

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JULY 17, 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 Chris Todd, Financial Services Director Samantha Reynolds, Public Safety Director Jimmy Brissie, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Budget Manager/Internal Auditor Sonya Flynn, Budget Analyst Jennifer Miranda, County Engineer Marcus Jones, A/V Technician Oscar Guerrero, Finance Director Rany Cox, Soil and Water Conservation District Director/Conservationist Director Jonathan Wallin, Betsy Gerwig, Director of Facility Services Andrew Griffin, Project Superintendent Brian Cotton, Planner Liz Hanson, Tax Administrator Harry Rising, Deputy Tax Collector Luke Small, Register of Deeds Lee King, Planning Director Autumn Radcliff, Code Enforcement Director Matt Champion, DSS Director Jerrie McFalls, DSS Deputy Director Lorie Horne, Parks and Recreation Director Bruce Gilliam, Park Maintenance Supervisor Jason Kilgore, Strategic Behavioral Health Director Jodi Grabowski, Human Resources Director Karen Ensley, Building Services Director Crystal Lyda, Fire Marshal Kevin Waldrup, 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

Rev. Megan McMillan with Mills River Presbyterian Church provided the invocation.

PLEDGE OF ALLEGIANCE

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

RESOLUTIONS AND RECOGNITIONS

2024.083 Resolution of Appreciation – Jerrie McFalls

The Henderson County Board of Commissioners was requested to adopt the Resolution of Appreciation for Jerrie McFalls. Jerrie McFalls will retire on July 31st, having been with Henderson County since January 14, 1980. Jerrie McFalls has served many roles during her tenure with Henderson County, including Social Work Trainee, Social Worker I – III, Social Work Supervisor I – III, Social Work Program Administrator, County Social Services Interim Director, and County Social Services Director.

RESOLUTION OF APPRECIATION

JERRIE MCFALLS, DEPARTMENT OF SOCIAL SERVICES DIRECTOR

Approved:

WHEREAS, Jerrie McFalls was hired as Social Work Trainee for Henderson County on January 14, 1980.

WHEREAS, In July 1980, Jerrie McFalls was promoted to Social Worker ; and

WHEREAS, In June 1986, Jerrie McFalls was promoted to Social Work Supervisor; and

WHEREAS, In March 2008 was promoted to Social Work Program Administrator; and

WHEREAS, In December 2015 was promoted to Interim Social Services Director; and

WHEREAS, In July 2016 was promoted to Henderson County Social Services Director; and

WHEREAS, Jerrie McFalls earned a Bachelor of Science degree from Western Carolina University with a concentration in Social Work; and

WHEREAS, Jerrie McFalls has served in various community and civic organizations, including Community Child Protection Team, Child Fatality Prevention Team, Domestic Violence Task Force/Supported Task Force, Partnership for Health, and the Henderson County Substance Abuse Task Force; and

WHEREAS, Jerrie McFalls has participated in professional memberships, including the Academy of Certified Baccalaureate Social Works and, the North Carolina Association of County Directors of Social Services (NCACDSS), and

WHEREAS, Jerrie McFalls will retire from service with Henderson County and its citizens on July 31, 2024, currently as the longest-tenured Henderson County employee with more than 44 years of dedicated full-time continuous service; and

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

Adopted this the 17th day of July 2024.

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

Chairman McCall presented the Resolution to Mrs. McFalls.

INFORMAL PUBLIC COMMENT

1. Chris Walters spoke about religion and politics.
2. Bill Ramsey spoke about the county's need for aquatic facilities.
3. Kate Huscher and Lily Pearson spoke about the county's need for additional soccer fields.
4. Sarah Alholm spoke about the county's need for additional soccer fields.

Approved:

5. Chauncey Whiting proposed that the Board consider the addition of lacrosse fields at Berkeley Park.
6. Philip Ellis spoke about the county's need for additional soccer fields.
7. Kurt Maxon spoke about the county's need for additional soccer fields.
8. Lois Vermillion spoke in support of the county’s potential purchase of the Etowah Sewer Company.
9. Tricia King discussed the county's need for additional soccer fields, which she said should be at least four additional full-size soccer fields.
10. Annette Huetter spoke in support of the county’s potential purchase of the Etowah Sewer Company.
11. Ward Seguin spoke in support of the county’s potential purchase of the Etowah Sewer Company. He also informed the Board that the tennis courts at Etowah Park were in disrepair and needed to be resurfaced.
12. Eli Clonch spoke about the county's need for additional soccer fields.
13. Eric Clonch spoke about the county's need for additional soccer fields.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Andreotta pulled consent agenda Item M – Purchase Contract – Property Acquisition and moved to Discussion as Item F.

Commissioner Lapsley made the motion to approve the consent agenda as amended. 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 19, 2024 – Regularly Scheduled Meeting

Motion:

I move the Board approve the minutes of June 19, 2024.

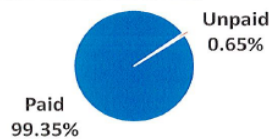
Tax Collector’s Report

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

Please find outlined below collections information through June 30, 2024 for 2023 real and personal property bills mailed on August 21, 2023. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2023 Beginning Charge:	\$99,218,816.55
Discoveries & Imm.	\$216,128.76
Releases & Refunds:	(\$319,931.86)
<u>Net Charge:</u>	<u>\$99,115,013.45</u>
Unpaid Taxes:	\$643,011.14
Amount Collected:	\$98,472,002.31



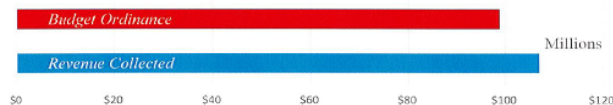
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$7,528,864.96
Unpaid Taxes:	\$24,345.29
Amount Collected:	\$7,504,519.67

99.68%

Henderson County FY24 Budget Analysis:

Budget Ordinance	Revenue Collected
Ad Valorem: \$97,695,412.00	Ad Valorem: \$105,976,521.98
Prior Years: \$1,041,250.00	Prior Years: \$968,412.78
Budget Total: \$98,736,662.00	YTD Revenue: \$106,944,934.76



Approved:

County Financial Report/Cash Balance Report – May 2024

The County Financial and Cash Balance reports were provided for the Board’s review.

The following explanations were for departments/programs with higher budgets to actual percentages for May:

- Dues/Non-Profit Contributions – payment of 4th quarter Board appropriations
- Rescue Squad – payment of 4th quarter Board appropriations and timing of reimbursable expenditures
- Mental Health – payment of 4th quarter Board approved appropriation
- Rural Transportation Assistance Program – disbursement of transportation funds
- Juvenile Justice Programs – disbursement of juvenile detention fees
- Public Education – payment of 10 of 10 annual appropriations made to the public school system
- Debt Service – disbursement of all annual debt service payments
- Interfund Transfers – timing of board-approved transfers

Year to Date Net Revenues under Expenditures for the Emergency Telephone System (911) Fund were due to utilizing fund balance appropriations for FY24.

Year to Date Net Revenues under Expenditures for the Misc. Other Governmental Activities Fund were due to approved release of Improvement Guarantee in FY24.

HENDERSON COUNTY FINANCIAL REPORT MAY 2024						
GENERAL FUND REVENUES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
General Fund	205,677,904.00	7,788,780.18	178,351,463.79	86.7%	-	178,351,463.79
GENERAL FUND EXPENDITURES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
Governing Body	695,655.00	33,078.70	522,738.06	75.14%	147.26	522,885.32
Dues/Non-Profit Contribution	829,996.00	993.94	800,235.02	96.43%	-	800,235.02
County Manager	470,511.00	24,575.98	284,002.42	60.36%	-	284,002.42
Administrative Services	823,862.00	55,885.38	743,468.85	90.24%	-	743,468.85
Human Resources	1,442,456.00	101,224.31	1,270,962.85	88.11%	17,028.40	1,287,991.25
Elections	1,127,819.00	84,280.80	951,195.76	84.34%	12,771.25	963,967.01
Finance	1,344,653.00	88,788.30	1,162,652.51	86.46%	-	1,162,652.51
County Assessor	2,133,023.00	149,743.20	1,680,212.54	78.77%	-	1,680,212.54
Tax Collector	589,966.00	39,949.50	466,928.59	79.14%	-	466,928.59
Legal	1,086,063.00	82,641.07	956,723.06	88.09%	-	956,723.06
Register of Deeds	726,643.00	42,160.52	634,910.01	87.38%	-	634,910.01
Facility Services	6,367,233.00	412,970.27	4,385,132.59	68.87%	484,924.98	4,870,057.57
Garage	553,002.00	33,435.47	363,282.00	65.69%	-	363,282.00
Court Facilities	153,000.00	15,479.70	118,236.65	77.28%	4,426.00	122,662.65
Information Technology	6,621,962.00	243,826.34	4,763,203.12	71.93%	213,106.24	4,976,309.36
Sheriff Department	23,943,857.00	1,694,395.66	20,350,339.12	84.99%	418,961.67	20,769,300.79
Detention Facility	6,810,459.00	401,409.42	5,355,406.26	78.64%	137,148.16	5,492,554.42
Emergency Management	927,618.00	63,633.62	710,620.80	76.61%	85,220.90	795,841.70
Fire Services	1,115,871.00	86,993.12	671,328.71	60.16%	20,304.31	691,633.02
Building Services	1,655,748.00	118,894.30	1,413,947.85	85.40%	-	1,413,947.85
Wellness Clinic	1,460,986.00	97,374.81	1,268,108.41	86.80%	21,789.03	1,289,897.44
Emergency Medical Services	12,537,042.00	822,884.44	10,189,848.59	81.28%	30,557.23	10,220,405.82
Animal Services	963,795.00	63,912.37	703,787.72	73.02%	25,227.53	729,015.25
Rescue Squad	757,750.00	(277.70)	767,191.63	101.25%	-	767,191.63
Forestry Services	151,972.00	5,552.40	39,909.50	26.26%	-	39,909.50
Soil & Water Conservation	1,009,983.00	305,804.46	698,374.24	69.15%	13,416.00	711,790.24
Planning	1,026,965.00	70,422.27	824,641.83	80.30%	5,400.00	830,041.83
Code Enforcement Services	331,303.00	22,095.07	267,702.66	80.80%	-	267,702.66
Site Development	331,040.00	15,546.94	251,238.88	75.89%	1,831.90	253,070.78
Heritage Museum	100,000.00	8,333.33	91,666.63	91.67%	-	91,666.63
Cooperative Extension	682,639.00	59,856.18	621,748.49	91.08%	-	621,748.49
Project Management	267,360.00	22,267.38	204,676.55	76.55%	-	204,676.55
Economic Development	945,777.00	97,500.00	802,558.05	84.86%	-	802,558.05
Agri - Business	220,084.00	-	170,000.00	77.24%	-	170,000.00
Public Health	12,403,028.00	863,259.60	9,422,550.55	75.97%	261,245.56	9,683,796.11
Environmental Health	1,876,767.00	125,025.73	1,548,185.58	82.49%	-	1,548,185.58
H&CC Block Grant	844,293.00	66,096.50	734,242.25	86.97%	-	734,242.25
Medical Services - Autopsies	90,000.00	4,350.00	58,550.00	65.06%	-	58,550.00
Strategic Behavioral Health	333,615.00	15,915.30	171,953.62	51.54%	-	171,953.62
Mental Health Services	528,612.00	-	528,612.00	100.00%	-	528,612.00
Rural Transportation Assist Program	201,384.00	26,671.31	194,011.70	96.34%	-	194,011.70
Social Services	22,754,609.00	1,621,496.44	18,325,623.87	80.54%	9,452.87	18,335,076.74
Juvenile Justice Programs	302,020.00	41,631.50	300,133.22	99.38%	-	300,133.22
Veterans Services	245,704.00	14,381.16	184,258.29	74.99%	-	184,258.29
Library	4,249,520.00	360,993.47	3,590,209.60	84.59%	124,230.19	3,714,439.79
Recreation	3,328,931.00	224,796.81	2,621,164.74	78.74%	94,840.66	2,716,005.40
Public Education	40,128,000.00	458,333.33	39,669,666.63	98.86%	-	39,669,666.63
Debt Service	19,178,617.00	5,843,036.34	19,156,033.61	99.88%	-	19,156,033.61
Non-Departmental	4,863,137.00	793,706.69	3,564,281.45	73.29%	-	3,564,281.45
Interfund Transfers	14,143,664.00	1,385,158.84	13,107,652.24	92.68%	-	13,107,652.24
TOTAL	205,677,904.00	17,210,884.77	177,684,109.20		1,982,030.14	179,666,139.34
Net Revenues over (under) Exp.	-	(9,422,104.59)	667,354.59		(1,982,030.14)	(1,314,675.55)

Approved:

APPROPRIATIONS DETAIL						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOCIAL SERVICES						
Staff Operations	18,535,353.00	1,288,155.09	15,470,564.17	83.5%	9,452.87	15,480,017.04
Federal & State Programs	4,119,256.00	325,536.74	2,798,853.39	67.9%	-	2,798,853.39
General Assistance	100,000.00	7,804.61	56,206.31	56.2%	-	56,206.31
TOTAL	22,754,609.00	1,621,496.44	18,325,623.87		9,452.87	18,335,076.74
EDUCATION						
Schools Current/Capital Expense	34,628,000.00	-	34,628,000.00	100.0%	-	34,628,000.00
Blue Ridge Community College	5,500,000.00	458,333.33	5,041,666.63	91.7%	-	5,041,666.63
TOTAL	40,128,000.00	458,333.33	39,669,666.63		-	39,669,666.63
DEBT SERVICE						
Public Schools	11,642,875.00	3,599,297.39	11,628,370.25	99.9%	-	11,628,370.25
Blue Ridge Community College	3,297,401.00	1,423,918.98	3,295,973.86	100.0%	-	3,295,973.86
Henderson County	4,238,341.00	819,819.97	4,231,689.50	99.8%	-	4,231,689.50
TOTAL	19,178,617.00	5,843,036.34	19,156,033.61		-	19,156,033.61
INTERFUND TRANSFERS						
Capital Projects Fund	306,116.00	20,833.34	229,166.74	74.9%	-	229,166.74
Capital Reserve Fund	4,603,500.00	383,625.00	4,219,875.00	91.7%	-	4,219,875.00
Fire Districts Fund	20,000.00	-	20,000.00	100.0%	-	20,000.00
HCPS MRTS	4,603,500.00	383,625.00	4,219,875.00	91.7%	-	4,219,875.00
BRCC MRTS	2,301,750.00	191,812.50	2,109,937.50	91.7%	-	2,109,937.50
Debt Service Fund	1,628,535.00	-	1,628,535.00	100.0%	-	1,628,535.00
Solid Waste	680,263.00	405,263.00	680,263.00	100.0%	-	680,263.00
TOTAL	14,143,664.00	1,385,158.84	13,107,652.24		-	13,107,652.24

SPECIAL REVENUE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
FIRE DISTRICTS FUND						
Revenues:	15,915,648.00	162,105.23	16,814,275.22	105.6%	-	16,814,275.22
Expenditures:	15,915,648.00	164,986.02	16,656,458.34	104.7%	-	16,656,458.34
Net Revenues over (under) Exp	-	(2,880.79)	157,816.88		-	157,816.88
REVALUATION RESERVE FUND						
Revenues:	1,510,021.00	139,946.84	1,499,644.18	99.3%	-	1,499,644.18
Expenditures:	1,510,021.00	69,316.20	1,141,777.23	75.6%	10,800.00	1,152,577.23
Net Revenues over (under) Exp	-	70,630.64	357,866.95		(10,800.00)	347,066.95
EMERGENCY TELEPHONE SYSTEM (911) FUND						
Revenues:	346,116.00	4,264.14	43,213.97	12.5%	-	43,213.97
Expenditures:	346,116.00	6,833.87	285,466.81	82.5%	1,843.00	287,309.81
Net Revenues over (under) Exp	-	(2,569.73)	(242,252.84)		(1,843.00)	(244,095.84)
PUBLIC TRANSIT FUND						
Revenues:	1,245,626.00	5,480.51	1,016,124.31	81.6%	-	1,016,124.31
Expenditures:	1,245,626.00	68,259.61	664,608.95	53.4%	-	664,608.95
Net Revenues over (under) Exp	-	(62,779.10)	351,515.36		-	351,515.36
MISC. OTHER GOVERNMENTAL ACTIVITIES						
Revenues:	960,000.00	(48,443.65)	404,393.20	42.1%	-	404,393.20
Expenditures:	960,000.00	66,242.49	505,076.16	52.6%	-	505,076.16
Net Revenues over (under) Exp	-	(114,686.14)	(100,682.96)		-	(100,682.96)
ARPA FUND						
Revenues:	16,692,537.00	119,899.58	22,172,784.87	132.8%	-	22,172,784.87
Expenditures:	16,692,537.00	-	559,992.94	3.4%	-	559,992.94
Net Revenues over (under) Exp	-	119,899.58	21,612,791.93		-	21,612,791.93
DEBT SERVICE FUND						
Revenues:	1,628,535	-	1,628,535.00	100.0%	-	1,628,535.00
Expenditures:	1,628,535	-	-	0.0%	-	-
Net Revenues over (under) Exp	-	-	1,628,535.00		-	1,628,535.00
OPIOID FUND						
Revenues:	596,665.00	18,882.16	3,708,879.83	621.6%	-	3,708,879.83
Expenditures:	596,665.00	24,502.86	206,912.21	34.7%	-	206,912.21
Net Revenues over (under) Exp	-	(5,620.70)	3,501,967.62		-	3,501,967.62

CAPITAL PROJECTS						
	BUDGET	CURRENT MONTH	PROJECT TO DATE	% USED	ENCUMBRANCES	TOTAL
EDNEYVILLE ELEMENTARY SCHOOL PROJECT (1702)						
Revenues:	26,854,136.00	-	27,891,962.18	103.9%	-	27,891,962.18
Expenditures:	26,854,136.00	-	26,959,829.76	100.4%	-	26,959,829.76
Net Revenues over (under) Exp	-	-	932,132.42		-	932,132.42
HENDERSONVILLE HIGH SCHOOL PROJECT - 2019 (1903) - PROJECT COMPLETE						
Revenues:	60,442,694.00	-	61,181,021.22	101.2%	-	61,181,021.22
Expenditures:	60,442,694.00	-	60,940,000.37	100.8%	-	60,940,000.37
Net Revenues over (under) Exp	-	-	241,020.85		-	241,020.85

ENTERPRISE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOLID WASTE LANDFILL FUND						
Revenues:	10,027,810.00	11,257,895.43	18,820,437.90	187.7%	-	18,820,437.90
Expenditures:	10,027,810.00	2,097,071.73	9,674,858.11	96.5%	8,392,859.58	18,067,717.69
Net Revenues over (under) Exp	-	9,160,823.70	9,145,579.79		(8,392,859.58)	752,720.21
JUSTICE ACADEMY SEWER FUND						
Revenues:	67,739.00	7,916.53	76,900.11	113.5%	-	76,900.11
Expenditures:	67,739.00	10,033.79	40,212.42	59.4%	-	40,212.42
Net Revenues over (under) Exp	-	(2,117.26)	36,687.69		-	36,687.69

**HENDERSON COUNTY
CASH BALANCE REPORT
MAY 2024**

Fund(s)	04/30/24	Debits	(Credits)	05/31/24
	Beg. Cash			Ending Cash
	Balance	Revenues	Expenditures	Balance
General	\$ 106,050,169.30	\$ 8,080,704.89	\$ (18,113,273.75)	\$ 96,017,600.44
Special Revenue	46,892,085.29	908,182.41	(530,675.62)	\$ 47,269,592.08
Capital Projects	1,000,279.26	13,164,067.74	(3,285,064.10)	\$ 10,879,282.90
Enterprise	1,891,760.35	849,256.32	(1,733,651.90)	\$ 1,007,364.77
HCPS - Maint. and Repair	10,507,946.88	383,625.00	(592,696.30)	\$ 10,298,875.58
BRCC - Maint. and Repair	2,500,980.98	191,812.50	(132,146.77)	\$ 2,560,646.71
Custodial	524,136.71	248,386.77	(264,908.42)	\$ 507,615.06
Total	\$ 169,367,358.77	\$ 23,826,035.63	\$ (24,652,416.86)	
Total cash available as of	5/31/2024			\$ 168,540,977.54

Motion:

I move that the Board of Commissioners approve the May 2024 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Reports - May 2024

The Henderson County Public Schools May 2024 Local Current Expense Fund/Other Restricted Funds Report was provided for the Board’s information.

**HENDERSON COUNTY PUBLIC SCHOOLS
LOCAL CURRENT EXPENSE/OTHER RESTRICTED FUNDS
as of May 31, 2024**

	LOCAL CURRENT EXPENSE FUND		OTHER RESTRICTED FUND		Combined Total	Prior YTD
	Budget	YTD Activity	Budget	YTD Activity		
REVENUES:						
3200 State Sources	\$ -	\$ -	\$ 8,000	\$ 6,263	\$ 6,263	\$ 8,000
3700 Federal Sources-Restricted	-	-	1,522,494	1,169,360	1,169,360	691,190
3800 Other Federal-ROTC	-	-	106,000	130,380	130,380	113,321
4100 County Appropriation	32,878,000	32,878,000	-	-	32,878,000	31,378,000
4200 Local -Tuition/Fees	-	-	55,000	51,750	51,750	46,945
4400 Local-Unrestricted	705,000	578,634	232,298	474,019	1,052,653	736,031
4800 Local-Restricted	-	-	1,513,172	1,243,295	1,243,295	723,408
4900 Fund Balance Appropriated/Transfer From school	2,001,317	-	132,816	43,642	43,642	75,210
TOTAL FUND REVENUES	\$ 35,584,317	\$ 33,456,634	\$ 3,565,780	\$ 3,118,710	\$ 36,575,344	\$ 33,772,105

Approved:

EXPENDITURES:

	Budget	YTD Activity	Budget	YTD Activity	Combined Total	Prior YTD
Instructional Services:						
5100 Regular Instructional Services	\$ 9,934,680	\$ 6,690,216	\$ 695,806	\$ 421,189	\$ 7,111,405	\$ 6,882,834
5200 Special Populations Services	1,378,356	762,534	937,435	380,754	1,143,288	1,050,099
5300 Alternative Programs and Services	183,243	102,580	377,954	309,191	411,771	297,867
5400 School Leadership Services	3,114,291	2,745,245	12,513	9,904	2,755,150	2,592,602
5500 Co-Curricular Services	890,423	908,841	392,427	402,945	1,311,787	871,399
5600 School-Based Support Services	1,911,109	1,522,089	9,500	7,031	1,529,120	1,357,440
Total Instructional Services	\$ 17,412,102	\$ 12,731,506	\$ 2,425,634	\$ 1,531,014	\$ 14,262,521	\$ 13,062,241
System-Wide Support Services:						
6100 Support and Development Services	\$ 312,404	\$ 270,790	\$ 6,500	\$ 14,641	\$ 285,431	\$ 272,865
6200 Special Population Support	183,034	164,471	116,579	103,174	267,645	206,114
6300 Alternative Programs	106,286	92,942	431	431	93,373	86,023
6400 Technology Support Services	1,287,752	1,220,063	94,784	80,839	1,300,903	1,086,583
6500 Operational Support Services	9,491,369	7,887,822	425,671	382,687	8,270,509	8,003,246
6600 Financial and Human Resource Services	2,346,702	2,062,508	123,292	75,053	2,137,561	2,064,901
6700 Accountability Services	120,174	103,885	1,200	1,200	105,085	190,648
6800 System-Wide Pupil Support Services	415,304	391,296	538	538	391,834	323,419
6900 Policy, Leadership and Public Relations	781,001	627,849	25,970	22,113	649,962	597,917
Total System-Wide Support Services	\$ 15,044,025	\$ 12,821,627	\$ 794,964	\$ 680,676	\$ 13,502,303	\$ 12,831,715
Ancillary Services:						
7100 Community Services	\$ 388	\$ 388	\$ 165,108	\$ 145,951	\$ 146,338	\$ 102,311
7200 Nutrition Services	265,803	97,747	23,725	23,725	121,472	108,207
Total Ancillary Services	\$ 266,190	\$ 98,135	\$ 188,833	\$ 169,676	\$ 267,811	\$ 210,519
Non-Programmed Charges:						
8100 Payments to Other Governments	\$ 2,362,000	\$ 2,336,366	\$ -	\$ -	\$ 2,336,366	\$ 1,825,287
8400 Interfund Transfers	500,000	-	124,350	138,958	138,958	75,238
8500 Contingency	-	-	-	-	-	-
8600 Educational Foundations	-	-	36,000	18,225	18,225	36,090
Total Non-Programmed Charges	\$ 2,862,000	\$ 2,336,366	\$ 160,350	\$ 157,184	\$ 2,493,550	\$ 1,936,616
TOTAL FUND EXPENDITURES	\$ 35,584,317	\$ 27,987,635	\$ 3,569,780	\$ 2,538,550	\$ 30,526,185	\$ 28,031,092

Motion:

I move that the Board of Commissioners approve the Henderson County Public Schools' May 2024 Financial Reports as presented.

2024.084 Juvenile Crime Prevention Council – FY2024 County Funding Plan Revision #2

The Juvenile Crime Prevention Council (JCPC), as part of its annual funding allocations, provides funding for local juvenile crime prevention programs. The JCPC requests the funding plan revision to reallocate funding sources for certain providers. The overall allocation of JCPC funding from the North Carolina Department of Public Safety has not changed. The revisions requested relate to local funding for Kids at Work!, Blue Ridge Literacy Council – At Risk Youth Literacy & Life Skills Program, Aspire Vocational Directions, and Hope Rising – Teen Court Program.

Motion:

I move the Board approve the updated County Funding Plan.

ARPA Project Update – Mills River Tower

Since 2019, Staff have been working diligently with a prospective commercial cellular carrier to expand their service onto our emergency communications tower on Forge Mountain in Mills River. At the direction of the Board, staff have been able to renegotiate the lease with the property owner to allow for commercial co-location and negotiate an agreement with a cellular carrier. This project includes the replacement of the existing tower to support the additional load of a cellular carrier.

The necessary approvals from the FCC and FAA for the tower replacement have been received. The County will publish an RFQ for the construction of a new tower and anticipate presenting a qualified respondent for the Board’s consideration in August. Upon the selection of a contractor, staff will work to develop a construction contract for the Board’s consideration.

An initial project budget of \$150,000 was developed during 2021. It is anticipated that the costs

Approved:

will exceed the original project budget as the scope has been modified for additional cellular carriers, and additional infrastructure needs have been identified. We also anticipate inflation will impact the original projections.

Staff have identified additional funding for this project and will bring a formal request to the Board as current cost estimates are further defined.

Offer to Purchase Tax-Foreclosed Property

Wawarth, LLC, a California limited liability company, has offered to purchase 0.37 acres located on Central Drive in Laurel Park, Henderson County. This matter was on the agenda for preliminary review and if desired, preliminary acceptance only. The offer included a deposit of \$150.00, based on an offer of \$1,000.00.

Henderson County obtained its interest in this property via a tax foreclosure sale in 1939. No taxes have been received on the property since that time.

If the Board agrees to provisionally accept this offer, it will be subject to a newspaper advertisement and a ten-day period for upset bids.

If an upset bid is received, a new advertisement is placed, and the process continues until the bidding ends. Once done, or if no upset bids are received, the matter comes back before this board for a final decision on the sale.

Motion:

I move that the Board give provisional acceptance to this offer, subject to upset bids.

2024.085 Amended Reimbursement Resolution – Judicial Center Project - Courthouse Portion

On February 7, 2022, the Board approved a reimbursement resolution from bond counsel. The resolution allowed construction project and planning costs incurred prior to the closing of the (tax-free) financing to be reimbursed from the financing proceeds.

An amendment was presented for Board consideration. This amendment will update the estimated principal cost of the courthouse portion of the project.

NOTE: The “not to exceed” figures in the resolution were not intended to accurately state the project costs but rather to act as a safe harbor number for the purpose of these resolutions only.

Motion:

I move that the Board approve the amended reimbursement resolution for the Courthouse portion of Henderson County Judicial Center.

2024.086 Amended Reimbursement Resolution – Judicial Center Project - Detention Center Portion

On February 7, 2022, the Board approved a reimbursement resolution from bond counsel. The purpose of the reimbursement resolution was to allow construction project and planning costs incurred prior to the closing of the (tax-free) financing to be reimbursed from the financing proceeds.

Approved:

An amendment was presented for Board consideration. This amendment will update the estimated principal cost of the detention center portion of the project.

NOTE: The “not to exceed” figures in the resolution were *not* intended to accurately state the project costs but rather to act as a safe harbor number for the purpose of these resolutions only.

Motion:

I move that the Board approve the amended reimbursement resolution for the Detention Center portion of Henderson County Judicial Center.

2024.087 Budget Amendment – Public Transit Bus Purchase

Pending approval of the budget amendment, Henderson County plans to purchase a replacement bus for a vehicle that was totaled in an accident in March 2024 to maintain Apple Country Transit's current level of service and the required fleet per Federal Transit Administration (FTA) guidelines.

The budget amendment covered the cost of the vehicle, appropriate taxes, registration fees, and associated costs, such as vehicle wrapping, bike rack, fare box, etc.

Motion:

I move to approve the proposed budget amendment as presented.

2024.088 North Carolina Office of State Budget and Management – Register of Deeds Grant

The North Carolina Office of State Management and Budget (NCOSMB) provides grant funding to local governments in the amount of \$2,000 for the management and preservation of historic records and files. The Board previously approved the application for this grant at the BOC meeting held on 20 July 2022. This is the second time this program has been offered by the State. The previous grant money awarded in 2022 was used to help defray the cost of restoring 5 of the County's oldest deed books from the 1830s and 1840s.

The Register of Deeds was applying for a second NCOSMB grant to continue with deed book preservation. The Board was requested to approve an appropriation of \$2,000 from the Register of Deeds' restricted AEPF fund balance to provide the required match for this grant.

Motion:

I move the Board approve the attached Budget Amendment to appropriate fund balance for the NCOSMB grant as outlined above.

2024.089 Budget Amendment – USDOJ Asset Forfeiture Fund Expenditure

The Sheriff's Office requested the Board approve an appropriation from the Sheriff's Office Restricted US DOJ funds (114431-451005-9066) in the amount of \$15,025 to purchase PowerDMS PowerReady. This was an add-on for our existing PowerDMS program, which will enhance the Field Training Officer (FTO) program. This will digitalize and maintain records for each deputy.

Motion:

I move the Board approve the budget amendment to allow appropriation from Restricted US DOJ funds.

Approved:

NC State Budget Soil and Water State Budget Appropriation – Project Listing

As part of the State of North Carolina’s 2023 Appropriations Act, Henderson County received funding directed to Soil and Water for stream restoration and flood resiliency. Senator Tim Moffitt provided additional information on this agenda item, which was included in the Board’s agenda packets.

*“The projects tied to this appropriation are in the *attached letter and listed in order of priority. As noted in the document, contracts with landowners have not been obtained for the stream restoration projects. That will be reflected in the Short Session budget language, and any monies not committed by the end of the biennium will be directed to Henderson County for Farmland Preservation.”*

The Board was requested to direct staff to incorporate these projects into the scope of work for the stream restoration projects.

*The letter referenced is attached to these minutes.

2024.090 Resolution of Authorization – Kroger Settlement

In 2021, the North Carolina Attorney General’s Office and the North Carolina Association of County Commissioners negotiated a memorandum of agreement which governs how North Carolina would use the proceeds of any national settlement or bankruptcy resolution with the listed drug distributors.

Now, the North Carolina Association of County Commissioners and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of these settlements.

This resolution allows for the County Manager to execute all documents necessary to enter into the opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

Motion:

I move the Board adopt the Resolution as presented.

Commissioner Hill made the motion that the Board adopt the consent agenda. 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.

2024.091 Public Hearing for Consideration of Economic Development Incentives for Project Fresh Air Company

A public hearing was scheduled for July 17, 2024, at 9:30 a.m. for the above matter. The subject matter was as stated in the notice that was published as stated below.

Approved:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to N.C. Gen. Stat. §158-7.1 that the Henderson County Board of Commissioners will hold a public hearing at a regular meeting on July 17, 2024, at 9:30 a.m., or as soon thereafter as the Board can consider the matter, to consider the request of the “Project Fresh Air” company (the “company”), for economic development incentives. The company has requested to remain anonymous at this time due to competitive pressures.

Project Fresh Air, is a manufacturing concern located inside and outside the United States (and Henderson County) contemplating new investment at its site in Henderson County.

Under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by Project Fresh Air of at least \$20,000,000.00 over two years in business personal property (equipment). The project would result in the retention of at least seventeen (17) jobs, which combined pay an average wage of \$92,463 per year (which is in excess of the average wage in Henderson County for full-time employment) plus other benefits. The contemplated incentives would last for a period of five years. The first year’s contemplated incentive, if granted, would be not more than \$25,860.00, based on the new investment, the number of retained employees, and the Board’s incentive guidelines for job retention projects. The maximum amount of incentives to be considered in this grant over the five years (for each of the two annual investments) would be \$135,457.14.

Henderson County will consider granting assistance toward the investment of Project Fresh Air.

If approved, the request would be funded through the general property tax revenue. The hearing will be held in the Commissioners Meeting Room of the Historic Courthouse, located at 1 Historic Courthouse Square, Hendersonville, NC. The public is invited to attend and comment.

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 made the motion to authorize the incentives as presented. All voted in favor, and the motion carried.

DISCUSSION

2024. 091 FY2023-2024 Tax Collector’s Settlement; Approval of Bond Amounts for Tax Collector/Deputy; FY 2024-2025 Tax Order for Collection

Once Again, the delivery of the tax receipts to the Henderson County Tax Collector were due; however, before they can be sent, the following must occur (pursuant to N.C.G.S. 105-352):

- a) **PREPAYMENTS.** The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director’s satisfaction that all prepayments received have been deposited.
- b) **SETTLEMENT.** The Tax Collector must make a settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) **BOND.** The Board of Commissioners must approve the bond to be issued

Approved:

for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.

(d) **ORDER OF COLLECTION.** An Order of Collection must be adopted at today’s meeting, which will charge the Tax Collector with the collection of FY 2024-2025 taxes, plus all outstanding delinquent taxes.

**STATUTORY REQUIREMENTS FOR TAX COLLECTOR’S SETTLEMENT
(NCGS 105-373)**

The Tax Collector’s Settlement must:

1. Occur after July 1 and before the Board charges the Collector with the FY2025 Levy
2. Include two lists:
 - Persons owning real property whose taxes remain unpaid; and
 - Persons not owning real property whose taxes remain unpaid (the “Insolvents List”)
3. Include an accounting of all amounts charged to the Collector and the amounts allowed as credits to the Collector
4. Include a statement from the Collector stating he/she has made diligent efforts to collect the tax
5. The Settlement for prior-year taxes shall be made in whatever form is satisfactory to the County’s Chief Accounting Officer and the Governing Body

FY2024 ANNUAL LEVY

Includes Real Property, Personal Property, Business Personal Property, and Public Service Property billed and collected by the County

LEVY ADDITIONS				
All amounts charged to the Tax Collector				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax & Penalty	\$ 99,434,945.31	\$ 15,847,805.48	\$ 16,957,319.71	\$132,240,070.50
Interest	\$ 146,304.95	\$ 24,734.59	\$ 22,568.16	\$ 193,607.70
TOTAL	\$ 99,581,250.26	\$ 15,872,540.07	\$ 16,979,887.87	\$ 132,433,678.20

LEVY CREDITS				
All sums allowed as credits to the Tax Collector				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Deposits	\$ 98,459,560.04	\$ 15,671,445.07	\$ 16,768,377.85	\$ 130,899,382.96
Adjustments	\$ 290,945.84	\$ 45,721.94	\$ 72,105.10	\$ 408,772.88
Releases	\$ 28,986.02	\$ 4,123.59	\$ 1,740.44	\$ 34,850.05
Interest	\$ 146,304.95	\$ 24,734.59	\$ 22,568.16	\$ 193,607.70
Unpaid Tax: Real & Personal Property	\$ 655,453.41	\$ 126,514.88	\$ 115,096.32	\$ 897,064.61
Unpaid Tax: Registered Motor Vehicles	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 99,581,250.26	\$ 15,872,540.07	\$ 16,979,887.87	\$ 132,433,678.20

Levy Additions and Credits for the Annual Levy are listed for the County, as well as the Fire Districts and Municipalities for which the County bills and collects.

Approved:

REGISTERED MOTOR VEHICLE (RMV) LEVY

*Includes Registered (tagged) Motor Vehicle Tax Bills that are billed and collected on behalf of the County by NC's Tax & Tag Together Program
RMV tax is not part of the Collector's charge, however it is part of the Tax Levy.*

LEVY ADDITIONS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 7,528,864.96	\$ 1,224,043.88	\$ 1,826,942.97	\$ 10,579,851.81
Vehicle Fee	\$ -	\$ -	\$ 225,930.00	\$ 225,930.00
Interest	\$ 59,785.36	\$ 9,140.93	\$ 14,678.39	\$ 83,604.68
TOTAL	\$ 7,588,650.32	\$ 1,233,184.81	\$ 2,067,551.36	\$ 10,889,386.49

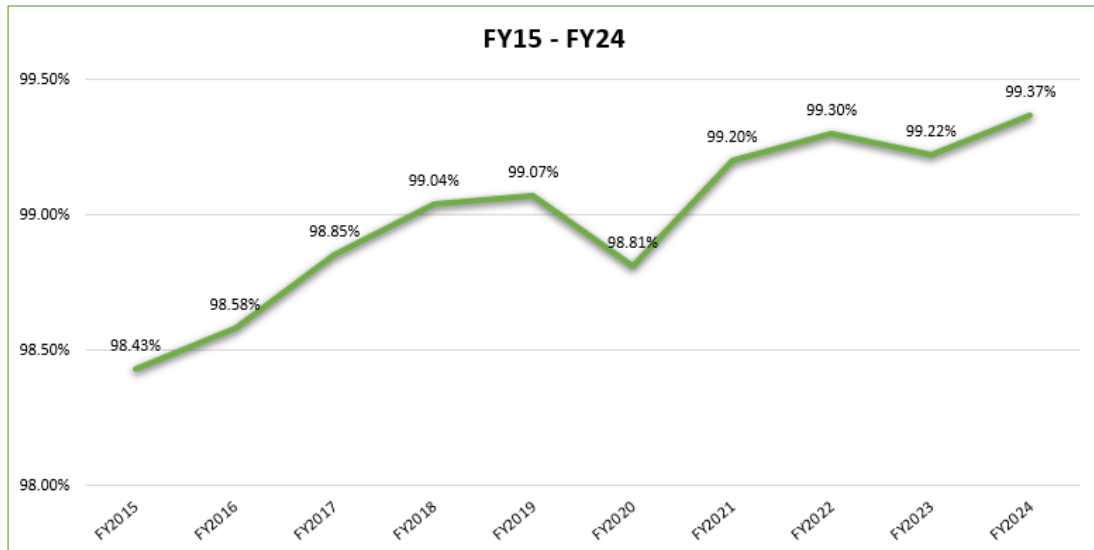
LEVY CREDITS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Levy Collected	\$ 7,504,519.67	\$ 1,221,076.70	\$ 2,043,855.54	\$ 10,769,451.91
Unpaid Levy	\$ 24,345.29	\$ 2,967.18	\$ 9,017.43	\$ 36,329.90
Interest Collected	\$ 59,785.36	\$ 9,140.93	\$ 14,678.39	\$ 83,604.68
TOTAL	\$ 7,588,650.32	\$ 1,233,184.81	\$ 2,067,551.36	\$ 10,889,386.49

The following slides focus only on the County Levy for Annual Bills and do not include Fire Districts and/or Municipal Districts

FISCAL YEAR-END COLLECTION RATES

	FY2024	FY2023
Annual Levy	99.35%	99.17%
RMV Levy	99.68%	99.72%
Combined Levy	99.37%	99.22%

COMBINED LEVY COLLECTION RATE TREND:



Approved:

LEVY COLLECTED COMPARED TO FY2024 BUDGETED PROPERTY TAX REVENUE

	LEVY BUDGETED	LEVY COLLECTED (\$ DEPOSITED)	\$ COLLECTED OVER (UNDER) BUDGET
FY2024	\$ 98,736,662	\$ 106,944,934.76	\$ 8,208,272.76
FY2023	\$ 95,439,998	\$ 100,037,258.80	\$ 4,597,260.80
FY2022	\$ 92,107,728	\$ 96,697,252.46	\$ 4,589,524.46
FY2021	\$ 88,629,211	\$ 93,935,287.74	\$ 5,306,076.74
FY2020	\$ 87,128,532	\$ 90,966,806.18	\$ 3,838,274.18
FY2019	\$ 76,722,389	\$ 80,239,454.85	\$ 3,517,065.85
FY2018	\$ 74,231,301	\$ 78,183,956.57	\$ 3,952,655.57
FY2017	\$ 73,075,676	\$ 76,381,248.10	\$ 3,305,572.10
FY2016	\$ 65,998,066	\$ 68,524,823.14	\$ 2,526,757.14

**Includes Ad Valorem, RMV, and Prior Year budgeted items*

COLLECTOR’S EFFORTS TO COLLECT UNPAID TAX

ENFORCED COLLECTION ACTIVITY				
TYPE OF ACTION	FY2024 ACTIVITY		FY2023 ACTIVITY	
	# OF NEW ACTIONS	\$ VALUE *	# OF NEW ACTIONS	\$ VALUE*
Payment Arrangements	203	\$ 594,954	190	\$ 559,153
Bank Account Attachments	557	\$ 979,630	364	\$ 883,883
Wage Garnishments	775	\$ 642,277	432	\$ 344,807
Rent Attachments	1	\$ 12,921	3	\$ 33,733
Garnishments of Escheated Funds	184	\$ 213,445	131	\$ 109,370
NC Debt Setoff (State Income Tax Garnishment)	2,668	\$ 1,402,683	2,138	\$ 859,364

*** \$ Value includes the total value of each action when it was created. It should not be confused with collection activity resultant from the action. Total value includes levy, interest, penalties and any collection costs associated with the action.**

Vice-Chair Edney made the motion for the Board to approve the tax collector’s settlement for Fiscal Year 2023.2024 taxes and further approve the bonds, the order of collection, and charge for collection to the tax collector for Fiscal Year 2024-2025 taxes. All voted in favor, and the motion carried.

Approved:

Salvation Army – Homelessness Update

Salvation Army Executive Director Captain Philip Stokes and Captain Sherri Stokes provided information on homelessness and the services that the Salvation Army provides for the homeless community and others.



Our Mission Statement

The Salvation Army, an international movement, is an evangelical part of the universal Christian Church. Its message is based on the Bible. Its ministry is motivated by the love of God. Its mission is to preach the gospel of Jesus Christ and to meet human needs in His name without discrimination

Our Values

- Caring for people
- Create Hope
- Building healthy communities by collaborating with groups within the community
- Being an Advocate for our people within the community

Three S's of The Salvation Army

- Soup
meeting a person's immediate physical needs
- Soap
restoring people's dignity
- Salvation
Share the message of the Gospel

Statistics for Fiscal Year 2024

- Clients that received rent and utility assistance ~ 471
- Clients that received food boxes ~ 1869
- Meals Served ~ 2700
- Other Services Provided ~ 955

Programs We Offer

- Rent, Utility & Emergency Assistance
- Seasonal & Summer Youth Camps
- Senior Program
- SPA Program
- Homeless Outreach
- Building Usage
- Disaster Response

How We Provide Our Services

The Salvation Army - North and South Carolina Division Hendersonville, NC Corps						
2025 Annual Budget Proposal						
	Actuals 09/30/2021	Actuals 09/30/2022	Actuals 09/30/2023	Approved Budget 09/30/2024	Proposed Budget 09/30/2025	Proposed Budget vs Actuals 09/30/2023 % Change
Operating Income	1,515,772	1,310,332	1,530,797	1,291,129	1,568,030	2%
Unassociated Organizations (47xx)	0	0	0	0	0	0%
Public Funds (50xx)	19,467	26,508	17,387	30,000	20,405	17%
Total Income	1,535,238	1,336,839	1,548,184	1,321,129	1,588,435	3%
Total Expenses	1,340,898	1,400,510	1,507,184	1,321,129	1,588,435	5%
Surplus/(Deficit)	194,341	(63,671)	41,000	0	0	(100%)
Functional Expense Summary:						
Administrative Expenses	5%	5%	5%	25%	5%	0%
Fundraising Expenses	14%	12%	12%	25%	12%	(0%)
Program Expenses	81%	83%	83%	50%	83%	0%

Mrs. Stokes said that all money that comes through Henderson County stays in Henderson County. Eighty-three percent of every dollar goes to the services they provide.

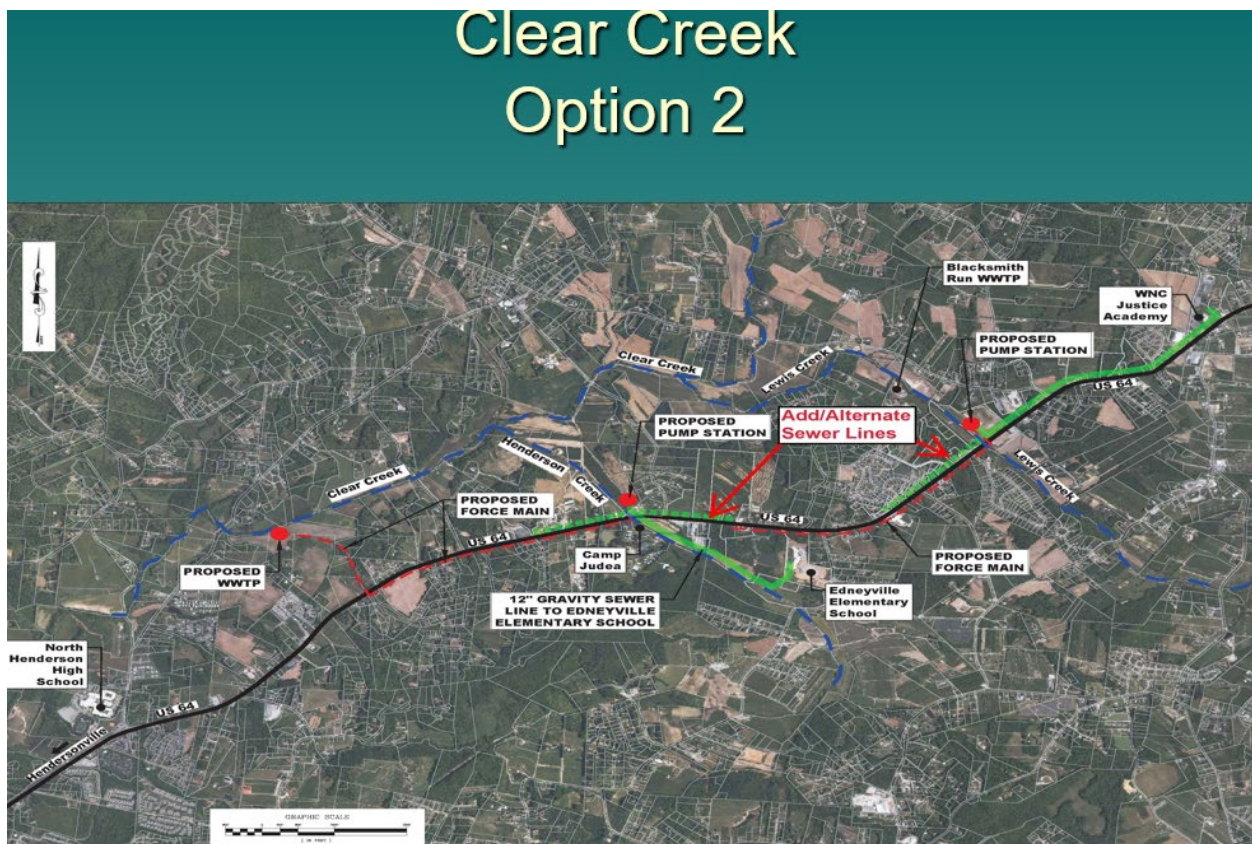
Approved:

Clear Creek Sewer Project Update

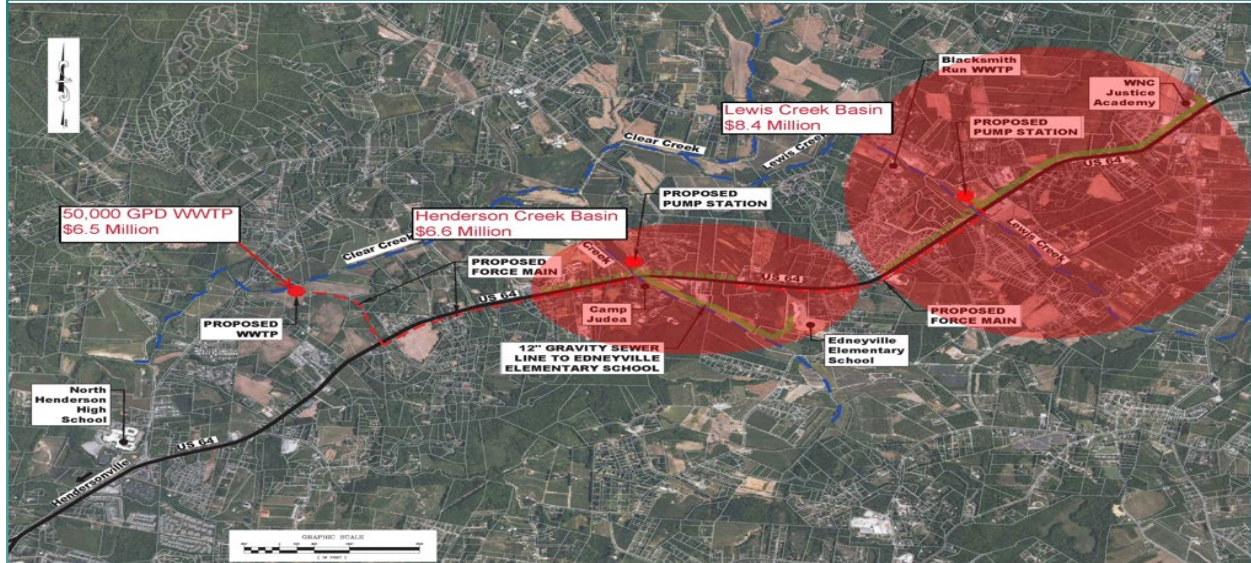
John Mitchell explained that the Clear Creek Sewer Project discussion arose from Edneyville Elementary School, as it was the last elementary school not connected directly to sewer. The Board began deliberating on this project in August 2017. After numerous public hearings and meetings, the Board determined it was necessary to look at a sewer system in Edneyville and seek a discharge permit in April 2022. The permit would not be issued until two years later by the state. The time between that draft permit and the issuance of the permit was approximately ten months.

Marcus Jones referred to a Special Called Meeting that was held the previous week to discuss Clear Creek Sewer options. During that meeting, Staff and consultants received direction from the Board on two specific options to explore in detail. Will Buie with WGLA presented those options as follows:

- A reduced WWTP serving as much of the US 64 corridor as possible with gravity sewer in the Henderson Creek and Lewis Creek Basins.
- A connection to the Hendersonville system serving as much of the US 64 corridor as possible with gravity sewer in the Henderson Creek and Lewis Creek basins.

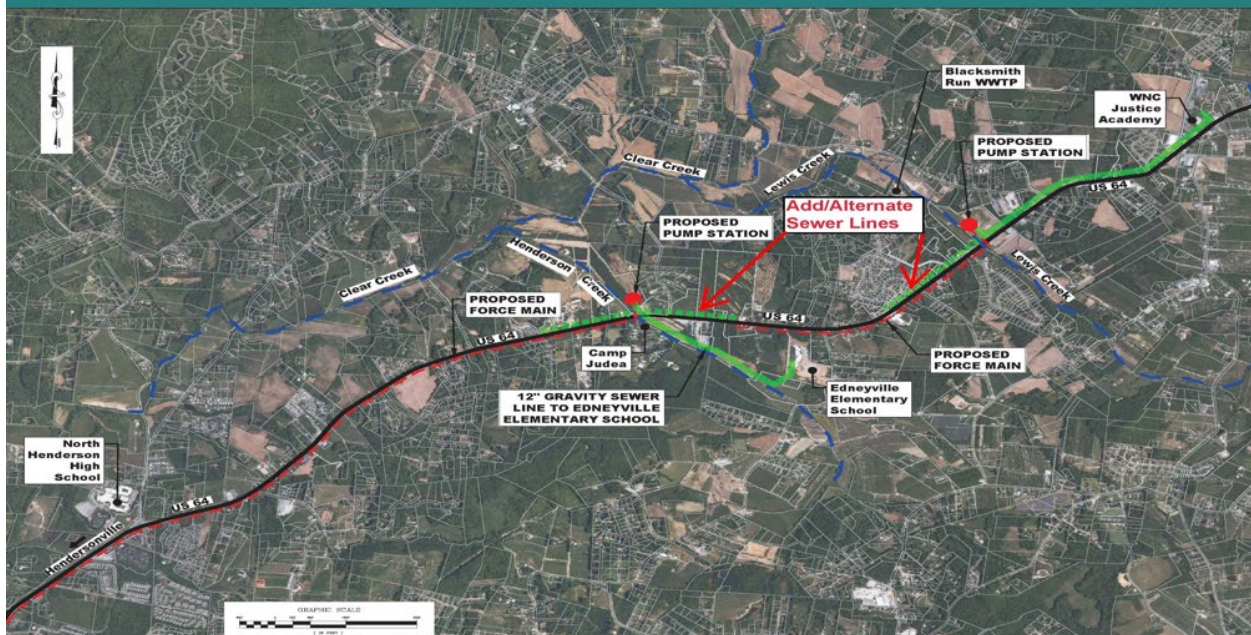


Clear Creek Option 2

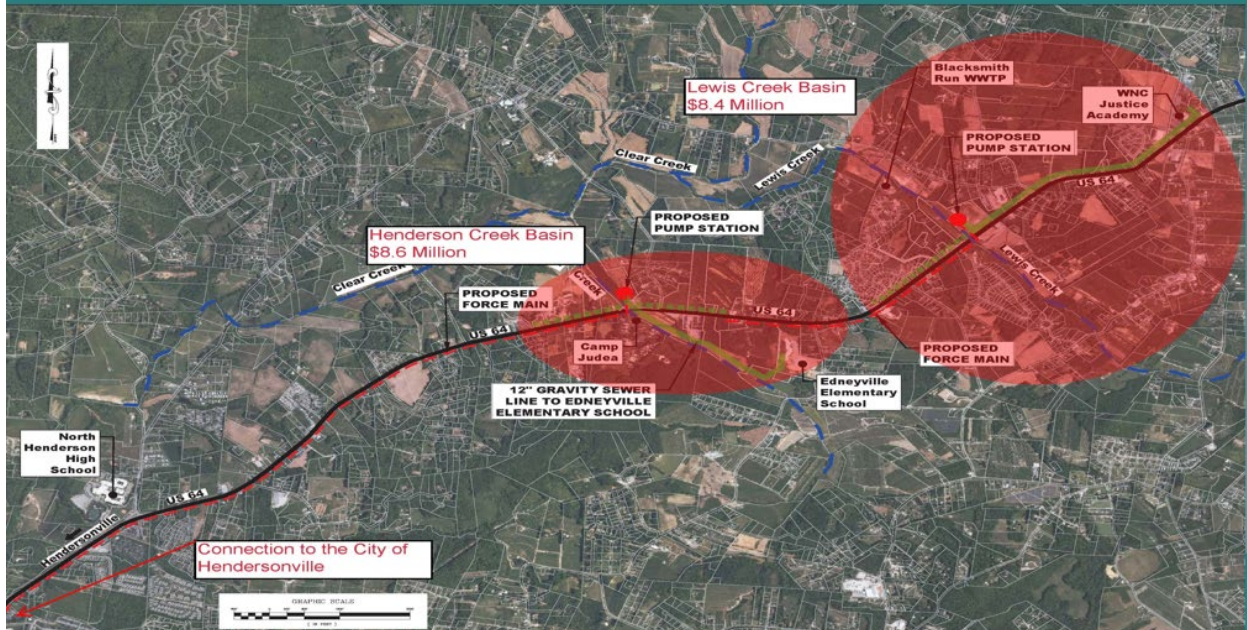


Vice-Chair Edney stated that he had asked that the Laurel Branch also be included in the options. Mr. Buie said that he could go back and look at that cost. Option two, as the Board saw, was about \$21.5 million. If the lines that were dashed were delayed or eliminated, that cost goes down to about \$18.7 million. He said county staff had confirmed that the funding available for this option was approximately \$18 million. There was a gap in funding, but the estimated costs did include contingency.

Clear Creek Option 3



Clear Creek Option 3



Summary of Estimated Costs

- ◆ **Option 2 - \$21.5 Million**
- ◆ Option 2 - \$18.7 Million without add/alternate sewer lines on US 64
- ◆ Staff has confirmed funding available for this option is \$17,929,789

- ◆ **Option 3 - \$17.0 Million**
- ◆ Option 3 - \$14.2 Million without add/alternate sewer lines on US 64
- ◆ Staff has confirmed funding available for this option is \$17,069,789

Mr. Buie mentioned that the Laurel Branch option would slightly exceed the available funding but could be added as an add/alternate. This would allow WGLA to design and bid for it, with the option for the county to incorporate it if within budget constraints. Edney said this should be included as an add/alternate at a minimum. Buie estimated the cost of adding Laurel Branch to be \$3.5 million, which would bring the total cost to just over \$20 million.

Clear Creek Easements Required

- ◆ **Option 2** will require easements from approximately **67** properties
- ◆ **Option 3** will require easements from approximately **60** properties
- ◆ Note that additional easements and/or construction easements may be required for the project based on the final project design.

Mr. Edney asked about the anticipated monthly fees for users associated with each of the options. Mr. Buie said that option 3 would involve connecting the City of Hendersonville, subjecting users to the out-of-city rates. If the county manages the collection system, additional costs could increase residential customers' bills by \$10 to \$25 per month, depending on the number of customers. Buie said when considering the treatment plant option, the key factor is determining which entities will connect to the system. The confirmed customers include Edneyville Elementary, likely Camp Judaea, and the Justice Academy. The estimated operational costs would total around \$100,000, which these entities would share.

If these costs were extrapolated to a typical residential customer, the fees would likely be three to four times higher than the city's out-of-city rates until the number of users increases.

Commissioner Lapsley proposed the county explore negotiating with the City to become a "bulk" customer, aiming to secure a lower rate.

Commissioner Andreotta's comments were as follows: "If we were going to pursue partnering with the city, any decision made today would be somewhat tentative because we haven't seen, or they haven't agreed to, any terms going forward, be it the bulk customer rate, annexation, things like that. So there are some to be determined on that. I would like to see, personally, before I would support that option, I would like to see from them where they are willing to be. Otherwise, we could vote to go that way. If we don't get on the same page with them, then we have to circle back and revisit it again."

Chairman McCall emphasized that the primary objective for today's meeting was to provide clear

Approved:

direction to Mr. Buie regarding the design.

Vice-Chair Edney made the motion to direct staff to pursue option 3, including the add/alternates And including the additional add/alternate of Laurel Branch while removing the Jaymar line. And to pursue an agreement with the City.

Commissioner Hill stated that the City was extending its annexation into the county and showed no signs of stopping. Mr. Hill said he would not support the motion.

Commissioner Lapsley noted that a small group of people had influenced the state to push the county towards option three. While this group didn't succeed in halting or denying the permit process, they did achieve a one-year delay, potentially causing the county to lose an additional \$9.3 million intended for option one. This situation has forced the Board to prioritize option three.

From the beginning, Mr. Lapsley's stance has been that the project should be financially self-sustaining in terms of both capital and operating costs. He said he would not support any option that surpasses the funds available. He was hesitant to endorse any of the alternatives under option three due to the actions of the City Council in recent years with regard to satellite annexation of properties in the rural areas of the county, which are far beyond their existing corporate limits. He believed that Alternative 3C provides as much service to the Edneyville community within the financial constraints of the available funds.

After discussion, Chairman McCall proposed that the Board commit to option 3C, which includes Henderson Creek and Lewis Creek, and connect to the City of Hendersonville's sewer system. The terms of the agreement with the City regarding management of the system would be worked out in the future. Additionally, the system should be designed to include Laurel Branch in case additional funds become available.

Commissioner Andreotta's comments were as follows: "If we adopt any option 3A-E that involves connecting with the City and then a month later we cannot come to terms with them. What do we do then after having lost another month? Because, as I understand it, time has become, as Commissioner Lapsley said, because of the actions of some, time is now putting a squeeze on us. And we need not think that it is not possible that we all do not get on the same page. We never have until this point on the topic of annexation."

Chairman McCall said the City had stated in writing that they would agree to no annexation to the Edneyville area. The decision on the table would be who manages the system, the City or the County. She said this was the only way to provide a reasonable fee to use the sewer system.

Commissioner Andreotta's comments were as follows: "Would the county be collecting or sharing in the collection of the revenue at all?" Mrs. McCall said that was unknown at the time, but the direction for design was what the Board needed to determine at today's meeting.

Commissioner Andreotta's comments were as follows: "Summary of my thoughts is design it with, and I heartily agree with Commissioner Lapsley that we don't spend what we don't have in this topic or ever, But, certainly here. Design the system so that over time it could be scaled up and customer's added. So if the county is not going to realize in perpetuity going forward any benefit from the revenue from the rate paying customers then why should we pay to build it. Soley pay to build it. I think that be it the City or the County should pay part of the construction if proportion to the revenue share you are going to get for the next several decades. I think that is

Approved:

purely just. That would be like someone building a brand new apartment building and filling it full of renters and saying here it's yours. Gee, thanks. And remember, it is called urban sprawl. It's not called rural fill. It's the urban spreading out too far, as Commissioner Lapsley said. I think we need to protect the jurisdiction of the county areas-territories. We need to maximize the most money that we can for what we have and allow for, at some point, as soon as possible, that corridor to be fully served; my preference would be by a county sewer system. But I would not; I think we could; I would maybe make an amended motion that we turn them loose to design but do not design only toward connecting it to Hendersonville. Allow an option if we cannot come to terms and feel like there are any teeth in it; then, we don't have to go back and start over. Is that possible?"

Mr. Buie said the challenge becomes designing a treatment plant that you may or may not build. He said what he has heard indicates that the preference is toward 3C possibly with an alternate to add Laurel Branch. He said the ownership and operation of the system could be decided later. Commissioner Andreotta said, "After the county spent the money to build it." Vice-Chair Edney said it was not the county or the state's money. It's the federal and state taxpayers. He said there were no property tax dollars being used at all. Commissioner Andreotta said, "Well, it is still taxpayer money. This is generations forward mortgaged their future to pay for this."

Commissioner Lapsley asked Mr. Edney to clarify his motion.

Vice-Chair Edney made the motion to direct Staff and the Engineers to design Option 3, including the add/alternates on the highway. The add/alternate design for Laurel Branch minus Jaymar should also be included. The final decision as to what is built would be subject to the funds available and if acceptable terms have been agreed upon with the City of Hendersonville.

Chairman McCall asked the Clerk to poll the Board.

The motion passed with a 3-2 vote. Commissioner Hill and Commissioner Andreotta were the nay votes.

Construction Project Update

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

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

Henderson County Capital Projects

The Hedrick – Rhodes Veterans Center had been completed on time and under budget.



Henderson County Public Schools MRTS Projects

Approved:

West Henderson High Renovation and Addition



Upward Elementary Renovation and Addition



Atkinson Elementary HVAC Replacement Project (phase 1)



Medical Office Buildings



Henderson County JCAR Project

Facilities Services Projects

Approved:

Andrew Griffin informed the Board that EMS #6 in Fletcher is nearing completion, and the station's ribbon-cutting has been scheduled for August 1.

The VW-DC Fast Chargers were still not complete, as they needed a final connection from Duke Energy. Commissioner Lapsley asked how long the chargers have been sitting and waiting for Duke's final connection. Mr. Griffin said Staff had met with Duke in March, set the pole at the transformers in April, and have not been on site since. Lapsley directed the county manager to notify Duke Energy that the county is not pleased with their lack of attention in this matter. Mr. Mitchell said he would schedule a meeting with Duke's Western Regional Director to discuss the project.



Mr. Griffin said the EMS Headquarters Shed and Parking Improvement SBA-5 was completed in June 2024. He also shared that paving had begun on the Ecusta Trail.

The Third Transfer Bay project was well underway, and demolition, site work, and concrete had started.

Asset Purchase Agreement – Etowah Sewer Company, Inc.

The Board was presented with a draft asset purchase agreement under which the County would acquire all the assets of the Etowah Sewer Company for a specified price of \$400,000.00. John Mitchell said Commissioner Hill had been a champion for the project for some time, and the Board had been discussing the purchase for quite some time. The system has approximately 400 customers and spans 20 miles of line. It is important to note that the agreement states that there are no encumbrances (debts, liabilities, or commitments) associated with the purchase.

Commissioner Lapsley made the motion to approve the Asset Purchase Agreement with the Etowah Sewer Company, Inc. All voted in favor, and the motion carried.

Vice-Chair Edney felt it important that the public understand that the county has the discretion and authority to decide whether or not to provide sewer services to developers or individuals.

ARPA Update – Projects Discussion

As the December 31, 2024, obligation deadline for American Rescue Plan (ARP) expenditures approaches, the Board was requested to discuss prioritizing plans for utilization of current unencumbered ARP funding. All ARP expenditures must be authorized by the ARP Final Rule and must also have state authorization through enabling legislation.

Approved:

ARPA Update

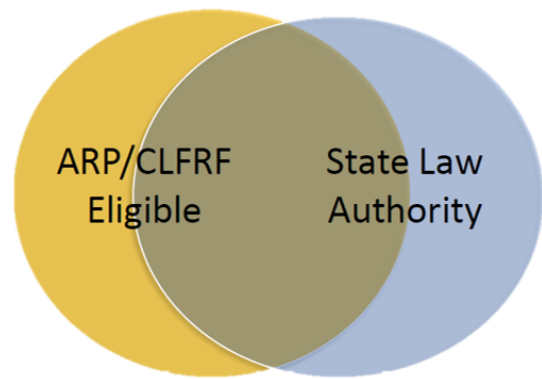
Federal Regulations preclude governments from using the CMAR method of procurement.

Due to 26-month process to obtain permit from NCDEQ, available delivery methods no longer not fit into ARPA timeline

To prevent reversion of ARPA funding to US Treasury, staff and Commissioners have been exploring other options

Constraints

- ▶ All ARPA funds must be obligated by December 31, 2024, and spent by December 31, 2026.
- ▶ All projects must be ARPA eligible and authorized by state law and local policy.
- ▶ Both Federal and State Compliance requirements must be followed.
- ▶ Very specific categories of allowable expenditures



ARPA Allowable Expenditures

Address COVID Public Health	Address COVID Economic Impact	Replace Lost Revenue	Premium Pay	Infrastructure Investments
Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;	Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;	Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;	Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,	Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Approved:

Addressing COVID-19 Negative Economic Impacts

1. What is the specific negative economic impact due to the pandemic?
2. Does project address the negative economic impact?



IS IT IN A QUALIFIED CENSUS TRACT (QCT) OR BENEFITING INDIVIDUALS IN A QCT?



DOES IT ADDRESS A DISPROPORTIONATELY NEGATIVELY IMPACTED GROUP, AREA, OR HOUSEHOLD?



DOES IT ADDRESS A NEGATIVE ECONOMIC IMPACT ON THE LG? (NOT LOST REVENUES)

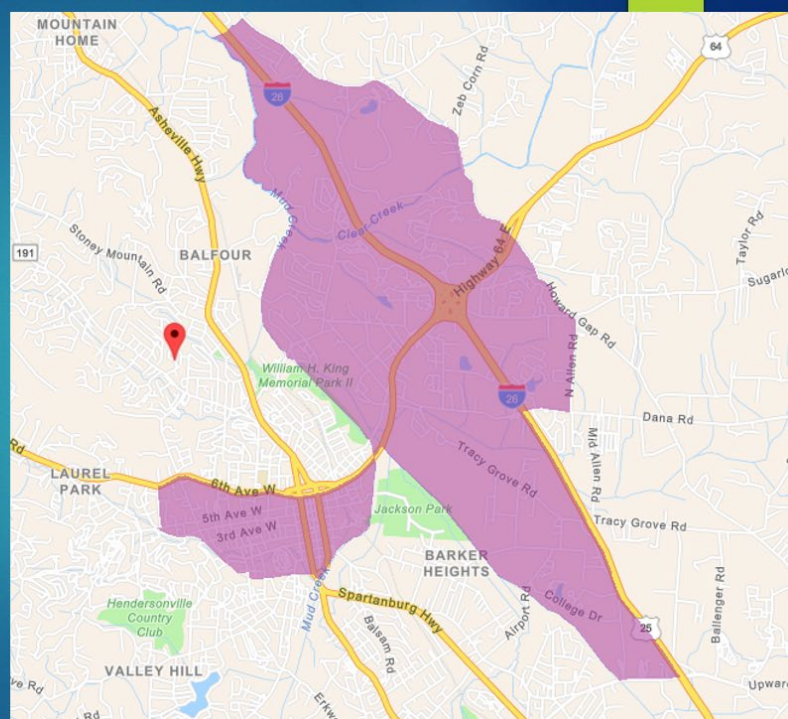


DOES IT ADDRESS A NEGATIVE ECONOMIC IMPACT IN THE COMMUNITY?

Qualified Census Tracts

- ▶ Investments could include:
 - ▶ Programs promoting healthy childhood environments
 - ▶ Investments in parks, greenways, and other public facilities

QCT data – maintained by HUD
Source: PD&R



Options

Recreation sports complex, sports fields

Broadband Funding – additional funding

Parks and Recreational Facilities

Mills River Tower project – additional funding

Public Health Expenditures – COVID related

Other?

Approved:

Commissioner Lapsley said his commitment was to develop a sports complex on the Berkeley Park Property. He believed this to be the most suitable location and was confident the School Board would support it.

Commissioner Hill said the Board's main focus needed to be Jackson Park, as it is the county's main park. Vice-Chair Edney added that there were 100 undeveloped acres at Jackson Park and that there were a lot of other things that could be done at the park.

Commissioner Andreotta's comments were as follows: "We didn't choose to be on this timeframe, but the worst thing government can do was spend a whole bunch of money in a hurry. I believe there is too much up in the air about Berkeley Park and its future, and we do not have a set agreement; this is starting to reflect the sewer thing where we are going to go a direction without an agreement in place first, and I am not a fan of that. I also have seen several designs, and you have to factor in how much to allow for parking. If you start building a complex where dozens or hundreds of kids can play, you have seventeen parking places, and then you have messed up big time. There is no way we could put four big soccer fields, softball, tennis, and all that at Berkeley and have room to park anything. I agree that Jackson Park is where we need to look. We already own it; I like what the citizens said; I've said this before. I am a fan of using what you have; that is the best bargain you will find. And we have a tremendous amount of land there with not a whole of expense or time that be leveled sections-areas and put the facilities there because you already have restrooms, and you have parking, and you have a playground, and you have so many other things to support 3 or 4 soccer fields being built. That doesn't mean that one day we may build something elsewhere, but I think that is where we need to focus, and we need to, you know, maybe just tap the brakes a bit. There are too many unknowns to be determined at Berkeley Park."

Chairman McCall made the motion to allocate the remaining ARP funds to recreation and directed Staff to report back at the August 5th meeting with a recommendation on the most suitable locations within the eligible census tracts, understanding that the location will require further discussion by the Board. All voted in favor, and the motion carried.

Mr. Mitchell said he would get Bruce Gilliam, Jason Kilgore, Chris Todd, Marcus Jones, and other key individuals to put together a list of potential sites that would include Berkeley, Jackson, East Flat Rock, and anything that is within that reasonable census area to provide the Board with their options. He proposed staff prepare an RFP or RFQ to be prepared to go ahead and solicit for a contractor to help with fields so the selection process may begin.

Commissioner Lapsley asked that Mr. Mitchell also request that the School Board provide a letter specifically indicating what conditions, if any, they have for committing Berkeley to a proposed expansion for a sports complex. The Board agreed with Lapsley's request.

Purchase Contract – Property Acquisition (Moved from the Consent Agenda)

A draft agreement for purchase was presented, under which the County would acquire +/- .77 acres located at 285 E. Allen Street & 101 S. Grove Street in Hendersonville at a cost of \$2,477,310.

The agreement also included the terms of a lease agreement with the seller, Barrister Properties, which will commence on the date of closing.

Commissioner Andreotta's comments were as follows: "I have said from the beginning of the conversations that from my view, if I am the only one, so be it; it would not be the first time; I am not in favor of purchasing this property. I do not see the need. I know the reason that is being said is that we need it; I think it is called a swing space often because some of the buildings there we

Approved:

may intend to keep and use and others we may not. But, one of the ultimate uses of this property, as I have heard it, is going to be for parking during the construction of the JCAR project. That means that more money would have to be spent to take some structures down and level it out etc. Which you have to say is driving the cost of that project up even higher. I think it is already higher than it should be. There is quite a bit of space directly across the street in one direction or another from the existing courthouse that could possibly be leased for parking or staging, and then when the project is over, we are done. I don't think the county ought to own real estate without a purpose, a legitimate need, and use. I think this will turn into Fassifern 2.0. That is a piece of property adjacent to Hendersonville High School that was purchased for much the same reason prior to construction. I realized that COVID allowed that project to look different, but since the school, and even before the school has been finished, it serves as a point of contention. Different departments want it or different city, county, school, whomever. We are still holding on to Fassifern, which we don't need. I have never thought this since I have been here, but I am beginning to think and see, in my view, that this Board has picked up the rate of spending that is starting to give me some indigestion. I think we need to pump the brakes. I don't support the purchase of the property because I do not think there is a justified need."

Chairman McCall supported the purchase of the property due to the scope of the JCAR project. She believes additional space is needed within the existing part of the courthouse, and having this building would allow a department or multiple departments to move to another location, freeing up space within the existing courthouse. The reason that is important was because the addition of a fifth floor in the annex was going to cost \$12 million, and the purchase of this building is \$2.5 million. This allows the county to have the space that is needed for day-to-day operations.

Vice-Chair Edney added that after the construction of the 95 courthouse, there were originally north and south parking lots. The construction of the Sheriff's Office eliminated most of the south parking lot, and the new Court Tower will take away the north parking lot. There is a necessity to have adequate parking despite these construction changes. He mentioned that opportunities to purchase adjacent properties for additional properties had been available in the past but were not pursued. The King Street building is slated for eventual renovation or possibly demolition, and there will need to be parking and/or swing space for that project as well.

Commissioner Hill did not support the purchase. He cited the substantial debt amounting to \$160 million for the JCAR project. He said this purchase was equal to a penny of the county's tax rate. He said there was an inability to justify burdening the taxpayers with the purchase of the property.

Commissioner Lapsley called the question.

Chairman McCall made the motion that the Board approve the agreement for the purchase of the property and lease terms, as indicated in the agreement.

Chairman McCall asked the clerk to poll the Board.

The motion passed with a 3-2 vote. Commissioners Hill and Andreotta were the nay votes.

NOMINATIONS AND APPOINTMENTS

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

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

2. Henderson County Tourism Development Authority – Appointment of Flat Rock Representative

Chairman McCall nominated David Ford for appointment to seat #8, the Flat Rock Representative. All voted in favor, and the motion carried.

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

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

4. Industrial Facilities and Pollution Control Financing Authority – 2 vacs.

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

5. Juvenile Crime Prevention Council – 3 vacs.

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

6. Mountain Area Workforce Development Board – 1 vac.

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

7. Nursing/Adult Care Home Community Advisory Committee – 8 vacs.

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

COMMISSIONER UPDATES

Commissioner Hill encouraged everyone to visit the newly renovated Hedrick Rhodes Veterans Services Building. The ribbon-cutting was held the previous week, and a good number of citizens were in attendance. The memorial wall dedication will be announced soon.

Vice-Chair Edney and Commissioner Lapsley did not have any updates to share.

Chairman McCall noted that the Board needed to focus on their Legislative Goals, which were due to the NCACC by September. She mentioned that she and several staff members would attend the NCACC annual County Commissioners Conference, scheduled for August 7-9.

COUNTY MANAGER'S REPORT

Mr. Mitchell commended the Parks and Recreation staff for their hard work in making the wonderful July 4th festivities a success. He highlighted that this was the 2nd Board meeting with

Approved:

new Assistant County Manager, Chris Todd. He recognized Samantha Reynolds and Jimmy Brissie, who had also assumed new responsibilities.

Vice-Chair Edney made the motion to go into Closed Session pursuant to 143.318.11(a)(6). All voted in favor, and the motion carried.

ADJOURN

Denisa Lauffer, Clerk to the Board

Rebecca McCall, Chairman

Approved: