

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
WEDNESDAY, SEPTEMBER 21, 2011**

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

Those present were: Chairman Michael Edney, Vice-Chairman Tommy Thompson, Commissioner Bill O'Connor, Commissioner Larry Young, Commissioner Charlie Messer, County Manager Steve Wyatt, Interim Assistant County Manager David Whitson, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Public Information Officer Christy DeStefano, Planning Director Anthony Starr, Associate County Attorney Sarah Zambon, Engineer Marcus Jones, Research/Budget Analyst Amy Brantley, Construction Manager David Berry, IT Director Becky Snyder, Transportation Planner Matthew Cable and Planner Autumn Radcliff, Animal Services Director Brad Rayfield, Administrative Assistant to Assessor/Tax Collector Sandy Allison, Agri-Business Development Director Mark Williams, Building Services Director Tom Stauffer, Delinquent Tax Collector Lee King, Finance Director Carey McLelland, and HR Director Jan Prichard.

### CALL TO ORDER/WELCOME

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

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Commissioner Messer.

### INVOCATION

County Manager Steve Wyatt gave the invocation.

### PUBLIC HEARINGS

#### **Public Hearing for the FY 2012 Rural Operating Assistance Program (ROAP)**

Transportation Planner Matthew Cable stated the Henderson County Board of Commissioners scheduled this public hearing regarding the FY 2012 North Carolina Department of Transportation (NCDOT) Rural Operating Assistance Program (ROAP) grant application in the amount of \$218,824. Henderson County's FY 2012 allocation is reduced by \$50,221 from FY 2011.

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

A notice of the public hearing was published (in English) in The Hendersonville Tribune on Thursday, September 8, 2011. A notice of public hearing was also published (in Spanish) in La Voz Independiente on Thursday, September 8, 2011. The two notices fulfill NCDOT requirements for this grant application.

APPROVED: October 3, 2011

The Board of Commissioners must hold a public hearing on the application, approve the Certified Statement, and authorize staff to file the application with the NCDOT subject to any comments at the hearing. No County funds are required for this program.

*Commissioner Young made the motion that the Board go into public hearing for the FY 2012 Rural Operating Assistance Program (ROAP). All voted in favor and the motion carried.*

**Public Input**

There was none.

*Commissioner Young made the motion that the Board go out of public hearing. All voted in favor and the motion carried.*

*Commissioner Messer made the motion that the Board approves the Certified Statement and authorizes staff to execute all required documents for the FY 2012 ROAP grant application including the renewal agreement with WCCA. All voted in favor and the motion carried.*

**Approval of the Execution and Delivery of an Installment Financing Contract to Pay for the Capital Costs for the Construction of a New Scalehouse Including the Acquisition of Related Equipment, A new Recycling Convenience Center and, Certain Road Improvements Located at the Solid Waste Landfill.**

Finance Director Carey McLelland stated a public hearing to hear comments on the execution and delivery of a proposed installment financing contract is required by the State of North Carolina pursuant to N.C.G.S. 160A-20. A notice of the public hearing shall be published once at least 10 days before the hearing. This notice was duly advertised in the Hendersonville Tribune on Thursday, September 8, 2011.

The proposed contract being considered is to finance the capital costs for the construction of a new scalehouse with new scales, a new recycling convenience center and road improvements including new entrances to the solid waste transfer station and the new recycling center located at the solid waste landfill.

The financing proposal from BB&T Governmental Finance was provided in the agenda packet for the Board's information. Their proposal is to finance \$2 million for the project over a 15 year term at a not to exceed interest rate of 3.20 percent. The first annual payment will not be due until Fiscal Year 2013.

A draft of the proposed installment financing contract was attached to this agenda. Financing documents in substantially final form will be presented to the Board of Commissioners at a future regularly scheduled meeting for consideration and approval.

*Commissioner Young made the motion that the Board go into public hearing to consider approval of the execution and delivery of installment financing contract to pay for the capital costs for the construction of a new scalehouse including the acquisition of related equipment, a new recycling convenience center and, certain road improvements located at the Solid Waste Landfill. All voted in favor and the motion carried.*

**Public Input**

There was none.

*Commissioner Young made the motion that the Board go out of public hearing. All voted in favor and the motion carried.*

#### **INFORMAL PUBLIC COMMENT**

1. Paul Donahue – (Joint Venture) Mr. Donahue does not see a need for the new facility. He feels Mission is trying to take over and the cost will rise. He asked the Board to look at long term implications.
2. Ken Cobb – (Joint Venture) Mr. Cobb feels Pardee Hospital should be sold and the money be used toward debt reduction. Other Urgent Care attempts by Pardee at the same location have not been successful.
3. Lynn Eisenbeil – Ms. Eisenbeil spoke in regards to mental illness and brain disorders. She is a member of NAMI (National Alliance on Mental Illness) Four Seasons and requested the Board join them in celebrating Mental Illness Awareness Week, this October 6, 2011 at Blue Ridge Community College in the Bo Thomas Auditorium at 10:00 a.m. The cost to attend the event is \$10. The guest speaker will be Pete Early, a journalist and author. She feels this is a tremendous value to the community and to the members of the judicial system who might attend. The proceeds from this event will be directed towards CIT (Crisis Intervention Training) for police officers.
4. Larry Kroll – (Joint Venture) Dr. Kroll has practiced as a physician for 27 years at Park Ridge Hospital, St. Joseph, and Mission. He would treat patients at the hospital of their request. Dr. Kroll prefers smaller atmosphere hospitals, "Bigger is not always better".
5. Paige Wheeler – (Joint Venture) Ms. Wheeler did not feel that any information had been released on the "Joint Venture", and a study needed to be done.
6. Brandon Nudd – (Joint Venture) Mr. Nudd feels Pardee Hospital is a valuable asset and the residents are ultimately responsible if it fails. No joint venture.
7. Diane Sedgwick – (Joint Venture) Ms. Sedgwick stated the hospital is owned by the community. The Commissioners need to stand up and protect it.
8. Wendell Roberts – (Joint Venture) Mr. Roberts has 30 years experience in healthcare. He has resided in Henderson County for three (3) weeks and does not feel there is a need for the joint venture facility.
9. Alan Guyton – (Joint Venture) Mr. Guyton is new to the area. He feels that the project is not needed as brings duplicate services. "Stop the Groundbreaking".
10. Graham Fields – (Joint Venture) Mr. Fields is the Assistant to the President for External Relations at Park Ridge Health. They welcomed Wingate last month and then the joint venture was announced. Pardee is being forced to choose Mission over itself. The Commissioners need to stand up for the public.
11. June Loor – (Joint Venture) Ms. Loor feels the Board needs to stand up for the residents of Henderson County. A public hearing needs to be held to hear from the public. The joint venture will have significant impact.
12. Carrie Davis – (Joint Venture) Ms. Davis has worked for a larger hospital and bigger is not better. She works at Park Ridge.
13. Brent Sedgwick – (Joint Venture) Mr. Sedgwick is a pastor in Henderson County. Pardee Hospital is owned by the citizens of Henderson County. "Don't let a large entity take over, competition is healthy."
14. Jason Wells – (Joint Venture) Mr. Wells noted that other Pardee Urgent Care Facilities are not doing well. This is massive duplication and hospital must minimize risk during these times. Mission can sustain losses...Pardee cannot. Listen to the citizens.
15. Fielding Lucas – (Pardee Budget and Joint Venture) Mr. Lucas felt the Pardee budget was cautious. Not enough information has been released in regards to the joint venture. Other ventures have not panned out. A public hearing needs to be held.

16. Jimm Bunch – (Joint Venture) Mr. Bunch is the President and CEO of Park Ridge Health. He realizes there is competition. There is room for more than one (1) hospital. They will continue to compete and offer great service. The citizens of Henderson County need answers.

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

Chairman Edney noted an additional consent item "K" Approval of Deed of Trust Settlement in regards to the Kim Kappler claim, an additional closed session (5) Property Acquisition, and an additional discussion item "first discussion" a Resolution of Memoriam for Bob Eklund".

*Commissioner Young made the motion that the Board approves the agenda as modified. All voted in favor and the motion carried.*

#### **CONSENT AGENDA**

*Commissioner Young made the motion to adopt the Consent Agenda as modified. All voted in favor and the motion carried.*

CONSENT AGENDA consisted of the following:

##### **Minutes**

Draft minutes were presented for board review and approval of the following meeting(s):

September 6, 2011 – Regularly Scheduled Meeting

September 13, 2011 – Special Called Meeting

##### **Tax Collector's Report**

Deputy Tax Collector Carol McCraw had presented the Tax Collector's Report to the Commissioners dated September 9, 2011 for information only. No action was required

##### **Compressed Natural Gas (CNG) Transit Vehicle Procurement and Lease**

In April 2009, the Board of Commissioners authorized staff to pursue grants for the purposes of acquiring compressed natural gas (CNG) transit vehicles. Stimulus grants were awarded in July 2009 to be used along with traditional Federal Transit Administration (FTA) grants for vehicle procurement.

The City of Asheville is the direct recipient of grant funds and Henderson County is the sub recipient. Federal rules require the direct recipient (City of Asheville) own the transit vehicles. The City of Asheville issued a formal bid request with assistance from County staff. Bids were opened August 3, 2011. The City of Asheville must approve the bid, consistent with FTA regulations, and will then purchase the five (5) CNG medium-duty transit buses. The vehicles will be the first CNG buses in Western North Carolina.

Planning staff secured \$505,000 in stimulus funding and \$375,978 in other FTA funds for this project. NCDOT has approved \$43,000 in ten percent match funds for two (2) of the vehicles. The FY 2012 Henderson County budget provides \$83,255 for the required local match, taxes, tags, titles, graphics, and licensing fees. Staff anticipates \$66,888 of these funds will be needed, falling \$16,367 under budget.

Following the acceptance of the bid by the City of Asheville and signing of the lease agreement between the City of Asheville and Henderson County, it is anticipated that the vehicles will be in service as early as spring 2012.

Motion:

*I move the Board authorizes the Planning Director to execute a lease agreement with the City of Asheville for the 5 CNG transit vehicles.*

### **Petition for additions to State Road system**

Staff recommends approval of a petition for the addition of Williams Meadow Loop. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

Staff reviewed the petition and it appears that the affected developers have signed the required petition.

#### **Motion:**

*I move that the Board approves the petition and direct staff to forward it to NCDOT.*

### **Official Zoning Map Update**

The official zoning map is updated digitally to reflect all zoning changes approved by the Board of Commissioners and any annexations approved by surrounding municipalities. The County keeps a notarized paper copy of the official zoning map as well, but this map is not adjusted each time a rezoning or annexation occurs. It is good practice to periodically update the official zoning map in paper form. Henderson County's paper form of the official zoning map was last updated on September 19, 2007 when the Board adopted the Land Development Code and associated zoning map amendments.

The map provided in the agenda packet is the official zoning map and includes zoning map amendments R-2011-02 (Salvadori rezoning) and R-2011-03 (municipal boundary adjustments) approved by the Board on September 6, 2011. No public hearing is required to adopt the official zoning map update.

#### **Motion:**

*I move that the Board adopts the official zoning map update as submitted by staff.*

### **Surplus Computer Equipment**

A resolution along with a list of computer equipment no longer used by the County was provided by the IT Department, requesting that the list of equipment be declared as surplus property. The resolution also authorizes the Finance Director to advertise the surplus equipment for sale by electronic public auction at [www.govdeals.com](http://www.govdeals.com) after the required advertisement of the sale.

#### **Motion:**

*I move that the Board approves the resolution declaring the list of computer equipment presented as surplus and authorizes the Finance Director to sell the surplus equipment via electronic public auction using GovDeals auction services.*

### **Western Highlands Area Authority - Quarterly Fiscal Monitoring Report (FMR) for the quarter ended June 30, 2011**

G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR provided in the agenda packet for Western Highlands Area Authority was received by the County Finance Officer on September 7, 2011.

**Motion:**

*I move that the Board of Commissioners approve the Western Highlands Area Authority Fiscal Monitoring Report for the quarter ended June 30, 2011.*

**Animal Services Operating Hours**

The Board is requested to consider changing the operating hours of Animal Services at the Shelter to 10:00am to 4:30pm Monday to Friday, from 9:00am to 4:30pm. Saturday's hours of 10:00am to 2:00pm would remain the same. Animal Services requests this change in operating hours due to the number of animals brought in three days a week for the Spay/Neuter clinic; and the amount of time that employees spend on intake and transport of these animals. This intake takes away employees from other essential duties at the shelter. Opening the shelter at 10:00am would allow Animal Services employees to better prepare for the day and better serve the citizens and animals of Henderson County.

**Motion:**

*I move the Board approves changing the operating hours of the Animal Shelter to 10:00am to 4:30pm Monday through Friday and 10:00am to 2:00pm Saturday.*

**Budget Amendment**

At the Board's September 6, 2011 meeting, the Board voted to participate in the State's Beaver Management Assistance Program. The cost for participation is \$4,000, which was not included in the FY12 approved budget. The Board is requested to approve a budget amendment, appropriating the necessary funding for this program from Fund Balance.

**Motion:**

*I move the Board approves a budget amendment appropriating \$4,000 from fund balance to fund the Beaver Management Assistance Program.*

**Hendersonville High School Address**

The County has received a request to assign an address to Hendersonville High School. The City recently renamed the street, and the County assigns addresses to facilities. The address of 1 Bearcat Boulevard has been requested for the school.

**Motion:**

*I move the Board approves 1 Bearcat Boulevard, as the address for Hendersonville High School.*

**Approval of Deed of Trust Settlement in regards to the Kim Kappler claim**

Russ Burrell stated this would be the approval of documents for settlement of the Kappler pending claim by the County. The collateral for that claim is now subject to a prior deed of trust that is being foreclosed on.

**Motion:**

*I move that the Board give approval to the document provided implementing the settlement of the Kim Kappler enforcement matter on the terms approved by the Board in previous closed session, and authorize the chairman and staff to execute the same.*

**NOMINATIONS**

Chairman Edney recognized the following vacancies and noted no nominations would be made during this meeting.

**Notification of Vacancies**

1. Animal Services Committee - 1 vac.
2. Fire and Rescue Advisory Committee - 1 vac.

**RESOLUTION OF MEMORIAM - ROBERT D. "BOB" EKLUND**

The Board of Commissioners is requested to adopt a Resolution of Memoriam for Bob Eklund, who served as a Henderson County Commissioner from December 1994 until December 1998. Chairman Edney read the resolution of memoriam aloud.

*Chairman Edney made the motion that the Board adopts the Resolution of Memoriam for Bob Eklund. All voted in favor and the motion carried.*

**SIXTH AVENUE CLUBHOUSE REQUEST**

The County has received a request from Sixth Avenue Clubhouse with regards to leasing the County's former youth group home. The County also owns the facility currently used by Sixth Avenue, but that facility is inaccessible to some potential members and its space limits potential growth for the program. Specifically, Sixth Avenue Proposes entering into a five year lease on the facility, with the option to renew for two, five year terms.

Mark Fagerlin, Chair of the Sixth Avenue Clubhouse Board of Directors stated they are the only non-profit resource for persons suffering from mental illness. They are currently serving 50 individuals. A newer facility would reduce maintenance costs and offer a more reliable facility. The former youth home is single story structure with handicap accessibility and would be a much better facility. If approved they would plan a move in date for the end of October.

The County Attorney was directed to draft a lease and bring it back to the Board at the next meeting.

*Commissioner Messer made the motion that the Board directs staff to negotiate a lease with Sixth Avenue Clubhouse for the County's Woodridge Drive facility, and bring it back for Board approval. All voted in favor and the motion carried.*

**BREAK**

A brief break was taken.

Chairman Edney called the meeting back to order.

**UNC/PARDEE HOSPITAL 2011-12 BUDGET PRESENTATION AND JOINT VENTURE UPDATE**

Jay Kirby, from Margaret R. Pardee Hospital, provided the Board of Commissioners with the UNC/Pardee Hospital 2011-2012 Budget Presentation and an update on the Joint Venture. He stated in August, the Hospital Corporation Board of Directors, team members, medical staff, and Henderson County Board of Commissioners gathered to celebrate the partnership and affiliation of Pardee and UNC Healthcare. Both the Hospital Corporation Board of Directors and the Board of Commissioners recognized the environment is changing. A partnership with a large organization is critically important. He presented a framed commemorative to each commissioner and the county manager.

**Budget**

Twenty percent (20%) of hospitals in America don't make money on the operating side. Only sixty-three percent (63%) have an operating margin between break even and five percent (5%). Park

Ridge and Pardee are no different than that sixty-three percent (63%). The proposed budget has Pardee Hospital operating at a two percent (2%) margin. This year's budget expects approximately \$141 million in net operating revenue. Of this amount, seventy percent (70%) will come from Federal and State Government through the Medicare and Medicaid Programs. Only thirty percent (30%) of the revenue will come from patients and/or their insurance companies. Expenses are expected in the range of \$139 million of which \$74 million will go for salary and benefits to the 1200 team members.

Mr. Kirby felt that as a hospital they must decentralize their services, become more affordable, and become more accessible. The affiliation with UNC Healthcare will enable Pardee to achieve better pricing for supplies and materials which represents twenty percent (20%) of their operating budget. Many of UNC Healthcare's strategic plans will be integrated into Pardee's strategic planning process.

### **Joint Venture**

Mr. Kirby provided an update on the Joint Venture of Pardee Hospital and Mission Hospital. The CON (Certificate of Need) denied a component of the project, the endoscopy request. With or without the endoscopy unit, Mission Hospital will build the building. They own the land, have a developer, and they have the resources. The Outpatient Center will be located across from Ingles, which is a natural travel pattern where folks shop, go to school, go to church, and seek their healthcare. At no point has Mr. Kirby heard of Pardee having any intentions of selling. The Commissioners and Hospital Corporation Board of Directors have disclosed that they have no intention of selling to Mission, UNC Healthcare, or anyone else. This is a partnership, just as the affiliation with UNC Healthcare.

The Joint Venture is between Pardee and Mission. They wish to partner to improve access and meet the growing demand in Northern Henderson County and South Buncombe County. Between Pardee and Mission, they currently serve 75% of Henderson County residents needing inpatient care with Pardee Hospital serving the majority of these patients. In the Fletcher area, combined they serve 71% of the Fletcher residents needing inpatient care with Mission Hospital serving the majority of these patients. For inpatient care, the data shows that Mission Hospital is the primary care provider of choice in Fletcher. It only makes sense that in the face of uncertainty in healthcare that Pardee partner to meet the growing demands in this area. The purpose of the campus is to create a patient centered facility that offers high quality, affordable care in a convenient and accessible location that prepares them to meet the growing needs.

This project has been in the making for three to four years. The folks at UNC were asked to review the data and assumptions and validate whether this is good deal for the future of Pardee Hospital. Certain information such as physicians must remain confidential due to competition. Mr. Kirby's has a duty to Pardee Hospital and its medical staff to make decisions in their best interest. The Board of Commissioners emphasized that this must be an equal partnership, revolving around three areas:

- **LAND** – sharing 50% of the land of the project location.
  - Mission agrees and is willing to equally share the land with Pardee as long as it remains privately held, private being an entity such as the Pardee Foundation which is appointed by the Hospital Corporation Board.
- **FACILITY**
  - Pardee Hospital and Mission will have the opportunity to own equal shares in the real



estate development corporation.

- **GOVERNANCE**

- As this partnership grows, both Pardee and Mission are developing a governance structure that will enable them equal voice as future decisions are made.

The Hospital Corporation, elected by the Commissioners, have reviewed, validated, and previously voted to proceed with the project. UNC Healthcare has reviewed, validated and recommended the project to the Pardee Board and Commissioners as a critical part of Pardee's future success. Mr. Kirby asked the Board to support Pardee and its medical staff, in helping their organization be competitive as it can be in this region, not just against other hospitals and physicians, but against the Targets, Walgreens, Walmarts, etc. of this world.

Commissioner Thompson disclosed that his wife works at Pardee Hospital, and Park Ridge Hospital rents a facility that he and three other individuals own jointly.

Mr. Kirby pledged to bring back the final document to the Board of Commissioners to validate that the three items are included or he will come back and explain if they are not. The Board reserves the right to change their mind at that time.

*Chairman Edney made the motion that the Board authorizes the Pardee Board to move forward with negotiations but with the understanding that approval of the Joint Venture is subject to final legal documents. The motion passed 4-1 with Commissioner O'Connor voting nay.*

#### **INTRODUCTION OF THE INTERIM ASSISTANT COUNTY MANAGER**

Chairman Edney recognized the Interim Assistant County Manager David Whitson. Mr. Whitson had many years with the Blue Ridge Community College and will be an asset to Henderson County.

#### **BREAK**

A brief break was taken to change video tapes.

#### **RECONVENE**

Chairman Edney called the meeting back to order.

#### **LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT – SUBDIVISION REGULATIONS**

Planning Director Anthony Starr stated as part of the 2010 annual review of the LDC, staff proposed several amendments to address concerns with existing road standards for new subdivisions. Among those changes were text modifications to provide greater flexibility for smaller subdivisions (referred to as special subdivisions, aka "family subdivisions").

A portion of those amendments that do not increase regulation but provide flexibility and clearer organization to the subdivision regulations were provided in the agenda packet.

Since the Board of Commissioners held the required public hearing on November 17, 2010, no additional hearings are required prior to action.

The proposed changes provide the following:

- Expands the use of "driveway easements" to serve up to 5 lots in any type of subdivision (currently only allowed for 2 lots in conservation subdivisions) – no road construction is required for the driveway easements when the plat is recorded;

- Requires a certification on the plat acknowledging that a road may or may not have been built to LDC standards when using the driveway easement option;
- Gives credit for existing driveways in special subdivisions when not using the driveway easement option;
- Aligns thresholds for minor vs. special subdivision standards (there was a minor overlap);
- Provides for the use of alleys (currently not permitted); and
- Re-organizes the subdivision section to make it easier to understand without increasing regulations.

Chairman Edney requested that the 500 ft easement included on Table 3.3 for Maximum Center Line Length be removed for Private Driveway Easement.

*Chairman Edney made the motion that the Board finds that the proposed text amendments are consistent with the County 2020 Comprehensive Plan and moved that the Board approves the text amendments subject to the modification and removal of the 500 ft revision. All voted in favor and the motion carried.*

#### **PUBLIC RECORDS DISPOSAL**

Commissioner O'Connor has requested time on this agenda to discuss issues related to the disposal of public records. He requested that the County IT Department look into the cost of managing a long term permanent storage for county records. It may be too expensive to do in-house, however it may be possible to contract the services.

IT Director Becky Snyder stated that hosted storage could be investigated for documents. She felt the regulations, formats, and schedules under which we operate for retention should be kept in mind. An evaluation would be completed for all county operation records and brought back to the Board.

#### **WASTEWATER TREATMENT PLANT FEASIBILITY STUDY**

Commissioner Messer and Commissioner Young had requested time on the agenda to discuss issues related to a Wastewater Treatment Plant Feasibility Study.

Commissioner Young feels that our wastewater treatment is costing a lot more in Henderson County than Buncombe County through the Metropolitan Sewer District. Commissioners Young and Messer feel a feasibility study needs to be done to try to create our own waste water treatment plant to reduce cost to Henderson County customers.

Commissioner Messer feels that the growth of the northern part of Henderson County should be looked at. At this time, Henderson County has no voice.

County Manager Steve Wyatt recommended a RFQ (Request for qualifications) be developed and advertised. Staff would go through the process of evaluating the firms and bring the top firms back to the Board in a special work session. After a firm has evaluated the expectations of the Board a proposal would be presented to the Board including the scope of work and a not to exceed price for the feasibility study. The goal is 45-60 days for the proposal. The Board would at that point make a decision. Mr. Wyatt questioned what role the two (2) municipalities in that area would have in a feasibility study. There is funding available in the Cane Creek fund.

*Commissioner Thompson made the motion that the Board gives staff direction to collect three (3) RFQ's for a feasibility study for water and sewer operations in northern Henderson County, providing*

*rank in priority with reason of ranking, and bring back to the Board at a later date. All voted in favor and the motion carried.*

**COUNTY MANAGER'S REPORT**

There was nothing further at this time.

**IMPORTANT DATES**

The Board was reminded of the Annual Special Called Public Hearing with NCDOT on Secondary Roads to be held Tuesday, September 27, 2011 at 2:00 p.m. Chairman Edney would not be in attendance. Vice-Chairman Thompson would be conducting the meeting.

**CLOSED SESSION**

*Commissioner Messer made the motion for the Board to go into closed session as allowed pursuant to NCGS 143-318.11 for the following reasons:*

1. Pursuant to N.C. Gen. Stat. §143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.
2. Pursuant to N.C. Gen. Stat. §143-318.11(a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (I) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

*All voted in favor and the motion carried.*

**ADJOURN**

*Commissioner Messer made the motion to go out of closed session and adjourn at 2:30 p.m. All voted in favor and the motion carried.*

Attest:

---

Teresa L. Wilson, Clerk to the Board

---

J. Michael Edney, Chairman

LINE-ITEM TRANSFER REQUEST  
 HENDERSON COUNTY



Department: Governing Body

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115401 - 538100</u>	<u>Professional Services</u>	<u>\$4,000</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

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

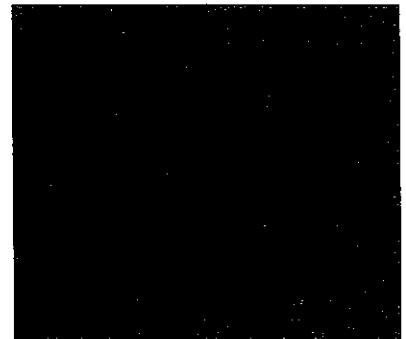
Account	Line-Item Description	Amount
<u>114990 - 401000</u>	<u>Fund Balance Appropriated</u>	<u>\$4,000</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Justification: *Please provide a brief justification for this line-item transfer request.*  
 Fund balance appropriated to fund the Beaver Management Assistance as approved by the BOC 9/6/11. BA approved by the Board of Commissioners September 21, 2011.

Leressa L. Weber 9.21.11  
 Authorized by Department Head Date

[Signature] 9.21.11  
 Authorized by Budget Office Date

[Signature] 9.21.11  
 Authorized by County Manager Date



# HENDERSON COUNTY TAX DEPARTMENT

Collector's Office  
200 North Grove Street  
Suite 66  
Hendersonville, NC 28792

Phone: 828/697-6596

Fax: 828/698-6153

[www.hendersoncountync.org/tc/](http://www.hendersoncountync.org/tc/)

Stan C. Duncan  
County Assessor & Tax Collector

Sandy Allieon  
Administrative Assistant II

September 9, 2011

## Re: Tax Collector's Report to Commissioners – 09/21/11 Meeting

Please find outlined below collections information through September 8th for the 2011 bills, which were mailed out on August 19<sup>th</sup>, as well as registered motor vehicle bills. As a point of reference, we also have included collections information as of the same date last year.

### Annual Bills G01 Only:

2011 Total Charge \$57,551,578.61  
Payments & Releases: 5,551,449.74  
Unpaid Taxes: 52,000,128.87  
**Percentage Collected: 9.65%**  
(through 09/08/11)

2010 Total Charge: \$56,446,184.92  
Payments & Releases: 6,639,113.97  
Unpaid Taxes: 49,807,070.95  
**Percentage Collected: 11.76%**  
(through 09/08/10)

### Motor Vehicle Bills G01 Only:

2011 Total Charge: \$1,356,583.66  
Payments & Releases: 781,900.90  
Unpaid Taxes: 574,682.76  
**Percentage Collected: 57.64%**  
(through 09/08/11)

2010 Total Charge: \$1,313,701.83  
Payments & Releases: 759,500.91  
Unpaid Taxes: 554,200.92  
**Percentage Collected: 57.81%**  
(through 09/08/10)

### Fire Districts All Bills:

2011 Total Charge: \$6,495,135.65  
Payments & Releases: 733,675.23  
Unpaid Taxes: 5,761,460.42  
**Percentage Collected: 14.74%**  
(through 09/08/11)

2010 Total Charge: \$6,254,064.91  
Payments & Releases: 831,689.05  
Unpaid Taxes: 5,422,375.86  
**Percentage Collected: 16.58%**  
(through 09/08/10)

Respectfully submitted:

  
Carol McCraw,  
Deputy Tax Collector

Stan C. Duncan,  
Tax Collector

A Regular Meeting of the Board of Commissioners (the "Board") of the County of Henderson, North Carolina (the "County") was held on Wednesday, September 21, 2011 at 9:00 a.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina after proper notice, and was called to order by the Chairman, and upon the roll being called, the following members of the Board answered present:

J. Michael Edney, Chairman  
Tommy Thompson, Vice-Chairman  
William O'Connor  
Charlie Messer  
Larry Young

The following members of the Board were absent: None.

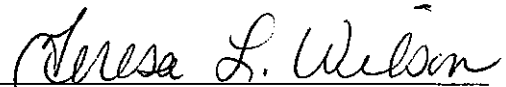
Also present: Steve Wyatt, County Manager; David Whitson, Assistant County Manager; Russ Burrell, County Attorney; J. Carey McLelland, Finance Director; Teresa Wilson, Clerk to the Board.

At 9:00 a.m., the Finance Director reported to the Board that notice of a public hearing regarding the construction of a new scalehouse (the "Scalehouse") and a new recycling convenience center, construction of road improvements related to an existing solid waste transfer station and the new recycling convenience center and acquisition of related equipment (collectively, the "Project"), pursuant to an installment financing contract (the "Contract") in a principal amount not to exceed \$2,000,000 and the giving, in connection with the Contract, as grantor, of a deed of trust and security agreement (the "Deed of Trust") on the real property on which the Scalehouse will be located, was published on September 8, 2011 stating that the Board would hold a public hearing thereon on September 21, 2011 at 9:00 a.m.

Commissioner Young moved to go in to public hearing and the Board voted unanimously to go in to public hearing. The Chairman announced that the Board would hear anyone who wished to be heard on the questions of the proposed Contract, the Project to be financed thereby and the granting of the Deed of Trust. [No one spoke at the public hearing.]

Commissioner Young moved that the public hearing be closed and the Board voted unanimously to close the public hearing.

*HELD* the 21st day of September, 2011.



TERESA WILSON  
Clerk to the Board  
County of Henderson, North Carolina



**RESOLUTION DECLARING PERSONAL PROPERTY OWNED BY THE COUNTY  
AS SURPLUS AND AUTHORIZING THE SALE OF SURPLUS PROPERTY  
BY ELECTRONIC PUBLIC AUCTION**

**WHEREAS**, Henderson County owns computer equipment itemized on the attached list, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

**WHEREAS**, the Henderson County Board of Commissioners is desirous of declaring the computer equipment as surplus and selling at a public auction as authorized by NCGS 160A-270; and

**WHEREAS**, it is the intent of the County to sell said surplus computer equipment by electronic public auction at [www.govdeals.com](http://www.govdeals.com).

**NOW THEREFORE BE IT RESOLVED**, by the Henderson County Board of Commissioners as follows:

1. The computer equipment itemized on the attached list is hereby declared to be surplus property.
2. The Finance Director is hereby authorized to sell by electronic auction at [www.govdeals.com](http://www.govdeals.com) the surplus property described above to the highest bidder.
3. All surplus property will be sold "as is", all sales final, cash, certified check or money order only. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.
4. A notice summarizing this Resolution and the sale of the surplus property by electronic public auction shall be advertised by the Finance Director on the County's website at [www.hendersoncountync.org](http://www.hendersoncountync.org) at least ten (10) days prior to the public auction.

**THIS** the 21<sup>st</sup> day September, 2011.

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

BY: \_\_\_\_\_

J. Michael Edney, Chairman

**ATTEST:**

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

[OFFICIAL SEAL]

ASSET#	S/N	Make/Model/Description	Purchase Date
	3010cn	Dell 3010cn Color Laser Printer w/NIC	unknown
10994	DVY9Q31	Dell Optiplex GX270 Desktop	10/31/03
10998	7W4PS31	Dell Optiplex GX270 Desktop	10/31/03
11008	6X4PS31	Dell Optiplex GX270 Desktop	11/13/03
11019	7Y4PS31	Dell Optiplex GX270 Desktop	11/13/03
11024	3F1SS31	Dell Optiplex GX270 Desktop	11/13/03
11026	FF1SS31	Dell Optiplex GX270 Desktop	11/13/03
11027	2G1SS31	Dell Optiplex GX270 Desktop	11/13/03
11112	FZ6VG41	Dell Optiplex GX270 Desktop	03/06/04
11159	20YLX41	Dell Inspiron 5150 Laptop	05/18/04
11163	D2YLX41	Dell Inspiron 5150 Laptop	05/18/04
11171	4K5JX41	Dell Optiplex GX270 Desktop	05/18/04
11476	78Z7L71	Dell Optiplex 170L Desktop	05/25/05
11481	H7Z7L71	Dell Optiplex 170L Desktop	05/25/05
11655	5LKSA86948	Panasonic Toughbook CF-73	12/23/05
11729	EA1NKYDZ3D	HP Proliant DL360 G4 Rackmount Server	09/20/04
11731	Z5XRLYPN37	HP Smart Array 500 Rackmount Disc Backup	09/20/04
11909	GFTLM91	Dell PowerEdge 830 Server (Tower)	03/08/06
12242	80Z6Z91	Dell Powervault 124T Rackmount Tape Backup	10/05/06



# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone 828-697-4808 • Fax: 828-692-9855  
TDD: 828-697-4580

www.hendersoncountync.org

J. MICHAEL EDNEY  
Chairman  
THOMAS H. THOMPSON  
Vice-Chairman

CHARLIE MESSER  
BILL O'CONNOR  
LARRY YOUNG

## *Resolution of Memoriam for Robert Dean "Bob" Eklund February 5, 1928 - September 17, 2011*

*WHEREAS, Henderson County celebrates the life and service of Robert D. "Bob" Eklund; and*

*WHEREAS, Mr. Eklund served one term as a Henderson County Commissioner from December 1994 until December 1998; and*

*WHEREAS, Mr. Eklund served as the Chair of the Henderson County Board of Commissioners from December 1996 until December 1998; and*

*WHEREAS, Mr. Eklund left an indelible mark on his adopted hometown through his public service, volunteer work, philanthropy and tireless work with Pardee Hospital; and*

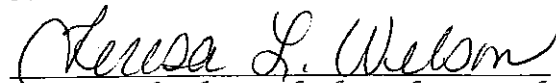
*WHEREAS, Mr. Eklund was involved with education, parenting, elder services and the preservation of important historical icons, including the Historic Courthouse; and*


*WHEREAS, Mr. Eklund was a "true gentleman" as well as an "outstanding community Leader"; and*

*THEREFORE, BE IT RESOLVED, Mr. Eklund is remembered for his service and dedication to the citizens of Henderson County. The Board of Commissioners and staff extend their deepest sympathy to his family and friends.*

*This the 21st day of September, 2011.*

Attest:

  
Teresa L. Wilson, Clerk to the Board

  
J. Michael Edney, Chairman  
Henderson County Board of Commissioners