

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, APRIL 4, 2022**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 5:30 p.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were Chairman William Lapsley, Vice-Chair Rebecca McCall, Commissioner Daniel Andreotta, Commissioner David Hill, County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Commissioner J. Michael Edney joined the meeting at 7:37 p.m.

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Engineer Marcus Jones, Sheriff Lowell Griffin, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Jennifer Miranda, Parks and Recreation Director Carleen Dixon, Assistant Engineer Deb Johnston, and PIO Kathy Finotti – videotaping, Deputies John Ashe and Chris Barber provided security.

CALL TO ORDER/WELCOME

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

INVOCATION

Julie Gordon of the Christian Science Church provided the invocation.

PLEDGE OF ALLEGIANCE

Alyssa and Airley Hart, Young Naturalist 4-H Club, led the Pledge of Allegiance to the American Flag.

RESOLUTIONS AND RECOGNITIONS

Chairman Lapsley moved this item to a future meeting as the recipient of the recognition was not present.

INFORMAL PUBLIC COMMENTS

1. Dennis Justice spoke in support of Sports Betting.
2. Karl Gessler spoke about inaccuracies in election results when using voting machines.

PUBLIC INPUT – AMERICAN RESCUE PLAN

1. Denise Cumbie-Long, Executive Director of United Way, spoke about non-profits and the allocation of ARP Funds.
2. McCray Benson with the Community Foundation urged the Board to consider local Non-Profit Organizations when making decisions on how ARP Funds will be allocated.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Lapsley added Discussion Item E – Child and Family Specialty Plan, A Vaya Health Program. Commissioner Andreotta pulled Consent Agenda item Q – Facility Use Policy Exemption, Blue Ridge Marine Detachment, and moved to Discussion Item F.

Chairman Lapsley made the motion to approve the consent agenda with the revisions discussed. All voted in favor and the motion carried 4-0.

CONSENT AGENDA consisted of the following:

Approval of Minutes

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

March 16, 2022 - Regularly Scheduled Meeting

March 21, 2022 – Special Called Meeting

Motion:

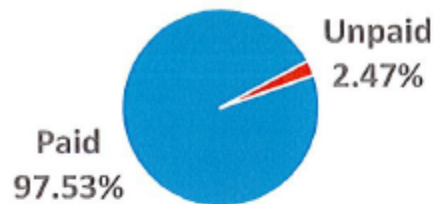
I move the Board approve the minutes of March 16, 2022, and March 21, 2022.

Tax Collector’s Report

The report from the office of the Tax Collector was provided for the Board’s information.

Henderson County Annual Bills (Real and Personal Property):

2021 Beginning Charge:	\$88,218,513.92
Discoveries & Imm. Irreg.:	\$1,251,683.00
Releases & Refunds:	(\$333,822.06)
<u>Net Charge:</u>	<u>\$89,136,374.86</u>
Unpaid Taxes:	\$2,202,807.24
Amount Collected:	\$86,933,567.62



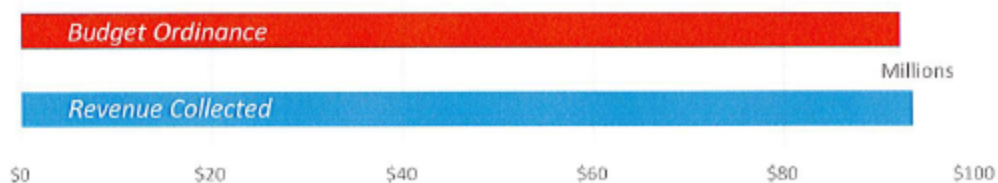
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$5,717,209.57
Unpaid Taxes:	\$12,265.38
Amount Collected:	\$5,704,944.19

99.79%

Henderson County FY22 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$91,127,728.00	\$92,638,511.81
Prior Years:	\$980,000.00	\$749,714.12
Budget Total:	\$92,107,728.00	YTD Revenue: \$93,388,225.93



Approved:

2022. 36 Pending Releases and Refunds

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 3,135.09
Total Refunds as a result of the Above Releases	\$ 975.99

Motion:

I move the Board approve the combined release/refund report as presented.

County Financial Report/Cash Balance Report – February 2022

The February 2022 County Financial and Cash Balance Reports were attached for the Board’s review and approval.

The following are explanations for departments/programs with a higher budget to actual percentages for the month of February:

- Dues/Non-Profits – payment of 3rd quarter Board appropriations
- Administrative Services – the timing of approved employee payroll
- Emergency Management –the timing of Board approved purchases
- Wellness – the timing of payment for Board approved contracted services and medical supplies and equipment
- Rescue Squad – payment of 3rd quarter Board approved appropriation
- Site Development – the timing of Board approved purchases
- Agri-business – excess operating expenditures to be covered by membership fees
- Mental Health – payment of 3rd quarter Board approved appropriation
- Juvenile Justice – the timing of provider appropriations
- Public Education – payment of 8 of 10 annual appropriations made to the public school system
- Non-Departmental – occupancy tax transmittal trending above budgeted amounts

Year to Date Net Revenues under Expenditures for the Justice Academy Sewer Fund are due to the timing of budgeted minor equipment for the sewer fund.

Motion:

I move that the Board of Commissioners approve the February 2022 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Reports – February 2022

The Henderson County Public Schools February 2022 Local Current Expense Fund / Other Restricted Funds Report was provided for the Board’s information.

Motion:

I move that the Board of Commissioners approve the Henderson County Public Schools February 2022 Financial Reports as presented.

Notification of Vacancies

The Notification of Vacancies was provided for the Board’s information. They will appear on the next agenda under “Nominations.”

Approved:

1. Henderson County Planning Board – 3 vac.
Positions #1, 3, and 9 (Position Requirements: Resident of Henderson County)
2. Juvenile Crime Prevention CC – 1 vac.
Position # 10 (Position Requirement: Faith Community)
3. Recreation Advisory Board – 1 vac.
Position #7 (Position Requirement: Resident of Henderson County)

2022.37 Budget Amendment – Rail Trail Donated Funds

The Board was requested to approve a Budget Amendment for \$16,954 in the Capital Projects Fund for an identified donated funding source for the Rail Trail Project #2 (construction west of US64). The funds are anticipated to be used for bridge evaluations of bridges 7, 8, 9, and 10.

Motion:

I move the Board of Commissioners approve the attached Budget Amendment to receive the grant funds for the needed equipment.

2022.38 Budget Amendment – Vehicle Replacement Fund

Due to the extensive lead times now required to position and purchase routine county vehicle replacements, Staff recommended the establishment of a revolving vehicle fund. This fund will be accounted for within the Capital Projects Funds, which is a multi-year fund. Board approved vehicle purchases will be funded by General Fund dollars via a transfer in the annual budget ordinance, and subsequent purchases will be encumbered from the Capital Projects Fund. Establishing a multi-year fund will allow purchases that span fiscal years to remain encumbered and reduce the administrative burden of annually appropriating fund balance to roll purchases forward.

The Board was requested to approve a Budget Amendment, appropriating and transferring \$200,000 in fund balance from the General Fund to the Capital Projects Fund. These funds will be used to position two ambulances for purchase in FY23. Positioning is essential now in order to secure delivery within FY23 due to significant lead times on delivery. Although the vehicles will be positioned, no vehicles will actually be ordered until approved by the Board of Commissioners with adoption of the annual budget.

Motion:

I move the Board approve the budget amendment as presented, transferring funds from the General Fund to the Capital Projects Fund.

2022.39 Swing Law Firm Request for Refund of Deed Excise Tax

Attorney Bridget D. Swing was seeking a refund of the sum of Eight Hundred Sixty-Four Dollars (\$864.00) in real property conveyance excise tax (“deed stamps”). The instrument in question was recorded with an incorrect amount of excise tax stamps fee paid. The instrument can be found in Henderson County Book 3873, Page 526, *et seq.* These details were been verified by Lee King, Register of Deeds, who recommended the granting of this request.

Pursuant to N.C. Gen. Stat. §105-228.37, a request for refund of overpayment of real property conveyance excise tax must be made within six months of the date of payment. The payment was made on or about February 24, 2022. A letter to the Board of Commissioners requesting a refund was attached and an email waiving further notice of your determination in this matter.

Motion:

I move that the Board grant the refund requested insofar as it conforms to the requirements of N.C. Gen. Stat. §105-228.37(b).

Approved:

VFW Architectural Selection

On March 16, 2022, a Request for Qualifications for architectural services for the VFW was posted. The overall project scope includes designs that address all necessary repairs and replacements of all building systems components, including but not limited to HVAC, plumbing, electrical, structural, interior and exterior finishes, and parking, associated with a yet to be finalized design criteria and scope. Also included in the scope of the project was the necessary programming with Henderson County in order to provide a proposed design with cost estimates and schedules for approval, as well as the necessary Construction Administration once the project is bid and awarded to ensure project success. Proposals were due on March 30, 2022. Proposals were subsequently received and reviewed by Staff. Following that review, the firm McMillan | Pazdan | Smith was selected as the most qualified firm.

Motion:

I move the Board approve the selection of McMillan | Pazdan | Smith to provide architectural services for the VFW and direct Staff to negotiate an agreement.

2022.40 Surplus Donation of Stair Chair Stretcher to Mountain Home Fire and Rescue Inc.

For the Board's consideration, a resolution was presented declaring one (1) Stryker Stair Chair Stretcher no longer used by Henderson County Emergency Medical Services as surplus property and the donation of the Stair Chair to the Mountain Home Fire and Rescue Inc. as allowed by N.C.G.S. 160A-280 to be used for assisting non-ambulatory patients.

Motion:

I move that the Board approve the resolution declaring the Stair Chair Stretcher presented as surplus and authorizes the donation to the Mountain Home Fire and Rescue Inc. as allowed by N.C.G.S. 160A-280.

2022.41 Airport Authority Bond Financing Approval

The Greater Asheville Regional Airport Authority requested the Board approve the issuance by the Authority of revenue bonds for airport renovation and expansion. This approval (and that of the Buncombe County Board of Commissioners) is required for the interest paid on the Authority's bonds to be income tax-free to their holders.

This approval does not in any way make the County liable for repayment of principal or interest of the Authority's bonds.

Motion:

I move the Board adopt the proposed resolution approving the issuance of bonds by the Greater Asheville Regional Airport Authority.

2022.42 Procedure for Setting a Public Hearing

The Board's current procedure requires two meetings to hold a public hearing (one to set the hearing date and time and one for the actual hearing), and in between those, published notice of the public hearing must occur. This often means a month or more between the time when it is obvious that a public hearing is required to the actual hearing.

This proposal allows staff to set the public hearing and publish notice if there are at least ten days between the date of the publication and the hearing.

The changes proposed to the Board's Rules of Procedure were as follows:

Approved:

1. **Delete 1. of Rule 11:**

Rule 11. Order of Business

At regular meetings, the Board shall proceed to business in the following order:

- 1. Informal public comments.
- 2. Approval of the agenda.
- 3. Approval of consent items.
- 4. Discussion items.
- 5. Unfinished business.
- 6. Introduction of ordinances, resolutions, and orders.
- 7. Other new business

2. **Amend Rule 28(a):**

Rule 28. Public Hearings and Public Comment Periods

(a) Public Hearings. Public hearings required by law or deemed advisable by the Board shall be set by a notice issued by County staff, setting forth the subject, date, place, and time of the hearing, and advertised with at least ten (10) days’ notice between the date of first publication and the hearing. The Board will set any rules regarding the length of time allotted to each speaker and designate representatives to speak for large groups. At the appointed time, the chair shall call the hearing to order and preside over it. When the allotted time expires, the chair shall declare the hearing ended and the board shall resume the regular order of business.

Without objection, the chair may call items in any order most convenient for the dispatch of business.

Motion:

I move that the Board adopt the changes to our Rules of Procedure to allow for setting a public hearing as proposed.

2022.43 Set Public Hearing for “Project Independence”

The Board was requested to set a public hearing on the economic development matter “Project Independence.”

The requested date and time for the public hearing was 9:30 a.m. on April 20, 2022.

Motion:

I move that the Board set a public hearing at 9:30 a.m. on April 20, 2022, regarding the economic development matter “Project Independence.”

ABC Permit Comment Request

Sandra T. Oates was seeking a non-negative County comment on her request to the State Alcoholic Beverage Control Board for a mixed drink permit (in addition to other permits for the location) for the property, Burntshirt Vineyard, located on Sugarloaf Road in Hendersonville.

Motion:

I move that the Board give notice of non-objection to this permit request.

Approved:

Jackson Park Playground Consultant Selection

At the March 7, 2022, Board of Commissioners meeting, the top firm from the RFQ, Progressive AE, was selected by the board. Staff had been unable to reach a contract agreement with this firm and requested to start negotiations with the firm that scored 2nd, RVE, Inc.

Motion:

I move that the Henderson County Board of Commissioners terminate negotiations with Progressive, AE as the consulting firm for the All-Inclusive Playground at Jackson Park and authorize staff to start negotiations with the 2nd firm, RVE, Inc.

Chairman Lapsley made the motion to adopt the consent agenda as amended. All voted in favor and the motion carried 4-0.

DISCUSSION

General Assembly Update

North Carolina General Assembly Representative Jake Johnson was present to update the Commissioners on items that may affect the County as they arise while the General Assembly is in session. Representative Johnson informed the Board that the General Assembly had recently adjourned from the “longest” long session in NC history. He said there is a budget in place, this being the first time the General Assembly has had a Comprehensive Budget since 2018. The total budget was 25.9 billion, not including the supplemental ARPA funds. Most state employees received a five percent pay raise and a \$1000 bonus. The State Health plan was fully funded, and retirement requirements. Eight hundred seventy-eight million for Capital Projects, not including DOT. The Education Budget included 400 million in Capital Projects for NC Community Colleges. A considerable investment was made in Broadband, with a 750 million plan to be leveraged for between one and two billion depending on the private and county matches. Another part of the budget was Tax Reform the state income tax was reduced from 5.25% to 3.99% over the next three budget cycles. The standard deduction will increase to \$25,500 for those filing jointly, and the child deduction was increased by \$500 for expanded eligibility. The tax on Military Pensions was eliminated, which is a great way to demonstrate what a military-friendly NC can be. Over the next decade, NC will be phasing out all Corporate Tax in NC to stay on par with other states in the southeast for the relocation of industry to NC. The Franchise Tax was reduced, and eliminated some of its basis on property values, which will be good for small businesses.

Representative Johnson’s legislative priorities include Workforce Development, bringing Broadband to the district, lowering taxes, supporting NC teachers, state employees, veterans, law enforcement, and enhancing voter laws.

Agreement with WGLA Engineering Clear Creek Sewer NPDES Permit Assistance

Chairman Lapsley requested that he be recused from this item, as he has a family member that is a party to this agreement. *Vice-Chair McCall made the motion that Chairman Lapsley be recused from this discussion item. All voted in favor and the motion carried 3-0.*

With the selection of WGLA Engineering (WGLA) as the most qualified responding Engineering firm for the subject project during the Board’s March 17, 2022 meeting, staff negotiated a proposed agreement with WGLA for \$275,600. The scope of the agreement is to perform the engineering services to assist the County with the National Pollution Discharge Elimination System Permit (NPDES), which must be complete by December 31, 2023, per funding condition from the State allocation of \$12.7M.

Approved:

Staff recommended a budget for the application process of \$320,000, which will provide a small contingency and fund the \$30,000 cultural resources work if needed. The proposed agreement with the project schedule was attached. Due to the ARP funds allocated to the project, staff has worked closely with WGLA to develop an American Rescue Plan Act compliant agreement and other required documents.

Clear Creek (Edneyville) Sewer System

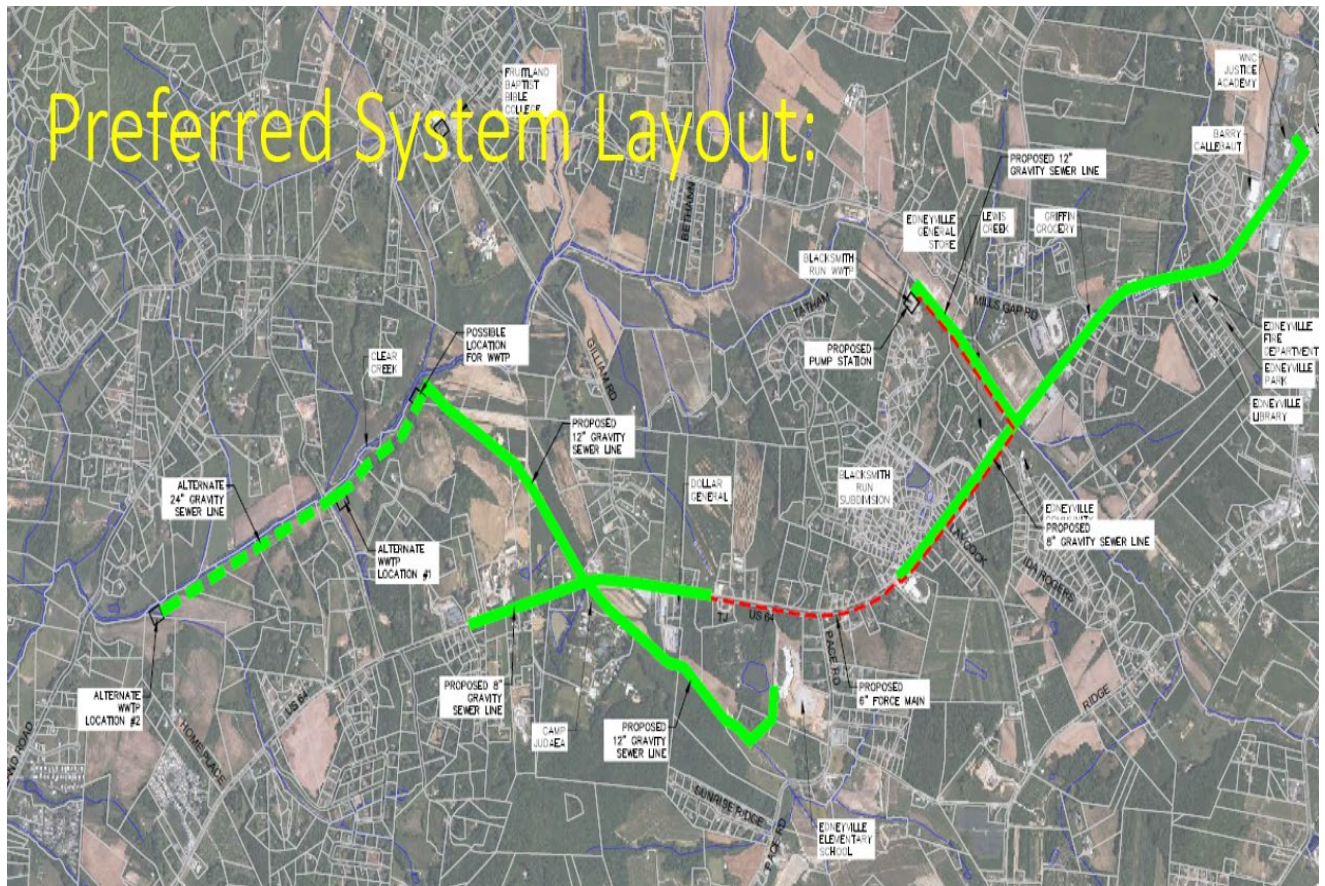
Project History:

- October 19, 2017: Public Hearing at Edneyville Elementary
- December 2017: Benchmark Planning, Clear Creek Growth Analysis Study
- January 2018: McGill Engineering, Preliminary Engineering Report on Alternatives
- March 2018: Brooks Engineering, analysis of on-site options
- July 2021: KCI Engineering, Preliminary Engineering Report Update
- March 2022: WGLA Engineering, Rate Study on Recommended System Layout
- March 16, 2022: Board of Commissioners select WGLA Engineer for NPDES permit application assistance

Proposed WGLA Engineering Agreement

- **Scope:** assist in development and submission of the National Pollution Discharge Elimination System (NPDES) permit application for the proposed wastewater treatment plant to serve the Clear Creek sewer system.
- **Schedule:** Development of permit application and review by State agencies by December 31, 2023
- **Fee:** \$275,600 fee proposal with \$320,000 budget request to cover fee plus small contingency and possibility of \$30,000 for Cultural Resources work if required by State.
- **Definitely American Rescue Plan compliant!**

Approved:



Other Project Items of Interest:

- Property owner notification letter (all owners abutting the proposed layout)
- Project Funding:
 - \$12.7 million direct allocation from State (State ARP)
 - \$9.3 million ARP (portion of County ARP)
 - \$22.0 million total project budget
- Budget Amendment:
 - Appropriating \$320,000 of the State Budget Allocation of \$12.7 million

Motion:

Commissioner Hill made the motion that the Board authorize the County Engineer to execute the proposed agreement with WGLA Engineering for \$275,600. All voted in favor and the motion carried 3-0.

Approved:

Rail Trail Update

Business and Community Development Director Chris Todd provided the Board with an update on the Henderson County Rails to Trails Project.

Community Takes Pride

- Second Volunteer Day – March 19th
- Hosted by Henderson County Vision Class




**TRAIL MAINTENANCE
SPRING SIGN UP
STARTS TODAY!**

We're accepting volunteer registrations for our April 23, May 28 and June 25 trail cleanup days. Submit asap because we will probably fill up quickly!

Sign up at <https://www.ecustatrail.org/volunteer-interests>



Continued Efforts

- Friends of the Ecusta Trail, in partnership with County continue clean up days
- Sign up at <https://www.ecustatrail.org/volunteer-interests.html>

Rails to Trails Advisory Committee

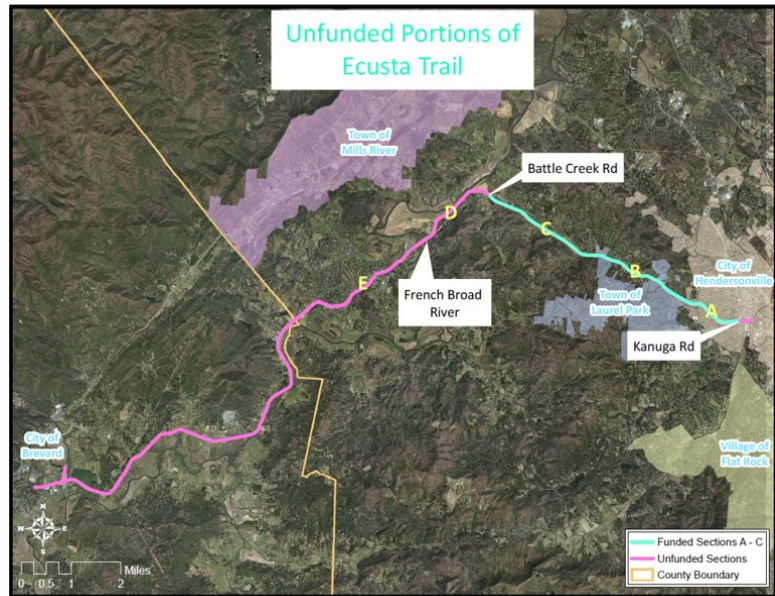
- Next meeting – April 13th at 10:00am located at 100 N. King Street
- Engineering Firm will have first meeting with RTAC regarding design



Approved:

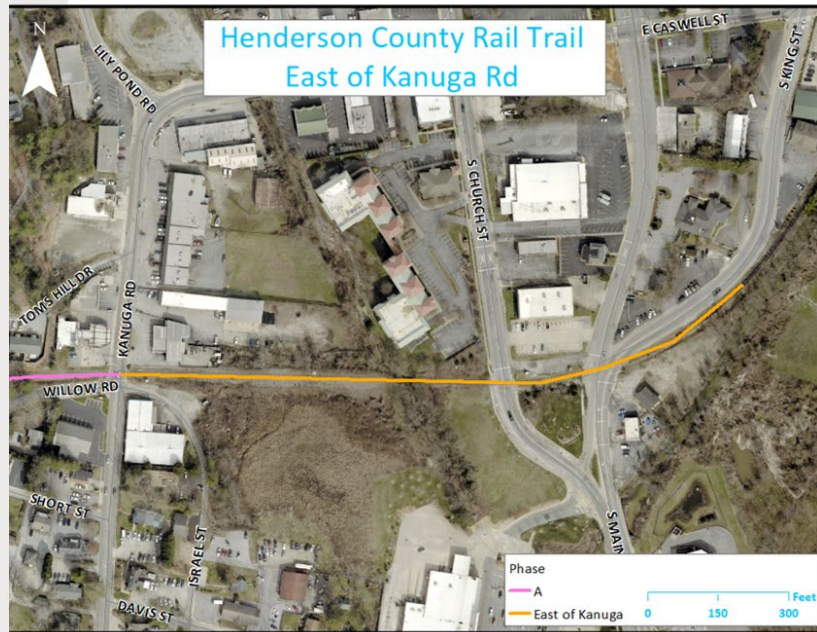
Funding

- Staff applied last week for STBG funds to construct sections D and E of the trail.
- Friends of the Ecusta Trail and Conserving Carolina Continue to raise funds to act as match for grants and potentially direct funding



Breaking News

- Friends of the Ecusta Trail and Conserving Carolina recommended this afternoon to fund the section of trail between Kanuga Rd and Main St.
- Dedicated \$600,000 in grant funds they have received from the state to fund engineering and construction



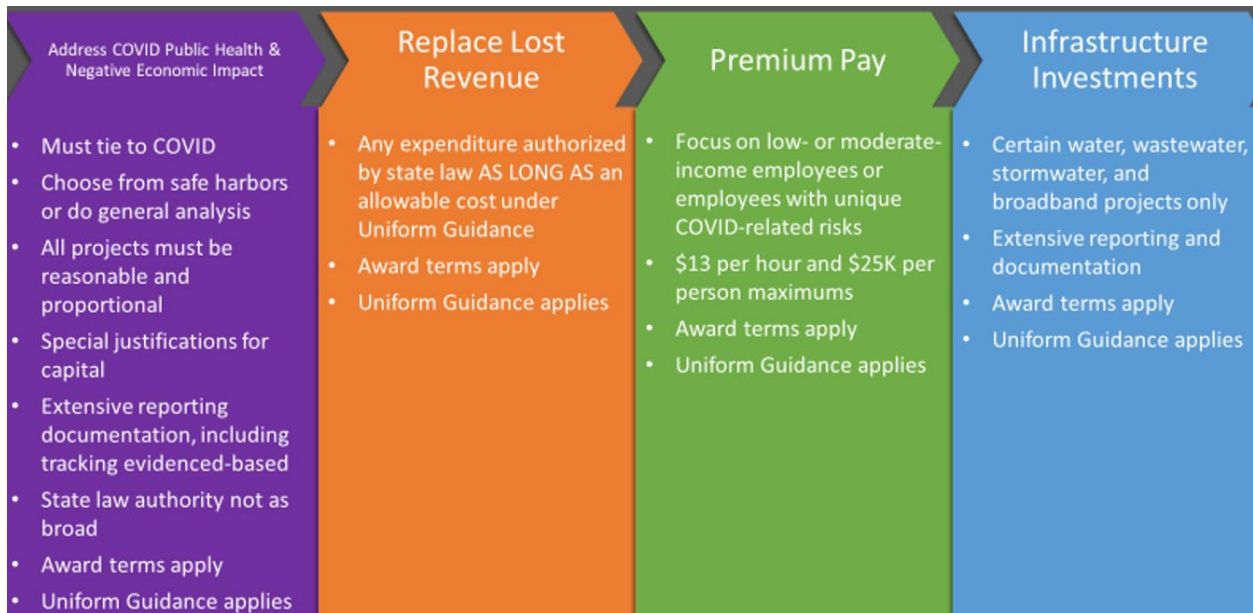
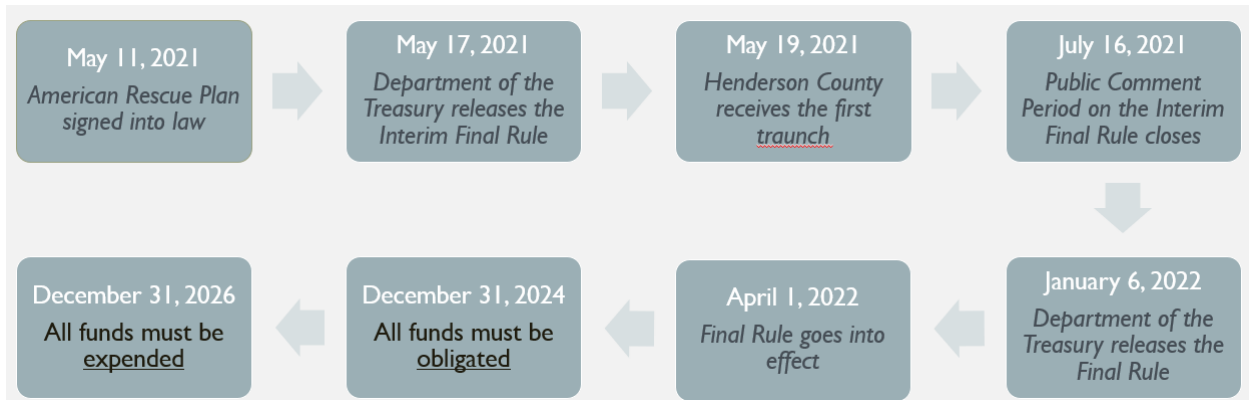
ARP Update

The Board has heard input from the public, requests from Staff and other potential uses identified by the Board of Commissioners; the Board was requested to discuss prioritizing requests for American Rescue Plan (ARP) expenditures. Any ARP expenditures must be authorized by the ARP Final Rule and must also have state authorization through enabling legislation.

Amy Brantley reiterateded ARP Allocation requirements must comply with uniform guidance.

Approved:

AMERICAN RESCUE PLAN - TIMELINE



Prohibited Expenditures

- Pension fund contributions
- Borrowing money
- Financial reserves
- For settlement/judgement/consent decree
- Undermines or discourages compliance with CDC guidelines
- Violates conflict of interest provisions
- Violates state law or other federal laws and regulations, including Uniform Guidance

Approved:

AMERICAN RESCUE PLAN

Funding Priorities

\$22,806,876

ARP Project #	Project Description	ARP Eligibility - Expenditure Category	State Eligibility	Cost Estimate	Standard Allowance or ARP Eligible?	Priority Rank
XX	Edneyville Sewer - Treatment Plant	5.1 - Centralized Wastewater Treatment	§ 153A-274(2)	\$ 3,900,000	ARP Eligible	0 - 5
XX	Edneyville Sewer - Collection System	5.2 - Clean Water: Centralized Wastewater Collection	§ 153A-274(2)	\$ 18,100,000	ARP Eligible	TOTAL
Total estimate for Edneyville Sewer Collection System and Treatment plant = \$22,000,000. State Budget included \$12,700,000, leaving:				\$ 9,300,000		5.00

XX	Self-Insurance Reimbursement	1.6 - Medical Expenses	§ 153A-92(a)(d)	\$ 500,000	ARP Eligible	3.75
XX	FUTURE Self-Insurance Reimbursement	1.6 - Medical Expenses	§ 153A-92(a)(d)	\$ 250,000	ARP Eligible	3.00
XX	EMS Station # 3 Expansion for 2 - 24 hour crews	1.9 - Payroll Costs for Staff Responding to COVID-19	§ 143-517	\$ 1,000,000	ARP Eligible	3.50
TOTAL OTHER ARP ELIGIBLE				\$ 1,750,000		
TOTAL ARP ELIGIBLE REQUESTS				\$ 11,050,000		
REMAINING AVAILABLE ARP ELIGIBLE FUNDING				\$ 11,306,876		
VARIANCE				\$ 256,876		

XX	VFW - Renovation and Repair	6.1 - Revenue Replacement	§ 153A-169	\$ 4,200,000	Standard Allowance	5.00
XX	Fletcher EMS	6.1 - Revenue Replacement	§143-517, §153A-149(c)(5)	\$ 3,100,000	Standard Allowance	4.50
XX	Soccer Fields	6.1 - Revenue Replacement	§160A-354	\$ 2,700,000	Standard Allowance	3.25
XX	HCSO Radio Replacements (approx. 350 radios)	6.1 - Revenue Replacement	§162, §153A-149(c)(18)	\$ 600,000	Standard Allowance	3.50
XX	Fletcher Radio Tower	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 300,000	Standard Allowance	3.50
XX	Mills River Tower Upgrade	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 150,000	Standard Allowance	4.25
XX	Bearwallow tower replacement	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 150,000	Standard Allowance	3.75
XX	Stryker Power Load Systems for ambulances (5)	6.1 - Revenue Replacement	§143-517, §153A-149(c)(5)	\$ 117,070	Standard Allowance	4.25
TOTAL REVENUE REPLACEMENT REQUESTS				\$ 11,317,070		
REMAINING AVAILABLE FUNDING				\$ 10,000,000		
VARIANCE				\$ (1,317,070)		

Additional Suggestions

- 1 Fletcher Library

Approved:

AMERICAN RESCUE PLAN

Funding Priorities

\$22,806,876

ARP Project #	Project Description	ARP Eligibility - Expenditure Category	State Eligibility	Cost Estimate	Standard Allowance or ARP Eligible?	Priority Rank
XX	Edneyville Sewer - Treatment Plant	5.1 - Centralized Wastewater Treatment	§ 153A-274(2)	\$ 3,900,000	ARP Eligible	0 - 5
XX	Edneyville Sewer - Collection System	5.2 - Clean Water: Centralized Wastewater Collection	§ 153A-274(2)	\$ 18,100,000	ARP Eligible	TOTAL
Total estimate for Edneyville Sewer Collection System and Treatment plant = \$22,000,000. State Budget included \$12,700,000, leaving:				\$ 9,300,000		5.00

XX	Self-Insurance Reimbursement	1.6 - Medical Expenses	§ 153A-92(a)(d)	\$ 500,000	ARP Eligible	3.75
XX	FUTURE Self-Insurance Reimbursement	1.6 - Medical Expenses	§ 153A-92(a)(d)	\$ 250,000	ARP Eligible	3.00
XX	DLX Point of Distribution Tent	1.8 - Other Public Health Exp.	§153A-149(c)(13)	\$ 240,000	ARP Eligible	2.00
XX	EMS Station # 3 Expansion for 2 - 24 hour crews	1.9 - Payroll Costs for Staff Responding to COVID-19	§ 143-517	\$ 1,000,000	ARP Eligible	3.50
XX	Playground Equipment - East Flat Rock	3.13 - Social Determinants of Health	§ 160A-354	\$ 200,000	ARP Eligible	2.25
XX	Broadband CAB Grant Funding	5.17 - Broadband, Other Projects	§ 153A-459	TBD	ARP Eligible	1.67
XX	ARPA (UG) Consultant (3 yrs)	7.1 - Administrative Expenses	§ 153A-92(a)(d)	\$ 250,000	ARP Eligible	1.50
XX	Grants Manager, ARPA Compliance Officer (3 yrs)	7.1 - Administrative Expenses	§ 153A-92(a)(d)	\$ 300,000	ARP Eligible	2.50
TOTAL OTHER ARP ELIGIBLE				\$ 2,740,000		
TOTAL ARP ELIGIBLE REQUESTS				\$ 12,040,000		
REMAINING AVAILABLE ARP ELIGIBLE FUNDING				\$ 11,306,876		
VARIANCE				\$ (733,124)		

XX	VFW - Renovation and Repair	6.1 - Revenue Replacement	§ 153A-169	\$ 4,200,000	Standard Allowance	5.00
XX	Fletcher EMS	6.1 - Revenue Replacement	§143-517, §153A-149(c)(5)	\$ 3,100,000	Standard Allowance	4.50
XX	Soccer Fields	6.1 - Revenue Replacement	§160A-354	\$ 2,700,000	Standard Allowance	3.25
XX	HCSO Radio Replacements (approx. 350 radios)	6.1 - Revenue Replacement	§162, §153A-149(c)(18)	\$ 600,000	Standard Allowance	3.50
XX	Fletcher Radio Tower	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 300,000	Standard Allowance	3.50
XX	Mills River Tower Upgrade	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 150,000	Standard Allowance	4.25
XX	Bearallow tower replacement	6.1 - Revenue Replacement	§153A-149(c)(11)(17)	\$ 150,000	Standard Allowance	3.75
XX	Stryker Power Load Systems for ambulances (5)	6.1 - Revenue Replacement	§143-517, §153A-149(c)(5)	\$ 117,070	Standard Allowance	4.25
XX	Video conferencing system for EOC training center	6.1 - Revenue Replacement	§ 166A-19.15(b)	\$ 100,000	Standard Allowance	1.50
TOTAL REVENUE REPLACEMENT REQUESTS				\$ 11,417,070		
REMAINING AVAILABLE FUNDING				\$ 10,000,000		
VARIANCE				\$ (1,417,070)		

Additional Suggestions

- 1 Fletcher Library

Approved:

Child and Family Specialty Plan – A Vaya Health Program (Add On)

Commissioner Lapsley shared that Vaya Health is one of six regional health management groups across the state that deals with channeling Federal and State funds for Medicaid patients. Primarily with mental health, substance abuse, and some other things. This Board contributes \$528,612 every year to support this organization. Vaya Health handles services for thirty-one counties across the state. Due to the volume of coverage, Vaya Health's previous Board decided to split up the thirty-one counties into four regional health groups. Henderson County participates on the Region II board composed of seven counties: Henderson, Buncombe, Transylvania, Yancey, Polk, Mitchell, and Madison. As Chair of the Region II Board, Chairman Lapsley and Vice-Chair Brandon Tipton from Mitchell County also sit on Vaya's Governing Board. Chairman Lapsley attended his first Vaya Health Board meeting six weeks ago and was informed of a pending decision by DHHS in Raleigh related to a Foster Care program. DHHS has proposed to remove foster care support programs that the six regional groups are managing to move that program from the regional groups directly to Raleigh thru a new contract service provider. That change would dramatically affect Vaya Health's 680 million dollar a year budget. The Vaya Board will make a decision to support this proposed change or object to it. DHHS is gearing up to send out a Request for Proposals to private entities to manage this program by the end of April. This would mean significant changes to how our DSS handles foster children and other citizens involved in this program. The Vaya Board discussed this at their recent meeting and verbally indicated their support for submitting a position to Raleigh requesting a delay in implementation due to the significant impact this would have on the Foster Care Program and the other people utilizing this program.

Commissioner Andreotta made the motion that the Board support efforts to delay the process that would eliminate the Foster Care Program discussed until Vaya and local entities develop a program to provide these same services. All voted in favor and the motion carried 4-0.

Vice-Chair McCall thanked Chairman Lapsley for bringing this issue before the Board for their input.

Facility Use Policy Exemption – Blue Ridge Marine Detachment (Add on, moved from the consent agenda).

The County received a request from Blue Ridge Marine Detachment #848 to use the Historic Courthouse lawn on Saturday, April 16th and Sunday, April 17th for a raffle to benefit various veteran groups and individual veterans in need.

To allow for this use on County grounds, the Board was requested to grant a one-time exemption to rule #5 of the County Facility Use Policy, which prohibits solicitation on the grounds. This exemption would cover the dates specified in the request outlined above.

Commissioner Andreotta asked Denver Grant with the Blue Ridge Marine Detachment to approach the podium to speak on behalf of his unit. Mr. Grant explained the Marine Corp League Detachment 848 is a small part of a national veteran's group comprised of over 75,000 members nationwide who are all Marines. They raise money through raffles to support veterans and veteran's groups throughout the United States.

After discussion, the dates were changed to Saturday, April 23, and Sunday, April 24, 2022.

Commissioner Andreotta made the motion the Board grant an exemption to the County Facility Use Policy for Blue Ridge Marine Detachment #848, allowing for solicitation for the raffle of a Cub Cadet zero-turn mower on the Historic Courthouse lawn on Saturday, April 23, and Sunday, April 24, 2022. All voted in favor and the motion carried 4-0.

NOMINATIONS AND APPOINTMENTS

1. Child Protection and Fatality Prevention Team – 1 vac.
Chairman Lapsley nominated Michelle Geiser for position #4. All voted in favor and the motion carried.
2. EMS Peer Review Committee – 2 vac.
There were no nominations and this item was rolled to the next meeting.

Approved:

3. Henderson County Tourism Development Authority – 1 vac.
There were no nominations and this item was rolled to the next meeting.
4. Hendersonville Planning Board – 1 vac.
There were no nominations, and this item was rolled to the next meeting.
5. Hendersonville City Zoning Board of Adjustment – 1 vac.
There were no nominations, and this item was rolled to the next meeting.
6. Home and Community Care Block Grant Committee – 2 vacs.
There were no nominations, and this item was rolled to the next meeting.
7. Juvenile Crime Prevention Council – 3 vac.
There were no nominations and this item was rolled to the next meeting.
8. Nursing/Adult Care Home Community Advisory Committee – 10 vacs.
There were no nominations, and this item was rolled to the next meeting.

COMMISSIONER UPDATES

Commissioner Hill updated the Board on action taken at the Joint School Facilities Committee meeting held Monday, March 21, 2022. The School Board’s top priorities remain to be the Bus Garage, the West Henderson High School project, and the “revived” Upward Elementary project. John Mitchell reminded the Board these projects were placed on tentative hold status during the COVID pandemic. The consensus of the Board at that meeting was to bid out the Upward work in conformance with the construction manager at risk. An RFQ will go out for architectural services to begin the design work on the security updates at West Henderson High School. As well as Due Diligence on the Bus Garage project. Which will include looking at the land behind Sugarloaf Elementary and some preliminary investigation of the current bus garage.

Commissioner Andreotta shared that the deadline for Broadband providers to apply for Great Grant funds had been extended to May 5, 2022. The Broadband Task Force’s next meeting is Tuesday, April 12, 2022, at 6:00 p.m. in the boardroom of the Historic Courthouse.

Chairman Lapsley informed the Board that Henderson County would receive \$8,897,700 over the next eighteen years from the Opioid Settlement Agreement.

Substance Abuse Task Force Recommendations

Early Intervention Programs

- Services for children & adolescents w/ problematic use of drugs or mental health conditions
- Training programs for parents & families, school staff, county DSS and PHD staff, & others

Criminal Justice Diversion Programs

- Pre-arrest, post-arrest & pre-trial service programs to connect individuals to addiction treatment, harm reduction services, etc.

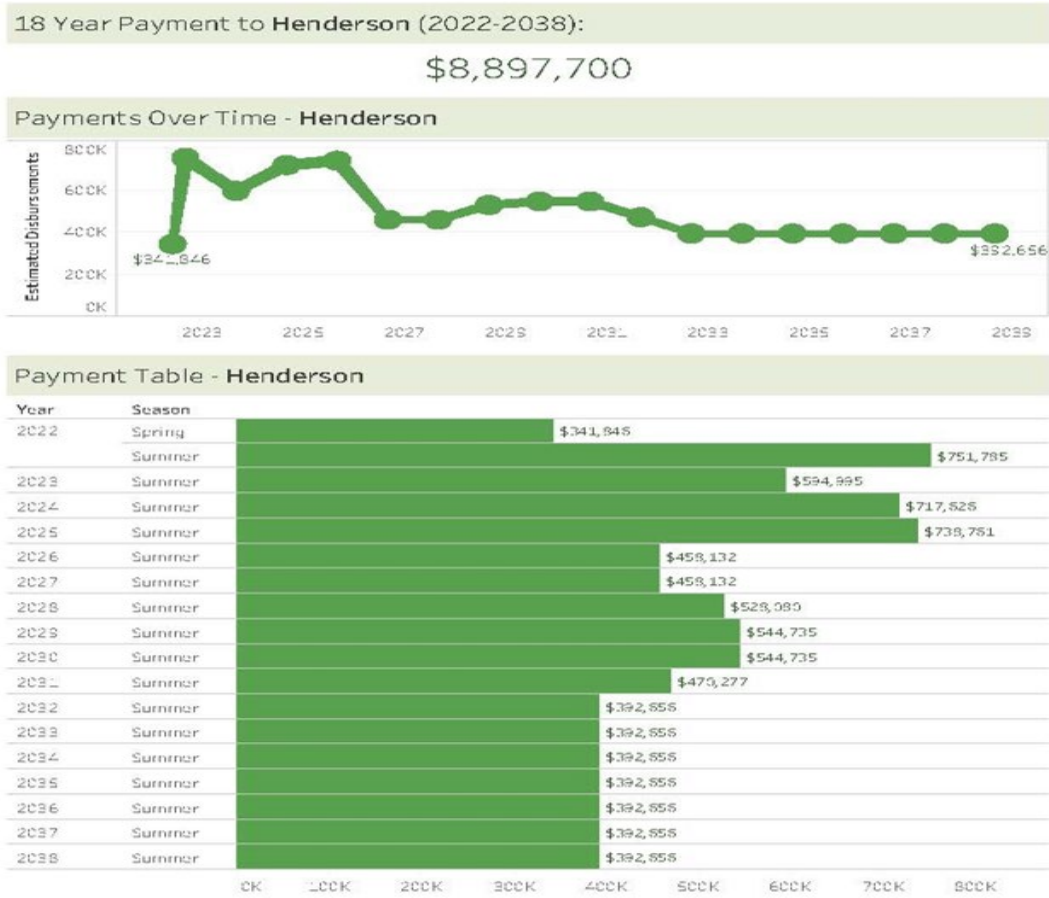
Recovery Support Services

- Evidence Based peer support services w/specialists or care navigators
- Housing support for people in treatment or recovery (rent assistance, utilities, etc.)

Evidence Based Addiction Treatment

- Opioid Treatment Programs thru office based / Federally Qualified Treatment Centers
- Treatment in conjunction with criminal justice programs
- Support evidence-based addiction treatment facilities per the national practice guidelines

Approved:



Henderson County expects the first deposit in May or June of \$341,845 and another allotment in July or August of \$751,785. Bringing the total amount received in this calendar year to \$1,093,630. The Substance Abuse Taskforce has identified the following four programs and services for the use of these funds.

Commissioner Edney arrived and joined the meeting at 7:37 p.m.

Commissioner Edney added that the money would be very well spent and expressed the need to speak to court officials about adding a drug court.

Vice-Chair McCall provided the Board with an update regarding the NCACC Board Meeting she recently attended in Carteret County. The NCACC membership dues have increased. The dues for the Fiscal Year 2022-2023 will be \$12,554. The increase of 2.17% is based on a formula used to calculate dues based on county population. The NCACC was the only association that received the ten million dollars to help with the ARP Funds. Vice-Chair continued that there was a lot of discussion about ARP; thirty-five US Senators have sent letters to the White House to ask about unspent, unobligated, and undisbursed ARP funds and what will happen to those funds. She recommended staff follow that topic to see what the answer would be. The NC School of Government is developing templates to be used for reporting purposes that will be available on April 30, 2022. NCACC Director Kevin Leonard's contract was extended. Mr. Leonard is an asset to the association and a standout in his profession. Vice-Chair McCall noted that the NCACC is reaching out to retired county managers and staff to act as a support system to help coach new county employees. She said this is a great idea and somewhat mirrors the current apprentice program. The former managers and staff involved would be strategically placed throughout the state to provide assistance.

Commissioner Edney had no updates to share.

Approved:

COUNTY MANAGER'S REPORT

County Manager John Mitchell shared upcoming dates for three significant events for the County. The ribbon-cutting for the POPAT Building, one of the Emergency Services Training Centers, at Blue Ridge College is scheduled for April 22, 2022, at 11:00 a.m.; invitations will be going out soon. The ribbon-cutting for the Patton Building is tentatively scheduled for July 12, 2022, and the anticipated ribbon-cutting for Hendersonville High School is scheduled for late July or early August.

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)(4)(6).

IMPORTANT DATES**CLOSED SESSION**

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)(4)(6).

1. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board.
2. 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 the area served by the public body.
3. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Edney made to motion to go out of closed session and adjourn at 8:58 p.m. All voted in favor and the motion carried 5-0.

ADJOURN

Denisa A. Lauffer, Clerk to the Board

William Lapsley, Chairman

Approved: