071641-2009-2009-10000 FULL REBATE
 BUSINESS SOLD IN 2006. NEW OWNER HAS BEEN BILLED SINCE 2007. RELEASE 2009 DISCOVERY BILL/DOUBLE ASSESSMENT
 IN FULL. 2007 AND 2008 BILLS FOR THIS OWNER PREVIOUSLY RELEASED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82785	FIRE	BLUE RIDGE	59.50	5.95	0.00	\$ 65.45
82785	CNTY	COUNTY	323.40	32.34	0.00	\$ 355.74
Bill Total:						\$ 421.19
Grand Total:						\$ 421.19

000016468-2009-2009-000000 FULL REBATE
 MANUFACTURED HOME SOLD AND MOVED OUT OF THE COUNTY DEC. 2008. BILL OF SALE ON FILE. CBL 2/4/2010

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82670	CNTY	COUNTY	127.51	12.75	0.00	\$ 140.26
82670	FIRE	FLETOHER	26.22	2.62	0.00	\$ 28.84
Bill Total:						\$ 169.10
Grand Total:						\$ 169.10

000235988-2009-2009-000000 FULL REBATE
 VOID FOR 2010. RELEASE 2008 AND 2009 BILLS ON MANUFACTURED HOME. TAXES BEING PAID IN HAYWOOD COUNTY.
 CALLED AND VERIFIED THIS.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82751	FIRE	EDNEYVILLE	14.88	0.00	0.00	\$ 14.88
82751	CNTY	COUNTY	80.85	0.00	0.00	\$ 80.85
Bill Total:						\$ 95.73

000235988-2009-2009-000000 FULL REBATE
 VOID FOR 2010. RELEASE 2008 AND 2009 BILLS ON MANUFACTURED HOME. TAXES BEING PAID IN HAYWOOD COUNTY.
 CALLED AND VERIFIED THIS.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82752	CNTY	COUNTY	80.85	8.09	0.00	\$ 88.94
82752	FIRE	EDNEYVILLE	14.88	1.49	0.00	\$ 16.37
Bill Total:						\$ 105.31
Grand Total:						\$ 201.04

000274935-2009-2009-000000 FULL REBATE
 000274935-2009-2009-000000 FULL REBATE
 000274935-2009-2009-000000 FULL REBATE
 CORRECT OWNER

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82689	CNTY	COUNTY	13.86	1.39	0.00	\$ 15.25
82689	FIRE	EDNEYVILLE	2.55	0.26	0.00	\$ 2.81
Bill Total:						\$ 16.06
Grand Total:						\$ 18.06

000293861-2009-2009-10000 FULL REBATE
 RELEASE 2009 DISCOVERED VALUE IN FULL. DOUBLE ASSESSED. LISTED ON ACCOUNT #2057111.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82888	FIRE	BLUE RIDGE	4.26	0.43	0.00	\$ 4.69
82888	CNTY	COUNTY	23.10	2.31	0.00	\$ 25.41
Bill Total:						\$ 30.09
Grand Total:						\$ 30.09

000272794-2009-2009-000000 FULL REBATE
 INDIVIDUAL ABSTRACT #: 000252794 1/25/2010 PROCRANT AND MOTOR INDIVIDUAL LISTING. BILLED ON
 WILDLIFE ABSTRACT #: 2484702. DOUBLE LISTED AND BILLED. VERIFIED BY HULL ID.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82762	FIRE	EDNEYVILLE	3.54	0.00	0.00	\$ 3.54
82762	CNTY	COUNTY	19.22	0.00	0.00	\$ 19.22
Bill Total:						\$ 22.76
Grand Total:						\$ 22.76

000271821-2009-2009-000000 FULL REBATE
 THIS PARCEL WAS COMPLETELY IN A RIGHT OF WAY. IT HAS BEEN REMAPPED AND IS NOW RETIRED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82805	FIRE	EDNEYVILLE	4.00	0.00	0.00	\$ 4.00
82805	CNTY	COUNTY	21.71	0.00	0.00	\$ 21.71
Bill Total:						\$ 25.71
Grand Total:						\$ 25.71

0002450457-2009-2009-000000 FULL REBATE
 RELEASE 2 BILLS: 2008 & 2009 BILLS ON MANUFACTURED HOME. JUNKED FEB, 2007. DOUBLE WIDE IN ITS PLACE. VERIFIED
 ON OUR MAPS.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82674	FIRE	ETOWAH-HORSESHOE	13.77	1.38	0.00	\$ 15.15
82674	CNTY	COUNTY	74.64	7.48	0.00	\$ 82.32
Bill Total:						\$ 97.47

0002450457-2009-2009-000000 FULL REBATE
 RELEASE 2 BILLS: 2008 & 2009 BILLS ON MANUFACTURED HOME. JUNKED FEB, 2007. DOUBLE WIDE IN ITS PLACE. VERIFIED
 ON OUR MAPS.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82675	CNTY	COUNTY	74.84	7.48	0.00	\$ 82.32
82675	FIRE	ETOWAH-HORSESHOE	13.77	1.38	0.00	\$ 15.15
Bill Total:						\$ 97.47
Grand Total:						\$ 194.94

000276257-2009-2009-000000 FULL REBATE
 WILD LIFE ABSTRACT#: 000276257 1/13/2010 1986 GODFREY AQUA PATIO. BOAT SOLD IN 2007. REGISTERED TO NEW
 OWNER IN SC. TAXES PAID AND VERIFIED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82843	CITY	FLETCHER	0.00	0.00	0.00	\$ 0.00
82843	CNTY	COUNTY	39.32	3.93	0.00	\$ 43.25
Bill Total:						\$ 43.25
Grand Total:						\$ 43.25

000276257-2009-2009-000000 FULL REBATE
 WILD LIFE ABSTRACT#: 000276257 1/13/2010 1986 GODFREY AQUA PATIO. BOAT SOLD IN 2007. REGISTERED TO NEW
 OWNER IN SC. TAXES PAID AND VERIFIED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82843	CITY	FLETCHER	0.00	0.00	0.00	\$ 0.00
82843	CNTY	COUNTY	39.32	3.93	0.00	\$ 43.25
Bill Total:						\$ 43.25
Grand Total:						\$ 43.25

000079053-2009-2009-000000 FULL REBATE
 INDIVIDUAL ABSTRACT#: 000079053 1/11/2010 TWO 1998 YAMAHA'S, BILLED ON WLF ABSTRACTS 2762269 AND 2762270.
 INDIVIDUAL BILL RELEASED

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82816	CNTY	CNTY	25.41	0.00	0.00	\$ 25.41
82818	FIRE	ETOWAH-HORSESHOE	4.68	0.00	0.00	\$ 4.68
Bill Total:						\$ 30.09
Grand Total:						\$ 30.09

0002762214-2009-2009-000000 FULL REBATE
 0002762214-2009-2009 THIS BOAT WAS SOLD 06/02/2008. BILL OF SALE WAS PROVIDED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82817	CNTY	CNTY	8.87	0.89	0.00	\$ 9.76
82817	CITY	HENDERSONVILLE	0.00	0.00	0.00	\$ 0.00
Bill Total:						\$ 9.76
Grand Total:						\$ 9.76

0000234896-2009-2009-000000 FULL REBATE
 THIS PARCEL WAS MAPPED DURING ORIGINAL MAPPING PROJECT TO YOUNGBLOOD IN ERROR. HAS BEEN REMAPPED & IS NOW INCLUDED WITH THE ACREAGE FOR PARCEL 9970012 TO SCOTCH RIDGE INC. BILL CORRECTION INITIATED.

Rebate #	Rate Type	Jurisdiction	Rebated Tax	Rebated Late List	Rebated Billed Interest	Total
82575	FIRE	FLETCHER	73.44	0.00	0.00	\$ 73.44
82575	CNTY	CNTY	357.13	0.00	0.00	\$ 357.13
Bill Total:						\$ 430.57
Grand Total:						\$ 430.57

Number of Bills = 17
 + 7
 = 24
 Total Amount = \$1,687.87
 + \$9,505.06
 = \$11,173.03

Process Rebate

Rebate#: 82506 0002657827-2008-2008-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

CARLAND, WAYNE S W-937265

Total Real Value 821,500 Land Def Value Historic Def Value Use Value 821,500

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	3,795.33		0.00			3,795.33
City C60	0.00	0.00	0.00			0.00
Interest						
Late List 100%	0.00	0.00	0.00			0.00
County	3,795.33	3,795.33	0.00			3,795.33
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	3,795.33	3,795.33	0.00			3,795.33

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

Reinstate Present-Use Value for tax year 2008

Process Rebate

Rebate#: 82505 0002657827-2009-2009-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

CARLAND, WAYNE S W-937265

Total Real Value 821,500 Land Def Value Historic Def Value Use Value 821,500

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	3,795.33		0.00			3,795.33
City C60	0.00	0.00	0.00			0.00
Interest						
Late List 100%	0.00	0.00	0.00			0.00
County	3,795.33	3,795.33	0.00			3,795.33
Interest						
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	3,795.33	3,795.33	0.00			3,795.33

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

Reinstate Present-Use Value for tax yr 2009. Parcel split in 2008

Process Rebate

Rebate#: 82760 0002324476-2009-2009-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

CHINKY, JACQUELINE P W-1008950

Total Real Value 68,000 Land Def Value Historic Def Value Use Value 68,000

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	371.96		0.00			371.96
Late List 100%	0.00	0.00	0.00			0.00
County	314.16	0.00	314.16			314.16
Interest			6.28			
Fire District F03	57.80	0.00	57.80			57.80
Interest			1.16			
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	371.96	0.00	379.40			371.96

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82720 0002764889-2009-2009-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

LANNING, MARTHA JOHNSON W-1012370

Total Real Value 96,800 Land Def Value Historic Def Value Use Value 96,800

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	529.50		0.00			529.50
Late List 100%	0.00	0.00	0.00			0.00
County	447.22	201.07	246.15			447.22
Interest			4.92			
Fire District FD1	82.28	82.28	0.00			82.28
Interest			0.00			
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	529.50	283.35	251.07			529.50

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82748 0000101916-2009-2009-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

CONNOR, ELIZABETH W S-240-16-4441

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	42.04		0.00			42.04
Late List 100%	0.00	0.00	0.00			0.00
County	31.42	0.00	31.42			31.42
Interest			0.70			
Fire District F09	6.80	0.00	6.80			6.80
Interest			0.14			
Late List 100%	3.82	0.00	3.82			3.82
Interest			0.07			
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	42.04	0.00	42.88			42.04

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

Process Rebate

Rebate#: 82480 0002656891-2009-2009-000000 Board Meeting Date: (For pre-approved LU Exempt only) <None> Property Tax Commission

PRYOR, L KEITH W-935761

Total Real Value 174,400 Land Def Value Historic Def Value Use Value 174,400

Tax Detail	Billed Amt	Paid Amt	Due Amt	%Good	Release Amt	Rebate Amt
Full Rebate	962.69		0.00			962.69
Late List 100%	0.00	0.00	0.00			0.00
County	805.73	0.00	805.73			805.73
Interest						
Fire District F16	156.96	43.36	113.60			156.96
Interest			0.00			
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	962.69	43.36	819.33			962.69

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

PRESENT USE VALUE WAS APPROVED FOR TAX YEAR 2008, BUT WAS NOT CARRIED FORWARD FOR 2009. PARCEL NUMBER 1007227

Process Rebate

Return

Rebate# : 82721 0000228905-2009-2009-000000 Board Meeting Date :
(For pre-approved LL/Exempt only)

<None>

Property Tax Commission

STEPP, JAMES W- 102157

Tax Detail	Billed Amt	Paid Amt	Due Amt	% Good	Release Amt	Rebate Amt
Full Rebate	8.21		0.00			8.21
Late List 100%	0.00	0.00	0.00			0.00
County	6.93	0.00	6.93			6.93
Interest			0.13			
Fire District F03	1.28	0.00	1.28			1.28
Interest			0.03			
Late List 100%	0.00	0.00	0.00			0.00
Cost	0.00	0.00	0.00			0.00
Total Amount(\$)	8.21	0.00	8.37			8.21

Abstract Details Reason: FULLRBAT - Full rebate/no rebill Approve Reject

ELDERLY EXCLUSION REINSTATED FOR TAX YEAR 2009

10

RESTORATION COMPLETED
JANUARY 2010
BY
BRANDON NIX
EAGLE SCOUT PROJECT



21 3:01 PM



HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite #1
Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 698-4443
TDD: (828) 697-4580
www.hendersoncountync.org

BILL MOYER
Chairman
MARK WILLIAMS
Vice-Chairman

CHUCK MCGRADY
CHARLIE MESSER
LARRY YOUNG

RESOLUTION

BY THE HENDERSON COUNTY BOARD OF COMMISSIONERS APPRECIATION TO BRANDON NIX

WHEREAS, Brandon Nix has been in scouts since age 8 and is currently in Scout Troop 611; and

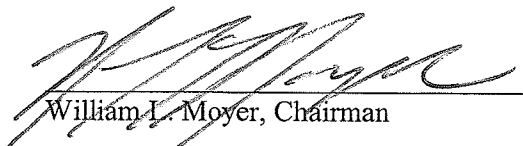
WHEREAS, the Eagle Rank requirements are:

1. That you be active for at least six months after achieving the rank of Life Scout,
2. Demonstrate that you live by the principals of the Scout Oath and Law in your daily life,
3. Earn a total of 21 merit badges,
4. While a Life Scout serve for six months in a position of authority,
5. While a Life Scout plan, develop, and give leadership to others in a service project,
6. Take part in a Scoutmaster conference,
7. Successfully complete an Eagle Scout board of review; and

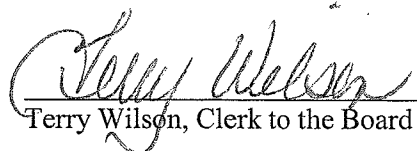
WHEREAS, Brandon Nix recently earned his Eagle Scout badge through his efforts to clean up the Hammett Family Cemetery;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners, at their meeting on March 1, 2010 does hereby recognize the accomplishment of Brandon Nix in achieving the rank of Eagle Scout, and extends its sincere appreciation and congratulations to Mr. Nix for his dedicated and unselfish service to the community.

Adopted this the 1st day of March, 2010.



William L. Moyer, Chairman



Terry Wilson, Clerk to the Board

HENDERSON COUNTY, NORTH CAROLINA
BOARD OF COMMISSIONERS

Resolution
Spring 2010 Litter Sweep

Whereas, the North Carolina Department of Transportation organizes an annual spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

Whereas, the Spring 2010 LITTER SWEEP roadside cleanup will take place April 17 through May 1, 2010, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

Whereas, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

Whereas, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

Whereas, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

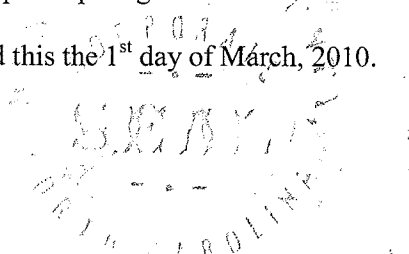
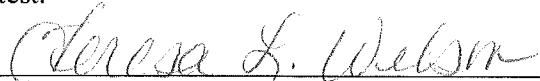
Whereas, the 2010 LITTER SWEEP cleanup will celebrate the 22nd anniversary of the North Carolina Adopt-A-Highway program and its 5,750 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

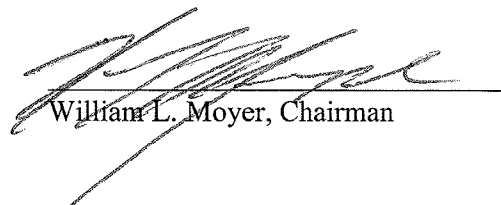
Whereas, the LITTER SWEEP cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE BE IT RESOLVED by the Henderson County, North Carolina Board of Commissioners that April 17 through May 1, 2010 be LITTER SWEEP time in Henderson County and encourage citizens in Henderson County to take an active role in making our communities cleaner through participating in local LITTER SWEEP activities.

Adopted this the 1st day of March, 2010.

Attest:



Teresa Wilson, Clerk to the Board


William L. Moyer, Chairman

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on March 1, 2010 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman Bill Moyer presiding.

The following members were present:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

The following members were absent:

Larry Young

* * * * *

Commissioner Williams moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance or refinance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board hereby determines that it is in the best interest of the County to (1) enter into an Installment Financing Contract (the "*Contract*") with Henderson County Governmental Financing Corporation (the "*Corporation*") or a financial institution to be determined (the "*Bank*") in order to pay the capital costs of refinancing its installment payment obligations under (a) an installment financing contract dated as of January 15, 2001 between the County and the Corporation (the "*2001 Contract*"), (b) a financing agreement and deed of trust dated as of February 10, 2000 (the "*2000 Contract*"), (c) a financing agreement and deed of trust dated as of April 10, 2002 (the "*2002 Contract*"), (d) an installment financing contract dated as of November 27, 2006 (the "*2006 Contract*," and (e) an installment financing contract dated as of May 10, 2007 (the "*2007 Contract*," and collectively with the 2001 Contract, the 2000 Contract, the 2002 Contract and the 2006 Contract, the "*Prior Contracts*"), and (2) to enter into a deed of trust and security agreement (the "*Deed of Trust*") related to the County's fee simple interest in the real property on which Clear Creek Elementary School and Etowah Elementary School, the construction of both of which were financed under the 2001 Contract, are located (collectively, the "*Sites*") that will provide security for the County's obligations under the Contract;

WHEREAS, the County has previously determined and hereby determines that the acquisition of the projects financed under the Prior Contracts are essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the projects financed under the Prior Contracts are providing an essential use and are permitting the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County has been advised that it can achieve savings by refinancing the principal portion of Installment Payments due under the Prior Contracts;

WHEREAS, the County hereby determines that the Contract allows the County to refinance the Prior Contracts at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of refinancing the Prior Contracts is an amount not to exceed \$20,500,000 and that such cost of the refinancing of the Prior Contracts exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of refinancing of the Prior Contracts pursuant to the Contract is expected to exceed the cost of refinancing the Prior Contracts pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of refinancing the Prior Contracts pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring the Projects; and (3) insufficient revenues are produced by projects financed under the Prior Contracts so as to permit a revenue bond financing;

WHEREAS, the County hereby determines that the estimated cost of refinancing the Prior Contracts pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract, the Deed of Trust and the projects to be refinanced thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Authorization to Negotiate the Contract.*** That the County Manager and the Finance Director, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the refinancing of the Prior Contracts for a principal amount not to exceed \$20,500,000 under the Contract to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County's obligations thereunder, the Deed of Trust conveying a lien and interest in one or both of the Sites, including the improvements thereon, as may be required by the entity, or its assigns, providing the funds to the County under the Contract.

Section 2. ***Application to LGC.*** That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. ***Direction to Retain Special Counsel; Underwriter.*** That the County Manager and the Finance Director, with advice from the County Attorney, are hereby authorized and directed to retain the assistance of (a) Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as special counsel and (b) Stephens, Inc., as underwriter, if the County Manager and the Finance Director determine that a public sale of the County's installment payment obligations under the Contract is advisable.

Section 4. ***Public Hearing.*** That a public hearing (the "*Public Hearing*") shall be conducted by the Board of Commissioners on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, Hendersonville, North Carolina, concerning the Contract, the Deed of Trust, the refinancing of the Prior Contracts and any other transactions contemplated therein and associated therewith.

Section 5. ***Notice of Public Hearing.*** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 6. ***Repealer.*** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. ***Effective Date.*** That this Resolution is effective on the date of its adoption.

On motion of Commissioner Williams, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" was duly adopted by the following vote:

AYES:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

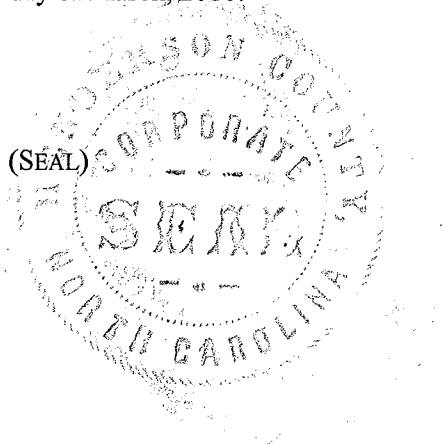
NAYS:

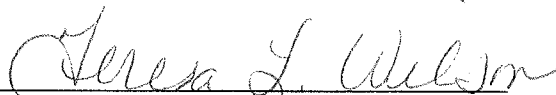
None

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

I, TERESA WILSON, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Henderson, North Carolina at a meeting held on the 1st day of March, 2010.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 1st day of March, 2010.





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

EXHIBIT A
NOTICE OF PUBLIC HEARING

At its March 1, 2010 meeting, the Board of Commissioners (the "*Board of Commissioners*") of the County of Henderson, North Carolina (the "*County*") adopted a resolution which:

1. Authorized the County to proceed to pay the capital costs of refinancing its installment payment obligations under (a) an installment financing contract dated as of January 15, 2001 between the County and the Corporation (the "*2001 Contract*"), (b) a financing agreement and deed of trust dated as of February 10, 2000 (the "*2000 Contract*"), (c) a financing agreement and deed of trust dated as of April 10, 2002 (the "*2002 Contract*"), (d) an installment financing contract dated as of November 27, 2006 (the "*2006 Contract,*") and (e) an installment financing contract dated as of May 10, 2007 (the "*2007 Contract,*" and collectively with the 2001 Contract, the 2000 Contract, the 2002 Contract and the 2006 Contract, the "*Prior Contracts*"), pursuant to an installment financing contract (the "*Contract*"), in a principal amount not to exceed \$20,500,000 under which the County will make certain installment payments, in order to make the projects financed under the Prior Contracts available to the County;

2. Authorized the County to proceed to provide, in connection with the Contract, as grantor, a deed of trust and security agreement (the "*Deed of Trust*") under which the real property on which Clear Creek Elementary School and Etowah Elementary School or both are located (collectively, the "*Sites*"), as set forth below, together with such other property as may be required (the "*Mortgaged Property*"), will be mortgaged by the County to create a lien thereon for the benefit of the entity, or its assigns, providing the funds to the County under the Contract.

Clear Creek Elementary School is located at 737 North Clear Creek Road, Hendersonville, North Carolina. Etowah Elementary School is located at 320 Etowah School Road, Etowah, North Carolina. The Mortgaged Property will be subject to the mortgage provided in the Deed of Trust. On payment by the County of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the County's title to the Mortgaged Property will be unencumbered.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the County's refinancing of the acquisition of the projects financed under the Prior Contracts. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the projects to be refinanced thereby.

/s/ Teresa Wilson

Clerk to the Board of Commissioners
County of Henderson, North Carolina

Published: _____

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on March 1, 2010 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman Bill Moyer presiding.

The following members were present:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

The following members were absent:

Larry Young

* * * * *

Commissioner Williams moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,
NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT
FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS
THERE TO**

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance or refinance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board hereby determines that it is in the best interest of the County to (1) enter into an Installment Financing Contract (the "*Contract*") with Henderson County Governmental Financing Corporation (the "*Corporation*") or a financial institution to be determined (the "*Bank*") in order to pay the capital costs of (a) improvements at Blue Ridge Community College consisting of (i) replacement of the Spearman Building roof and (ii) construction, repair and renovation projects at various buildings to provide HVAC/energy efficiency and safety/ADA, (b) construction of a classroom building serving both Apple Valley Middle School and North Henderson High School, including related site improvements therefor, a cafeteria addition and locker room renovations (collectively, the "*Projects*"), and (c) refinancing its installment payment obligations under (i) an installment financing contract dated as of January 15, 2001 between the County and the Corporation (the "*2001 Contract*"), (ii) a financing agreement and deed of trust dated as of February 10, 2000 (the "*2000 Contract*"), (iii) a financing agreement and deed of trust dated as of April 10, 2002 (the "*2002 Contract*") and (iv) an installment financing contract dated as of November 27, 2006 (the "*2006 Contract*," and collectively with the 2001 Contract, the 2000 Contract, the 2002 Contract and the 2006 Contract, the "*Prior Contracts*"), and (2) to enter into a deed of trust and security agreement (the "*Deed of Trust*") related to the County's fee simple interest in the real property on which Apple Valley Middle School and North Henderson High School are located (collectively, the "*Sites*") that will provide security for the County's obligations under the Contract;

WHEREAS, the County hereby determines that the acquisition of the Projects and has previously determined that the acquisition of the projects financed under the Prior Contracts are essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Projects and the projects financed under the Prior Contracts will provide or are providing an essential use and will permit or are permitting the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County has been advised that it can achieve savings by refinancing the principal portion of Installment Payments due under the Prior Contracts;

WHEREAS, the County hereby determines that the Contract allows the County to (a) refinance the Prior Contracts and (b) purchase the Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of financing the acquisition of the Projects and refinancing the Prior Contracts is an amount not to exceed \$30,000,000 and that such cost of the acquisition of the Projects and the refinancing of the Prior Contracts exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the acquisition of the Projects and the refinancing of the Prior Contracts pursuant to the Contract is expected to exceed the cost of financing the acquisition of the Projects and refinancing the Prior Contracts pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the Projects and refinancing the Prior Contracts pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would

thereby decrease the financial benefits of acquiring the Projects; and (3) insufficient revenues are produced by the Projects or projects financed under the Prior Contracts so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the Projects and refinancing the Prior Contracts pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract, the Deed of Trust and the projects to be financed or refinanced thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. *Authorization to Negotiate the Contract.* That the County Manager and the Finance Director, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the financing of the Projects and the refinancing of the Prior Contracts for a principal amount not to exceed \$30,000,000 under the Contract to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County's obligations

thereunder, the Deed of Trust conveying a lien and interest in one or both of the Sites, including the improvements thereon, as may be required by the entity, or its assigns, providing the funds to the County under the Contract.

Section 2. ***Application to LGC.*** That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. ***Direction to Retain Special Counsel; Underwriter.*** That the County Manager and the Finance Director, with advice from the County Attorney, are hereby authorized and directed to retain the assistance of (a) Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as special counsel and (b) Stephens, Inc., as underwriter, if the County Manager and the Finance Director determine that a public sale of the County's installment payment obligations under the Contract is advisable.

Section 4. ***Public Hearing.*** That a public hearing (the "*Public Hearing*") shall be conducted by the Board of Commissioners on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, Hendersonville, North Carolina, concerning the Contract, the Deed of Trust, the proposed Projects, the refinancing of the Prior Contracts and any other transactions contemplated therein and associated therewith.

Section 5. ***Notice of Public Hearing.*** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 6. ***Repealer.*** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. ***Effective Date.*** That this Resolution is effective on the date of its adoption.

On motion of Commissioner Williams, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" was duly adopted by the following vote:

AYES:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

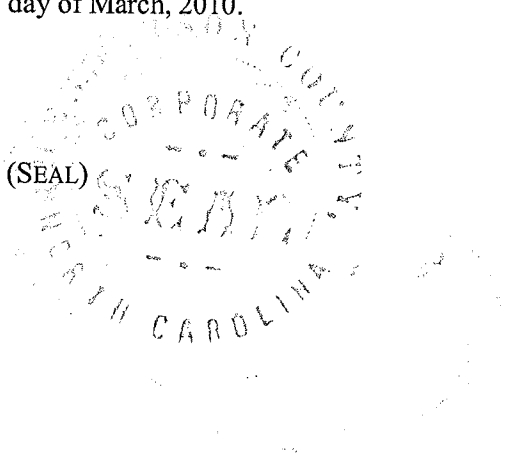
NAYS:


None

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

I, TERESA WILSON, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Henderson, North Carolina at a meeting held on the 1st day of March, 2010.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 1st day of March, 2010.





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

EXHIBIT A
NOTICE OF PUBLIC HEARING

At its March 1, 2010 meeting, the Board of Commissioners (the "*Board of Commissioners*") of the County of Henderson, North Carolina (the "*County*") adopted a resolution which:

1. Authorized the County to proceed to pay the capital costs of (a) improvements at Blue Ridge Community College consisting of (i) replacement of the Spearman Building roof and (ii) construction, repair and renovation projects at various buildings to provide HVAC/energy efficiency and safety/ADA, (b) construction of a classroom building serving both Apple Valley Middle School and North Henderson High School, including related site improvements therefor, a cafeteria addition and locker room renovations (collectively, the "*Projects*"), and (c) refinancing its installment payment obligations under (i) an installment financing contract dated as of January 15, 2001 between the County and the Corporation (the "*2001 Contract*"), (ii) a financing agreement and deed of trust dated as of February 10, 2000 (the "*2000 Contract*"), (iii) a financing agreement and deed of trust dated as of April 10, 2002 (the "*2002 Contract*"), (iv) an installment financing contract dated as of November 27, 2006 (the "*2006 Contract,*") and (v) an installment financing contract dated as of May 10, 2007 (the "*2007 Contract,*" and collectively with the 2001 Contract, the 2000 Contract, the 2002 Contract and the 2006 Contract, the "*Prior Contracts*"), pursuant to an installment financing contract (the "*Contract*"), in a principal amount not to exceed \$30,000,000 under which the County will make certain installment payments, in order to make the Projects and the projects financed under the Prior Contracts available to the County;

2. Authorized the County to proceed to provide, in connection with the Contract, as grantor, a deed of trust and security agreement (the "*Deed of Trust*") under which the real property on which Apple Valley Middle School or North Henderson High School or both are located (collectively, the "*Sites*"), as set forth below, together with such other property as may be required (the "*Mortgaged Property*"), will be mortgaged by the County to create a lien thereon for the benefit of the entity, or its assigns, providing the funds to the County under the Contract.

Apple Valley Middle School is located at 43 Fruitland Road, Hendersonville, North Carolina. North Henderson High School is located at 35 Fruitland Road, Hendersonville, North Carolina. The Mortgaged Property will be subject to the mortgage provided in the Deed of Trust. On payment by the County of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the County's title to the Mortgaged Property will be unencumbered.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the County's acquisition of the Projects. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the Projects and the Prior Projects to be financed and refinanced thereby.

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

Published: _____

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on March 1, 2010 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman Bill Moyer presiding.

The following members were present:

- William Moyer, Chairman
- Mark Williams, Vice Chairman
- Chuck McGrady
- Charlie Messer

The following members were absent:

- Larry Young

* * * * *

Commissioner Williams moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT (QUALIFIED ZONE ACADEMY BOND) AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Henderson, North Carolina (the "County") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board hereby determines that it is in the best interest of the County to (1) enter into an Installment Financing Contract (the "*Contract*") with a financial institution to be determined (the "*Bank*") in order to pay the capital costs of various construction, repair and renovation projects at (a) Edneyville Elementary School, (b) Bruce Drysdale Elementary School, (c) Atkinson Elementary School, (d) Glenn C. Marlow Elementary School, (e) Upward Elementary School, (f) Apple Valley Middle School, (g) Flat Rock Middle School and (h) North Henderson High School (collectively, the "*Projects*") and (2) to enter into a deed of trust and security agreement (the "*Deed of Trust*") related to the County's fee simple interest in the real property on which Glenn C. Marlow Elementary School or Flat Rock Middle School or both are located (collectively, the "*Site*") that will provide security for the County's obligations under the Contract;

WHEREAS, the County hereby determines that the acquisition of the Projects is essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Projects will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to purchase the Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and upon terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of financing the acquisition of the Projects is an amount not to exceed \$1,807,500 and that such cost of the acquisition of the Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, the cost of financing the acquisition of the Projects pursuant to the Contract is not expected to exceed the cost of financing the acquisition of the Projects pursuant to a bond financing for the same undertaking, because the Contract is expected to be executed and delivered as a "qualified zone academy bond" under the Internal Revenue Code of 1986, as amended, so that the County will not be obligated to pay the full interest cost it would otherwise be required to pay, and the County hereby determines that the cost of financing the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring the Projects; and (3) no revenues are produced by the Projects so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract, the Deed of Trust and the Projects to be financed thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Authorization to Negotiate the Contract.*** That the County Manager and the Finance Director, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the financing of the Projects for a principal amount not to exceed \$1,807,500 under the Contract to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County's obligations thereunder, the Deed of Trust conveying a lien and interest in the Site, including the improvements thereon, as may be required by the entity, or its assigns, providing the funds to the County under the Contract.

Section 2. ***Application to LGC.*** That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. ***Direction to Retain Special Counsel.*** That the County Manager and the Finance Director, with advice from the County Attorney, are hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as special counsel.

Section 4. **Public Hearing.** That a public hearing (the "*Public Hearing*") shall be conducted by the Board of Commissioners on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, Hendersonville, North Carolina, concerning the Contract, the Deed of Trust, the proposed Projects and any other transactions contemplated therein and associated therewith.

Section 5. **Notice of Public Hearing.** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 6. **Repealer.** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. **Effective Date.** That this Resolution is effective on the date of its adoption.

On motion of Commissioner Williams, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT (QUALIFIED ZONE ACADEMY BOND) PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" was duly adopted by the following vote:

AYES:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

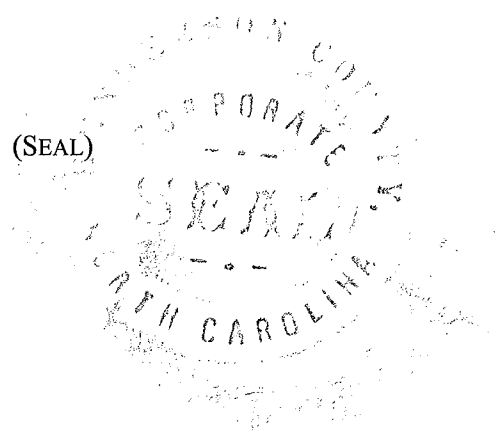
NAYS:

None

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

I, TERESA WILSON, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT (QUALIFIED ZONE ACADEMY BOND) AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Henderson, North Carolina at a meeting held on the 1st day of March, 2010.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 1st day of March, 2010.



Teresa L. Wilson

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

EXHIBIT A
NOTICE OF PUBLIC HEARING

At its March 1, 2010 meeting, the Board of Commissioners (the "*Board of Commissioners*") of the County of Henderson, North Carolina (the "*County*") adopted a resolution which:

1. Authorized the County to proceed to pay the capital costs of various construction, repair and renovation projects at (a) Edneyville Elementary School, (b) Bruce Drysdale Elementary School, (c) Atkinson Elementary School, (d) Glenn C. Marlow Elementary School, (e) Upward Elementary School, (f) Apple Valley Middle School, (g) Flat Rock Middle School and (h) North Henderson High School (collectively, the "*Projects*"), pursuant to an installment financing contract (the "*Contract*"), in a principal amount not to exceed \$1,807,500 under which the County will make certain installment payments, in order to make the Projects available to the County;

2. Authorized the County to proceed to provide, in connection with the Contract, as grantor, a deed of trust and security agreement (the "*Deed of Trust*") under which the real property on which Glenn C. Marlow Elementary School or Flat Rock Middle School or both are located (collectively, the "*Site*"), as set forth below, together with such other property as may be required (the "*Mortgaged Property*"), will be mortgaged by the County to create a lien thereon for the benefit of the entity, or its assigns, providing the funds to the County under the Contract.

Glenn C. Marlow Elementary School is located at 1985 Butler Bridge Road., Mills River, North Carolina. Flat Rock Middle School is located at 191 Preston Lane, East Flat Rock, North Carolina. The Mortgaged Property will be subject to the mortgage provided in the Deed of Trust. On payment by the County of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the County's title to the Mortgaged Property will be unencumbered.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the County's acquisition of the Projects. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the Projects to be financed thereby.

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

Published: _____

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on March 1, 2010 at 5:30 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina. Chairman Bill Moyer presiding.

The following members were present:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

The following members were absent:

Larry Young

* * * * *

Commissioner Williams moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,
NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT
FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS
THERE TO**

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board hereby determines that it is in the best interest of the County to (1) enter into an Installment Financing Contract (the "*Contract*") with Henderson County Governmental Financing Corporation (the "*Corporation*") or a financial institution to be determined (the "*Bank*") in order to pay the capital costs of (a) improvements at Blue Ridge Community College consisting of (i) replacement of the Spearman Building roof and (ii) construction, repair and renovation projects at various buildings to provide HVAC/energy efficiency and safety/ADA, and (b) construction of a classroom building serving both Apple Valley Middle School and North Henderson High School, including related site improvements therefor, a cafeteria addition and locker room renovations (collectively, the "*Projects*"), and (2) to enter into a deed of trust and security agreement (the "*Deed of Trust*") related to the County's fee simple interest in the real property on which Apple Valley Middle School and North Henderson High School are located (collectively, the "*Sites*") that will provide security for the County's obligations under the Contract;

WHEREAS, the County hereby determines that the acquisition of the Projects is essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Projects will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to purchase the Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of financing the acquisition of the Projects is an amount not to exceed \$9,500,000 and that such cost of the acquisition of the Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the acquisition of the Projects pursuant to the Contract is expected to exceed the cost of financing the acquisition of the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring the Projects; and (3) no revenues are produced by the Projects so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract, the Deed of Trust and the projects to be financed thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Authorization to Negotiate the Contract.*** That the County Manager and the Finance Director, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the financing of the Projects for a principal amount not to exceed \$9,500,000 under the Contract to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County's obligations thereunder, the Deed of Trust conveying a lien and interest in one or both of the Sites, including the improvements thereon, as may be required by the entity, or its assigns, providing the funds to the County under the Contract.

Section 2. ***Application to LGC.*** That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. ***Direction to Retain Special Counsel; Underwriter.*** That the County Manager and the Finance Director, with advice from the County Attorney, are hereby authorized and directed to retain the assistance of (a) Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as special counsel and (b) Stephens, Inc., as underwriter, if the County Manager and the Finance Director determine that a public sale of the County's installment payment obligations under the Contract is advisable.

Section 4. **Public Hearing.** That a public hearing (the "*Public Hearing*") shall be conducted by the Board of Commissioners on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, Hendersonville, North Carolina, concerning the Contract, the Deed of Trust, the proposed Projects and any other transactions contemplated therein and associated therewith.

Section 5. **Notice of Public Hearing.** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 6. **Repealer.** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. **Effective Date.** That this Resolution is effective on the date of its adoption.

On motion of Commissioner Williams, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" was duly adopted by the following vote:

AYES:

William Moyer, Chairman
Mark Williams, Vice Chairman
Chuck McGrady
Charlie Messer

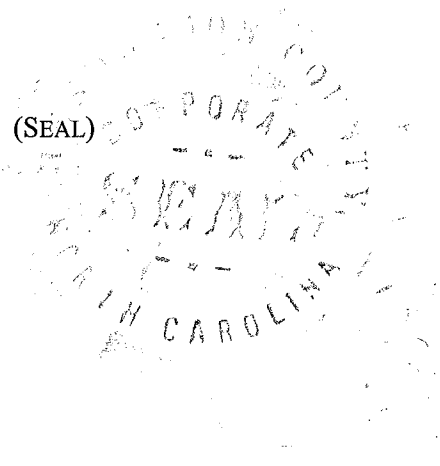
NAYS:

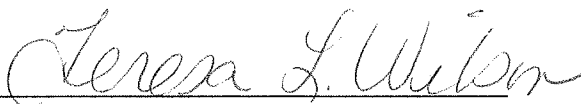
None

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

I, TERESA WILSON, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Henderson, North Carolina at a meeting held on the 1st day of March, 2010.

WITNESS my hand and the corporate seal of the County of Henderson, North Carolina, this the 1st day of March, 2010.





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

EXHIBIT A
NOTICE OF PUBLIC HEARING

At its March 1, 2010 meeting, the Board of Commissioners (the "*Board of Commissioners*") of the County of Henderson, North Carolina (the "*County*") adopted a resolution which:

1. Authorized the County to proceed to pay the capital costs of (a) improvements at Blue Ridge Community College consisting of (i) replacement of the Spearman Building roof and (ii) construction, repair and renovation projects at various buildings to provide HVAC/energy efficiency and safety/ADA, and (b) construction of a classroom building serving both Apple Valley Middle School and North Henderson High School, including related site improvements therefore, a cafeteria addition and locker room renovations (collectively, the "*Projects*"), pursuant to an installment financing contract (the "*Contract*"), in a principal amount not to exceed \$9,500,000 under which the County will make certain installment payments, in order to make the Projects available to the County;

2. Authorized the County to proceed to provide, in connection with the Contract, as grantor, a deed of trust and security agreement (the "*Deed of Trust*") under which the real property on which Apple Valley Middle School or North Henderson High School or both are located (collectively, the "*Sites*"), as set forth below, together with such other property as may be required (the "*Mortgaged Property*"), will be mortgaged by the County to create a lien thereon for the benefit of the entity, or its assigns, providing the funds to the County under the Contract.

Apple Valley Middle School is located at 43 Fruitland Road, Hendersonville, North Carolina. North Henderson High School is located at 35 Fruitland Road, Hendersonville, North Carolina. The Mortgaged Property will be subject to the mortgage provided in the Deed of Trust. On payment by the County of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the County's title to the Mortgaged Property will be unencumbered.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on April 5, 2010 at 7:00 p.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the County's acquisition of the Projects. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the Projects to be financed thereby.

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

Published: _____

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/

Stan C. Duncan
Tax Collector & County Assessor

Sandy Allison
Administrative Assistant II

February 22, 2010

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

Re: Tax Collector's Report to Commissioners – 03/01/10 Meeting

Please find outlined below collections information through February 19th for the 2009 bills mailed out on August 5th, 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:

2009 Total Charge \$57,024,352.18
Payments & Releases: 54,012,761.51
Unpaid Taxes: 3,011,590.67
Percentage collected: 94.72%
(through 02/19/10)

2008 Total Charge: \$55,850,131.09
Payments & Releases: 52,325,498.61
Unpaid Taxes: 3,524,632.48
Percentage Collected: 93.69%
(through 02/19/09)

Motor Vehicle Bills G01 Only:

2009 Total Charge: \$2,983,084.38
Payments & Releases: 2,451,929.86
Unpaid Taxes: 531,154.52
Percentage collected: 82.19%
(through 02/19/10)


2008 Total Charge: \$3,214,006.19
Payments & Releases: 2,624,373.48
Unpaid Taxes: 589,632.71
Percentage collected: 81.65%
(through 02/19/09)

Fire Districts All Bills

2009 Total Charge: \$6,482,059.14
Payments & Releases 6,091,854.15
Unpaid Taxes: 390,204.99
Percentage collected: 94.20%
(through 02/19/10)

2008 Total Charge: \$6,425,413.68
Payments & Releases: 5,943,724.14
Unpaid Taxes: 481,689.54
Percentage collected: 92.79%
(through 02/19/09)

Respectfully submitted,


Carol McCraw,
Deputy Tax Collector

Stan C. Duncan,
Tax Collector

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT: BUILDING SERVICES

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
BLUEPRINTS 1 YR AFTER PERMITTED	✓		3.1	
PERMITS + APPS & YRS AFTER C.O.	✓		3.4	
PERMIT LOG 2003 + PRIOR	✓		3.5	
PERMIT RECEIPT BKS 2006 + PRIOR	✓		3.6	
CERTS OF OCCUPANCY 2003 + PRIOR	✓		3.9	
DEMOLITION FILE 2003 + PRIOR	✓		3.12	
INSPECTION REPORTS 6 YRS AFTER CO	✓		3.14	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Tom Stauffer
Department Head

1-14-10
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 14 day of March, 2010.

Teresa L. Wilson
Clerk to the Board

**HENDERSON COUNTY
RECORDS RETENTION AND DISPOSITION PROCEDURE**

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG
(Revised March 13, 2002)

DEPARTMENT: BUILDING SERVICES

RECORD TITLE & DESCRIPTION, INCLUSIVE DATES, & QUANTITY	RECORDS WILL BE		RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
	DESTROYED	*DUPLICATED		
SUMMARY SHEETS 6 YRS AFTER C.O.	✓		3.15	
MOBILE HOME PERMITS 6 YRS AFTER C.O.	✓		3.17	
MISC APPS + PERMITS 3 YRS AFTER C.O.	✓		3.18	
MONTHLY REPORTS 2006 + PRIOR	✓		3.19	
TRADE PERMITS 2003 + PRIOR	✓		3.27	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Sam Stauffer
Department Head

1-14-10
Date

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED
DISAPPROVED

the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the 1st day of March, 2010

Teresa L. Wilson
Clerk to the Board