REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE:

15 July 2020

SUBJECT:

FY 2019-2020 Tax Collector's Settlement;

Approval of Bond Amounts for Tax Collector/Deputy;

FY 2020-2021 Tax Order For Collection

PRESENTER:

Darlene Burgess, Tax Administrator

ATTACHMENT(S):

Proposed Order and Resolution

SUMMARY OF REQUEST:

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

- (a) PREPAYMENTS. The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) SETTLEMENT. The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) BOND. The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) ORDER OF COLLECTION. An Order of Collection must be adopted at today's meeting, which will charge the Tax Collector with the collection of FY 2020-2021 taxes, plus all outstanding delinquent taxes.

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

BOARD ACTION REQUESTED:

Approval of tax collector's settlement for FY 2019-2020 taxes and approval of order of collection and charge for FY 2019-2020 taxes.

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

I move that the Board approve the tax collector's settlement for Fiscal Year 2019-2020 taxes, and further approve the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2020-2021 taxes.

Resolution Approving the Settlement with the Tax Collector for the 2019-2020 Tax Year

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

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

WHEREAS, the Henderson County Board Commissioners has received a proposed settlement for the 2019-2020 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The Settlement for the 2019-2020 taxes charged to the Tax Collector is hereby approved. The Board finds:
 - a. All prepayments received by the Tax Collector were properly deposited:
 - b. The settlement is in proper form;
 - c. A diligent effort was made to collect from the person who were legally obligated to pay their taxes for the 2019-2020 fiscal year; and
 - d. Those persons identified in the report of insolvents submitted by the Tax Collector are found to be insolvents. The insolvents list shall be entered into the minutes and credited to the Tax Collector as part of this settlement.
- 2. The Settlement for the delinquent taxes charged to the tax collector for the previous fiscal years is hereby approved. The Board finds that the settlement for the delinquent taxes is in an appropriate form.

THIS the 15th day of July, 2020.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

		Grady Hawkins, Chairman	
Attest:	(County Seal)		

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

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

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

NOW THEREFORE IT BE RESOLVED AS FOLLOWS:

- 1. The Bond amount for the Tax Collector shall be set at \$1,000,000 through August of 2021.
- 2. The bond amount for the Deputy Tax Collector shall be set at \$250,000 to run through August of 2021.

THIS the 15th day of July, 2020.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:	
	Grady Hawkins, Chairman
(County Seal)	
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Resolution Adopting the Order of Collection for the 2020-2021 Tax Year

WHEREAS, N.C.G.S. 105-352 requires that before the tax receipts for the 2020-2021 Tax Year may be delivered to the Tax Collector for collection the following must occur: (1) the Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited; (2) the Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the 2019-2020 tax year; and (3) the Board of Commissioners must approve the bonds proposed for the Tax Collector (and the Deputy Tax Collector) for collection of all taxes charged for the 2020-2021 Tax Year and all delinquent taxes

WHEREAS, prepayments were received for 2020 taxes; and

WHEREAS, the Board of Commissioners has approved the settlement for the taxes charged to the Tax Collector for collection for the 2019-2020 tax year, including the delinquent taxes; and

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

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

THIS the 15th day of July, 2020.

THE HENDERSON COUNTY BOARD OF COMMISSIONERS

	Gr	ady Hawkins, Chairman
Attest:	(County Seal)	
Teresa L.	Wilson, Clerk to the B	oard

COUNTY OF HENDERSON

TO THE TAX COLLECTOR OF HENDERSON COUNTY:

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

WHEREAS, the County of Henderson includes the following unincorporated districts: Blue Ridge Fire District, Valley Hill Fire District, Edneyville Fire District, Etowah-Horseshoe Fire District, Fletcher Fire District, Green River Fire District, Mountain Home Fire District, Mills River Fire District, Dana Fire District, Gerton Fire District, Raven Rock Fire District, and Bat Cave Fire District. You are hereby ordered to collect on their behalf in accordance with paragraph one of this Order of Collection.

WHEREAS, an Interlocal Agreement for Tax Collection was made effective July 15th, 2015 between the County of Henderson and City of Saluda, you are hereby authorized and empowered to collect on their behalf in accordance with paragraph one of this Order of Collection and the adopted Interlocal Agreement.

WHEREAS, an Interlocal Agreement for Tax Collection was made effective July 1st, 2019 between the County of Henderson and City of Hendersonville, you are hereby authorized and empowered to collect on their behalf in accordance with paragraph one of this Order of Collection and the adopted Interlocal Agreement.

WHEREAS, the City of Hendersonville contains two special districts: Downtown-Main Street and Seventh Avenue, you are hereby authorized and empowered to collect on their behalf in accordance with paragraph one of this Order of Collection and the adopted Interlocal Agreement.

WHEREAS, an Interlocal Agreement for Tax Collection was made effective July 1st, 2019 between the County of Henderson and Town of Laurel Park, you are hereby authorized and empowered to collect on their behalf in accordance with paragraph one of this Order of Collection and the adopted Interlocal Agreement.

WITNESS my hand and official seal, this 15th day of July, 2020.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:	
ATTEST: (OFFICIAL SEAL)	Grady Hawkins, Chairman
Feresa L. Wilson, Clerk to the Board	

PRELIMINARY REPORT FOR FISCAL YEAR 2019-2020

TO:

Henderson County Board of Commissioners

FROM:

Darlene Burgess, Tax Administrator

DATE:

15 July 2020

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

Attached to this Report is (1) a list of the persons owning real property whose taxes for 2019 remain unpaid, along with the principal amount owed by each person; and (2) a list of the persons not owning real property whose personal property taxes for 2019 remain unpaid, along with the principal amount owed by each person.

In compliance with N.C.G.S. 105-373(a)(3), attached hereto is a Report entitled "Settlement for Current Taxes for Fiscal Year 2019-2020" dated 30 June 2020 setting forth my full settlement for all taxes in my hands for collection for the fiscal year 2019-2020.

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

Respectfully submitted,

Darlene Burgess, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME, this 2 day of July, 2020.

Notary Public

My Commission expires:

12-27-20

NOTARY PUBLIC State of North Carolina Henderson County

HENDERSON COUNTY TAX COLLECTOR

200 North Grove Street, Suite 66 Hendersonville, NC 28792 PHONE: (828) 697-5595 FAX: (828) 697-4652

> Darlene Burgess Tax Administrator

July 15, 2020

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

RE: Tax Collector's Settlement: FY2019-2020

Dear Henderson County Commissioners:

Attached please find the Preliminary Report for FY2019-2020 along with the Settlement for Current-Year Taxes and Delinquent Taxes. A list of all unpaid tax liens is available for your review in the Office of the Clerk to the Board.

I am happy to report that as of the close of FY2019-2020, the Henderson County Tax Collector's Office collected 98.76% of the annual tax bills and 99.52% processed through Tax & Tag Together, for an aggregate collection percentage of 98.81%.

I would like to take the opportunity to thank the staff for their hard work and dedication toward these accomplishments. The annual collection percentage, as reported, falls just below the FY2018-2019 statewide average of 99.07% for annual tax bills.

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

Respectfully submitted,

Darlene Burgess

Henderson County Tax Administrator

SETTLEMENT FOR CURRENT TAXES: FY 2019-2020

Report date 30 June 2020 CHARGES TO THE TAX COLLECTOR:

Total amount of all taxes placed in the Tax	Tax Tax & Penalty	interest	Charge	Credit	Difference
Conector's names for conection for the year. G01 General County	e year: 85,531,844.73	134,957.77	85,666,802.50	85,666,802.50	0.00
Total General County <u>Fire Districts:</u>					
F15 Bat Cave	125,260.84	435.24	125,696.08	125,696.08	0,00
F01 Blue Ridge	1,349,355.94	4,000.28	1,353,356.22	1,353,356.22	0.00
F09 Dana	762,294.58	1,582.92	763,877.50	763,877.50	0.00
F03 Edneyville	956,854.29	2,283.06	959,137.35	959,137.35	0.00
F04 Etowah-Horse Shoe	1,466,043.52	2,323.45	1,468,366.97	1,468,366.97	0.00
F05 Fletcher	1,168,955.28	1,289.42	1,170,244,70	1,170,244.70	0.00
F11 Gerton	159,263.67	297.96	159,561.63	159,561.63	0.00
F06 Green River	606,640.78	1,225.43	607,866.21	607,866.21	0.00
F08 Mills River	174,134.17	304.60	174,438.77	174,438.77	0.00
F07 Mountain Home	1,748,048.00	2,234,91	1,750,282.91	1,750,282.91	0.00
F12 Raven Rock	248,053.88	551.09	248,604.97	248,604.97	0.00
F02 Valley Hill	1,690,196.46	3,086.43	1,693,282.89	1,693,282.89	0.00
Total Fire Districts	10,455,101.41	19,614.79			
Municipal Districts:					
C10 City of Hendersonville	9,935,676.36	12,216.20	9,947,892.56	9,947,892.56	0.00
Downtown - Main St D13	305,569.82	398.80	305,968.62	305,968.62	
Seventh Avenue D17	34,200.71	73.30	34,274.01	34,274.01	
C20 Town of Laurel Park	1,793,599.19	1,203.98	1,794,803.17	1,794,803.17	0.00
C30 City of Saluda	21,695.25	47.76	21,743.01	21,743.01	0.00
C40 Town of Fletcher	00.0	00.00	00.00	0.00	0.00
C50 Village of Flat Rock 51	00.0	00.0	0.00	0.00	0.00
Village of Flat Rock 52	0.00	0.00	00:00	0.00	00.00
Village of Flat Rock 56	00.0	00.0	0.00	00'0	0.00
C60 Town of Mills River	00:00	0.00	00:00	0.00	0.00
Total Municipal Districts	12,090,741.33	13,940.04			
SUBTOTAL	\$108,077,687.47	\$168,512.60			

\$108,246,200.07

TOTAL CHARGE TO TAX COLLECTOR

CREDITS TO THE TAX COLLECTOR:

981,019.04 29,1 327.01 3,099.39 3,170.93 2,315.31 1,3,825.96 776.10 24.05 6,685.66 957.67 4,106.40 2,035.45 3,058.64 3,058.64 3,792.10 84,967.99 1
327.01 3,099.39 3,170.93 2,315.31 3,825.96 776.10 2,767 4,106.40 2,035.45 3,058.64 3,058.64 3,058.64 3,792.10 657.28
3,099.39 3,170.93 2,315.31 3,825.96 776.10 2,05 6,685.66 957.67 4,106.40 2,035.45 3,058.64 3,058.64 3,792.10 657.28
3,170,93 2,315,31 3,825,96 776,10 24,05 6,685,66 957,67 4,106,40 2,035,45 3,058,64 30,382,57 3,67,99 1,792,10 657,28
2,315,31 3,825,96 776,10 24,05 6,685,66 957,67 4,106,40 2,035,45 3,058,64 30,382,57 3,058,64 30,382,57 3,058,64 30,382,57 3,657,99
3,825,96 776,10 24,05 6,685,66 957,67 4,106,40 2,035,45 3,058,64 30,382,57 3,67 94,967,99 1,792,10 657,28
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11,821,680.27 115,429.19 227.74
\$105,561,629.19 \$1,126,830.80 \$33,039.47

\$108,246,200.07 TOTAL CREDITS TO TAX COLLECTOR:

Respectfully Submitted,

Dansene Burgess, Tax Administrator

SWORN TO AND SUBSCRIBED BEFORE ME this To any of July, 2020.

My Commission expires: 12-23-20

KENDALL R. DECKARIBOTANPHOTICO NOTARY PUBLIC State of North Carolina Henderson County

HENDERSON COUNTY TAX COLLECTOR

200 North Grove Street, Suite 66 Hendersonville, NC 28792

Darlene Burgess Tax Administrator Phone: 828/697-5595 Fax: 828/698-6153 www.hendersoncountync.gov/tax

July 15, 2020

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

RE: FY 2019-2020 Progress Report regarding Delinquent Property Tax Collections

Dear Henderson County Commissioners:

For FY2019-2020, we collected \$987,558.53 in prior-year taxes, plus all applicable fees and interest. At the close of this fiscal year, we have collected 99.64% of our prior-year (2018) annual tax bills (real property and listed personal property), and 99.83% for all previous years (including 2018 and years beyond our tenyear reach for enforced remedies.)

The responsibilities of the Deputy Tax Collector and staff include the monitoring and administration of statutorily-provided remedies used to collect delinquent tax. We have generated a great amount of revenue this year through the use of these remedies and are pleased to provide the following details on our efforts. While each effort is not always successful, our staff tirelessly explores all remedies for collection of delinquent taxes. During FY2019-2020 economic impacts were expected from the COVID-19 pandemic and the decision was made to halt the creation of new enforcement actions. Our office handled a record number of payment arrangements while attachment and garnishment counts for this year were low.

- Payment Arrangements: 317 new arrangements created, potential collection of \$666,231.96.
- Bank Attachments: 385 new actions created, potential collection of \$743,007.02.
- Wage Garnishments: 399 new actions created, potential collection of \$218,170.69.
- Rent Attachments: 1 new action created, potential collection of \$975.41.
- Pre-foreclosure: 241 new actions created, potential collection of \$284,820,99.
- Monies: 105 new actions created, potential collection of \$107,415.57.
- NC Debt Setoff: 4,765 new actions created, \$1,362,781.41 total taxes submitted for possible setoff.

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

Respectfully submitted,

Luke Small

Deputy Tax Collector

Darlene Burgess
Tax Administrator

FY2019-2020 Delinquent Property Tax Collections Delinquent Property Tax Collections

	TOTAL COUNTY LE	Y LEVY CREDIT						
TAX YEAR	(Tax + Late List Penalties + Rebates and Releases)	s + Rebates and	ACCRUED INTE COSTS	ACCRUED INTEREST COLLECTED + COSTS COLLECTED	TOTAL COUNTY CASH COLLECTED (includes Tax, Penalties, Interest & Costs)	SH COLLECTED 5, Interest & Costs)	YEAR END COUNTY LEVY DUE	'LEVY DUE
	Requiar	RMV	Regular	RMV	Regular	RMV	Regular	RMV
2018	466,102.30	00.00	73,234.64	0.00	524,847.23	0.00	261,941.29	00.00
2017	119,804.98	00:0	35,002.35	00:0	151,871.79	00.0	100,013.43	000
2016	46,195.45	00.0	13,666.97	00'0	57,408.75	00.0	62,645,44	0.00
2015	17,775.69	0.00	5,892.36	00.00	21,772.42	00:0	55,961.98	6.95
2014	10,697.57	00.00	4,545.24	0.00	14,224.66	0.00	51,298.25	664.15
2013	6,713.13	1,048.78	3,645.57	1,171.27	9,328.51	2,219.55	59,411.75	32,966.29
2012	5,551.60	2,139.90	4,551.45	2,215.46	9,206.29	4,355.23	55,609.47	57,167.79
2011	6,536.37	1,072.11	3,486.20	1,678.87	9,051.98	2,750.27	66,545.80	36,078.25
2010	4,377.47	772.34	3,357.44	940.89	5,931.11	1,713.23	70,756.04	33,511.13
2009	2,329.74	862.50	2,782.64	1,114.12	4,635.54	1,976.05	73,980.97	35,894.70
2008/Prior	1,622.34	2,358.03	1,469.43	3,680.12	2,314.72	6,038.00	1,046,753.65	1,052,402.77
TOTAL:	687,706.64	8,253.66	151,634.29	10,800.73	810,593.00	19,052.33	1,904,918.07	1,248,692.03

DELINQUENT PF	DELINQUENT PROPERTY TAX COLLECTED FOR MUNICIPALITIES:	OLLECTED FC	OR MUNICIPAL!	TIES:								
	TOTAL	TOTAL CITY LEVY CF	/ CREDIT	dallacov	ACCOURT INTEDEST COLLECTED.	COTED .	TOTAL OF	TOTAL OTY CASU COLLECTED	COTED			
MUNICIPALITY	(lax + Late Lis	Releases)	repairs and	S C C C C C C C C C C C C C C C C C C C	COSTS COLLECTED	+ 0 0	(includes Tax,	INCLUDES Tax, Penalties, Interest & Costs)	rest & Costs)	YEAR	YEAR END CITY LEVY DUE	/Y DUE
	Regular		RMV	Requiar	1	RMV	Regular		RMV	Regular		RMV
Hendersonville			708.18			852.70			1,560.88			172,777.12
Dtown - Main St			0.00			0.00	•		00.0			294.26
Seventh Ave			0.00			00.0			0.0			69:96
Laurel Park			10.25			38.65			48.90			9,014.85
Saluda	0.00		00.00	00:00		00.00	00:00		0.00	00.0	0	115.00
Fletcher			328.00			297.14			625.14			28,832.15
Flat Rock 51			10.34			7.34			17.68			852.10
Flat Rock 52			0.00			00.00			0.00			293.23
Flat Rock 56			00.00			0.00			0.00			27.40
Mills River			97.56			78.83			176.29			4,240.21
TOTAL:			1,154.33			1,274.66			2,428.89			216,543.01

	TOTAL SPECIAL DIS	TOTAL SPECIAL DISTRICT LEVY CREDIT			TOTAL SPECIAL DISTRICT CASH	DISTRICT CASH		
FIRE DISTRICT	(Tax + Late List Per Rele	(Tax + Late List Penalties - Rebates and Releases)	ACCRUED INTEREST COLLECTED + COSTS COLLECTED	T COLLECTED + LECTED	COLLECTED (includes Tax, Penalties, Interest & Costs)	CTED	YEAR END SPECIAL DISTRICT LEVY DUE	STRICT LEVY DUE
	Regular	RMV	Regular	RMV	Regular	RMV	Regular	RMV
Bat Cave	1,963.90	0.00	235.72	0.00	2,198.37	00:00	2,393.52	828.87
Blue Ridge	14,026.21	222.66	1,644.67	215.36	15,134.26	438.00	42,852.47	33,559.79
Dana	10,087.50	71.82	1,421.43	89.09	10,834.56	160.91	21,223.99	17,246.87
Edneyville	15,647.73	204.02	2,479.07	153.82	17,744.40	357.84	37,221.57	18,312.28
Etowah/HS	12,071.79	173.04	2,244.18	172.18	13,904.16	345.12	26,195.61	12,997.42
Fletcher	8,944.34	115.35	1,031.41	128.76	9,937.01	244.03	24,591.16	14,677.20
Gerton	726.91	4.51	74.50	4.46	681.39	8.97	386.94	935.06
Green River	4,057.51	42.33	608.59	38.11	4,387.25	80.44	9,508.14	5,359.70
Mills River	1,875.79	35.75	350.94	66.09	2,225.81	86.74	8,636.63	6,412.72
Mtn Home	9,825.43	88.84	1,095.68	117.17	10,321.66	206.01	22,481.17	24,723.38
Raven Rock	2,492.36	49.25	350.15	32.27	2,626.40	81.52	1,738.99	1,220.64
Valley Hill	16,076.19	68.05	1,771.84	69.55	17,367.27	137.53	22,136.92	15,686.80
Valley Hill #2	00.0	9.49	00:00	12.19	00.00	21.68	654.17	1,578.75
TOTAL:	97,795.66	1,085,11	13,308.18	1,083.95	107,362.54	2,168.79	220.021.28	153 539 48

TOTAL DEL	TOTAL DELINQUENT PROPERTY	ERTY TAX COLLECTED:	ECTED:						
	TOTAL LEVY CREDIT	EDIT	ACCRUED INTEREST COLLECTED +	ECTED +	TOTAL CASH COLLECTED	ECTED	YEAR EN	YEAR END LEVY DUE	
		Total		Total		Total		,	Total
General County Municipalities Fire Districts		695,960.30 1,154.33 98,880.77		162,435.02 1,274.66 14,392.13		2,428.89 109.531.33		3,15	3,153,610.10 216,543.01 373,560.76
TOTAL:		795,995.40		178,101.81		941,605.55		3,74	3,743,713.87

(1) Differences in the sum of Levy Credit + Acorued Interest and Total Cash Collected is attributable to Rebates (aka Releases) and Refunds (2) The Year End Levy Due columns include amounts due for years prior to 2009 which are legally unenforceable.

Respectfully Submitted,

Kendall R. Dechard SWORN TO AND SUBSCRIBED BEFORE ME this day of July, 2020.

My Commission expires: 12-27-20

KENDALL R. DECKARD NOTARY PUBLIC State of North Carolina Henderson County