

**RESOLUTION OF THE
BOARD OF COMMISSIONERS
OF HENDERSON COUNTY**

WHEREAS, the North Carolina General Assembly has enacted what is now North Carolina Sessions Law 2012-144, entitled "AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND MAKE OTHER ADMINISTRATIVE CHANGES" ("SL 2012-144"); and,

WHEREAS, included in SL 2012-144 is a provision which strikes the authority for the current Henderson Travel and Tourism Committee ("the Committee") and replaces it with a new Henderson Tourism Development Authority; and,

WHEREAS, SL 2012-144 further requires certain actions be taken by the Henderson County Board of Commissioners in regard to the Authority; and,

WHEREAS, the actions taken herein are pursuant to the authority of SL 2012-144 and the laws of North Carolina;

**NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF
COMMISSIONERS OF HENDERSON COUNTY** as follows:

1. There is created the Henderson Tourism Development Authority ("the Authority"), a public authority under the North Carolina Local Government Budget and Fiscal Control Act.
2. The Authority shall be governed by shall be governed by an Authority Committee of nine (9) members. The nine members appointment, term of office, and other qualifications, shall be as follows:
 - Seat 1: The member holding Seat 1 shall be appointed by the Board of Commissioners of Henderson County. The first person appointed to Seat 1 shall serve a term of not more than five (5) years ending 30 June, 2017, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 1 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 1 shall be registered to vote in Henderson County. The member holding Seat 1 shall be affiliated with a business that collects Occupancy Tax (as defined in SL 2012-144) within Henderson County.
 - Seat 2: The member holding Seat 2 shall be appointed by the Board of Commissioners of Henderson County. The first person appointed to Seat 2 shall serve a term of not

more than four (4) years ending 30 June, 2016, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 2 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 2 shall be registered to vote in Henderson County.

Seat 3: The member holding Seat 3 shall be appointed by the Board of Commissioners of Henderson County. The first person appointed to Seat 3 shall serve a term of not more than three (3) years ending 30 June, 2015, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 3 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 3 shall be registered to vote in Henderson County.

Seat 4: The member holding Seat 4 shall be appointed by the City Council of the City of Hendersonville, North Carolina. The first person appointed to Seat 4 shall serve a term of not more than five (5) years ending 30 June, 2017, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 4 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 4 shall be registered to vote in Henderson County. The member holding Seat 4 shall be affiliated with a business that collects Occupancy Tax (as defined in SL 2012-144) within Henderson County.

Seat 5: The member holding Seat 5 shall be appointed by the City Council of the City of Hendersonville, North Carolina. The first person appointed to Seat 5 shall serve a term of not more than four (4) years ending 30 June, 2016, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 5 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 5 shall be registered to vote in Henderson County.

Seat 6: The member holding Seat 6 shall be appointed by the City Council of the City of Hendersonville, North Carolina. The first person appointed to Seat 6 shall serve a term of not more than three (3) years ending 30 June, 2015, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 6 shall be for a term of not more than five (5) years, however such term always

ending on June 30 of the last year of such appointment. The member holding Seat 1 shall be registered to vote in Henderson County.

Seat 7: The member holding Seat 7 shall be appointed by the Town Council of the City of Fletcher, North Carolina. The first person appointed to Seat 7 shall serve a term of not more than five (5) years ending 30 June, 2017, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 7 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 7 shall be registered to vote in Henderson County.

Seat 8: The member holding Seat 8 shall be appointed by the Village Council of the Village of Flat Rock, North Carolina. The first person appointed to Seat 8 shall serve a term of not more than four (4) years ending 30 June, 2016, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 8 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 8 shall be registered to vote in Henderson County.

Seat 9: The member holding Seat 9 shall be appointed by the Board of Commissioners of Henderson County upon a recommendation from the Henderson County Chamber of Commerce. The first person appointed to Seat 9 shall serve a term of not more than three (3) years ending 30 June, 2015, and shall not be eligible for appointment (or reappointment) to the Authority Committee after the expiration of such term unless such person shall not be a member of the Authority Committee for a period of one year. Subsequent appointments to Seat 9 shall be for a term of not more than five (5) years, however such term always ending on June 30 of the last year of such appointment. The member holding Seat 9 shall be currently active in the promotion of travel and tourism in Henderson County.

3. Special provision regarding Seat 1, Seat 2, Seat 3, Seat 4, Seat 5 and Seat 6: The Board of Commissioners of Henderson County and the City Council shall confer for their appointments such that at all times at least three (3) members holding Seat 1, Seat 2, Seat 3, Seat 4, Seat 5 or Seat 6 shall be currently active in the promotion of travel and tourism in Henderson County.

4. Special provisions regarding Seat 7 and Seat 8: The Town Council of the City of Fletcher and the Village Council of the Village of Flat Rock shall confer for their appointments such that at all times at least one member holding Seat 7 or Seat 8 is affiliated with a business that collects Occupancy Tax (as defined in SL 2012-144) within Henderson County, and that at all times at least one member holding Seat 7 or Seat 8 is currently active in the promotion of travel and tourism in Henderson County.

5. The Board of Commissioners of Henderson County shall select the chair of the Authority Committee, whose term shall end each June 30.

6. The Board of Commissioners of Henderson County shall set the compensation, if any, of the Authority Committee, which compensation, if any, shall be included in the administrative expenses of the Authority, and budgeted for by the Authority Committee.

7. Vacancies: Should any Seat on the Authority Committee become vacant by death, resignation or otherwise, prior to the end of a term of appointment, the member to hold such Seat shall be appointed in the same manner as such Seat was originally appointed.

8. Powers and duties of the Authority shall be as set out in SL 2012-144.

Moved by Commissioner Bill O'Connor, and adopted by vote of the Board of Commissioners of Henderson County, this the 18th day of July, 2012.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By:

Thomas H. Thompson
THOMAS H. THOMPSON, Chairman

Attest:

Teresa L. Wilson

TERESA L. WILSON, Clerk to the Board