

MINUTES

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

BOARD OF COMMISSIONERS MONDAY, OCTOBER 18, 2017

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 Mike Edney, Vice-Chairman Grady Hawkins, Commissioner Tommy Thompson, Commissioner Charlie Messer, Commissioner William Lapsley, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Engineer Marcus Jones, Director of Business and Community Development John Mitchell, Internal Auditor Samantha Reynolds, Building Services Director Tom Staufer, Animal Services Director Brad Rayfield, Captain Bengy Bryant, Sheriff Charlie McDonald, Chief Deputy Jason Brown, Tax Administrator Darlene Burgess, Deputy Tax Collector Luke Small, Planner Brian Burgess, Planning Director Autumn Radcliff, Finance Director J. Carey McLelland, DSS Director Jerrie McFalls, Environmental Programs Coordinator Rachel Kipar and PIO Kathryn Finotti – videotaping, Deputies Ryan Hallberg and Ken McCraw as security.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Arthur Mack, Associate Pastor of St. James Episcopal Church.

PLEDGE OF ALLEGIANCE

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

INTRODUCTION

Steve Wyatt introduced Regional Representative for Senator Tom Tillis, Jordan Barnes. Mr. Barnes has an office located inside the Historic Courthouse.

RECOGNITION OF SERVICE - Andrew Tate

Chairman Edney stated the Board is recognizing Andrew Tate and his service to the County as the President and CEO of the Partnership for Economic Development. Andrew has led Henderson County industrial recruiting efforts since 2007. He has recruited 15 facilities that have invested almost \$800 million and hired 2070 people. Andrew has accepted a new job working on economic development with the North Carolina Railroad. He was presented with a framed picture of the Historic Courthouse and a certificate.

Commissioner Thompson shared he met Andrew 10 years ago on the Ferncliff property, which now houses GF Linamar and Sierra Nevada Brewing. This is a gentleman who works tirelessly for Henderson County.

Commissioner Messer feels job growth in the County is due to the awesome job Andrew and his staff have done.

Commissioner Hawkins noted that achieving these companies requires persistence. Andrew has worked hard over the years and brought in great benefits to Henderson County.

Commissioner Lapsley has known Andrew for many years. He is a friend as well as a colleague, and has done so much for the County over 10 years. The positive impact he has created on the economy will be felt for generations. His dedication to the community is untouchable by anyone else.

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Steve Wyatt stated in the last decade the right people came together at the right time. Henderson County is envied by the State and others. Andrew's work will transcend generations. He has left behind a legacy.

Russ Burrell remembered when Andrew came on board and asked right up front "What can I do to make it better?" The economic development guidelines that were set up have worked well. He has fixed problems and brought many people online.

Mr. Tate received a standing ovation and many handshakes and hugs from the Board and staff.

PROCLAMATION - National Family Caregivers Month - November 2017

The Land-of-Sky has requested the Board of Commissioners adopt a Proclamation proclaiming November 2017 as National Family Caregivers Month with the theme "Caregiving Around the Clock" in Henderson County, North Carolina. Commissioner Thompson read the Resolution aloud.

Commissioner Thompson made the motion that the Board of Commissioners adopts the Proclamation as presented, proclaiming November 2017 as National Family Caregivers Month with the theme "Caregiving Around the Clock" in Henderson County, North Carolina. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENTS

- 1. Gayann O'Neal spoke in opposition to the proposed widening of Kanuga Road. She is the president of her Home Owner's Association. She feels people come to Henderson County seeking solace and a slow pace. This project will increase that pace. Widening the road will not decrease accidents, but increase the speed. Please preserve our history.
- 2. Cindy Ward spoke in opposition to the proposed widening of Kanuga Road. Ms. Ward stated they have 868 signatures on a petition and 153 of those are directly in the path of the project. The community was not aware of the project and this will be devastating. More patrolling of the road should be done. She does not want to see the trees removed. She asked the Board to help them by passing this on to the City Council and NCDOT.
- 3. Wallace Bysinger spoke in opposition to the proposed widening of Kanuga Road. There have been many accidents but widening the road will not help. This project will take away property and the rural nature. The Sheriff's Department should monitor the road more and prohibit 18 wheelers.
- 4. Richard Freudenberger spoke in opposition to the proposed widening of Kanuga Road. He is a Kanuga Conference resident and has driven the road for 31 years. This road is very calm and historic. NCDOT is spending \$20m on this project and it is not necessary. Turning lanes and new markings would be more beneficial.
- 5. Sylvia Lemson spoke in opposition to the proposed widening of Kanuga Road. She lives in Beaumont Estates and every time there is an accident traffic is detoured through Beaumont. She asked if this is legal.
- 6. Margaret Smith lives in Hunters Crossing and is concerned with traffic on Brevard Road (Highway 64). This road is overused and busy with the proposed new development "The Cottages". She asked the Board to look into the situation and provide any type of assistance they may be able to offer.
- 7. Tom Johnson spoke in opposition to the proposed widening of Kanuga Road. He feel the NCDOT proposal is primarily for safety. Widening the road will only make it harder for residents. Kanuga Road is a showcase for Henderson County. It is mostly residential. Widening the road will increase the speed and in the summer it is traveled by many summer campers. Once this project is complete, the damage is irreversible. Trees and stonework cannot be replaced. The curb appeal will be gone.
- 8. Doug Judkins is concerned with traffic on Brevard Road (Highway 64). He proposed that NCDOT take the \$20m they are spending on Kanuga Road and widen Highway 64. Highway 64 was built in 1932 and very little has been done for improvement over the years. Large developments are coming in, and no improvements continue. Any help from the Board of Commissioners would be greatly appreciated.

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9. Judy Peyton is concerned about building on steep slopes and would like for regulations to be reviewed again. Drainage and landslides are not being accounted for. There should be consideration for people at the bottom of the hill.

- 10. Roy Moseley spoke in opposition to the proposed widening of Kanuga Road. It is a picturesque site and so much will be disturbed with the project. Trees, waterlines, rock walls, driveways, etc. This will be an engineering nightmare at a cost of more than \$20m.
- 11. Dennis Justice would like for the Board to revisit the Artificial Turf at Hendersonville High School before it is done. Shock pads should be installed even though the School Board voted against it. The injury risk will be much higher without it.
- 12. Lisa Gale lives on Davis Circle off Highway 64 and is concerned about the Highway 64 project and loss of an access road. Emergency services as well as delivery services will be cut off. NCDOT needs more property and is taking it away from homeowners. She is concerned about the Stepp family who will be evicted and their home torn down. She asked the Board to work with NCDOT and request that Davis Circle be left alone.

Commissioner Hawkins stated that most people realize that working with NCDOT is like dealing with a 300 pound gorilla. The County does not have much say in State projects. He asked that staff and the County Attorney work to make NCDOT aware of the concerns for both projects, and include the petitions.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Hawkins made the motion to approve the Consent Agenda as presented. 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):

October 2, 2017 - Regularly Scheduled Meeting

Motion:

I move the Board approve the minutes of October 2, 2017 as presented.

Tax Collector's Report

Deputy Tax Collector Luke Small had presented the Tax Collector's Report to the commissioners dated October 5, 2017 for information only. No action was required.

Public Records Disposal Request - Finance

Staff is requesting approval from the Board of Commissioners to destroy all records listed on the attached Public Records Disposal Request and Destruction Log in accordance with the County's Records Retention Policy and the provisions of the N.C. Department of Cultural Records Retention and Disposition Schedule as the period for retention of these records has expired.

Motion:

I move that the Board of Commissioners approves the Public Records Disposal Request and Destruction Log submitted by the Finance Department.

Public Records Disposal Request - Building Services

Staff is requesting approval from the Board of Commissioners to destroy the records listed on the attached Public Records Disposal and Destruction Log in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule as the period for retention has expired.

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Motion:

I move that the Board of Commissioners approves the Public Records Disposal Request and Destruction Log as presented.

Public Hearing for economic development "Project Mountain"

The Board is requested to set a public hearing on the issue of economic development incentives for "Project Mountain".

The requested date and time for the public hearing is November 6, 2017, at 5:30 o'clock p.m.

Motion:

I move that the Board set a public hearing on November 6, 2017, at 5:30 o'clock p.m. regarding public hearing on economic development incentives for "Project Mountain".

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

CommissionerMesser made the motion to adopt the discussion agenda with the addition of an Update on the meeting with MSD by Commissioner Messer and Commissioner Lapsley, and a closed session. All voted in favor and the motion carried.

NOMINATIONS

Nominations

Chairman Edney opened the floor for nominations.

1. Cemetery Advisory Committee - 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

2. Henderson County Water and Sewer Advisory Committee – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

3. Hendersonville City Zoning Board of Adjustment −1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

4. Home and Community Care Block Grant Advisory Committee – 2 vac.

There were no nominations at this time and this item was rolled to the next meeting.

5. Juvenile Crime Prevention Council – 3 vac.

There were no nominations at this time and this item was rolled to the next meeting.

6. Nursing/Adult Care Home Community Advisory Committee – 6 vac.

There were no nominations at this time and this item was rolled to the next meeting.

7. Senior Volunteer Services Advisory Council – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

ORDINANCE REVISIONS TO CHAPTER 16 (ANIMALS)

Brad Rayfield, Animal Services Director, stated the Henderson County Sheriff's Department and Henderson County Animal Services Center have worked together to make improvements to Chapter 16 (Animals) of the County Ordinance. These revisions were presented to the Animal Services Advisory Committee and discussed, in committee, at both the July 13, 2017 and August 7, 2017 meetings. On August 7, 2017, the Advisory Committee voted to recommend the proposed revisions to the Henderson County Board of Commissioners for consideration.

There was concern among the commissioners regarding the verbiage of fines and fees. We may wish to look at livestock once again, and revisit coverage in the municipalities.

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It was the consensus of the Board to have the Animal Services Advisory Committee review the areas of concern for improvement and bring it back to the Board with revisions for consideration.

BUDGET AMENDMENT - ASSET FORFEITURE FUND TRANSFER

Sheriff McDonald stated the Sheriff's Department is requesting that the Board approve the BA to transfer funds from the US Treasury (114431-451004) and US DOJ (114431-451005) for the purchase of Viper Radios, Detention door sweeps & slider parts, SMART 911, VIP vehicles & STAR Team Equipment.

Viper radios are needed to assist us in successfully participating in incident command situations, especially those that involve multiple agencies locally and across the state. The door sweeps will help prevent inmates from passing contraband to one another. SMART 911 is an invaluable service that allows our citizens an online safety profile with crucial information such as health issues, photographs, pet information, or special rescue notes etc.

This information is available to first responders when the citizen calls 911. The two vehicles will assist our VIP's in maximizing their efforts as a force multiplier within our community. They assist the Sheriff with his strategic plan and saving our community an estimated \$95,700.00 while performing a variety of duties requiring vehicles such as Funeral Escorts, Neighborhood Patrols, School Security checks, Meals on Wheels and assistance during emergency events. The EMS STAR team is in need of emergency protective equipment that will assist them in responding and providing our SWAT team with in the field and on scene medical support during high risk operations.

Commissioner Lapsley would like to see a record of drug forfeiture monies received from the last several years.

Commissioner Hawkins made the motion that the Board of Commissioners approves the Budget Amendment to appropriate funding necessary to purchase this equipment and service. All voted in favor and the motion carried.

UPDATE ON MEETING WITH MSD - Add on

Commissioner Messer stated he, Commissioner Lapsley and Engineer Marcus Jones met with the MSD Board last Tuesday. He feels we are making progress. The MSD Board inquired what the County wanted and needed, and fair pricing was noted as the County's main issue.

Commissioner Lapsley noted the meeting was held with the MSD Planning Committee regarding the proposed merger. Information was provided for final recommendation to the MSD Board. The County Finance Department will provide financial information after the County audit in January should the MSD Board give favorable recommendation for approval. The merger must go through the Environmental Management Commission for approval around April, and we are on track for a proposed merger on July 1, 2018. Henderson County was well received and the meeting was a positive experience.

COUNTY MANAGER'S REPORT

County Manager Steve Wyatt reminded the Board of the 6:00 p.m. Public Input Session Thursday, October 19, 2017 at North Henderson High School for Waste Water Services Options. Staff will provide a brief presentation to bring the citizens in attendance up to date. This is not a question and answer time, however staff will be available to provide answers and collect contact information if necessary.

November 3, 2017 is the Groundbreaking for the new Emergency Services Center at 11:00 a.m.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult

October 18, 2017

with an attorney employed or retained by the Board to preserve attorney-client privilege.

Chairman Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. $\S143-318.11(a)(3)$, to consult with an attorney employed or retained by the Board to preserve attorney-client privilege. All voted in favor and the motion carried.

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Commissioner Hawkins made the motion to go out of closed session and adjourn at 11:50 a.m.	All voted in
favor and the motion carried.	

Attest:		
Teresa L. Wilson, Clerk to the Board	J. Michael Edney, Chairman	

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66 HENDERSONVILLE, NC 28792

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

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

Thursday, October 05, 2017

Re: Tax Collector's Report to Commissioners - Meeting Date October 18, 2017

Please find outlined below collections information through October 4, 2017 for the 2017 real and personal property bills mailed on August 4, 2017. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2017 Beginning Charge:

\$71,422,390.69

Discoveries & Imm. Irreg.:

\$516,309.47

Releases & Refunds:

(\$506,950.24)

Net Charge:

\$71,431,749.92

Unpaid Taxes:

\$56,982,542.75

Amount Collected:

\$14,449,207.17

Paid 20.23% Unpaid 79.77%

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

Net Charge:

\$1,664,807.28

Unpaid Taxes:

\$5,491.43

Amount Collected:

\$10

\$0

\$1,659,315.85

Revenue Collected

\$30

\$20

99.67%

Henderson County FY18 Budget Analysis:

Budget Ordinance Revenue Collected Ad Valorem: \$72,826,301.00 Ad Valorem: \$16,108,523.02 **Prior Years:** \$1,405,000.00 \$609,372.75 **Prior Years: Budget Total:** \$74,231,301.00 \$16,717,895.77 YTD Revenue: **Budget Ordinance** Millions

\$40

Respectfully Submitted,

\$60

\$70

\$80

Luke Small

\$50

Deputy Tax Collector

Darlene Burgess Tax Administrator

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG (Revised March 13, 2002)

DEPARTMENT:	Finan	:				
RECORD TITLE & DESCRIPTON, INCLUSIVE DATES, & QUANTITY	RECORD	S WILL BE	RECORDS RETENTION SECTION	IF APPROVED DATE DESTROYE		
Debt Financing	./		, 4.24	DEOMOTE		
Accords - Fyzoit Accords Accelvable Accords Fyzoit	/		4.2			
Check 5+445 - KY2014	/		4.19			
Monthly Budget Reports Y2014	. /	,	4,43			
Agid Check's , bills and Vouchers - Fyzor	/		4.44			
Financial Audit			4.6			
, ,	:					
Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; OR where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. NONE of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.						
Department Head Date Submitted to the Henderson County Board of Commissioners. The Board: APPROVED DISAPPROVED						
the destruction/duplication of the above records and such approval/disapproval has been entered into the official minutes of the Board of Commissioners meeting held on the May of October						
Glerk to the Board						

HENDERSON COUNTY

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

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DEPARTMENT:	MAN	<i>دد</i>	 	
RECORD TITLE & DESCRIPTON, INCLUSIVE DATES, & QUANTITY	<u> </u>	S WILL BE	RECORDS RETENTION SECTION	IF APPROVED, DATE DESTROYED
Bankstatements Fyze Canceled Checks	14 /		, 4, 8	
Saposit Slips, Receipts Reconciliations FY2019	,		4.8	
Check Registers Cost Allo cotion Hans 12			4.18	
Crefit/Ochit Card Stips Agily Cash Reports 5/6		,	4,24	
Expanditure Reports Fy	/		4,33	
Acid Invoices Investment Accords Fy			4.39	
Purchase Orders Fya.	14:		4.49	

*If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; OR where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. NONE of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

1 - 0	•
James M Lille	10/18/17
Department Head	Date /

Submitted to the Henderson County Board of Commissioners. The Board:

APPROVED

DISAPPROVED

Clerk to the Board

HENDERSON COUNTY RECORDS RETENTION AND DISPOSITION PROCEDURE

PUBLIC RECORDS DISPOSAL REQUEST AND DESTRUCTION LOG

(Revised March 13, 2002)

DEPARTMENT:	BUILDING	SERVICES	

RECORD TITLE & DESCRIPTON, INCLUSIVE DATES,	RECORDS WILL BE		RECORDS	IF APPROVED,	
& QUANTITY	DESTROYED	*DUPLICATED	RETENTION SECTION	DATE DESTROYED	
BLUEPRINTS I YR AFTER PERMITTED	\		5.3	11-1-17	
PERMITS + APPLICATIONS 6 YRS AFTER C.O.			5,4	11-1-17	
2010 + PRIOR			2′33	11-1-17	
PERMIT RECEIPTS 2013 + PRIOR			5134	11-1-17	
PERMITS MISC 2013 + PRIOR			5.40	11-1-17	
MONTHLY REPORTS			5.48	11-1-17	
		_			

^{*}If duplication is required, indicate method.

Approval is requested for the records listed above to be destroyed in accordance with the provisions of G.S. 121 and 132. The period for retention of these records, as prescribed by the North Carolina Department of Cultural Resources, has expired; **OR** where the period for retention has not expired, the original records have been duplicated on microfilm, microfiche, data processing or word processing equipment, with the understanding that said duplication shall be maintained for the specified period of retention. **NONE** of the original records listed above have been scheduled for permanent preservation by the North Carolina Department of Cultural Resources.

Jom Staufer	10-5-17
Department Head	Date
Submitted to the Henderson County Board of Co APPROV DISAPPRO	ED 🖾
the destruction/duplication of the above records a entered into the official minutes of the Board of C of	and such approval/disapproval has been commissioners meeting held on the day day Clerk to the Board

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LINE-ITEM TRANSFER REQUEST HENDERSON COUNTY



Department:	Sheriff/Detention			
Please make the	e following line-item transfer	s:		
What expense	line-item is to be increas	sed?		
	Account Line-Item Description 115431-526020 Non-Expendable		Amount \$44,223.00	
		Maint. & Repair Building &		
	115432-535100	Grounds	\$18,121.00	
	115431-553000	Capital Outlay Vehicles	\$44,271.00	
	115431-525000	Automotive Supplies	\$1,853.00	
	115431-539000	Contracted Services	\$21,000.00	
	115431-521201	Balistic Vest	\$4,720.00	
	115431-526000	Dept. Supplies	\$4,400.00	
	Total		\$138,588.00	
	Account	Line-Item Description	Amount	
	114431-451004	Federal Forfeitures - US Treasury	\$108,468.00	
	114431-451005	Federal Forfeitures - US DOJ	\$30,120.00	
				
	Total	MANUAL AND PROPERTY.	\$138,588.00	
		AND THE PROPERTY OF THE PROPER		
•	e following necessary iter	ification for this line-item transfer request. ms not included in the FY 17-18 Budget:1) VIP Vehicles 5) STAR Team Equipment.	Viper Radios 2) Detention Door	
Chalos	Mall	10/3/2017		
Authorized by Department Head		Date	For Budget Use Only	
			Batch #	
Authorized by I	Budget Office	Date	BA #	
Authorized had	County Manager	 Date	Batch Date	
Authorized by C	County Manager	Date	Ī	

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.org

J. MICHAEL EDNEY Chairman GRADY H. HAWKINS Vice-Chairman

CHARLIE D. MESSER THOMAS H. THOMPSON WILLIAM G. LAPSLEY

PROCLAMATION

National Family Caregivers Month

Caregiving Around the Clock

November 2017

WHEREAS, over 90 million Americans today are family caregivers for their loved ones; and

WHEREAS, a large number of them are finding themselves providing care 24-hours a day/7-days a week; and

WHEREAS, although caregiving can be a rewarding experience, it is not without its consequences such as stress, poor health, and caregiver burnout; and

WHEREAS, six out of 10 family caregivers juggle everyday life tasks such as preparing the children for school, managing household responsibilities, and work full- or part-time. In addition, they have the added responsibility of managing medications for their loved one. Whether it be for a senior with Alzheimer's or a child with special needs the required attention can be non-stop; and

WHEREAS, caregiving affects the whole family, family time and mealtime are extremely important in the caregiving setting. Ensuring that the caregiver and family members get the proper nutrition is important for maintaining strength, energy, stamina, and a positive attitude; and

WHEREAS, making time for yourself and the family protects a family caregiver's own health, strengthens family relationships, prevents burnout and can enable a care recipient to stay at home up to three times longer. The chance to take a breather and re-energize is vital in order for you to be as good a caregiver tomorrow as you were today; and

WHEREAS, with the responsibility of family earegivers in our country is growing every year, it is even more essential to encourage these heroes to take some time for respite so they may continue their mission of providing that loving care that only they can provide.

Now, therefore, be it resolved, that the Henderson County Board of Commissioners do hereby recognize November 2017 as National Family Caregivers Month with the theme "Caregiving Around the Clock" in Henderson County, North Carolina

This the 18th day of October, 2017.

J. Michael Edney, Chairman

Attest:

Teresa L. Wilson, Clerk to the Board