

RESOLUTION

WHEREAS, at the request of the Henderson County Board of Public Education (“the School Board”), Henderson County (“the County”), a political subdivision operating under the laws of North Carolina, has considered constructing, renovating, equipping and maintaining, and intends to construct, renovate, equip and maintain a new or expanded elementary school for the Mills River area (“the Mills River Project”) by securing financing to pay for all or a portion of the estimated cost of the Mills River Project; and,

WHEREAS, at the request of the School Board, the County has considered constructing, renovating, equipping and maintaining, and intends to construct, renovate, equip and maintain a new or expanded elementary school for the Hillandale area (“the Hillandale Project”) by securing financing to pay for all or a portion of the estimated cost of the Hillandale Project;

WHEREAS, the County proposes to finance the Mills River Project and the Hillandale Project, but has incurred and will continue to incur expenses on such projects prior to the financing thereof;

WHEREAS, the County continues its desire to reimburse itself from the proceeds of a borrowing for expenditures the County has made or will continue to make in connection with the Mills River Project and the Hillandale Project prior to the financing thereof;

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

1. The Henderson County Board of Commissioners, which is authorized to declare the official intent of the County of Henderson, North Carolina with respect to matters contained herein, hereby makes the following declaration that is intended to constitute a Declaration of Official Intent to Reimburse from Financing Proceeds Expenditures Made by the County with respect to the Mills River Project and the Hillandale Project:
 - (a) **Expenditures to be Incurred.** The County has incurred expenses and expects to incur expenditures (“the Expenditures”) related to the Mills River Project and the Hillandale Project.
 - (b) **Plan of Finance.** The County intends to finance the costs of the foregoing acquisition, construction and equipping with proceeds of a financing in an amount deemed advisable by the County, but not to exceed \$28.4 million (“the Borrowing”).

- (c) **Declaration of Official Intent to Reimburse.** The County hereby declares and reaffirms its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures paid by it prior to the incurrence of the Borrowing.
2. Any previous resolutions regarding the County's intent to reimburse are hereby repealed.
3. This resolution shall take effect immediately upon its passage.

ADOPTED THIS the 12th day of March 2007.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____

William Moyer
WILLIAM MOYER, Chairman

[OFFICIAL SEAL]

ATTESTED BY:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk to the Board

PUBLIC INPUT SIGN UP SHEET

3-12-07

**PUBLIC INPUT SHALL BE LIMITED TO
THREE (3) MINUTES PER PERSON.**

EACH PERSON SHOULD:

- (1) STATE YOUR NAME**
- (2) IN WHAT AREA OF THE COUNTY YOU LIVE**
- (3) SPEAK IN A CLEAR AND COURTEOUS MANNER.**

Please Print:

	<u>NAME</u>	<u>ADDRESS</u>	<u>ISSUE</u>
✓ 1.	Barbara Barnett	602 Water Oak La.	H'ville Proposed schools
✓ 2.	Burford Adcock	350 Frankie Lane	Flat Rock Barking Dog
✓ 3.	Kenny Adcock	340 Frankie Lane	Flat Rock Barking Dog
✓ 4.	Dennis Crawford	224 Stonebrook Dr	H'ville Barking Dog
✓ 5.	Linda Soble	308 Comet Dr.	H'ville local supplement
✓ 6.	Jusan Stewart	80 Bay Willow Ct	H'ville proposed schools
✓ 7.	Dick Baird	511 Hidden Lake	H'ville 3 subjects
✓ 8.	RANDY NEAL	3033 TIMBER TRAILS	H'ville NEW SCHOOLS
✓ 9.	Margaret Davenport	3548 Chimney Road	" Edny Comm
✓ 10.	Robert Armstrong	160 Mt. Valley Dr	H'ville New Schools
11.	_____	_____	_____
12.	_____	_____	_____
13.	_____	_____	_____

REAPPRAISAL

UPDATE

Stan C. Duncan
Henderson County Assessor

Monday, March 12, 2007

The Tax Base is Composed of:

1. **Real Property** – land and improvements (structures permanently attached), including some manufactured housing.
2. **Motor Vehicles** – licensed (tagged) vehicles.
3. **Personal Property** – business machinery & equipment, aircraft & watercraft, untagged motor vehicles, and manufactured homes not meeting the real property test.
4. **Public Service Companies** – public utilities and other regulated companies.

For FY 2006 - 07 . . .

Property Type	Projection	% of Tax Base
Real Property	\$ 7,673,400,000	81.98%
Registered MV's	\$ 829,500,000	8.87%
Personal Property	\$ 689,270,000	7.36%
Public Service Co.	\$ 167,945,000	1.79%
TOTAL:	\$ 9,360,115,000	100.00%

NOTE: Real Property based on Valuations as of 4-28-07.
 Personal Property based on 4-5% loss over prior year.
 RMV's based on 98% of projected prior FY.
 Public Service Co.'s based on trend of 3 prior years.

For Calendar Year 2006 . . .

Property Type	TR-1 Report	% of Tax Base
Real Property	\$ 7,773,053,453	80.23%
Registered MV's	\$ 916,991,440	9.46%
Personal Property	\$ 805,366,146	8.31%
Public Service Co.	\$ 193,340,879	2.00%
TOTAL:	\$ 9,688,751,918	100.00%

NOTE: Real & Personal Property based on Valuations as of end of Calendar Year 2006.
 RMV's based on actual bills issued during Calendar Year 2006.
 Public Service Co.'s based on Certifications by NCDOR as of 10-23-06.

FY 2006 – 07 Reconciled . . .

Property	Projection /	TR-1 Report	% Diff.	% Tax Base
Real Prop.	\$ 7,673,400,000	\$ 7,773,053,453	1.30%	1.07%
Reg. MV's	\$ 829,500,000	\$ 916,991,440	10.55%	.93%
Pers. Prop.	\$ 689,270,000	\$ 805,366,146	16.84%	1.24%
Pub. Serv.	\$ 167,945,000	\$ 193,340,879	15.12%	.27%
TOTAL:	\$ 9,360,115,000	\$ 9,688,751,918	3.51%	3.51%

NOTE: Real & Personal Property based on Valuations as of end of Calendar Year 2006.
 RMV's based on actual bills issued during Calendar Year 2006.
 Public Service Co.'s based on Certifications by NCDOR as of 10-23-06.

For FY 2007 - 08 . . .

Property Type	Projection	%
Real Property	?????	?
Registered MV's	\$ 850-875M	?
Personal Property	\$ 775-805M	?
Public Service Co.	\$ 170-190M	?
TOTAL:	\$?????	100%

NOTE: Likely/Possible Adjustments to Tax Base: Changes due to Appeals, Possible Legislative Action by NC General Assembly (PUV, Expansion of Elderly Exclusion, new programs, etc..)

Important Case Law

"The North Carolina General Assembly, and no one else, determines how property in this State should be valued for purposes of ad valorem taxation."

In re Amp, Inc., 287 N.C. 547, 215S.E.2d 752 (1975)

Uniform Appraisal Standard

"All property, real and personal, shall as far as practicable be appraised or valued at its true value in money. When used in this Subchapter, the words "true value" shall be interpreted as meaning market value, that is, the price estimated in terms of money at which the property would change hands between a willing and financially able buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used."

N.C.G.S. 105-283

Market Value is...

- Value in Exchange
- **NOT** the highest, lowest, or average value **BUT** the most probable value.
- **NOT** necessarily the most recent price paid in an arms length transaction **WHEN** competent evidence of a different value is presented.

Valuation Standard

There is no basis in State law for market value being different from appraised value for property tax purposes as of January 1 of the reappraisal year.

Important Case Law

“The purpose of the statutory requirement that all property be appraised at its true value in money is to assure, as far as practicable, a distribution of the burden of taxation in proportion to the true values of the respective taxpayer’s property holdings, whether they be rural or urban.”

in re King, 281 N.C. 533, 189 S.E.2d 158 (1972)

Why Reappraise so often?

- Equitable distribution of the tax burden.

Personal property (motor vehicles, business machinery & equipment, aircraft & watercraft), is appraised and assessed at Market Value each and every year.

Real property is appraised and assessed at Market Value only in the year of, and as of, the year of the reappraisal.

Why Reappraise so Often?

Level of Assessment Relative to January 1 Market Value

Real Property	Year	Personal Property
100.00%	2007	100.00%
83.83%	2006	100.00%
86.46%	2005	100.00%
92.41%	2004	100.00%
99.47%	2003	100.00%
85.88%	2002	100.00%

Comparisons...

Henderson vs. Other 2003 Reappraisal Counties

(Level of Assessment as of January 1 of each respective calendar year.)

	2003	2006
Brunswick	100.00%	62.50%
Catawba	99.65%	94.58%
Henderson	99.47%	83.83%
Hertford	100.00%	98.51%
Hyde	95.74%	69.24%
Macon	100.00%	77.43%
Mecklenburg	98.08%	93.76%
Moore	100.00%	89.66%
Scotland	100.00%	91.36%
Wayne	99.87%	90.83%

Comparisons...

Henderson vs. Other 2003 Reappraisal Counties

(Actual and Effective Tax Rates as of January 1, 2006.)

	2006 Assm't Level	Actual Tax Rate	Effective Tax Rate
Brunswick	62.50%	\$.54	\$.3375
Catawba	94.58%	\$.49	\$.4634
Henderson	83.83%	\$.565	\$.4736
as of 12/31/2006	74.00%	\$.565	\$.4181
Hertford	98.51%	\$.91	\$.8964
Hyde	69.24%	\$.715	\$.4951
Macon	77.43%	\$.37	\$.2865
Mecklenburg	93.76%	\$.8189	\$.7678
Moore	89.66%	\$.445	\$.399
Scotland	91.36%	\$ 1.10	\$ 1.005
Wayne	90.83%	\$.735	\$.6676

Other Considerations...

Reappraisals recognize & measure **CHANGE**.

Not all properties **CHANGE** at the same rate.

There are:

- Differences between property locations...
- Differences between property types...

Reappraisals Measure CHANGE

2005 Average Sales Price: \$221,109

2006 Average Sales Price: \$242,498

(for Condominiums, Townhouses, and Single-Family Homes)

A 1-yr. Increase of \$21,389 or 9.67%!

2 January 2007 *Hendersonville Times-News*
"Local housing market still good" by Leigh Kelley
Based on Sales through November 30, 2006

Reappraisals Measure CHANGE

Year	Average Single-Family S.P. as of January 1	% Change from prior year
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2003	\$170,599	-
2004	\$178,991	4.9%
2005	\$197,041	10.1%
2006	\$222,896	13.1%
2007	\$243,020	9.0%

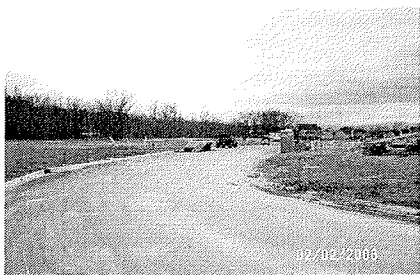
Cumulative appreciation since 1-1-2003: **37.1%**

(from data available at MLS for Condominiums, Townhouses, and Single-Family Homes)

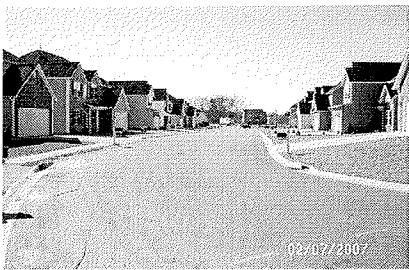
Our Changing Landscape...



Our Changing Landscape – 2006



Our Changing Landscape - 2007



What to Expect?

Real Property Appraised Valuations will...

CHANGE!

Most all will increase;

some significantly more than others...

Change . . .

Vacant Land Sales:

- 5 ac. Dana – Sold 8-2005 - **32.28% increase**
- 5.27 ac. Edneyville – Sold 10-2005 – **57% increase**
- 7.25 ac. Green River – Sold 12-2005 – **128% increase**
- 14.73 ac. Edneyville – Sold 3-2006 – **144% increase**
- 19.13 ac. Edneyville – Sold 9-2006 – **96% increase**
- 47.14 ac. Bat Cave – Sold 7-2005 – **172% increase**
- 68.91 ac. Green River – Sold 11-2005 – **260% increase**

Important Case Law

“Ad valorem tax assessments are presumed to be correct, and when such assessments are challenged, the burden of proof is on the taxpayer to show that the assessment was erroneous.”

In re Bosley, 29 N.C. App. 468, 224 S.E.2d 686, cert denied,
290 N.C. 551, 226 S.E.2d 509 (1976)

end of tape #1

start of tape #2

Important Case Law

“Ad valorem tax assessments are presumed correct. In order to rebut this presumption, the taxpayer must present evidence to show that an arbitrary method of valuation was used, or that an illegal method of valuation was used, and that the assessment substantially exceeded the true value in money of the property.”

In re Interstate Income Fund I, 126 N.C. App. 162, 484 S.E.2d 450 (1997)

The Appeal Process...

- Unique to property tax.
- **Informally;** by mailing the tear-off form from the Reappraisal Notice to the Assessor’s Office. Fill out Form attached to Reappraisal Notice, attach additional information, and mail back to the Assessor’s Office.
- **Formally;** to the Henderson County Board of Equalization & Review. Make written application by the advertised adjournment date.

Winning Your Appeal

- Do **NOT** appeal on the percentage of increase.
- Do **NOT** appeal on the basis that value for property tax purposes should be significantly different from Market Value.
- Do **NOT** appeal on the basis that the property is not for sale.

tape lends @ #3854

Winning Your Appeal

- Initial Valuation is based on available, market data.
- **Successful appeals present better data.**
- Examples of better data:
 1. Independent Fee appraisal with an effective date of valuation as of January 1, 2007.
 2. Sales of comparable property, prior to January 1, 2007 that sold for a significantly different amount.
 3. Evidence of some problem not known to County.

Appeal Results

Based on evidence submitted and data already available.....

Appraised Valuations may be **unchanged**.

Appraised Valuations may be **reduced**.

Appraised Valuations may be **increased**.

Questions ?

www.hendersoncountync.org

Or...

Contact the County Assessor's Office:

828 – 698 – 5003

200 N. Grove Street, Suite 102
Hendersonville, NC 28792



HENDERSON COUNTY, NORTH CAROLINA
 2007 COUNTYWIDE REAPPRAISAL
Notice of REAL PROPERTY ASSESSED VALUE



Date of Notice	District	App	Acreage	Property Description	Parcel Number

Market Value	* Excluded Amount	Deferred Amount	Assessed Value

THIS IS NOT A TAX BILL

#BWNJTFG

In accordance with state law, all real property in the county has been reappraised in order to equalize assessments. The assessed value of your property represents 100% true market value as of January 1, 2007. The Henderson County Board of Commissioners will set the tax rate for 2007 on or before July 1, 2007.

If you wish to appeal your assessed value, please complete and return this appeal form within 30 days of the date of this notice. **It is not necessary for you to make a personal visit to our office.** The written information you provide will be reviewed by the appraisal staff and you will be mailed written notification of their decision within 12 weeks of the date we receive your appeal.

PLEASE DETACH AND RETURN BOTTOM PORTION ONLY IF YOU WISH TO APPEAL

2007

HENDERSON COUNTY INFORMAL APPEAL FORM
THIS FORM MUST BE COMPLETED IN ITS ENTIRETY

2007

Date of Notice	District	App	Acreage	Property Description	Parcel Number

Market Value	* Excluded Amount	Deferred Amount	Assessed Value

YOUR 2007 ASSESSED VALUE **MAY** BE APPEALED IF EITHER OF THE FOLLOWING APPLIES:

- ◆ The assessed value substantially exceeds the market value of the property
- ◆ Your property has been appraised inequitably as it relates to the market value of comparable properties

YOUR 2007 ASSESSED VALUE **CANNOT** BE APPEALED FOR THE FOLLOWING REASONS:

- ◆ The percentage increase over the previous assessed value
- ◆ Actual construction or historic cost
- ◆ The amount of the anticipated taxes due
- ◆ Your financial ability to pay the taxes
- ◆ Insurance value
- ◆ Liquidation or salvage value

A REVIEW OF YOUR ASSESSMENT MAY RESULT IN YOUR VALUE BEING: UNCHANGED, REDUCED OR INCREASED

Owner's Opinion of Market Value _____ Purchase Price _____ Date of Purchase _____

Comparable Properties _____
 (List property owner names and addresses of properties you are comparing)

If this is an income producing property (Apartments, Shopping Centers, Offices, Etc.) please attach income/expense statement for fiscal year 2006. **ALL INCOME AND EXPENSE INFORMATION WILL BE KEPT CONFIDENTIAL.**

Do you wish to request an on-site visitation of your property? Yes _____ No _____

Property Owner Comments: _____

Documentation to support your opinion of value is essential. Please attach complete copies of any recent sales, appraisals, market analyses, closing statements, real estate listings, income and expense statements, etc. that occurred prior to January 1, 2007.

 DATE WORK PHONE HOME PHONE CELL PHONE OWNER'S SIGNATURE

STANDARDS FOR APPRAISAL AND ASSESSMENT

North Carolina General Statute 105-283 states that ... All property, real and personal, shall as far as practicable be appraised or valued at its true value in money... The words "true value" shall be interpreted as meaning market value, that is, the price estimated in terms of money at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used.

INFORMAL REVIEW PROCESS

Henderson County will make available personnel to review your real property values. A CHANGE IN VALUE WILL BE CONSIDERED ONLY IF THE REAL PROPERTY OWNER CAN DEMONSTRATE THAT THE APPRAISED VALUE IS SUBSTANTIALLY MORE THAN MARKET VALUE OR IS INCONSISTENT WITH VALUES PLACED ON LIKE OR SIMILAR PROPERTIES. A request for review must be made in writing by completing the informal review form (See Reverse Side) in its entirety and returning it to the Assessor's Office within 30 DAYS OF THE DATE OF THIS NOTICE. If this notice is the result of a general reappraisal you may request an actual on-site visitation by stating so on the informal review form. The informal review process takes many months to complete in a year in which a general reappraisal has taken place. Your right to appeal to the Board of Equalization and Review is protected during the time we are considering your informal appeal.

IF YOU REQUEST A REVIEW OF YOUR PROPERTY

Henderson County Staff Appraisers will review the information you have provided and respond to you with another Notice of Assessed Value. The objective of the Informal Review will be to assure that your property is appraised at 100% of its Fair Market Value; therefore your value could decrease, increase, or stay the same. Please be sure to fill out the appeal form in its entirety and return it within 30 days of the date on this notice to:

**HENDERSON COUNTY ASSESSOR
REAL PROPERTY APPRAISAL
200 NORTH GROVE STREET, SUITE 102
HENDERSONVILLE, N. C. 28792
Fax 828 - 698- 4422**

Please be sure to include your daytime and evening phone numbers in the event that the appraiser needs to contact you.

* PROPERTY TAX HOMESTEAD EXCLUSION FOR ELDERLY OR PERMANENTLY DISABLED PERSONS

North Carolina General Statute §105-277.1 excludes from property taxes a portion of the appraised value of a permanent residence owned and occupied by North Carolina residents aged 65 or older or totally and permanently disabled whose income does not exceed twenty thousand five hundred dollars (\$20,500). The amount of the appraised value of the residence that may be excluded from taxation is the greater of twenty thousand dollars (\$20,000) or fifty percent (50%) of the appraised value of the residence. Income means the owner's adjusted gross income as determined for federal income tax purposes, plus all monies received other than gifts or inheritances received from a spouse, lineal ancestor or lineal descendant. *If you feel you may qualify for this exclusion you may request an application from the Assessor's Office anytime between January 1 and June 1.*

HENDERSON COUNTY ASSESSOR, REAL PROPERTY APPRAISAL, 200 NORTH GROVE STREET, SUITE 102,
HENDERSONVILLE, NC 28792 828 - 698 - 5003

RESOLUTION APPOINTING PLAT REVIEW OFFICERS

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

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

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

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

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

Pam Carver	Matthew S. Card
Tina Ball	Autumn M. Radcliff
David Gottberg	Matthew C. Cable
Judy Gilmore	Anthony Starr
Marsha Drake	Kathleen Scanlan

2. That the appointment of any persons as Review Officers by any previously adopted Resolution of the Henderson County Board of Commissioners that are not specifically named in paragraph 1 above is hereby revoked;

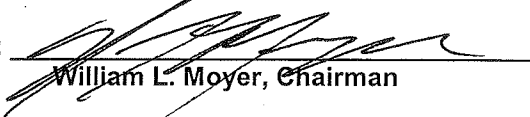
3. That the above-named persons, as Review Officers, shall comply with all statutory requirements and shall follow all procedures, statutorily prescribed and as prescribed in that Resolution adopted September 17, 1997;

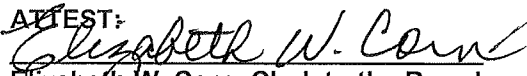
4. That the Resolution adopted September 17, 1997 will continue in effect except as modified by this Resolution;

5. That this Resolution shall be recorded in the Office of the Register of Deeds for Henderson County as soon as practicable after its adoption.

THIS the 12th day of March 2007.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: 
William L. Moyer, Chairman

ATTEST:

Elizabeth W. Corn, Clerk to the Board

[COUNTY SEAL]

