

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 18 July 2018

SUBJECT: **FY 2017-2018 Tax Collector's Settlement;**
Approval of Bond Amounts for Tax Collector/Deputy;
FY 2018-2019 Tax Order For Collection

PRESENTER: **Darlene Burgess, Tax Administrator**

ATTACHMENT(S): **Proposed Order and Resolution**

SUMMARY OF REQUEST:

It is time once again for the delivery of the tax receipts to the Henderson County Tax Collector; however before they can be delivered, the following must occur (pursuant to N.C.G.S. 105-352):

- (a) **PREPAYMENTS.** The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) **SETTLEMENT.** The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) **BOND.** The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) **ORDER OF COLLECTION.** An Order of Collection must be adopted at today's meeting, which will charge the Tax Collector with the collection of FY 2018-2019 taxes, plus all outstanding delinquent taxes.

The tax collector will be available to present further information on this matter.

BOARD ACTION REQUESTED:

Approval of tax collector's settlement for FY 2017-2018 taxes and approval of order of collection and charge for FY 2018-2019 taxes.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the tax collector's settlement for Fiscal Year 2017-2018 taxes, and further approve the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2018-2019 taxes.

Resolution Approving the Settlement with the Tax Collector for the 2017-2018 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that settlement be made with the Tax Collector for the taxes charged to the Tax Collector in the previous tax year prior to delivery of the tax receipts to the Tax Collector for the current tax year, said settlement being conducted in accordance with N.C.G.S. 105-373; and

WHEREAS, N.C.G.S 105-373 requires that settlement be made for both taxes charged to the Tax Collector in the previous tax year, and for all delinquent taxes charged to the Tax Collector, there being a specified format for current tax year settlements, but not delinquent taxes; and

WHEREAS, the Henderson County Board Commissioners has received a proposed settlement for the 2017-2018 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Settlement for the 2017-2018 taxes charged to the Tax Collector is hereby approved. The Board finds:
 - a. All prepayments received by the Tax Collector were properly deposited;
 - b. The settlement is in proper form;
 - c. A diligent effort was made to collect from the person who were legally obligated to pay their taxes for the 2017-2018 fiscal year; and
 - d. Those persons identified in the report of insolvents submitted by the Tax Collector are found to be insolvents. The insolvents list shall be entered into the minutes and credited to the Tax Collector as part of this settlement.

2. The Settlement for the delinquent taxes charged to the tax collector for the previous fiscal years is hereby approved. The Board finds that the settlement for the delinquent taxes is in an appropriate form.

THIS the 18th day of July, 2018.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
J. Michael Edney, Chairman

Attest: (County Seal)

Teresa L. Wilson, Clerk to the Board

Resolution Setting the Bond Amounts for the Tax Collector and Deputy Tax Collector

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts are delivered to the Tax Collector for collection, the Board of Commissioners must approve a bond amount for the Tax Collector and Deputy Tax Collector; and

WHEREAS, the Board of Commissioners is desirous of complying with N.C.G.S. 105-352;

NOW THEREFORE IT BE RESOLVED AS FOLLOWS:

1. The Bond amount for the Tax Collector shall be set at \$1,000,000 through August of 2019.
2. The bond amount for the Deputy Tax Collector shall be set at \$250,000 to run through August of 2019.

THIS the 18th day of July, 2018.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
J. Michael Edney, Chairman

Attest: (County Seal)

Teresa L. Wilson, Clerk to the Board

Resolution Adopting the Order of Collection for the 2018-2019 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts for the 2018-2019 Tax Year may be delivered to the Tax Collector for collection the following must occur: (1) the Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited; (2) the Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the 2017-2018 tax year; and (3) the Board of Commissioners must approve the bonds proposed for the Tax Collector (and the Deputy Tax Collector) for collection of all taxes charged for the 2018-2019 Tax Year and all delinquent taxes

WHEREAS, prepayments were received for 2018 taxes; and

WHEREAS, the Board of Commissioners has approved the settlement for the taxes charged to the Tax Collector for collection for the 2017-2018 tax year, including the delinquent taxes; and

WHEREAS, The Board of Commissioners has approved the bonds proposed for the Tax Collector and the Deputy Tax Collector;

NOW THEREFORE BE IT RESOLVED that the order of collection attached hereto is hereby adopted.

THIS the 18th day of July, 2018.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
J. Michael Edney, Chairman

Attest: (County Seal)

Teresa L. Wilson, Clerk to the Board

STATE OF NORTH CAROLINA

ORDER OF COLLECTION

COUNTY OF HENDERSON

TO THE TAX COLLECTOR OF HENDERSON COUNTY:

You are hereby authorized, empowered, and commanded to collect the taxes, including current, insolvent and delinquent, set forth in the tax records filed in the Office of the Assessor for Henderson County and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Henderson, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

WITNESS my hand and official seal, this 18th day of July, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
J. Michael Edney, Chairman

ATTEST: (OFFICIAL SEAL)

Teresa L. Wilson, Clerk to the Board

HENDERSON COUNTY TAX COLLECTOR

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595

FAX: (828) 697-4652

*Darlene Burgess
Tax Administrator*

July 18, 2018

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

RE: Tax Collector's Settlement: FY2017-2018

Dear Henderson County Commissioners:

Attached please find the Preliminary Report for FY2017-2018 along with the Settlement for Current-Year Taxes and Delinquent Taxes. A list of all unpaid tax liens is available for your review in the Office of the Clerk to the Board.

I am happy to report that as of the close of FY2017-2018, the Henderson County Tax Collector's Office collected 99.05% of the annual tax bills and 98.97% processed through Tax & Tag Together, for an aggregate collection percentage of 99.04%.

I would like to take the opportunity to thank the staff for their hard work and dedication toward these accomplishments. The annual collection percentage, as reported, remains above the FY2017-2018 statewide average of 98.50% for annual tax bills.

Thank you for the opportunity to be of service to you.

Respectfully submitted,



Darlene Burgess
Henderson County Tax Administrator

PRELIMINARY REPORT FOR FISCAL YEAR 2017-2018

TO: Henderson County Board of Commissioners
FROM: Darlene Burgess, Tax Administrator
DATE: 18 July 2018

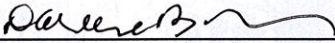
In accordance with N.C.G.S. 105-373(a)(1), I respectfully submit the following Report:

Attached to this Report is (1) a list of the persons owning real property whose taxes for 2017 remain unpaid, along with the principal amount owed by each person; and (2) a list of the persons not owning real property whose personal property taxes for 2017 remain unpaid, along with the principal amount owed by each person.

In compliance with N.C.G.S. 105-373(a)(3), attached hereto is a Report entitled "Settlement for Current Taxes for Fiscal Year 2017-2018" dated 30 June 2018 setting forth my full settlement for all taxes in my hands for collection for the fiscal year 2017-2018.

Further, I hereby certify that I have made diligent efforts to collect the taxes due from the persons listed in such a manner that is reasonably necessary.

Respectfully submitted,



Darlene Burgess, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME, this 3 day of July, 2018.



Jennifer P. Morlu
Notary Public

My Commission expires:
3.9.2019

JENNIFER P. MORLU
Notary Public, North Carolina
Henderson County
My Commission Expires
March 09, 2019

SETTLEMENT FOR CURRENT TAXES: FY 2017-2018

Report date 30 June 2018

CHARGES TO THE TAX COLLECTOR:

	Tax & Penalty	Interest	Charge	Credit	Difference
Total amount of all taxes placed in the Tax Collector's hands for collection for the year:					
G01 General County	71,998,755.67	117,769.60	72,116,525.27	72,116,525.27	0.00
Total General County					
<u>Fire Districts:</u>					
F15 Bat Cave	106,071.50	225.82	106,297.32	106,297.32	0.00
F01 Blue Ridge	1,036,025.19	2,024.90	1,038,050.09	1,038,050.09	0.00
F09 Dana	590,720.27	1,374.11	592,094.38	592,094.38	0.00
F03 Edneyville	724,935.17	2,314.93	727,250.10	727,250.10	0.00
F04 Etowah-Horse Shoe	1,136,540.55	1,731.91	1,138,272.46	1,138,272.46	0.00
F05 Fletcher	951,286.09	1,284.85	952,570.94	952,570.94	0.00
F11 Gerton	128,403.60	412.51	128,816.11	128,816.11	0.00
F06 Green River	480,156.63	1,000.13	481,156.76	481,156.76	0.00
F08 Mills River	120,778.62	453.95	121,232.57	121,232.57	0.00
F07 Mountain Home	1,539,203.37	2,475.38	1,541,678.75	1,541,678.75	0.00
F12 Raven Rock	187,961.33	313.53	188,274.86	188,274.86	0.00
F02 Valley Hill	1,411,489.66	2,138.42	1,413,628.08	1,413,628.08	0.00
Total Fire Districts					
	8,413,571.98	15,750.44			
<u>Municipal Districts:</u>					
C01 City of Hendersonville	0.00	0.00	0.00	0.00	0.00
C02 Town of Laurel Park	0.00	0.00	0.00	0.00	0.00
C03 City of Saluda	16,789.74	0.00	16,789.74	16,789.74	0.00
C04 Town of Fletcher	0.00	0.00	0.00	0.00	0.00
C50 Village of Flat Rock 51	0.00	0.00	0.00	0.00	0.00
Village of Flat Rock 52	0.00	0.00	0.00	0.00	0.00
Village of Flat Rock 56	0.00	0.00	0.00	0.00	0.00
C60 Town of Mills River	0.00	0.00	0.00	0.00	0.00
Total Municipal Districts					
	16,789.74	0.00			
SUBTOTAL					
	\$80,429,117.39	\$133,520.04			
TOTAL CHARGE TO TAX COLLECTOR	<u>\$80,562,637.43</u>				

CREDITS TO THE TAX COLLECTOR:

All sums deposited by the Tax Collector to the credit of the Taxing Unit:	Deposits	Adjustments	Releases	Interest	Outstanding	Outstanding	
					Tax / Liens against Real & Personal Property	Tax / Liens against Registered Motor Vehicles	
G01 General County	70,636,582.90	633,802.06	9,452.53	117,769.60	718,918.18	0.00	
Total General County							
<u>Fire Districts:</u>							
F15 Bat Cave	103,213.28	28.82	17.71	225.82	2,811.69	0.00	2,811.69
F01 Blue Ridge	1,013,732.73	7,453.83	133.92	2,024.90	14,704.71	0.00	14,704.71
F09 Dana	579,308.11	1,407.26	172.69	1,374.11	9,832.21	0.00	9,832.21
F03 Edneyville	708,664.74	1,591.69	421.03	2,314.93	14,257.71	0.00	14,257.71
F04 Etowah-Horse Shoe	1,125,042.37	735.06	117.29	1,731.91	10,645.83	0.00	10,645.83
F05 Fletcher	941,213.77	618.08	80.83	1,284.85	9,373.41	0.00	9,373.41
F11 Gerton	127,658.73	17.01	132.06	412.51	595.80	0.00	595.80
F06 Green River	471,475.03	4,359.68	53.90	1,000.13	4,268.02	0.00	4,268.02
F08 Mills River	116,398.63	1,948.17	20.66	453.95	2,411.16	0.00	2,411.16
F07 Mountain Home	1,443,890.13	81,279.76	240.61	2,475.38	13,792.87	0.00	13,792.87
F12 Raven Rock	185,718.18	1,022.36	25.32	313.53	1,195.47	0.00	1,195.47
F02 Valley Hill	1,395,995.08	1,436.94	112.69	2,138.42	13,944.95	0.00	13,944.95
Total Fire Districts	8,212,310.78	101,898.66	1,528.71	15,750.44	97,833.83	0.00	97,833.83
<u>Municipal Districts:</u>							
C01 City of Hendersonville	0.00	0.00	0.00	0.00		0.00	
C02 Town of Laurel Park	0.00	0.00	0.00	0.00		0.00	
C03 City of Saluda	16,788.55	0.00	1.19	0.00	0.00	0.00	
C04 Town of Fletcher	0.00	0.00	0.00	0.00		0.00	
C50 Village of Flat Rock 51	0.00	0.00	0.00	0.00		0.00	
Village of Flat Rock 52	0.00	0.00	0.00	0.00		0.00	
Village of Flat Rock 56	0.00	0.00	0.00	0.00		0.00	
C60 Town of Mills River	0.00	0.00	0.00	0.00		0.00	
Total Municipal Districts	16,788.55	0.00	1.19	0.00	0.00	0.00	
TOTAL	\$78,865,682.23	\$735,700.72	\$10,982.43	\$133,520.04	\$816,752.01	\$0.00	

TOTAL CREDITS TO TAX COLLECTOR: \$80,562,637.43

Respectfully Submitted,

Darlene Burgess
Darlene Burgess, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME this 9 day of July, 2018.

Jennifer P. Morlu
Notary Public

My Commission expires: 3-9-2019

JENNIFER P. MORLU
Notary Public, North Carolina
Henderson County
My Commission Expires
March 09, 2019

HENDERSON COUNTY TAX COLLECTOR
200 North Grove Street, Suite 66
Hendersonville, NC 28792

Darlene Burgess
Tax Administrator

Phone: 828/697-5595
Fax: 828/698-6153
www.hendersoncountync.org/ca/

July 18, 2018

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

RE: FY 2017-2018 Progress Report regarding Delinquent Property Tax Collections

Dear Henderson County Commissioners:

For the FY2017-2018, we collected \$1,423,579.89 in prior-year taxes, plus all applicable fees and interest. At the close of this fiscal year, we have collected 99.65% of our prior-year (2016) annual tax bills (real property and listed personal property), and 99.71% for all previous years (including 2016 and years beyond our ten-year reach for enforced remedies.)

The responsibilities of the Deputy Tax Collector and staff include the monitoring and administration of statutorily-provided remedies used to collect delinquent tax. We have generated a great amount of revenue this year through the use of these remedies and are pleased to provide the following details on our efforts. While each effort is not always successful, our staff tirelessly explores all remedies for collection of delinquent taxes.


- Payment Arrangements: 278 new arrangements created, potential collection of \$431,850.30.
- Bank Attachments: 484 new actions created, potential collection of \$629,504.21.
- Wage Garnishments: 1,025 new actions created, potential collection of \$496,238.00.
- Rent Attachments: 3 new action created, potential collection of \$25,243.10.
- Pre-foreclosure: 573 new actions created, potential collection of \$595,226.03.
- Monies: 143 new actions created, potential collection of \$100,360.03.
- NC Debt Setoff: 3,699 new actions created, \$1,461,997.48 total taxes submitted for possible setoff.

The progress relating to delinquent tax collections has truly been a team effort based on persistence, commitment, dedication and pride in carrying out our statutory charge. Thank you for the opportunity to be of service to you as the governing body, and to our fellow taxpayers and citizens.

Respectfully submitted,



Luke Small
Deputy Tax Collector



Darlene Burgess
Tax Administrator

FY2017-2018 Delinquent Property Tax Collections

DELINQUENT PROPERTY TAX COLLECTED FOR GENERAL COUNTY:

TAX YEAR	TOTAL COUNTY LEVY CREDIT (Tax + Late List Penalties + Rebates and Releases)			ACCRUED INTEREST COLLECTED + COSTS COLLECTED			TOTAL COUNTY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)			YEAR END COUNTY LEVY DUE		
	Regular		RMV	Regular		RMV	Regular		RMV	Regular		RMV
	2016	601,378.22		0.00	89,286.54		0.00	663,344.93		0.00	246,352.48	
2015	148,037.15		74.67	27,602.05		19.97	152,526.36		94.64	112,241.73		23.95
2014	64,572.17		39.75	19,460.15		12.12	80,686.24		51.87	81,341.01		664.15
2013	55,617.15		3,308.05	21,441.66		2,567.42	75,358.64		5,873.04	79,997.72		36,408.85
2012	49,959.90		4,858.54	22,298.32		4,762.55	71,734.28		9,581.87	71,428.73		63,182.63
2011	41,462.97		2,320.14	23,093.22		2,877.53	64,201.69		5,196.69	78,443.93		39,781.04
2010	32,418.08		1,540.02	21,099.17		2,385.99	53,494.89		3,923.81	81,352.00		35,594.62
2009	8,427.49		1,680.44	6,762.00		3,395.78	15,165.61		5,074.41	81,913.70		38,141.70
2008	5,565.92		1,709.22	5,876.90		3,737.85	11,418.16		5,446.71	114,598.20		47,961.80
2007	2,353.69		1,119.34	3,245.59		2,343.87	5,575.40		3,461.67	95,767.75		62,832.16
2006/Prior	1,405.80		1,737.12	1,511.03		2,495.83	2,833.40		4,231.72	844,138.05		948,613.31
TOTAL:	1,011,198.54		18,387.29	241,676.63		24,598.91	1,196,339.60		42,936.43	1,887,575.30		1,273,204.21

DELINQUENT PROPERTY TAX COLLECTED FOR MUNICIPALITIES:

MUNICIPALITY	TOTAL CITY LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)			ACCRUED INTEREST COLLECTED + COSTS COLLECTED			TOTAL CITY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)			YEAR END CITY LEVY DUE		
	Regular		RMV	Regular		RMV	Regular		RMV	Regular		RMV
	Hendersonville			6,251.02			1,103.20			2,759.82		
Laurel Park			56.07			133.14			189.21			9,264.81
Saluda	0.00		0.00	0.00		0.00	0.00		0.00	0.00		115.00
Fletcher			1,045.67			604.73			1,650.17			29,790.30
Flat Rock 51			11.72			3.92			15.64			866.09
Flat Rock 52			10.03			7.18			17.21			295.90
Flat Rock 56			0.00			0.00			0.00			27.40
Mills River			216.36			135.02			351.23			4,485.90
TOTAL:			7,590.87			1,987.19			4,983.28			221,522.03

DELINQUENT PROPERTY TAX COLLECTED FOR FIRE DISTRICTS:

FIRE DISTRICT	TOTAL SPECIAL DISTRICT LEVY CREDIT (Tax + Late List Penalties - Rebates and Releases)		ACCRUED INTEREST COLLECTED + COSTS COLLECTED		TOTAL SPECIAL DISTRICT CASH COLLECTED (includes Tax, Penalties, Interest & Costs)		YEAR END SPECIAL DISTRICT LEVY DUE	
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
	Bat Cave	3,511.31	15.49	748.75	9.36	4,260.01	24.85	3,395.00
Blue Ridge	19,875.30	467.78	3,469.60	351.88	23,222.93	818.95	44,564.40	34,137.71
Dana	11,253.99	302.02	1,473.62	214.70	12,560.44	516.41	21,227.86	17,493.36
Edneyville	18,541.36	292.47	3,425.07	246.89	21,553.61	539.13	36,550.18	18,891.11
Etowah/HS	43,333.67	241.77	11,340.82	161.56	54,578.95	403.26	30,136.72	13,337.13
Fletcher	11,634.12	207.91	1,629.83	137.15	12,942.98	344.85	23,958.70	15,071.79
Gerton	465.05	11.41	49.96	7.00	514.98	18.41	257.46	961.01
Green River	7,178.24	147.45	1,338.90	94.68	2,512.19	241.99	9,868.74	5,453.37
Mills River	4,053.94	26.23	350.84	19.56	4,404.71	45.73	8,917.35	6,528.85
Mtn Home	14,113.94	391.91	1,920.72	261.85	14,511.46	653.38	21,894.07	25,286.48
Raven Rock	3,345.03	38.07	351.05	13.98	3,667.16	52.05	2,447.77	1,284.41
Valley Hill	19,107.75	190.54	2,632.46	115.61	21,471.73	305.97	17,753.82	16,002.91
Valley Hill #2	112.98	7.58	84.45	18.43	197.43	25.98	696.99	1,589.20
TOTAL:	156,526.68	2,340.63	28,816.07	1,652.65	176,398.58	3,990.96	221,669.06	156,867.56

TOTAL DELINQUENT PROPERTY TAX COLLECTED:

	TOTAL LEVY CREDIT		ACCRUED INTEREST COLLECTED +		TOTAL CASH COLLECTED		YEAR END LEVY DUE	
	Total	Total	Total	Total	Total	Total	Total	Total
General County		1,029,585.83		266,275.54		1,239,276.03		3,160,779.51
Municipalities		7,590.87		1,987.19		4,983.28		221,522.03
Fire Districts		158,867.31		30,468.72		180,389.54		378,536.62
TOTAL:		1,196,044.01		298,731.45		1,424,648.85		3,760,838.16

Notes:

- (1) Differences in the sum of Levy Credit + Accrued Interest and Total Cash Collected is attributable to Rebates (aka Releases) and Refunds
- (2) The Year End Levy Due columns include amounts due for years prior to 2007 which are legally unenforceable.

Respectfully Submitted,

Darlene Burgess

Darlene Burgess, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME this 3 day of July, 2018.

Jennifer P. Morlu
Notary Public

My Commission expires: 3-9-2019

JENNIFER P. MORLU
Notary Public, North Carolina
Henderson County
My Commission Expires
March 09, 2019