

DRAFT

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, SEPTEMBER 19, 2018**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Mike Edney, 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: Internal Auditor Megan Powell, Finance Director Samantha Reynolds, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Library Director Trina Rushing, Captain Benjy Bryant, Planning Director Autumn Radcliff, Planner Allen McNeil, DSS Director Jerrie McFalls, Tax Administrator Darlene Burgess, Property Appraiser Devin Murphy, Assistant County Assessor Kevin Hensley, Deputy Tax Collector Luke Small, Personal Property Administrator Marty Haney, Property Appraiser Dee Hill, Property Appraiser James Connell, Property Appraiser Amber Hunter, Property Appraiser Jennifer Pace, Commercial Property Appraiser Scott Lewis, Property Appraiser Billy Crumpler, Personal Property Appraiser Heidi Jansen, Agri-business Development Director Mark Williams, Project Engineer Natalie Berry & PIO Kathy Finotti – videotaping, Deputies Brad Reece and Jonathon Tankersley as security.

CALL TO ORDER/WELCOME

Chairman Edney 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 Commissioner Hawkins.

PUBLIC HEARINGS

2018-105 Potential Application for 2018 Community Development Block Grant (CDBG) Neighborhood Revitalization Program

Commissioner Messer made the motion to go into public hearing regarding a Potential Application for 2018 Community Development Block Grant (CDBG) Neighborhood Revitalization Program. All voted in favor and the motion carried.

Autumn Radcliff stated the NC Department of Commerce requires public hearings as part of its Community Development Block Grant (CDBG) programs. These programs provide for a variety of activities including, but not limited to, economic development, housing rehabilitation, community development, etc.

The County is considering applying for CDBG funds under the Neighborhood Revitalization Program for the 2018 grant cycle. Applications were due September 28, 2018, but the deadline has been extended to October 31, 2018. The objective of the Neighborhood Revitalization program is to assist low-to-moderate income homeowners with housing rehabilitation and accessibility modifications. As with previous

DATE APPROVED:

CDBG cycles, the first hearing is generic and not aimed at a particular project. This hearing applies to the 2018 grant cycle. A second hearing is required to receive input on a proposed CDBG Neighborhood Revitalization Program application.

The public hearing on this application was advertised in the Hendersonville Lightning on Wednesday, September 5, 2018 and Wednesday, September 12, 2018.

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

Community Development Block Grant (CDBG) Neighborhood Revitalization Application

Commissioner Hawkins made the motion to go into public hearing regarding the Community Development Block Grant Neighborhood Revitalization Application. All voted in favor and the motion carried.

Autumn Radcliff stated the NC Department of Commerce requires public hearings as part of its Community Development Block Grant (CDBG) programs. These programs provide for a variety of activities including, but not limited to, economic development, housing rehabilitation, community development, etc. The County is applying for these CDBG funds under the Neighborhood Revitalization Program to assist low-to-moderate income homeowners with housing rehabilitation and accessibility modifications. Eligible potential recipients must be full-time residents of Henderson County who own their own home. The County has received four eligible applications and would apply for the Neighborhood Revitalization Grant in the amount of approximately \$275,000. No local match is required for this grant. Applications are due by September 28, 2018.

As required by CDBG regulations, the first public hearing was held by the Board today prior to this hearing on the specific application. The purpose of the second hearing is take public comment on the planned uses of the 2018 CDBG Neighborhood Revitalization grant application which will assist four applicants with housing rehabilitation needs.

The County opened the call for applications on July 17, 2018 with a deadline to submit applications by noon on August 17th. Staff contacted all housing agencies and partners in the County including the Health Department and DSS. Flyers were posted in County facilities on the County website. A press release was sent on July 19th, and two ads about the call for applications were published in the Times News on July 19th and in the Hendersonville Lightning on August 18th.

The public hearing on this application was advertised in the Hendersonville Lightning on Wednesday, September 5, 2018 and Wednesday, September 12, 2018.

Staff recommends that the Board conduct the hearing and authorize staff to submit the required application and other necessary documentation.

Public Input

There was none.

Commissioner Lapsley made the motion to go out of public hearing. All voted in favor and the motion carried.

Commissioner Hawkins made the motion that the Board authorize staff to submit the CDBG Neighborhood Revitalization application and other necessary grant documents on behalf of Henderson County. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

1. Brian Gulden is an attorney for citizens with concern of the special use permit request by First Contact Ministries. This will be a 20,000 square foot building on the corner of Rutledge and Erkwood. The Zoning Board of Adjustment meeting is scheduled for September 26th and this schedule does not give citizens enough time to review. He requested the citizens be given 60 days.
2. Hilton Swing is an Erkwood area resident and feels that citizens have not received adequate notice. He requested 60 days to provide equal treatment for the rights of the residents.
3. Barry Edwards is a Rutledge Drive resident and opposes the drug rehab center on residential property. He does not feel it is the appropriate area as it is a heavily saturated community. It will add to traffic, criminal activity, noise, lighting, and decrease the property values. This should be residential only zoning.
4. Tom Jackson is a Chaplain at Pardee Hospital and lives three houses from Rutledge Drive. He fears more criminal activity in the area with the drug rehabilitation center.
5. Bill McKibben is opposed to the drug rehab center and feels the special use permit would be spot zoning and not appropriate for the area. He asked for 60 days for the citizens.
6. Steve Rhodes passed on his opportunity to speak.
7. Don Huneycutt is opposed to the drug rehab center. He feels this is a threat and will harm the area for generations to come.
8. Dennis Justice supports pickle ball and would like to see a facility in the Fletcher area. He would like to see sports vetting included in the legislative goals. He noted the part-time jobs on the County website and feels all jobs with the County should be fulltime.
9. Ken Fitch likes the discussion items and feels they are important. Regarding the Facility Use Policy, he feels it is important to insure access to facilities without encumbrance. The Substance Abuse Task Force will require large funding. He would like to see the means of communication to public expanded.

Attorney Russ Burrell explained that the matter before the Zoning Board of Adjustment with the special use permit has met guidelines as set by the Board of Commissioners. The Board of Adjustment is given 60 days for a final decision, not the public hearing. There is a Right of Appeal for both sides which goes to Superior Court.

The Board directed Attorney Burrell to look at the timeframe and bring back any recommended changes for future projects.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Thompson made the motion to approve Consent Agenda as presented. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meeting(s):
September 4, 2018 - Regularly Scheduled Meeting

Motion:

I move the Board approves the minutes of September 4, 2018 as presented.

Tax Collector's Report

Deputy Tax Collector Luke Small had presented the Tax Collector's Report to the commissioners dated September 7, 2018 for information only. No action was necessary.

2018-106 FY2019 Rural Operating Assistance Program (ROAP) Application to the NC Department of Transportation

The Henderson County Planning Department Staff has prepared the grant application regarding the FY 2019 North Carolina Department of Transportation (NCDOT) Rural Operating Assistance Program (ROAP) in the amount of \$189,141. Henderson County's FY 2019 allocation remained close to the same amount as FY18 (\$189,510).

The County receives these grant funds annually and passes them through to Western Carolina Community Action (WCCA), the NCDOT designated Henderson County rural transit provider. WCCA provides transit services according to specified performance standards and supplies the required matching funds for the grant. The grant funds provide for senior and disabled transportation programs, transportation for a WorkFirst education program, and continuation of public transit service to Edneyville, and demand response transit for citizens who live in other rural areas of Henderson County.

Henderson County submits the application on behalf of the operator, Western Carolina Community Action (WCCA). No County funds are required for this program. The application submittal date was extended to October 19th due to delays on releasing the FY19 applications.

Staff requests the Board of Commissioners approve the Certified Statement and authorize staff to file the application.

Motion:

I move the Board approve the Certified Statement and authorize staff to execute all required documents for the FY 2019 ROAP grant application.

Vendor Selection for Library RFID project

During the July 19, 2017 Board of County Commissioners meeting, the Board approved the Library submit a 2-year LSTA Grant application for RFID implementation in the amount of up to \$200,000 with matching funds coming from the Friends of the Library.

The Library has been awarded the first year Library Services Technology Act (LSTA) grant funds in the amount of \$97,388 with matching funds of \$26,840 provided by the Friends of the Library for a project total of \$124,228. This grant covers the supply, installation and training of a Radio Frequency Identification (RFID) & Self-Check System for the Main Library and Fletcher Library.

As part of the procurement processes associated with the grant and state law, the Library released a Request for Proposals (RFP) for Vendor Services. Bidding for this project was conducted from August 9 through September 5, 2018. After review of proposals by Library and IT staff, it was determined that the proposal submitted by Tech Logic best meets the project requirements.

Submitting Vendors: Library Radio Frequency Identification (RFID) Project

Bibliotheca

Contact: George Duncan

3169 Holcombe Bridge Rd., Ste. 200

Norcross, GA 30071

D-Tech International

Contact: Trilly Roper

251 Ranger Road, Unit 1

Rio Grande, NJ 08242

Tech Logic
Contact: Tim Granquist
835 Hale Avenue North
Oakdale, Minnesota 55128

Motion:

I move that the Board select Tech Logic as the vendor for the Library RFID project and authorize staff to negotiate the contract with Tech Logic.

2018-107 Petition to close portion of Right of Way off Ripley Avenue in the Mountain Home area and set Public Hearing

Planning staff received a petition from Mr. Emery Lorntz and Mr. Roger Gagnon to close a portion of a right of way off Ripley Avenue in the Mountain Home area of Henderson County.

North Carolina General Statute 153A-241 requires that the board must adopt a resolution of intent prior to setting a public hearing for permanently closing a public road or easement or a right-of-way if it deems no individual owning property would be deprived of a reasonable means of ingress and egress.

Motion:

I move the Board approves the resolution of intent to close a portion of the right-of-way and to set a public hearing for Wednesday, October 17, 2018 at 9:00 a.m.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Hawkins made the motion to adopt the discussion agenda with the addition of discussion regarding transitioning to the new Sheriff, Highway 64W proposed roundabouts, and an additional closed session on Economic Development. All voted in favor and the motion carried.

NOMINATIONS

Chairman Edney opened the floor for nominations.

Nominations

1. Asheville Regional Housing Consortium – 1 vac.

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

2. Hendersonville City Zoning Board of Adjustment – 3 vac.

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

3. Hendersonville Planning Board – 1 vac.

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

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

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

5. 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.

6. Juvenile Crime Prevention Council – 7 vac.

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

7. Nursing/Adult Care Home Community Advisory Committee – 7 vac.

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

8. Senior Volunteer Services Advisory Council – 2 vac.

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

2018-108 2019 REAPPRAISAL SCHEDULE OF VALUES

Darlene Burgess, Tax Administrator, presented the proposed 2019 Schedules of Values for Market Value and for Present Use Value for the Board's consideration. Information regarding the timeline for the 2019 Reappraisal and an update on Reappraisal progress thus far was discussed. Following is a general timeline for the 2019 Reappraisal that meets statutory guidelines:

The Board is requested to authorize the publication of a statement that the Schedules of Values has been submitted to the Board and set the time and place for the public hearing to be October 17, 2018 at 9:00 a.m.

Why are we here today?

- Per N.C.G.S. 105-317(c), to submit the proposed Schedule of Values for Market Value and for Present-Use Value to the Board of Commissioners for consideration and to make them available for public inspection.
 - The Schedule of Values documents the guidelines, methods and procedures used by the Assessor to value real property at market value or at present-use value as appropriate.
 - These Schedules of Values will become effective January 1, 2019 and will remain in effect until the County's next Reappraisal in 2023.
 - To request that the Board of Commissioners schedule a Public Hearing on the Schedules of Values for October 17, 2018.
- To educate our taxpayers on the aspects of Reappraisal along with a proposed timeline for the upcoming 2019 Reappraisal.

What is a Reappraisal?

- The County Assessor is responsible for conducting Reappraisals.
- Real property includes land, buildings, structures and improvements.
- Reappraisals promote equity amongst the different classes of property subject to property tax.
 - Personal property, motor vehicles and public service properties are assessed on an annual basis.
 - Real Property is appraised and assessed only in the year of Reappraisal.
- Reappraisals ensure that property owners pay only their fair share of services rendered by local government.
- The purpose of the 2019 Reappraisal is to appraise all real property at 100% of its current market value as of January 1, 2019.
- Henderson County has approximately 68,000 real property parcels. 37% are vacant and 63% are improved.

Why is a Reappraisal Necessary?

- North Carolina law requires a Reappraisal at least once every eight years (N.C.G.S. 105-286).
- Since 1995, Henderson County has conducted Reappraisals every four years.
- Henderson County's last Reappraisal occurred in 2015.
- More frequent appraisals:
 - Recognize changes and variations in property values according to local market conditions; and
 - Promote equity amongst the different classes of taxable property.

How are property values determined?

- State Law (N.C.G.S. 105-283) provides that real property be valued at its "true value in money".
 - "True value in money" means market value – "...the price estimated in terms of money at which the property would change hands between a willing and financially able buyer and a

willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used."

- Market value is determined by the most recent sales activity in the local real estate market.
- Only arms-length transactions are used to measure market value. Short sales, foreclosures, multi-parcel sales or other types of sales that are not arms-length transactions are not used to measure market value.
- Properties under construction will be appraised at the percentage of completion as of January 1, 2019.
- The assessed value of a property may be different from the market value in instances where the property is enrolled in the Present-Use Value Program and used for agriculture, horticulture or forestry.
- Property values can change during a non-reappraisal year due to physical changes that are made to the property.

How is a Reappraisal Accomplished?

- The Assessor uses a "Mass Appraisal" approach to value property.
 - Uniform or similar properties are grouped together and valued to ensure fair and equitable values.
 - Mass Appraisal costs much less than the typical fee appraisal and allows the Assessor to value the County's many parcels in a relatively short period of time.
- Mass Appraisal uses statistical analyses to measure uniformity and equity amongst properties.
- Appraisal staff devotes substantial effort to collect and update data on properties.
 - Field visits are conducted to verify the property characteristics that are on file.
 - As building permits are issued, Appraisers make several visits to the property to follow the construction progress and collect information needed to appraise the property.
 - As sales occur, Appraisal staff uses the sales information to verify property characteristics as well as to compute the Sales Assessment Ratio.
- The valuation process involves evaluating the most recent sales that have occurred within each neighborhood and combining this with statistical tools to uniformly appraise all properties within the neighborhood.
- After a neighborhood is valued, it goes through a quality control process.
- Technology is used extensively during the Reappraisal process.
- National valuation manuals and the Multiple Listing Service (MLS) are used to strengthen the accuracy of our appraisals.
- The local real estate market is continuously monitored throughout the Reappraisal process.

What about the Local Market?

- It appears that Henderson County's economy is thriving.
- The median home price is an important economic indicator and is derived from the local real estate market, the median home price is computed based on the homes that have sold.
- The current inventory for single family homes is just over four months.
- The average days on the market has significantly decreased since the 2015 Reappraisal.

What about the Local Market?

- Building permits continue to rise. For the first six months of 2018, 970 residential permits were issued, and 187 commercial permits were issued

Building Permits Historical Data: 2008 – July 2018

Year	RESIDENTIAL			Total Residential Permits	COMMERCIAL New Construction & Addition/Remodel
	New Construction Permits	Additions / Remodel Permits	Manufactured Homes		
YTD 2018 (6/30)	442	453	75	970	187
2017	596	801	153	1,550	277
2016	555	651	188	1,394	285
2015	616	701	133	1,450	350
2014	339	766	143	1,248	296
2013	468	629	131	1,228	264
2012	462	580	128	1,170	303
2011	253	537	99	889	239
2010	223	580	99	902	209
2009	311	546	201	1,058	226
2008	444	573	185	1,202	281

What about the Local Market?

MLS Historical Data: 2008 – July 2018

Year	SINGLE FAMILY DWELLING			CONDO - TOWNHOMES			ALL PROPERTY TYPES		
	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply
2018 (July)	\$ 265,000	61	4.20	\$ 180,500	45	2.20	\$ 238,500	79	9.00
2018	\$ 250,000	65	4.20	\$ 181,125	43	2.00	\$ 224,700	79	9.00
2017	\$ 229,500	69	4.60	\$ 161,500	51	2.50	\$ 203,000	82	9.60
2016	\$ 219,700	119	6.90	\$ 162,500	100	4.10	\$ 192,000	126	12.50
2015	\$ 200,000	143	9.30	\$ 155,000	156	7.70	\$ 177,500	158	16.00
2014	\$ 192,500	143	10.70	\$ 133,000	174	11.70	\$ 169,000	160	19.70
2013	\$ 183,500	158	12.50	\$ 137,500	199	17.80	\$ 165,000	166	23.80
2012	\$ 174,500	177	15.50	\$ 131,250	219	22.40	\$ 160,000	184	29.10
2011	\$ 190,000	171	15.90	\$ 155,000	209	16.10	\$ 175,000	180	27.70
2010	\$ 198,000	148	12.90	\$ 149,450	166	14.60	\$ 175,000	157	22.40
2009	\$ 220,000	133	4.40	\$ 148,405	110	4.30	\$ 187,500	132	6.20
2008	\$ 232,000	96	2.80	\$ 155,600	83	3.60	\$ 195,000	108	3.30

Commissioner Lapsley questioned the software program and asked if problems had been resolved.

Darlene Burgess responded they have worked extensively with the provider and she is confident it is working like it should. The program does have gaps but they are filling the gaps by other means. The reporting software is still in process.

Commissioner Lapsley stated after January 2019 when the numbers are out if someone has an objection to their value, it goes to the Board of Equalization and Review. He questioned if the software would cause any extensive objections.

Darlene Burgess feels good about the process. There are several quality control measures in place.

What about the Local Market?

- A healthy real estate market requires a healthy labor market. Currently, Henderson County enjoys the third lowest unemployment rate in the State. The average weekly wage has slightly increased since the last reappraisal.

Unemployment Rate Historical Data: 2008 – July 2018

	Henderson County	North Carolina
2018 YTD (6/30)	3.6%	4.2%
2017	3.9%	4.6%
2016	4.3%	5.1%
2015	4.8%	5.7%
2014	5.1%	6.3%
2013	6.2%	8.0%
2012	7.5%	9.3%
2011	8.5%	10.3%
2010	9.1%	10.9%
2009	8.8%	10.6%
2008	4.7%	6.1%

2019 Reappraisal Schedule

September 19, 2018	The Assessor submits the Schedules of Values to the Board of Commissioners
September 19, 2018	The Board of Commissioners sets public hearing and authorizes publication. Schedules of Values are made available for public inspection.
October 17, 2018	Public Hearing on the Schedules of Values
November 5, 2018	The Board of Commissioners Adoption of Schedules of Values
January 1, 2019	Effective Date of 2019 Reappraisal
February 1, 2019	Approximate Date Notices of Value Change are mailed to Taxpayers
January – April 2019	Informal Appeals are heard by the Assessor until the Board of Equalization & Review Convenes
April 2019	The Board of Equalization & Review Convenes (exact date will be determined at a later time)
June 30, 2019	Latest date the FY2020 tax rate is established by the Board of Commissioners
August 2019	2019 tax bills will be mailed to property owners

Commissioner Hawkins made the motion that the Board authorize Staff to publish a statement that the Schedule of Values has been submitted to the Board. He further moved that the Board schedule the Public Hearing on the 2019 Schedule of Values for Wednesday, October 17, 2018 at 9:00am. All voted in favor and the motion carried.

FACILITY USE POLICY

The Board is requested to discuss the Facility Use Policy, and direct staff accordingly on any revisions to the policy they may wish to adopt.

Steve Wyatt noted we have received substantial public input regarding the Facility Use Policy with the majority of the input being sound amplification during non-business hours. This policy allows use by more groups. A photo ID is required with the application process.

Chairman Edney stated on page 7 1C, Equipment not available for use with the Commissioners' Meeting Room needs to be added.

Amy Brantley pointed out that on Page 7, large community-wide events such as the Apple Festival are exempt from the sound amplification.

At this time the 95 Courthouse and King Street have no application process. Clerk of Court Kim Gasperson-Justice feels they should have an application for use of the 95 Courthouse. Amy Brantley and John Mitchell will work on both.

Commissioner Thompson made the motion to adopt the Facility Use Policy with the addition of Page 7 1C, that equipment in the room (Commissioners meeting room) is not available for use. All voted in favor and the motion carried.

NCACC LEGISLATIVE GOALS

The NCACC is soliciting input and proposals from all counties and has invited counties to submit their legislative proposals to the Association. The submission deadline for proposals is Friday, September 21, 2018. The NCACC goal setting process is open, inclusive and deliberative and is designed to give all 100 counties a voice in developing the Association's legislative agenda.

Goals may be submitted in any of the following formats: a resolution approved by the Board of Commissioners, a letter from the Chairman of the Board on behalf of the entire board, or by letter from an affiliate organization.

Proposed goals received on or before September 21, will be referred to the appropriate steering committee for review and consideration. The deadline has been extended to October 5, 2018.

Legislative goals development timeline

- September 21, 2018 Goals submission deadline
- September – October Steering committees review goals
- November Legislative Goals Committee meets
- December Board of Directors reviews and finalizes recommendations
- January 10-11, 2019 Legislative Goals Conference, membership approval of goals

Henderson County 17-18 Goals Submitted:

- 1) Legislature reinstate funding for schools from the lottery using the initial formula with 40% to schools.
- 2) Restoration of State funding to public libraries, supporting libraries pre "11" funding at \$15.7m.
- 3) Legislation to direct counties on Improvement Guarantees or bonds specifically to developers.

Commissioner Thompson made the motion that the 17-18 goals be resubmitted for 18-19 along with Health and Human Services Funding of Mental Health Facilities as the number one goal to the North Carolina Association of County Commissioners. All voted in favor and the motion carried.

DEDICATION CEREMONY – CHARTER OF FREEDOM MONUMENT

A break was taken for the Charter of Freedom Monument dedication ceremony.

The term Charters of Freedom is used to describe the three documents in early American history which are considered instrumental to its founding and philosophy. These documents are the United States Declaration of Independence, the Constitution, and the Bill of Rights and are displayed in the Rotunda

of The National Archives in Washington, D.C. for everyone to view.

On Wednesday, September 19, 2018, beginning at 11:00 a.m., the Henderson County Board of Commissioners and Foundation Forward, Inc., conducted a Dedication Ceremony that included the gifting of the documents to the Henderson County community in their permanent setting in the Historic Courthouse courtyard. The ceremony will include the placement of articles in a time capsule, accompanied by a cannon volley.

The Board returned from break and continued the meeting.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) and 143-318.11(a)(4), to consult with an attorney employed or retained by the Board to preserve attorney-client privilege ((a)(3)), and to discuss matters relating to the location or expansion of industry ((a)(4))

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a) (3), to consult with an attorney (a) (4) to discuss matter relating to the location or expansion of industry. All voted in favor and the motion carried.

Commissioner Messer made the motion to go out of closed session and back into open session. All voted in favor and the motion carried.

TRANSITIONING TO THE NEW SHERIFF – add on

Commissioner Messer stated the incoming sheriff is currently working in Tryon. Mr. Lowell Griffin and Sheriff McDonald are working together and space is needed to begin the transition.

Commissioner Thompson feels this request needs to come from Sheriff McDonald.

Chairman Edney made the motion that staff be authorized to designate space for Sheriff McDonald at the old Parks and Recreation house at Jackson Park to be used at the Sheriff's discretion in order for the transition of Sheriff to move smoothly. The motion passed 5-0, Commissioner Thompson remained silent which is an affirmative vote.

HIGHWAY 64W PROPOSED ROUNDABOUTS – add on

Chairman Edney stated as he understands it there are 4 proposed roundabouts. One is in the ETJ between Hendersonville and Laurel Park, two are in Laurel Park city limits, and the fourth one is in Henderson County jurisdiction outside of the jurisdiction of Laurel Park or the City of Hendersonville. He suggested that the Board go on record as being opposed to the roundabout within the County's jurisdiction. He does not see the roundabout as being necessary to meet the objectives of the municipalities, and being outside of their planning jurisdiction he feels it is the County's place to make that observation.

Commissioner Lapsley, as the representative on the (TAC) Transportation Advisory Committee, stated the group is aware of the design of the project as proposed by NCDOT and it has gone back and forth between NCDOT and primarily the Town of Laurel Park. The City of Hendersonville, to the best of his knowledge, has been involved to a limited extent through Councilman Steve Cariker who also sits on the TAC. There have been a couple of meetings between the Town of Laurel Park and Mr. Cariker and some folks are opposed to the design of the project and it is at an impasse. Laurel Park's position is not to change any of the four roundabouts. The committee has pretty much at this point left the discussions up to the Town of Laurel Park and NCDOT. He feels this Board has a role to play in representing the folks

in the unincorporated area. He doesn't feel four roundabouts in a row are necessary in a short stretch of road. If the Board chooses to pass the motion he will take it to the TAC this afternoon and report it to the NCDOT.

Chairman Edney made the motion that the Board directs Commissioner Lapsley to make the NCDOT and TAC aware that this Board is not in favor of the roundabout located outside of the unincorporated areas. All voted in favor and the motion carried.

COUNTY MANAGER'S REPORT

Steve Wyatt said Henderson County has opened and ended a State of Emergency. We were very fortunate and even though we did not experience Hurricane Florence all emergency services personnel played their role. As of last night twenty-three (23) of our emergency services individuals have been sent to eastern North Carolina working to help folks. The water is anticipated to crest tomorrow. The team, under the direction of Jimmy Brissie, was rerouted as roads along their way were under water. In the future we will send building inspectors if we can spare them along with Sheriff Department relief and shelter nurses trained in emergency operations.

Commissioner Lapsley noted that all school nurse positions have been filled. He asked the status of resource officers at the schools.

County Manager Steve Wyatt was unsure but would get an answer.

ADJOURN

Commissioner Messer made the motion to adjourn at 1:00 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

J. Michael Edney, Chairman

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

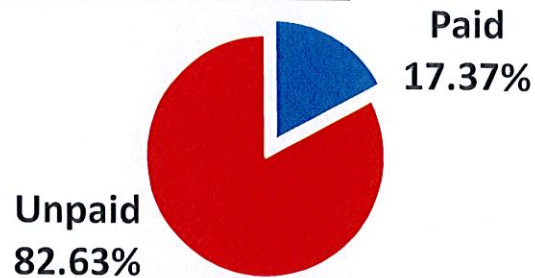
Friday, September 07, 2018

Re: Tax Collector's Report to Commissioners - Meeting Date September 19, 2018

Please find outlined below collections information through September 6, 2018 for the 2018 real and personal property bills mailed on August 1, 2018. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2018 Beginning Charge:	\$71,383,446.61
Discoveries & Imm. Irreg.:	\$392,027.68
Releases & Refunds:	(\$82,502.38)
<u>Net Charge:</u>	<u>\$71,692,971.91</u>
Unpaid Taxes:	\$59,242,709.04
Amount Collected:	\$12,450,262.87



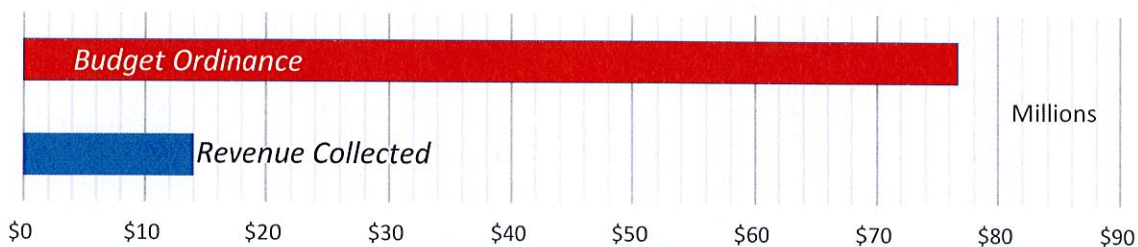
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$1,259,423.51
Unpaid Taxes:	\$3,537.94
Amount Collected:	\$1,255,885.57

99.72%

Henderson County FY19 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$75,697,389.00	\$13,706,148.44
Prior Years:	\$1,025,000.00	\$312,084.54
Budget Total:	\$76,722,389.00	YTD Revenue: \$14,018,232.98



Respectfully Submitted,

Luke Small
Deputy Tax Collector

Darlene Burgess
Tax Administrator

**Henderson County
North Carolina**

Before the Board of Commissioners

Resolution on Proposed Road or Easement Closing

BOARD OF COMMISSIONERS ENACTMENT 2018-107

WHEREAS, N.C. Gen. Stat. §153A-241 allows for the closing by a county of any public road or easement located within the county but not within a municipality; and

WHEREAS, the Board of Commissioners of Henderson County has received a petition from Emery Lorntz and Roger Gagnon for the closing of a road or easement indicated on the plat for Mountain Home as the apparent northern extension of "Second Avenue", as shown as the yellow highlighted area indicated on the attached copy of plat; and

WHEREAS, the Board of Commissioners of Henderson County, following the procedures required by §153A-241, are adopting this Resolution declaring their intent to possibly close the public road or easement, and of their intent to hold a public hearing on the question.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board of Commissioners shall hold a public hearing on the 17th day of October, 2018, at 9:00 o'clock a.m., on the issue of whether to close the public road/easement noted above.
2. A notice of this public hearing, giving full and fair disclosure of the proposed closing, shall be published once a week for three (3) weeks.
3. A copy of this notice shall be sent by registered or certified mail to each owner as shown on the county tax records of property adjoining the public road or easement who did not join in the request to have the road or easement closed.
4. A copy of this Resolution and the public hearing notice shall be prominently posted in at least two places along the road or easement.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

5. At the conclusion of the public hearing, the Board of Commissioners will determine whether or not closing the public road or easement is contrary to the public interest and (in the case of a road) whether any individual owning property in the vicinity of the road or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property. If the Board finds that such closing would not be contrary to the public interest and that, in the case of a road, that no individual would be deprived of reasonable means of ingress or egress, the Board may grant the closing of the public road or easement.


Adopted this the 19th day of September, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By: 

J. MICHAEL EDNEY, Chairman

Attest:


TERESA L. WILSON, Clerk to the Board

CERTIFIED STATEMENT
FY2019
RURAL OPERATING ASSISTANCE PROGRAM
County of Henderson

WHEREAS, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips for counties within the state;

WHEREAS, the county uses the most recent transportation plans (i.e. CCP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

WHEREAS, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

WHEREAS, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

WHEREAS, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

WHEREAS, the period of performance for these funds will be July 1, 2018 to June 30, 2019 regardless of the date on which ROAP funds are disbursed to the county.

NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Henderson North Carolina certify that the following statements are true and accurate:

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips for at least five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state and federal guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2019 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county will provide an accounting of trips and expenditures in quarterly milestone reports to NCDOT – Public Transportation Division or its designee. **Back-up documentation is required to support the quarterly reports and may be requested at an MDS site visit.**
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amounts of FY2019 Rural Operating Assistance Program funds:

State-Funded Rural Operating Assistance Program	Allocated	Requested
Elderly & Disabled Transportation Assistance Program (EDTAP)	<u>95,943</u>	<u>95,943</u>
Employment Transportation Assistance Program (EMPL)	<u>24,289</u>	<u>24,289</u>
Rural General Public Program (RGP)	<u>68,909</u>	<u>68,909</u>
TOTAL	<u>189,141</u>	<u>189,141</u>

WITNESS my hand and county seal, this 19th day of September, 2018.


Signature of County Manager/Administrator

Steven Wyatt
Printed Name of County Manager/Administrator


Signature of County Finance Officer

Samantha Reynolds
Printed Name of County Finance Officer

State of North Carolina County of Henderson

County Seal Here

Application Instructions

County officials should read the ROAP Program Administration Guide which contains guidance on the administration of the ROAP Program and information about the preparation of grant applications.

- The application must be completed by an official of the county or his/her designee.
- Click on the **gray rectangle** and type each answer. If necessary, the text will automatically wrap to the next row. The answer may wrap to the next page if necessary.
- If the county wishes to explain their response to any questions or provide more information, the county may include additional pages with this application form. All the pages of the application and any pages added by the applicant should be scanned into the same file.
- If there are questions regarding this application, contact the NCDOT-PTD Mobility Development Specialist assigned to the area served by the transit system.

FY2019 ROAP Program Schedule

Application Deadline	August 27, 2018
Disbursement #1	September 15, 2018
Disbursement #2	January 15, 2019
Milestone Reports	
Quarter 1 Milestone Report due	October 31, 2018
Quarter 2 Milestone Report due	January 31, 2019
Quarter 3 Milestone Report due	April 30, 2019
Quarter 4 Milestone Report due	August 31, 2019* (Annual)

County's Management of ROAP Funds

County governments or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with municipalities or counties served) are the only eligible applicants for ROAP funds. As a recipient of ROAP funds, the county must implement administrative processes that will ensure the following:

- ROAP funds are expended on needs identified through a public involvement and/or planning process
- **ROAP funds are expended on only eligible activities as described in Appendix A of the ROAP Guidance. A county that uses any ROAP funds for non-public transportation trips will have a penalty of 10% assessed on all amounts of ROAP funds misspent.**
- Supporting documentation of expenditures is maintained
- Service recipients meet eligibility requirements and their eligibility is documented
- Trips funded with ROAP funding are monitored and evaluated throughout the period of performance
- An accounting of trips and expenditures is provided in quarterly reports to NCDOT
- ROAP funds received and expended are included in the local annual audit

Transportation Needs and Public Involvement in Funding Decisions	Yes	No
A. Did the county ask the Community Transportation Advisory Board (TAB), which is affiliated with the Community Transportation System, to recommend how the ROAP funds should be sub-allocated?	Yes	
B. Were outreach efforts conducted to inform agencies about the availability of ROAP funds and to discuss transportation needs BEFORE the county decided how to sub-allocate the ROAP funds?	Yes	

Application for Transportation Operating Assistance

FY2019 Rural Operating Assistance Program Funds

Name of Applicant (County)	Henderson County
County Manager	Steve Wyatt
County Manager's Email Address	swyatt@hendersoncountync.gov
County Finance Officer	Samantha Reynolds
CFO's Email Address	sreynolds@hendersoncountync.gov
CFO's Phone Number	828.697.4821
Person Completing this Application	Autumn Radcliff
Person's Job Title	Planning Director
Person's Email Address	autumnr@hendersoncountync.gov
Person's Phone Number	828.694.6558
Community Transportation System	WCCA / Apple Country Transportation
Name of Transit Contact Person	Bill Crisp
Transit Contact Person's Email Address	bcrisp@wcca.net

Application Completed by: _____ Date: _____
Signature

I certify that the content of this application is complete and accurately describes the county's administration of the ROAP Program, and the use of the ROAP funds in accordance with applicable state guidelines. I certify and understand that if the quarterly milestone reports are not submitted on or before the due dates that ½ of 1 percent per business day, beginning the day after the due date until the date the report is received, will be deducted from the following quarter's disbursement. I certify and understand that any quarterly unspent funds will be deducted from the following quarter's allocation and the total amount of unspent funds at the end of the period of performance will be deducted from the following year's allocation.

County Manager:  Date: 9/19/18
Signature

County Finance Officer:  Date: 9-19-2018
Signature

**DURING THE SEPTEMBER 19, 2018 MEETING, THE BOARD ENACTED THE
FOLLOWING:**

2018-105 Potential Application for 2018 Community Development Block Grant (CDBG) Neighborhood Revitalization Program

2018-106 FY2019 Rural Operating Assistance Program (ROAP) Application to the NC Department of Transportation

2018-107 2019 Reappraisal Schedule of Values