

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
TUESDAY, AUGUST 20, 2024**

The Henderson County Board of Commissioners met for a Special Called Meeting at 9:30 a.m. in the meeting room of the Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, NC 28792.

The following were present: Chairman Rebecca McCall, Vice-Chair J. Michael Edney, Commissioner Daniel Andreotta, Commissioner David Hill, Commissioner William Lapsley, County Manager John Mitchell, Assistant County Manager Chris Todd, Financial Services Director Samantha Reynolds, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Also present was: Engineer Marcus Jones, Chief Communications Officer Mike Morgan, A/V Technician Oscar Gurrero, Recreation Director Bruce Gilliam, Recreation Supervisor Jason Kilgore, Capital Project Manager Bryan Rhodes, Finance Director Randall Cox, PIO – Kathy Finotti videotaping. Deputy Chris Stepp provided security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

Commissioner Hill provided the invocation.

### PLEDGE OF ALLEGIANCE

Chairman McCall led the Pledge of Allegiance to the American Flag.

### PUBLIC COMMENT

1. Kirk Hall opposed the Special Use Permit issued to First Contact Ministries for a Saluda men's drug rehabilitation center. He urged the Board to recommend changes to the zoning ordinance.
2. Chris Walters spoke in support of preserving the park-like setting of Berkeley Mills Park.
3. Lynne Williams spoke in support of preserving the historical forests/nature of Berkeley Mills Park.

### DISCUSSION/ADJUSTMENT OF AGENDA

*Chairman McCall made the motion to approve the agenda as presented. All voted in favor, and the motion carried.*

### DISCUSSION

#### **Multi-Use Sports Complex**

The Board was presented with a proposed agreement for Professional Services that is attached to these minutes.

APPROVED: September 3, 2024

Withers Ravenel Growth Officer Jason Bertoncino, PE, presented the Board with the following presentation:



# Berkeley Park Sports Complex

## Board of Commissioners

### August 20, 2024

Jason Bertoncino, PE  
Growth Officer

Alison Alexander  
WNC Client Experience Manager



Celebrating 40 Years!

We Are **Placemakers**

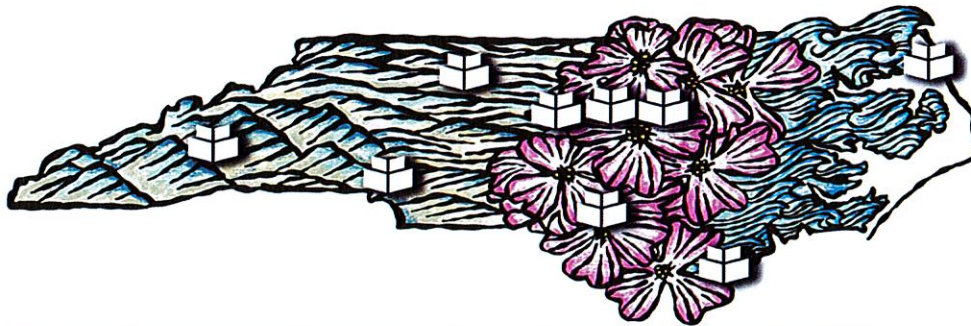
**40+** YEARS **420+** EMPLOYEE OWNERS  
**24k+** PROJECTS

**SERVICE AREAS**

- » Asset Management
- » Design & Planning
- » Economic Development
- » Environmental
- » Funding & Finance
- » Geographic Information Systems
- » Land & Site Development
- » Public Engagement
- » Remote Sensing
- » Stormwater
- » Surveying & Geomatics
- » Water & Sewer Utilities



## WithersRavenel Locations



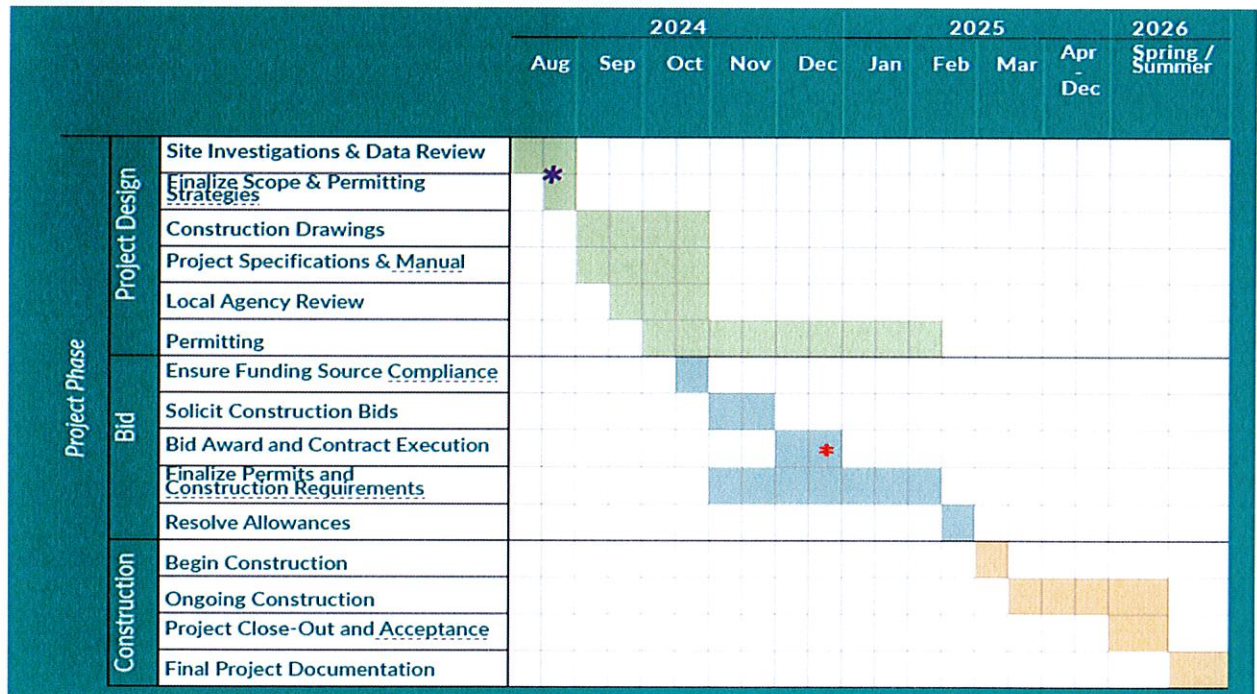
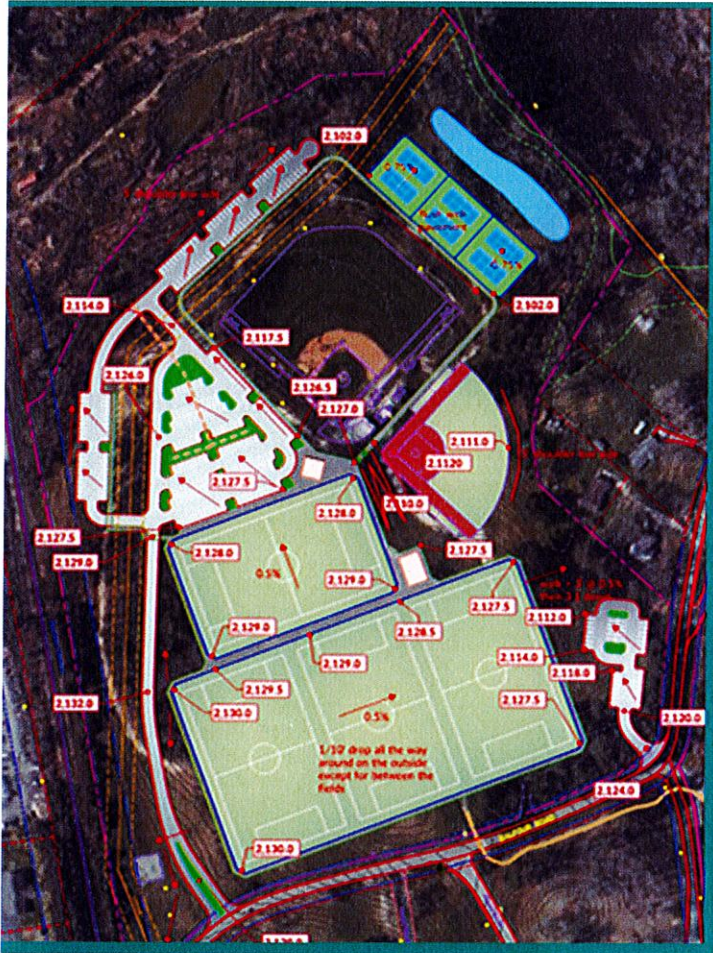




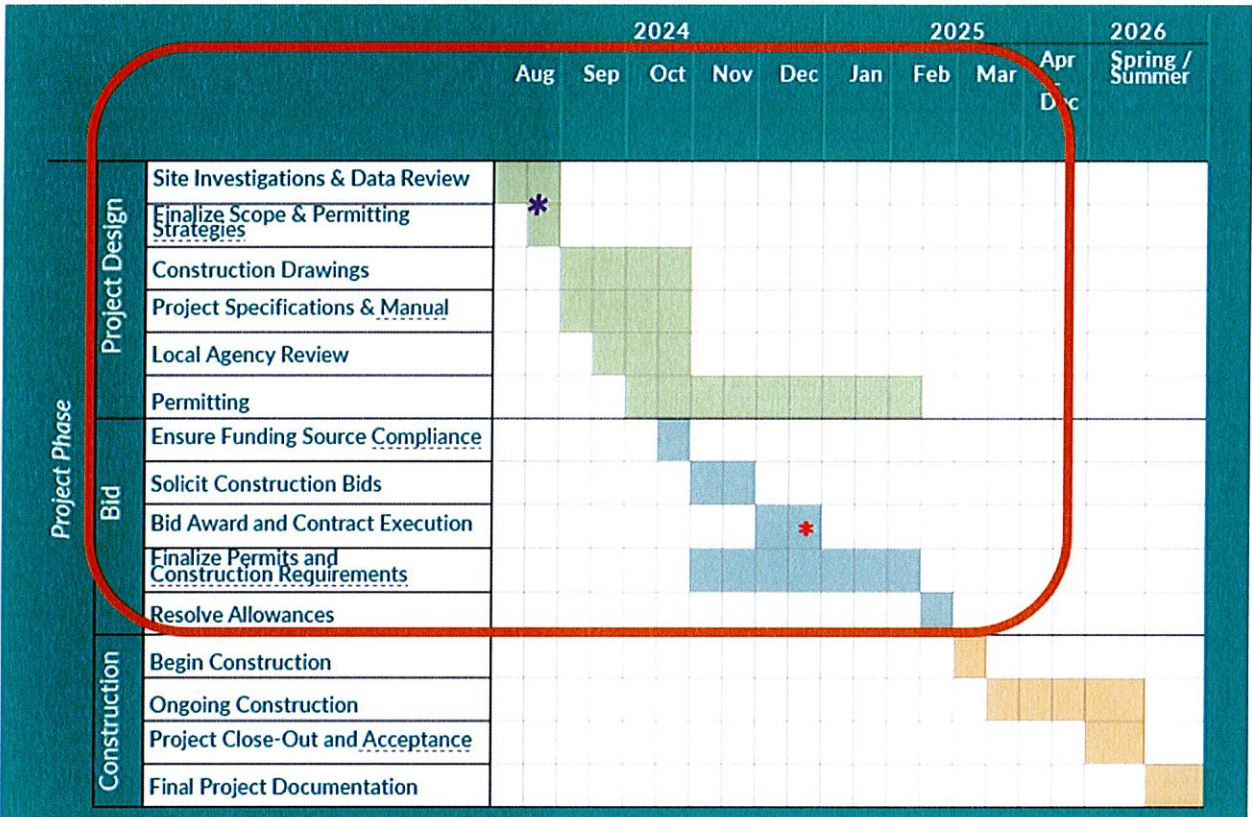
## Team Experience











## Critical Success Factors

- **Collaboration**
  - Information from County and other firms
  - Review agencies
  - Project awareness with potential contractors
- **Compliance with ARPA obligation deadline of December 31, 2024**
- **Completion and closeout by December 31, 2026**



Commissioner Andreotta asked how many parking spots were depicted in the rendering provided. Mr. Bertoncino said there were approximately 322 parking spots in the drawing. Mr. Andreotta stated, “I am blown away and impressed that this was designed this way. The fourth soccer field is full-sized while allowing for that much parking. That is impressive.”

John Mitchell said it was the direction and intention of staff to work with Withers Ravenel and community groups to ensure that user groups, the Tourism Development Authority, and the School Board have some input about the design and concept. He noted that there may be moves or adjustments moving forward.

Vice-Chair Edney asked if anything could be accomplished while Henderson County Public Schools owned the property. Christopher Todd said the preliminary design could continue. However, any site plan submittal to the City of Hendersonville must be listed under HCPS until the property has been conveyed. The county would need to continue to work on those things parallel to this design to meet both timelines. Vice-Chair Edney noted that the City would need to waive its first right of refusal before any of that could occur. Mr. Mitchell said he had preliminary discussions with the City Manager as well as the Superintendent of the Public Schools. He believed from a staff perspective that a decision from the Board of Commissioners was needed to set things in motion. Mr. Edney alluded that an interlocal agreement would also be needed.

Vice-Chair Edney said the School Board and the County were on the same page regarding the School Board's desire to ensure that the softball/baseball field and tennis courts are constructed at some point. He said the ARPA funds available would not allow for the completion of the softball field or tennis court but would get the property ready and in shape for those sometime in the future.

Commissioner Hill noted that the greenway easement cuts through the middle of the Berkeley Mills property. Russ Burrell said that issue would undoubtedly be discussed with the City regarding any waiver they have of their right to the easement. Mr. Todd referred to conversations with city officials about the easement. While understanding that easement was important, the City's primary desire was to have access into the park and potentially through the park if a greenway ever expanded out of that system.

Chairman McCall said this would be an opportunity for the County, the School Board, and the City to all work together.

Commissioner Andreotta asked Mr. Burrell to explain the meaning of an interlocal agreement. Mr. Burrell said it was effectively a contract between two local government agencies to do something that either could do by themselves but choose to do together.

Commissioner Andreotta expressed concern that the School Board meeting held the previous day did not include any motion or mention of the School Board conveying the Berkely Mills Park property to the county. In contrast to Mr. Edney, Mr. Andreotta did not believe the Board of Commissioners and the School Board were necessarily on the same page.

Commissioner Andreotta stated, "I don't think we are saying all the same things. We and the School Board. They are telling the county that, full steam ahead, we want softball and tennis. We said last time that we are going to spend this money as far as it goes, but we have no clue how far it will go. We are looking at the dream finished project here; the public needn't think that with \$9M, we will build what they see. We are not - unless something miraculous happens. A lot of it will disappear into grading and site work. Then the question becomes, what will happen to finish the project? Where does that cost come from? Are we going to see conditions from the school

system in the interlocal agreement that we have not been made aware of yet? And would that be why the title has not been transferred or wasn't even mentioned in their meeting? They do not meet again for three weeks. So, I think the business model is borderline unwise, and we need to be careful. I don't think one of us would proceed with \$9M in our personal/private businesses with so many unknowns and with the clock ticking. Surely, we are not going to spend \$9M on property that is not ours. Or go beyond the point of no return. There are a lot of unknowns, and I am disappointed that we are not looking at some details. We are not looking at a transferred or signed deed."

Further discussion followed about possible conditions that may or may not be included in an interlocal agreement, schedules, timelines, and the importance of moving forward quickly.

School Board Chairman Jay Egolf, who was present, was asked if he would be willing to speak for the intent of the School Board regarding the concerns discussed. Vice-Chair Edney asked if the School Board was looking for conditions beyond those of the county at some point in time building the softball and tennis courts. Mr. Egolf said no and referred to the previous letter the School Board sent to the Board of Commissioners. Egolf stated, "We are conveying the property in the hopes of having everything graded, and then if there were money left over, it would be great to spend it on tennis courts and softball fields. But we would at least like the entire site graded for soccer fields, parking, softball, and six tennis courts. Beyond that, we would have to see where the money goes." Mr. Edney asked if the School Board had directed their counsel to prepare an agreement for the Board of Commissioners to review. Mr. Egolf said after the conclusion of their Board meeting the day before, a notice had been sent to the county that stated, during this afternoon's Board of Education meeting, our Board members had the opportunity to view the latest plan; thank you for allowing them a quick preview as it was not discussed. Publicly, they all liked the concept very much." Egolf said in answer to the question it read. "In addition, I have spoken to our attorney, Chris Campbell. We are prepared to sit down with you and Mr. Burrell to begin working on an interlocal agreement whenever you are ready to proceed with one."

Commissioner Andreotta questioned why the School Board did not motion to convey the property at yesterday's meeting. Mr. Egolf again referred to the statements in the School Board's letter. Commissioners Andreotta and Hill noted that a letter was not an actionable motion. Mr. Andreotta asked, "When you folks contribute to the interlocal agreement, do you plan to make a requirement that these facilities are all painted red? Because I know a Hendersonville High School home facility is very important to you folks. Is that coming, which would really make the \$60M high school \$74M by the time all this is done? Or, is everybody of an understanding that these facilities are going to be, I'll use the term neutral, and every event, and every team when they are there can make them their own via their banners, signs, insignias, etc." Mr. Egolf said his answer now was the same as when Mr. Andreotta asked the same question about Upward. "This would be county property for the school system to use." "We are not conveying that it needs to be any certain color."

Chairman McCall directed the county manager to organize a meeting for this week with the school superintendent, city manager, and the appropriate counsel for each group to work out the details discussed. Mr. Mitchell confirmed he would organize a meeting to discuss the details.

Commissioner Andreotta asked for a “cut-off date” if the county does not have the conveyed title signed into a local agreement.” He noted that perhaps Withers Ravenel would need to be prepared in case the project had to be moved to Jackson Park.

*Commissioner Lapsley made the motion that the Board approve the agreement for professional services with Withers Ravenel as presented. All voted in favor, and the motion carried.*

Following the motion, there was a brief discussion about conserving trees during the project.

**NOMINATIONS**


1. Henderson County Education History Initiative – 1 vac.

*Chairman McCall made the motion to nominate Jay Merrill to the vacant position on the Henderson County Education Initiative. All voted in favor, and the motion carried.*

*Chairman McCall made the motion to adjourn the meeting at 10:20 a.m. All voted in favor, and the motion carried.*

**ADJOURN**

Attest:

  
Denisa A. Lauffer, Clerk to the Board

  
Rebecca McCall, Chairman