

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JUNE 19, 2024**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:30 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were Chairman Rebecca McCall, Vice-Chair J. Michael Edney, Commissioner William Lapsley, 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.

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Budget Analyst Jennifer Miranda, County Engineer Marcus Jones, Chief Communications Officer Mike Morgan, A/V Technician Oscar Guerrero, Director of Facility Services Andrew Griffin, Project Superintendent Brian Cotton, Planner Liz Hanson, Tax Administrator Harry Rising, Planning Director Autumn Radcliff, Code Enforcement Director Matt Champion, DSS Director Jerrie McFalls, DSS Deputy Director Lorie Horne, Environmental Health Supervisor Seth Swift, Strategic Behavioral Health Director Jodi Grabowski, Human Resources Director Karen Ensley, Building Services Director Crystal Lyda, Fire Marshal Kevin Waldrup, Rescue Squad Chief Tim McFalls, EMS Operations Support Ben Applebaum, Soil and Water Director Jonathon Wallin, Sheriff Lowell Griffin, Parks and Recreation Director Bruce Gilliam, and Deputy Tracy Davis provided security.

CALL TO ORDER/WELCOME

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

INVOCATION

John Mitchell provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Hill led the Pledge of Allegiance to the American Flag.

RESOLUTIONS AND RECOGNITIONS

2024.072 Resolution of Appreciation – Amy Brantley

The Board was requested to adopt a Resolution of Appreciation for Amy Brantley. Amy Brantley will retire on June 28th, having been with Henderson County since November 30, 1999. During her tenure with Henderson County, she has served many roles, including Office Assistant, Deputy Clerk to the Board of Commissioners, Research and Budget Analyst, Budget Manager, and Assistant County Manager.

Vice-Chair Edney read the Resolution aloud.

RESOLUTION OF APPRECIATION

AMY BRANTLEY, ASSISTANT COUNTY MANAGER

Approved:

- WHEREAS,** Prior to working for Henderson County local government, Amy Brantley established her career working as Deputy Clerk II - Recording for Boulder County, CO, and was soon promoted to Film Room Supervisor and then to Administrative Lead Technician and
- WHEREAS,** Amy Brantley was hired as an Office Assistant for Henderson County on November 30, 1999. In this role, she served both the Human Resources Department and the Governing Body, and
- WHEREAS,** In August 2001, Amy Brantley was promoted to Deputy Clerk to the Board for Henderson County; and
- WHEREAS,** In August 2006, Amy Brantley was promoted to Research and Budget Analyst; and
- WHEREAS,** In March 2013, Amy Brantley was promoted to Budget Manager; and
- WHEREAS,** In February 2014, Amy Brantley was appointed Assistant County Manager; and
- WHEREAS,** During her time at Henderson County, Amy Brantley earned her Master of Public Administration from Western Carolina University, became a Certified Budget and Evaluation Officer through the North Carolina Local Government Budget Association, Served and participated in the North Carolina Local Government Budget Association and with the North Carolina City and County Manager’s Association; and
- WHEREAS,** Amy Brantley has served on the Western Carolina University MPA Board of Directors and Western Carolina University Alumni Association; and
- WHEREAS,** Amy Brantley has served the North Carolina Association of County Commissioners, including the NC Property Tax Solution – County Collaborative Board of Directors and the Resilience – Counties Strengthening NC’s Food Ecosystem; and
- WHEREAS,** Amy Brantley has been the recipient of many awards, including Western Carolina University’s Outstanding MPA Student, NC City and County Manager’s Association Assistant Manager of the Year and NC Local Government Budget Association’s Jack Vogt Lifetime Achievement Award; and
- WHEREAS,** Amy Brantley has selflessly provided invaluable service to the Board, employees, and citizens of Henderson County; and
- WHEREAS,** Amy Brantley will retire from her service to Henderson County and its citizens on June 28, 2024;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners expresses their deep admiration for the experience and wisdom that Amy Brantley has brought to all of the positions that she has served so well in with Henderson County. On behalf of the citizens and staff of Henderson County, we appreciate and commend you on a job well done, Amy Brantley. In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 19th day of June 2024.

Vice-Chair Edney made the motion to adopt the Resolution of Appreciation for Amy Brantley. All voted in favor, and the motion carried.

Chairman McCall presented the Resolution to Ms. Brantley.

Ms. Brantley thanked the Board and said it had been her pleasure to serve with them and all county employees for so many years.

John Mitchell said he and all county staff had benefited from Ms. Brantley's knowledge and expertise. He told Ms. Brantley that in her twenty-five years with the county, she had undoubtedly "left this place better than she had found it."

2024.073 Resolution of Appreciation – Berkeley Mills

Chairman McCall read the Resolution aloud.

RESOLUTION OF APPRECIATION

BERKELEY MILLS, BALFOUR, NC

WHEREAS, the original Balfour Mills was founded in 1924 and later purchased by Kimberly-Clark Corporation and renamed as Berkeley Mills in 1946, and

WHEREAS, Kimberly-Clark Corporation was established in 1872 and is now a global distributor of personal care products to over 175 countries, and

WHEREAS, Berkeley Mills has established manufacturing facilities and has developed innovative nonwoven products in Henderson County; and

WHEREAS, Berkeley Mills has invested millions of dollars in facilities and production expansions. Berkeley Mills has also created several jobs to benefit Henderson County; and

WHEREAS, Berkeley Mills has partnered with numerous local non-profits and businesses, and has donated millions of dollars in funding as support; and

WHEREAS, On June 1, 2024, Berkeley Mills celebrated 100 years of quality service.

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners recognizes the commitment and legacy Berkeley Mills provides for our community. On behalf of the citizens and staff of Henderson County, we commend Berkeley Mills and join in the celebration of 100 years of service to Henderson County.

In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this 19th day of June 2024.

Chairman McCall made the motion to adopt the Resolution of Appreciation for Berkeley Mills. All voted in favor, and the motion carried.

The Resolution was presented to Berkeley Mills Team Leader Fred Hart.

INFORMAL PUBLIC COMMENT

1. Leslie Carey wished everyone a Happy Juneteenth. She referred to the Constitution and its language regarding rights and the need to provide citizens with education. She urged the Board to fully fund the Henderson County Public School budget request.
2. Rising Junior Ari Nichols talked of his brother, who is autistic, and the extra resources required to provide him with quality education.
3. Jack Gillette spoke in support of Public Education. He fears that the growth in homeschooling and private schools will contribute to the fragmentation of our society. Publicly taxed money should be used first for public education.
4. Deb Lyda spoke in support of public sewer expansion in the Edneyville Community. She listed key points of the benefits of gravity-fed sewer systems: environmental preservation, Public Health and Safety, and long-term cost efficiency. She was opposed to the City of Hendersonville's forced annexation.
5. Joe Elliott provided a petition that was signed by 200+ citizens. He spoke about our three state legislators and their lack of support for the Public School system. He believed breakfast and lunch should be free for all students. He urged the Board to fully fund the Henderson County Public School budget request.
6. Mary Ellen Kusin spoke about the importance of School Social workers and urged the Board to fully fund the Henderson County Public School budget request.
7. Meredith Bremner said the County's schoolchildren rely heavily on teachers and school social workers to act as safe adults in their lives. She urged the Board to fully fund the Henderson County Public School budget request.
8. Ernest Mowell with the League of Women Voters believed that strong schools result in strong communities. He believed that spending more money on education may result in spending less on courts and jails in the future. He urged the Board to fully fund the Henderson County Public School budget request.
9. Dianne Rhodes declined the opportunity to speak.
10. Don Ward was absent when called to speak.
11. Rhonda Mountain believed the excellent support staff at West Henderson High School assisted her special needs daughter in a successful high school experience.
12. Chris Walters spoke about the need to fund the public school system.
13. Mary Hardvall said she wanted her taxes to support Henderson County Public Schools. She spoke about the importance of the free breakfast program and said the county is losing its teachers to counties that offer higher wages. She urged the Board to fully fund the Henderson County Public School budget request.
14. Melinda Lowrance asked for a moment of silence in remembrance of the loss of community member Crystal Cauley. She supported the cost-of-living increase for all county employees but did not support the school voucher program.
15. Christopher Berg declined the opportunity to speak.
16. Dorothy Calloway did not support the additional \$5 million in funds included in the Henderson County Public Schools budget request.

DISCUSSION/ADJUSTMENT OF AGENDA

Vice-Chair Edney added Item M – Budget Amendment Transfer to Capital Projects Fund.

Chairman McCall made the motion to approve the consent agenda with the addition discussed. All voted in favor, and the motion carried.

CONSENT AGENDA

Approval of Minutes

Draft minutes were presented for Board review and approval for the following meeting:
June 3, 2024 – Regularly Scheduled Meeting

Motion:

I move the Board approve the minutes of June 3, 2024.

Tax Collector’s Report

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

Henderson County Annual Bills (Real and Personal Property):

2023 Beginning Charge:	\$99,218,816.55
Discoveries & Imm.	\$216,128.76
Releases & Refunds:	(\$304,626.53)
Net Charge:	\$99,130,318.78
Unpaid Taxes:	\$745,830.20
Amount Collected:	\$98,384,488.58



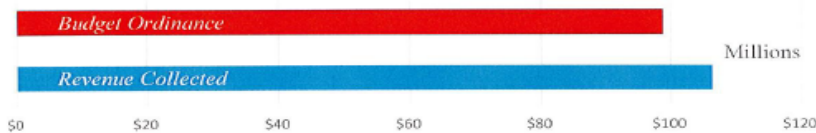
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$6,983,731.33
Unpaid Taxes:	\$22,180.32
Amount Collected:	\$6,961,551.01

99.68%

Henderson County FY24 Budget Analysis:

	<u>Budget Ordinance</u>		<u>Revenue Collected</u>
Ad Valorem:	\$97,695,412.00	Ad Valorem:	\$105,346,039.59
Prior Years:	\$1,041,250.00	Prior Years:	\$914,471.61
Budget Total:	\$98,736,662.00	YTD Revenue:	\$106,260,511.20



Motion:

I move the Board approve the Combined Release/Refund Report as presented.

2023.074 Pending Releases and Refunds

The Assessor reviewed the pending releases and refunds and concluded that these findings were in order. Supporting documentation is on file in the County Assessor’s Office.

These pending release and refund requests were submitted for the approval by the Henderson County Board of Commissioners.

Type:

Amount:

Total Taxes Released from the Charge	\$ 748.94
Total Refunds as a result of the Above Releases	\$ 200.52

Motion:

I move the Board approve the Combined Release/Refund Report as presented.

Henderson County Communications Policy

The staff has been in the process of reviewing policies and procedures included in the County's Administrative Manual to ensure compliance and that all policies are up to date. At the April 1, 2024 meeting, the Board authorized Staff to rescind Tab 26 – Television Cablecast Policies and Procedures and Tab 38 – Internet Broadcasting Policies and Procedures, and to incorporate information contained within into Tab 37 – Communications Policy to streamline the location of this information.

The revised Communications Policy was presented to the Board for adoption.

Motion:

I move the Board adopt Communications Policy as presented.

2024.075 MOU with NCDHHS for Social Service Programs

Session Law 2017-41 requires all counties to enter into an annual written agreement with the Department of Health and Human Services (DHHS) for all social services programs, excluding medical assistance (Medicaid).

DHHS provided a Memorandum of Understanding between DHHS and Henderson County effective for FY 24-25 and FY 25-26, which was provided for the Board's consideration.

Motion:

I move the Board adopt the MOU as presented and authorize the Chairman to sign the MOU on behalf of the Board.

HCCBG FY25 County Funding Plan Recommendations

The Home & Community Care Block Grant is a State/Federal program administered at the local level. Each year, the Board of Commissioners is required to adopt a Funding Plan for the Home & Community Care Block Grant for Older Adults and identify the lead office or agency responsible for coordinating the County Funding Plan.

The Home & Community Care Block Grant funding amount for FY25 is \$863,502, an increase of \$19,209 from FY24. The proposed Funding Plan supports the service priorities identified for the current planning cycle.

Motion:

I move the Board appoint the County Manager's office as the Lead Agency and approve the proposed FY25 Funding Plan.

Home & Community Care Block Grant – FY24 Funding Reallocations / Rate Change

At the Board of Commissioners' meeting held on June 5, 2023, the FY24 County funding plan for the Home & Community Care Block Grant (HCCBG) was approved. Since then, DSS has negotiated a lower rate for the financial services provided by GT Financial for FY24. Additionally, at this time in the fiscal year, some area providers have been identified as being overspent in certain categories while others have not utilized all their allocated funding.

Accordingly, the HCCBG Advisory Committee would like to recommend a rate change for GT Financial services from 1.00 to .90. This rate will be retroactive back to the beginning of FY24, which will allow for additional units of service to be completed. They would also like to recommend the reallocation of unspent funding as follows:

- DSS - move \$12,422 in unspent funds for In-Home Aide Level I care to their Consumer Directed Services programs
 - a. \$9,562 for the Personal Assistant program
 - b. \$2,860 for the Financial Management program
- Premier Home Health Care - move \$25,682 in unspent funds for In-Home Aide Level III care to In-Home Aide Level II care

Motion:

I move the Board authorize the Chairman to execute the HCCBG County Funding Plan County Services Summary and the County Funding Plan Provider Services Summaries as presented.

2024.076 Budget Amendment – Capital Reserve Fund

On May 15, 2024, the Board approved a reallocation of funding for the state budget allocation, directed by the NC General Assembly pursuant to Session Law 2022-74, for local government projects to be used for public purposes.

The Board was requested to approve a budget amendment to return funding to the Capital Reserve fund for the lower tennis courts project and mowers purchased during FY2024. The revised funding for the state budget allocation was used to fund these projects, and the original allocation from the Capital Reserve and General Funds is no longer needed.

Motion:

I move the Board approve the Budget Amendment as presented.

2024.077 Budget Amendment – Transfer to Solid Waste Enterprise Fund

The Board was requested to approve a budget amendment, transferring \$625,000 from the General Fund to the Solid Waste Fund.

Motion:

I move the Board approve the Budget Amendment as presented.

2024.078 Resolution - Opioid Settlement Fund Expenditure Authorization

At the Board's August 16, 2023 meeting, the Board was presented with the Henderson County Strategic Plan for the Opioid Settlement Funds. The Board accepted the Strategic Plan on September 5, 2023. The necessary steps have been completed to unlock Option B and were approved to fund Option B strategies according to the NCACC Exhibit C worksheets. These strategies include Recovery Support Services, Prevention and Intervention, Evidence Based Addiction Treatment, Criminal Justice Diversion, and Recovery Housing Support.

This request for authorization covers thirteen “Strategies” to address the plans outlined above. The Department of Strategic Behavioral Health will address the County’s Strategic Plan while minimizing the need to request additional authorizations through FY25.

The Board must adopt a Resolution per the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, which dictates the process for drawing from the Special Revenue Fund.

Motion:

I move the Board adopt the Resolution authorizing the expenditures and revenues associated with the Opioid Settlement Fund [Fund 51] and Strategic Behavioral Health for Fiscal Year 2025 to be effective following the adoption of the FY2024-2025 Henderson County Budget.

Policy Use Exemption – Tourism Development Authority

The Henderson County Board of Commissioners was requested to allow the Henderson County Tourism Development Authority to host a hospitality event at the Henderson County Visitors Information Center.

To allow for this, the Board is requested to grant a one-time exemption to Rule 15 of the “Facility Use Policy,” which prohibits alcoholic beverages on County property.

Motion:

I move that the Board grant an exemption to the County Facility Use Policy to allow the Henderson County Tourism Development Authority to host a hospitality event at the Henderson County Visitors Information Center.

Subrecipient Agreement – Opioid Settlement Funds Grant

At its December 4, 2023 meeting, the Board approved a Resolution for Opioid Settlement fund Expenditure Authorization, which included funding for Camp Glow, Inc., as part of the prevention strategy.

The Board was requested to approve the Subrecipient Agreement with Camp Glow, Inc. in order to grant the funding.

Motion:

I move the Board approve the attached Subrecipient Agreement with Camp Glow, Inc.

2024.079 Budget Amendment – Transfer to Capital Projects Fund (Add on)

The Board was requested to approve a Budget Amendment, transferring \$2,500,000 from the General Fund to the Capital Projects Fund for property acquisition.

Motion:

I move the Board approve the budget amendment as presented.

Vice-Chair Edney made the motion that the Board approve the consent agenda as presented. All voted in favor, and the motion carried.

PUBLIC HEARINGS

Chairman McCall made the motion to go into the Public Hearing. All voted in favor, and the motion carried.

2024.080 Public Hearing for Conditional Rezoning Application #R-2024-01-C, The Orchards at Naples Rd Apartments, Regional Commercial (RC) to Conditional District (CD-2024-01)

Rezoning Application #R-2024-01-C was initiated on April 1, 2024, and requests that the County conditionally rezone approximately 10.07 acres of land from Regional Commercial (RC) to a Conditional District (CD-2024-01). The project contains all of PIN 9651-67-9318 with direct access to Naples Rd (SR1534). The Orchards at Naples Rd, LLC are the current property owners. The applicant was Luis Graef. The agent for the application was Jared DeRidder.

The applicant was proposing a residential development with a total of 166 units within seven structures. The development is required to be approved as a conditional rezoning due to the number of multi-family units. Conditional rezonings allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighbor compatibility meeting was held on Thursday, May 2, 2024, in the King Street Meeting Room. A copy of the meeting report was included in the agenda item.

The Technical Review Committee (TRC) reviewed the application on May 7, 2024, and made a motion to forward the application to the Planning Board with conditions as discussed. A copy of the conditions required by the TRC may be found in the staff report.

The Planning Board reviewed the conditional rezoning request at its May 16, 2024, meeting and voted unanimously to forward a favorable recommendation.

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law, notice of the June 19, 2024, public hearing regarding rezoning application #R-2024-01-C was published in the Hendersonville Lightning on June 5th and June 12th. The Planning Department sent notices of the hearing via first-class mail to the owners of properties within 400 feet of the Subject Area on June 3, 2024, and posted signs advertising the hearing on June 3, 2024.



Public Hearing Notice

- Legal Ad was published in the Hendersonville Lightning on June 5th and June 12th
- The property was posted on June 3rd
- Letters were mailed to property owners within 400 feet of the Subject Area on June 3rd

Conditional Districts

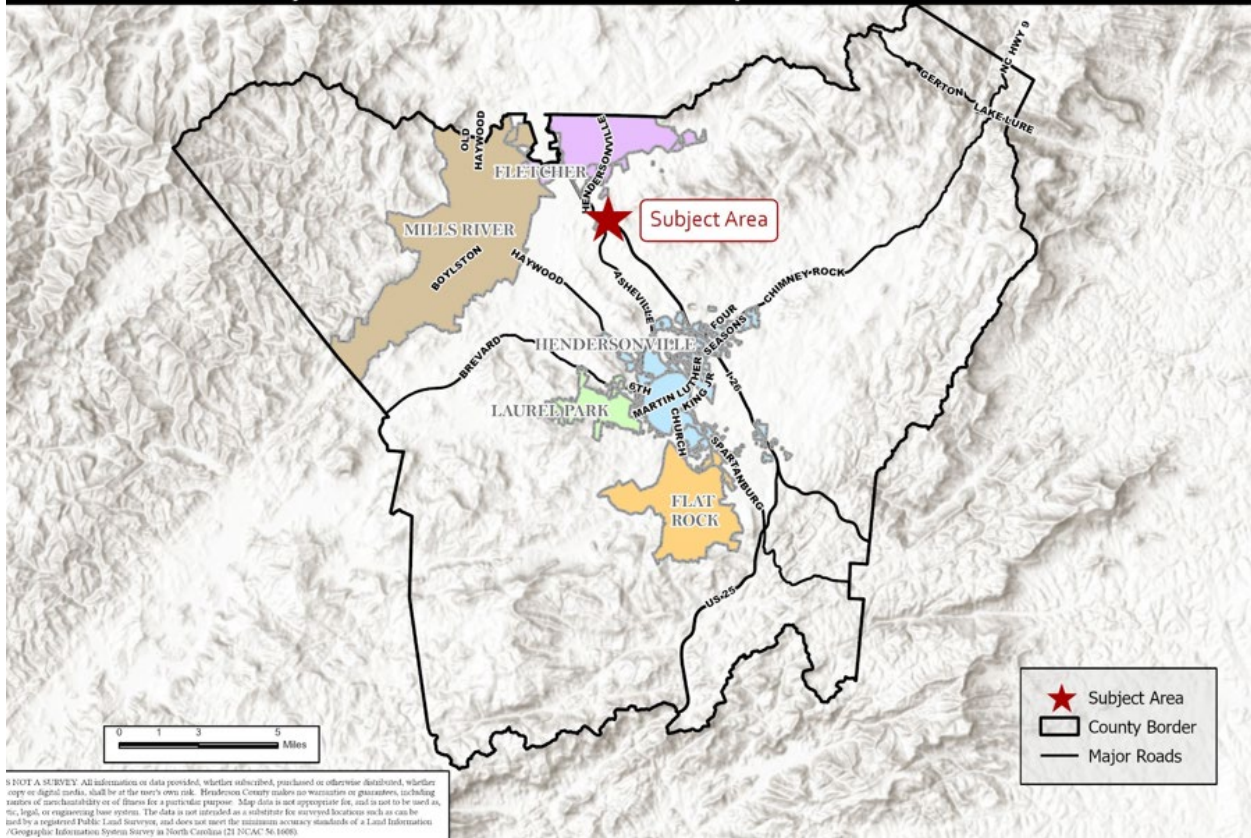
Conditional rezoning's are:

- Legislative decisions
- Require a site-specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

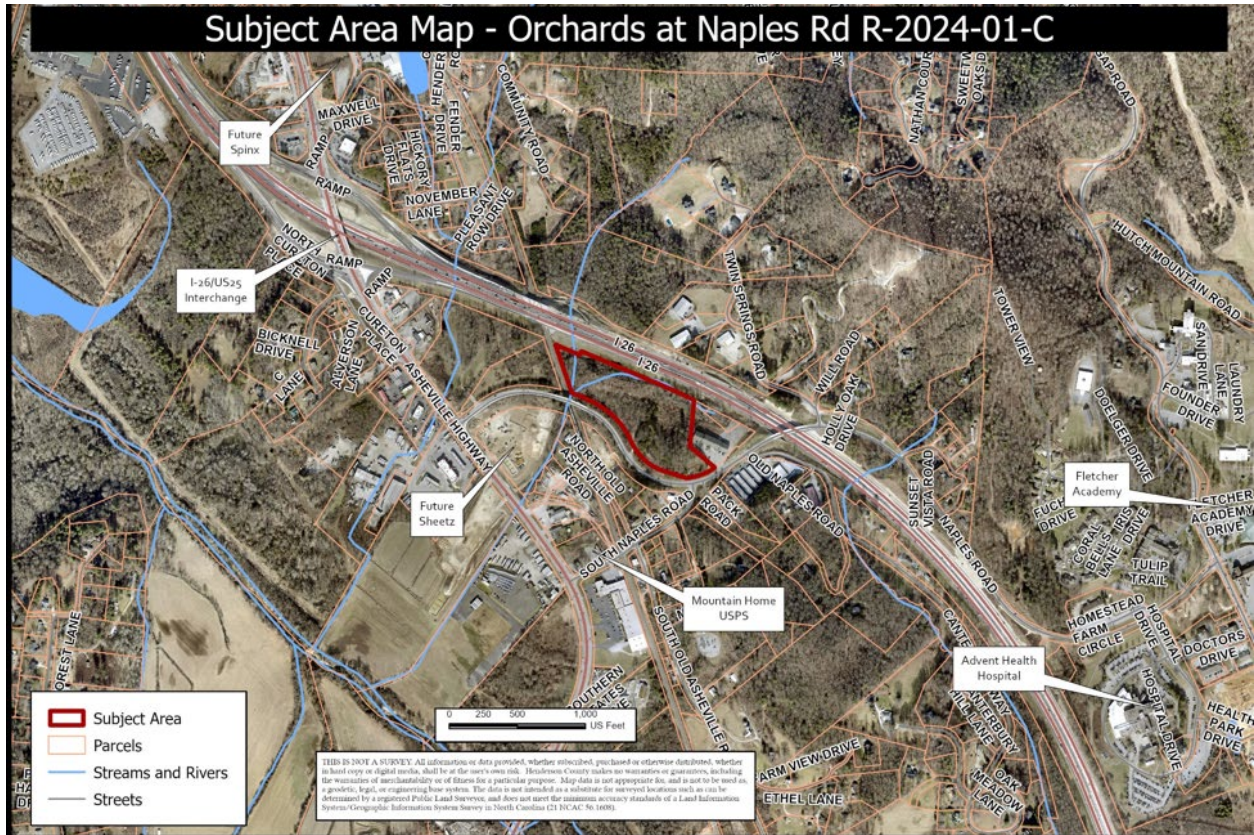
Application Summary

- Conditional Rezoning Request: R-2024-01-C
- Owner(s): The Orchards at Naples Rd, LLC
- Applicant(s): Luis Graef
- Agent: Jared DeRidder
- Property Location: 399 Naples Rd
- PIN: 9652-12-2330
- Conditionally rezone from a Regional Commercial (RC) Zoning District to a Conditional District (CD-2024-01)
- Approximately 10.38 acres

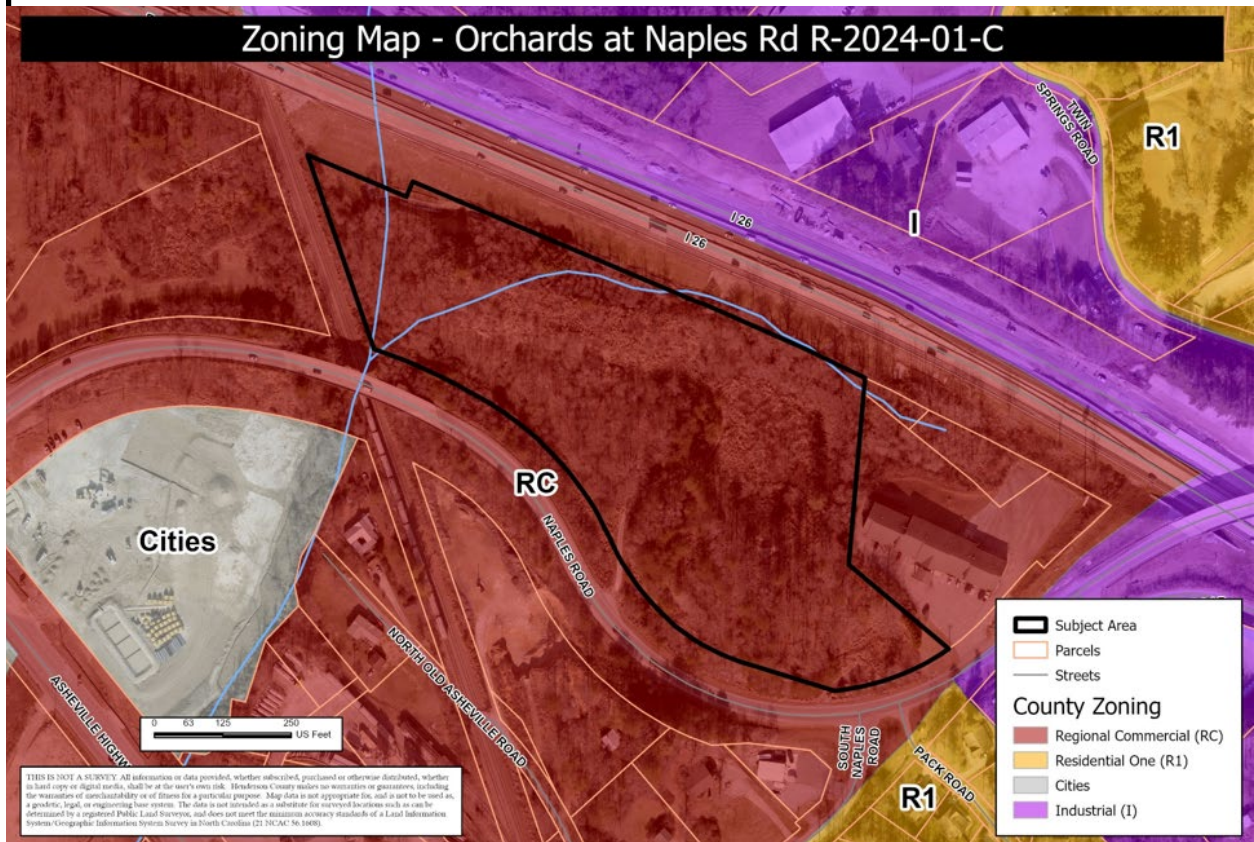
County Context - Orchards at Naples Rd R-2024-01-C



NO WARRANTY SURVEY All information or data provided, whether retrieved, purchased or otherwise distributed, whether copy or digital media, shall be at the user's own risk. Henderson County makes no warranties or guarantees, including ratios of non-liability or of fitness for a particular purpose. Map data is not appropriate for, and is not to be used as, a legal or engineering base system. The data is not intended as a substitute for accepted practices such as can be used by a registered Public Land Surveyor, and does not meet the minimum accuracy standards of a Land Information / Geographic Information System survey in North Carolina (21 NCAC 56.1000).



Property Owner: Orchards at Naples Rd, LLC Applicant: Luis Graef
 Assessed Acreage: 10.07 Acres PIN: 9651-67-9318
 Current Zoning: Regional Commercial (RC) Requested Zoning: Conditional District (CD)



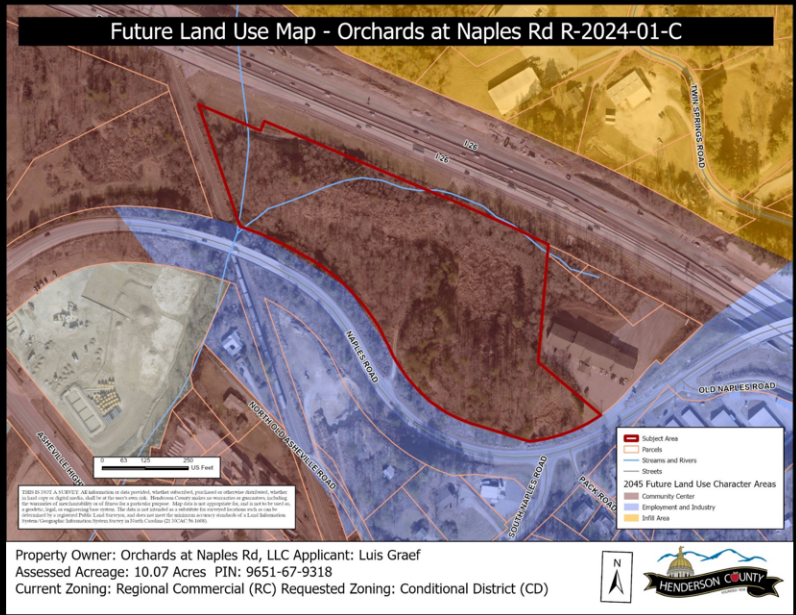
2045 Comprehensive Plan

Subject area is located within the Community Center character area that states: “mixed-use development is also encouraged, especially to offer multi-story units” (Part 2 page 46)

- **Where:** Typically found at intersections of State Roads or thoroughfares in areas near residential development that can be served by the commercial uses. (This property is accessed off US25 and Naples Rd and is within easy access to I-26)
- **Uses:** Mix of housing including single-family homes, townhomes, and apartments. (This property, a proposed apartment, fits the mix of housing and is surrounded by many varied uses including commercial, light industry, residential, and even Advent Health Medical Complex)
- **Utility Access:** Typically served by water and potentially sewer. (This property is served by both water and sewer)

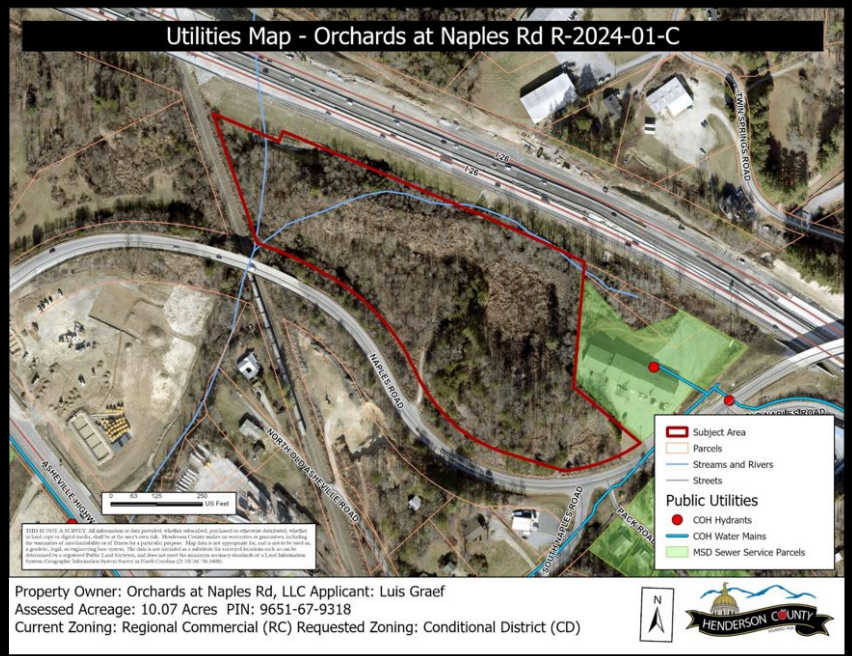
Other Plan Outcomes & Goals

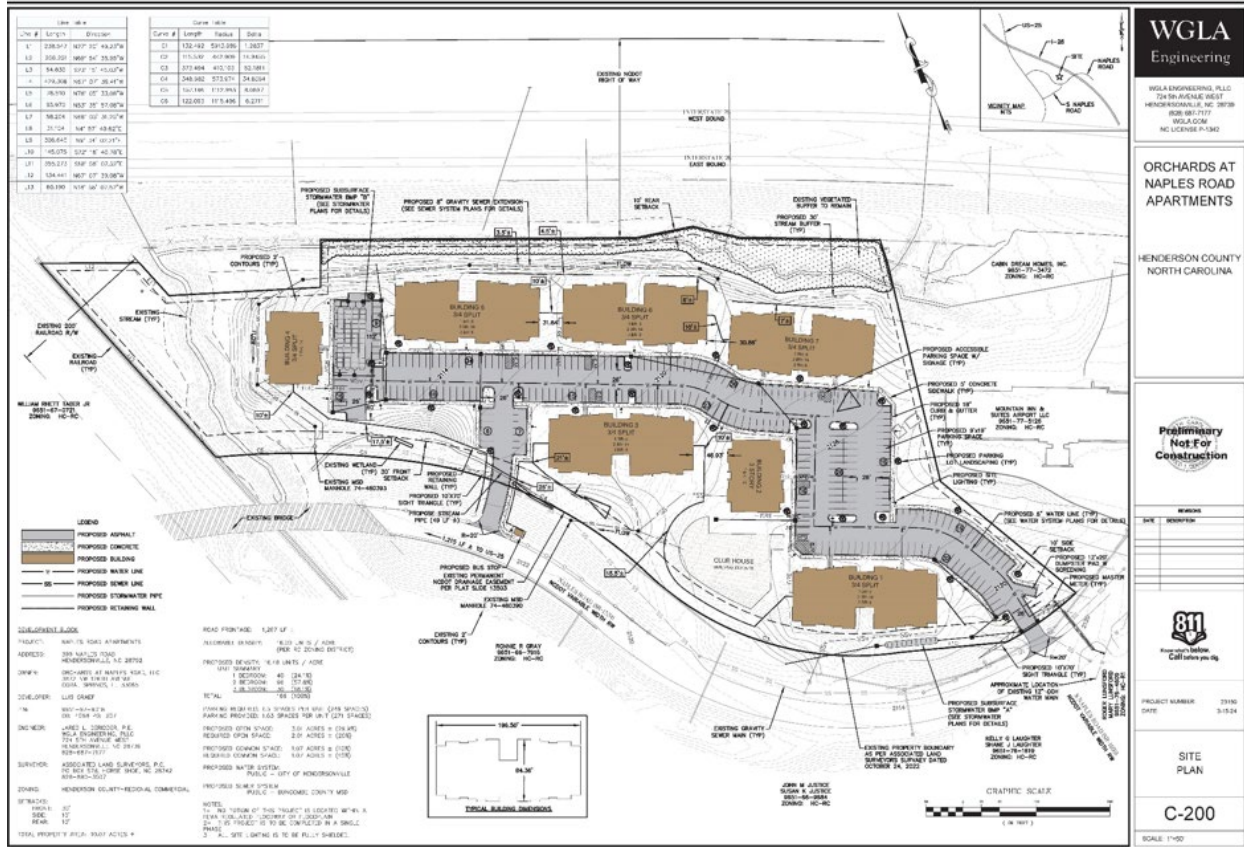
- Connectivity
- Greater variety of housing options
- Increased housing availability



Public Utilities

- The applicant is proposing connections to City of Hendersonville public water and MSD public sewer
- The application included allocation requests to both public utility providers



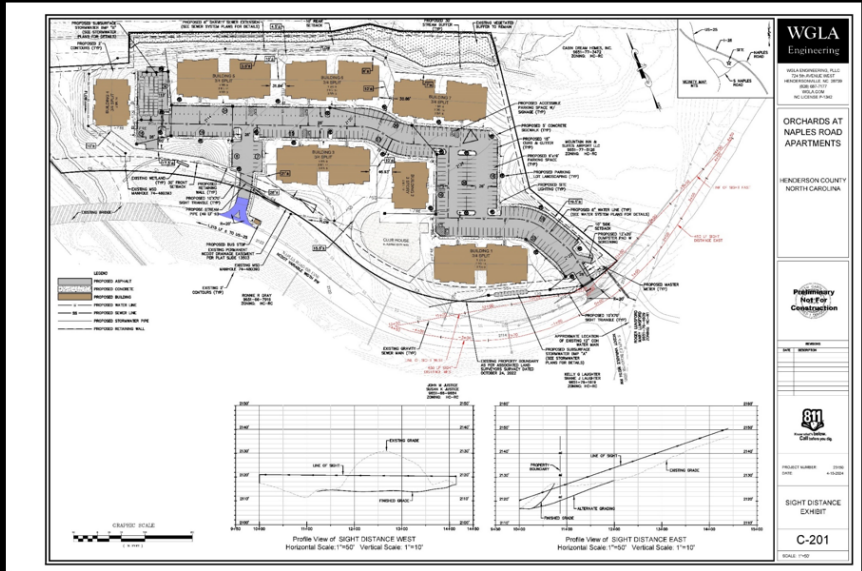


Project Summary

- 166 multi-family units
 - Mixture of 1-, 2-, and 3-bedroom units
- 7 total residential structures
 - Six 3/4 split-story structures
 - One 3-story structures
 - 6 garage spaces and 3 dwelling units per structure
- Amenities including clubhouse with mailroom, pool, dog park, 5' sidewalks, garbage collection, and area reserved for an Apple Country Transit shelter
- 271 parking spaces with 7 ADA accessible spaces
- 26' wide drive isles
- 29.9% open space
- 10% common space

Traffic Impact Analysis

- NCDOT required a TIA due to the number of trips the project would generate
- The applicant submitted a TIA prepared by Mattern & Craig, Inc. on February 7, 2024
- NCDOT accepted the TIA on April 4, 2024
- The applicant will continue to work with NCDOT on the necessary improvements



Conditional Rezoning's

- Conditions required by the LDC and additional conditions recommended for consideration and requests made by the TRC and Planning Board are found in the staff report.

2045 Comprehensive Plan Consistency

- A draft resolution of consistency with the 2045 Comprehensive Plan is included as an attachment
- The resolution addresses the consistency and reasonableness with the Community Center character area and other goals and outcomes of the 2045 Comprehensive Plan

Public Input: There was none.

Chairman McCall made the motion to go out of the Public Hearing. All voted in favor, and the motion carried.

Vice-Chair Edney asked owner Luis Graef if the living units in the proposed project would be affordable compared to surrounding areas. Mr. Graef said the monthly rent was expected to be \$1400 for a 1-bedroom unit, \$1600 for a 2-bedroom unit, and \$1900 for a 3-bedroom unit.

Commissioner Hill made the motion that the Board approve rezoning application #R-2024-01-C to rezone the Subject Area to a Conditional District (CD-2024-01) based on the recommendations of the 2045 Comprehensive Plan, and with any conditions stated in the staff report and additional conditions as discussed. All voted in favor, and the motion carried.

2024.081 Public Hearing - Resolution for Consistency with the 2045 Comprehensive Plan

Chairman McCall made the motion to go into the Public Hearing. All voted in favor, and the motion carried.

RESOLUTION OF CONSISTENCY WITH THE 2045 COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §160D, Article 1, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2024-01-C; and

WHEREAS, pursuant to N.C. General Statute §160D-601, the Planning Director provided the prescribed public notice, and the Board held the required public hearing on June 19, 2024; and

WHEREAS, N.C. General Statute §160D-605 requires the Board to adopt a statement of consistency with the 2045 Comprehensive Plan;

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

1. That the Board reviewed the proposed map amendment (#R-2024-01-C The Orchards at Naples Rd Apartments) and determined that it is reasonable, in the public interest, and it is consistent with the 2045 Comprehensive Plan located therein because:
 - The subject area is located within the Community Center character area,
 - The Community Center character area encourages mixed-use development, especially multi-story units,
 - The Community Center character area land uses include a mix of housing, like apartments,
 - The 2045 Comprehensive Plan describes the need for additional types of housing and to diversify housing choices, and
 - The application will address connectivity that was identified as one of the three outcomes in the 2045 Comprehensive Plan;
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS, the 19th day of June 2024.

Public Input: There was none.

Chairman McCall made the motion to go out of the Public Hearing. All voted in favor, and the motion carried.

Commissioner Lapsley made the motion to adopt the Resolution of Consistency with the 2045 Comprehensive Plan. All voted in favor, and the motion carried.

DISCUSSION

Social Worker Discussion

Cheryl Stuller, Guardian Ad Litem, provided information regarding school social workers. She explained that a Guardian Ad Litem is someone who is appointed by the judge to advocate for children who are in DSS custody. She said there are 22 schools in Henderson County and only eight social workers. She said there were an additional five social workers who were funded by Stimulus money from COVID. That grant has now expired, and she believed the Board to be in discussions about not funding those positions moving forward. She said those positions are needed in the schools now more than ever. She said families need help, and that was what the social workers do. She referred to the Henderson County Education website, which stated: The guiding principles are the success of a child is the result of a collaborative partnership of school, child, parents, and community. She said teachers and school social workers working in unison were instrumental in providing services for Henderson County Students. She said school social workers were liaisons and advocates for county school children.

Chairman McCall asked for clarification on the number of social workers in county schools. At a previous meeting, Mr. Garrett stated there were fourteen, including the five added during COVID. Mr. Garrett commented from the audience, but his comments were not audible.

Commissioner Andreotta said, “Cheryl, thank you for coming today. You and I had a conversation, and I have heard from a few folks; I think one of the first concerns is that if these folks are employees under the umbrella of the County DSS, their concern is they would find maybe mostly around an economic condition set of circumstances, etc., and would exercise power and pull a child away from the parents. That was a concern I heard. I checked with the county attorney and he has assured me that would not happen.” Mr. Burrell said if that were to happen would be a violation of NC law. Economic conditions cannot be a basis for abuse or neglect of children or the dependency status of children.

Ms. Stuller stated that it was a matter of trust and “I’m sorry, if you are working for the Department of Social Services, you cannot, um, there is a conflict of interest. And it’s going to be hard for parents and children to trust somebody who is working for that department. It should be totally separate, and it is, and it should remain so, a totally separate job from DSS. And I work with both so I’m telling you from experience that that is two different sets of expectations.”

Mr. Andreotta said, “What if there were a path for us to leave them at their assignments? The schools are still their assignments. But they could be employees of DSS because that would look at it in part from the financial aspect. The other aspect I’m looking at is how much summer work these folks do when school is not in session.” Ms. Stuller said it was her understanding in talking to the social worker she has been working with that she, the social worker, was no longer employed.

Mr. Andreotta said “I don’t disagree that the focus in job duties are different or are specialized. We go to medical specialists for problems like that. Mr. Garrett, is the funding for this in part or whole included in any of the school budget requests?” Mr. Garrett outlined the budget request presented in both January and May as comprising two main components. The first focused on maintenance, aimed at sustaining operation at the 2023-2024 level into 2024-2025. Recognizing the upcoming changes, the School Board prioritized securing additional funds, reflected in the second part of the request. Specifically, there was a line item dedicated to maintaining five social worker positions. In discussing their budgetary needs, Mr. Garrett emphasized a dual approach; on one hand, maintaining current operations, and on the other hand, seeking to reinstate these critical positions. Andreotta said, “Just for clarity, what, if any, are the duties of these individuals during the summer or are they sort of like a teacher.” Mr. Garrett said these were ten-month positions, but it was very common for them to maintain communications and contact informally with their assigned kids or their representatives. Andreotta said, “It makes sense that if the child needs a social worker for eight or ten months, they don’t go out of need for the other two; I get it.” Mr. Garrett said there were also some things that could be done in the summer with some different funding, “at-risk funding,” to have those workers come in if needed. Andreotta said, “I appreciate Cheryl coming; I wanted the public and those who are closest to these situations to have some peace and assurance that when economic struggles hit. And I know often those lead to other issues and problems. But I want parents as they are working through that to at least have confidence that that alone would cause them to be on the bubble for having their kids in their care and custody. I think that was a big concern, and I hope that has been addressed. I guess this will probably come back up in more budget or school budget conversations.”

Chairman McCall asked DSS Director Jerrie McFalls how often DSS staff communicates with or assists with the Social Workers in the schools. Mrs. McFalls said there was communication on a daily basis while school was in session, DSS is absolutely involved. However, removing a child from the home requires a court order. Mrs. McCall said the social worker does not do all the work to provide all the needs of these families. DSS is involved at the request of the social worker. Mrs. McFalls explained how DSS staff work alongside social workers to determine if a child is at risk. She said staff work with families through situations that involve bedbugs, lack of food, or any other barrier, as the goal is to keep children with their families. Chairman McCall said she wanted to diminish the implication that DSS was the bad guy because DSS does a lot of good work and is heavily supported by the Board of Commissioners.

Commissioner Lapsley and Mr. Garrett discussed different funding sources used for the existing social workers. Mr. Lapsley noted that school nurses and resource officers were paid for entirely with local funds. Chairman McCall clarified that every school has a nurse and an SRO that is funded by the county.

After further discussion, Chairman McCall asked School Superintendent Mark Garrett to provide justification that the five school social worker positions that were added during the COVID pandemic were still a need beyond the pandemic.

VFW Building Project Update

Retired Army Major Bob Johnson, the Trustee for the Hendrix—Rhodes Post 5206 VFW, provided an update on the Wall of Honor project within the renovated VFW Building. The program began in March 2020, and to date, nineteen shadow boxes have been completed. He displayed six of the shadow boxes for the Board and audience. He said the veterans on the wall served in WWII, the

Korean War, the Vietnam War, the Gulf War, the Cold War, and the Global War on Terror. Army Air Corp, the Army, the US Navy, US Air Force, and the US Marine Corp. are all represented by veterans on the wall. The veterans range from Seaman Apprentice E-2 to Brigadier General 0-7. Seven deceased veterans are on the wall sponsored by their families. One of the significant awards included on the wall was the Distinguished Service Cross, which is second to the Medal of Honor. A number of Silver Stars, Bronze Stars, Distinguished Line Crosses, and Purple Hearts. All shadow boxes include veterans with a connection to Henderson County who have had honorable service, active reserve, National Guard Service, or war or peacetime service. All awards and badges have been certified by their service records.

Mr. Johnson stated that the shadow boxes would be placed on the Wall of Honor once the VFW Building opened and that a public announcement would be made to ensure public awareness.

Chairman McCall informed the audience that the VFW's ribbon cutting would be held on July 3, 2024, at 10:00 a.m.

2024.082 FY2024 - 2025 Budget Ordinance

The Board was requested to continue discussions regarding the FY 2024-2025 Budget.

For the public's benefit, John Mitchell outlined the budget process, which began in January with a day-long retreat where the Commissioners went through the budget line by line. The Board then went to work to draft that budget, and as required by general statute, a draft budget was posted on the county's website in early May. This was followed by the Budget Workshop in mid-May. He said the county has no money of its own; it all comes from the taxpayers. He believed the most important and sacred thing done by the Board of Commissioners is to decide where those resources go because they do come out of the back pockets of every single property owner in the county and also the people who generate sales tax. He said, "This is the public's money, the public's resources, and this is the public's house."

Amy Brantley said that based on discussions with the Board, some things had been added back to the budget, and in one case, there was a reduction. A position was added back in for the Sheriff's Office. There was some discussion about the JCAR project, which lowered the debt service on that for next year. There was an increase to the Capital Reserve Fund to offset that and keep the debt service level as presented in the four-year plan. There were four things, in particular, the Board discussed that included:

- The Tax administrator provided a new valuation for the county at the current tax rate that generated an additional \$197,296 in revenue.
- The Board decided to add back the reimbursement to the City of Hendersonville for the School Resource Officers
- An additional \$8,128 was added back after Budget Staff met with Dr. Terry Kelley in regard to salaries for Cooperative Extension employees. This is a state agency but the county covers some of the salary dollars.
- On May 31, Staff received the final allocation amount for the Home and Community Block Grant, which is a "pass-through" from the state.

Ms. Brantley said the Board then held its public hearing on June 3rd and had additional budget discussions. At that time, Staff believed they heard a consensus to do the following:

- Transfer to Solid Waste to balance the budget.
- PILT money was added for Mills River and Gerton Fire Departments
- Add \$7,500 for Pisgah Legal Services
- Add a new custodian position for Recreation to cover the VFW Building.
- Add \$1.5 Million to the Public Schools.

Ms. Brantley said following the above additions the fund balance remaining was slightly “in the hole.” Staff was looking for the Board to continue their discussions of how to get to a balanced budget following today’s meeting.

Commissioner Lapsley clarified that Ms. Brantley's statement that the “fund balance was in the hole” was not completely accurate; in fact, he said we were not “in the hole.” That number represents a dip below the 12% policy that this Board has had. Ms. Brantley said that was correct and noted that the 12% fund balance is important to the county’s bond rating as the county goes to borrow for the JCAR project in May or June of 2025. Samantha Reynolds added that there are a number of factors that the bond agencies look at, and the part that involves the budget and how the county appropriate fund balance speaks to the strength of the conservative financial decisions that the Board makes. She said this was a huge factor in determining the county’s interest rate.

Chairman McCall said the school’s systems budget was the biggest contingency and asked Mr. Mark Garrett to help clear up some information that was heard earlier. In looking at the request for \$4.5 million in additional funding, Mrs. McCall noted that one of the items included was to increase the teacher’s supplement by 1.5% and said she had asked to add the \$1.5 million back to meet that need. The state had yet to adopt its proposed budget which includes an 8.5% pay increase for teachers.

A discussion followed regarding the number of teachers in the county and the various funding sources for those positions. During that discussion, Mr. Garrett noted that Henderson County Public Schools were receiving more applicants (for teachers) overall and better-quality applicants than in the previous two years and that Henderson County ranks fourth highest in the state in regard to teacher retention.

Vice-Chair Edney clarified that the supplement was for all school staff, not just teachers. The percentage varies based on certified versus non-certified staff. He said if the school’s priority was teachers perhaps the school board should rethink its policy on what percentages staff members receive from the supplement. Because the county gives HCPS the funds and leaves it to the schools to determine how to allocate those funds. Mr. Edney said if the county were to fund the schools at the rate they have asked the Board would have to raise taxes by \$0.10. Mr. Garrett reiterated that their request was twofold, one to maintain and one for additional requests. Mr. Edney noted that HCPS had \$5 million is their fund balance. Mr. Garrett said after what was budgeted this year there was a little over \$2 million to make up that gap. That leaves them with just over \$5.2 million, and they would “dip into that checkbook for whatever deficit they have for the coming year.” He said they would like to keep at least two months of operating in fund balance just in case, and that for the schools, this equals approximately \$4.6 million. Commissioner Edney questioned the need

for the two-month operating expense due to funds the county provides to the schools every month. Commissioner Hill asked what the LGC required the schools to have in their fund balance. Mr. Garrett said there was no longer a required threshold of an amount that had to be kept in fund balance. There was a discussion about the coach's increase included in the request, and Commissioner Hill and Chairman McCall agreed that the coach's increase should be included. Mr. Garrett clarified that any additional allocated funds would be used to decrease the amount that HCPS would have to use from its fund balance and not for any of the requests included on the list of additional needs, such as the coach's supplement/increase, etc. The school board's priority was to maintain where they are now.

Mr. Garrett said he believed it would be beneficial for school officials and the Board of Commissioners to have additional conversations throughout the year about the school's budget. This would provide a better understanding of the school's budget request and the many variables that affect it.

Following a discussion about the school's operating fund balance and capital fund balance. Chairman McCall asked Mr. Garrett how the \$4.6 million in the MRTS fund is spent versus the additional \$1.5 million the county provides for proactive maintenance. Mr. Garrett said the \$1.5 million is controlled by the HCPS as their Board approves those projects or projects are done internally depending on the price threshold. HCPS submits a plan for the MRTS money for Board of Commissioners approval. He added that those funds are housed and managed by the county. Vice-Chair Edney asked if there were funds in the MRTS fund balance. Mr. Mitchell stated that the fund contained \$743,000. Commissioner Hill noted that MRTS was intended to be a temporary project fund and needed to get caught up on maintenance projects that were overdue. He proposed that the Joint Facilities Committee meet to discuss and look at the comparison of projects that had been completed versus the study that was done in 2018 or 2019, and what future maintenance may be coming up so there would be a plan.

Commissioner Andreotta agreed with all the questions and points that had been made and said the most interesting number to him today was: "HCPS being fourth best in the state with retention and a direct quote from Mr. Garrett: "We don't have much turnover." He said he would love to see those two lines word for word verbatim in all the local media. Because that flies in the face of the last two or three weeks of narrative."

Commissioner Andreotta stated the following: "there was a lot of noise made not long ago asking what are those commissioners thinking? We all need to get down there, and everybody add to their social media and such. Which is fine; we want to hear from the people. But if I'm the Director of the Parks and Rec, I'm thinking to myself, how do I get a fund balance? Because I'm a county department just like the school system." He said, "If I'm Bob and Martha Taxpayer, I say spend what I gave you and then come get more. And if I'm coach, who has not had a raise in ten years, and I find out for the last 2-4 years you 2, 3, 4, 5 million dollars, I'm thinking, why haven't I had a raise in the last ten years." Mr. Andreotta said he was not in favor of going below the 12%. He added that, in his opinion, those funds are not kept solely for bond rating; that's a huge benefit. But, part of the reason is that in the event something happens to one of the county's departments, there is money there to support that department. He said, "These facts shed a lot of light on what the last two- or three-week's narratives have been. Which is a shame because the public deserves to know, accurately and factually." He wanted to see the coaches get a raise but said the county could not go below the 12%, regardless of what had to be done. His position was "not to stockpile taxpayer dollars; let's use them as and when they are needed."

Vice-Chair Edney opposed using capital funds for recurring expenses, citing the school's fund balances in its MRTS and Capital budgets, which were designated for recurring expenditures. He proposed reducing MRTS by \$1 million annually and reducing the school's capital by \$500,000 to get to \$1.5 million. The school would use its fund balance for the other \$500,000. Additionally, he suggested allocating \$1 million in new funding to HCPS, allowing the school system to address additional needs as they see fit. He believed that his proposal would maintain the county's fund balance at 12%.

Mr. Garrett said that before returning to his seat, he would like to address Commissioner Andreotta's point. He felt it crucial to clarify that the school system does not solicit individuals to come to the Commissioners' meeting and speak. Commissioner Andreotta referenced the school board's previous meeting, during which a board member expressed the need to attend and address the commissioners directly about what they think is important. Mr. Garrett invited Mr. Andreotta to address the board member regarding his comments.

Mr. Garrett acknowledged the challenges faced by the school system, emphasizing their lack of control over revenue. He underscored Henderson County's significant contributions to public education, affirming his commitment to transparency. "You can always expect honesty from me," he asserted, outlining the budget's purpose and needs clearly. "Ultimately, it's your decision," he concluded, acknowledging the complexities of managing such a substantial budget.

Chairman McCall suggested that perhaps county budget staff and HCPS staff meet to review financial figures to better understand the rationale behind budget requests. Mr. Garrett said that the two entities need to meet more often than twice a year at budget time. Mrs. McCall emphatically agreed and said they should aim to meet quarterly at the very least.

As a point of order and to clarify the consensus of the Board, Ms. Brantley reviewed what had been discussed. Ms. Brantley said the \$2.5 million had been added to operating costs. So that would be \$35,378,000, and the capital expense would be \$1 million. Debt service would be \$11.3 million, and MRTS would be \$3.6 million.

Chairman McCall challenged the budget staff to "work their magic" and find an additional \$500,000, encouraging them to explore creative options during the upcoming break.

Vice-Chair Edney moved on to a discussion regarding an additional allocation request of \$250,000 from Blue Ridge Community College. College President Dr. Laura Leatherwood said the requested operating funds were needed to cover increasing utilities and to give employees an increase. When asked about the college's fund balance, Dr. Leatherwood said they had one fund balance that is kept at \$500,000 to cover unexpected repairs or the replacement of equipment.

Vice-Chair Edney made the motion to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(6). All voted in favor, and the motion carried.

Vice-Chair Edney made the motion to go out of closed session. All voted in favor, and the motion carried.

The meeting was reconvened at 1:35 p.m.

Assistant County Manager Amy Brantley presented the final budget tally to the Board.

**Henderson County
FY 2024-2025 Budget Tally**

						Total Budget	Fund Balance Appropriation
FY 2024-2025 Manager's Proposed Budget as Presented May 6, 2024						\$ 202,142,366	\$ 20,742,795
Following Discussions at the May 15th Workshop							
		REVENUE		EXPENDITURE			
		Reductions	Additions	Reductions	Additions		
						\$ 202,142,366	\$ 20,742,795
1	Non-Profit - Boys & Girls Club [Lapsley]				\$ 20,000	\$ 202,162,366	\$ 20,762,795
2	Non-Profit - Interfaith Assistance Ministry [Lapsley]				\$ 20,000	\$ 202,182,366	\$ 20,782,795
3	Non-Profit - Mills River Life Enrichment Center [Lapsley]				\$ 12,000	\$ 202,194,366	\$ 20,794,795
4	Non-Profit - Open Arms Crisis Pregnancy Center [Lapsley]				\$ 20,000	\$ 202,214,366	\$ 20,814,795
5	Non-Profit - Boy Scouts [Edney]				\$ 5,000	\$ 202,219,366	\$ 20,819,795
6	Non-Profit - NCAJ HS Moot Court [Edney]				\$ 3,000	\$ 202,222,366	\$ 20,822,795
7	Non-Profit - Back on Track Addiction Ministries [Hill]				\$ 50,000	\$ 202,272,366	\$ 20,872,795
8	Non-Profit - Hope Center [McCall]				\$ 30,000	\$ 202,302,366	\$ 20,902,795
9	Non-Profit - Hope Coalition [McCall]				\$ 20,000	\$ 202,322,366	\$ 20,922,795
10	Sheriff - Animal Enforcement Investigator [Andreotta] (includes \$3,300 for IT equipment)				\$ 182,579	\$ 202,504,945	\$ 21,105,374
11	Non-Profit - First Contact [McCall] (in Detention budget)				\$ 200,000	\$ 202,704,945	\$ 21,305,374
12	Debt Service - Change in interest only payment			\$ 163,313		\$ 202,541,632	\$ 21,142,061
13	Capital Reserve Fund - Increase in amount transferred				\$ 163,313	\$ 202,704,945	\$ 21,305,374
As of May 15, 2024		\$ -	\$ -	\$ 163,313	\$ 725,892	\$ 202,704,945	\$ 21,305,374

Fund Balance Appropriation
\$ 21,305,374

1¢ TRE = \$ 2,430,981

Fund Balance Remaining = \$ 1,624,903

Fund Balance over 12% \$ 22,930,277

Tax Rate Equivalent \$ 0.007

						Total Budget	Fund Balance Appropriation
Proposed Budget Revisions following the May 15th Workshop						\$ 202,704,945	\$ 21,305,374
Proposed Budget Revisions							
		REVENUE		EXPENDITURE			
		Reductions	Additions	Reductions	Additions		
						\$ 202,704,945	\$ 21,305,374
1	Additional Ad Valorem Revenue per updated valuation 5.21.24		\$ 197,296			\$ 202,704,945	\$ 21,108,078
2	Payment to Other Agency - SRO reimbursement to the City of Hendersonville per BOC 5.22.24				\$ 250,000	\$ 202,954,945	\$ 21,358,078
3	Cooperative Extension Salary Adjustment				\$ 8,128	\$ 202,963,073	\$ 21,366,206
4	Additional HCCBG funding - Final FY25 allocation received 5.31.24		\$ 19,209		\$ 19,209	\$ 202,982,282	\$ 21,366,206
As of June 2, 2024		\$ -	\$ 216,505	\$ -	\$ 277,337	\$ 202,982,282	\$ 21,366,206

1¢ TRE = \$ 2,435,559

Fund Balance Remaining = \$ 1,564,071

Fund Balance over 12% \$ 22,930,277

Tax Rate Equivalent \$ 0.006

Vice-Chair Edney moved that the Board adopt the FY 2024-2025 Budget and further moved that the Chairman be authorized to execute the Budget Ordinance effective July 1, 2024. All voted in favor, and the motion carried.

Commissioner Andreotta was excused and left the meeting.

Construction Projects Update

Bryan Rhodes, Chris Todd, and Andrew Griffin provided the Board with an update on construction projects around Henderson County.

This monthly report was a review of the scope and statuses of assigned construction management responsibilities and includes specific updates in regard to County funded construction activities.

Veteran Services Office



Dana Park Community Building



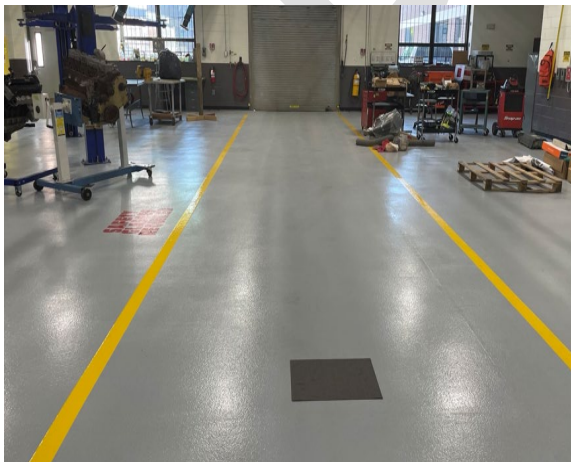
Etowah Library Outdoor Venue



Jackson Park Lower Tennis Courts



Blue Ridge Community College MRTS Projects



Henderson County Public Schools MRTS Projects West Henderson High Renovation and Addition



Upward Elementary Renovation and Addition



FY2023-2024 HCPS MRTS

- West High Air Handler Replacement – Cooper Construction was the awarded contractor. The Air Handler will be installed when received.
- Elementary Schools HVAC Controls Upgrade - The project is approximately 85% complete. Six schools are 100% complete and the remaining three are about 75% complete.
- Gutters and Downspouts Project - 100% complete
- Various Roofing - 100% complete
- Atkinson HVAC Upgrade – Contractor Johnson Controls has started the procurement of materials for this project.



Henderson County JCAR Project

Facilities Services Projects

Director of Facility Services Andrew Griffin provided an update on county Facility Services projects.



EMS #6 Fletcher

- ▶ Electrical Trim out
- ▶ HVAC
- ▶ Plumbing
- ▶ Paving
- ▶ Sheetrock
- ▶ Tile work
- ▶ June 2024



VW - DC Fast Chargers

- ▶ Pole Set
- ▶ Final Connection needed from Duke



EMS Headquarters Shed and Parking Improvement SBA-5

- ▶ Building up
- ▶ Electrical Complete
- ▶ Concrete Complete
- ▶ Duke to set pole and final connection
- ▶ Completion June 2024

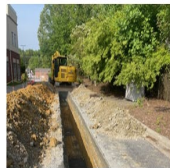
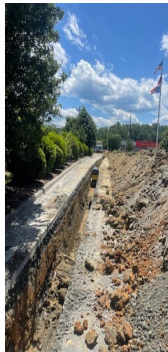


Jackson Park Paving SBA-3 and County Paving



- ▶ 4th Avenue
- ▶ Bridge evaluated and replacement timbers installed
- ▶ Maintenance Building Parking Lot
- ▶ Glover Street end
- Non-SBA Funds
 - ▶ Cooperative Extension lot
 - ▶ Health and Human Services seal/stripe

Human Services Building Drainage SBA-2



- ▶ Working on South (Nissan) Side now.
- ▶ North side complete
- ▶ Completion June 2024



Ecusta Trail

- ▶ Heavy rollers
- ▶ Cross drainage
- ▶ Bridge abutments
- ▶ Headwalls

Vannoy Construction Preconstruction Fee Proposal – Hospital MOB

The Board was requested to approve Vannoy Construction's Pre-Con Proposal and Construction Fee Proposal and authorize staff to proceed to the Contract for Pre-Con Services for the Henderson County Hospital Corporation MOBs project.

The Pre-Con proposal received from Vannoy Construction was for a price of \$400,000.00. Their proposed Construction Fee was 3.75%, which will be shown on the Guaranteed Maximum Price.



Medical Office Buildings

Vice-Chair Edney made the motion that the Board approve the Preconstruction Proposal, for Vannoy Construction, in the amount of \$400,000.00, and for the Construction Fee Proposal of 3.75%, for the Construction phase of the project. All voted in favor, and the motion carried.

(Due to an error in the PowerPoint presentation for the Cane Creek Sewer Project, the Farmland Preservation discussion item was presented before the Cane Creek Sewer item. The error was corrected during the Farmland discussion.)

Farmland Preservation

On April 1, 2023, the Board of Commissioners voted to form a Farmland Preservation Taskforce. The Taskforce held its first meeting on May 13, 2024, and has held two additional meetings since. On May 30, 2024, the Taskforce heard from Evan Davis from the NC Department of Agriculture and Consumer Services and Kieran Roe and Tom Fanslow from Conserving Carolina to discuss agricultural conservation easements.

On June 10, 2024, the Taskforce continued their discussion on agricultural conservation easements and reviewed examples of program structures. They heard from Ariel Zijp and Avni Naik from the Buncombe County Farmland Preservation division, Ryan Manning from the NC Foundation for Soil and Water Conservation, and Mikey Fulk from the Working Lands Trust. Following the discussion on June 10, 2023, the Taskforce unanimously recommended selecting the Soil and Water Conservation District as the primary contact for a proposed Farmland Preservation Program. The Taskforce will meet again on June 24th.

Taskforce Members & Support

Name	Representation
Rebecca McCall, Chair	Board of Commissioners
David Hill, Chair	Board of Commissioners
Hunter Marks	Planning Board
Danny McConnell	Soil & Water Conservation District
Joffrey Merrill	Agribusiness Henderson County
Gary Steiner	NC Cooperative Extension
Jimmy Cowan	NC Farm Bureau
Randy Newman	Hendersonville Board of Realtors
Jason Edney	At-large
Justin Patwin	At-large
Linda Pryor	At-large
Alan Ward	At-large
Danielle McCall	At-large

Conserving Carolina
Kieran Roe
Tom Fanslow

Soil & Water
Jonathan Wallin
April Hoyt

NC Cooperative Extension
Dr. Terry Kelley

NC Department of Agriculture
Jeffrey Darnell

County Support Staff
Chris Todd
Autumn Radcliff
Liz Hanson

Taskforce Timeline

Past Meeting Overview

May 10th

- Member Introductions
- Discussed Taskforce background & potential goals
- Voted on meeting schedule
- Scheduled special called meeting for 05/30/24

May 30th

- Evan Davis, Farmland Preservation Division Director (NC ADFPTF)
- Kieran Roe & Tom Fanslow, Conserving Carolina

June 10th

- Ariel Zijp & Avni Naik, Buncombe County Farmland Preservation
- Ryan Manning, Haywood County Farmland Preservation & NC Soil & Water Foundation
- Mikey Fulk, Working Lands Trust
- Presented motion

Future Taskforce Meetings.....



At their June 10, 2024, meeting, the Taskforce made a unanimous recommendation regarding the proposed Farmland Preservation Program.



“I move, for the purposes of moving forward, to select the Soil and Water Conservation District to be the primary contact for the Farmland Preservation Program for the time being.”

Clear Creek Sewer Project

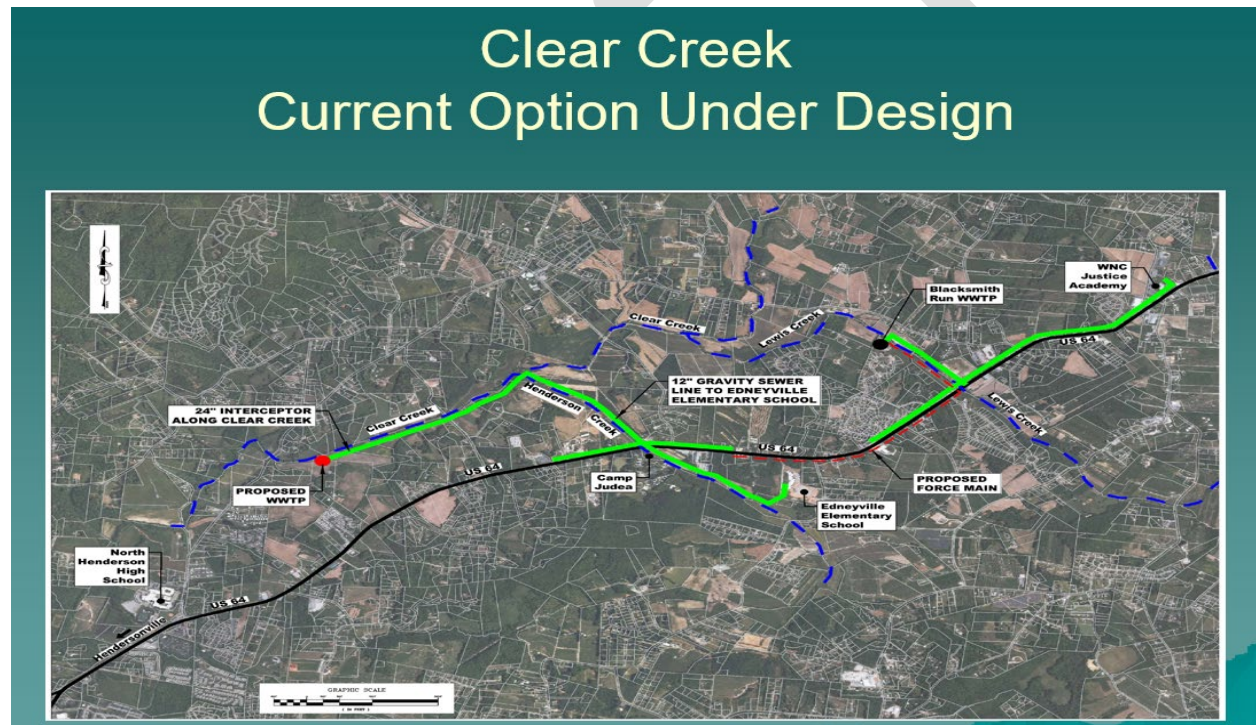
With the Board approval of the design and permitting agreement with WGLA Engineering during the December 4, 2023, meeting and the approval of the discharge permit for the treatment plan last month, Will Buie from WGLA Engineering will present an update on the project to include cost estimates and updated scope options for Board consideration.

This project was on a very constrained schedule due to funding deadlines.

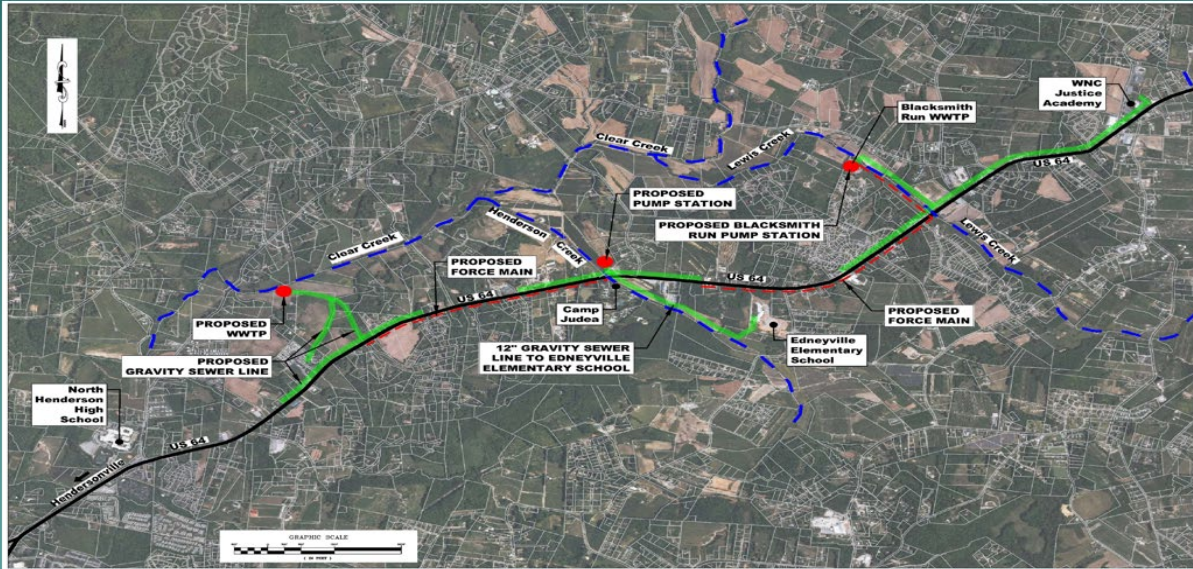
Will Buie provided the following options for the Board to consider.

Clear Creek Project Summary

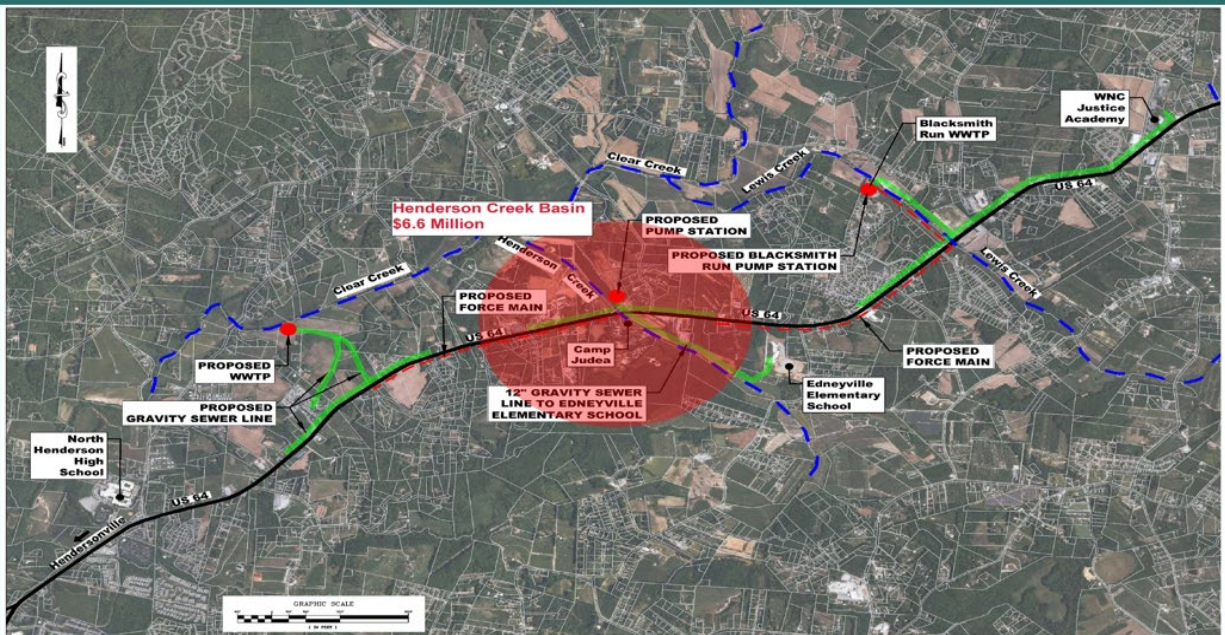
- ◆ State budget has allocated \$12.7 million in funding for the project. County has allocated \$9.3 million in ARPA funds for the project. Finally, the County reserved \$2 million in funding from the Edneyville Elementary project for sewer service and the Justice Academy has a reserve of \$0.73 million. Total available funding is **\$24.73 million**.
- ◆ In May 2024 NCDEQ issued a discharge permit for a new wastewater treatment plant on Clear Creek.
- ◆ Current Estimate for the proposed system is \$32 million.
- ◆ Budget gap is approximately \$7.27 million.



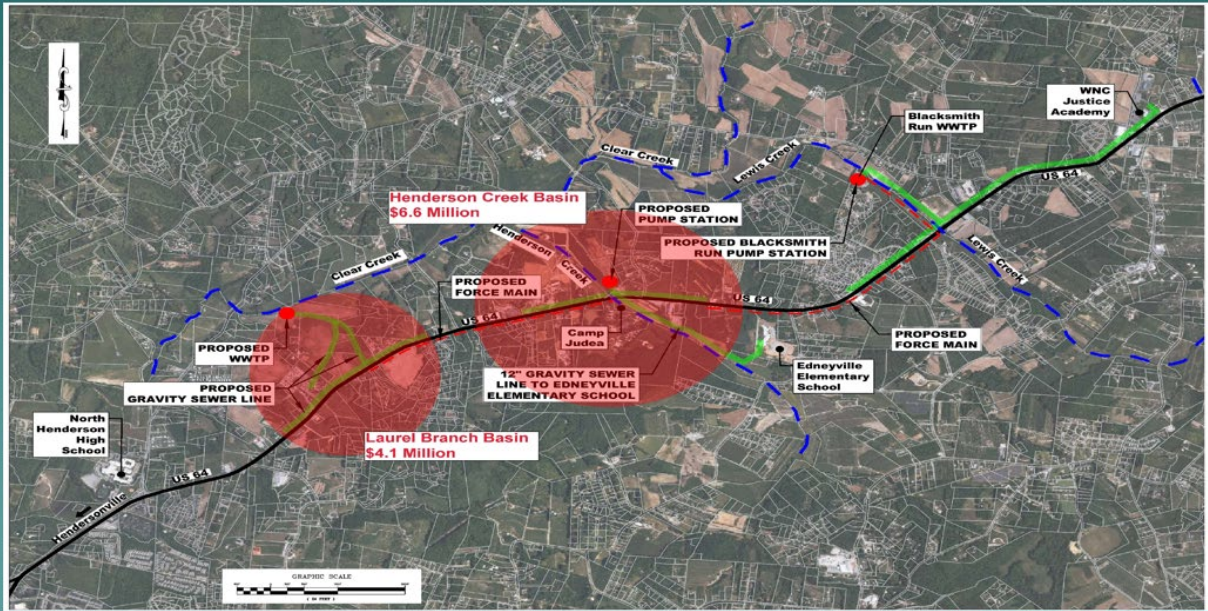
Clear Creek Option 2



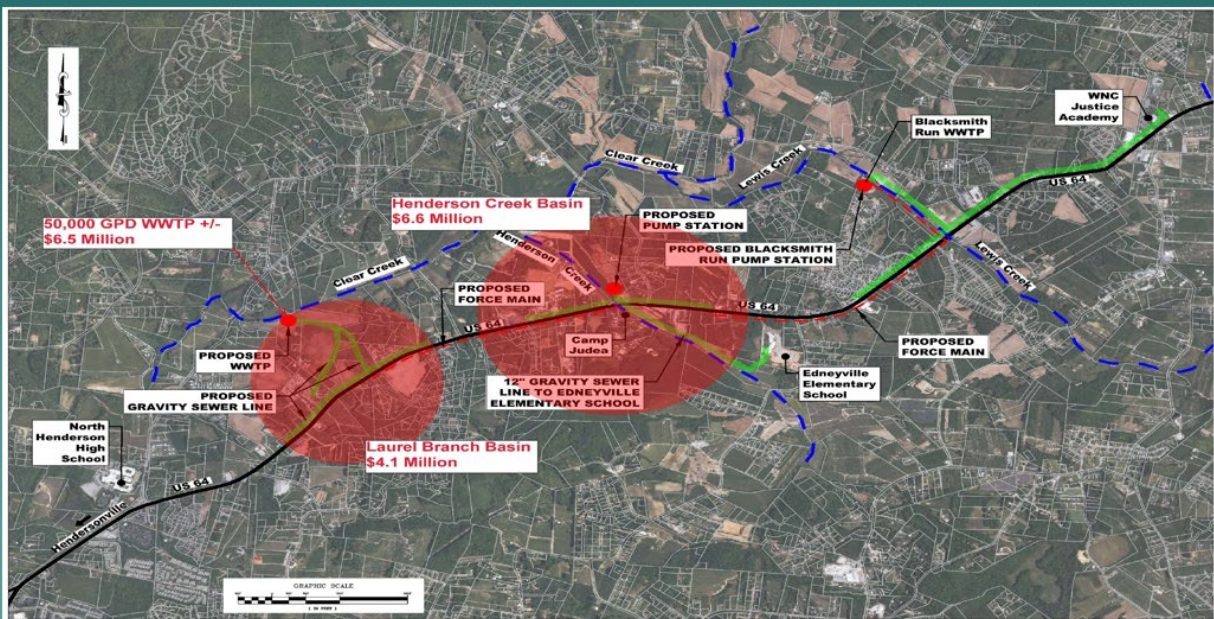
Clear Creek Option 2



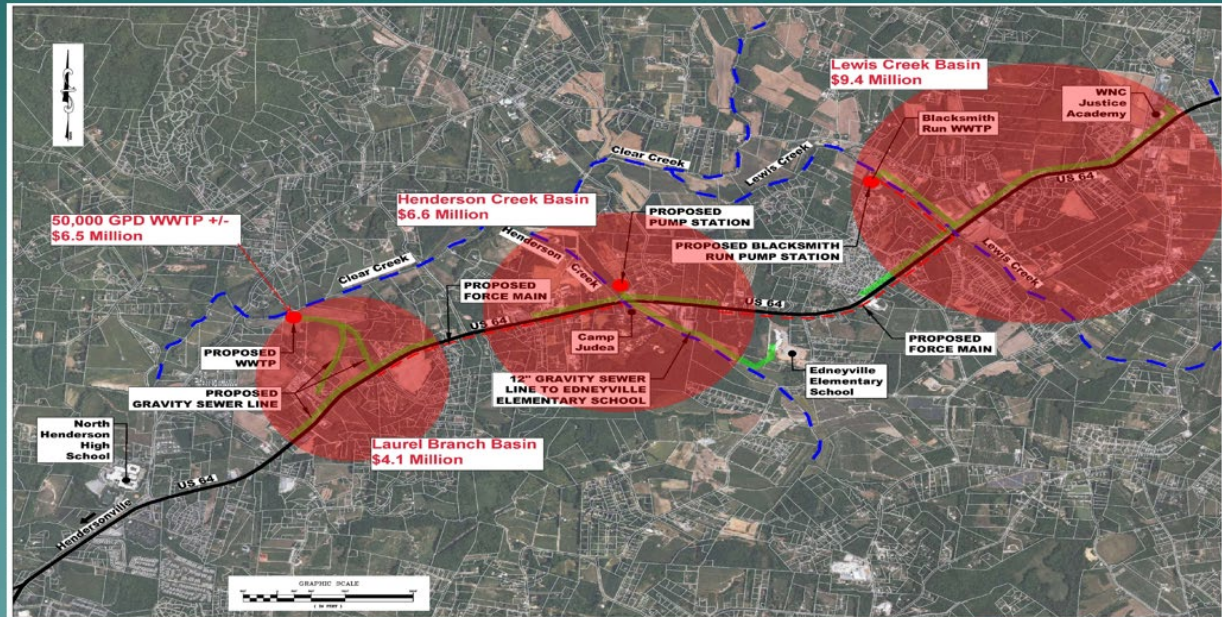
Clear Creek Option 2



Clear Creek Option 2



Clear Creek Option 2



Clear Creek Option 2 Estimated Costs

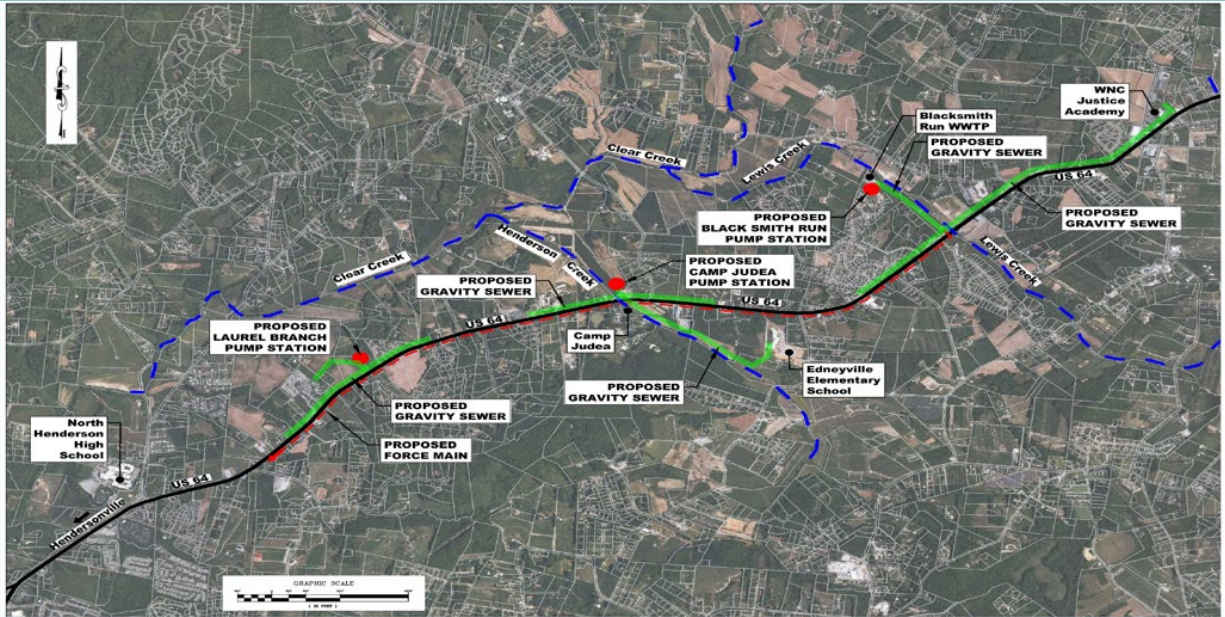
- ◆ Henderson Creek Basin, Laurel Branch Sewer and reduced size WWTP - **\$17.2 Million.**
- ◆ Add Lewis Creek Basin - **\$26.6 Million*.**
- ◆ Only add Justice Academy via pump station and force main (no other users in Lewis Creek Basin) - **\$20.0 Million.**

*Smaller WWTP is not sized to serve Blacksmith Run.

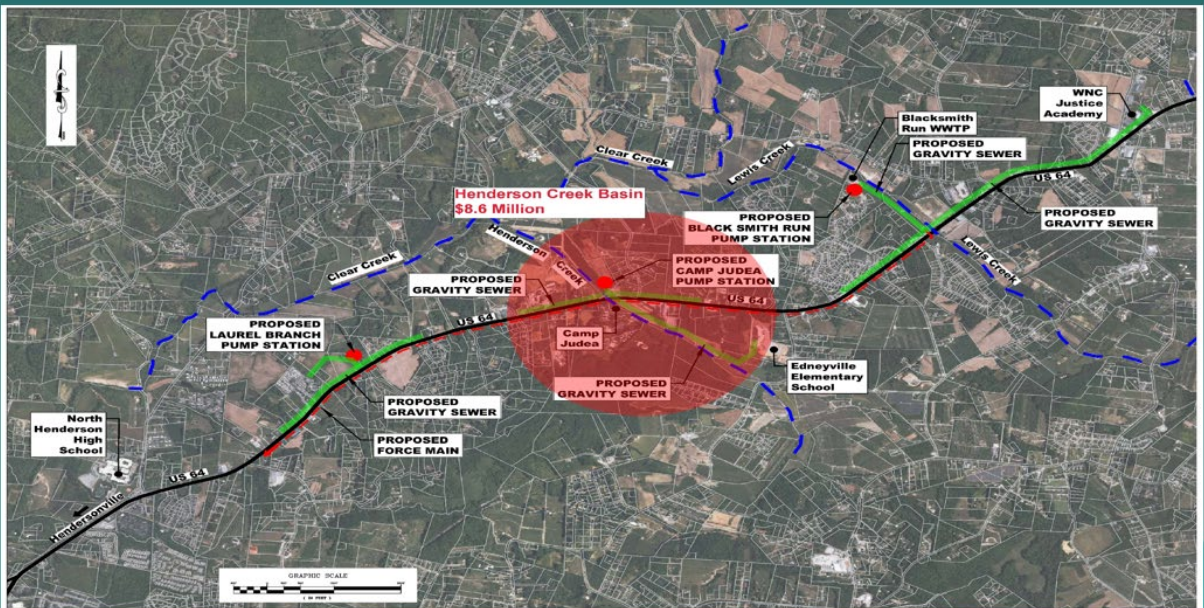
-Operational costs of the system will be challenging with a very limited customer base.

-Will need to reengage with DEQ about conditions of discharge permit.

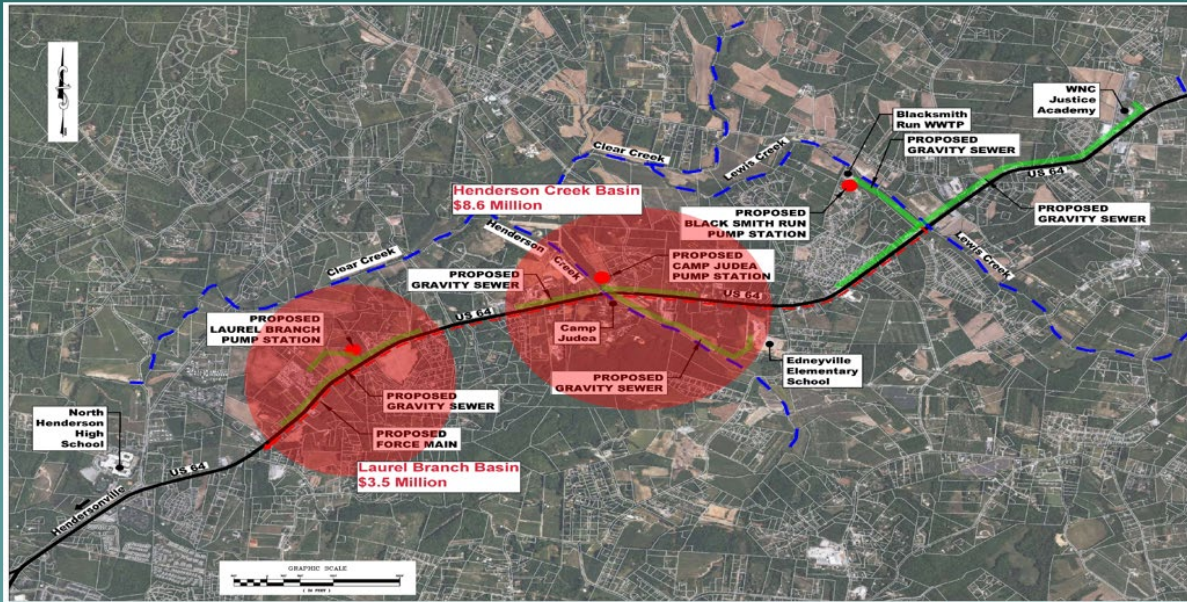
Clear Creek Option 3



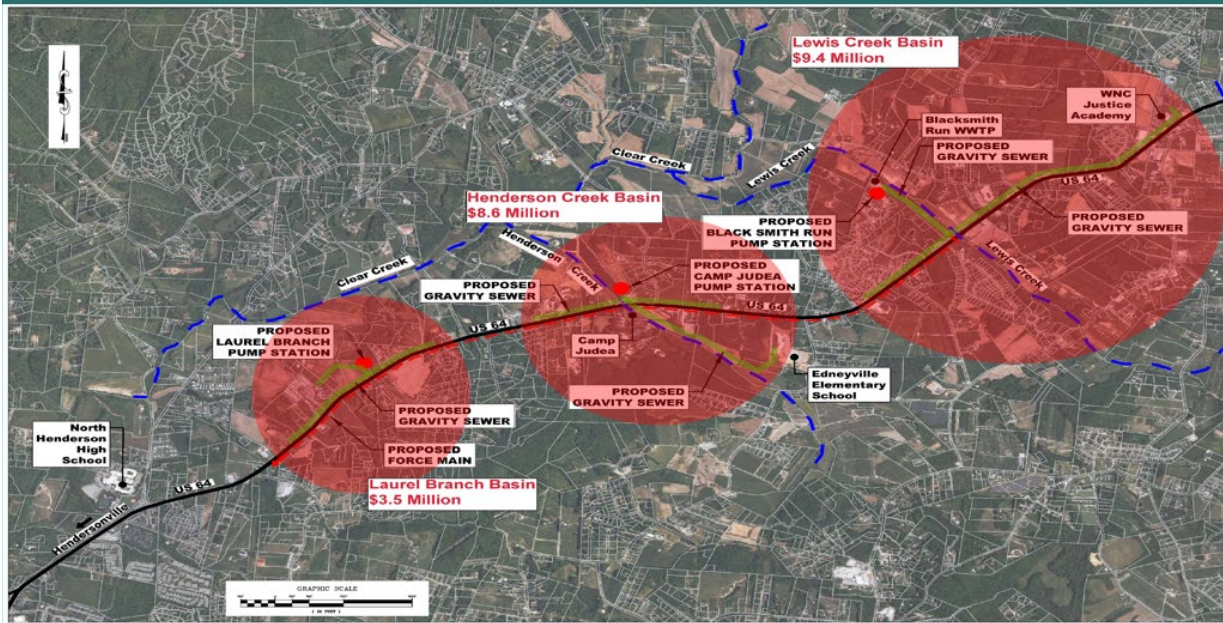
Clear Creek Option 3



Clear Creek Option 3



Clear Creek Option 3



Clear Creek Option 3 Estimated Costs

- ◆ Henderson Creek Basin pump to City of Hendersonville- **\$8.6 Million.**
- ◆ Add Laurel Branch Basin - **\$12.1 Million**
- ◆ Add Lewis Creek Basin - **\$21.5 Million.**
- ◆ Only add Justice Academy via pump station and force main (no other users in Lewis Creek Basin - **\$15.0 Million.**

-Rates would be based on City of Hendersonville “out of City” sewer rates.

-County could dedicate lines to Hendersonville for ownership and maintenance or could own and maintain sewer collection system.

Clear Creek Summary of Options

Clear Creek - Summary of Options

Option	Estimated Costs	Funding Sources
2A Henderson Creek, Laurel Brach & Reduced WWTP	\$17.2 Million	\$12.7M State allocation + \$4.5M County ARPA Funds
2B Henderson Creek, Laurel Brach & Reduced WWTP with addition of Lewis Creek Basin	\$26.6 Million	\$12.7M State allocation + \$9.3M County ARPA Funds \$2M County + \$0.73M Justice Academy (\$1.87M gap in funding)
2C Henderson Creek, Laurel Brach & Reduced WWTP with addition of Justice Academy only	\$20.0 Million	\$12.7M State allocation + \$7.3M County ARPA Funds
3A Henderson Creek pumped to Hendersonville	\$8.6 Million	\$12.7M State allocation
3B Henderson Creek & Laurel Branch pumped to Hendersonville	\$12.1 Million	\$12.7M State allocation
3C Henderson Creek, Laurel Branch & Lewis Creek pumped to Hendersonville	\$21.5 Million	\$12.7M State allocation + \$8.8M County ARPA Funds
3D Henderson Creek, Laurel Branch & Justice Academy pumped to Hendersonville	\$15.0 Million	\$12.7M State allocation + \$2.3M County ARPA Funds

Clear Creek Additional Consideration

- ◆ Cost for WWTP is very high level. We are working with vendors to verify this estimated cost.
- ◆ User fees for WWTP will depend on user base to share operational costs.

Next Steps

- ◆ Need direction from the Board for option to pursue.
- ◆ Time is of the essence to meet funding requirements.
- ◆ Easement acquisition and permitting will take place 3rd Quarter 2024 – 1st Quarter 2025.
- ◆ Bidding and contractor selection will take place over 1st Quarter and 2nd Quarter 2025.
- ◆ Construction scheduled for mid 2025 – end of 2026.

After the options were presented, the Board, Mr. Buie, and Mr. Jones had a lengthy discussion regarding each option.

Mr. Buie noted that there was a \$7.2 million budget gap to fund this project.

Commissioner Lapsley supported Option 2C, while Commissioner Hill supported Option 2B.

Marcus Jones and Mr. Buie informed the Board that a decision must be made by mid-July to use ARPA funds for this project.

NOMINATIONS AND APPOINTMENTS

1. Environmental Advisory Committee – 3 vacs.

Vice-Chair Edney made the motion to nominate Erik Weber for appointment to seat #1, Kevin Burke for appointment to seat #5, and Jane Edgar for appointment to seat #7. All voted in favor, and the motion carried.

2. Fire and Rescue Advisory Committee – 1 vac.

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

3. Henderson County Board of Equalization and Review – 1 vac.

There were no nominations, and this was rolled to the next meeting.

4. Henderson County Rail Trail Advisory Committee – 1 vac.

Commissioner Hill made the motion to nominate Bart Salvaggio for appointment to seat #6. All voted in favor, and the motion carried.

5. Henderson County Tourism Development Authority – Appointment of Chair

Chairman McCall nominated William Rhodes to serve as Chairman of the Henderson County Tourism Development Authority. All voted in favor, and the motion carried.

6. Home and Community Care Block Grant Advisory Committee – 1 vac.

There were no nominations, and this was rolled to the next meeting.

7. Industrial Facilities and Pollution Control Financing Authority – 1 vac.

There were no nominations, and this was rolled to the next meeting.

8. Juvenile Crime Prevention Council – 4 Vacs.

Vice-Chair Edney made the motion to nominate Judge Abe Hudson for appointment to seat #14. All voted in favor, and the motion carried.

9. Library Board of Trustees – Appointment of Chair

Chairman McCall nominated Michael Absher to serve as Chairman on the Library Board of Trustees. All voted in favor, and the motion carried.

10. Mountain Area Workforce Development Board – 2 vacs.

Vice-Chair Edney made the motion to nominate Robert Rode for appointment to seat #1. All voted in favor, and the motion carried.

11. Nursing/Adult Care Home Community Advisory Committee – 9 vacs.

There were no nominations, and this was rolled to the next meeting.

COMMISSIONER UPDATES

Commissioner Hill thanked Ms. Brantley for her kindness and generosity over the time he had served with her. He underscored how highly respected Ms. Brantley was and said she would be sorely missed.

Vice-Chair Edney made a motion to cancel the regularly scheduled meeting on August 21, 2024. All voted in favor, and the motion carried.

Commissioner Edney said that Ms. Brantley was highly respected throughout the state and was often a resource for other counties in their budget preparation.

Commissioner Lapsley had no updates to share.

Chairman McCall thanked Ms. Brantley for all she had done for this county and said she hoped they could spend some time together on the golf course in the future. She said Ms. Brantley was leaving “big shoes to fill.”

GENERAL ASSEMBLY UPDATE

John Mitchell said he and the Chairman had traveled to Raleigh the previous week to lobby legislators on behalf of the county. He noted he was closely monitoring a piece of legislation regarding water and sewer that was submitted by Senator Moffitt. He also met with City Officials and Representative Balkcom in relation to whether that bill may come out of committee. He said they heard from the Governor, Speaker of the House, and the Senate Pro Tem all of which have different ideas of what the budget may look like.

COUNTY MANAGER’S REPORT

Mr. Mitchell noted that the Fourth of July fireworks and the July 3rd Ribbon cutting at the VFW Building were coming soon. He thanked the Board for their due diligence on the budget. In closing, he again thanked Amy Brantley for the years of dedication and service on behalf of himself and on behalf of the staff.

Chairman McCall made the motion to adjourn at 3:20 p.m. All voted in favor, and the motion carried.

ADJOURN

Denisa Lauffer, Clerk to the Board

Rebecca McCall, Chairman