

## MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
MONDAY JUNE 3, 2019

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

Those present were: Chairman Grady Hawkins, Vice-Chairman William Lapsley, Commissioner Mike Edney, Commissioner Rebecca McCall, Commissioner Charlie Messer, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Finance Director Samantha Reynolds, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Planning Director Autumn Radcliff, Library Director Trina Rushing, Budget Manager Megan Powell, Construction Manager David Berry, Public Health Director Steve Smith, Social Services Director Jerrie McFalls, Program Administrator Social Work Kevin Marino, DSS Administrative Officer Joe Maxey, Captain Bengy Bryant, Sergeant Fred Westphal, Tax Administrator Darlene Burgess, Building Services Director Crystal Lyda, Soil and Water Conservation Director Jonathan Wallin, Parks and Recreation Director Carleen Dixon, Code Enforcement Director Toby Linville, Cooperative Extension Director Dr. Terry Kelley, Fire Marshal Kevin Waldrop, Planner Matt Champion, Sheriff Lowell Griffin, Environmental Health Supervisor Seth Swift, Chief Deputy Vanessa Gilbert, Sheriff's Department Account Technician Lisa Ward, Program Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Sonya Flynn, Project Engineer Natalie Berry & PIO Kathy Finotti – videotaping, Deputy Dan Terry and Lieutenant Mike Marsteller as security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

A moment of silence was observed for those who paid the ultimate sacrifice on D-Day. The invocation was provided by County Manager Steve Wyatt.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mason Perry of the Barnyard Bandits 4-H Club.

### 2019.48 RESOLUTION – 75<sup>TH</sup> ANNIVERSARY OF D-DAY

A short video clip was played regarding D-Day where Commander Eisenhower addressed the troops.

Chairman Hawkins read the Resolution.

In Commemoration of the 75<sup>th</sup> Anniversary of D-Day

Whereas, June 6, 2019, marks the 75th anniversary of the Battle of Normandy, which began June 6, 1944 during World War II, when American, British, and Canadian forces landed along the coast of France's Normandy region in Operation Overlord; and Whereas, the D-Day landing was the largest single amphibious assault in military history, consisting of approximately 31,000 members of the United States Armed Forces and more than 3,000 vehicles that embarked on 208 vessels from Weymouth and Portland, England; and Whereas, of the estimated 9,400 casualties incurred by Allied forces on the first day of the landing, an estimated 5,400 casualties were members of the United States Armed Forces; and Whereas, Supreme Allied Commander Dwight D. Eisenhower referred to the invasion as "the Great Crusade", and addressed the allied forces stating that "I have full confidence in your courage, devotion to duty and skill in battle"; and Whereas, the dedication and sacrifice displayed by the allied forces on D-Day changed the course of the war,

DATE APPROVED: June 19, 2019

beginning the liberation of France, which ultimately contributed to the destruction of the Nazi regime on May 7, 1945; Now, Therefore Be It Resolved that the Henderson County Board of Commissioners thank those that served and ask citizens to observe a moment of silence on June 6<sup>th</sup> at noon in honor and memory of those soldiers.

*Chairman Hawkins made the motion to approve the Resolution as presented. All voted in favor and the motion carried.*

### **PUBLIC HEARINGS**

#### **2019.49 FY 2019-2020 Budget Public Hearing & FY 2020 Budget Ordinance**

The Board of Commissioners is requested to hold the Public Hearing on the FY 2019-2020 Budget at this meeting.

County Manager Steve Wyatt stated the Board is requested to continue discussions with regard to the FY 2019-2020 Budget. Should the board wish to adopt the budget following discussion, Staff will be prepared to present the FY 2020 Budget Ordinance. General Statute requirements have been met to approve the budget by a majority of votes and the public hearing advertised.

County Manager Steve Wyatt noted several additions to the recommended budget presented at the May 15, 2019 budget work session as requested by the commissioners. Due to a slight increase in taxable value, the revenue neutral tax rate is .51 ¢.

| <b>Budget Item</b>   | <b>FY20 \$ Impact</b>               |
|--|-------------------------------------|
| <b>Dues and Non-Profits -</b><br>MPO dues have increased for FY20  | \$692                               |
| <b>Sheriff - Public Safety Software</b><br>The Sheriff will continue to explore the available options for this software and report back to the Board in 60-90 days. Cost may be funded from IT Depreciation or Capital Reserve | N/A                                 |
| <b>Sheriff – Additional Deputies</b><br>4 investigators<br>1DSS/Recreation Deputy<br>1 Animal Enforcement Officer  | \$465,704<br>\$116,426<br>\$147,397 |
| <b>SRO Positions</b><br>Cost to fund the SRO positions in schools located within Hendersonville City limits  | \$200,000                           |
| <b>Environmental Health</b><br>Additional EH Specialist and vehicle (+\$77,808) offset with an increase in fees for septic tank and new well permits (\$90,000 anticipated revenues)   | (\$12,192)                          |
| <b>Wellness Clinic</b><br>Estimates savings since FY 2008 = \$10,692,000   | N/A                                 |
| <b>Etowah-Horseshoe Fire Department tax rate request</b><br>Fire and Rescue Advisory Committee did not approve of their tax rate request of \$01.5 ¢   | N/A                                 |
| <b>Project Management – Erosion Control Technician</b><br>Personnel and associated costs   | \$63,006                            |
| <b>Cooperative Extension</b><br>Additional personnel and fuel expenses   | \$24,631                            |

Chairman Hawkins stated that the Board is working to keep the tax rate at the current level. The plan is to pay as you go rather than borrow for HCPS projects and BRCC projects.

*Chairman Hawkins made the motion to go into public hearing regarding the FY2019-2020 Budget. All voted in favor and the motion carried.*

**Public Input:**

1. Amy Lynn Holt, Board of Education Chair, thanked the Board for the budget process, and open dialogue. The Board of Education approves of the 5-year plan, and appreciates that they are not locked in in case of an emergency.

Chairman Hawkins noted as part of the budget process, the Board is looking to dedicate .03 cents for the schools each year. The Joint School Facilities Committee provided a great plan.

2. Willian Vine is concerned about what is looking to be a huge tax increase. He feels that incomes have not increased at the same speed. He requested the board delay projects in order to prevent a tax increase.
3. Ken Fitch is concerned about a significant tax increase especially for those on a fixed income. He feels growth should be sustained as more services are needed with growth. He asked the Board to address the substance abuse crisis with the recommendation made by the Substance Abuse Task Force.
4. Mike Huggins is with the Etowah-Horseshoe Fire Department. Their budget was turned down due to error in their report. An audit has been completed and approved with more detail. They need additional apparatus and personnel. Mr. Huggins asked the Board to approve their request.
5. Gary Steiner has a small farm and works closely with the Cooperative Extension. He asked the Board to fund the requests by Cooperative Extension.
6. Chris Walters asked that the Board not fund the 287g Program because he feels it causes distrust within the community.
7. Peri David asked that the Board not fund the 287g Program and feels it causes distrust within the community.

Chairman Hawkins noted the County is not funding the 287g Program, the Sheriff has found other ways to fund it.

8. George Pappas is against the 287g Program and feels it is against the law according to the 4<sup>th</sup> circuit. He asked the Board to check their data.
9. Gayle Kemp is against the 287g Program, and feels it puts fear in families.

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

**Human Service Non-Profits and Non-Profits**

*Commissioner Edney made the motion to decrease Pisgah Legal funding by \$15,000 and to reappropriate those funds giving \$5,000 to First Contact Ministries, \$5,000 to Interfaith Assistance Ministry, and \$5,000 to Flat Rock Playhouse. All voted in favor and the motion carried.*

*Commissioner Messer made the motion to increase funding for the Boy Scouts to \$5,000.00. All voted in favor and the motion carried.*

**Sheriff – Additional Deputies**

County Manager Steve Wyatt stated the Public Safety Software and Positions for the Sheriff did not make the priority list. He recommended looking at these again in January for consideration of the FY21 Budget.

Commissioner Edney would like to see body cams used by the Sheriff's Department. Sheriff Griffin noted he is pursuing grants.

Commissioner Lapsley strongly supports funding for the SRO's within the city limits of Hendersonville in the amount of \$200,000.

**SRO Positions**

*Commissioner Lapsley made the motion that the Board approves FY19-20 funding for SRO's for schools within the City limits in the amount of \$200,000 with the caveat that the funding is contingent upon the City Council agreeing to transition the positions to the Henderson County Sheriff's Department effective July 1, 2020. All voted in favor and the motion carried.*

The Sheriff agreed to work toward transitioning the positions to the Sheriff's Department in the next fiscal year. It would require a minimum of four officers and equipment.

**Environmental Health**

New Septic Tank Inspections fees raised from \$200 to \$400, and New Well permits raised from \$200 to \$350 should cover the cost of a new EH specialist.

*Commissioner Lapsley made the motion to approve the Environmental Health position. All voted in favor and the motion carried.*

**Wellness Clinic**

Commissioner Edney feels we need more space and an additional nurse practitioner at the Wellness Clinic.

County Manager Steve Wyatt noted several scenarios have been reviewed for expansion. He recommends we expand the Wellness Clinic straight down the hall to Natalie Berry's office. This can be done at reasonable cost and will provide clinic type rooms. If we go beyond the corner it gets much more expensive. The entrance would be relocated to the center of the building off of 2<sup>nd</sup> Avenue. The Capital Projects Fund could be utilized. He is not sure of the operational cost at this time, however the nurse practitioner position would be a cost of \$123,422.

*Commissioner Edney made the motion to approve the Nurse Practitioner position for the Wellness Clinic appropriating \$125,000 into their budget. All voted in favor and the motion carried.*

**Etowah-Horseshoe Fire Department tax rate request**

*Commissioner McCall made the motion to accept the fire district tax rates as suggested by the Fire and Rescue Advisory Committee but with an increase of .015 (total .115) to the Etowah-Horseshoe Fire Department as requested. The motion passed 4-1 with Commissioner Lapsley voting nay.*

**Project Management – Erosion Control Technician**

*Commissioner McCall made the motion to approve the addition of \$63,006 to Erosion Control budget for the additional personnel and cost. All voted in favor and the motion carried.*

**Cooperative Extension**

*Chairman Hawkins made the motion to approve the addition of \$24,631 to the Cooperative Extension budget for additional personnel (Livestock Agent & Intern) and fuel expenses. All voted in favor and the motion carried.*

Of the .561 tax rate, .03 cents will be dedicated to Henderson County Public Schools & and .02 cents will be dedicated to Blue Ridge Community College for their Maintenance, Repair, Technology and Security Funds.

Commissioner Edney would like to raise the level of the soccer fields at Jackson Park and requested a \$50,000 increase for Recreation's budget. He asked that it be added to the June 19, 2019 agenda.

Following the public hearing, the Board is requested to continue discussions with regard to the FY 2019-

2020 Budget. Should the board wish to adopt the budget following discussion, Staff will be prepared to present the FY 2020 Budget Ordinance.

**Public Notice:**

The Henderson County Fiscal Year 2019-2020 Proposed Budget has been submitted to the Board of Commissioners and a copy will be available for public inspection starting May 7, 2019 in the office of the Clerk to the Board and on-line at [www.hendersoncountync.gov](http://www.hendersoncountync.gov). The Board of Commissioners will hold a budget workshop at 9:00 am on May 15, 2019 in the Commissioners' Board Room at 1 Historic Courthouse Square, Hendersonville. The Board will hold a public hearing on the budget at 5:30 pm on June 3, 2019 in the Commissioners' Board Room at 1 Historic Courthouse Square, Hendersonville. Advertised May 7, 2019

**2019.49 FY 2019-2020 Budget Public Hearing & FY 2020 Budget Ordinance – continued after Tap Root Farms Public Hearing**

**Rezoning Application #R-2018-10-C, Tap Root Farms, Regional Commercial (RC) to Residential One Conditional District (R1-CD)**

*Commissioner Messer made the motion to go into public hearing for consideration of Rezoning Application #R-2018-10-C, Tap Root Farms. All voted in favor and the motion carried.*

*Chairman Hawkins made the motion to recuse himself from discussion and voting on the application process due to family owning some of the land discussed. All voted in favor and the motion carried.*

Autumn Radcliff stated Rezoning Application #R-2018-10-C was initiated on December 27, 2018 and requests that the County conditionally rezone approximately 286 acres of land from Regional Commercial (RC) to a Residential One Conditional District (R1-CD). The project consists of 3 parcels located off of Butler Bridge Road with a total acreage of 319.66 acres. The proposed rezoning does not include approximately 33.66 acres located directly adjacent to Butler Bridge Road. The property owner is Tap Root Farms, LLC. Mr. Ken Jackson is the applicant.

The applicant is proposing a residential development with a total of 1,078 units consisting of single-family homes and townhomes (no apartments are proposed). The development is required to be approved as a conditional rezoning due to the number of units proposed. Conditional rezonings allow for the Board of Commissioners to place conditions on the property to address community concerns and increase the proposed development's compatibility with adjacent uses. As required by the LDC, a Neighborhood Compatibility Meeting was held on Monday, January 28, 2018 in the King Street Meeting Room.

The Technical Review Committee (TRC) reviewed the application on February 19, 2019 and forwarded the rezoning request to the Planning Board with conditions listed in the staff report.

The Planning Board reviewed the rezoning request at its February 21, 2019 and March 21, 2019 meetings. On March 21<sup>st</sup> following Board discussion, a motion was made to make a favorable recommendation on the request with the condition that the applicant provide the Asheville Airport with a navigation easement. The motion failed with a 4-4 vote. Mr. Rick Livingston, who was not present, had to previously recuse himself from the vote. Seeing no option on the tie vote, the Planning Board forwarded the rezoning application to the Board of Commissioners.

**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, notice of the June 3, 2019 public hearing regarding rezoning application #R-2018-10-C was published in the Hendersonville Lightning on May 22<sup>nd</sup> and May 29<sup>th</sup>. The Planning Department sent notices of the

hearing via first class mail to the owners of properties within 400 feet of the Subject Area on May 24, 2019 and posted signs advertising the hearing on May 23, 2019.



#### Application Summary

- Rezoning Request: R-2018-10-C
- Submitted on December 27, 2018
- Applicant: Ken Jackson
- Property Location: Tap Root Farms (Butler Bridge Road)
- Rezone from a Regional Commercial (RC) Zoning District to a Residential One Conditional (R1-CD) Zoning District
- 3 Parcels (Total 319.66 ac, 286 ac proposed to be rezoned, and 4 outparcels to remain RC)

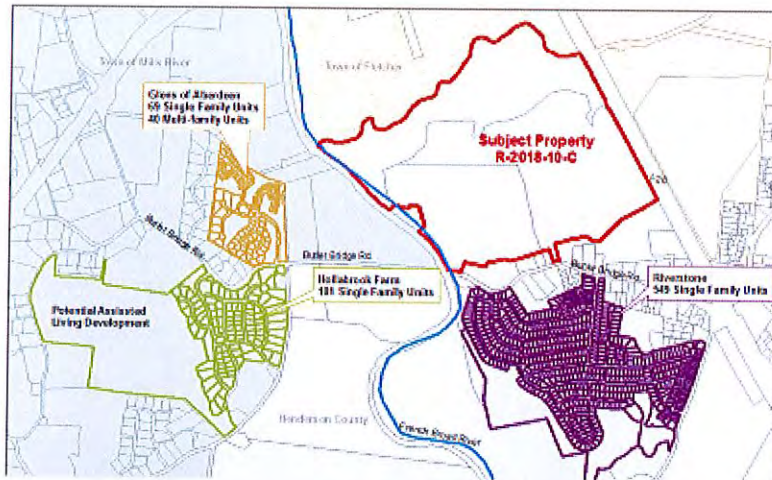
#### Public Hearing Notice

- Legal Ad was published in the Hendersonville Lightning on May 22<sup>nd</sup> and May 29<sup>th</sup>
- The property was posted on May 23
- Letters were mailed to property owners within 400 feet of the Subject Area on May 24<sup>th</sup>

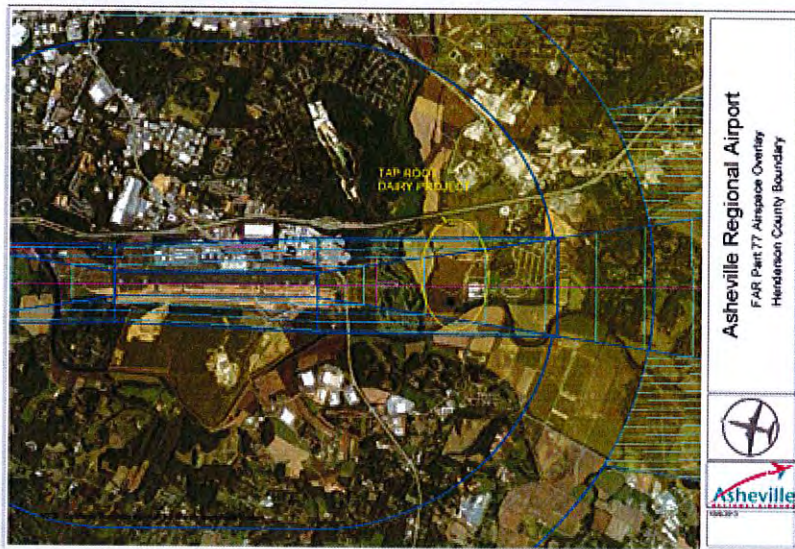
#### Project Summary

- 1,078 Units (Project Total)
  - 546 Single Family
  - 532 Townhomes
  - No Apartments
- Proposed Density of 3.7 units per acre (standard R1 density is 4 units per acre)
- 8 Proposed Phases
- Proposed Road Length, 35,600 LF
- Min. of 72.5 acres or 25% Open Space
- Common Area and Development Amenities

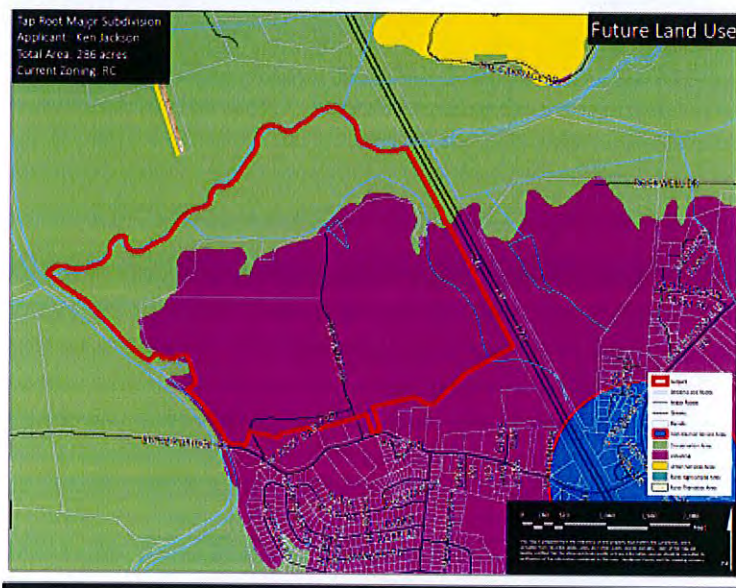




Surrounding Subdivisions

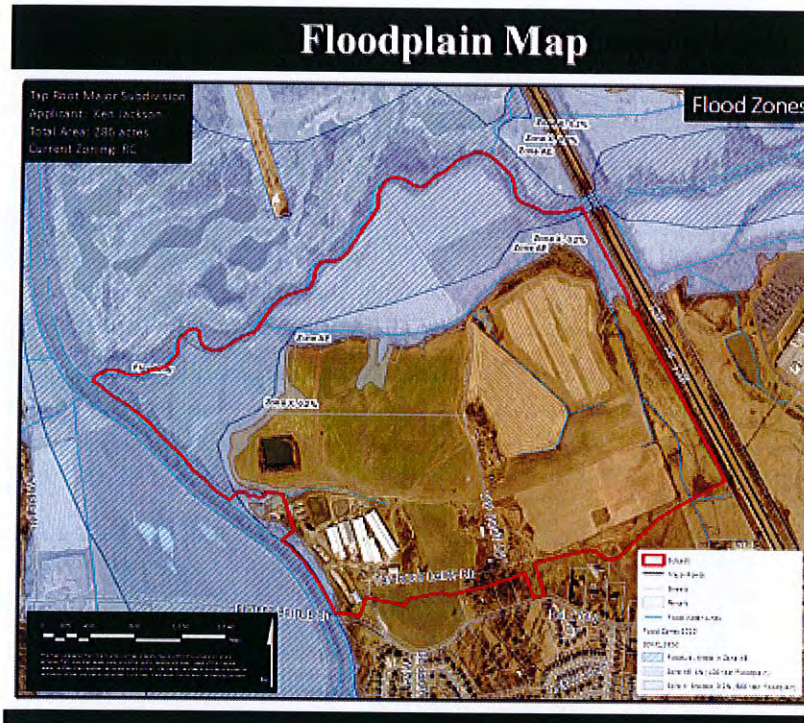


Letter has been provided from the FAA. No impact to navigable airspace.



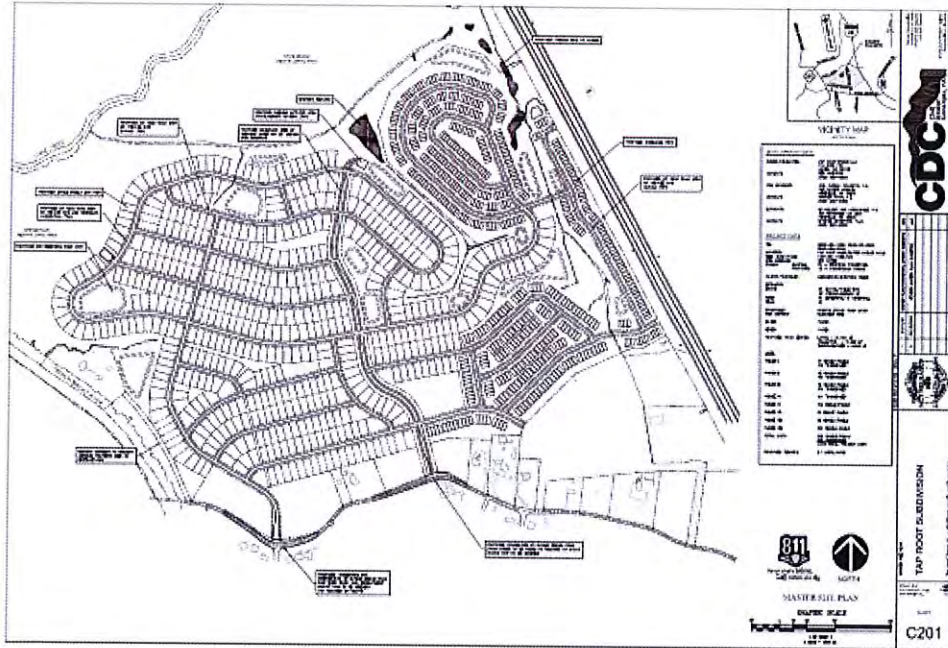
CCP Future Land Use Map





### Subject Area Photos





Conditional Rezoning's

Per the LDC:

- Subdivisions proposing more than 299 lots are required to be approved as a conditional rezoning by the BOC
- Developments proposing 10 or more multifamily units are also required to be approved as a conditional rezoning by the BOC

Conditional rezoning's are:

- Legislative decisions
- Require a site specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

Conditional Rezoning's

- Conditions required by the LDC are listed in the staff report
- Additional conditions recommended for consideration and requests made by the developer are also listed in the staff report
- TIA (Traffic Impact Analysis) has been completed and reviewed by NCDOT. All TIA improvements are required and are managed by the NCDOT.



Applicant Ken Jackson’s attorney Bob Oast of McGuire, Wood & Bisette Law Firm in Asheville, NC stated the purpose of this rezoning is to allow for residential development of 286 acres in northern Henderson County between Mills River and the Town of Fletcher. The proposal is for 1078 homes of which about one-half (546) are single family homes and about half (532) are projected to be townhomes. Conditional zoning is required for two reasons; the current zoning does not allow for single family use, and there are over 300 units. Even though a lot of homes are proposed, it will not happen all at once. It will happen over the course of 8 phases, with a projected build out period of 8-10 years. Once the site specific plan for a project has been approved no changes are allowed without coming back before the Board and asking for an amendment. This allows the Board of Commissioners to negotiate conditions that address community interests and to medigate the impacts of the project. The developer must comply with every condition in the site plan. Conditional zoning is a relatively new process in North Carolina and newer still in Henderson County. It is one that has worked well with a lot of different applications, particularly in projects of this nature where there is a projected long build out period and several different housing types. Attorney Oast is also a certified planner and a member of the American Institute of Certified Planners. With any project it is important to him that the plan complies with and is consistent with the comprehensive plan. In North Carolina law in order to change the zoning, including conditional zoning, you must find they proposed change is consistent with the comprehensive plan. His firm believes this proposal is consistent with the comprehensive plan in several respects:

1. It provides for an increased density in a variety of options.
2. It puts development in an area where there is adequate infrastructure already.
3. Transportation is readily available.
4. It provides reasonable priced housing to address a growing need in this area.
5. It protects and conserves substantial tracts that are environmentally sensitive areas.
6. It allows for an efficient provision and delivery and services.

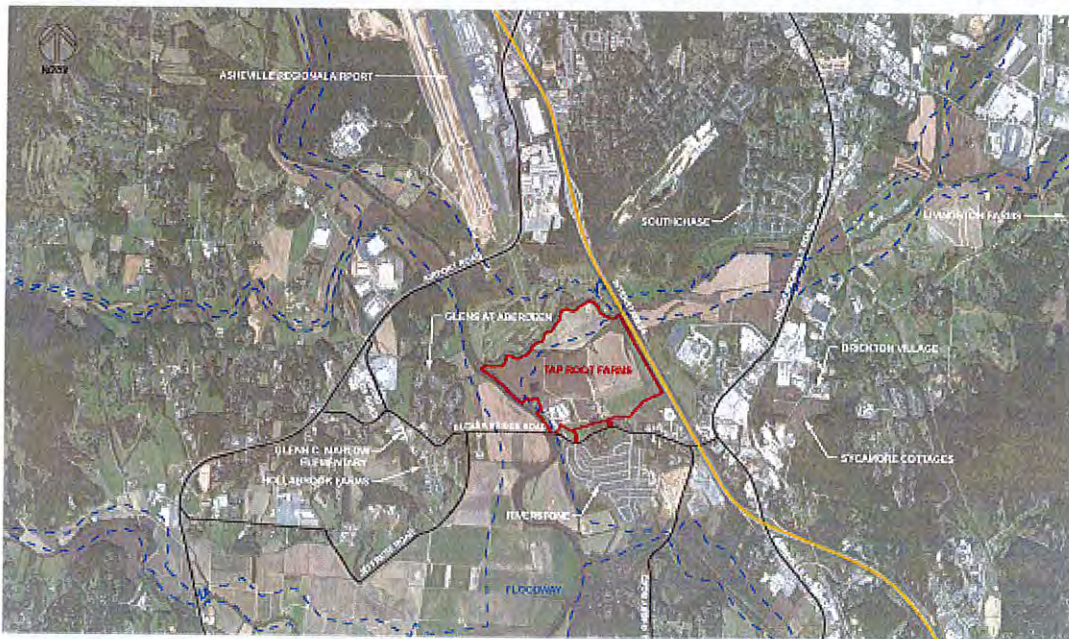
Regional commercial was appropriate for the commercial type of development as the county projected back in 2004. A lot has changed since then it has evolved into a residential area. The commercial and industrial uses have gone to other places despite efforts by the county and the Johnston family. Residential development at this density is the most appropriate use of the land, the highest and best use. It meets a number of county planning goals and again is consistent with the comprehensive plan.

Warren Suggs of Civil Design Concepts shared a slide showing the various companies involved with the project, many of which are WNC based. D. R. Horton is the developer and the civil engineer on this project is Civil Design Concepts. Ken Jackson was in attendance with L. B. Jackson & Co.



**History of Tap Root Farms**

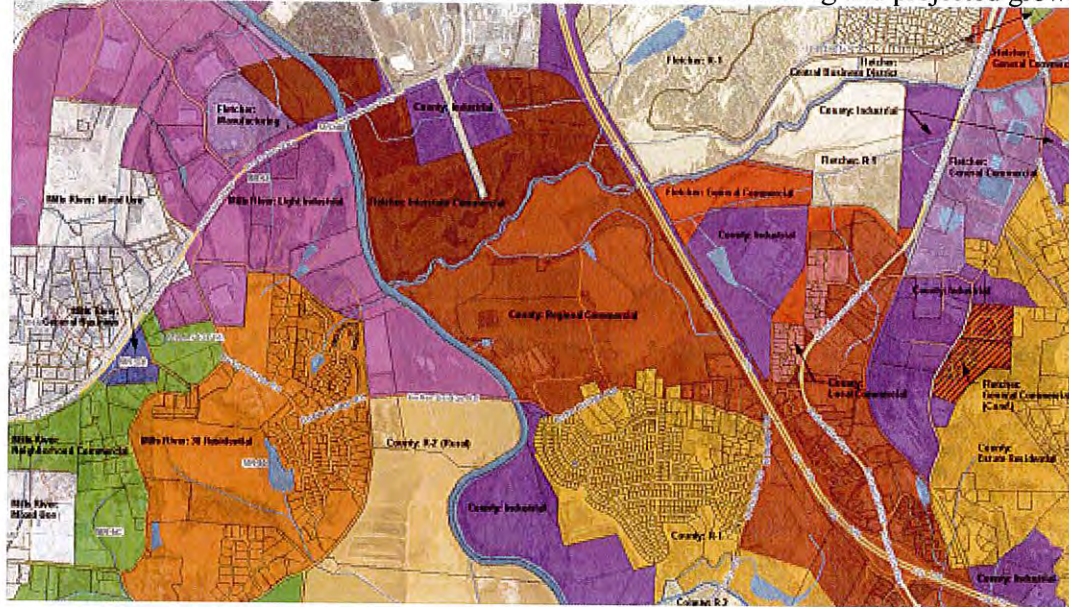
The Johnstons have served the community for many generations and have deep roots. George Washington Vanderbilt traveled to Asheville looking for land; he purchased the Dairy Farm of C. W. Johnston for his Biltmore Estate. C. W. Johnston used the funds from the land sale to purchase additional cows, expanding his dairy farm. The dairy operation was passed down to his son Samuel Ervin Johnson, and then to his grandson Samuel E. Johnston, Jr. In 1979, after outgrowing their farm in Fairview, the family moved to Tap Root Dairy Farms current location. Tap Root Dairy was noted as the largest dairy farm in several states. The family determined they needed to redevelop this site for a sustainable future for themselves. In 2001 it was Open Use zoning and went to Industrial in 2003. In 2005 it went to Commercial-4 and then in 2007 it went to Regional Commercial. All of these rezonings were done with county help in order to try to spur development and extend the life of the land. The site is bound by I-26 (unzoned) on the east, bound by the river (Residential zoning) on the west, Riverstone Development (R1 zoning) to the south, and the golf course to the north. There are a number of other residential developments that are in the surrounding areas.



**CONTEXT MAP  
TAP ROOT FARMS**

Regional Commercial is the current zoning, which is used to foster orderly growth for the principal use of the land as commercial. The intent of the district is to allow for commercial development consistent with the recommendations of the comprehensive plan in accordance with the comprehensive plan. The district will allow for and provide commercial development that (1) includes a variety of retail sales and commercial, public and private administration offices, and all other uses done primarily for the sale or profit of local community and regional level, (2) directed largely to community service centers as defined in the comprehensive plan, (3) is compatible with the adjacent development and the surrounding community, and (4) will minimize congestion sprall and general use district is meant to be utilized in areas designated as urban service USA in the comprehensive plan. Regional Commercial will allow for 16 residential units per acre. This site being nearly 300 acres allows for 4500 units. At the time that Regional Commercial was zoned on this property back in 2007, commercial was a possibility. Since 2007, with peak and drop and peaking again of the economy, a lot of commercial development has happened in other areas surrounding.

The 2020 Comprehensive Plan gives some indications as to the housing and projected growth.



**42-35 REGIONAL COMMERCIAL DISTRICT (RC)**

**A. PURPOSE.** THE PURPOSE OF THE REGIONAL COMMERCIAL DISTRICT (RC) IS TO FOSTER ORDERLY GROWTH WHERE THE PRINCIPAL USE OF LAND IS COMMERCIAL. THE INTENT OF THIS DISTRICT IS TO ALLOW FOR COMMERCIAL DEVELOPMENT CONSISTENT WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN. IN ACCORDANCE WITH THE COMPREHENSIVE PLAN, THE DISTRICT WILL ALLOW FOR AND PROVIDE COMMERCIAL DEVELOPMENT THAT: (1) INCLUDES A VARIETY OF RETAIL SALES AND SERVICES, PUBLIC AND PRIVATE ADMINISTRATIONS, OFFICES AND ALL OTHER USES DONE PRIMARILY FOR SALE OR PROFIT ON THE LOCAL, COMMUNITY, AND REGIONAL LEVEL; (2) IS DIRECTED LARGELY TO COMMUNITY SERVICE CENTERS AS DEFINED IN THE COMPREHENSIVE PLAN; (3) IS COMPATIBLE WITH ADJACENT DEVELOPMENT AND THE SURROUNDING COMMUNITY; AND (4) WILL MINIMIZE CONGESTION AND SPRAWL. THIS GENERAL USE DISTRICT IS MEANT TO BE UTILIZED IN AREAS DESIGNATED AS URBAN (USA) IN THE COMPREHENSIVE PLAN.

**B. DENSITY AND DIMENSIONAL REQUIREMENTS.** EACH USE ALLOWED IN THIS DISTRICT SHALL AT A MINIMUM CONFORM TO THE FOLLOWING REQUIREMENTS (IN THE CASE OF A NONRESIDENTIAL USE THE RESIDENTIAL DENSITY REQUIREMENTS SHALL NOT APPLY). IN SOME CASES A SPECIFIC USE MAY BE REQUIRED TO MEET THE SUPPLEMENTAL REQUIREMENTS AS SET FORTH IN §42-63 (SUPPLEMENTAL REQUIREMENTS).

**Table 2.9. RC Density and Dimensional Requirements**

|                                      |              |              |    |
|--------------------------------------|--------------|--------------|----|
| (1) Residential Density (units/acre) |              | 16           |    |
| Maximum Impervious Surface (%)       |              | 80           |    |
| Maximum Floor Area (sq ft)           |              | Unlimited    |    |
| Yard Setbacks (feet)                 | Front or ROW | Local        | 10 |
|                                      |              | Collector    | 10 |
|                                      |              | Thoroughfare | 20 |
|                                      |              | Boulevard    | 30 |
|                                      |              | Expressway   | 40 |
|                                      | Freeway      | 45           |    |
|                                      | Side         | 10           |    |
| Rear                                 | 10           |              |    |
| Maximum Height (feet)                |              | 50           |    |

|                          | PROJECT SIZE | DENSITY ALLOWED | MAX UNITS |
|--------------------------|--------------|-----------------|-----------|
| REGIONAL COMMERCIAL - RC | 286 ACRES    | 16 UNITS/ACRE   | 4,578     |

**Figure H.2 Housing Units 1970-2000**

|                       | 1970   | 1980   | 1990   | 2000   | % Change 1990-2000 |
|-----------------------|--------|--------|--------|--------|--------------------|
| Population            | 42,804 | 58,580 | 69,285 | 89,173 | 28.7%              |
| Total units           | 17,502 | 27,205 | 34,131 | 42,996 | 26.0%              |
| Occupied units        | 14,195 | 22,389 | 28,709 | 37,414 | 30.3%              |
| Persons per household | 2.98   | 2.59   | 2.38   | 2.33   | -2.1%              |

Source: N.C. State Data Center

As detailed in Section 2, *Population Trends*, of this Comprehensive Plan, Henderson County has experienced a high rate of population growth since 1970, with a growth rate of 28.7% between 1990 and

2000. Growth in housing units has generally kept pace with the growth in population. Figure H.2 shows the relationship between housing and population between 1970 and 2000.

Figure H.3 details the relationship between current and future population, existing housing stock, and future housing needs. Evaluating the number of housing units in 2000 (42,996) as compared to that of 2020 (60,494) reveals that at least an additional 17,498 housing units will be needed to accommodate population growth.

Note that the numbers shown in Figure H.3 are based upon projections made by the North Carolina Office of State Demographics. State population projections were

| Figure H.3 Projected Number of Future Housing Units |         |         |
|---|---------|---------|
|   | 2010    | 2020    |
| Population Projection                               | 108,029 | 126,523 |
| Projected Population in Households                  | 105,251 | 122,627 |
| Projected Population in Group Quarters              | 2,778   | 3,896   |
| Projected No. Occupied Housing Units                | 45,172  | 52,630  |
| Projected No. Vacant Housing Units                  | 6,750   | 7,864   |
| Projected Total Number of Housing Units             | 51,992  | 60,494  |

Source of Population Projections: N.C. Office of State Demographics  
 NOTES: Based on 2.33 persons per household from the 2000 U.S. Census.  
 Population in Households projected using trend from 1990 to 2000.  
 Vacant Units projected using 2000 vacancy rate of 13%.

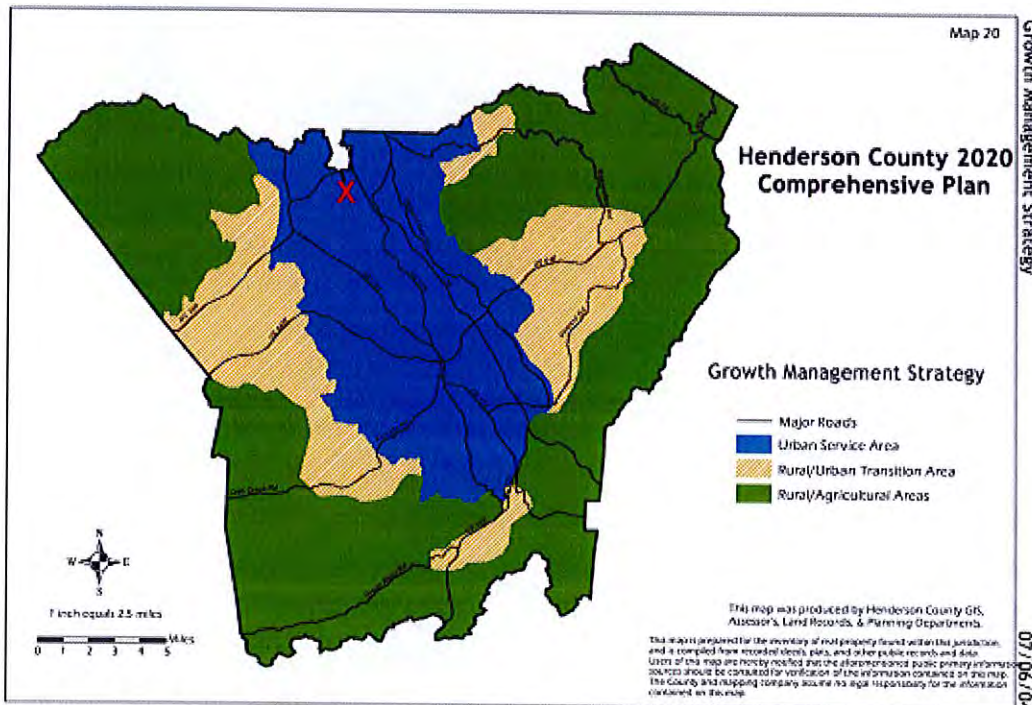
utilized in this instance because State demographers use special formulas in the projection of housing units – particularly group quarters – that take into account decreases in estimated persons per household. Figure H.3 projects the need for 8,502 new housing units between 2010 and 2020.

Projections shown in Figure H.3 should, however, be viewed as a low-end estimate of housing needs. Population projections for 2020, found in Section 2, are even higher and suggest the need for as many as 3,000 additional dwelling units to accommodate population growth between 2010 and 2020.

Housing types vary throughout the county, with single-family site-built homes making up the largest proportion of housing units, followed by manufactured homes. Figure H.4 summarizes the county's current housing stock by type.

## Population Trends

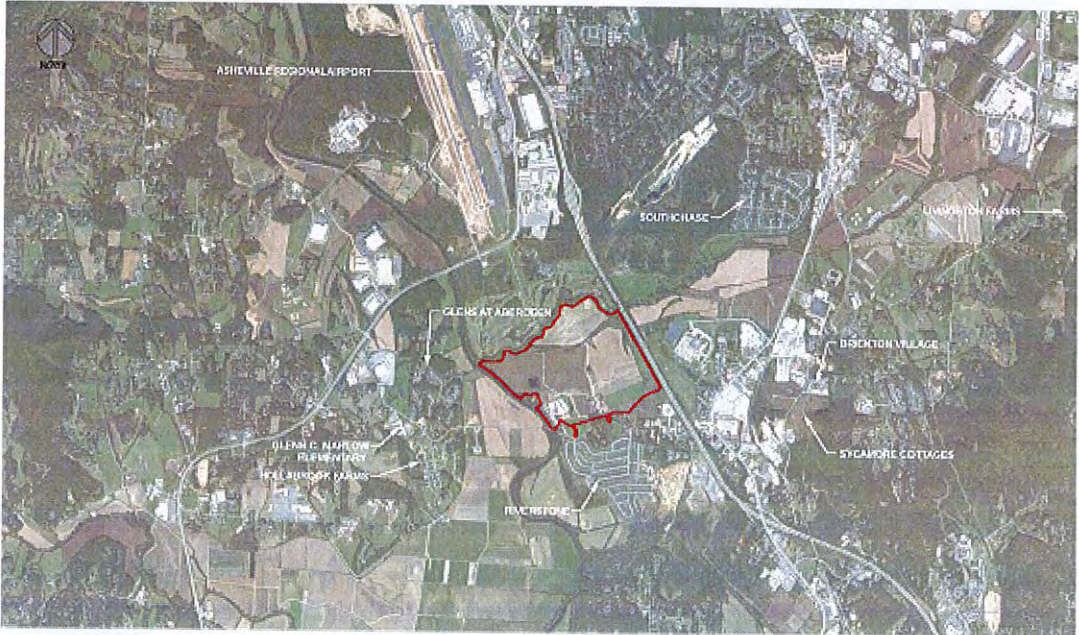
The County Comprehensive Plan states County's should allow private sectors to develop a broad range of housing choices. The growth management strategy generally directs such housing to the urban service area.



The Urban Service and Urban scale development exists and should be focused in the Urban Service Area.



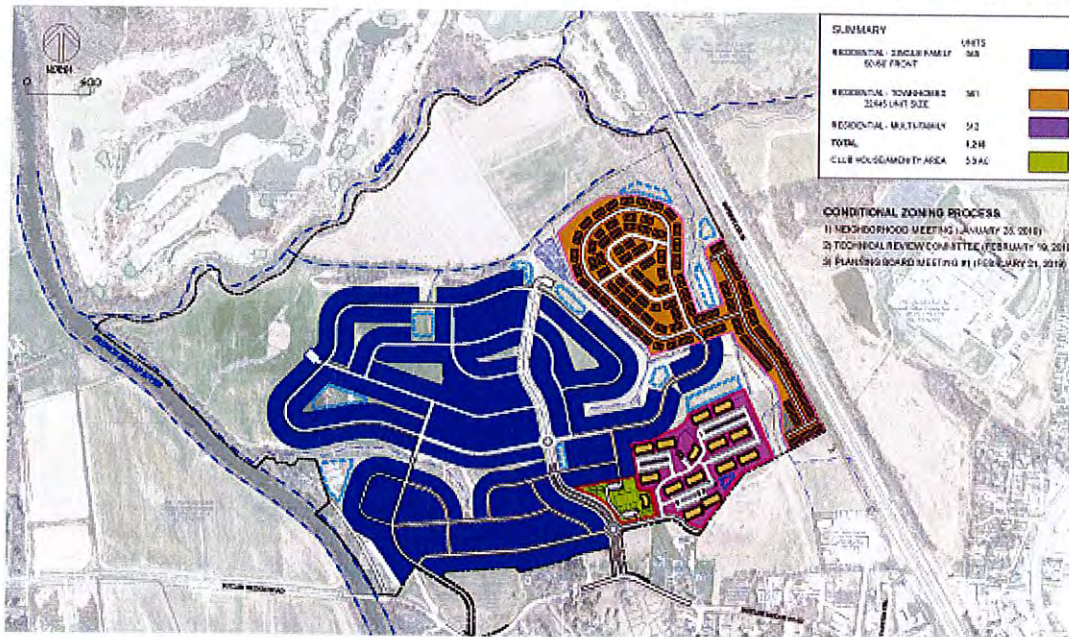
2002 AERIAL PHOTO  
TAP ROOT FARMS



2015 AERIAL PHOTO  
TAP ROOT FARMS

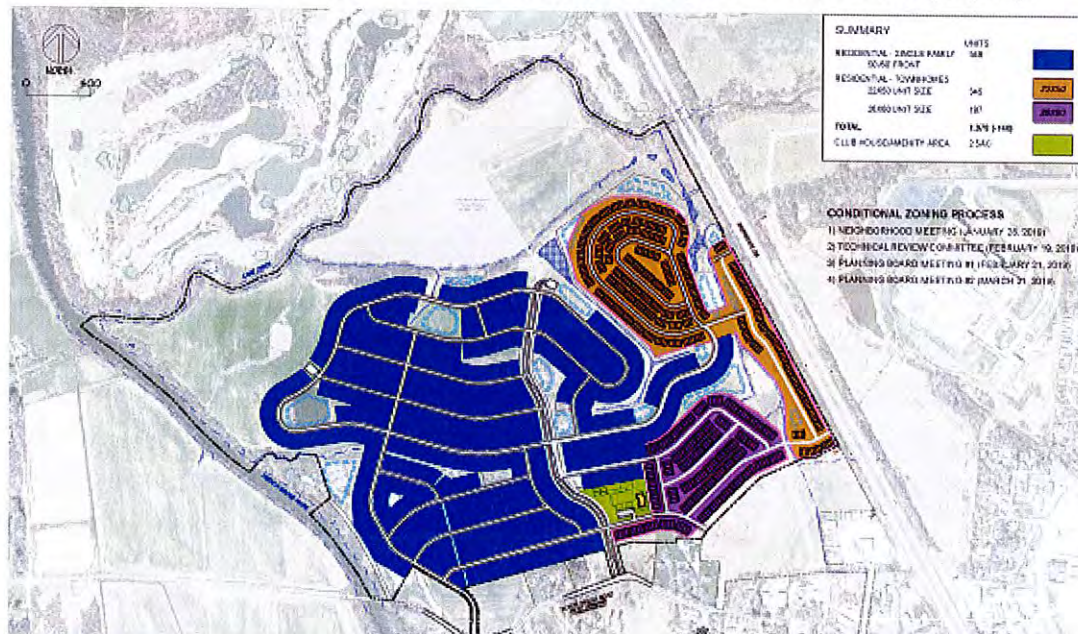
Beginning Plan (Concerns were traffic, multi-family, and schools)

The developer is working with NCDOT regarding the concerns about traffic. The purple area is multi-family and after reconsideration it was removed. An additional means of access was made to the townhomes.



MASTER PLAN - JANUARY  
TAP ROOT FARMS

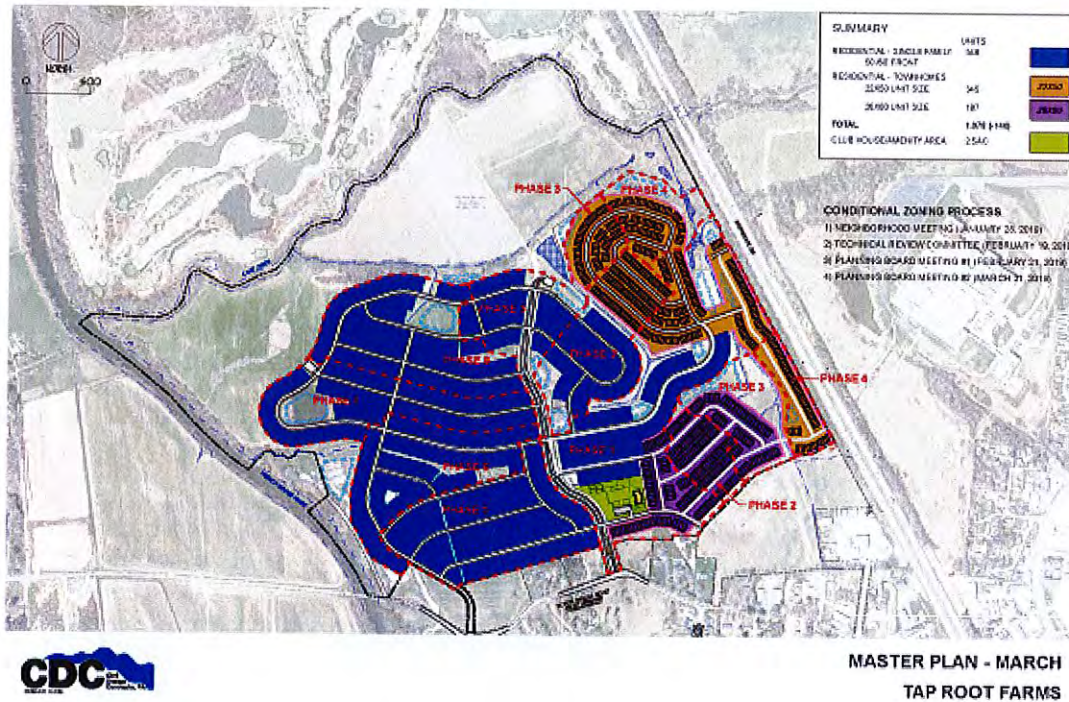
Looking at the I-26 widening, NCDOT has no intent to expand out toward this property.



MASTER PLAN - MARCH  
TAP ROOT FARMS



Townhomes replaced the multi-family units. Approximately 100-150 units are expected per each phase of the 8 phase project, depending on the absorption rate and building times during an 8-10 year build out. There will be a mix of products during each phase.



Brian Walser, Land Acquisition Manager, of D.R. Horton (the developer) shared information on the product, and the company. Most homes are within the \$300,000 price range.

**Amenities Concepts**

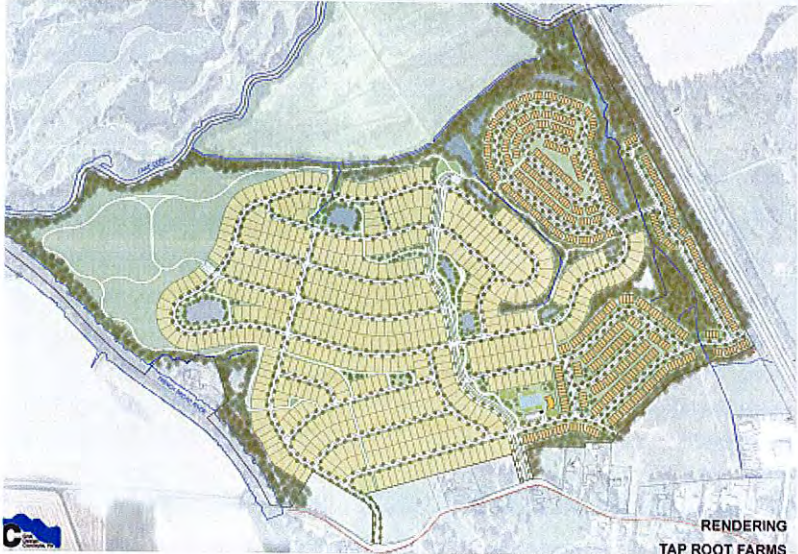


**Townhome Concepts**





Single Family Home Concepts



RENDERING  
TAP ROOT FARMS

Warren Suggs of Civil Design Concepts showed the greenspace left open on the project. With the amount of roadway being constructed they will have well over 700 street trees to be installed, plus the amount of green space that will be conserved. There will be at least one foot of sidewalk or trail to equal every one foot of roadways, over 35,000 linear feet of roads. The walking trails are schematic in nature and they will work with the county on what that area can look like from passive to active recreation.



### Summary

- TOTAL UNITS 1,078
- 8 PHASES
- 296.78 ACRES
- 3.63 UNITS/ACRE

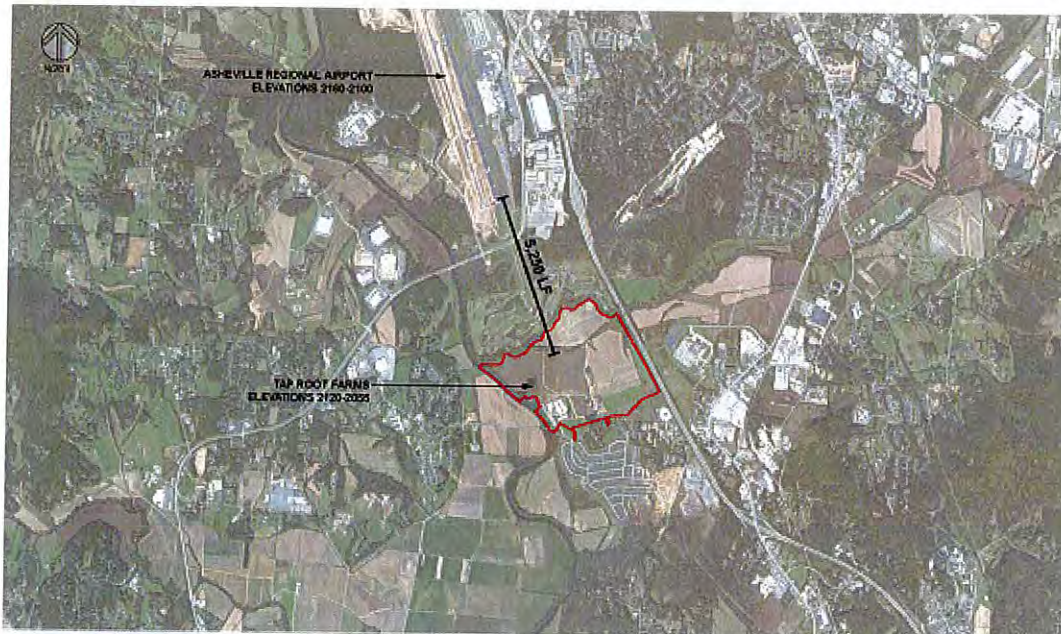
### APPROVALS

- CITY OF HENDERSONVILLE WATER COMMITMENT LETTER
- CANE CREEK SEWER COMMITMENT LETTER
- NCDOT TRAFFIC IMPACT STUDY APPROVAL
- FAA DETERMINATION OF NO HAZARD TO AIR NAVIGATION

### PER HENDERSON COUNTY ADOPTED 2020 COMPREHENSIVE PLAN

- HENDERSON COUNTY'S POPULATION IS PROJECTED TO GROW TO 111,400 BY 2010 AND 129,350 BY 2020.
- AT LEAST AN ADDITIONAL 17,498 HOUSING UNITS WILL BE NEEDED TO ACCOMMODATE POPULATION GROWTH.
- RECOMMENDATION - PROMOTE A DIVERSE RANGE OF HOME OWNERSHIP AND RENTAL PROPERTIES.
- THE URBAN SERVICE AREA IS THAT AREA WITHIN WHICH MOST URBAN SERVICES AND URBAN-SCALE DEVELOPMENT IS CURRENTLY CONCENTRATED, AND WITHIN WHICH SUCH DEVELOPMENT SHOULD GENERALLY BE CONCENTRATED.
- WIDE RANGES OF RESIDENTIAL DENSITIES WILL EXIST. OVER THE LONG TERM, LAND USE REGULATIONS AND POLICIES SHOULD FAVOR HIGH DENSITY DEVELOPMENT, CONSISTENT WITH NATURAL CONSTRAINTS AND THE AVAILABILITY OF URBAN SERVICES.

Attorney Bill Oast stated for all the reasons heard, they feel this is the right project and the right place. It is the highest and best use for the property. It meets several identified needs and goals of the county and is consistent with the County Comprehensive Plan. It is an opportunity for the County to approve a site specific plan with conditions structured to address the concerns of the community and to mitigate the impacts to the project. He asked for the Board's approval at this meeting if possible, but realizes it is a big project, and will accept a continuance.



AIRPORT EXHIBIT  
TAP ROOT FARMS

The Johnston's attorney Bill Alexander stated across the street from the project is Riverstone, which was built on a farm that was associated with Hollowbrooks Dairy on Jeffries Road. Over the years he has seen the dairy farm industry decline to the point that it has become unprofitable. The need for housing over the last couple of years has come back and is growing. The Johnston family has worked hard over the years in the dairy industry. The light at the end of their tunnel was that they had the land for future generations and depended on this to get them through. In mid 1990's a disaster occurred that devastated the farming community. Inflation, recession, high interest rates, and most of all the purchase of farms by mega corporations and agribusiness becoming profitable only on a massive scale began to take its toll. One by one the farms in the Mills River area began to fall and close with their owners looking for alternate ways for their families to be compensated for their services. Tap Root Dairy is the last to go. All of the surrounding dairies have closed. The Johnston family continues to serve the county's needs. The County informed the Johnstons that the property was needed for industrial site in 2002 and the property was marketed through county agencies and offices and state offices and agencies. In that period of time the property has been shown many times with no offers. It is no longer feasible as industrial zoning. Industry is afraid to come because of complaints by neighbors of smoke, odors, gas, etc. This leaves the area use to be residential. This site has all of the attributes of a site that satisfies the comprehensive plan but more than that it just makes sense. This spot allows maximum utilization of existing infrastructure; public sewer, water, electric, close proximity to hospitals, major transportation routes, everything you could ask for in a high density residential project. The people are going to come anyway, it is just a question of where we are going to put them. With this rezoning the Board can impose conditions, and this group is willing to work with them. Please use standards of reasonableness and come up with conditions that are responsible for the community, but at the same time making this project possible.

**Table 6-5-14. CFR Sound Exposure/Land Use Compatibility Guidelines**

| Land Use                                 | Yearly Day-Night Average Sound Level (DNL) |                |                |                |                |                |
|--|--|----------------|----------------|----------------|----------------|----------------|
|  | Below 65                                   | 65-70          | 70-75          | 75-80          | 80-85          | Over 85        |
| <b>Residential</b>                       | Y  | N <sup>1</sup> | N <sup>1</sup> | N              | N              | N              |
| Mobile home parks                        | Y  | N              | N              | N              | N              | N              |
| Transient lodgings                       | Y  | N <sup>1</sup> | N <sup>1</sup> | N <sup>1</sup> | N              | N              |
| <b>Public Use</b>                        |  |                |                |                |                |                |
| Schools                                  | Y  | N <sup>1</sup> | N <sup>1</sup> | N              | N              | N              |
| Hospitals and nursing homes              | Y  | 25             | 30             | N              | N              | N              |
| Churches, auditoriums, and concert halls | Y  | 25             | 30             | N              | N              | N              |
| Governmental services                    | Y  | Y              | 25             | 30             | N              | N              |
| Transportation                           | Y  | Y              | Y <sup>2</sup> | Y <sup>1</sup> | Y <sup>4</sup> | Y <sup>4</sup> |
| Parking                                  | Y  | Y              | Y <sup>2</sup> | Y <sup>1</sup> | Y <sup>4</sup> | N              |
| <b>Commercial Use</b>                    |  |                |                |                |                |                |
| Offices, business, and professional      | Y  | Y              | 25             | 30             | N              | N              |
| Wholesale and retail-building materials  | Y  | Y              | Y <sup>2</sup> | Y <sup>1</sup> | Y <sup>4</sup> | N              |
| Hardware and farm equipment              | Y  | Y              | Y <sup>2</sup> | Y <sup>1</sup> | Y <sup>4</sup> | N              |
| Retail trade - general                   | Y  | Y              | 25             | 30             | N              | N              |
| Utilities                                | Y  | Y              | Y <sup>2</sup> | Y <sup>3</sup> | Y <sup>4</sup> | N              |
| Communication                            | Y  | Y              | 25             | 30             | N              | N              |
| <b>Manufacturing and Production</b>      |  |                |                |                |                |                |
| Manufacturing, general                   | Y  | Y              | Y <sup>2</sup> | Y <sup>1</sup> | N              | N              |
| Photographic and optical                 | Y  | Y              | 25             | 30             | N              | N              |
| Agriculture and forestry                 | Y  | Y <sup>4</sup> | Y <sup>7</sup> | Y <sup>8</sup> | Y <sup>8</sup> | Y <sup>8</sup> |
| Livestock farming and breeding           | Y  | Y <sup>4</sup> | Y <sup>7</sup> | N              | N              | N              |
| Mining and fishing                       | Y  | Y              | Y              | Y              | Y              | Y              |
| <b>Recreational</b>                      |  |                |                |                |                |                |
| Outdoor sports arenas/spectator sports   | Y  | Y <sup>5</sup> | Y <sup>6</sup> | N              | N              | N              |
| Outdoor music shells/amphitheaters       | Y  | N              | N              | N              | N              | N              |
| Nature exhibits and zoos                 | Y  | Y              | N              | N              | N              | N              |
| Amusements, parks, resorts, and camps    | Y  | Y              | Y              | N              | N              | N              |
| Golf courses, riding stables             | Y  | Y              | 25             | 30             | N              | N              |

**Key:**  
 SLUCLM = Standard Land Use Coding Manual  
 Y = Land Use and related structures compatible without restrictions.  
 N = Land Use and related structures are not compatible and should be prohibited.  
 NLR = Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.  
 25, 30, or 35 = Land use and related structures generally compatible, measures to achieve NLR of 25, 30 or 35 dB must be incorporated into design and construction of structure.

**Notes:**  
 1. Where the community determines that residential or school uses must be allowed measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25 dB and 30 dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 30 dB. Thus, the reduction requirements are often stated as 5, 10 or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.  
 2. Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas or where the normal noise level is low.  
 3. Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas or where the normal noise level is low.  
 4. Measures to achieve NLR 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas or where the normal noise level is low.  
 5. Land use compatible provided special sound reinforcement systems are installed.  
 6. Residential buildings require an NLR of 25.  
 7. Residential buildings require an NLR of 30.  
 8. Residential buildings not permitted.

Source: Federal Aviation Regulations 14 CFR Part 150 (effective January 18, 1985)

Figure 6-6: Noise Contours



Source: Asheville Regional Airport Runway Reconfiguration and New Parallel Taxiway Environmental Assessment, The LPA Group Aviation Consultants (August 2011)

**Public Input**

1. Julie Schlegel feels the project is massive and needs to be scaled back. She is concerned about how it will impact the schools.
2. Sari McCaffrey feels the project volume is too high and concerned about traffic, flooding and property values decreasing.

3. Barbara McInerrey feels the development is not appropriate for the area. It is too large and will cause problems with flooding and more congestion in traffic.
4. Neal Hanks is with Beverly Hanks. More workforce housing is needed and these locations are hard to find.
5. Michel Reisman is not in favor of the zoning change. He is concerned about planes overhead and feels it discourages development.
6. Lew Bleiweis is the Executive Director of the Airport. He feels this project is too close to the runway and this area has never been residential. He is not opposed to growth but concerned with airplanes overhead of the houses. There are more than 200 flights in this path each day.
7. Loren Buck lives under a flight path and stated it becomes annoying. She is worried about debris from the airplanes. She stated living under a flight path is loud and unsettling.
8. Stephanie Wolf is opposed to the development as it currently stands. There is too much noise, the development is too large and should be redesigned. Records show the company builds poor quality homes.
9. Kari Byrd provided written information to the Board.
10. Ken Fitch feels the large project must be reviewed thoroughly. The Board needs to consider school size, who it's for, and how it affects the environment.
11. Melissa Blake provided a petition with over 700 signatures opposing Tap Root Farms. The project is too large and will cause more congestion on the roads, and overcrowd the schools.
12. Taylor McLennan is against the project as proposed. Density is too large and the area is already congested.
13. Mary Louse Corn lives under a flight path. All of these areas in Mills River used to be farms. The landowners have tried to sell the land as industry without success. She feels it is a great place to build and requested the Board approve the application.
14. Kris Kaufman feels this is not the right area for this development. He is against the size and density. He asked the Board to vote against the rezoning.
15. Adrienne Giddens left before comments were received.

Commissioner McCall agrees with the majority of folks that density is too large for one spot. She does however realize that housing is needed. She asked the developer if they could look at reducing the density to 3.3 per acre, similar to density in Riverstone. The floodplain makes the calculation a little construed. She is concerned about the townhomes along I-26, but didn't hear any objections by the public. The townhomes are 50 feet off of I-26, and she feels being that close to the interstate could be worse than the airplanes flying over. She asked that the builder consider moving or removing the line of townhomes. She asked what would happen if over the ten year phase period the project halted and was not continued.

Commissioner Messer stated over the years this area has grown tremendously. The airport has grown also and flights increased. He is concerned with the flight path, and the density factor. Growth is evident and cannot be stopped.

Commissioner Edney confirmed that D. R. Horton is the developer.

Commissioner Lapsley noted D. R. Horton would be responsible as the developer for the roads, infrastructure, and all things related to the development.

J. D. Jackson (Ken Jackson) identified the property to D. R. Horton, but that is the only involvement with the project.

Commissioner Edney questioned the size of the homes, and what the developer considers affordable housing. He does not feel pricing over \$300,000 is affordable housing for the working folks of Henderson County. Who is the developer marketing to?

Brian Walser stated of the 546 single family homes and 532 town homes, square footage ranges from 1300 square feet to over 3500 square feet, with the sweet spot between 1500 – 1800 square feet. He feels this is the affordable spot for most. The way you get to affordable housing in areas like this is with density. Interest rates, labor costs and building costs have increased about 20%. The only way to reduce pricing on homes is to get a good amount of density on the project and offer a range of products. The 22 foot townhomes with around 1500 square feet are in the low \$200,000 and larger townhomes around \$270,000. The single family homes (depending on the size) are in the mid \$300,000 price range. For each of the phases they plan to have a mix of all products. There are many different levels of homes with different pricing depending on exterior and interior fixtures. Most of the single family homes will be \$270,000 - \$350,000. The average lot size for single family home (2-3 bedrooms with some having a flex room that could be a bedroom) is 52 x 110 to 120 ft., and 22 foot townhomes (2 to 3 bedrooms) are 22 x 50 ft. The single family homes have two car garages. The market in Henderson County is 50% retirees and 50% families.

Commissioner Edney is concerned about decent parking spaces for all family members so that we are not parking in the roads. He is also concerned that one pool will not be sufficient for a development this size.

Mr. Walser stated the driveways are approximately 30-32 feet deep and 18-20 foot wide, which is adequate for two cars outside of the garage. The HOA will probably restrict parking of RV's and boats in the front yard. There are three levels of roads; the boulevard or main spine through the subdivision which is 14 foot lanes and 20 foot of median in the middle to allow for left turn lanes at strategic spots that tie into other roads. The next road down is 24 feet, face curb to face curb, which is comparable to surrounding subdivisions. There is a sidewalk system which is sometimes on one side and sometimes on both, as well as the trail system. The roads will be owned by the HOA and there will be additional parking at the amenity center. In the townhome section there is room to provide additional parking. Roads at the townhomes are 22 foot. It is possible to reduce the driveway length and increase the width of the road.

There is room to build a larger pool or additional pools, however the planners do not see that it will be necessary. It will be the responsibility of the HOA to maintain the pool(s). In Greenville the average HOA dues are \$600 per year. It all depends on what is included in the HOA, obviously the more that is included the higher the cost. Once someone purchases a home they begin paying HOA fees. A reserve account would be initially set up by the developer. The HOA is funded by the developer until there are enough funds coming in to pay the bills. Usually it is turned over from the developer at 80-90% buildout. Stormwater retention ponds will also be turned over to the HOA. The roads in this development are private with no intention of turning them over to the NCDOT. The roads are planned for county standards and not state standards. NCDOT is not looking to take over any more roads than they have to. If the plan was to turn them over to NCDOT they would be built to NCDOT standards, however that is not the plan.

The flood areas in the back portion of the site are also in the contract. This will be utilized as open space. The developer has no plan to keep any portion of the property. The developer is open to discussing the possibility of conveying the flood area to the county for a park or similar use such as a soccer field.

It is the intention to further utilize the Fletcher Fire Department.

The developer stated that early in the commitment process they looked at the City of Asheville water which is currently along Butler Bridge. They also reached out to the City of Hendersonville and found that water is in close proximity but not along Butler Bridge. The intent is to work with the City of Hendersonville for

water on this site. It is a bit of an oddity to get water from a different county than you are located. The City of Asheville has an 8 inch line and the potential water line from the City of Hendersonville will be 12 or 16 inches.

Commissioner Edney asked if the Board of Commissioners made it a condition to use the City of Asheville, would it be a deal breaker, being concerned about the rates by the City of Hendersonville, which are much higher for residents living outside of the city limits.

The developer responded they would entertain whatever the commissioner needs for them to do. The plan is to start the amenities as soon as infrastructure allows, and is included in Phase I.

Vice-Chairman Lapsley provided a list of conditions, some of which were covered by Commissioner Edney.

1. Roads – NCDOT design standards for residential subdivisions
  - Minimum roadway width of 27 feet with valley curb & gutter
  - No pervious pavement required within the development
2. Stormwater Drainage – NCDOT design standards for residential subdivisions
  - No standing water detention facilities only subsurface
3. Pedestrian Infrastructure – confirm sidewalks on each roadway within development
  - Balance of sidewalks as trails in community open space
4. Greenway – reserve 50 foot wide easement for future French Broad River Greenway
5. Street Lighting – one street light every 300-500 feet along all roads
  - Down lighting in all cases
6. Amenity Areas – to be constructed and open to residents (transferred to HOA) when 50% +1 units have been sold
  - 2.5 acre site + clubhouse size to be increased to handle 2,000 people
7. Open Space/ Park – internal small open space areas to be owned & maintained by the HOA
  - Large (flood plain area) to be deeded to Henderson County for a community park along with easement for an access road.
8. Building Code – Builder / Developer to adhere to Henderson County Land Development Code whenever it exceeds the NC Building Code requirements
9. Setbacks / Buffers – All buildings must maintain 50 foot minimum setback from the I-26 right of way
  - No landscape buffer required along outer project boundary
  - Install NCDOT approved standard sound and safety barrier wall along I-16 right of way (approximately 2,000 LF)
10. Traffic Impacts on Butler Bridge Road – Adhere to all recommendations of Traffic Impact Analysis approved by NCDOT. All improvements complete on or before 50% + 1 units have been constructed.
11. Street Trees – one tree along roadway front per residential unit
12. Development Plan Approval – delegated to County Planning Board
13. HOA Transition from Developer – when 50% +1 units have been sold
14. Townhome Units – add sidewalks along roads in front of all units
  - Add visitor off street parking areas at 1 space per unit minimum
15. Density – maximum 844 units with minimum single family lot size of 0.17 acre
16. Single Home / Town Home Ratio – Revise plan to 80% single (675 units) and 20% townhome units (169 units)

Vice-Chairman Lapsley would like for the plan to include more detail with roads, sidewalks, stormwater retention facilities, etc. He would like to see a summary of the Traffic Impact study by NCDOT. Mr. Lapsley stated some of the same issues came up with the Airport when Riverstone was built. As he recalls



there was a disclosure statement that a homeowner in Riverstone had to acknowledge. The realtor had to disclose to the homebuyers that the Airport would have an impact on the residents. He asked if this would be expected with this development.

None of the staff from this project were here during the time Riverstone was built and could not answer this question. He recognizes that there are disclosures in real estate forms today that mention there is an airport. These protect the realtor and nothing else. If this project moves forward the developer expects some litigation issues for noise and they would ask for avigation easements not only for the single family homes but for the town homes also. The town homes sometimes become rental properties and the renters may not know about the noise issues because they are not disclosed. It is suggested that legal documentation, as an alternative for the commission, is put into place as conditions for the approval.

Lew Bleiweis of Asheville Airport explained an avigation easement is the signing over of the air rights above your house for noise and pollution, which should leave no legal recourse for the homeowner. That does not mean that it alleviates lawsuits. Of the lawsuits, 90% are dismissed, but at a high cost to the airports to defend those suits. It is also recommended that conditions include noise mitigation, materials for those houses such as better insulation, windows and that type of thing to make it quieter. There is a standard federal aviation administration model for avigation easements, practices within the industry to increase sound insulation in homes, churches and schools to decrease the impact of aircraft noise inside of those buildings.

Commissioner Edney questioned if the developer had spoken with NCDOT regarding the timeframe of the Butler Bridge closure.

The developer responded NCDOT was uncertain at the time of discussion.

Autumn Radcliff stated the bridges are all part of Phase I of NCDOT projects and the estimation is that Butler Bridge Road will not be closed longer than 9 months.

Regarding the TIA, there were nine intersections that were identified by NCDOT to be studied. Some of them going all the way to NC 280 where Butler Bridge runs in, also looking at Jeffries Road, Fanning Bridge Road, Yadkin Road, North Rugby, and the entire section of Butler Bridge Road. Based on those intersections what came back was several improvements. The first one being where High River Road is (an entrance to Riverstone) and where the applicant is proposing a second entrance, that there would be a left and right turn lane of approximately 100 feet and that it would address and egress coming out of the subdivision for potentially two lanes. Their main entrance, they would be creating where the current Tap Root Lane is would have the same scenario with the left and right turn lanes. The potential is for a traffic signal where North Rugby comes on to Butler Bridge Road or another alternative. There is also supposed to be some striping with a dual left turn off of US 25 going to the left and then coming up from the right and an extension of 350 feet of striping. Mrs. Radcliff believes some of this may be part of the actual I-26 improvements that are going to be happening with Butler Bridge Road. NCDOT indicated that at the time of build out if those had not been done then the developer would need to put them in themselves.

*Commissioner Edney 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 table further discussion regarding Rezoning Applications #R-2018-10-C, Tap Room Farm to June 19, 2019. All voted in favor and the motion carried.*

#### **DISCUSSION/ADJUSTMENT OF CONSENT AGENDA**

*Chairman Hawkins made the motion to approve Consent Agenda minus the Waterline Extension Request for Cummings Cove Subdivision, to be discussed June 19, 2019. 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):  
 May 15, 2019 - Regularly Scheduled Meeting

Motion:

*I move the Board approves the minutes of May 15, 2019.*

**Tax Collector’s Report**

Deputy Tax Collector Luke Small had presented the Tax Collector’s Report to the commissioners dated May 28, 2019 for information only. No action was necessary.

**2019.50 Pending Releases and Refunds**

The pending releases and refunds have been reviewed by the Assessor and provided to the Board for approval. As a result of the 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.

| <b>Type:</b>                                    | <b>Amount:</b> |
|---|----------------|
| Total Taxes Released from the Charge            | \$ 7,851.11    |
| Total Refunds as a Result of the Above Releases | \$ 280.74      |

Motion:

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

**County Financial Report/Cash Balance Report – April 2019**

The April 2019 County Financial and Cash Balance Reports 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 March:

- Dues/Non-Profit Contributions – payment of 4<sup>th</sup> quarter Board approved funding
- Emergency Management – encumbrances for Board approved purchases
- Rescue Squad – payment of 4<sup>th</sup> quarter Board approved contribution payment, excess fuel costs
- Agri-Business – excess operating expenditures that will be covered by membership fees
- Medical Services – Autopsies – higher than average billing for the month
- Mental Health – payment of 4<sup>th</sup> quarter Board approved maintenance of effort (MOE)
- Public Education – payment 10 of 10 of annual appropriation made to the public schools

The YTD deficit in the Hendersonville High School Project (2019) is due to the payment of architect fees for the project from appropriated fund balance in the Capital Projects Fund that will be reimbursed from future financings.

The YTD deficit in the Oklawaha Greenway Project is due to the timing of the grantor’s reimbursement of expenditures incurred.

The YTD deficit in Cane Creek Water and Sewer District is due to encumbrances of expenditures for services to be performed over the remainder of the fiscal year.

Motion:

*I move that the Board of Commissioners approves the April 2019 County Financial Report and Cash Balance Report as presented.*

**Henderson County Public Schools Financial Reports – April 2019**

The Henderson County Public Schools April 2019 Local Current Expense Fund / Other Restricted Funds and Capital Outlay Reports were provided for the Board’s information.

Motion:

*I move that the Board of Commissioners approves the Henderson County Public Schools April 2019 Financial Reports as presented.*

**Approval and/or unsealing of closed session general accounts**

This Board reviewed general accounts of the closed sessions listed below, and took the following action:

- 1) The following closed session general accounts were ordered unsealed, as the release of their contents would not frustrate the purpose of the closed session:

|                   |             |
|-------------------|-------------|
| January 7, 2008   | Session I   |
| February 4, 2008  | Session III |
| April 15, 2009    | Session I   |
| November 18, 2009 | Session II  |
| June 6, 2011      | Session I   |
| June 13, 2011     | Session I   |
| August 16, 2011   | Session I   |
| December 5, 2011  | Session II  |
| December 23, 2011 | Session I   |
| May 28, 2013      | Session III |
| March 17, 2014    | Session II  |
| June 30, 2014     | Session I   |
| December 1, 2014  | Session II  |

Motion:

*I move the Board approves closed session general accounts as listed to be unsealed.*

**2019.51 Approve City of Hendersonville Special Appropriations Funding Agreement for FY20 Apple Country Public Transit and Paratransit Municipal Match**

The City of Hendersonville provides a municipal contribution each fiscal year for the operation of the Apple Country Public Transit and paratransit services. The FY20 contribution amount is \$132,402 and is based on the total ridership for the City of Hendersonville’s jurisdiction. To receive the FY20 funding, the attached special appropriations funding agreement must be approved and signed by the County.

Motion:

*I move that the Board of Commissioners approves the special appropriations funding agreement from the City of Hendersonville for FY20 municipal match for the Apple Country Public Transit and Paratransit services and authorize staff to sign the required documents.*

**2019.52 Budget Amendment – HVAC Systems**

At the Board’s February 20, 2019 meeting, the Board directed staff to engage the services of a consulting engineer to develop firm plans for the replacement of the HVAC systems at Rugby Middle School and Flat Rock Middle School. Staff has done an RFQ for these services, with Delta Engineering being the only company to submit qualifications.

Delta Engineer’s fee for design and engineering services is \$250,850. The Board is requested to approve a Budget Amendment, appropriating \$250,850 Capital Reserve Fund Balance to fund the design and engineering work associated with HVAC replacement at Flat Rock and Rugby Middle Schools.

Motion:

*I move the Board approves the Budget Amendment as presented, appropriating Capital Reserve Fund Balance to fund the design and engineering work associated with HVAC replacement at Flat Rock and Rugby Middle Schools.*

**Contract Agreement with Duke Energy to Add Lighting at Tuxedo Park**

Staff has worked with Duke Energy to develop a lighting plan for the Tuxedo Park. The contract with Duke Energy to implement the plan is attached, and Staff requests the Board approve the contract as presented.

Motion:

*I move that the Henderson County Board of Commissioners authorize the Duke Energy Contract to install lighting at Tuxedo Park.*

**Juvenile Crime Prevention Council County Plan FY-2019-2020**

At the April 17, 2019 Board of Commissioners’ Meeting, the Board approved funding for the programs below as recommended by the JCPC.

|                                      |           |
|--------------------------------------|-----------|
| 1. J.C. P.C. Administrative Expenses | \$5,136   |
| 2. Project Challenge                 | \$70,870  |
| 3. Kids at Work/Aspire               | \$48,285  |
| 4. Youth Mediation                   | \$42,497  |
| 5. Hendersonville Boys & Girls Club  | \$32,400  |
| Total                                | \$199,188 |

The Henderson County Juvenile Crime Prevention Council (J.C.P.C.) has approved the 2019-2020 County Plan for Henderson County. This County Plan has been recommended for approval to the Board of Commissioners by the J.C.P.C.

Motion:

*I move that the Board approves the JCPC recommendations for the FY 2019-2020 Annual Plan.*

**Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2018-04) RV Parks and Park Model Parks and Property Addressing Ordinance Amendments**

The Board of Commissioners (BOC) directed the Planning Board to review the requirements for RV (Recreational Vehicle) Parks which include park model parks. The Planning Board sent forth draft amendments last fall. The BOC tabled its discussion of the amendments and asked for the Technical Review Committee (TRC) and Planning Board to review the State standards and requirements for central holding tanks to make sure that was allowed, and to determine the appropriate density for these types of parks.

The TRC reviewed the item at its March 19<sup>th</sup> meeting and the Planning Board voted unanimously at its March 21<sup>st</sup> to send forward a favorable recommendation on the attached draft text amendments. The proposed text amendment includes:

- Amendments to the existing RV Park requirements such as: duration, density, buffer requirements, permanent structures such as storages buildings, porches or decks would not be permitted (covered picnic areas are allowed), requires a 50 feet setback from perennial streams, minimum road standards, and limits permanently placed park models to no more than 10% of the park. The amendment also clarifies allowed sewage disposal systems, standards for the park model spaces, and requires that RV's have a current tag, no underpinning and tires must be operational.
- The proposed Park Model RV Park use requires similar restrictions as those found in the traditional RV Park, but includes allowances for covered porches, decks and storage buildings, a minimum of 5 contiguous acres, a separation of 20 feet for fire safety, provide 2 parking spaces, 25% open space, and does not allow traditional RV's in these parks. The amendment also limits the allowed density for both RV Parks and Park Model RV Parks to no more than 10 sites per acre.
- Clarification to the Property Addressing Ordinance on the appeal process under G.S. 153A-239.1.

Motion:

*I move that the Board set a public hearing on the proposed Land Development Code Text Amendments (TX- 2018-04) on RV Parks and Park Model RV Parks, and the Property Addressing Ordinance Amendments for Wednesday, July 17, 2019 at 9:00 a.m.*

### **2019.53 Real estate swap issue, Hendersonville Elementary School**

A neighbor of Hendersonville Elementary School discovered that a fence built across what was believed to be the neighbor's back yard, and that other improvements believed to be in the property owner's back yard are in fact on property titled in the County for Hendersonville Elementary School. The property owner contacted the Board of Education, seeking to acquire the strip of land, totaling 0.19 acres. The Board of Education agreed to the conveyance of the strip to the property owner, in return for the conveyance from the property owner of a permanent sewer line easement crossing the property owner's parcel, which would allow the school to operate a gravity sewer from the school, rather than the current pump station.

If the Board is in agreement, the next step will be to obtain the release deed from BB&T, then to create and exchange the deeds for the respective interests in real estate.

Motion:

*I move that the Board approve the exchange of real estate as shown in this agenda item.*

### **Board member appointments Henderson County Hospital Corporation**

Under the Articles of Incorporation adopted by this Board for Henderson County Hospital Corporation, a number of the seats on the Board of Directors must be filled each year, by various processes. The Corporation's by-laws are such that the term of Directors begins the first day of the last month of the Corporation's fiscal year, which is July through June of each year.

Motion:

*I move that the Board approves Dr. Thomas Eisenhower and Mrs. Brittany Brady as regular director members of the Board of Directors of the Henderson County Hospital Corporation, all such appointments to take place effective the first day of the last month of the Corporation's fiscal year.*

### **Waterline Extension Request – Cummings Cove Subdivision (tabled until June 19, 2019)**

### **Register of Deeds – Request to Use ROD Restricted Funds for Automation, Enhancement and Document Preservation**

N.C.G.S. 161-11.3 regulates the retention of 10% of the fees collected by the Register of Deeds office. These funds are to be set aside annually in a non-reverting Automation Enhancement and Preservation Fund

and are to be used for computer and imaging technology, storage and document preservation. The Register of Deeds is requesting that \$25,000 be released from the Automation Enhancement and Preservation Fund to pay for the following expenses:

\$25,000 for Professional Services to move shelving units from the Library to the Courthouse for Register of Deeds storage.

Motion:

*I move the Board of Commissioners approves the budget amendment to use \$25,000 in Register of Deeds Restricted General Fund Balance.*

#### **2019.54 Interlocal Agreement for Tax Collections – Laurel Park**

NCGS 160A-461 authorizes cities in North Carolina to contract with the county for the provision of their city property tax billing and collection, and to reimburse the county for those services. This practice has become relatively common across the state, and the County had been approached by the Town of Laurel Park and the City of Hendersonville regarding the possibility of the County collecting their municipal property taxes.

At the January 7, 2019 meeting, the Board authorize Staff to proceed with development of an Interlocal Agreement for Tax Collection with interested municipalities, with a reimbursement rate sufficient to cover the county's cost for those services, subject to final approval by the Board.

County staff have worked through the specifics of an Interlocal Agreement with the Town of Laurel Park, which is presented here for the Board's consideration.

Motion:

*I move the Board approves the Interlocal Agreement as presented, authorizing the Tax Collector to begin collecting current year taxes beginning July 1, 2019.*

#### **Vannoy Tax Allocation Letter**

As part of the Energy Policy Act of 2005, Congress enacted Section 179D of the Internal Revenue Code (IRC) to encourage the design and construction of energy efficient buildings. Per IRC §179D(d)(4) and Notice 2008-40, building owners of energy efficient commercial buildings may take a deduction arising from the installation of energy efficient commercial building property as part of the interior lighting, HVAC and hot water systems, or building envelope systems. If the building owner is a government entity, they may allocate the deduction to a designer of the energy efficient commercial building property.

Vannoy Construction has applied to receive the deduction associated with the Health Sciences Center project, and is seeking Henderson County's agreement to allocate the benefit.

Motion:

*I move that the Board approves the allocation of the 179D tax benefit to Vannoy Construction and direct staff to sign the letter provided.*

#### **Edneyville Elementary Furniture and Technology**

Edneyville Elementary Furniture and Technology

The total approved budget for the Edneyville Elementary School Project includes furniture fixtures and equipment (FFE).

The contracts for furniture, kitchen equipment and technology requested by Henderson County Public Schools for the project were provided in the agenda packet. The proposals were posted according to North

Carolina General Statutes and County policy. Each proposal represents the lowest responsive bidder.

The proposals are within the approved budget.

Motion(s):

*I move to accept the Edneyville Elementary FFE proposals and direct staff to continue the project. I further move that staff be directed to accept and execute any further proposals expressly contemplated in this Board's project approval for the Edneyville School Project which fall within the approved budget for the project and comply with North Carolina law.*

#### **2019.49 FY 2019-2020 Budget Public Hearing & FY 2020 Budget Ordinance Continued**

County Manager Steve Wyatt stated this ordinance is the same format as seen in years past. The numbers in Appendix A reflect the work from January up until the present time with the changes made. A total was crafted of \$154,578,655. Because of a little bit of growth in the tax base and moving some one time expenditures to capital, we have been able to bring the tax rate down to \$0.561. Appendix B is Fire District Funds as approved. Appendix C has two new specialty funds (#44) Henderson County Public Schools Maintenance, Repair, Technology and Security Fund at \$4,670,760., and (#45) Blue Ridge Community College Maintenance, Repair, Technology and Security Fund at \$3,113,840. The Budget Ordinance is now presented to the Board of Commissioners. The saving caveat is the once the tax rate is set, it is set, but the budget is a plan and can be adjusted going forward as necessary.

*Chairman Hawkins made the motion that the Board approves adoption of the FY 2019-2020 Budget and further move that the Chairman be authorized to execute the Budget Ordinance to be effective July 1, 2019. All voted in favor and the motion carried.*

County Manager Steve Wyatt will draft and circulate a draft tax bill that shows where the money is going to the commissioners. Staff is considering setting up a website so that folks can see progress on the projects such as Rugby's HVAC project, or the BRCC building, etc., allowing citizens to track capital projects. Those projects are what necessitated the 5 cent tax increase.

#### **DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Chairman Hawkins made the motion to adopt the discussion agenda removing Nominations, Recreation Tournaments – Gate Fee, and closed session, which will be tabled until June 19, 2019. All voted in favor and the motion carried.*

#### **INFORMAL PUBLIC COMMENTS**

1. Dennis Justice feels another school is needed in the Fletcher area. The County should go ahead and find land and make the purchase. Make Parks and Recreation jobs full-time and not part-time.
2. Eric Clonch would like for Henderson County to build a sports complex. There are many young kids who need a soccer facility.

#### **HENDERSONVILLE HIGH SCHOOL – GMP#1**

Business and Community Development Director John Mitchell stated at the February 4, 2019 meeting of the Board of Commissioners, the board approved a contract for PFA and LS3P to design and proceed with renovating Hendersonville High School. Vannoy Construction (Vannoy) is acting as the Construction Manager at Risk (CMR) for the project. Part of the CMR process is to provide a Guaranteed Maximum Price (GMP). GMP-1 was provided and the contract for Vannoy to perform as the Construction Manager at Risk for the balance of the work.

The approved schedule is for the school to be completed for the fall term of 2023. To meet the schedule,

staff and the architects determined that utility work needed to begin this summer. As a result, the total project will be broken out into three separate bid packages, GMP-1, GMP-2 and GMP-3.

GMP-1, the site work package for this summer, is attached for the Board's consideration. Requests for proposals were properly advertised according to North Carolina General Statute, and bids were opened on May 28, 2019. The lowest responsive bidder for GMP-1 is Tennoca Construction Company. The total cost of the work is \$1,351,490. This number is within the total approved budget.

Commissioner Edney was concerned that the Board had not received any information and was not in the loop on this information. He asked that in the future the Board receive information on a regular basis. If the information is shared with the Joint School Facilities Committee, it will carry forward to the Board of Commissioners.

This is preparation work for the demolition and relocation of the sewer and storm drains under the dining/cafeteria building. It also includes installation and the infrastructure for the new electrical transformer so that the buildings can be taken off line and Stillwell and other areas still function while the demolition occurs, as well as some renovation to the vocational building that will act as swing space. The intent is to get the work done over the summer period so as to have the least amount of impact on students and faculty. The other option would be to wait until next summer which causes a schedule crunch in the process and shifts things during the phases.

*Chairman Hawkins made the motion that the Board accept the Guaranteed Maximum Price and direct staff to continue the project. All voted in favor and the motion carried.*

County Manager noted that he has recommended to staff that a report be provided on capital projects at every mid-month meeting.

**ADJOURN**

*Chairman Hawkins made the motion to adjourn at 10:50 p.m. All voted in favor and the motion carried.*

Attest:

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

\_\_\_\_\_  
Grady Hawkins, Chairman



# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone: 828-697-4808 • Fax: 828-692-9855  
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GRADY H. HAWKINS  
Chairman  
WILLIAM G. LAPSLEY  
Vice-Chairman

J. MICHAEL EDNEY  
CHARLES D. MESSER  
REBECCA K. MCCALL

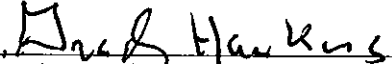
## RESOLUTION

### IN COMMEMORATION OF THE 75<sup>TH</sup> ANNIVERSARY OF D-DAY

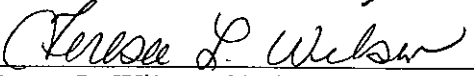
- WHEREAS,** June 6, 2019, marks the 75th anniversary of the Battle of Normandy, which began June 6, 1944 during World War II, when American, British, and Canadian forces landed along the coast of France's Normandy region in Operation Overlord; and
- WHEREAS,** the D-Day landing was the largest single amphibious assault in military history, consisting of approximately 31,000 members of the United States Armed Forces and more than 3,000 vehicles that embarked on 208 vessels from Weymouth and Portland, England; and
- WHEREAS,** of the estimated 9,400 casualties incurred by Allied forces on the first day of the landing, an estimated 5,400 casualties were members of the United States Armed Forces; and
- WHEREAS,** Supreme Allied Commander Dwight D. Eisenhower referred to the invasion as "the Great Crusade", and addressed the allied forces stating that "I have full confidence in your courage, devotion to duty and skill in battle"; and
- WHEREAS,** the dedication and sacrifice displayed by the allied forces on D-Day changed the course of the war, beginning the liberation of France, which ultimately contributed to the destruction of the Nazi regime on May 7, 1945;

**NOW, THEREFORE, BE IT RESOLVED,** that the Henderson County Board of Commissioners thank those that served and ask citizens to observe a moment of silence on June 6<sup>th</sup> at noon in honor and memory of those soldiers.

This the 3<sup>rd</sup> day of June 2019.

  
\_\_\_\_\_  
Grady Hawkins, Chairman  
Henderson County, Board of Commissioners

Attest:

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



Henderson County, North Carolina  
Budget Ordinance  
Fiscal Year July 1, 2019 – June 30, 2020

BOARD OF COMMISSIONERS ENACTMENT 2019.49

Preamble

The County Manager's proposed budget for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020 ("FY2020") was presented to the Henderson County Board of Commissioners on May 6, 2019, 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 3, 2019.

The following Ordinance was offered by Chairman Hawkins on June 3, 2019, 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 3<sup>rd</sup> DAY OF JUNE, 2019:**

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 FY2020. 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 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 addition to the foregoing, the Sheriff may execute contracts that require no expenditure and have no negative fiscal impact on the county government budget (for example, a contract requiring no county match in personnel or funding). Contracts or agreements that require any type of County match outside of the Sheriff's approved budget must be approved by the Board of Commissioners. Further, in the absence of express authority from Federal or State Court, all 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, 2019 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 FY2020, 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 FY2020 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 **\$15,886,934,516** of taxable property and a collection rate of ninety-eight percent (98%). The Budget Ordinance also names ad valorem property taxes as the specific revenue source to fund the Tax Revaluation Reserve Fund, budgeted in FY2020 at \$1,249,657, 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 FY2020 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 FY2020. 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 FY2020 upon adoption.

---

VOTING:

AYES: Hawkins, Edney, Messer, McCall, Lapsley

NAYS: None

Adopted this the 3<sup>rd</sup> day of June, 2019.

HENDERSON COUNTY BOARD OF COMMISSIONERS



By: Grady Hawkins  
GRADY HAWKINS, Chairman

Attest:

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

## APPENDIX A

### GENERAL FUND APPROPRIATIONS

|  |            |
|--|------------|
| Governing Body   | \$464,326  |
| Dues & Non-Profit Contributions                          | 537,634    |
| County Manager   | 498,213    |
| Administrative Services                                  | 546,883    |
| Human Resources  | 825,428    |
| Elections  | 1,001,027  |
| Finance  | 927,743    |
| Assessor   | 1,894,443  |
| Tax Collections  | 503,680    |
| Legal  | 806,959    |
| Register of Deeds  | 571,282    |
| Facility Services – Facility Services Division           | 5,052,463  |
| Facility Services – Garage Division                      | 499,421    |
| Court Facilities   | 153,000    |
| Information Technology                                   | 3,459,573  |
| Sheriff  | 18,028,812 |
| Detention Facility                                       | 5,343,720  |
| Emergency Services – Emergency Management Division       | 500,472    |
| Emergency Services – Fire Marshal Division               | 760,650    |
| Building Services  | 1,107,001  |
| Wellness Clinic  | 1,083,985  |
| Emergency Services – Emergency Medical Services Division | 6,927,894  |
| Animal Services  | 706,302    |
| Rescue Squad   | 281,360    |
| Forestry Services  | 58,046     |
| Soil & Water Conservation District                       | 365,033    |
| Planning   | 659,991    |
| Code Enforcement   | 297,576    |
| Heritage Museum  | 100,000    |
| Cooperative Extension                                    | 446,916    |
| Project Management                                       | 432,696    |
| Economic Development                                     | 1,379,138  |
| AgriBusiness Henderson County                            | 157,870    |
| Public Health  | 7,953,109  |
| Public Health – Environmental Health Division            | 1,339,998  |
| Home & Community Care Block Grant (H&CCBG)               | 792,453    |
| Medical Services - Autopsies                             | 60,000     |
| Mental Health -- Maintenance of Effort Funding           | 528,612    |
| Rural Operating Assistance Program (ROAP)                | 196,095    |
| Social Services  | 14,243,223 |
| Social Services – Federal & State Programs               | 4,127,233  |
| Social Services – General Assistance Division            | 100,000    |
| Juvenile Justice Grant                                   | 218,745    |

|   |                      |
|---|----------------------|
| Veterans Services                         | 48,652               |
| Public Library                            | 3,261,328            |
| Recreation                                | 2,180,631            |
| Public School System                      | 29,828,000           |
| <i>Current Expense</i>                    | 28,328,000           |
| <i>Capital Expense</i>                    | 1,500,000            |
| Blue Ridge Community College              | 4,298,181            |
| Public Schools Debt Service               | 10,897,246           |
| Community College Debt Service            | 1,888,219            |
| General Debt Service                      | 5,747,074            |
| Non-Departmental                          | 360,000              |
| Transfers to Other Funds                  | 10,130,319           |
| <b>TOTAL GENERAL FUND APPROPRIATIONS:</b> | <b>\$154,578,655</b> |
| <b>GENERAL FUND REVENUES</b>              |                      |

|   |                      |
|---|----------------------|
| Ad Valorem Taxes                                | \$87,128,532         |
| <i>Current year general levy</i>                | 86,093,532           |
| <i>Prior year taxes, interest and penalties</i> | 1,035,000            |
| County share of (local option only) sales taxes | 24,884,992           |
| Other taxes and licenses                        | 1,211,000            |
| Unrestricted intergovernmental revenue          | 38,000               |
| Restricted intergovernmental revenue            | 15,607,588           |
| Permits and fees                                | 1,568,400            |
| Sales and services                              | 7,671,396            |
| Investment earnings                             | 500,000              |
| Other revenues                                  | 1,156,507            |
| Transfers from other funds                      | 1,353,960            |
| Fund balance appropriated                       | 13,458,280           |
| <b>TOTAL GENERAL FUND REVENUE</b>               | <b>\$154,578,655</b> |

#### RATE OF AD VALOREM PROPERTY TAX LEVY

The *ad valorem* property tax is levied at the rate of **fifty-six and one tenth cents (\$ 0.5610)** on each one hundred dollars (\$100) of assessed valuation of taxable property, based on a listing date of January 1, 2019.



## APPENDIX B

### FIRE DISTRICTS FUND

|                |               |
|----------------|---------------|
| Revenues       | \$ 11,092,014 |
| Appropriations | \$ 11,092,014 |

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        | .130 |
| Dana              | .140 |
| Edneyville        | .115 |
| Etowah-Horse Shoe | .115 |
| Fletcher          | .115 |
| Gerton            | .125 |
| Green River       | .090 |
| Mills River       | .110 |
| Mountain Home     | .120 |
| Raven Rock        | .115 |
| Valley Hill       | .100 |
| Valley Hill II    | .100 |

## 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 2020:

|   |              |
|---|--------------|
| Revenues                                      | \$ 1,756,920 |
| Appropriations                                | \$ 1,756,920 |
| <b>Capital Reserve Fund:</b>                  |              |
| Future County Capital                         | \$1,556,920  |
| Transfer to General Fund for Planned Projects | \$200,000    |

#### B. Revaluation Reserve Fund (Fund 25)

The following is hereby appropriated and revenues estimated to be available in the Revaluation Reserve Fund for FY 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 1,249,657 |
| Appropriations | \$ 1,249,657 |

#### 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 2020 the following (revenues for this fund are based on a \$0.70 surcharge per phone line):

|                |            |
|----------------|------------|
| Revenues       | \$ 667,564 |
| Appropriations | \$ 667,564 |

#### 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 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 1,057,322 |
| Appropriations | \$ 1,057,322 |

#### E. Capital Projects Fund (Fund 40)

The following is hereby appropriated and revenues estimated to be available in the Capital Projects Fund for FY 2020:

|                          |           |
|--------------------------|-----------|
| Revenues                 | \$275,000 |
| Appropriations           | \$275,000 |
| <b>Capital Projects:</b> |           |
| IT Depreciation Fund     | \$200,000 |
| P&I Software             | \$75,000  |

**F. HCPS MRTS Fund (Fund 44)**

The following is hereby appropriated and revenues estimated to be available in the Henderson County Public Schools—Maintenance, Repair, Technology and Security Fund for FY 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 4,670,760 |
| Appropriations | \$ 4,670,760 |

**G. BRCC MRTS Fund (Fund 45)**

The following is hereby appropriated and revenues estimated to be available in the Blue Ridge Community College—Maintenance, Repair, Technology and Security Fund for FY 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 3,113,840 |
| Appropriations | \$ 3,113,840 |

**H. Debt Service Fund (Fund 50)**

The following is hereby appropriated and revenues estimated to be available in the Debt Service Fund for FY 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 1,153,960 |
| Appropriations | \$ 1,153,960 |

**I. 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 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 7,154,171 |
| Appropriations | \$ 7,154,171 |

**J. 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 2020:

|                |              |
|----------------|--------------|
| Revenues       | \$ 2,798,893 |
| Appropriations | \$ 2,798,893 |

**K. 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 2020:

|                |           |
|----------------|-----------|
| Revenues       | \$ 54,544 |
| Appropriations | \$ 54,544 |

## 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 \$20,974 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 \$13,023 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 \$ 120,510. 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 \$ 84,872. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.

**DURING THE JUNE 3, 2019 MEETING, THE BOARD ENACTED THE FOLLOWING:**

**2019.48 RESOLUTION – 75<sup>TH</sup> ANNIVERSARY OF D-DAY**

**2019.49 FY 2019-2020 Budget Public Hearing & FY 2020 Budget Ordinance**

**2019.50 Pending Releases and Refunds**

**2019.51 Approve City of Hendersonville Special Appropriations Funding Agreement for FY20 Apple Country Public Transit and Paratransit Municipal Match**

**2019.52 Budget Amendment – HVAC Systems**

**2019.53 Real estate swap issue, Hendersonville Elementary School**

**2019.54 Interlocal Agreement for Tax Collections – Laurel Park**

# 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

Tuesday, May 28, 2019

Re: Tax Collector's Report to Commissioners - Meeting Date June 3, 2019

Please find outlined below collections information through May 27, 2019 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):

|                               |                        |
|-------------------------------|------------------------|
| <b>2018 Beginning Charge:</b> | <b>\$73,220,943.57</b> |
| Discoveries & Imm. Irreg.:    | \$809,260.44           |
| Releases & Refunds:           | <b>(\$570,854.01)</b>  |
| <u>Net Charge:</u>            | <u>\$73,459,350.00</u> |
| Unpaid Taxes:                 | \$915,172.28           |
| <b>Amount Collected:</b>      | <b>\$72,544,177.72</b> |



**Unpaid  
1.25%**

**Paid  
98.75%**

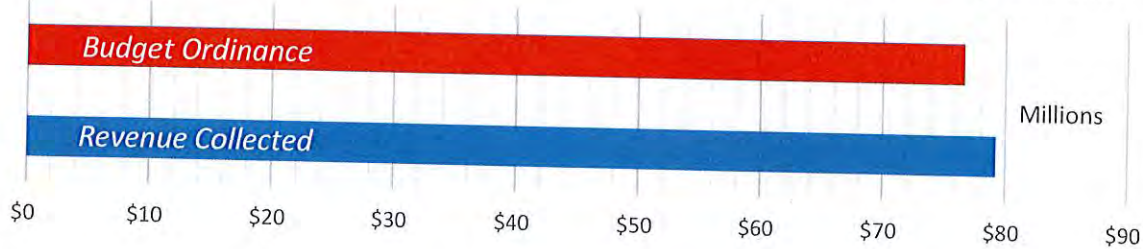
## Henderson County Registered Motor Vehicles (As Collected by NC DMV):

|                          |                       |
|--------------------------|-----------------------|
| Net Charge:              | \$5,745,619.37        |
| Unpaid Taxes:            | \$16,221.32           |
| <b>Amount Collected:</b> | <b>\$5,729,398.05</b> |

**99.72%**

## Henderson County FY19 Budget Analysis:

|                      | <u>Budget Ordinance</u> | <u>Revenue Collected</u>            |
|----------------------|-------------------------|-------------------------------------|
| Ad Valorem:          | \$75,697,389.00         | Ad Valorem: \$78,273,575.77         |
| Prior Years:         | \$1,025,000.00          | Prior Years: \$953,870.90           |
| <b>Budget Total:</b> | <b>\$76,722,389.00</b>  | <b>YTD Revenue: \$79,227,446.67</b> |



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.gov

GRADY H. HAWKINS  
Chairman  
WILLIAM G. LAPSLEY  
Vice-Chairman

J. MICHAEL EDNEY  
REBECCA K. MCCALL  
CHARLES D. MESSER


June 3, 2019

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 \$7,851.11 and tax refund requests in the amount of \$280.74, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, June 3, 2019. All releases and refunds were approved.

Sincerely,

  
Grady H. Hawkins, Chairman  
Henderson County Board of Commissioners

GHH/tlw

enclosures

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF  
COMMISSIONERS**

**MEETING DATE:** June 3, 2019  
**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.

| <b>Type:</b>                                    | <b>Amount:</b> |
|---|----------------|
| Total Taxes Released from the Charge            | \$ 7,851.11    |
| Total Refunds as a Result of the Above Releases | \$ 280.74      |

**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 22, 2019\*

| OWNER                   | ABSTRACT                  | NOTE  | VALUE CHANGE | ADJ. NUMBER | USER ID  | SITUS ADDRESS                                    | TAX DISTRICT    | LEVY TYPE     | BILLED  | PAID    | RELEASE  | REFUND  |
|-------------------------|---------------------------|---|--------------|-------------|----------|--|-----------------|---------------|---------|---------|----------|---------|
| A SERVANT'S TOUCH       | 0003094694-2018-2015-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 3094694 AND 319821. ABSTRACT 3094694 VOIDED FOR 2015.        | (\$8,765)    | 6064        | KDECKARD | 74 P.E.M. DRIVE<br>HENDERSONVILLE NC<br>28792    | COUNTY          | TAX           | \$45.02 | \$0.00  | \$45.02  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$18.01 | \$0.00  | \$18.01  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$63.03  | \$0.00  |
|                         |                           |   |              |             |          |  | DANA FIRE       | TAX           | \$11.39 | \$0.00  | \$11.39  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$4.56  | \$0.00  | \$4.56   | \$0.00  |
|                         | TOTAL:                    |   |              | \$15.95     | \$0.00   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$78.98 |                           |   |              |             |          |  |                 |               |         |         |          |         |
|                         | 0003094694-2018-2016-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 3094694 AND 319821. ABSTRACT 3094694 VOIDED FOR 2016.        | (\$8,765)    | 6063        | KDECKARD | 74 P.E.M. DRIVE<br>HENDERSONVILLE NC<br>28792    | COUNTY          | TAX           | \$49.52 | \$0.00  | \$49.52  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$14.86 | \$0.00  | \$14.86  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$64.38  | \$0.00  |
|                         |                           |   |              |             |          |  | DANA FIRE       | TAX           | \$11.39 | \$0.00  | \$11.39  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$3.42  | \$0.00  | \$3.42   | \$0.00  |
|                         | TOTAL:                    |   |              | \$14.81     | \$0.00   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$79.19 |                           |   |              |             |          |  |                 |               |         |         |          |         |
|                         | 0003094694-2018-2017-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 3094694 AND 319821. ABSTRACT 3094694 VOIDED FOR 2017.        | (\$8,765)    | 6062        | KDECKARD | 74 P.E.M. DRIVE<br>HENDERSONVILLE NC<br>28792    | COUNTY          | TAX           | \$49.52 | \$0.00  | \$49.52  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$9.90  | \$0.00  | \$9.90   | \$0.00  |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$59.42  | \$0.00  |
|                         |                           |   |              |             |          |  | DANA FIRE       | TAX           | \$11.39 | \$0.00  | \$11.39  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$2.28  | \$0.00  | \$2.28   | \$0.00  |
|                         | TOTAL:                    |   |              | \$13.67     | \$0.00   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$73.09 |                           |   |              |             |          |  |                 |               |         |         |          |         |
|                         | 0003094694-2018-2018-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 3094694 AND 319821. ABSTRACT 3094694 VOIDED FOR 2018.        | (\$8,765)    | 6061        | KDECKARD | 74 P.E.M. DRIVE<br>HENDERSONVILLE NC<br>28792    | COUNTY          | TAX           | \$49.52 | \$0.00  | \$49.52  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$4.95  | \$0.00  | \$4.95   | \$0.00  |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$54.47  | \$0.00  |
|                         |                           |   |              |             |          |  | DANA FIRE       | TAX           | \$11.39 | \$0.00  | \$11.39  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$1.14  | \$0.00  | \$1.14   | \$0.00  |
|                         | TOTAL:                    |   |              | \$12.53     | \$0.00   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$67.00 |                           |   |              |             |          |  |                 |               |         |         |          |         |
| CORN, RONALD HAROLD     | 0003007636-2014-2014-0000 | UNREGISTERED MOTOR VEHICLE IS PERMANENTLY LOCATED IN BUNCOMBE COUNTY. ABSTRACT VOIDED FOR 2014. | (\$35,060)   | 6079        | SMORROW  | 133 W POPLAR DR<br>HENDERSONVILLE NC<br>28792 NC | COUNTY          | TAX           | \$23.16 | \$12.85 | \$298.26 | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.00  | \$0.00  | \$23.16  | \$12.85 |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$23.16  | \$12.85 |
|                         |                           |   |              |             |          |  | EDNEYVILLE FIRE | TAX           | \$4.28  | \$2.38  | \$4.28   | \$2.38  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.00  | \$0.00  | \$0.00   | \$0.00  |
|                         | TOTAL:                    |   |              | \$4.28      | \$2.38   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$27.44 |                           |   |              |             |          |  |                 |               |         |         |          |         |
|                         | 0003007636-2015-2015-0000 | UNREGISTERED MOTOR VEHICLE IS PERMANENTLY LOCATED IN BUNCOMBE COUNTY. ABSTRACT VOIDED FOR 2015. | (\$4,510)    | 6080        | SMORROW  | 133 W POPLAR DR<br>HENDERSONVILLE NC<br>28792 NC | COUNTY          | TAX           | \$21.98 | \$0.00  | \$21.98  | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$2.20  | \$0.00  | \$2.20   | \$0.00  |
|                         |                           |   |              |             |          |  |                 | TOTAL:        |         |         | \$24.18  | \$0.00  |
|                         |                           |   |              |             |          |  | EDNEYVILLE FIRE | TAX           | \$4.49  | \$0.00  | \$4.49   | \$0.00  |
|                         |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.45  | \$0.00  | \$0.45   | \$0.00  |
|                         | TOTAL:                    |   |              | \$4.94      | \$0.00   |  |                 |               |         |         |          |         |
| ABSTRACT TOTAL: \$29.12 |                           |   |              |             |          |  |                 |               |         |         |          |         |

\*Adjustments submitted for approval on or before

# NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\*

| OWNER                        | ABSTRACT                  | NOTE  | VALUE CHANGE | ADJ. NUMBER | USER ID  | SITUS ADDRESS                                    | TAX DISTRICT    | LEVY TYPE     | BILLED   | PAID   | RELEASE  | REFUND  |
|------------------------------|---------------------------|---|--------------|-------------|----------|--|-----------------|---------------|----------|--------|----------|---------|
| EDNEYVILLE GENERAL STORE INC | 0003007636-2016-2016-0000 | UNREGISTERED MOTOR VEHICLE IS PERMANENTLY LOCATED IN BUNCOMBE COUNTY. ABSTRACT VOIDED FOR 2016. | (\$4,066)    | 6081        | SMORROW  | 133 W POPLAR DR<br>HENDERSONVILLE NC<br>28792 NC | COUNTY          | TAX           | \$22.97  | \$0.00 | \$22.97  | \$0.00  |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$2.30   | \$0.00 | \$2.30   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$4.27   | \$0.00 | \$4.27   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.43   | \$0.00 | \$0.43   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$4.70   | \$0.00 | \$4.70   | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$29.97   | \$0.00       | \$29.97     | \$0.00   |  |                 |               |          |        |          |         |
| EDNEYVILLE GENERAL STORE INC | 0003007636-2017-2017-0000 | UNREGISTERED MOTOR VEHICLE IS PERMANENTLY LOCATED IN BUNCOMBE COUNTY. ABSTRACT VOIDED FOR 2017. | (\$3,863)    | 6082        | SMORROW  | 133 W POPLAR DR<br>HENDERSONVILLE NC<br>28792 NC | COUNTY          | TAX           | \$21.83  | \$0.00 | \$21.83  | \$0.00  |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$2.18   | \$0.00 | \$2.18   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$4.06   | \$0.00 | \$4.06   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.41   | \$0.00 | \$0.41   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$4.47   | \$0.00 | \$4.47   | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$28.48   | \$0.00       | \$28.48     | \$0.00   |  |                 |               |          |        |          |         |
| EDNEYVILLE GENERAL STORE INC | 0003007636-2018-2018-0000 | UNREGISTERED MOTOR VEHICLE IS PERMANENTLY LOCATED IN BUNCOMBE COUNTY. ABSTRACT VOIDED FOR 2018. | (\$3,700)    | 6083        | SMORROW  | 133 W POPLAR DR<br>HENDERSONVILLE NC<br>28792 NC | COUNTY          | TAX           | \$20.91  | \$0.00 | \$20.91  | \$0.00  |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$2.09   | \$0.00 | \$2.09   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$3.89   | \$0.00 | \$3.89   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$0.39   | \$0.00 | \$0.39   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$4.28   | \$0.00 | \$4.28   | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$27.28   | \$0.00       | \$27.28     | \$0.00   |  |                 |               |          |        |          |         |
| EDNEYVILLE GENERAL STORE INC | 0000060199-2014-2014-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 60199 AND 63328. ABSTRACT 60199 VOIDED FOR 2014.             | (\$20,419)   | 6094        | KDECKARD | HWY 64 EAST NC                                   | COUNTY          | TAX           | \$342.83 | \$0.00 | \$342.83 | \$15.23 |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$34.28  | \$0.00 | \$34.28  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$63.41  | \$0.00 | \$63.41  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$6.34   | \$0.00 | \$6.34   | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$69.75  | \$0.00 | \$69.75  | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$446.86  | \$0.00       | \$446.86    | \$0.00   |  |                 |               |          |        |          |         |
| EDNEYVILLE GENERAL STORE INC | 0000060199-2015-2015-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 60199 AND 63328. ABSTRACT 60199 VOIDED FOR 2015.             | (\$99,600)   | 6095        | KDECKARD | HWY 64 EAST NC                                   | COUNTY          | TAX           | \$511.55 | \$0.00 | \$511.55 | \$0.00  |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$51.15  | \$0.00 | \$51.15  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$104.58 | \$0.00 | \$104.58 | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$10.46  | \$0.00 | \$10.46  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$115.04 | \$0.00 | \$115.04 | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$677.74  | \$0.00       | \$677.74    | \$0.00   |  |                 |               |          |        |          |         |
| EDNEYVILLE GENERAL STORE INC | 0000060199-2016-2016-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 60199 AND 63328. ABSTRACT 60199 VOIDED FOR 2016.             | (\$119,500)  | 6096        | KDECKARD | HWY 64 EAST NC                                   | COUNTY          | TAX           | \$675.18 | \$0.00 | \$675.18 | \$0.00  |
|                              |                           |   |              |             |          |  | EDNEYVILLE FIRE | LATE LIST FEE | \$67.52  | \$0.00 | \$67.52  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$125.48 | \$0.00 | \$125.48 | \$0.00  |
|                              |                           |   |              |             |          |  |                 | LATE LIST FEE | \$12.55  | \$0.00 | \$12.55  | \$0.00  |
|                              |                           |   |              |             |          |  |                 | TOTAL:        | \$138.03 | \$0.00 | \$138.03 | \$0.00  |
|                              | ABSTRACT TOTAL:           | \$880.73  | \$0.00       | \$880.73    | \$0.00   |  |                 |               |          |        |          |         |

\*Adjustments submitted for approval on or before

**NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\***

| OWNER             | ABSTRACT                  | NOTE   | VALUE CHANGE | ADJ. NUMBER | USER ID  | SITUS ADDRESS                         | TAX DISTRICT | LEVY TYPE       | BILLED   | PAID    | RELEASE    | REFUND  |
|-------------------|---------------------------|--|--------------|-------------|----------|---------------------------------------|--------------|-----------------|----------|---------|------------|---------|
|                   | 0000060199-2017-2017-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 60199 AND 63328. ABSTRACT 60199 VOIDED FOR 2017.                | (\$143,400)  | 6097        | KDECKARD | HWY 64 EAST NC                        | COUNTY       | TAX             | \$810.21 | \$0.00  | \$810.21   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$81.02  | \$0.00  | \$81.02    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$891.23   | \$0.00  |
|                   |                           |  |              |             |          | EDNEYVILLE FIRE                       |              | TAX             | \$150.57 | \$0.00  | \$150.57   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$15.06  | \$0.00  | \$15.06    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$165.63   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | ABSTRACT TOTAL: |          |         | \$1,056.86 | \$0.00  |
|                   | 0000060199-2018-2018-0000 | BUSINESS DOUBLE BILLED AS ABSTRACT 60199 AND 63328. ABSTRACT 60199 VOIDED FOR 2018.                | (\$172,080)  | 6098        | KDECKARD | HWY 64 EAST NC                        | COUNTY       | TAX             | \$972.25 | \$0.00  | \$972.25   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$97.23  | \$0.00  | \$97.23    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$1,069.48 | \$0.00  |
|                   |                           |  |              |             |          | EDNEYVILLE FIRE                       |              | TAX             | \$180.68 | \$0.00  | \$180.68   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$18.07  | \$0.00  | \$18.07    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$198.75   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | ABSTRACT TOTAL: |          |         | \$1,268.23 | \$0.00  |
| ESCORCIA, RUTILLO | 0003093572-2018-2018-0000 | MANUFACTURED HOME DOUBLE BILLED AS ABSTRACT 3093572 AND 3093548. ABSTRACT 3093572 VOIDED FOR 2018. | (\$601,330)  | 6078        | ROONES   | 135 SPARKLING LAKE DR ETOWAH NC 28729 | COUNTY       | TAX             | \$394.95 | \$0.00  | \$394.95   | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$0.00   | \$0.00  | \$0.00     | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$394.95   | \$0.00  |
|                   |                           |  |              |             |          | ETOWAH-HORSESHOE FIRE                 |              | TAX             | \$73.40  | \$0.00  | \$73.40    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$0.00   | \$0.00  | \$0.00     | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$73.40    | \$0.00  |
|                   |                           |  |              |             |          |                                       |              | ABSTRACT TOTAL: |          |         | \$468.35   | \$0.00  |
| FRENCH, LYNDI L   | 0003026752-2012-2012-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2012.                     | (\$69,903)   | 6072        | DTUCKER  | 120 HUTCH MOUNTAIN RD                 | COUNTY       | TAX             | \$32.77  | \$32.77 | \$32.77    | \$32.77 |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$3.28   | \$3.28  | \$3.28     | \$3.28  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$36.05    | \$36.05 |
|                   |                           |  |              |             |          | FLETCHER FIRE                         |              | TAX             | \$6.38   | \$6.38  | \$6.38     | \$6.38  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$0.64   | \$0.64  | \$0.64     | \$0.64  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$7.02     | \$7.02  |
|                   |                           |  |              |             |          |                                       |              | ABSTRACT TOTAL: |          |         | \$43.07    | \$43.07 |
|                   | 0003026752-2013-2013-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2013.                     | (\$5,850)    | 6070        | DTUCKER  | 120 HUTCH MOUNTAIN RD                 | COUNTY       | TAX             | \$30.05  | \$30.05 | \$30.05    | \$30.05 |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$3.00   | \$3.00  | \$3.00     | \$3.00  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$33.05    | \$33.05 |
|                   |                           |  |              |             |          | FLETCHER FIRE                         |              | TAX             | \$5.85   | \$5.85  | \$5.85     | \$5.85  |
|                   |                           |  |              |             |          |                                       |              | LATE LIST FEE   | \$0.59   | \$0.59  | \$0.59     | \$0.59  |
|                   |                           |  |              |             |          |                                       |              | TOTAL:          |          |         | \$6.44     | \$6.44  |
|                   |                           |  |              |             |          |                                       |              | ABSTRACT TOTAL: |          |         | \$39.49    | \$39.49 |

\*Adjustments submitted for approval on or before

# NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\*

| OWNER | ABSTRACT                  | NOTE   | VALUE CHANGE | ADJ. NUMBER | USER ID | SITUS ADDRESS         | TAX DISTRICT | LEVY TYPE       | BILLED     | PAID     | RELEASE  | REFUND   |
|-------|---------------------------|--|--------------|-------------|---------|-----------------------|--------------|-----------------|------------|----------|----------|----------|
|       | 0003026752-2014-2014-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2014. | (\$5,664)    | 6069        | DTUCKER | 120 HUTCH MOUNTAIN RD | COUNTY       | TAX             | \$29.09    | \$29.09  | \$29.09  | \$29.09  |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$2.91     | \$2.91   | \$2.91   | \$2.91   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$32.00    | \$32.00  | \$32.00  | \$32.00  |
|       |                           |  |              |             |         | FLETCHER FIRE         |              | TAX             | \$5.66     | \$5.66   | \$5.66   | \$5.66   |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$0.57     | \$0.57   | \$0.57   | \$0.57   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$6.23     | \$6.23   | \$6.23   | \$6.23   |
|       |                           |  |              |             |         |                       |              | ABSTRACT TOTAL: | \$38.23    | \$38.23  | \$38.23  | \$38.23  |
|       | 0003026752-2015-2015-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2015. | (\$5,380)    | 6068        | DTUCKER | 120 HUTCH MOUNTAIN RD | COUNTY       | TAX             | \$27.63    | \$27.63  | \$27.63  | \$27.63  |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$2.76     | \$2.76   | \$2.76   | \$2.76   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$30.39    | \$30.39  | \$30.39  | \$30.39  |
|       |                           |  |              |             |         | FLETCHER FIRE         |              | TAX             | \$6.19     | \$6.19   | \$6.19   | \$6.19   |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$0.62     | \$0.62   | \$0.62   | \$0.62   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$6.81     | \$6.81   | \$6.81   | \$6.81   |
|       |                           |  |              |             |         |                       |              | ABSTRACT TOTAL: | \$37.20    | \$37.20  | \$37.20  | \$37.20  |
|       | 0003026752-2016-2016-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2016. | (\$4,630)    | 6067        | DTUCKER | 120 HUTCH MOUNTAIN RD | COUNTY       | TAX             | \$26.16    | \$26.16  | \$26.16  | \$26.16  |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$2.62     | \$2.62   | \$2.62   | \$2.62   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$28.78    | \$28.78  | \$28.78  | \$28.78  |
|       |                           |  |              |             |         | FLETCHER FIRE         |              | TAX             | \$5.32     | \$5.32   | \$5.32   | \$5.32   |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$0.53     | \$0.53   | \$0.53   | \$0.53   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$5.85     | \$5.85   | \$5.85   | \$5.85   |
|       |                           |  |              |             |         |                       |              | ABSTRACT TOTAL: | \$34.63    | \$34.63  | \$34.63  | \$34.63  |
|       | 0003026752-2017-2017-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2017. | (\$3,070)    | 6066        | DTUCKER | 120 HUTCH MOUNTAIN RD | COUNTY       | TAX             | \$17.35    | \$17.35  | \$17.35  | \$17.35  |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$1.73     | \$1.73   | \$1.73   | \$1.73   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$19.08    | \$19.08  | \$19.08  | \$19.08  |
|       |                           |  |              |             |         | FLETCHER FIRE         |              | TAX             | \$3.53     | \$3.53   | \$3.53   | \$3.53   |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$0.35     | \$0.35   | \$0.35   | \$0.35   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$3.88     | \$3.88   | \$3.88   | \$3.88   |
|       |                           |  |              |             |         |                       |              | ABSTRACT TOTAL: | \$22.96    | \$22.96  | \$22.96  | \$22.96  |
|       | 0003026752-2018-2018-0000 | WATERCRAFT IS PERMANENTLY LOCATED IN SOUTH CAROLINA. ABSTRACT VOIDED FOR 2018. | (\$3,187)    | 6065        | DTUCKER | 120 HUTCH MOUNTAIN RD | COUNTY       | TAX             | \$18.01    | \$18.01  | \$18.01  | \$18.01  |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$1.80     | \$1.80   | \$1.80   | \$1.80   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$19.81    | \$19.81  | \$19.81  | \$19.81  |
|       |                           |  |              |             |         | FLETCHER FIRE         |              | TAX             | \$3.67     | \$3.67   | \$3.67   | \$3.67   |
|       |                           |  |              |             |         |                       |              | LATE LIST FEE   | \$0.37     | \$0.37   | \$0.37   | \$0.37   |
|       |                           |  |              |             |         |                       |              | TOTAL:          | \$4.04     | \$4.04   | \$4.04   | \$4.04   |
|       |                           |  |              |             |         |                       |              | ABSTRACT TOTAL: | \$23.85    | \$23.85  | \$23.85  | \$23.85  |
|       |                           |  |              |             |         |                       |              | OWNER TOTAL:    | (\$34,161) | \$239.43 | \$239.43 | \$239.43 |

\*Adjustments submitted for approval on or before

## NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\*

| OWNER                 | ABSTRACT                  | NOTE  | VALUE CHANGE             | ADJ. NUMBER | USER ID  | SITUS ADDRESS                                     | TAX DISTRICT | LEVY TYPE                      | BILLED                          | PAID                         | RELEASE                         | REFUND                       |
|-----------------------|---------------------------|---|--------------------------|-------------|----------|---|--------------|--------------------------------|---------------------------------|------------------------------|---------------------------------|------------------------------|
| HENDRIX, RYAN PHILLIP | 0003086452-2018-2018-0000 | WATERCRAFT DOUBLE BILLED AS ABSTRACT 3086452 AND 3093193. ABSTRACT 3086452 VOIDED FOR 2018.                             | (\$94)                   | 6060        | MHANEY   | 256 ABIGAIL LN<br>HENDERSONVILLE NC<br>28739      | COUNTY       | TAX<br>LATE LIST FEE<br>TOTAL: | \$0.00<br>\$0.05<br>\$0.05      | \$0.00                       | \$0.53<br>\$0.05<br>\$0.58      | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          | VALLEY HILL<br>FIRE                               |              | TAX<br>LATE LIST FEE<br>TOTAL: | \$0.00<br>\$0.00<br>\$0.00      | \$0.00                       | \$0.09<br>\$0.01<br>\$0.10      | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          |   |              |                                |                                 | ABSTRACT TOTAL:              | \$0.68                          | \$0.00                       |
| HOOTS, BETTY JO       | 0000082107-2017-2017-0000 | BUSINESS CLOSED DECEMBER 31, 2015. ABSTRACT VOIDED FOR 2017.  | (\$94)<br>(\$27,720)     | 6084        | KDECKARD | 338 CHESTNUT GAP<br>RD UNINCORPORATED             | COUNTY       | TAX<br>LATE LIST FEE<br>TOTAL: | \$156.62<br>\$15.66<br>\$172.28 | \$5.54<br>\$15.66<br>\$21.20 | \$156.62<br>\$15.66<br>\$172.28 | \$5.54<br>\$15.66<br>\$21.20 |
|                       |                           |   |                          |             |          | DANA FIRE   |              | TAX<br>LATE LIST FEE<br>TOTAL: | \$36.04<br>\$3.60<br>\$39.64    | \$1.28<br>\$3.60<br>\$4.88   | \$36.04<br>\$3.60<br>\$39.64    | \$1.28<br>\$3.60<br>\$4.88   |
|                       |                           |   |                          |             |          |   |              |                                |                                 | ABSTRACT TOTAL:              | \$211.92                        | \$26.08                      |
| RHODES, RUNA          | 0000414246-2015-2015-0000 | BUSINESS CLOSED DECEMBER 31, 2015. ABSTRACT VOIDED FOR 2018.  | (\$33,264)               | 6085        | KDECKARD | 338 CHESTNUT GAP<br>RD HENDERSONVILLE<br>NC 28792 | COUNTY       | TAX<br>LATE LIST FEE<br>TOTAL: | \$187.94<br>\$18.79<br>\$206.73 | \$0.00<br>\$0.00<br>\$0.00   | \$187.94<br>\$18.79<br>\$206.73 | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          | DANA FIRE   |              | TAX<br>LATE LIST FEE<br>TOTAL: | \$43.24<br>\$4.32<br>\$47.56    | \$0.00<br>\$0.00<br>\$0.00   | \$43.24<br>\$4.32<br>\$47.56    | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          |   |              |                                |                                 | ABSTRACT TOTAL:              | \$254.29                        | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$466.21                        | \$26.08                      |
| RHOADS, RUNA          | 0000414246-2016-2016-0000 | MANUFACTURED HOME IS REAL PROPERTY ON PARCEL 9929424 AND NOT PERSONAL PROPERTY. 2015 PERSONAL PROPERTY ABSTRACT VOIDED. | (\$60,984)<br>(\$12,900) | 6089        | RJONES   | HENDERSON COUNTY<br>NC                            | COUNTY       | TAX<br>LATE LIST FEE<br>TOTAL: | \$66.25<br>\$6.63<br>\$72.88    | \$0.00<br>\$0.00<br>\$0.00   | \$66.25<br>\$6.63<br>\$72.88    | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          | MOUNTAIN HOME FIRE                                |              | TAX<br>LATE LIST FEE<br>TOTAL: | \$15.48<br>\$1.55<br>\$17.03    | \$0.00<br>\$0.00<br>\$0.00   | \$15.48<br>\$1.55<br>\$17.03    | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          |   |              |                                |                                 | ABSTRACT TOTAL:              | \$89.91                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$72.89                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$7.29                          | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$80.18                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$15.48                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$1.55                          | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$17.03                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$97.21                         | \$0.00                       |
| RHOADS, RUNA          | 0000414246-2017-2017-0000 | MANUFACTURED HOME IS REAL PROPERTY ON PARCEL 9929424 AND NOT PERSONAL PROPERTY. 2017 PERSONAL PROPERTY ABSTRACT VOIDED. | (\$12,900)               | 6088        | RJONES   | HENDERSON COUNTY<br>NC                            | COUNTY       | TAX<br>LATE LIST FEE<br>TOTAL: | \$72.89<br>\$7.29<br>\$80.18    | \$0.00<br>\$0.00<br>\$0.00   | \$72.89<br>\$7.29<br>\$80.18    | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          | MOUNTAIN HOME FIRE                                |              | TAX<br>LATE LIST FEE<br>TOTAL: | \$15.48<br>\$1.55<br>\$17.03    | \$0.00<br>\$0.00<br>\$0.00   | \$15.48<br>\$1.55<br>\$17.03    | \$0.00<br>\$0.00<br>\$0.00   |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$17.03                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$97.21                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$72.89                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$7.29                          | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$80.18                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$15.48                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$1.55                          | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$17.03                         | \$0.00                       |
|                       |                           |   |                          |             |          |   |              |                                |                                 |                              | \$97.21                         | \$0.00                       |

\*Adjustments submitted for approval on or before

# NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\*

| OWNER                       | ABSTRACT                  | NOTE  | VALUE CHANGE | ADJ. NUMBER | USER ID  | SITUS ADDRESS                                    | TAX DISTRICT | LEVY TYPE     | BILLED  | PAID            | RELEASE  | REFUND |
|-----------------------------|---------------------------|---|--------------|-------------|----------|--|--------------|---------------|---------|-----------------|----------|--------|
| ROBLEDO, ELIAS LOPEZ        | 0000414246-2018-2018-0000 | MANUFACTURED HOME IS REAL PROPERTY ON PARCEL 9929424 AND NOT PERSONAL PROPERTY. 2018 PERSONAL PROPERTY ABSTRACT VOIDED. | (\$12,900)   | 6086        | RJONES   | 71 FRUITLAND RD<br>HENDERSONVILLE NC<br>28792    | COUNTY       | TAX           | \$72.89 | \$0.00          | \$72.89  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$7.29  | \$0.00          | \$7.29   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$80.18  | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$15.48 | \$0.00          | \$15.48  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$1.55  | \$0.00          | \$1.55   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$17.03  | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$97.21  | \$0.00 |
| ROBLEDO, ELIAS LOPEZ        | 0002984128-2018-2018-0000 | BUSINESS CLOSED AUGUST 30, 2017. ABSTRACT VOIDED FOR 2018.  | (\$51,600)   | 6059        | KDECKARD | P E M DRIVE<br>HENDERSONVILLE NC<br>28792        | COUNTY       | TAX           | \$12.45 | \$0.00          | \$12.45  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$1.25  | \$0.00          | \$1.25   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$13.70  | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$2.87  | \$0.00          | \$2.87   | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$0.29  | \$0.00          | \$0.29   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$3.16   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$16.86  | \$0.00 |
| T D BANK, ATTN ROBERT HECKS | 0002355912-2014-2014-0000 | MANUFACTURED HOME SOLD MAY 24, 2011. ABSTRACT VOIDED FOR 2014.  | (\$2,204)    | 6073        | RJONES   | 4653 HOWARD GAP<br>RD HENDERSONVILLE<br>NC 28792 | COUNTY       | TAX           | \$88.34 | \$0.00          | \$88.34  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$8.83  | \$0.00          | \$8.83   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$97.17  | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$16.34 | \$0.00          | \$16.34  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$1.63  | \$0.00          | \$1.63   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$17.97  | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$115.14 | \$0.00 |
| T D BANK, ATTN ROBERT HECKS | 0002355912-2015-2015-0000 | MANUFACTURED HOME SOLD MAY 24, 2011. ABSTRACT VOIDED FOR 2015.  | (\$17,200)   | 6074        | RJONES   | 4653 HOWARD GAP<br>RD HENDERSONVILLE<br>NC 28792 | COUNTY       | TAX           | \$88.34 | \$0.00          | \$88.34  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$8.83  | \$0.00          | \$8.83   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$97.17  | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$20.64 | \$0.00          | \$20.64  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$2.06  | \$0.00          | \$2.06   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$22.70  | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$119.87 | \$0.00 |
| T D BANK, ATTN ROBERT HECKS | 0002355912-2016-2016-0000 | MANUFACTURED HOME SOLD MAY 24, 2011. ABSTRACT VOIDED FOR 2016.  | (\$17,200)   | 6075        | RJONES   | 4653 HOWARD GAP<br>RD HENDERSONVILLE<br>NC 28792 | COUNTY       | TAX           | \$97.18 | \$0.00          | \$97.18  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$9.72  | \$0.00          | \$9.72   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$106.90 | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$20.64 | \$0.00          | \$20.64  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$2.06  | \$0.00          | \$2.06   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$22.70  | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$129.60 | \$0.00 |
| T D BANK, ATTN ROBERT HECKS | 0002355912-2017-2017-0000 | MANUFACTURED HOME SOLD MAY 24, 2011. ABSTRACT VOIDED FOR 2017.  | (\$17,200)   | 6076        | RJONES   | 4653 HOWARD GAP<br>RD HENDERSONVILLE<br>NC 28792 | COUNTY       | TAX           | \$97.18 | \$0.00          | \$97.18  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$9.72  | \$0.00          | \$9.72   | \$0.00 |
|                             |                           |   |              |             |          |  |              | TOTAL:        |         |                 | \$106.90 | \$0.00 |
|                             |                           |   |              |             |          |  |              | TAX           | \$20.64 | \$0.00          | \$20.64  | \$0.00 |
|                             |                           |   |              |             |          |  |              | LATE LIST FEE | \$2.06  | \$0.00          | \$2.06   | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$22.70  | \$0.00 |
|                             |                           |   |              |             |          |  |              |               |         | ABSTRACT TOTAL: | \$129.60 | \$0.00 |

\*Adjustments submitted for approval on or before



**NCPTS Pending Release/Refund Report. Wednesday, May 22, 2019\***

| OWNER                | ABSTRACT                  | NOTE   | VALUE CHANGE  | ADJ. NUMBER | USER ID | SITUS ADDRESS                                 | TAX DISTRICT       | LEVY TYPE       | BILLED  | PAID   | RELEASE    | REFUND   |
|----------------------|---------------------------|--|---------------|-------------|---------|---|--------------------|-----------------|---------|--------|------------|----------|
| WALKER, CHARLIE JR   | 0000584490-2018-2018-0000 | MANUFACTURED HOME WAS REMOVED FROM THE PROPERTY. ABSTRACT VOIDED FOR 2018. | (\$4,400)     | 6071        | RJONES  | 44 LEE SMITH ST<br>HENDERSONVILLE NC<br>28791 | COUNTY             | TAX             | \$24.86 | \$0.00 | \$24.86    | \$0.00   |
|                      |                           |  |               |             |         |   |                    | LATE LIST FEE   | \$2.49  | \$0.00 | \$2.49     | \$0.00   |
|                      |                           |  |               |             |         |   |                    | TOTAL:          | \$5.28  | \$0.00 | \$27.35    | \$0.00   |
|                      |                           |  |               |             |         |   | MOUNTAIN HOME FIRE | TAX             | \$5.28  | \$0.00 | \$5.28     | \$0.00   |
|                      |                           |  |               |             |         |   |                    | LATE LIST FEE   | \$0.53  | \$0.00 | \$0.53     | \$0.00   |
|                      |                           |  |               |             |         |   |                    | TOTAL:          | \$0.53  | \$0.00 | \$5.81     | \$0.00   |
|                      |                           |  |               |             |         |   |                    | ABSTRACT TOTAL: |         |        | \$33.16    | \$0.00   |
| <b>GRAND TOTALS:</b> |                           |  | (\$4,400)     |             |         |   |                    |                 |         |        | \$33.16    | \$0.00   |
|                      |                           |  | (\$1,083,755) |             |         |   |                    |                 |         |        | \$7,851.11 | \$280.74 |

\*Adjustments submitted for approval on or before



## SPECIAL APPROPRIATIONS FUNDING AGREEMENT

### NORTH CAROLINA CITY OF HENDERSONVILLE

This Agreement made and entered into the 1st day of July, 2019 by and between the City of Hendersonville, North Carolina, hereinafter referred to as the "CITY", and Henderson County Planning Department, hereinafter referred to as the "AGENCY."

WHEREAS, the CITY has requested services from the AGENCY to carry out its programs and activities; and

WHEREAS, the CITY, through its City Council, has appropriated the sum of \$132,409 in funding for the fiscal year ending June 30, 2020 to support this purpose, subject to the terms hereof; and

WHEREAS, the terms and conditions for receiving said funds from the CITY set out herein are necessary to insure accountability for the expenditure of public funds by the CITY.

NOW, THEREFORE, in consideration of the following the parties hereto do mutually agree as follows:

1. The AGENCY agrees to use the funds appropriated by the CITY in a manner and for the purposes specified in their Application, a copy of which is attached hereto and incorporated by reference as if to set forth fully herein.
2. In consideration for the performance by the AGENCY of the services outlined in its application, the CITY agrees to pay the AGENCY up to the amount of money authorized in the CITY budget for the fiscal year. Payment of such amount shall be made in a manner determined by the CITY.
3. If the AGENCY violates any of the provisions of this Agreement, the CITY may terminate this Agreement (upon thirty (30) days written notice of the same to the AGENCY). In such event, all unexpended funds at the time of such termination, whether held by the AGENCY or the CITY, shall be the property of and be returned to (or remain with) the CITY.
4. The AGENCY shall not assign any interest in this Agreement and shall not transfer any interest in the Agreement without prior written consent of the CITY.
5. In connection with the performance of this Agreement, the AGENCY shall not discriminate against any employee, applicant for employment, or program participant because of race, religion, color, sex, age, handicap, or national origin, or on account of their limited English language proficiency.
6. The AGENCY shall maintain all accounts, books, ledgers, journals, and records in accordance with generally accepted accounting principles, practices and procedures.
7. Upon request of the CITY the AGENCY shall submit to the CITY a status report of all program activities including a summary of the accomplishment of stated goals and objectives.
8. Upon request of the CITY the AGENCY shall provide an accounting of CITY funds to the CITY to demonstrate that funds allocated to the AGENCY have been used for the purpose(s) specified herein. The accounting report shall be submitted to the CITY within 30 days of the request. Further, the CITY shall be entitled to audit the AGENCY's expenditure of CITY funds at the CITY's discretion. Any excess funds or funds not used for the expressed purpose(s) stated herein must be returned to the CITY within thirty (30) days of the CITY's request for said funds.
9. The CITY shall be entitled to conduct an evaluation of the AGENCY's programs and activities particularly as it relates to the accomplishments of established goals and objectives and the measurement of services being delivered.
10. All books and records shall be maintained by the AGENCY for a period of at least three years from the date of the final payment under this Agreement and shall be made available for audit or evaluation upon request during regular business hours of the AGENCY.
11. Upon request of the CITY the AGENCY must adopt a Drug-Free Workplace Policy in accordance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 701).
12. The CITY is in no way responsible for the administration and supervision of the AGENCY'S officers, employees, partners, and agents, which persons it is agreed are not officers, employees, or agents of the CITY.
13. The Agreement may only be amended by written amendments mutually agreed upon by and between the CITY and the AGENCY.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their name by their duly authorized officers, their seals to be hereto affixed the day and year first above written.

ATTEST:

CITY OF HENDERSONVILLE

Tammie K. Drake 06-17-19  
CITY CLERK, Tammie K. Drake Date

Barbara G. Volk 6-17-19  
BY: BARBARA G. VOLK Date  
Mayor, City Council

Steve Wyatt 6/3/19  
BY: PRINTED NAME Date  
Authorized Agency Official

[Signature] 6/3/19  
BY: AUTHORIZED SIGNATURE Date  
Authorized Agency Official

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

[Signature] 6/17/19  
CITY Finance Director, John Buchanan Date



## City of Hendersonville

### Request for Special Appropriations FY19-20

Contact: Adam Murr, 828-233-2879, [amurr@hvlnc.gov](mailto:amurr@hvlnc.gov), City Hall Rm. 223

[Submit forms by February 22, 2019]

Organization's Name: Henderson County Planning Department

Address: 100 N. King Street

City, State, ZIP: Hendersonville, NC 28792

Website address: hcplanning.gov and applecountrytransit.com

#### A. GENERAL INFORMATION

1. Program Name: Apple Country Public Transit

2. Contact Person/Title: Janna Peterson, Planner III/Transportation Planner or Autumn Radcliff, Planning Director

Telephone Number: 828-694-6557 or 828-694-6558

E-mail address: jpeterson@hendersoncountync.gov & aradcliff@hendersoncountync.gov

3. Total number of individuals served in the last complete fiscal year by this program: 76,541

4. Total number of the above individuals who are City residents: approximately 52,813

Please attach any documentation that supports this number.

Percent of people served who are City residents: approximately 69%

5. Amount of Request: \$ 132,409      6. Total Program Budget: \$1,057,322

Percent of total program budget you are requesting from Hendersonville: 12.5%

7. Please state the mission of your agency: To provide a safe and affordable transportation alternative for the citizens of Hendersonville, Fletcher, Laurel Park and Henderson County.

8. Will the funding be used to:

Maintain an existing program       Expand an Existing Program       Start a new program

9. Has your organization received funds from the City in the past for this or a similar program? Yes

If yes, please answer the following:

a. Does the amount of your request represent an increase over your previous appropriation? No

If yes, explain the reason(s) for the increase. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Were any conditions or restrictions placed on the funds by the City Council? No

If yes, describe how those conditions or restrictions have been met. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## B. Program Overview.

**1. Statement of Need:** Identify the issue or need that the program will address (use statistical data to justify the need for the program). To what extent does this need or problem exist in the City of Hendersonville?

Part of Henderson County's mission is to design transit services that meet rising demands of City residents that need alternative transportation. Routes 1 & 2, which are located primarily in Hendersonville, are the most productive of the 3 fixed-routes. The ridership largely uses the service work travel daily, though choice ridership has increased. Paratransit services are available. Although the ridership has decreased in the last FY due to the low unemployment rate, increase in jobs availability, higher number of vehicle ownership and access to alternative transportation services such as carpooling, private transit services, uber and lift.

## 2. Program Summary:

**a. Identify the target/recipients of program services.** Specify the number of City residents your program will serve during the fiscal year and explain the basis upon which this number is calculated. Indicate any eligibility requirements your program has with respect to age, gender, income or residence.

The target ridership goal for FY '20 is 90,000. Using the past six months as a guide, we estimate that 69% of those riders will be City residents. This percentage represents our hope to serve 62,100 City of Hendersonville residents in the upcoming fiscal year. The public transit system is open to anyone who wishes to use it. There are no restrictions.

- b. Identify what is to be accomplished or what change will occur.** (e.g., begin your sentences with "The purpose of the program is to provide ..." and describe the services to be provided.

The purpose of the program is to provide a safe and affordable transportation alternative for the citizens of Hendersonville, Fletcher, Laurel Park and the County. No reduction in service days/hours is proposed for FY 2019. The County plans to replace one additional vehicle in the fleet making all transit fleet vehicles less than 4 years old. The vehicles will offer cleaner emissions, improved energy efficiency, and enhanced passenger comfort. Grants will be leveraged from federal and state sources. Paratransit service will be operated during the same hours as fixed route service, as mandated by the ADA.

**3. Program Funding:**

- a. Identify how City funds, specifically, will be used** (i.e., funds will provide "X" amount of units of service.)

The funds will supplement the Henderson County General Fund and Transit fund balance appropriations which pay local matches for operating and capital grants that Henderson County receives from the Federal Transit Administration and NCDOT. The basic level of transit service for the buses includes approximately 9,180 hours (255 days of service) for fixed route service on 3 routes and approximately 1,850 paratransit service hours, which will be made available during the same hours as the fixed route service. City funds will not be used for direct capital costs but only for the capital cost of contracting for operations. City funds are used to offset 50% of the local match costs for the services provided to City residents based on historical data. Please see the attached presentation for additional information.

**b. List the other agencies to whom you are submitting a request for funds for this program and the amount requested. How would this program be modified should revenues be lost?**

Henderson County is also submitting requests to:

The Federal Transit Administration in the amount of \$251,454.

The North Carolina Department of Transportation in the amount of \$160,000.

The Town of Fletcher in the amount of \$8,514.

The Town of Laurel Park in the amount of \$3,167.

The requested funds from the Town of Fletcher and Town of Laurel Park are proposed to offset 50% of the local match costs for the services provided to these Towns' residents based on historical data. At this point, if the revenue sources are not received, transit service operations may be scaled back.

**C. Organizational Capacity.**

1. Describe your agency's capability to provide the program including its history, previous experience providing this service, management structure and staff expertise.

The transit program has been in service since the early 1980's. The program was solely operated by WCCA in 2006. WCCA remains the contracted provider of the service; however, administration of the program was taken over by the County in 2006 when the Hendersonville area became an "urbanized area" and a local government organization (Henderson County agreed) was required to be the federal funding recipient. Continued improvements have resulted in continual increasing ridership. The transit system operations are staffed by WCCA with oversight by the Henderson County Planning Department. The County employs a Transportation Planner to manage federal and state grants, the operating budget, and service improvements/projects.

2. Does your organization have a strategic plan and a strategic planning process in place? No

The strategic plan should include a mission statement, goals, action steps to achieve the goals, and measures that assess the accomplishments of the goals. The Strategic Plan must be provided to the City upon request.

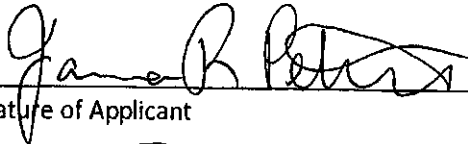
3. What is the authorized size of your board of directors? 5

How many meetings were held by the board last year? 26

4. Does your organization have an audit performed? Yes

The audit must be provided to the City upon request.

We, the undersigned, confirm the information contained herein is accurate and can be verified as such.  
We understand and agree if the request funds are approved the disbursement of funds are subject to all conditions established by the City Council.



Signature of Applicant

2/21/19

Date

Ganna Peterson, Planner III

Typed Name and Title



**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



Department: Register of Deeds

*Please make the following line-item transfers:*

What expense line-item is to be increased?

| Account              | Line-Item Description        | Amount          |
|----------------------|------------------------------|-----------------|
| <u>115418-538100</u> | <u>Professional Services</u> | <u>\$25,000</u> |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |
|                      |                              |                 |

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

| Account              | Line-Item Description                   | Amount          |
|----------------------|---|-----------------|
| <u>114990-401002</u> | <u>Fund Balance Approp-ROD Restrict</u> | <u>\$25,000</u> |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |
|                      |   |                 |

**Justification:** *Please provide a brief justification for this line-item transfer request.*  
 Move shelving units from Library to Courthouse for the Register of Deeds. Approved by BOC 6/3/2019.

|                               |          |   |
|-------------------------------|----------|---|
| Budget                        | 6/3/2019 | <p align="center"><b>For Budget Use Only</b></p> <p>Batch # _____</p> <p>BA # _____</p> <p>Batch Date _____</p> |
| Authorized by Department Head | Date     |   |
| Authorized by Budget Office   | Date     |   |
| Authorized by County Manager  | Date     |   |

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



Department: Capital Reserve Fund/School Capital Project Fund

Please make the following line-item transfers:

What expense line-item is to be increased?

| Account                   | Line-Item Description                       | Amount           |
|---------------------------|---|------------------|
| <u>215400-598043</u>      | <u>TRANSFER TO SCHOOLS CAP PROJECT FUND</u> | <u>\$250,850</u> |
| <u>435691-539000-1905</u> | <u>CONTRACTED SERVICES</u>                  | <u>\$250,850</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>\$250,850</u> |
| <u>434691-402100-1905</u> | <u>TRANSFER FROM CAPITAL RESERVE</u> | <u>\$250,850</u> |
| _____                     | _____                                | _____            |
| _____                     | _____                                | _____            |
| _____                     | _____                                | _____            |
| _____                     | _____                                | _____            |

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

TO TRANSFER FUNDS FOR ENGINEERING FEES RELATED TO HCPS HVAC UPGRADES FOR FLAT ROCK AND RUGBY MIDDLE SCHOOLS.

Budget

6/3/2019

Authorized by Department Head

Date

Authorized by Budget Office

Date

Authorized by County Manager

Date

*For Budget Use Only*

Batch # \_\_\_\_\_

BA # \_\_\_\_\_

Batch Date \_\_\_\_\_



# CUSTOMER RESPONSIBILITY CHECKLIST ADDENDUM

## Options for Managing Rock Encountered

As a customer/developer requesting Duke Energy (Duke) to install underground electrical facilities, I understand that the Duke Energy Line Extension Plan on file with the Public Utility Commission (copy available upon request) provides:

- that Duke shall have unimpeded access to install underground electrical facilities and
- that the requester shall pay for actual additional costs to the Duke caused by any above or below ground obstacles, including rock, terrain, presence of other utility lines, etc., that may be encountered

As the customer/developer of 1299 OLD HWY 25, ZIRCONIA NC I have reviewed the options below and have indicated the option that I prefer for my project by initialing in the space provided and signing the bottom of this form.

Option #1:

Duke's contractor will remove any rock encountered while installing underground electrical facilities and Duke will bill me at established rates as shown on the Customer Responsibility Checklist for rock removal and/or providing/placing clean backfill material as needed.

Option #2:

If any rock is encountered by Duke's contractor while installing underground electrical facilities, I will expect to be contacted at that time and be given the option of whether to have the rock removed by myself or to allow Duke's contractor to continue work and bill me at the established rates as shown on the Customer Responsibility Checklist. I understand and I agree to pay for any crew standby or job pull-off time involved while I'm being contacted for a decision and/or having the rock removed

Option #3:

Based on prior knowledge of rock conditions in my area/development, I agree to excavate any rock along the proposed electrical cable route prior to Duke's contractor commencing work on the project.

- I understand that Duke will provide me with a cable route layout for my use in determining where I will need to pre-prepare the cable route. In order for Duke to provide this layout, I understand that I must provide all required site plans and information for Duke's facilities design to the Duke representative at a minimum of 4 weeks prior.
- Where rock is excavated, I am responsible for backfilling the ditch with clean, backfill and compacting the ditch line to a degree that Duke's contractor may trench back through the route for normal cable installation without the trench walls collapsing.
- I understand that if my backfill does not meet Duke's requirements for proper cushioning of the cable, I may be charged for providing/placing clean backfill at established rates as shown on the Customer Responsibility Checklist.
- I understand that if my lack of compaction causes Duke's contractor to spend extra time in trenching, I may be charged for the extra costs incurred above what normal trenching would have cost.
- I understand that in choosing this option, I am taking full responsibility for an unimpeded cable route for Duke. Should rock be encountered by Duke's contractor, they will remove the necessary rock and bill me at the established rates as shown on the Customer Responsibility Checklist for rock removal and/or providing/placing clean backfill material as needed

X Daf Hankus \_\_\_\_\_ 6/3/19  
Customer/Developer Date

[Signature] \_\_\_\_\_ 2/18/19  
Duke Energy Representative Phone Number Date

PLEASE INITIAL BESIDE THE OPTION YOU SELECT ABOVE, SIGN AND DATE

**Electric Service Installation Provisions**

**HENDERSON COUNTY**

WO# **31687291**

(Internal Use Only)

I, \_\_\_\_\_, have requested that Duke Energy install above ground or underground electric service conductors at my home/business located at : **1299 OLD HWY 25 ZIRCONIA** following checked provisions:

In making this request, I agree to the

1.  While Duke Energy is responsible for locating publicly owned underground utility lines (telephone, CATV, gas) I am responsible for identifying for Duke Energy or its agent the correct location of all privately-owned underground objects that might be damaged by or cause damage to Duke Energy's equipment or its contractor's equipment in the process of installation. Underground objects include, but are not limited to: septic tanks, drain lines, drain fields, designated repair areas, water lines, irrigation lines and electrical lines not owned by Duke Energy or other publicly owned utilities.
2.  Once I have physically marked the privately-owned underground objects, within + or - 24 inches, using paint, flags, or stakes, Duke Energy or its contractor will assume responsibility for avoiding damage to said objects.
3.  I assume full responsibility for any damage to privately-owned underground objects caused by my failure to notify or incorrectly notify Duke Energy of the location of the underground objects.
4.  Duke Energy or its contractor will assume responsibility for performing said installation in a professional manner by avoiding damage to obvious above ground objects such as curbs, gutters, shrubbery, sidewalks, and buildings.
5.  I understand the specific route of the proposed above ground or underground conductors and location of poles and/or apparatus as described by the Duke Energy representative.
6.  In the course of installing underground lines and equipment in areas with landscape trees, there is the probability of some root damage and I will not hold Duke Energy or its contractor responsible for damage to or the health of any trees.
7.  Equipment tracks and ground disturbance will result from the use of equipment necessary for the installation of above ground or underground facilities.
8.  Duke Energy or its contractor will not be responsible for providing non-standard erosion control measures, reseeding lawns or replacing gravel in the area(s) disturbed due to the installation of poles, apparatus (such as transformers or pedestals) or underground facilities.
9.  I understand that I am responsible for complying with any state or federal requirements related to stormwater discharge including any site stabilization measures.
10.  I may be required to pay a contribution in aid of construction if rock or other adverse conditions are encountered. Refer to the Line Extension Plan (copy available upon request). Costs associated with lighting installations may vary from those listed below or could potentially be less if your project involves joint installation with other utilities. These conditions include, but are not limited to, the following examples (applicable sales tax not included):

**Examples of Charges**

|  |                               |
|--|-------------------------------|
| Trench Rock, Non-blast                                   | <b>Unit Cost</b>              |
| Place clean sand/clay backfill in a standard trench      | \$ 41.73 per cubic foot       |
| Provide clean sand/clay backfill from on-site or offsite | \$ 3.04 per linear foot       |
| Provide conduit in trench                                | \$ Actual Cost plus 15%       |
| Punching under roads/driveways/sidewalk                  | \$ 5.15 per linear foot       |
| Mechanical tamping to avoid settling of trench           | \$ 23.38 per linear foot      |
| Rock hole pole   | \$ 2.72 per linear foot       |
| Rock hole anchor   | \$ 347.67 per pole            |
| Crew delay due to customer or site conditions            | \$ 347.25 per anchor          |
| Engineering costs  | \$ 94.56 per hour (\$125 min) |
| Other: _____   | \$ 65.00 per hour             |
|  | \$ _____                      |

11. \_\_\_\_\_ To meet National Electric Safety Codes, work site grading, and landscaping must be \_\_\_\_\_ at final grade or \_\_\_\_\_ within 6 inches of final grade (Duke Representative to initial appropriate item) before installation of underground facilities. Refer to the Line Extension Plan (copy available upon request).
12.  I understand that I may be responsible for any additional costs incurred by Duke due to Duke's inability to perform work on schedule as a result of my failure to have the site ready or remain ready until all work has been completed (\$125 minimum charge).
13. \_\_\_\_\_ I have requested that Duke Energy install underground facilities on the property listed above. In making this request, I agree to be the single point of contact for Duke Energy and agree that I may be financially responsible to Duke Energy for any damage to Duke Energy's equipment that is caused by a contractor retained by me who is uninsured or otherwise does not have the financial ability to pay for said damages.
14. \_\_\_\_\_ I have provided Duke Energy with the correct load information to size the electrical facilities required by this request for service. I understand that there may be charges if the actual load requires Duke Energy to alter electrical facilities installed for this request for service.
15.  I assume full responsibility to determine if any lighting ordinances or restrictions that would prohibit the installation of the service requested.
16.  I agree to allow Duke Energy or its contractor to drive vehicles/equipment on my concrete drive or walkway and I will not hold Duke Energy or its contractor responsible for damage to my concrete drive or walkway.
17.  Duke Energy or its contractor will not be responsible for providing remediation or environmental control measures for preexisting environmental hazards or contaminants discovered during the installation of poles, apparatus (such as transformers or pedestals) or underground facilities.
18.  These provisions have been explained to me and I have received a copy of this document.

Owner/Customer Signature: *Bob Hankins*  
 Duke Energy Representative: *Beth Ad.* Phone Number: *828 698 2087* Fax Number: \_\_\_\_\_

Date: *6/3/19*  
 Date: *2/18/19*

**Basic Luminaires :**

| Description                         | Existing Pole |        | New Pole w/OH  |                | New Pole w/UG |                |
|-------------------------------------|---------------|--------|----------------|----------------|---------------|----------------|
|                                     | Rate          | #Units | Rate           | #Units         | Rate          | #Units         |
| 130W, 15000 Lumens ,LED, Floodlight | \$18.24       | 1      | \$25.84        | 1              | \$30.38       | 0              |
|                                     |               |        | Monthly Charge | Monthly Charge |               | Monthly Charge |
|                                     |               |        | \$18.24        | \$25.84        | \$30.38       | \$0.00         |

**Additional One Time Payment Total Amount:**

**One Time Payment Tax:**

**Additional Monthly Payment Total Amount:**

**Total Cost (Initial Term plus One Time Payment Charges)**

**Are any old facilities to be removed ?**

\$0.00

\$0.00

\$0.00

\$1,586.88

No

ACCOUNT NAME

Henderson County Government

SERVICE ADDRESS

1299 Old Highway 25, Zirconia, NC

Account Number

Duke Energy Carolinas LLC

NC Service Agreement - Outdoor Lighting

Duke Energy Corporation - Electronic Form Repository  
Electric Distribution form for North Carolina Only

Customer Name  
Service Address  
Mailing Address

Henderson County Government  
1299 Old Highway 25, Zirconia, NC

Project Name

Duke Energy Carolinas LLC, Employee  
Contractor working for Duke Energy Carolinas, LLC

*Betty Aldridge*

Service Requested By

Jason Kligore

Date

3/6/19

Title

Phone

\* Total Monthly Charges

One Time Payment (Incl. tax)

\$44.08

\$0.00

Total Cost (Initial Term plus One Time Payment Charges)

\$1,586.88

\*Subject to change per KWH as shown on effective rate schedule

This agreement, when signed by the Customer and by an authorized representative of Duke Energy Carolinas LLC ("Duke"), will be a contract under which Duke agrees to furnish the outdoor lighting service indicated below to the Customer and the Customer agrees to pay for the service in accordance with the terms of Rate Schedule -OL and Duke's Service Regulations on file with the North Carolina Utilities Commission, and on file in Duke's offices, (AS THE RATE SCHEDULE AND SERVICE REGULATIONS MAY BE MODIFIED FROM TIME TO TIME) which Rate Schedule and Service Regulations are hereby incorporated as part of this agreement

Duke will provide the outdoor lighting service indicated below, but if the service is wholly or partially interrupted or suspended or fails because lamps burn out or are broken, because of any cause beyond Duke's reasonable control or because Duke needs to suspend the service for the purpose of inspecting or making repairs or alterations to its lines or other equipment, then Duke shall not be obligated to provide the service during any such interruption, suspension or failure, and Duke shall not be liable for any damage or loss resulting therefrom. Duke will replace burned out lamps and otherwise maintain the fixture during regular daytime working hours as soon as practical following notification by the Customer of such problems.

It is further agreed that Duke reserves the right to discontinue service and remove the fixtures from the Customer's premises if the Customer violates any of the terms of the Service Regulations, Rate Schedule or this Agreement. The initial term of this Agreement shall be 3 Years, and thereafter it shall continue until terminated by either party giving 30 days' written notice to the other party. IN THE EVENT OF TERMINATION DURING THE INITIAL TERM OF THIS AGREEMENT, THE CUSTOMER AGREES TO PAY DUKE 40% OF THE TOTAL MONTHLY CHARGE FOR THE NUMBER OF MONTHS REMAINING IN THE INITIAL TERM.

Customer Signature :  
Special Instructions :

*Wesley Hankins*

Date

6/3/2019

Work Request Number : 31687291

SA ID : 20190306101139709

**2019 - 2020  
Henderson County  
NC DPS - Community Programs - County Funding Plan**

Available Funds: \$ 199,188 Local Match: \$ 67,970 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NCALLIES and electronically signed by authorized officials.

| #              | Program Provider                      | DPS-JCPC Funding | LOCAL FUNDING     |                  |                 | OTHER State/Federal | OTHER Funds      | Total      | % Non DPS-JCPC Program Revenues |
|----------------|---------------------------------------|------------------|-------------------|------------------|-----------------|---------------------|------------------|------------|---------------------------------|
|                |                                       |                  | County Cash Match | Local Cash Match | Local In-Kind   |                     |                  |            |                                 |
| 1              | JCPC Administration                   | \$5,136          |                   |                  |                 |                     | \$5,136          |            |                                 |
| 2              | Boys & Girls Club of Henderson County | \$32,400         | \$2,160           | \$7,560          |                 |                     | \$42,120         | 23%        |                                 |
| 3              | Kids At Work!                         | \$48,285         |                   | \$5,000          | \$19,240        |                     | \$72,525         | 33%        |                                 |
| 4              | Project Challenge                     | \$70,870         |                   |                  | \$21,261        |                     | \$92,131         | 23%        |                                 |
| 5              | The Mediation Center                  | \$42,497         | \$6,953           |                  | \$5,796         |                     | \$55,246         | 23%        |                                 |
| 6              |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 7              |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 8              |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 9              |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 10             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 11             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 12             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 13             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 14             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 15             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 16             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 17             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| 18             |                                       |                  |                   |                  |                 |                     |                  |            |                                 |
| <b>TOTALS:</b> |                                       | <b>\$199,188</b> | <b>\$9,113</b>    | <b>\$12,560</b>  | <b>\$46,297</b> |                     | <b>\$267,158</b> | <b>25%</b> |                                 |

The above plan was derived through a planning process by the 2019 - 2020 Henderson County  
 Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2019 - 2020

Amount of Unallocated Funds \_\_\_\_\_

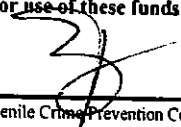
Amount of funds reverted back to DPS \_\_\_\_\_

Discretionary Funds added \_\_\_\_\_

check type  final plan  update  final

---DPS Use Only---

Reviewed by \_\_\_\_\_  
 Reviewed by \_\_\_\_\_  
 Verified by \_\_\_\_\_  
Designated State Finance Officer

  
 Chairperson, Juvenile Crime Prevention Council 4/25/19  
 (Date)

  
 Chairperson, Board of County Commissioners 6/3/19  
 or County Finance Officer (Date)

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

INTERLOCAL AGREEMENT FOR TAX COLLECTION

THIS INTERLOCAL AGREEMENT is made and entered into this the 3<sup>rd</sup> day of JUNE 2019, and effective as of the 1<sup>st</sup> day of July 2019, by and between HENDERSON COUNTY, hereinafter the "County" and the TOWN OF LAUREL PARK, hereinafter the "TOWN", and collectively referred to as the "Parties".

WITNESSETH:

WHEREAS, the County and TOWN have determined that it is in the public benefit and interest to enter into an Interlocal Agreement for Tax Collection; and

WHEREAS, the Parties have agreed that the negotiated payment set forth herein is in the best interests of their citizens; and

WHEREAS, the North Carolina General Statutes in Chapter 160A, Article 20, provide that units of local government may enter into agreements in order to execute an undertaking providing for the continual exercise by one unit of any power, function or right, including the collection of taxes; and

WHEREAS, the TOWN and County agree this Interlocal Agreement shall continue for five (5) years, from July 1, 2019 to June 30, 2024, unless terminated pursuant to the terms herein; and

WHEREAS, the governing bodies of the TOWN and County have ratified this Interlocal Agreement by Resolutions being recorded in their respective minutes; and

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained in this Interlocal Agreement herein accruing to the benefit of each of the respective parties hereto and other good and valuable consideration, receipt and sufficiency of which is acknowledged by the TOWN and County, the parties agree as follows:

1. County Billing and Collection of TOWN Taxes

- a) The County shall provide collection of current and future municipal ad valorem property taxes. Collection of delinquent taxes existing as of the date hereof shall be the responsibility of the TOWN except as stated below. The TOWN shall within thirty (30) days of the date hereof provide the County with a list of all such delinquent taxes owed, and delinquent taxpayers, as of the date hereof.
- b) Notwithstanding, no TOWN tax bill in an amount less than Five Dollars (\$5.00) shall be issued.
- c) The TOWN shall appoint the County's Tax Collector as the TOWN's Tax Collector, and the County's Delinquent Tax Collector as the TOWN's Delinquent Tax Collector.



2. Term of Agreement: This Interlocal Agreement shall continue until terminated pursuant to the terms herein.

3. Compliance

The County will comply with all applicable tax collection laws of North Carolina, including those contained in Subchapter II of Chapter 105 of the General Statutes of North Carolina, and all administrative mandates issued by the State of North Carolina.

4. Records and Accounts and Operations

- a) The County shall be responsible for maintaining, in an on-line environment, all ad valorem tax records, including amounts paid and unpaid, in the same manner as County records are maintained.
- b) The TOWN will provide the County with all necessary information for transfer for all funds due the TOWN, the County will properly account and distribute such funds by check or other mutually agreed upon method monthly and notify the TOWN Finance Director by the 15<sup>th</sup> of each month on amounts to be transferred.
- c) The County shall provide the TOWN with all necessary and required reports in such format and detail to enable the TOWN to prepare and record the necessary financial transactions. Such reports shall be mutually agreed upon by the TOWN and County Finance Directors.
- d) The County will provide the TOWN with information sufficient to complete all required reports to outside agencies, including the TR-2 report and reports necessary for the TOWN's financial statements. The TOWN shall be responsible for the completion of all reporting involving property tax.
- e) The County shall provide the TOWN's External Auditors, during regular business hours, access to the TOWN Tax Receivables' daily cash transactions and other records pertaining thereto to the fullest extent practicable.
- f) The TOWN shall provide the County Tax Collection Office with access, to the extent legally allowable, into any of the TOWN's records systems that the TOWN deems to be beneficial in the collection of TOWN taxes.
- g) The TOWN agrees to appoint and maintain one of its employees as a Deputy Tax Collector to act on behalf of the TOWN in presenting certain matters to the TOWN Council.
- h) The County shall promptly provide the TOWN with requests for releases or refunds when received, together with reasonable information needed to make a determination on requests for releases or refunds. The TOWN shall, at its next regular TOWN Council meeting occurring at least ten (10) days after the receipt of the request and information, place the matter before the TOWN Council for determination as to whether to grant the release or refund of TOWN taxes.

## 5. Pro Rata Payments

- Unless the taxpayer specifies otherwise, the County shall distribute payments received from TOWN taxpayers of less than the total amount owed on TOWN and County taxes on a proportionate basis between taxes owed the County and the TOWN, after all costs, interest and penalties are first paid.

## 6. Costs for Billing and Collections

The County shall incur all costs for preparing, printing, billing and collecting the TOWN tax bills, including follow-up notices.

With respect to the cost for collection actions taken by the County, for example advertising costs, attorney's fees and garnishment fees where such costs are not paid directly by the taxpayer involved, the County shall split the costs on a proportionate basis between taxes owed the County and the TOWN.

When agreed upon by both the County and TOWN, joint advertisement, including the advertisement of tax liens for both the County and the TOWN, is permissible.

## 7. Foreclosures

- a) The County shall be responsible for determining the time for commencing all tax foreclosure proceedings (except for those regarding any foreclosure proceedings instituted by the TOWN on TOWN taxes delinquent as of the date of this agreement). The TOWN hereby delegates this decision to the County. The County shall give the TOWN notice of the institution of any foreclosure action at least thirty days prior to filing in cases where there are delinquent taxes owed the TOWN as of the date hereof.
- b) The County shall send a joint notice as required by N.C. Gen. Stat. S 105-375(c) and shall consolidate the tax liens of the County and the TOWN for the purpose of docketing a judgment on such liens as contemplated by N.C. Gen. Stat. S 105375(k). Following entry of a judgment, an execution shall be issued to enforce such judgment.
- c) All expenses directly related to compliance with the procedural and substantive requirements of N.C. Gen. Stat. U 05-375, including but not limited to notice, docketing the judgment and execution on such judgment, shall be advanced by the County, and reimbursed to the County from the proceeds of any foreclosure sale prior to payment to the TOWN and County of taxes recovered.
- d) The parties shall agree in advance of the sale upon a "maximum joint bid" for each execution sale of property to enforce a judgment entered as provided herein above, which bid will be entered on behalf of both parties. The "maximum joint bid" shall be the sum of all taxes, interest, penalties and applicable costs of enforcement, collection and sale owed to both jurisdictions. The parties further agree that if third parties bid at such execution sale, they will bid up to the "maximum joint bid", such that no third party will purchase the property for less than the "maximum joint bid". If the parties are the highest

bidder at any sale, they shall each contribute to the purchase price a pro rata amount of the whole, determined by the amount of ad valorem taxes owed to each of them for the respective tax year on the subject real property in relation to the total amount of ad valorem taxes owed to both parties.

- e) If the parties acquire title to real property following an execution sale as contemplated in this Agreement, they shall take title as tenants in common with each party owning a fractional interest of the whole that is equal to the same fraction as their contribution to the purchase price.

8. Payment to County

The fee for collection services for each fiscal year shall be a flat amount of 0.5% (equivalent to one half of one percent of the then-current Fiscal Year collections). Payment shall be accomplished by the County withholding the fee when remitting the monthly collection to the TOWN.

9. Termination

This Interlocal Agreement may be terminated by either party by providing six (6) months' notice prior to the start of the next fiscal year. Upon notice of termination of the Interlocal Agreement, the County shall deliver to the TOWN all tax records, in a customary electronic data format, or in whatever form held in its hands, pertaining to its listing, billing and collecting, consistency of the tax bills, tax scrolls and other related records by February 1<sup>st</sup> of the fiscal year in which the termination shall be effective. The County shall continue to collect current and delinquent taxes through June 30<sup>th</sup> of the fiscal year in which the termination shall be effective. Upon termination of the Interlocal Agreement, the County shall provide a full accounting to the TOWN of the status of all tax collections. After June 30<sup>th</sup> of the fiscal year in which the termination becomes effective, the County shall not be further obligated either as to current or delinquent taxes due to the TOWN.

10. Entire Agreement

This Interlocal Agreement, including all exhibits or attachments if any, sets forth the entire Agreement between the Parties regarding the services and matters set forth herein. All prior conversations or writings between the Parties hereto or their representatives on this subject matter are merged within and extinguished. This Interlocal Agreement shall not be modified or amended except by a written instrument executed by duly authorized representatives of the Parties herein.

11. Notice

Notice under this Interlocal Agreement shall be deemed sufficient upon the mailing to the parties by certified or registered mail at the following locations:

County of Henderson  
c/o Charles Russell Burrell  
1 Historic Courthouse Square, Suite 5  
Hendersonville, NC 28792

TOWN OF LAUREL PARK  
c/o Kimberly B. Hensley  
441 White Pine Drive  
Laurel Park, NC 28739

IN WITNESS WHEREOF, each party has caused this Agreement to be duly executed on the day and year first above written and if corporate, by their duly authorized representative.

HENDERSON COUNTY

By: SE Wyatt  
Steve Wyatt, County Manager

TOWN OF LAUREL PARK

By: Michael J. Morgan

PRE-AUDIT CERTIFICATION

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act N.C.G.S. 159-28(a).

By: Samantha Reynolds  
Samantha Reynolds  
Henderson County Finance Director

Date: 6-4-2019