

DURING THE JUNE 1, 2020 REGULAR MEETING, THE BOARD ENACTED THE FOLLOWING

2020.45 Pending Releases and Refunds

2020.46 Hazard Mitigation Plan Approval – Resolution

2020.47 Budget Amendment – Mobile Command Center

2020.48 FY 2021 Budget Ordinance

Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

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

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

Thursday, May 21, 2020

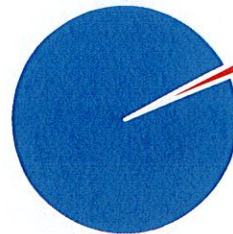
Re: Tax Collector's Report to Commissioners - Meeting Date June 1, 2020

Please find outlined below collections information through May 20, 2020 for 2019 real and personal property bills mailed on August 1, 2019. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2019 Beginning Charge: \$84,275,773.18
Discoveries & Imm. Irreg.: \$1,255,978.67
Releases & Refunds: **(\$1,009,764.44)**
Net Charge: \$84,521,987.41
Unpaid Taxes: \$1,305,811.50
Amount Collected: \$83,216,175.91

Paid
98.46%



Unpaid
1.54%

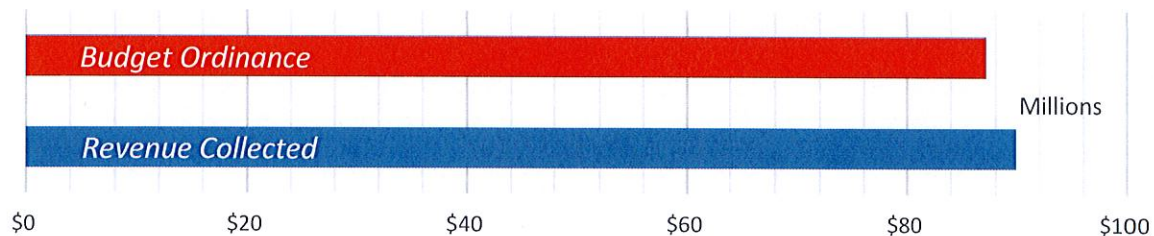
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge: \$5,781,293.98
Unpaid Taxes: \$14,887.22
Amount Collected: \$5,766,406.76

99.74%

Henderson County FY20 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$86,093,532.00	\$88,982,582.67
Prior Years:	\$1,035,000.00	\$923,308.56
Budget Total:	\$87,128,532.00	YTD Revenue: \$89,905,891.23



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

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CHARLES D. MESSER
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June 1, 2020

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

Dear Mrs. Burgess:

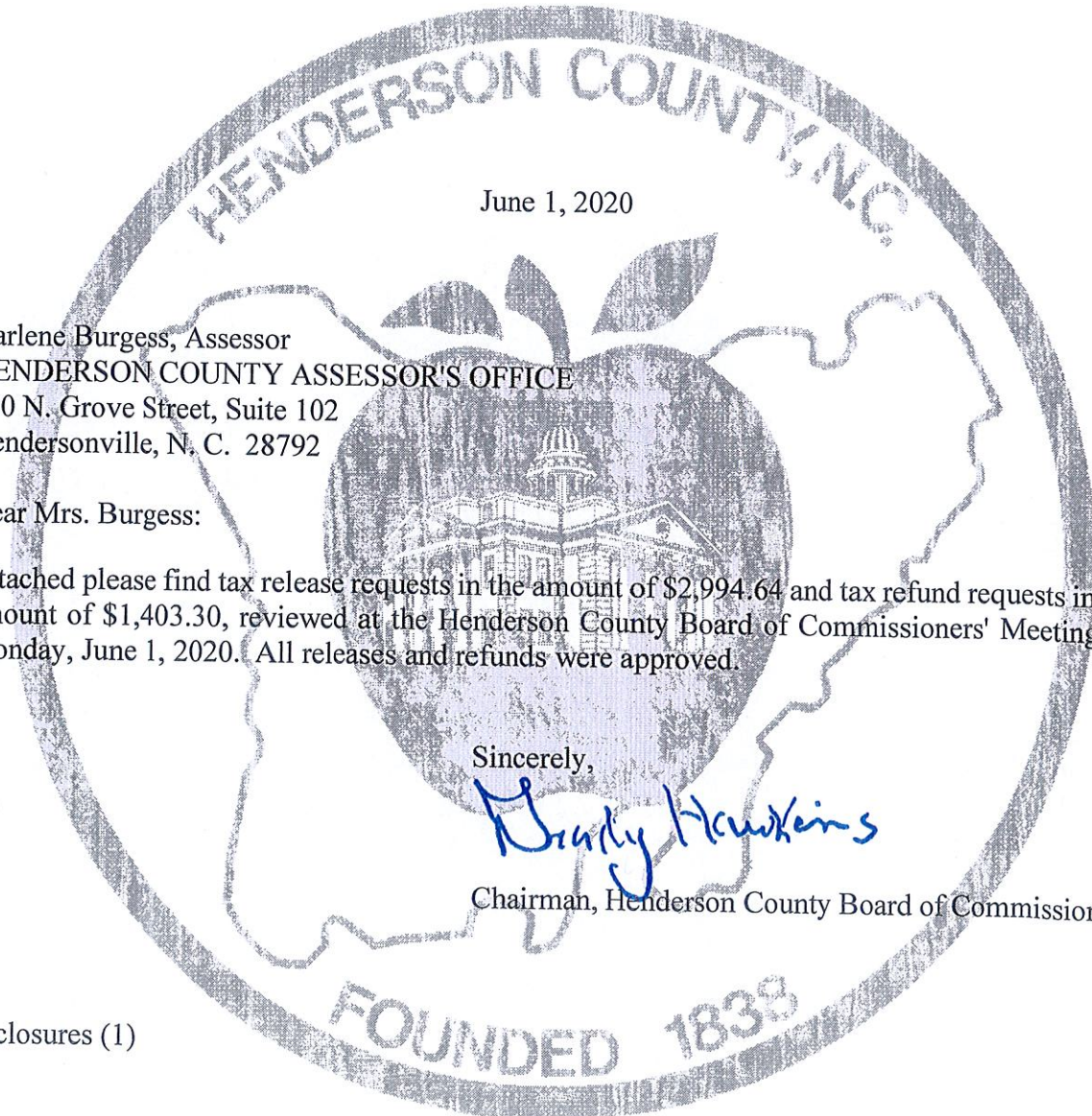
Attached please find tax release requests in the amount of \$2,994.64 and tax refund requests in the amount of \$1,403.30, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, June 1, 2020. All releases and refunds were approved.

Sincerely,



Chairman, Henderson County Board of Commissioners

Enclosures (1)



REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF
COMMISSIONERS**

MEETING DATE: June 1, 2020
SUBJECT: Pending Releases & Refunds
PRESENTER: Darlene Burgess, Tax Administrator
ATTACHMENT: Yes
1. Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

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

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 2,994.64
Total Refunds as a Result of the Above Releases	\$ 1,403.30

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. Tuesday, May 19, 2020*

OWNER	ABSTRACT	NOTE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
PALUMBO, DAVE	0003093915-2018-2018-0000	RECREATIONAL VEHICLE IS NOT PERMANENTLY LOCATED IN HENDERSON COUNTY. ABSTRACT VOIDED FOR 2018.	7082	RIONES	15 LAZY BOY LN C-12 HENDERSONVILLE NC 28792	COUNTY	TAX	\$132.49	\$0.00	\$132.49	\$0.00
							LATE LIST FEE	\$13.25	\$0.00	\$13.25	\$0.00
							TOTAL:			\$145.74	\$0.00
							TAX	\$30.49	\$0.00	\$30.49	\$0.00
							LATE LIST FEE	\$3.05	\$0.00	\$3.05	\$0.00
TOTAL:			\$33.54	\$0.00							
ABSTRACT TOTAL:							\$179.28		\$179.28	\$0.00	
	0003093915-2019-2019-0000	RECREATIONAL VEHICLE IS NOT PERMANENTLY LOCATED IN HENDERSON COUNTY. ABSTRACT VOIDED FOR 2019.	7081	RIONES	15 LAZY BOY LN HENDERSONVILLE NC 28792	COUNTY	TAX	\$131.55	\$131.55	\$131.55	\$131.55
							LATE LIST FEE	\$13.16	\$13.16	\$13.16	\$13.16
							TOTAL:			\$144.71	\$144.71
							TAX	\$32.83	\$32.83	\$32.83	\$32.83
							LATE LIST FEE	\$3.28	\$3.28	\$3.28	\$3.28
TOTAL:			\$36.11	\$36.11							
ABSTRACT TOTAL:							\$180.82		\$180.82	\$180.82	
SPEARMAN, JOE D SR	0000647629-2010-2010-0000	VALUE CORRECTED DUE TO ERROR.	7079	WCRUMPLER	0 NO ADDRESS ASSIGNED UNINCORPORATED	COUNTY	TAX	\$1,442.83	\$0.00	\$1,331.02	\$0.00
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							TOTAL:			\$1,331.02	\$0.00
							TAX	\$234.23	\$0.00	\$234.23	\$0.00
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL:			\$0.00	\$0.00							
ABSTRACT TOTAL:							\$1,547.10		\$1,547.10	\$0.00	
YOUNGBLOOD, DANIEL P	0002858334-2016-2016-0000	PRESENT-USE VALUE STATUS WAS OMITTED FROM THE 2016 TAX BILL IN ERROR. ABSTRACT VOIDED FOR 2016 AND WILL BE REBILLED TO REINSTATE PRESENT-USE VALUE STATUS FOR 2016.	7078	DHILL	248 STAR POINT DR HENDERSONVILLE NC 28792	COUNTY	TAX	\$202.27	\$202.27	\$202.27	\$202.27
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							TOTAL:			\$202.27	\$202.27
							TAX	\$37.59	\$37.59	\$37.59	\$37.59
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL:			\$0.00	\$0.00							
ABSTRACT TOTAL:							\$239.86		\$239.86	\$239.86	
	0002858334-2017-2017-0000	PRESENT-USE VALUE STATUS WAS OMITTED FROM THE 2017 TAX BILL IN ERROR. ABSTRACT VOIDED FOR 2017 AND WILL BE REBILLED TO REINSTATE PRESENT-USE VALUE STATUS FOR 2017.	7077	DHILL	248 STAR POINT DR HENDERSONVILLE NC 28792	COUNTY	TAX	\$202.27	\$202.27	\$202.27	\$202.27
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							TOTAL:			\$202.27	\$202.27
							TAX	\$37.59	\$37.59	\$37.59	\$37.59
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL:			\$0.00	\$0.00							
ABSTRACT TOTAL:							\$239.86		\$239.86	\$239.86	
	0002858334-2018-2018-0000	PRESENT-USE VALUE STATUS WAS OMITTED FROM THE 2018 TAX BILL IN ERROR. ABSTRACT VOIDED FOR 2018 AND WILL BE REBILLED TO REINSTATE PRESENT-USE VALUE STATUS FOR 2018.	7076	DHILL	248 STAR POINT DR HENDERSONVILLE NC 28792	COUNTY	TAX	\$202.27	\$202.27	\$202.27	\$202.27
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
							TOTAL:			\$202.27	\$202.27
							TAX	\$46.54	\$46.54	\$46.54	\$46.54
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL:			\$0.00	\$0.00							
ABSTRACT TOTAL:							\$248.81		\$248.81	\$248.81	

NCPTS Pending Release/Refund Report. Tuesday, May 19, 2020*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
	0002858334-2019-2019-0000	PRESENT-USE VALUE STATUS WAS OMITTED FROM THE 2019 TAX BILL IN ERROR. ABSTRACT VOIDED FOR 2019 AND WILL BE REBILLED TO REINSTATE PRESENT-USE VALUE STATUS FOR 2019.	(\$51,200)	7075	DHILL	248 STAR POINT DR HENDERSONVILLE NC 28792	COUNTY	TAX	\$287.23	\$287.23	\$287.23	\$287.23
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$287.23	\$287.23	\$287.23	\$287.23
							DANA FIRE	TAX	\$71.68	\$71.68	\$71.68	\$71.68
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
								TOTAL:	\$71.68	\$71.68	\$71.68	\$71.68
								ABSTRACT	\$358.91	\$358.91	\$358.91	\$358.91
								TOTAL:	\$1,087.44	\$1,087.44	\$1,087.44	\$1,087.44
OWNER TOTAL:									(\$158,600)			
GRAND TOTALS:									(\$493,600)		\$2,994.64	\$1,268.26

*Adjustments submitted for approval on or before

5/21/2020

RE: Terry James and Paula James

Abstract number 47357279

Refund approval for Registered Motor Vehicle

On 4/5/19 Mr. and Mrs. James were charged for City of Hendersonville taxes and fees due to an incorrect situs address. The tag had an expiration date of 6/30/19, and the bill was paid.

A refund of tax in the amount of \$135.04 is due to Mr. and Mrs. James per G.S. 105-381. The Henderson County Assessor's Office requests approval to authorize the refund of tax to be generated. Thank you.

REQUEST FOR RELEASE/REFUND

Henderson County Assessor
200 N. Grove Street, Ste. 102
Hendersonville, NC 28792
Phone (828) 697-4870 • Fax (828) 697-4578
www.hendersoncountync.org/ca

Tax Administrator
Darlene Burgess

INSTRUCTIONS:

- > NC Statutes governing your right to the release or refund of a tax are found in NCGS 105-381.
- > It's important that you fully complete all sections of this form.
- > **Information to support your claim for release or refund of tax is essential. At the time you file your request, please attach any information you believe to be pertinent in supporting your request.**
- > As part of this evaluation, additional information may be requested. You will be notified by the Assessor's Office of a decision within 90 days.

Owner Name(s): Terry Glenn James & Paula Grier James

Mailing Address: 5 E Hill Dr. Hendersonville NC 28792
Street Address/PO Box City State Zip

Physical Address: Same
Physical Location City State Zip

Abstract (Bill) #: NA

Tax Year: 2019-2020

Year for: May 1, 2019 - Apr. 30, 2020

Parcel #: NA

Account: _____

- > **Information to support your claim for release or refund of tax is essential. At the time you file your request, please attach any information you believe to be pertinent in supporting your request.**

Reason for Release/Refund:

Was overcharged \$178.38 during this period. I am a county resident, but for some reason was charged for city taxes (files). This bill was paid without realizing this mistake. I feel I should receive a refund on this matter as it was no mistake of mine.

Owner's Signature: Terry Glenn James Paula Grier James Date: 4/21/20

Daytime Phone: 828-388-1806 Email Address: pgjames@yahoo.com

FOR OFFICE USE ONLY

Date Request Received: _____ Request Processed by: _____ Date: _____

HENDERSON COUNTY BOARD OF COMMISSIONERS

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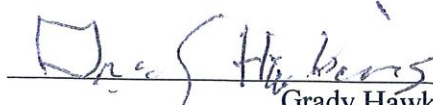
RESOLUTION TO ADOPT THE SOUTH MOUNTAINS REGIONAL HAZARD MITIGATION PLAN

- WHEREAS, Henderson County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and
- WHEREAS, Henderson County desires to seek ways to mitigate situations that may aggravate such circumstances; and
- WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and
- WHEREAS, it is the intent of the Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and
- WHEREAS, it is also the intent of the Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Henderson County; and
- WHEREAS, Henderson County, in coordination with Polk, Rutherford and Transylvania Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;
- WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency are reviewing the South Mountains Regional Hazard Mitigation Plan for legislative compliance and will approve the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Henderson County hereby:

1. Adopts the South Mountains Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on 1st day of June, 2020.


Grady Hawkins, Chair
Henderson County Board of Commissioners

ATTEST:


Teresa Wilson, Clerk

SECTION 9 MITIGATION ACTION PLAN

Henderson County Mitigation Action Plan

Action #	Description	Hazard(s) Addressed	Relative Priority	Funding Sources	Responsible Party	Target Completion Date	2020 Action Implementation Status
P-4	Install stream gauges on major waterways throughout the County to collect data on stream water height and velocity (this will also assist in mitigating erosion hazards).	FL/ER	Low	General Revenue and Grants	County EMA	2025	This will remain an ongoing item based on funding availability.
P-5	Implement scaling as a method of preventative maintenance to reduce the amount of loose debris that could lead to landslides during high precipitation events or seismic events	LS	Moderate	General Revenue and Grants	NCDOT	2025	DOT continues to make improvements in high probability areas along State maintained roads
P-7	Develop a stand-by acquisition grant application that lists properties with a high potential for damage or destruction due to a dam/levee failure.	D	Low	General Revenue and Grants	County EMA	2025	Properties have been identified through the GIS layer development. No funding has been awarded for acquisition, so this will remain an action going forward.
P-8	Develop a stand-by acquisition grant application that lists properties located in multi-hazard areas specifically those properties located near US HWY 74 and NC HWY 9 (Bat Cave) which are prone not only to flash flooding but also to severe landslides.	FL/LS	Low	General Revenue and Grants	County EMA	2025	Properties have been identified; landowners are unwilling to sell at this time. Will continue to pursue this action as possible and as funding is available.
P-9	Educate citizens about safety during flood conditions, including the dangers of driving on flooded roads.	FL	Low	County EMA	General Revenue and Grants	2025	New action

SECTION 9 MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Funding Sources	Responsible Party	Target Completion Date	2020 Action Implementation Status
P-10	Distribute flood protection safety pamphlets or brochures to the owners of flood-prone property.	FL	Low	Planning Dept.	General Revenue and Grants	2020	New action. Continue education initiatives through online and print media
P-11	Join the Community Rating System (CRS) program within the next two years.	FL	Moderate	Flood Damage Prevention Administrator	General Revenue	2021	New Action. Develop and distribute materials in conjunction with EMA and Building Services.
P-12	Seek grant funding for mitigation opportunities eligible under the most current version of the UHMA Guidance and Public Assistance 406 mitigation Guidance at the time of the application. Projects may include, but are not limited to: acquisition, elevation, mitigation reconstruction, and wet/dry flood proofing to commercial and/or residential structures as applicable; redundant power to critical facilities, storm shelters and other activities that reduce the loss of life and property as a result of impacts from natural hazards.	All	Moderate	Federal Grants	Henderson County Emergency Management	As funding becomes available.	New action for the 2020 plan update.
Property Protection							
PP-1	Incorporate development and construction standards into the Zoning and Subdivision Ordinances to further regulate construction in areas prone to landslides.	LS/FL	High	General Revenue	Planning Dept.	2025	Policymakers continue to review this item. Additional education and information has been shared with industry and community leaders.
PP-2	Circulate an assessment survey to determine what methods or devices County agencies have in place for securing equipment and furniture during earthquake events.	EQ	Low	General Revenue	IT Dept.	2025	Additional improvements have been made as budgeting, upgrades and renovations are taking place.

SECTION 9 MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Funding Sources	Responsible Party	Target Completion Date	2020 Action Implementation Status
Natural Resource Protection							
NRP-5	Establishing a "green infrastructure" program to link, manage, and expand existing parks, preserves, greenways, etc.	FL	Moderate	General Revenue	Planning Dept.	In Process	New action. The County has adopted a Greenway Master Plan to encourage planned growth of existing and new greenways.
NRP-6	Increase Wildfire Risk Awareness	WF	Moderate	General Revenue	County EMA	In Process	New action. The county EMA works with the NC Forest Service to identify areas for education. These efforts can be increased.
NRP-7	Install flood telemetry systems in sewage lift stations.	FL	Moderate	General Revenue	Engineering Dept.	Complete	New action. Lift stations have a monitored SCADA system in place to allow quick response to emergencies.
NRP-8	Install watertight covers or inflow guards on sewer manholes, converting and raising manholes in flood prone areas.	FL	Moderate	General Revenue	Engineering Dept.	In Process	New action. Staff continue to evaluate the needs and make improvements as funding allows
Emergency Services							
ES-3	Establish auxiliary power systems via portable generators for all primary County buildings and schools. Make certain to include the wiring closets to accommodate technology routing.	All	High	General Revenue and Grants	Engineering Dept	2025	Ongoing project as budgets allow.
ES-6	Reaffirm plans with emergency service agencies and providers for isolation and evacuation during HAZMAT events.	HM	Moderate	General Revenue and Grants	County EMA	2025, Annually review and update	Ongoing, 8 new facility preplans developed in 2018

SECTION 9 MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Funding Sources	Responsible Party	Target Completion Date	2020 Action Implementation Status
ES-7	Incorporate the procedures for tracking high water marks following a flood into emergency response plans.	FL	Moderate	General Revenue	County EMA	2020	New action. Utilize technology to identify high water marks when able and share data with key stakeholders for forecasting future needs.
ES-8	Keeping aerial photography current, especially in rapidly developing areas.	ALL	Low	General Revenue	IT Department	2021	New action. Utilize current technology to maintain GIS layers for aerial photography of key hazard areas in Henderson County.
Public Education and Awareness							
PEA-2	Educate contractors about principles for quality redevelopment and safe housing development through written materials or a County sponsored workshop.	All	Low	General Revenue	Planning Department	2025	Building Services and Fire Services will continue to provide education and outreach as available.
PEA-3	Provide new home and property buyers with information on quality redevelopment and safe housing development. The information is probably most efficiently dispersed at the County and local administration buildings.	All	Low	General Revenue	Planning Department	2025	This item will continue as additional outreach is needed.
PEA-4	Manually disperse and have a website posting which provides information about the Henderson County Multi-Jurisdictional Hazard Mitigation Plan and relevant mitigation measures the public can take. In addition, provide a response/reply section where residents can comment on the effectiveness of the current plan and where they can make suggestions for future revisions on then plan.	All	High	General Revenue	County EMA	2025, Annually review and update materials	This item will continue as information and materials are updated.

SECTION 9 MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Funding Sources	Responsible Party	Target Completion Date	2020 Action Implementation Status
PEA-5	Circulate information related to the property owner requirements and regulations related to the maintenance and repair of private roadways.	LS/FL	Low	General Revenue	EMA/Planning Department	2020	New action. Develop outreach materials for distribution to the public online and in-person.
PEA-6	Educate property owners regarding options for mitigating their properties from flooding through outreach activities.	FL	Low	General Revenue	EMA	2021	New action. Develop outreach materials for distribution to the public online and in-person.

FL = Flood DR = Drought ES = Expansive Soils HU = Hurricane T = Tornado WF = Wildfire S/I = Snow/Ice ET = Extreme Temperatures
 EQ = Earthquake LS = Landslide L = Lightning ER = Erosion HM = HAZMIAT D = Dams/Levees County EMA = Henderson County Emergency Management

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Sheriff's Office

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115431-553000</u>	<u>Capital Outlay Vehicles</u>	<u>\$130,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>114431-451005</u>	<u>Asset Forfeiture Fund- US DOJ</u>	<u>\$130,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*
 To Purchase and have shipped a Mobile Command Center/Backup 911 Center to be used by all fire, rescue and EMS departments in the County. Approved by BOC 6.1.2020

<u>Budget</u>	<u>6.3.2020</u>
Authorized by Department Head	Date
<u>Authorized by Budget Office</u>	<u>6.3.2020</u>
	Date
<u>Authorized by County Manager</u>	_____
	Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

**DESIGNATION OF APPLICANT'S AGENT
AND APPLICANT ASSURANCES
FOR PUBLIC ASSISTANCE**

ORGANIZATION NAME (HEREAFTER NAMED ORGANIZATION)

Henderson County, NC

PRIMARY AGENT		SECONDARY AGENT	
AGENT'S NAME	Jimmy Brissie	AGENT'S NAME	Doug Guffey
ORGANIZATION	Henderson County Emergency Mgt	ORGANIZATION	Henderson County Finance Dept
OFFICIAL POSITION	Emergency Services Director	OFFICIAL POSITION	Purchasing Agent
MAILING ADDRESS	2529 Asheville Hwy	MAILING ADDRESS	113 North Main Street
CITY, STATE, ZIP	Hendersonville, NC 28791	CITY, STATE, ZIP	Hendersonville, NC 29792
DAYTIME TELEPHONE	828-697-4728	DAYTIME TELEPHONE	828-697-4821
FACSIMILE NUMBER	828-698-6164	FACSIMILE NUMBER	828-697-4569
PAGER OR CELLULAR NUMBER	828-513-7115	PAGER OR CELLULAR NUMBER	828-513-7115

THE ABOVE PRIMARY AND SECONDARY AGENTS ARE HEREBY AUTHORIZED TO EXECUTE AND FILE APPLICATION FOR PUBLIC ASSISTANCE ON BEHALF OF THE ORGANIZATION FOR THE PURPOSE OF OBTAINING CERTAIN STATE AND FEDERAL FINANCIAL ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF & EMERGENCY ASSISTANCE ACT, (PUBLIC LAW 93-288 AS AMENDED) OR OTHERWISE AVAILABLE. THIS AGENT IS AUTHORIZED TO REPRESENT AND ACT FOR THE ORGANIZATION IN ALL DEALINGS WITH THE STATE OF NORTH CAROLINA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR MATTERS PERTAINING TO SUCH DISASTER ASSISTANCE REQUIRED BY THE AGREEMENTS AND ASSURANCES PRINTED ON THE SECOND ATTACHED PAGE.

CHIEF FINANCIAL OFFICER		CERTIFYING OFFICIAL	
NAME	Samantha Reynolds	OFFICIAL'S NAME	Steve Wyatt
ORGANIZATION	Henderson County Finance Dept	ORGANIZATION	Henderson County, NC
OFFICIAL POSITION	Finance Director	OFFICIAL POSITION	County Manager
MAILING ADDRESS	113 North Main Street	MAILING ADDRESS	1 Historic Courthouse Square
CITY, STATE, ZIP	Hendersonville, NC 29792	CITY, STATE, ZIP	Hendersonville, NC 29792
DAYTIME TELEPHONE	828-697-4821	DAYTIME TELEPHONE	828-697-4809
FACSIMILE NUMBER	828-697-4569	FACSIMILE NUMBER	828-698-6014
PAGER OR CELLULAR NUMBER	828-513-7115	PAGER OR CELLULAR NUMBER	828-513-7115

APPLICANT'S STATE COGNIZANT AGENCY FOR SINGLE AUDIT PURPOSES (IF A COGNIZANT AGENCY IS NOT ASSIGNED, PLEASE INDICATE):

NC Department of Public Safety

APPLICANT'S FISCAL YEAR (FY) START

MONTH: **July** DAY: **1st**

APPLICANT'S FEDERAL EMPLOYER'S IDENTIFICATION NUMBER

56 - 6000307

APPLICANT'S STATE PAYEE IDENTIFICATION NUMBER

089-99089-00

CERTIFYING OFFICIAL'S SIGNATURE

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that it is duly authorized pursuant to appropriate applicant authority and/or a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body and that the agents and officials designated herein are duly authorized under North Carolina law to act on behalf of the organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to the disaster assistance required by the agreements and assurances contained herein.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 12148, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act, as amended, 5 USC 1501 et. seq. and 7324 et. seq., which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, 29 U.S.C. Section 201 et seq., as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973, as amended, 42 U.S.C. 40001 et. seq.. Further, Sections 102 and 103 (42 U.S.C. 4012a and 4015) required, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. 306108 (former 16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 or 1974, 54 U.S.C. 312501 et. seq. (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



**North Carolina Department of Public Safety
Division of Emergency Management**

APPLICANT: Henderson County

DISASTER: **COVID-19**
FEMA No.: **4487-DR-NC**
PUBLIC ASSISTANCE CFDA# **97.036**

STATE-APPLICANT DISASTER ASSISTANCE AGREEMENT

This Agreement made by and between the State of North Carolina, Department of Public Safety, Division of Emergency Management ("the State") and Henderson County ("the Applicant") shall be effective on the date signed by the State and the Applicant. It shall apply to all disaster assistance funds provided by or through the State to the Applicant as a result of the disaster named **COVID-19** and pursuant to the Major Disaster Declaration made by the President of the United States numbered FEMA **4487-DR-NC**.

The designated representative of the Applicant (Applicant's Agent) certifies that:

1. The Applicant's Agent has the legal authority under North Carolina law to apply for assistance on behalf of the Applicant, that it is duly authorized pursuant to appropriate Applicant authority and/or a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, and that the agents and officials designated herein are duly authorized under North Carolina law to act on behalf of the organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to the disaster assistance required by the agreements and assurances contained herein.
2. The Applicant shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving Federal and State disaster grant assistance.
3. The applicant shall use disaster assistance funds solely for the purpose for which these funds are provided and as approved by the Governor's Authorized Representative (GAR).
4. The Applicant is aware of and shall comply with cost-sharing requirements of Federal and State disaster assistance: specifically, that Federal assistance is limited to 75% of eligible expenditures, and that State assistance is limited to 25% of the eligible costs. Alternate projects selected by the Applicant may be eligible for only 75% of the approved Federal share of estimated eligible costs.
5. The Applicant shall provide the following completed documentation to the State:
 - a. Designation of Applicant's Agent.
 - b. State-Applicant Disaster Assistance Agreement.
 - c. Private Non-Profit Organization Certification (if required).
 - d. Summary of Documentation Form itemizing actual costs expended for large project payment requests.
 - e. Monthly Progress Reports.
 - f. Copies of Single Audit Reports as applicable.

If the Applicant fails to provide any of the above documentation, the State will be under no obligation to reimburse the Applicant for eligible expenses.

6. The Applicant shall establish and maintain a proper accounting system to record expenditures of disaster assistance funds in accordance with generally accepted accounting principles or as directed by the Governor's Authorized Representative. If applicable, the Applicant shall conduct audit(s) pursuant to the Single Audit Act of 1984, 31 U.S.C. § 7501 et. seq., 44 C.F.R. Part 14, 2 C.F.R. Part 200, OMB Circular A-133, "Audits of States, Local Governments and Non-profit Organizations," and applicable North Carolina laws, rules and regulations.
7. The Applicant shall provide to the State monthly Progress Reports for all open large projects funded by State and Federal disaster assistance grants. The first Progress Report shall be due on the 10th day of the first month following initiation of the project and subsequent Progress Reports will be due on the 10th day of every month thereafter until project completion. Forms and reporting requirements will be provided by the Governor's Authorized Representative (GAR).
8. The Applicant, its employees and agents, including consultants, contractors and subcontractors to be paid with funds provided under this Agreement, shall give State and Federal agencies designated by the Governor's Authorized Representative (GAR), full access to and the right to examine all records and documents related to the use of disaster assistance funds.
9. The Applicant shall return to the State, within thirty (30) days of a request by the Governor's Authorized Representative (GAR), any funds advanced to the Applicant that are not supported by audit or other Federal or State review of documentation maintained by the Applicant.
10. The Applicant shall comply with all applicable codes and standards in the completion of eligible work to repair or replace damaged public facilities.
11. The Applicant shall comply with all applicable provisions of Federal and State statutes, rules and regulations regarding the procurement of goods and services and regarding contracts for the repair and restoration of public facilities.
12. The Applicant shall begin and complete all items of work within the time limits established by the Governor's Authorized Representative (GAR) and in accordance with applicable Federal and State statutes, rules and regulations.
13. The Applicant shall request a final inspection within ninety (90) days after completion of each and every large project funded under this Agreement, or within ninety (90) days after the expiration of the time limit established for each project under Paragraph 12 above, whichever occurs first. Applicant shall present all supporting documentation to State and/or Federal inspectors at the time of final inspection. **The State, as Grantee, reserves the right to conduct a final inspection of any large project after expiration of the ninety-day (90-day) period and to reimburse Applicant only for costs documented at the time of final inspection.**
14. The Applicant shall comply with all applicable Federal and State statutes, rules and regulations for publicly financed or assisted contracts including, but not limited to, non-discrimination, labor standard, and access by the physically handicapped.

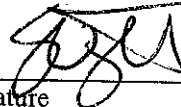
15. The Applicant's Designated Agent shall execute and comply with the Lobbying Prohibition certification incorporated herein as Attachment A.
16. The Applicant's Designated Agent shall execute and comply with the Statement of Assurances (SF 424D) document incorporated herein as Attachment B.
17. The Applicant shall not enter into cost-plus-percentage-of-cost contracts for any contracts subject to this Agreement including for debris removal, emergency protective measures, or completion of disaster restoration or repair work.
18. The Applicant shall not enter into contracts for which payment is contingent upon receipt of State or Federal funds.
19. The Applicant shall not enter into any contract with any entity that is debarred or suspended from participation in Federal Assistance. The State and/or FEMA will not be under any obligation to reimburse Applicant for payments made to a debarred or suspended contractor. Applicant may search for debarred or suspended contractors on the "Excluded Parties List System" (EPLS) at the following website: www.sam.gov. The Applicant shall be responsible to ensure that it has checked the State Debarred Vendors Listing, <http://www.pandc.nc.gov/actions.asp> to verify that contractors, Subapplicants or Sub-Recipients have not been suspended or debarred from doing business with federal or State government.
20. The Applicant shall comply with the provisions of 42 U.S.C. § 5155 (Section 312 of the Stafford Act) which prohibits duplication of benefits. Applicant shall notify State immediately if any other source of funds is available to offset disaster assistance provided pursuant to this Agreement. Applicant agrees that eligible costs under this Agreement will be reduced by duplicate benefits received from any other source.
21. The Applicant shall comply with all uniform grant administration requirements required by State and Federal statutes, rules and regulations, including but not limited to, the Robert T. Stafford Disaster Relief and Emergency assistance Act, Public Law 93-288, as amended, Title 44 of the Code of Federal Regulations, 2 C.F.R. Part 200, applicable OMB Circulars, and policy guidance issued by the Federal Emergency Management Agency (FEMA).
22. If the Applicant pays contractors, subcontractors or consultants with funds provided through this Agreement, the Applicant shall include language in all contracts that binds the contractor, subcontractor or consultant to the terms and conditions of this Agreement with the State. Contractual arrangements with contractors, subcontractors or consultants shall in no way relieve the Applicant of its responsibilities to ensure that all funds provided through this Agreement are administered in accordance with all State and Federal requirements.

6.2.2020
Date

56-6000307
Applicant's Federal Tax I.D.
Number (required)

Date

FOR THE APPLICANT:

BY: 
Signature

Steve Wyatt
Typed Name

County Manager
Title

FOR THE STATE:

BY: _____
Signature

Typed Name

Title

ATTACHMENT A

LOBBYING PROHIBITION

The undersigned certifies, to the best of his or her knowledge and belief, that:


- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence either directly or indirectly an officer or employee of any State or Federal agency, a member of the N.C. Legislature, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL. "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all recipients of funds under this Agreement shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

Henderson County, NC

Name of Applicant

BY: _____


Signature of Applicant's Designated Agent

ATTACHMENT B

ASSURANCES-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington DC 20503


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply by the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-2763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681, 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290dd-3 and 290ee-3), as amended relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L.93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) elevation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE County Manager
APPLICANT ORGANIZATION Henderson County	DATE SUBMITTED June 1st, 2020



Henderson County, North Carolina
Budget Ordinance
Fiscal Year July 1, 2020 – June 30, 2021

BOARD OF COMMISSIONERS ENACTMENT 2020.48

Preamble

The County Manager's proposed budget for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021 ("FY2021") was presented to the Henderson County Board of Commissioners on May 20, 2020, 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 1, 2020.

The following Ordinance was offered by Chairman Hawkins on June 1, 2020, 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 1ST DAY OF JUNE 2020:

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 FY2021. 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 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, 2020 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 FY2021, 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 FY2021 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 **\$16,294,710,641** of taxable property and a collection rate of ninety-seven percent (97%). The Budget Ordinance also names ad valorem property taxes as the specific revenue source to fund the Tax Revaluation Reserve Fund, budgeted in FY2021 at \$1,076,716, 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. The expenditures for general economic development activities are by appropriation to the Henderson County Partnership for Economic Development, for purposes which include advertisement of economic climate, recruitment of appropriate industries and businesses and other actions to assist in increasing the employment, industrial output, taxable property or business prospects of the County.

Section 2 – Fire Districts Fund

There are hereby appropriations and revenues estimated to be available in the Fire Districts Fund for FY2021 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 FY2021. 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 FY2021 upon adoption.

VOTING:

AYES: Hawkins, Edney, Messer, McCall, Lapsley

NAYS: None

Adopted this the 1st day of June 2020.

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	\$520,443
Dues & Non-Profit Contributions	482,585
County Manager	584,948
Administrative Services	574,827
Human Resources	913,823
Elections	991,443
Finance	936,616
Assessor	1,903,460
Tax Collections	522,667
Legal	852,231
Register of Deeds	680,483
Facility Services – Facility Services Division	4,817,141
Facility Services – Garage Division	521,838
Court Facilities	153,000
Information Technology	3,919,365
Sheriff	18,585,754
Detention Facility	5,711,254
Emergency Services – Emergency Management Division	520,676
Emergency Services – Fire Marshal Division	757,189
Building Services	1,096,817
Wellness Clinic	1,129,004
Emergency Services – Emergency Medical Services Division	7,268,733
Animal Services	726,217
Rescue Squad	381,360
Forestry Services	107,855
Soil & Water Conservation District	380,089
Planning	760,424
Code Enforcement	308,878
Site Development	209,673
Heritage Museum	100,000
Cooperative Extension	471,342
Project Management	278,506
Economic Development	776,253
AgriBusiness Henderson County	163,980
Public Health	8,286,210
Public Health – Environmental Health Division	1,426,537
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	14,785,230
Social Services – Federal & State Programs	3,970,612
Social Services – General Assistance Division	101,000

Juvenile Justice Grant	218,745
Veterans Services	58,817
Public Library	3,381,943
Recreation	2,462,305
Public School System	30,828,000
<i>Current Expense</i>	28,928,000
<i>Capital Expense</i>	1,900,000
Blue Ridge Community College	4,498,181
Public Schools Debt Service	12,250,274
Community College Debt Service	2,178,236
General Debt Service	5,585,120
Non-Departmental	860,000
Transfers to Other Funds	1,329,605
TOTAL GENERAL FUND APPROPRIATIONS:	\$151,906,849

GENERAL FUND REVENUES

Ad Valorem Taxes	\$88,629,211
<i>Current year general levy</i>	87,594,211
<i>Prior year taxes, interest and penalties</i>	1,035,000
County share of (local option only) sales taxes	19,541,298
Other taxes and licenses	1,274,000
Unrestricted intergovernmental revenue	50,000
Restricted intergovernmental revenue	14,902,569
Permits and fees	1,646,720
Sales and services	7,666,299
Investment earnings	750,000
Other revenues	1,183,857
Transfers from other funds	2,635,051
Fund balance appropriated	13,627,844
<i>Fund Balance Appropriated</i>	13,575,569
<i>Register of Deeds Restricted Fund Balance</i>	52,275
TOTAL GENERAL FUND REVENUE	\$151,906,849

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, 2020.

APPENDIX B

FIRE DISTRICTS FUND

Revenues	\$ 11,266,309
Appropriations	\$ 11,266,309

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	.135
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. Revaluation Reserve Fund (Fund 25)

The following is hereby appropriated, and revenues estimated to be available in the Revaluation Reserve Fund for FY 2021:

Revenues	\$ 1,076,716
Appropriations	\$ 1,076,716

B. 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 2021 (revenues for this fund are based on a \$0.70 surcharge per phone line):

Revenues	\$ 686,053
Appropriations	\$ 686,053

C. Public Transit Fund (Fund 33)

The following is hereby appropriated, and revenues estimated to be available in the Public Transit Program Fund for FY 2021:

Revenues	\$ 1,772,240
Appropriations	\$ 1,772,240

D. Capital Projects Fund (Fund 40)

The following is hereby appropriated, and revenues estimated to be available in the Capital Projects Fund for FY 2021:

Revenues	\$ 470,000
Appropriations	\$ 470,000
Capital Projects:	
IT Depreciation Fund	\$ 200,000
Nutanix Cluster Upgrade	\$ 270,000

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 \$21,603 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 \$13,413 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 \$124,125. 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 \$87,418. Notwithstanding, the Board reserves the right to adjust this salary pursuant to North Carolina law.

E. 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	\$ 794,224
Appropriations	\$ 794,224
Capital Projects:	
HVAC Units – Rugby & Flat Rock Middle Schools	\$ 794,224

F. 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 2021:

Revenues	\$ 1,126,725
Appropriations	\$ 1,126,725
Capital Projects:	
Property Acquisition	\$ 500,000
New Facility Architect Fee	\$ 300,000
Continuing Education Building	\$ 326,725

G. 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 2021:

Revenues	\$ 7,378,882
Appropriations	\$ 7,378,882

H. Justice Academy Sewer Fund (Fund 63)

The following is hereby appropriated, and revenues estimated to be available in the Justice Academy Sewer Fund for FY 2021:

Revenues	\$ 60,000
Appropriations	\$ 60,000