

DRAFT

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, JUNE 4, 2018**

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: Vice-Chairman Grady Hawkins, Commissioner Tommy Thompson, Commissioner Charlie Messer, Commissioner William Lapsley, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Clerk to the Board Teresa L. Wilson, and Attorney Russ Burrell.

Also present were: Management Assistant Megan Powell, Finance Director Samantha Reynolds, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Recreation Director Carleen Dixon, Emergency Management/Rescue Coordinator Jimmy Brissie, Captain Benjy Bryant, Library Director Trina Rushing, Code Enforcement Director Toby Linville, Construction Manager David Berry, IT Director Becky Snyder, Building Services Interim Director Crystal Lyda, Deputy Registrar of Deeds Shelley Beaubouef, HR Director Jan Prichard, Environmental Health Supervisor Seth Swift, Planner Stedman Smith, Soil and Water Conservation District Director Jonathan Wallin, Tax Administrator Darlene Burgess, Tax Office Administrative Assistant Jennifer Miranda, Facility Services Director Jerry Tucker, Planning Director Autumn Radcliff, DSS Director Jerrie McFalls, Public Health Director Steve Smith, Environmental Programs Coordinator Rachel Kipar, PIO Kathy Finotti – videotaping, and Deputies Brad Reece and Carl Greco as security.

Absent was: Chairman Mike Edney for a family emergency.

CALL TO ORDER/WELCOME

Vice-Chairman Hawkins called the meeting to order and welcomed all in attendance.

INVOCATION

The invocation was provided by County Manager Steve Wyatt.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Allie Justice of Hooked on Horticulture 4-H Club and the Barnyard Bandits 4-H Club.

PUBLIC HEARINGS

2018-67 Rezoning Application #R-2018-02

Vice-Chairman Hawkins made the motion to go into public hearing regarding Rezoning Application #R-2018-02. All voted in favor and the motion carried.

Planner Stedman Smith stated rezoning Application #R-2018-02 which was initiated on March 13th, 2018 at the request of applicant and agent, Mr. Douglas Cox, who requests the County rezone approximately 0.37 acres of land (thereafter the “Subject Area”) from a Community Commercial (CC) zoning district to a Residential Two Rural (R2R) zoning district.


The Henderson County Planning Board considered rezoning application #R-2018-02 at its regularly scheduled meeting on April 19th, 2018. During the meeting, the Planning Board voted unanimously to send forward a favorable recommendation to rezone the Subject Area to a Residential Two Rural (R2R) zoning district.

DATE APPROVED:

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42A-303 and §42A-346 (C) of the Henderson County Land Development Code and State Law, notices of the June 4th, 2018 public hearing regarding rezoning application #R-2018-02 were published in the Times-News on May 17, 2018 and May 24, 2018. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the Subject Area on May 11, 2018 and posted signs advertising the hearing on the Subject Area on May 10, 2018.

**Rezoning #R-2018-02
Douglas Cox**



Henderson County Board of Commissioners
June 4, 2018

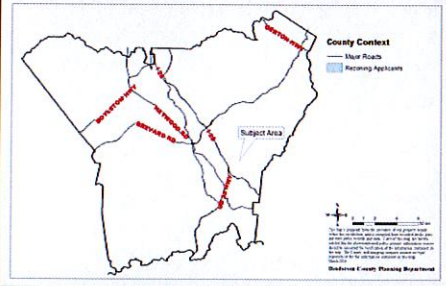
Henderson County Planning Department

Application Summary

- Rezoning Request: R-2018-02
- Submitted on March 13th, 2018
- Applicant Owner: Mr. Douglas Cox
- Rezone from Community Commercial (CC) Zoning to Residential Two Rural (R2R) Zoning
- 0.37 Acres
- 1 Parcel


Henderson County Planning Department

County Context



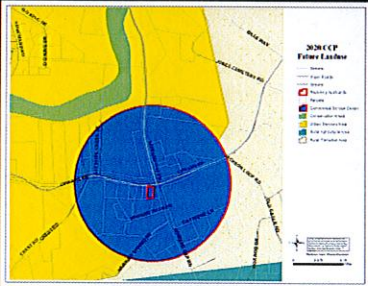
Henderson County Planning Department

Aerial Map



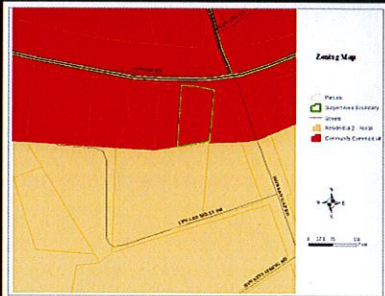
Henderson County Planning Department

2020 CCP Future Land Use Map




Henderson County Planning Department

Current Zoning Map



Henderson County Planning Department

Public Utilities



Henderson County Planning Department

Public Input

There was none.

Vice-Chairman Hawkins made the motion to go out of public hearing. All voted in favor and the motion Carried.

Commissioner Lapsley made the motion that the Board adopt the resolution regarding the consistency with the CCP. He further moved that the Board approve rezoning application #R-2018-02 to rezone the Subject Area to a Residential Two Rural (R2R) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan and other supporting information. All voted in favor and the motion carried.

FY2018-2019 Budget Public Hearing

The Board of Commissioners is requested to hold the Public Hearing on the FY 2018-2019 Budget at this meeting.

Vice-Chairman Hawkins made the motion to go into public hearing regarding the FY2018-2019 Budget. All voted in favor and the motion carried.

Public Input

1. Ken Fitch asked the Board to protect agricultural presence in the County. He supports school nurses at the state recommendation, but feels we need more. School safety is a high priority. The fields in our parks need to be upgraded. There is a drug crisis that needs to be recognized.

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

INFORMAL PUBLIC COMMENTS

1. Chris Walters asked the Board to go back to the drawing board and integrate the Stillwell building into Hendersonville High School. He doesn't feel the current architect is the right architect for the job.
2. Gary Griffin thanked the Board for the new Edneyville Elementary School. He asked the Board to look at a new sewer system along Highway 64 and not use the onsite plan.
3. Peri David asked the Board to look at what the County needs and not what the Sheriff needs or the department heads need. She feels legislation has hurt education. Prioritize needs such as school nurses and social workers, not gun ranges.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Vice-Chairman Hawkins made the motion to approve Consent Agenda with the addition of a Tax release (partial) for Justus Truck Lines, Inc., and a closed session, and minus the Cancel June 20, 2018 Regularly Scheduled Meeting. All voted in favor and the motion carried.

Commissioner Thompson noted the outstanding job the Clerk had done on transcribing the May 24, 2018 minutes from a recording. He asked that the minutes be shared with the Board of Education and School Board for their review, and allow them 30 days to address anything within the minutes to the Board of Commissioners by letter.

CONSENT AGENDA consisted of the following:

Minutes

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

- May 16, 2018 - Regularly Scheduled Meeting
- May 24, 2018 as continued from May 16, 2018

Motion:

I move the Board approves the minutes of May 16 and May 24, 2018 as presented.

Tax Collector's Report

Deputy Tax Collector Luke Small had presented the Tax Collector's Report to the commissioners dated May 24, 2018 for information only. No action was necessary.

2018-68 Pending Releases and Refunds

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

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

<u>Type</u>	<u>Amount</u>
Total Taxes Released from the Charge	\$ 4,809.59
Total Refunds as a Result of the Above Releases	\$ 641.32

Motion:

I move the Board approves the Combined Release/Refund Report as presented.

County Financial Report/Cash Balance Report – April 2018

The April 2018 County Financial Report and Cash Balance Report were provided for the Board's review and approval.

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

- Human Resources: workers compensation claims
- Garage: April fuel costs to be allocated to user departments
- Rescue Squad: vehicle repair costs and excess fuel costs
- Heritage Museum: timing of payment of May monthly appropriation
- Agri-Business: excess operating expenditures, which will be covered by membership fees
- Medical Services – Autopsies: higher than average billing for the month
- Public Education: payment 10 of 10 of annual appropriation made to the public schools

The YTD deficits in the Edneyville Elementary School, the Hendersonville High School and the Law Enforcement Training Center (LETC) Projects are due to the payment of architect fees for these projects from appropriated fund balance in the Capital Projects Funds that will be reimbursed from future financings.

The YTD deficits in the Recreation Parks Improvements Projects and the Artificial Turf Field Projects is due to these projects being paid from appropriated fund balance in the Capital Projects Fund, primarily from proceeds received from the sale of the Bent Creek property as approved in the prior year's budget.

The YTD deficit in the Cane Creek Water & Sewer District Fund is due to sewer capital project expenditure payments on multiple projects. Fund Balance in the Cane Creek Fund was appropriated in the approved budget to cover these capital project expenditures.

Motion:

I move that the Board of Commissioners approves the April 2018 County Financial Report and Cash Balance Report as presented.

Public Schools Financial Report/Cash Balance Report – April 2018

The Henderson County Public Schools April 2018 Local Current Expense Fund / Other Restricted Funds

Financial Report were provided for the Board's information.

Motion:

I move that the Board of Commissioners approves the Henderson County Public Schools April 2018 Financial Report as presented.

2018-69 Budget Amendment – Department of Social Services

The Department of Social Services is requesting that the Henderson County Commissioners approve a reserve account to hold the remaining \$621,452 previously budgeted in FY 17-18 for Child Welfare's move into NC FAST until such time as the State of North Carolina Department of Health and Human Services notifies the department of its implementation date.

Motion:

I move that the Board approved that the remaining funds previously budgeted for Child Welfare's move into NC FAST for Henderson County DSS be set aside into a reserve account.

Surplus and Donation of Laptop Computers to Henderson County Rescue Squad

Staff requests the Board consider approving a resolution declaring fifteen (15) laptop computers no longer used by Henderson County as surplus property and the donation of the laptop computers to the Henderson County Rescue Squad as allowed by N.C.G.S. 160A-280 to be used by the Rescue Squad.

Motion:

I move that the Board approves the resolution declaring the laptop computers presented as surplus and authorize the donation to the Henderson County Rescue Squad as allowed by N.C.G.S. 160A-280.

2018-70 Budget Amendment – Capital Project Fund

The Board is requested to approve a Budget Amendment, transferring \$150,000 from the Capital Reserve Fund to the Capital Project Fund. These funds have been included in the annual budget for replacement of the County's Permitting and Inspection Software. This request will combine the appropriations into one fund, earmarked specifically for permitting and inspection software.

Motion:

I move the Board approve the Budget Amendment as presented, transferring funds from the Capital Reserve Fund to the Capital Project Fund.

2018-71 Budget Amendment – Capital Reserve Fund

In the FY2018 Adopted Budget, \$749,593 was included for debt service on the proposed Law Enforcement Training Center. Action taken by the Board on May 16, 2018 directed Staff not to complete the purchase of the Macedonia Road site. Therefore, the anticipated debt service will not be needed in FY2018. Staff recommends transferring those funds to the Capital Reserve Fund, to fund upcoming capital needs.

Motion:

I move the Board approves a budget amendment transferring \$749,593 from General Fund Debt Service into the Capital Reserve Fund.

Scholarship/Fee Waiver Process

Henderson County Parks & Recreation has offered scholarships for department offered youth programs for many years. However, a process to qualify families for a scholarship has been lacking. The scholarship that has been offered covered a portion of the registration fee and the individual was expected to pay the remaining small amount. This small amount would still cover any direct expenses such as a team jersey but the indirect expenses such as staff time were covered in the Department Budget.

We would like to continue this program and at the same time formalize the process, so we can better serve the needs of Henderson County youth. The Scholarship Income Requirements are based on the requirements for food and living assistance through the Department of Social Services.

Motion:

I move the Board of Commissioners approves the Youth Scholarship Requirements and the Youth Scholarship Application as presented in Attachments 1 & 2 authorizing the Parks & Recreation Department to implement these new guidelines immediately.

Surplus and Donation of Handheld Radios to Blue Ridge Community College

Provided for the Board's consideration is a resolution declaring thirteen (13) handheld analog radios no longer used by Henderson County Sheriff's Office as surplus property and the donation of the radios to Blue Ridge Community College Basic Law Enforcement Training as allowed by N.C.G.S. 160A-280 to be used for law enforcement training purposes.

Please find the below listed serial numbers of thirteen (13) analog handheld radios that are no longer compatible with the digital system we now operate on. All are Kenwood TK-2180 VHF FM analog transceivers. The Henderson County Sheriff's Office respectfully request these radios be donated to Basic Law Enforcement Training Program at Blue Ridge Community College for the furtherance of their ongoing training efforts.

Serial Numbers:

70101514 70500730 80301061 70600205 70101516 71100904 70101308 80700769 70600210 70600209
80902828 70500728 70101515

Motion:

I move the Board approves the resolution declaring the radios presented as surplus and authorize the donation to the Blue Ridge Community College Basic Law Enforcement Training as allowed by N.C.G.S. 160A-280.

Closure for Renovations – Green River Library

After 28 years of service to the community, the Green River Library is showing a considerable amount of wear and tear. Recent monetary donations have allowed for the purchase of new carpeting, shelving and paint for this facility. The size of this facility prohibits it from safely remaining open while these renovations take place. Therefore, it is requested that the Library be closed from August 18-24, 2018 so that renovations may safely be completed.

Motion:

I move the Board approves the Green River Library closure for renovations during the dates presented.

Set Public Hearing for Rezoning Application #R-2018-04

The Gagnon Property, Local Commercial (LC) to Community Commercial (CC)

Rezoning Application #R-2018-04, which was initiated on April 2nd, 2018 at the request of applicant and owner, Mr. Roger Gagnon, who requests the County rezone approximately 0.57 acres of land (thereafter the "Subject Area") from a Local Commercial (LC) zoning district to a Community (CC) zoning district. The Subject Area is located off Asheville Highway near Ripley Avenue.

The request for a zoning change is to bring the subject area into compliance with the Land Development Code. Currently, the subject area is in violation due to the amount of "Outdoor Storage" on the property. Local Commercial does not allow Outdoor Storage > 5000 square feet, however Community Commercial does. The applicant would still be required to acquire a Special Use permit if the property is rezoned.

The Planning Board reviewed this request at its May 17th meeting a voted to send forth a favorable recommendation. The Planning Board also recommended that when the applicant seeks a special use permit from the Zoning Board of Adjustment, the applicant should be required to install fencing around the entirety of the subject area if the special use permit is approved.



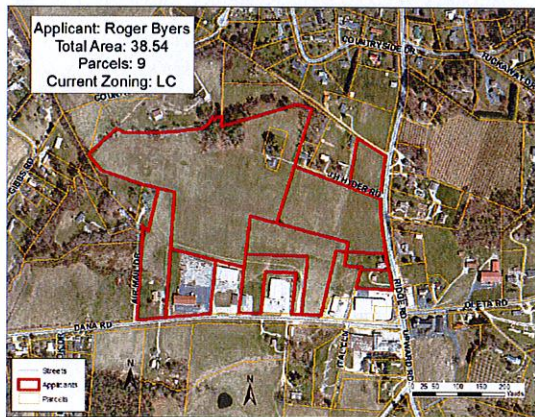
Motion:

I move the Board schedules a public hearing for rezoning application #R-2018-04 for July 18, 2018, at 9:00 A.M.

**Set Public Hearing for Rezoning Application #R-2018-05
The Byer Property, Local Commercial (LC) to Industrial (I)**

Rezoning Application #R-2018-05 was initiated on March 29, 2018 and requests that the County rezone approximately 38.54 acres of land from Local Commercial to Industrial. The acreage consists of 9 adjoining parcels. The property owners of the 9 parcels include Roger Byers, Rolling Ridge, Inc. and Byers Precision Fabricators PSP. Lynn Johnson will be serving as agent along with representatives of the Henderson County Partnership for Economic Development. Stockholders and Directors of Rolling Ridge Inc. were notified of the rezoning application at their March 2018 meeting and all were in favor of this request.

The Planning Board reviewed this request at its May 17th meeting and voted 7-1 to send forth a favorable recommendation to rezone the subject area to an Industrial zoning district.



Motion:

I move the Board schedule a public hearing for rezoning application #R-2018-05 for July 18th, 2018, at 9:00 A.M.

2018-72 Resolution/2018-73 Memorandum of Understanding – Mouth of Mud Creek Stream and Wetland Restoration Project

Kieran Roe, Executive Director of Conserving Carolina, has requested the Board adopt a Resolution authorizing the Soil and Water Conservation District to apply for a grant on their behalf. The Soil and Water Conservation District Board of Supervisors considered this request at their May 14, 2018, and voted to send the Board of Commissioners a favorable recommendation on this request.

Conserving Carolina will be responsible for the project management for the project, and will supply Soil and Water with \$2,500 for the financial reporting management required for the project.

No County dollars are required for the grant.

Motion:

I move that the Board adopts the Resolution and Memorandum of Understanding, approving Soil and Water applying for the grant on behalf of Conserving Carolina.

Reappointment of Assessor and Tax Collector

On August 1, 2016, the Board appointed Darlene Burgess as Assessor and Tax Collector for an initial two year period, pursuant to NCGS §105-294(c). Since her initial appointment, Ms. Burgess has passed her exam for County Assessor from the North Carolina Department of Revenue, and meets all the requirements of NCGS §105-294 to be appointed to serve a regular term of four (4) years. Ms. Burgess also meets the qualifications listed in NCGS §105-349 for appointment as Henderson County Tax Collector.

Motion:

I move the Board appoints Darlene Burgess as Assessor and Tax Collector of Henderson County for a term of four years, through the end of June, 2022.

2018.74 Tax release (partial) for Justus Truck Lines, Inc. – Add on

A tax discovery was made against Justus Truck Lines, Inc. (“taxpayer”). As a freight carrier, Taxpayer’s property is assessed by the Department of Revenue (“DOR”). Recently, the DOR completed audits for tax years 2012-2016. According to DOR notes, taxpayer complied with the audit, was very cooperative and willing to answer questions as they arose. The audit found that tax years 2014 and 2016 were correctly listed; a tax discovery was appropriate for tax years 2012 and 2015; and a tax refund was due for tax year 2013.

Correctly calculated under North Carolina law, including all penalties, taxpayer owes \$6,917.20, of which \$2,255.22 is penalty. Had this matter involved a nonpayment, rather than discovery, the interest which would have accrued would have been \$1,633.43. Tax owed, plus interest which would have accrued, would have totaled \$6,295.41.

Tax office staff has discussed the matter with taxpayer. Taxpayer presents to you a proposal for settlement of all taxes and penalties owed for the period 2012-2016, pursuant to N.C. Gen. Stat. §105-312, of \$6,295.41. Your Tax Administrator recommends that the Board accept this settlement.

Motion:

I move that the Board grants the release of \$621.79 from the penalties assessed against Justus Truck Lines, Inc., with the remaining amount of \$6,295.41 still owed as taxes and penalties.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

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

NOMINATIONS

Notification of Vacancies

Vice-Chairman Hawkins recognized the following vacancies and opened the floor for nominations.

1. Asheville Regional Housing Consortium – 1 vac.
2. Henderson County Board of Health – 3 vac.
3. Juvenile Crime Prevention Council – 10 vac.
4. Mountain Area Workforce Development Board – 4 vac.
5. Nursing/Adult Care Home community Advisory Committee – 1 vac.

Nominations

1. Environmental Advisory Committee – 1 vac.

Commissioner Messer nominated Andrew Myers for position#7. *Vice-Chairman Hawkins made the motion to accept the appointment of Andrew Myers to position #7 by acclamation. All voted in favor and the motion carried.*

2. Fire and Rescue Advisory Committee – 1 vac.

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

3. Henderson County Zoning Board of Adjustment – 2 vac.

Commissioner Thompson recognized that James Hysong us serving in an alternate position (#6) and needs to be changed to regular position (#5), opening two alternate positions. He nominated Robert Pierce for position #6 and Steve Dozier for position #9.

Vice-Chairman Hawkins made the motion to accept the change of position for James Hysong from position #6 (alternate) to position #5 (regular), and to accept the appointments of Robert Pierce to position #6 and Steve Dozier to position # 9 by acclamation. All voted in favor and the motion carried.

4. Hendersonville Planning Board – 1 vac.

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

5. Hendersonville City Zoning Board of Adjustment – 1 vac.

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

6. Hendersonville Water and Sewer Advisory Committee – 1 vac.

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

7. Historic Resources Commission – 1 vac.

Commissioner Thompson nominated Knox Crowell for position #4. *Vice-Chairman Hawkins made the motion to accept the appointment of Knox Crowell for position #4 by acclamation. All voted in favor and the motion carried.*

8. Home and Community Care Block Grant Advisory Committee – 1 vac.

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

9. Juvenile Crime Prevention Council – 4 vac.

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

10. Library Board of Trustees – 1 vac.

Vice-Chairman Hawkins nominated Jean McGrady for position #6. *Vice-Chairman Hawkins made the motion to accept the appointment of Jean McGrady to position #6 by acclamation. All voted in favor and the motion carried.*

11. Mountain Area Workforce Development Board – 1 vac.

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

12. Nursing/Adult Care Home Community Advisory Committee – 11 vac.
There were no nominations at this time and this item was rolled to the next meeting.

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

2018-75 FY 2019 BUDGET ORDINANCE

The Board is requested to continue discussions with regard to the FY 2018-2019 Budget. Should the board wish to adopt the budget following discussion, Staff will be prepared to present the FY 2019 Budget Ordinance.

County Manager noted 6 additions and 1 reduction to the recommended budget presented at the May 16, 2018 budget work session as requested by the commissioners.

- 1) Addition of \$715,000 to the School System
- 2) Addition of \$5,000 to the Daniel Boone Council
- 3) Addition of \$25,000 for the Sheriff's Drug Enforcement Program
- 4) Addition of \$32,363 in the "95" Courthouse for Closed-Circuit Television
- 5) Addition of \$33,692 for a vehicle and fuel for the Cooperative Extension
- 6) Addition of \$5,000 to American Legion Baseball

And 7) a reduction of \$2,674.00 for the grant to the Home and Community Care Block Grant Advisory Committee.

Unfunded Requests

City SRO's

Commissioner Lapsley stated SRO Officers (at the cost of \$500,000) for the schools located within the City limits of Hendersonville were discussed but no consensus was met during the May 16, 2018 meeting. The Board at that time was concerned that the City had not made a formal request. Since then the City Council has met and made a formal request to the County for SRO's within the City limits. Commissioner Lapsley asked the Board to reconsider.

Vice Chairman Grady Hawkins noted the county already included funds in the budget for an additional 14 officers to add to the current eight. Two are in the same building at Innovative High School.

It was not the consensus of the Board to fund the additional SRO's within the City in this budget cycle.

Charter Schools

County Manager Steve Wyatt stated the Board had discussed appropriating directly to the Charter Schools \$100,000. This is not allowed and any money must go through the State and be allocated to the Charter Schools on a per pupil basis.

Funded Request

Public Health position

Commissioner Lapsley stated he had attended a summit meeting today talking about substance abuse and opioids. It was a very informative meeting. In order to move forward, the group recommended asking the Board of Commissioners to form an official Task Force of around 10 area leaders which may include someone from law enforcement, a doctor, etc. There are many community groups trying to address the problem and there are grant possibilities. The Board could look at a list of people at the mid-July meeting, with hope of seeing results a year from now.

The Public Health staff cannot take this on as is with all the moving parts. A staff person is needed to be assigned a lead role to oversee the drug crisis. Mr. Lapsley is afraid we will not accomplish anything

without this position. We need to earmark \$100,000 for the position and find someone with expertise in writing grant applications.

It was consensus of the Board to earmark \$100,000 for the public health position and to include in the FY18-19 budget.

Commissioner Hawkins made the motion to adopt the FY 2018-2019 Budget with the addition of \$100,000 for a Public Health position, and he further moved that the Vice-Chairman be authorized to execute the Budget Ordinance to be effective July 1, 2018. The motion passed 3-1 with Commissioner Lapsley voting nay.

Cancel June 20, 2018 Regularly Scheduled Meeting

The Board is requested to cancel the regularly scheduled June 20, 2018 Board meeting.

Vice-Chairman Hawkins made the motion that the Board cancel the regularly scheduled June 20, 2018 Board meeting. All voted in favor and the motion carried.

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt noted two items that would need attention prior to the mid-month July meeting. The NCDHHS must have a working agreement in place with the Department of Social Services prior to June 30, 2018, and the financing for Edneyville Elementary School. There are issues to resolve and he would like to bring it back to the Board in the last week of the month with a special called meeting.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege.

Vice-Chairman Hawkins made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3), for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

ADJOURN

Commissioner Lapsley made the motion to go out of closed session and adjourn at 6:50 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Grady H. Hawkins, Vice-Chairman

DURING THE JUNE 4, 2018 MEETING, THE BOARD ENACTED THE FOLLOWING:

2018-67 Rezoning application #R-2018-02

2018-68 Pending Releases and Refunds

2018-69 Budget Amendment – Department of Social Services

2018-70 Budget Amendment – Capital Project Fund

2018-71 Budget Amendment – Capital Reserve Fund

2018-72 Resolution/ **2018-73** Memorandum of Understanding – Mouth of Mud Creek Stream and Wetland Restoration Project

2018-74 Tax release (partial) for Justus Truck Lines, Inc

2018-75 FY 2019 Budget Ordinance



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2018-02; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on June 4th, 2018; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

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

1. That the Board reviewed the proposed map amendment (#R-2018-02 applicant/agent Mr. Douglas Cox) and finds that it is reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 4th day of June, 2018.



HENDERSON COUNTY BOARD OF COMMISSIONERS

Grady H. Hawkins
BY: Grady H. Hawkins, Vice-Chairman

ATTEST:

Teresa L. Wilson

Teresa L. Wilson, Clerk to the Board

(COUNTY SEAL)

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595 | FAX: (828) 698-6153

Henderson County Board of Commissioners

1 Historic Courthouse Square, Suite 1

Hendersonville, NC 28792

Thursday, May 24, 2018

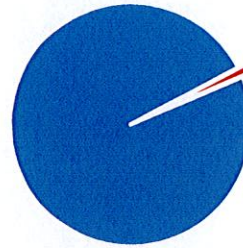
Re: Tax Collector's Report to Commissioners - Meeting Date June 4, 2018

Please find outlined below collections information through May 23, 2018 for the 2017 real and personal property bills mailed on August 4, 2017. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2017 Beginning Charge:	\$71,438,839.99
Discoveries & Imm. Irreg.:	\$556,829.59
Releases & Refunds:	(\$639,051.22)
<u>Net Charge:</u>	<u>\$71,356,618.36</u>
Unpaid Taxes:	\$933,510.28
Amount Collected:	\$70,423,108.08

Paid
98.69%



Unpaid
1.31%

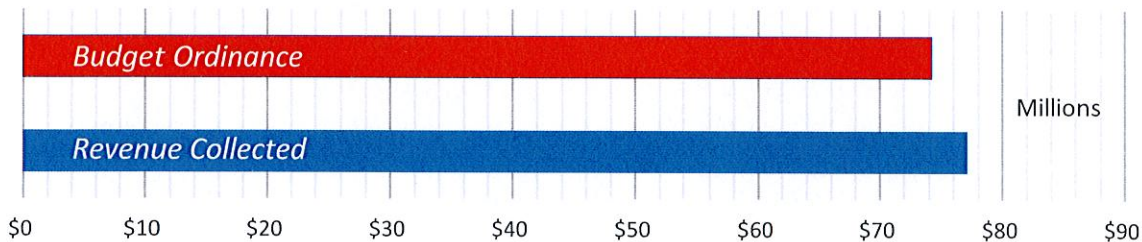
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$5,396,624.85
Unpaid Taxes:	\$20,849.09
Amount Collected:	\$5,375,775.76

99.61%

Henderson County FY18 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$72,826,301.00	\$75,798,883.84
Prior Years:	\$1,405,000.00	\$1,298,544.00
Budget Total:	\$74,231,301.00	YTD Revenue: \$77,097,427.84



Respectfully Submitted,

Luke Small
Deputy Tax Collector

Darlene Burgess
Tax Administrator

HENDERSON COUNTY BOARD OF COMMISSIONERS

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

J. MICHAEL EDNEY
Chairman
GRADY H. HAWKINS
Vice-Chairman

CHARLES D. MESSER
WILLIAM G. LAPSLEY
THOMAS H. THOMPSON

June 4, 2018

Darlene Burgess, Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, N. C. 28792

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$4,809.59 and tax refund requests in the amount of \$641.32, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, June 4, 2018. All releases and refunds were approved.

Sincerely,



Grady Hawkins, Vice-Chairman
Henderson County Board of Commissioners

GHH/tlw

enclosures

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF
COMMISSIONERS**

MEETING DATE: June 4, 2018
SUBJECT: Pending Releases & Refunds
PRESENTER: Darlene Burgess, Tax Administrator
ATTACHMENT: Yes
1. Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

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

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 4,809.59
Total Refunds as a Result of the Above Releases	\$ 641.32

BOARD ACTION REQUESTED:

The Board is requested to approve this pending release and refund report as presented.

Suggested Motion:

I move the Board approve the Combined Release/Refund Report as presented.

NCPTS Pending Release/Refund Report. Wednesday, May 23, 2018*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADI NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
ALDERMAN, ERICA DANIELLE	0003085944-2016-2016-0000	2016 ABSTRACT VOIDED DUE TO MOTOR VEHICLE BEING REGISTERED WITH THE DMV.	(\$8,075)	4914	DTUCKER	15 MEADOWLARK LN HENDERSONVILLE NC	COUNTY	TAX	\$45.62	\$0.00	\$45.62	\$0.00
								LATE LIST FEE	\$4.56	\$0.00	\$4.56	\$0.00
								TOTAL:			\$50.18	\$0.00
								TAX	\$9.69	\$0.00	\$9.69	\$0.00
								LATE LIST FEE	\$0.97	\$0.00	\$0.97	\$0.00
TOTAL:			\$10.66	\$0.00								
ABSTRACT TOTAL:									\$60.84	\$0.00	\$0.00	
ANTHONY, PAULA J	0003085944-2017-2017-0000	2017 ABSTRACT VOIDED DUE TO MOTOR VEHICLE BEING REGISTERED WITH THE DMV.	(\$7,671)	4915	DTUCKER	15 MEADOWLARK LN HENDERSONVILLE NC	COUNTY	TAX	\$43.34	\$0.00	\$43.34	\$0.00
								LATE LIST FEE	\$4.33	\$0.00	\$4.33	\$0.00
								TOTAL:			\$47.67	\$0.00
								TAX	\$9.21	\$0.00	\$9.21	\$0.00
								LATE LIST FEE	\$0.92	\$0.00	\$0.92	\$0.00
TOTAL:			\$10.13	\$0.00								
ABSTRACT TOTAL:									\$57.80	\$0.00	\$0.00	
ANTHONY, PAULA J	0002446166-2015-2015-0000	MANUFACTURED HOME WAS SOLD IN 2014. 2015 ABSTRACT VOIDED.	(\$15,746) (\$22,700)	4912	RJONES	608 PINEY RIDGE DR NC	COUNTY	TAX	\$116.59	\$0.00	\$116.59	\$0.00
								LATE LIST FEE	\$11.66	\$0.00	\$11.66	\$0.00
								TOTAL:			\$128.25	\$0.00
								TAX	\$27.24	\$0.00	\$27.24	\$0.00
								LATE LIST FEE	\$2.72	\$0.00	\$2.72	\$0.00
TOTAL:			\$29.96	\$0.00								
ABSTRACT TOTAL:									\$158.21	\$0.00	\$0.00	
ANTHONY, PAULA J	0002446166-2016-2016-0000	MANUFACTURED HOME WAS SOLD IN 2014. 2016 ABSTRACT VOIDED.	(\$22,700)	4911	RJONES	608 PINEY RIDGE DR NC	COUNTY	TAX	\$128.26	\$0.00	\$128.26	\$0.00
								LATE LIST FEE	\$12.83	\$0.00	\$12.83	\$0.00
								TOTAL:			\$141.09	\$0.00
								TAX	\$27.24	\$0.00	\$27.24	\$0.00
								LATE LIST FEE	\$2.72	\$0.00	\$2.72	\$0.00
TOTAL:			\$29.96	\$0.00								
ABSTRACT TOTAL:									\$171.05	\$0.00	\$0.00	
ANTHONY, PAULA J	0002446166-2017-2017-0000	MANUFACTURED HOME WAS SOLD IN 2014. 2017 ABSTRACT VOIDED.	(\$22,700)	4910	RJONES	608 PINEY RIDGE DR NC	COUNTY	TAX	\$128.26	\$0.00	\$128.26	\$0.00
								LATE LIST FEE	\$12.83	\$0.00	\$12.83	\$0.00
								TOTAL:			\$141.09	\$0.00
								TAX	\$27.24	\$0.00	\$27.24	\$0.00
								LATE LIST FEE	\$2.72	\$0.00	\$2.72	\$0.00
TOTAL:			\$29.96	\$0.00								
ABSTRACT TOTAL:									\$171.05	\$0.00	\$0.00	
AUTISON INC	0003007535-2017-2017-0000	2016 ACQUIRED COST FOR BUSINESS ADJUSTED PER DOCUMENTATION ON FILE.	(\$68,100) (\$73,431)	4917	HSALTER	77 REEDS WAY	COUNTY	TAX	\$736.61	\$736.61	\$0.00	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:			\$736.61	\$0.00
								TAX	\$156.45	\$156.45	\$0.00	\$0.00
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL:			\$156.45	\$0.00								
ABSTRACT TOTAL:									\$888.12	\$0.00	\$0.00	
OWNER TOTAL:									\$503.01	\$503.01	\$503.01	

*Adjustments submitted for approval on or before

OWNER	ACCOUNT	DESCRIPTION	AMOUNT	DATE	PROPERTY	TAX	LATE LIST FEE	TOTAL
BAILEY, ANTHONY G	0000491544-2017-2017-0000	THIS MANUFACTURED HOME IS REAL PROPERTY ON PARCEL 110543 AND NOT PERSONAL PROPERTY. 2017 PERSONAL PROPERTY ABSTRACT VOIDED.	(\$2,000)	4909	HENDERSON COUNTY NC	TAX	\$11.30	\$11.30
						LATE LIST FEE	\$0.00	\$0.00
						TOTAL	\$11.30	\$11.30
						TOTAL	\$0.00	\$0.00
DALTON, CHARLES A JR	0003057753-2016-2016-0000	WATERCRAFT DOUBLE BILLED AS ABSTRACT 3057753 AND 3094256. ABSTRACT 3057753 VOIDED.	(\$2,000)	4906	DTUCKER	TAX	\$4.67	\$4.67
						LATE LIST FEE	\$0.00	\$0.00
						TOTAL	\$4.67	\$4.67
						TOTAL	\$0.00	\$0.00
DRENNEN, COREY C	0002678721-2011-2011-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2011 VOIDED.	(\$1,654)	4903	RJONES	TAX	\$224.44	\$224.44
						LATE LIST FEE	\$22.44	\$22.44
						TOTAL	\$246.88	\$246.88
						TOTAL	\$0.00	\$0.00
DALTON, CHARLES A JR	0003057753-2017-2017-0000	WATERCRAFT DOUBLE BILLED AS ABSTRACT 3057753 AND 3094256. ABSTRACT 3057753 VOIDED.	(\$827)	4907	DTUCKER	TAX	\$4.67	\$4.67
						LATE LIST FEE	\$0.00	\$0.00
						TOTAL	\$4.67	\$4.67
						TOTAL	\$0.00	\$0.00
DRENNEN, COREY C	0002678721-2012-2012-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2012 VOIDED.	(\$43,700)	4902	RJONES	TAX	\$224.44	\$224.44
						LATE LIST FEE	\$22.44	\$22.44
						TOTAL	\$246.88	\$246.88
						TOTAL	\$0.00	\$0.00
DALTON, CHARLES A JR	0003057753-2016-2016-0000	WATERCRAFT DOUBLE BILLED AS ABSTRACT 3057753 AND 3094256. ABSTRACT 3057753 VOIDED.	(\$827)	4907	DTUCKER	TAX	\$4.67	\$4.67
						LATE LIST FEE	\$0.00	\$0.00
						TOTAL	\$4.67	\$4.67
						TOTAL	\$0.00	\$0.00
DRENNEN, COREY C	0002678721-2013-2013-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2013 VOIDED.	(\$42,400)	4901	RJONES	TAX	\$217.77	\$217.77
						LATE LIST FEE	\$21.78	\$21.78
						TOTAL	\$239.55	\$239.55
						TOTAL	\$0.00	\$0.00

*Adjustments submitted for approval on or before

0002678721-2014-2014-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2014 VOIDED.	(\$42,400)	4900	RJONES	4985 JETER MOUNTAIN RD HENDERSONVILLE NC 28739 NC	COUNTY VALLEY HILL FIRE	TAX LATE LIST FEE TOTAL: \$217.77 \$21.78 \$239.55	\$217.77 \$21.78 \$239.55	\$0.00 \$0.00 \$0.00	\$217.77 \$21.78 \$239.55	\$0.00 \$0.00 \$0.00
							TOTAL: \$36.04	\$36.04	\$0.00	\$36.04	\$0.00
							TOTAL: \$3.60	\$3.60	\$0.00	\$3.60	\$0.00
									ABSTRACT TOTAL: \$39.64	\$39.64	\$0.00
									ABSTRACT TOTAL: \$279.19	\$279.19	\$0.00
0002678721-2015-2015-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2015 VOIDED.	(\$42,400)	4899	RJONES	4985 JETER MOUNTAIN RD HENDERSONVILLE NC 28739 NC	COUNTY VALLEY HILL FIRE	TAX LATE LIST FEE TOTAL: \$217.77 \$21.78 \$239.55	\$217.77 \$21.78 \$239.55	\$0.00 \$0.00 \$0.00	\$217.77 \$21.78 \$239.55	\$0.00 \$0.00 \$0.00
							TOTAL: \$40.28	\$40.28	\$0.00	\$40.28	\$0.00
							TOTAL: \$4.03	\$4.03	\$0.00	\$4.03	\$0.00
									ABSTRACT TOTAL: \$44.31	\$44.31	\$0.00
									ABSTRACT TOTAL: \$283.86	\$283.86	\$0.00
0002678721-2016-2016-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2016 VOIDED.	(\$42,400)	4898	RJONES	4985 JETER MOUNTAIN RD HENDERSONVILLE NC 28739 NC	COUNTY VALLEY HILL FIRE	TAX LATE LIST FEE TOTAL: \$239.56 \$23.96 \$263.52	\$239.56 \$23.96 \$263.52	\$0.00 \$0.00 \$0.00	\$239.56 \$23.96 \$263.52	\$0.00 \$0.00 \$0.00
							TOTAL: \$40.28	\$40.28	\$0.00	\$40.28	\$0.00
							TOTAL: \$4.03	\$4.03	\$0.00	\$4.03	\$0.00
									ABSTRACT TOTAL: \$44.31	\$44.31	\$0.00
									ABSTRACT TOTAL: \$307.83	\$307.83	\$0.00
0002678721-2017-2017-0000	MANUFACTURED HOME WAS SOLD 9/1/2010. ABSTRACT FOR 2017 VOIDED.	(\$42,400)	4897	RJONES	4985 JETER MOUNTAIN RD HENDERSONVILLE NC 28739 NC	COUNTY VALLEY HILL FIRE	TAX LATE LIST FEE TOTAL: \$239.56 \$23.96 \$263.52	\$239.56 \$23.96 \$263.52	\$0.00 \$0.00 \$0.00	\$239.56 \$23.96 \$263.52	\$0.00 \$0.00 \$0.00
							TOTAL: \$40.28	\$40.28	\$0.00	\$40.28	\$0.00
							TOTAL: \$4.03	\$4.03	\$0.00	\$4.03	\$0.00
									ABSTRACT TOTAL: \$44.31	\$44.31	\$0.00
									ABSTRACT TOTAL: \$307.83	\$307.83	\$0.00
									OWNER TOTAL: \$2,028.58	\$2,028.58	\$0.00
0003080467-2017-2017-0000	MANUFACTURED HOME WAS SOLD 7/20/2016. ABSTRACT FOR 2017 VOIDED.	(\$299,400) (\$44,300)	4913	RJONES	119 OAKWOOD RD HENDERSONVILLE NC 28791-0707	COUNTY MOUNTAIN HOME FIRE	TAX LATE LIST FEE TOTAL: \$250.30 \$25.03 \$275.33	\$250.30 \$25.03 \$275.33	\$23.05 \$25.03 \$48.08	\$250.30 \$25.03 \$275.33	\$23.05 \$25.03 \$48.08
							TOTAL: \$53.16	\$53.16	\$4.90	\$53.16	\$4.90
							TOTAL: \$5.32	\$5.32	\$5.32	\$5.32	\$5.32
									ABSTRACT TOTAL: \$58.48	\$58.48	\$10.22
									ABSTRACT TOTAL: \$333.81	\$333.81	\$58.30
									OWNER TOTAL: \$333.81	\$333.81	\$58.30
0002132392-2017-2017-0000	BUSINESS SOLD 6/30/16. ABSTRACT FOR 2017 VOIDED.	(\$44,300) (\$100,074)	4895	KDECKARD	580 UPWARD RD NC	COUNTY BLUE RIDGE FIRE	TAX LATE LIST FEE TOTAL: \$565.42 \$56.54 \$621.96	\$565.42 \$56.54 \$621.96	\$0.00 \$0.00 \$0.00	\$565.42 \$56.54 \$621.96	\$0.00 \$0.00 \$0.00
							TOTAL: \$120.09	\$120.09	\$0.00	\$120.09	\$0.00
							TOTAL: \$12.01	\$12.01	\$0.00	\$12.01	\$0.00
									ABSTRACT TOTAL: \$132.10	\$132.10	\$0.00
									ABSTRACT TOTAL: \$754.06	\$754.06	\$0.00
									OWNER TOTAL: (\$100,074)	\$754.06	\$0.00

*Adjustments submitted for approval on or before

OWNER	OWNER ID	PROPERTY ADDRESS	APPLICABLE TAXES	TOTAL	ABSTRACT TOTAL
MORALES, HECTOR III	0000470559-2016-2016-0000	MANUFACTURED HOME WAS SOLD 12/14/2015. ABSTRACT FOR 2016 VOIDED.	4904 (\$4,800)	COUNTY TAX: \$27.12 COUNTY LATE LIST FEE: \$2.71 BLUE RIDGE FIRE TAX: \$5.76 TOTAL: \$35.59	COUNTY TAX: \$27.12 COUNTY LATE LIST FEE: \$2.71 BLUE RIDGE FIRE TAX: \$5.76 TOTAL: \$35.59
	0000470559-2017-2017-0000	MANUFACTURED HOME WAS SOLD 12/14/2015. ABSTRACT FOR 2017 VOIDED.	4905 (\$4,800)	COUNTY TAX: \$27.12 COUNTY LATE LIST FEE: \$2.71 BLUE RIDGE FIRE TAX: \$5.76 TOTAL: \$35.59	COUNTY TAX: \$27.12 COUNTY LATE LIST FEE: \$2.71 BLUE RIDGE FIRE TAX: \$5.76 TOTAL: \$35.59
TUCKER, TODD	OWNER TOTAL:		(\$9,600)		\$72.34
	0003091038-2017-2017-0000	2017 ABSTRACT VOIDED DUE TO CAMPER BEING REGISTERED WITH THE DMV.	4908 (\$60,800)	COUNTY TAX: \$343.52 COUNTY LATE LIST FEE: \$34.35 DANA FIRE TAX: \$79.04 TOTAL: \$456.91	COUNTY TAX: \$343.52 COUNTY LATE LIST FEE: \$34.35 DANA FIRE TAX: \$79.04 TOTAL: \$456.91
WRIGHT, JOHNNIE ROBERT	OWNER TOTAL:		(\$60,800)		\$464.81
	0003091273-2017-2017-0000	WATERCRAFT DOUBLE BILLED AS ABSTRACT 3091273 AND 3088769. ABSTRACT 3091273 VOIDED.	4896 (\$1,025)	COUNTY TAX: \$5.79 COUNTY LATE LIST FEE: \$0.58 FLETCHER FIRE TAX: \$1.18 TOTAL: \$7.55	COUNTY TAX: \$5.79 COUNTY LATE LIST FEE: \$0.58 FLETCHER FIRE TAX: \$1.18 TOTAL: \$7.55
GRAND TOTALS:	OWNER TOTAL:		(\$1,025)		\$7.67
			(\$676,130)		\$4,809.59
					\$641.32

*Adjustments submitted for approval on or before

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Social Services

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115980-598021</u>	<u>Transfer to Capital Reserve Fund</u>	<u>\$621,452</u>
<u>215400-552000</u>	<u>Capital Outlay-Technology</u>	<u>\$621,452</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>115531-526201</u>	<u>Non-Capital Technology</u>	<u>\$621,452</u>
<u>214400-403500</u>	<u>Transfer From General Fund</u>	<u>\$621,452</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Jennie McFalb
Authorized by Department Head

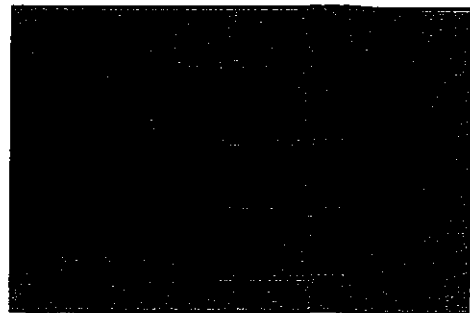
5/29/18
Date

Authorized by Budget Office

Date

Authorized by County Manager

Date



**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS
AND AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY
BY DONATION**

WHEREAS, Henderson County owns the laptop computers itemized on the attached Exhibit B, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

WHEREAS, the Henderson County Board of Commissioners is desirous of declaring the laptop computers as surplus and transferring to the Henderson County Rescue Squad via donation as authorized by N.C.G.S. 160A-280; and

WHEREAS, it is the intent of the County to donate said surplus property.

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

1. The laptop computers itemized on the attached Exhibit B are hereby declared to be surplus property.
2. Henderson County Information Technology Department is hereby authorized to transfer by donation, the surplus property described above to the Henderson County Rescue Squad.
3. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.

THIS the 4th day of June 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____

Grady H. Hawkins
Grady H. Hawkins, Vice-Chairman

ATTEST:

Teresa L. Wilson

Teresa L. Wilson, Clerk to the Board

[OFFICIAL SEAL]

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Capital Reserve/Capital Project Fund

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>215400-598040</u>	<u>Transfer to Capital Project Fund</u>	<u>\$150,000</u>
<u>405400-552000</u>	<u>Capital Outlay - Technology</u>	<u>\$150,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>214400-401000</u>	<u>Fund Balance Appropriated</u>	<u>\$150,000</u>
<u>404400-402100</u>	<u>Transfer from Capital Reserve Fund</u>	<u>\$150,000</u>
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*
 Transfers funds from the Capital Reserve Fund to the Capital Project Fund, to reserve them specifically for permitting and inspection software. Approved by the BOC 6.4.18.

Budget	6/4/18
_____ Authorized by Department Head	_____ Date
_____ Authorized by Budget Office	_____ Date
_____ Authorized by County Manager	_____ Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Debt Service/Capital Reserve Fund

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>215400 - 555000</u>	<u>Capital Outlay - B&G</u>	<u>\$749,593</u>
<u>115980 - 598021</u>	<u>Transfer to Capital Reserve Fund</u>	<u>\$749,593</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>214400 - 403500</u>	<u>Transfer from General Fund</u>	<u>\$749,593</u>
<u>115913 - 571007</u>	<u>2017b Series LOBS - Principal</u>	<u>\$305,000</u>
<u>115913 - 572007</u>	<u>2017b Series LOBS - Interest</u>	<u>\$444,593</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Transfers funds from the General Fund Debt Service into the Capital Reserve Fund, for use for future capital projects. Approved by the Board of Commissioners June 4, 2018.

Authorized by Department Head

Date

Authorized by Budget Office

Date

Authorized by County Manager

Date

For Budget Use Only	
Batch #	_____
BA #	_____
Batch Date	_____

**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS
AND AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY
BY DONATION**

WHEREAS, Henderson County owns the radios itemized on the attached Exhibit B, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

WHEREAS, the Henderson County Board of Commissioners is desirous of declaring the radios as surplus and transferring to Blue Ridge Community College Basic Law Enforcement Training via donation as authorized by N.C.G.S. 160A-280; and

WHEREAS, it is the intent of the County to donate said surplus property.

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

1. The radios itemized on the attached Exhibit B are hereby declared to be surplus property.
2. Henderson County Sheriff's Office is hereby authorized to transfer by donation, the surplus property described above to the Blue Ridge Community College Basic Law Enforcement Training class.
3. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.

THIS the 4th day of June, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: Grady H. Hawkins
Grady H. Hawkins, Vice-Chairman

ATTEST:

Teresa L. Wilson
Teresa L. Wilson, Clerk to the Board

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite #1
Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 692-9855

www.hendersoncountync.org

J. MICHAEL EDNEY
Chairman
GRADY HAWKINS
Vice-Chairman

THOMAS H. THOMPSON
CHARLES MESSER
WILLIAM LAPSLEY

RESOLUTION

MOUTH OF MUD CREEK STREAM AND WETLAND RESTORATION PROJECT

- WHEREAS,** the Henderson County Soil & Water Conservation District desires to sponsor Mouth of Mud Creek Stream and Wetland Restoration Project, a project to improve water quality and restore wetland and aquatic habitat on an important tributary to as well as the main stem of the French Broad River located within Henderson County; and
- WHEREAS,** Conserving Carolina, a non-profit conservation organization based in Henderson County, has recently received a grant award from the National Fish and Wildlife Foundation in the amount of \$490,000 toward this project and is seeking additional matching funds from other sources; and
- WHEREAS,** the State of North Carolina has established the N.C. Water Resources Development Grant Program to provide cost-share grants and technical assistance to local governments throughout the state for stream restoration and water management projects; and
- WHEREAS,** Conserving Carolina has requested the cooperation and support of the Henderson County Soil & Water Conservation District in seeking additional financial assistance to match other grant awards and pledged donations and fully cover costs to implement the Mouth of Mud Creek Stream and Wetland Restoration Project;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The County requests the State of North Carolina, through its Water Resources Development Grant Program (WRDGP), to provide financial assistance to the Henderson County Soil & Water Conservation District for the Mouth of Mud Creek Stream and Wetland Restoration Project in the amount of \$ 200,000 or 29% percent of project costs, whichever is the lesser amount; and
2. The County, while assuming full obligation for payment of the balance of project costs as a formal requirement of the WRDGP, will obligate Conserving Carolina to pay the balance of project costs under the terms of their Memorandum of Agreement; and
3. The County, working with Conserving Carolina under the terms of their Memorandum of Agreement, will see that all necessary State and Federal permits are obtained; and
4. The County, working with Conserving Carolina under the terms of their Memorandum of Agreement, will see that all applicable laws governing the award of contracts and the expenditure of public funds by local governments are complied with; and

5. The County, working with Conserving Carolina under the terms of their Memorandum of Agreement, will see that project construction is supervised in compliance with permit conditions and is performed safely and properly according to approved plans and specifications; and
6. The County, working with Conserving Carolina under the terms of their Memorandum of Agreement, will see that arrangements are made for suitable disposal of project spoils if required and that all other easements or rights-of-way that may be necessary for the construction and operation of the project are obtained without cost or obligation to the State or to the County; and
7. The County and Conserving Carolina will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project; and
8. The County, working with Conserving Carolina under the terms of their Memorandum of Agreement, accepts responsibility for the operation and maintenance of the completed project.

In witness whereof, I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 4th day of June, 2018.




GRADY H. HAWKINS, VICE-CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



TERESA L. WILSON, CLERK TO THE BOARD



HENDERSON COUNTY, NORTH CAROLINA BUDGET ORDINANCE FISCAL YEAR JULY 1, 2018 – JUNE 30, 2019

Preamble

The County Manager's proposed budget for the Fiscal Year beginning July 1, 2018, and ending June 30, 2019 ("FY2019") was presented to the Henderson County Board of Commissioners on May 7, 2018, pursuant to the North Carolina Local Government Fiscal Control and Budget Act, Article 3 of Chapter 159 of the General Statutes. The Board of Commissioners considered the proposal, deliberated concerning it, and then held a public hearing on the budget pursuant to N.C. Gen. Stat. §159-12 on June 4, 2018.

The following Ordinance was offered by Vice Chairman Hawkins, on June 4, 2018, who moved its adoption. The vote on this motion was as is shown below.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY, NORTH CAROLINA, THIS 4th DAY OF JUNE, 2018:

Section 1 – General Fund

A. General Fund Appropriations

The following General Fund amounts are hereby appropriated to the County Manager for the operation of the Henderson County Government and its departments and agencies for FY2019. Other fund amounts as set forth in this Ordinance are also appropriated as presented in this section. Appropriations for land and new buildings included in this Ordinance may be expended only after release by the Board of Commissioners.

The County Manager or the Manager's designee is hereby authorized to execute all necessary agreements within funds included in the Budget Ordinance in departments subject to his control for the following purposes, and on the following terms and conditions:

- A) Grant agreements with public and non-profit agencies;
- B) Leases of normal and routine business equipment;
- C) Consultant, professional, or maintenance service agreements with a up to an anticipated contract amount of \$50,000;
- D) Purchase of supplies and materials when formal bids are not required by law, pursuant to the Manager's purchasing policy;
- E) Agreements for acceptance of State and Federal grant funds;
- F) Construction or repair work where formal bids are not required by law; and
- G) County departments shall not enter into contracts requiring formal bid procedures without having met with and received written approval from the County Manager.
- H) The Finance Director is hereby directed to release board-approved non-profit grants in quarterly installments upon the execution of and compliance with the funding agreement required by the County.
- I) The Finance Director may advance funds with the permission of the County Manager to the Sheriff's Department for their use in drug enforcement activities, for ultimate return (with accounting) by the Sheriff's Department.
- J) The County Manager may authorize pilot programs for the County's departments, and evaluate such programs for effectiveness and efficiency.
- K) In the absence of express authority from Federal or State Court, all law enforcement seizure transactions shall comply with N.C. Gen. Stat. §15-11.1

- L) For purposes of the County Personnel Policies, Employee and Retiree Benefits, years of service to Henderson County shall include all prior years of service, whether consecutive or not.

The County Manager or the Manager's designee is hereby authorized to execute necessary agreements with regard to ongoing construction projects undertaken by the County, without the requirement of consultation with the Board of Commissioners, in the following circumstances:

- A) The Manager may approve any and all non-emergency change orders which do not increase the construction budget for the project by more than 25% of the then-unallocated budgeted amount for "contingencies" in the particular project budget.
- B) Any change order approved by the County Manager involving a change of more than \$10,000 to the construction budget shall be reported to the Board of Commissioners, as an information-only item within the County Manager's monthly report.
- C) In emergencies, change orders greater than those authorized above may be approved by the County Manager after consultation with and with the approval of the Chairman of the Board of Commissioners. In any such case, a report of the same shall be made to the Board of Commissioners at their next regularly-scheduled meeting.

The County Manager is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- A) The Manager may transfer amounts between objects of expenditure within a department without limitation and without a report being required.
- B) The Manager may transfer amounts up to \$50,000 between departments within the same fund with an official report on such transfers provided to the Board of Commissioners.
- C) The Manager may transfer amounts up to \$50,000 from any appropriation within the general fund to a separate fund with an official report on such transfers provided to the Board of Commissioners.
- D) The Manager may modify the budget for pass-through monies, additional funding, or any Federal or State program prior approved by the Board, without a report being required.
- E) The total of all amounts encumbered for outstanding purchase orders and contracts at June 30, 2018 shall be carried forward in fund balance as the amount Reserved for Encumbrances and the corresponding appropriations for these encumbrances shall not lapse in order to properly account for the payment in the fiscal year paid.

The County's authorized general fund appropriations are as shown on Appendix A hereto, which is incorporated herein by reference.

B. Revenues

For the operation of the Henderson County's government and its subdivisions for FY2019, it is estimated that the revenues and fund balances of the General Fund will be available to meet the appropriations as set forth herein. All fees, commissions, and sums paid to or collected in any fund by any County official, officer, or agent for any service performed for such official, officer, or agent in his official capacity shall accrue solely to the benefit of the County and become County funds.

The County's estimated general fund revenues are as shown on Appendix A hereto, which is incorporated herein by reference.

1. Ad Valorem Tax Levy

That there is hereby levied for FY2019 an *ad valorem* property tax at the rate shown in Appendix A hereto, which is incorporated herein by reference, for the purpose of raising the revenue for current year's taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations, pursuant to and in accordance with the North Carolina Machinery Act (codified within Chapter 105 of the North Carolina General Statutes) and other applicable laws. This rate is based on an estimated total valuation of **\$14,032,976,464** of taxable property and a collection rate of ninety-seven percent (97%). The Budget Ordinance also names ad valorem property taxes as the specific revenue source to fund the Tax Revaluation Reserve Fund, budgeted in FY2019 at \$1,210,339, as shown in Appendix C hereto, which is incorporated herein by reference.

2. Fees, Licenses and Other Taxes

There is hereby levied all County Privilege License Taxes as authorized by North Carolina General Statutes, and such other taxes and fees, as provided in the ordinances, resolutions, and fee schedules duly adopted by the Board of Commissioners. Fee schedules used in the development of this budget and adopted by the Board of Commissioners are set forth and a copy of such is maintained in the Office of the County Manager.

C. Based on the Annual Budget

The appropriations, schedules of expected revenues, and taxes levied, as stated herein, are based on the annual Budget as hereby approved, a summary of which Budget is attached as Schedule No. 1 to Appendix A, and the terms of which Budget are hereby specifically incorporated by reference.

Section 2 – Fire Districts Fund

There are hereby appropriations and revenues estimated to be available in the Fire Districts Fund for FY2019 for payment to the appropriate corporation providing fire protection within each district as shown on Appendix B hereto, which is incorporated by reference.

Section 3 – Other Funds

There are hereby appropriations and revenues estimated to be available in special County budget funds as shown in Appendix C hereto, which is incorporated herein by reference.

Section 4 – Public Schools

The Henderson County Finance Director is hereby directed to remit the appropriation to the Henderson County Public Schools for local current expense in monthly installments equivalent to one-tenth (1/10) of the total county appropriation. The County Finance Director shall remit payment in the months of July through April, and by not later than the thirtieth (30th) of each month.

Section 5 – Elected Officials

Henderson County elected officials shall be compensated as shown on Appendix D, which is incorporated herein by reference.

Section 6 – Use of Budget

This Ordinance and the budget shall be the basis for the financial plan for the County of Henderson, North Carolina, during FY2019. The County Manager shall administer the budget and insure that operation officials are provided guidance and information in sufficient detail to implement their portions of the budget.

The Finance Director shall establish records, which are in consonance with the budget, this Ordinance and regulating statutes of the State of North Carolina.

Notwithstanding other Ordinances, Resolutions or other adoptions of this Board, all County citizens shall have the right to use Henderson County's parks and other recreation facilities free of any admission charge, subject to regularly adopted and customary scheduling, participation fees, and other regulations.

Section 7 - Effective Date

This Ordinance shall be effective by its terms for FY2019 upon adoption.

VOTING:

AYES: Hawkins, Messer, Thompson

NAYS: Lapsley

Adopted this the 4th day of June, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS



By: Grady Hawkins
GRADY HAWKINS, Vice-Chairman

Attest:

TERESA L. WILSON
TERESA L. WILSON, Clerk to the Board

APPENDIX A

GENERAL FUND APPROPRIATIONS

Governing Body	\$428,941
Dues & Non-Profit Contributions	475,898
County Manager	515,161
Administrative Services	496,299
Human Resources	786,256
Elections	928,550
Finance	907,773
Assessor	1,841,918
Tax Collections	496,849
Legal	803,391
Register of Deeds	513,751
Facility Services – Facility Services Division	4,744,604
Facility Services – Garage Division	437,248
Court Facilities	190,000
Information Technology	3,289,054
Sheriff	17,831,873
Detention Facility	4,862,293
Emergency Services – Emergency Management Division	336,146
Emergency Services – Fire Marshal Division	734,895
Building Services	1,081,559
Wellness Clinic	992,283
Emergency Services – Emergency Medical Services Division	6,622,513
Animal Services	680,107
Rescue Squad	281,360
Forestry Services	58,298
Soil & Water Conservation District	362,044
Planning	652,265
Code Enforcement	317,419
Heritage Museum	100,000
Cooperative Extension	427,681
Project Management	337,936
Economic Development	1,370,326
AgriBusiness Henderson County	151,601
Public Health	7,591,435
Public Health – Environmental Health Division	1,268,100
Home & Community Care Block Grant (H&CCBG)	730,974
Medical Services - Autopsies	60,000
Mental Health -- Maintenance of Effort Funding	528,612
Rural Operating Assistance Program (ROAP)	196,095
Social Services	13,974,422
Social Services – Federal & State Programs	4,286,093
Social Services – General Assistance Division	100,000
Juvenile Justice Grant	218,745

Veterans Services	46,495
Public Library	3,159,501
Recreation	1,965,035
Public School System	
<i>Current Expense</i>	27,328,000
<i>Capital Expense</i>	2,000,000
Blue Ridge Community College	4,256,273
Public Schools Debt Service	9,072,074
Community College Debt Service	1,937,210
General Debt Service	6,369,295
Non-Departmental	260,000
Transfers to Other Funds	2,818,436
TOTAL GENERAL FUND APPROPRIATIONS:	\$142,223,087

GENERAL FUND REVENUES

Ad Valorem Taxes	\$76,722,389
<i>Current year general levy</i>	75,697,389
<i>Prior year taxes, interest and penalties</i>	1,025,000
County share of (local option only) sales taxes	23,074,326
Other taxes and licenses	1,213,000
Unrestricted intergovernmental revenue	38,000
Restricted intergovernmental revenue	15,658,036
Permits and fees	1,542,700
Sales and services	7,517,692
Investment earnings	500,000
Other revenues	1,164,600
Fund balance appropriated	14,792,344
TOTAL GENERAL FUND REVENUE	\$142,223,087

RATE OF AD VALOREM PROPERTY TAX LEVY

The *ad valorem* property tax is levied at the rate of **fifty-six and one half cents (\$ 0.565)** on each one hundred dollars (\$100) of assessed valuation of taxable property, based on a listing date of January 1, 2018.

APPENDIX B

FIRE DISTRICTS FUND

Revenues	\$ 9,295,422
Appropriations	\$ 9,295,422

Fire District Tax Rate for these special tax districts listed are as follows (at cents per \$100 value):

District	Rate
Bat Cave	.120
Blue Ridge	.120
Dana	.130
Edneyville	.105
Etowah-Horse Shoe	.105
Fletcher	.115
Gerton	.125
Green River	.080
Mills River	.090
Mountain Home	.120
Raven Rock	.100
Valley Hill	.095
Valley Hill II	.095

APPENDIX C

SPECIAL FUNDS, APPROPRIATIONS AND REVENUES

A. Capital Reserve Fund (Fund 21)

The following is hereby appropriated and revenues estimated to be available in the Capital Reserve Fund for FY 2019:

Revenues	\$ 2,305,001
Appropriations	\$ 2,305,001

Capital Reserve Fund:

Permits & Inspections Software	\$ 75,000
Future School Capital	\$946,669
Future County Capital	\$1,283,332

B. Revaluation Reserve Fund (Fund 25)

The following is hereby appropriated and revenues estimated to be available in the Revaluation Reserve Fund for FY 2019:

Revenues	\$ 1,210,339
Appropriations	\$ 1,210,339

C. Emergency Telephone System Fund (Fund 28)

The following is hereby appropriated and revenues estimated to be available in the Emergency Telephone System ("E-911") Fund for FY 2019 the following (revenues for this fund are based on a \$0.70 surcharge per phone line):

Revenues	\$ 712,587
Appropriations	\$ 712,587

D. Public Transit Fund (Fund 33)

The following is hereby appropriated and revenues estimated to be available in the Public Transit Program Fund for FY 2019:

Revenues	\$ 1,010,176
Appropriations	\$ 1,010,176

E. Capital Projects Fund (Fund 40)

The following is hereby appropriated and revenues estimated to be available in the Capital Projects Fund for FY 2019:

Revenues	\$230,000
Appropriations	\$230,000

Capital Projects:

IT Depreciation Fund	\$200,000
Economic Development Site Acquisition	\$30,000

F. Solid Waste Enterprise Fund (Fund 60)

The following is hereby appropriated and revenues estimated to be available in the Solid Waste Enterprise Fund for FY 2019:

Revenues	\$ 6,448,102
Appropriations	\$ 6,448,102

G. Cane Creek Sewer Enterprise Fund (Fund 61)

The following is hereby appropriated and revenues estimated to be available in the Cane Creek Sewer Enterprise Fund for FY 2019:

Revenues	\$ 2,915,836
Appropriations	\$ 2,915,836

H. Justice Academy Sewer Fund (Fund 63)

The following is hereby appropriated and revenues estimated to be available in the Justice Academy Sewer Fund for FY 2019:

Revenues	\$ 42,224
Appropriations	\$ 42,224

APPENDIX D

PUBLIC OFFICIALS COMPENSATION

A. Henderson County Board of Public Education

The Chairman of the Board shall be compensated at an annual rate of \$4,500. Members of the Board, other than the Chair, shall be compensated at \$3,600 annually.

B. Henderson County Board of Commissioners

(1) Salary

The Chairman of the Board of Commissioners shall be compensated at an annual rate of \$20,363 paid on the same basis as other county employees. Members of the Board, other than the Chair, shall be compensated at an annual rate of \$12,643 paid on the same basis as other county employees.

(2) Expenses and Special Meetings

The Chairman and Members shall also receive an additional \$75 per special-called meeting and \$3,650 annually for in-county travel expenses.

C. Sheriff

The Sheriff shall be compensated at an annual rate of \$ 113,029. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.

D. Register of Deeds

The Register of Deeds shall be compensated at an annual rate of \$ 82,400. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.