

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, JANUARY 6, 2025**

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

Present were: Chairman William Lapsley, Vice-Chair J. Michael Edney, Commissioners Rebecca McCall, Sheila Franklin, Jay Egolf, County Manager John Mitchell, Assistant County Manager Chris Todd, Financial Services Director Samantha Reynolds, and Clerk to the Board Denisa Lauffer.

Also present were County Engineer Marcus Jones, Chief Communications Officer Mike Morgan, Public Information Officer Kathryn Finotti, A/V Technician Oscar Guerrero, IT Director Mark Seelenbacher, Finance Director Randy Cox, Tax Administrator Harry Rising, Public Health Director David Jenkins, Senior Planner Janna Bianculli, Strategic Behavioral Health Director Jodi Grabowski, Planning Director Autumn Radcliff, Parks and Recreation Director Bruce Gilliam, Human Resources Director Karen Ensley, and Lead for North Carolina Fellow Nora Sjue. Park Maintenance Supervisor Jason Kilgore, Planner Liz Hansen, Sheriff Lowell Griffin, Capital Projects Manager Bryan Rhodes, Cooperative Extension Director Dr. Terry Kelley, Deputy DSS Director Debbie Dunn, and Local Public Health Administrator Camden Stewart. Deputies Many Ladd and Kayla Brezillac provided security.

### CALL TO ORDER/WELCOME

Chairman Lapsley called the meeting to order and welcomed everyone.

### INVOCATION

Reverend Marc Reynolds with Little River Baptist Church provided the invocation.

### PLEDGE OF ALLEGIANCE

With the Lab Rats 4-H Club, Elizabeth Lyda led the Pledge of Allegiance to the American Flag.

### RESOLUTIONS AND RECOGNITIONS

#### **2025.001 RESOLUTION – BLUE RIDGE PARKWAY FOUNDATION**

**Resolution of Henderson County  
Recognizing and Approving of the Henderson County  
Official America 250 NC Committee**

A resolution of Henderson County, North Carolina, supporting the America 250 NC committee for the United States semi quinentennial (AMERICA 250 NC).

**WHEREAS**, AMERICA 250 NC was created to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the United States and North Carolina's integral role in that event and the role of its people on the nation's past, present, and future: and

**WHEREAS**, AMERICA 250 NC has a mission to engage ALL North Carolinians and ALL 100 counties through their many signatures and officially recognized programs, projects, and events over the commemoration by inspiring future leaders and celebrating North Carolina's

Approved:

contributions to the nation over the last 250 years; and

**WHEREAS**, by adoption of America 250 NC's mission, the Henderson County Committee is officially formed to achieve the goals of America 250 NC.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Henderson officially establishes an AMERICA 250 NC Committee made up of a diverse group of citizens to work with AMERICA 250 NC on all activities. The participants of the Henderson County Committee will be strictly voluntary roles and there will be no compensation for participation.

**IT IS FURTHER RESOLVED** that a copy of this resolution be sent to the Henderson County legislative delegation and the AMERICA 250 NC Committee.

**ADOPTED** this 6th day of January 2025.

*Chairman Lapsley made the motion to adopt the Resolution as presented. All voted in favor, and the motion carried.*

**INFORMAL PUBLIC COMMENT**

1. Dawn Sorrento spoke about Finley Creek off of Finley Cove Road. She said that due to erosion, the once small creek became a waterway comparable to the French Broad River and flooded quickly and often. She said this problem was unrelated to the recent hurricane. Ms. Sorrento distributed photographs to each of the Board members.
2. Dave Mittler spoke regarding the Hendersonville Airstrip. Three creeks surround the airstrip and have created a problem with erosion.

**DISCUSSION / ADJUSTMENT OF AGENDA**

There were no revisions or additions to the agenda.

*Motion: Vice-Chair Edney made the motion to approve the agenda. All voted in favor, and the motion carried.*

**CONSENT AGENDA**

*Motion: Vice-Chair Edney made the motion to adopt the consent agenda as presented. All voted in favor, and the motion carried.*

**Approval of Minutes**

Draft minutes were presented for Board review and approval for the following meetings:  
December 6, 2024 – Special Called Meeting

*Motion: I move the Board approve the minutes from December 6, 2024*


**Tax Collector's Report**

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

Approved:

Please find outlined below collections information through December 26, 2024 for 2024 real and personal property bills mailed on July 31, 2024. Vehicles taxes are billed monthly by NC DMV.

**Henderson County Annual Bills (Real and Personal Property):**

<b>2024 Beginning Charge:</b>	<b>\$101,664,828.08</b>		<b>Unpaid</b> 26.03%
Discoveries & Imm.	\$103,563.62		
Releases & Refunds:	(\$67,480.90)		
Net Charge:	\$101,700,910.80		
Unpaid Taxes:	\$26,475,769.78		
<b>Amount Collected:</b>	<b>\$75,225,141.02</b>		

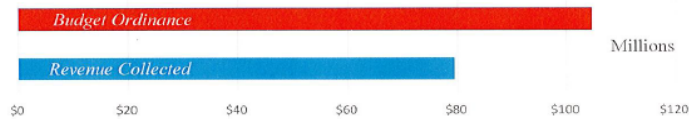
**Henderson County Registered Motor Vehicles (As Collected by NC DMV):**

Net Charge:	\$3,687,939.05
Unpaid Taxes:	\$7,819.97
<b>Amount Collected:</b>	<b>\$3,680,119.08</b>

*99.79%*

**Henderson County FY25 Budget Analysis:**

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$103,559,409.00	\$78,905,260.10
Prior Years:	\$1,041,250.00	\$498,994.07
<b>Budget Total:</b>	<b>\$104,600,659.00</b>	<b>YTD Revenue: \$79,404,254.17</b>



**2025.002 Pending Releases and Refunds**

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

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

<b>Type:</b>	<b>Amount:</b>
Total Taxes Released from the Charge	\$ 3,692.21
Total Refunds as a Result of the Above Releases	\$ 1,318.10

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

**Notification of Vacancies**

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

1. Henderson County Transportation Advisory Committee – 2 vacs.  
 Position # 1 – Regular – At Large  
 Position # 2 – Regular – At Large
2. Nursing/Adult Care Home Advisory Committee – 2 vacs.  
 Position # 12 – Regular – At Large  
 Position # 13 – Regular – At Large

**County Financial Report and Cash Balance Report – November 2024**

The November 2024 County Financial and Cash Balance Reports were provided for the Board’s review and approval.

The following were explanations for departments/programs with higher budgets to actual percentages for the month of November:

Approved:

- Dues/Non Profits – timing of 2<sup>nd</sup> quarter disbursement of annual appropriations.
- Administrative Services - timing of payment of board-approved expenditures.
- Human Resources - timing of payment of board-approved expenditures.
- Elections – the timing of payment of board-approved expenditures.
- Tax Collector – timing of payment of board-approved expenditures.
- Legal – timing of payment of board-approved expenditures.
- Information Technology – timing of payment of board-approved expenditures.
- Emergency Management – payment of board-approved expenditures related to Helene for which Henderson County will be seeking FEMA reimbursement.
- Wellness Clinic - the timing of payment of board-approved expenditures.
- Rescue Squad – payment of 2<sup>nd</sup> quarter Board appropriations.
- Planning - the timing of payment of board-approved expenditures.
- Mental Health Services - timing of payment of board-approved expenditures.
- Juvenile Justice Programs - timing of payment of board-approved expenditures.
- Recreation – the timing of payment of board-approved expenditures.
- Public Education – payment of 5 of 10 annual appropriations made to the public school system.

Year-to-date net revenues under the Expenditures for the Emergency Telephone System (911) Fund were due to the utilization of fund balance appropriations for FY25.

Year-to-date Net Revenues under Expenditures for the Public Transit Fund were due to the timing of disbursements in FY25.

Year-to-date Net Revenues under Expenditures for the Misc. Other Governmental Activities Funds were due to the timing of fines and forfeitures disbursements in FY25.

Year-to-date Net Revenues under Expenditures for the Solid Waste Fund were due to the timing of collection receipts, the suspension of tipping fees related to Helene, and disbursements of approved expenditures in FY25.

Year-to-date Net Revenues under Expenditures for the Justice Academy Sewer Fund were due to the timing of collection receipts and disbursements of approved expenditures in FY25.



HENDERSON COUNTY  
FINANCIAL REPORT  
NOVEMBER 2024

GENERAL FUND REVENUES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
General Fund	210,034,108.00	37,071,935.52	84,408,967.74	40.2%	-	84,408,967.74

GENERAL FUND EXPENDITURES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
Governing Body	671,803.00	29,375.47	252,471.73	37.58%	-	252,471.73
Dues/Non Profit Contributions	1,055,544.00	10,358.10	484,372.87	45.89%	231,923.17	716,296.04
County Manager	466,644.00	25,038.31	131,588.56	28.20%	-	131,588.56
Administrative Services	829,103.00	69,031.77	351,163.15	42.35%	-	351,163.15
Human Resources	1,527,684.00	139,389.49	638,567.38	41.80%	-	638,567.38
Elections	1,241,838.00	375,538.50	736,248.48	59.29%	18,177.77	754,426.25
Finance	1,421,108.00	98,509.32	585,277.36	41.18%	-	585,277.36
County Assessor	2,184,868.00	141,236.55	808,553.48	37.01%	28,520.39	837,073.87
Tax Collector	593,939.00	47,396.02	251,601.94	42.38%	-	251,601.94
Legal	1,107,787.00	85,188.00	484,251.24	43.71%	-	484,251.24
Register of Deeds	788,480.00	47,407.70	298,666.70	37.88%	24,961.00	323,627.70
Facility Services	6,325,028.00	361,401.42	2,050,562.21	32.42%	287,937.49	2,338,499.70
Garage	461,539.00	27,540.56	152,342.02	33.01%	-	152,342.02

Approved:

Court Facilities	153,000.00	10,258.05	45,988.69	30.08%	-	45,988.69
Information Technology	6,286,966.00	318,055.97	2,847,169.84	45.29%	557,130.24	3,404,300.08
Sheriff Department	25,633,080.00	1,868,081.05	10,251,184.62	39.99%	280,996.97	10,532,181.59
Detention Facility	7,251,349.00	443,715.56	2,774,546.13	38.26%	383,233.23	3,157,779.36
Emergency Management	970,125.00	2,044,415.95	2,487,512.71	256.41%	45,771,293.15	48,258,805.86
Fire Services	1,097,842.00	44,237.60	281,277.12	25.63%	110,370.04	391,647.16
Building Services	1,863,208.00	161,027.12	775,100.78	41.60%	-	775,100.78
Wellness Clinic	1,533,962.00	126,653.35	655,893.09	42.76%	78,803.50	734,696.59
Emergency Medical Services	13,867,178.00	945,101.40	5,225,457.01	38.23%	89,899.04	5,315,356.05
Animal Services	984,647.00	59,199.70	322,702.88	32.77%	67,750.26	390,453.12
Rescue Squad	782,750.00	(748.45)	393,882.07	50.32%	-	393,882.07
Forestry Services	133,168.00	5,365.15	15,226.08	11.43%	-	15,226.08
Soil & Water	844,438.00	40,413.65	236,240.48	27.98%	73,788.75	310,029.21
Planning	1,123,598.00	86,089.53	493,975.81	43.98%	13,000.00	506,975.81
Code Enforcement	353,444.00	24,620.38	137,018.66	38.77%	20,000.00	157,018.66
Site Development	234,739.00	17,385.71	94,674.42	40.33%	-	94,674.42
Heritage Museum	100,000.00	8,333.33	41,666.65	41.67%	-	41,666.65
Cooperative Extension	843,323.00	58,707.41	291,766.49	34.60%	-	291,766.49
Project Management	323,173.00	23,874.64	125,387.70	38.80%	-	125,387.70
Economic Development	2,097,190.00	-	217,000.00	10.35%	-	217,000.00
Public Health	11,924,401.00	846,303.36	4,593,287.33	38.52%	418,821.33	5,012,108.66
Environmental Health	1,889,599.00	152,312.97	764,299.44	40.45%	-	764,299.44
H&CC Block Grant	863,502.00	66,093.25	274,952.75	31.84%	-	274,952.75
Medical Services - Autopsies	85,000.00	3,750.00	19,050.00	20.05%	-	19,050.00
Strategic Behavioral Health	473,611.00	19,071.38	112,621.87	23.78%	-	112,621.87
Mental Health Services	528,612.00	-	264,306.00	50.00%	-	264,306.00
Rural Transportation Assist Program	201,384.00	56,968.76	63,568.39	31.57%	-	63,568.39
Social Services	23,598,432.00	1,648,239.17	9,351,930.96	39.63%	43,057.33	9,394,988.29
Juvenile Justice Programs	306,020.00	22,767.00	145,051.00	47.40%	-	145,051.00
Veterans Services	241,124.00	15,020.38	93,298.88	38.69%	7,500.00	100,798.88
Library	4,283,163.00	305,122.17	1,760,819.50	41.11%	324,342.29	2,085,161.79
Recreation	3,185,348.00	232,507.14	1,413,841.41	44.39%	164,633.56	1,578,474.97
Public Education	42,378,000.00	4,116,966.67	20,709,833.35	48.87%	-	20,709,833.35
Debt Service	22,712,206.00	4,527,016.37	8,366,509.00	36.84%	-	8,366,509.00
Non-Departmental	4,655,510.00	360,336.62	1,387,253.73	29.80%	-	1,387,253.73
Interfund Transfers	7,745,851.00	645,487.59	3,227,437.95	41.67%	-	3,227,437.95
<b>TOTAL</b>	<b>210,034,108.00</b>	<b>20,760,771.74</b>	<b>87,487,397.83</b>		<b>48,996,139.51</b>	<b>136,483,537.34</b>
<b>Net Revenues over (under) Exp.</b>	<b>-</b>	<b>16,311,163.78</b>	<b>(2,988,430.09)</b>		<b>(48,996,139.51)</b>	<b>(51,984,569.60)</b>

APPROPRIATIONS DETAIL						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>SOCIAL SERVICES</b>						
Staff Operations	19,855,443.00	1,502,755.76	8,221,071.17	41.4%	43,057.33	8,264,128.50
Federal & State Programs	3,642,989.00	140,197.83	1,114,899.35	30.6%	-	1,114,899.35
General Assistance	100,000.00	5,285.58	15,960.44	16.0%	-	15,960.44
<b>TOTAL</b>	<b>23,598,432.00</b>	<b>1,648,239.17</b>	<b>9,351,930.96</b>		<b>43,057.33</b>	<b>9,394,988.29</b>
<b>EDUCATION</b>						
Schools Current/Capital Expense	36,628,000.00	3,637,800.00	18,314,000.00	50.0%	-	18,314,000.00
Blue Ridge Community College	5,750,000.00	479,166.67	2,395,833.35	41.7%	-	2,395,833.35
<b>TOTAL</b>	<b>42,378,000.00</b>	<b>4,116,966.67</b>	<b>20,709,833.35</b>		<b>-</b>	<b>20,709,833.35</b>
<b>DEBT SERVICE</b>						
Public Schools	11,506,933.00	2,101,623.49	4,317,136.64	37.5%	-	4,317,136.64
Blue Ridge Community College	3,218,681.00	1,155,432.88	1,692,139.64	52.6%	-	1,692,139.64
Henderson County	7,986,592.00	1,269,960.00	2,357,232.72	29.5%	-	2,357,232.72
<b>TOTAL</b>	<b>22,712,206.00</b>	<b>4,527,016.37</b>	<b>8,366,509.00</b>		<b>-</b>	<b>8,366,509.00</b>
<b>INTERFUND TRANSFERS</b>						
Capital Projects Fund	200,000.00	16,666.67	83,333.35	41.7%	-	83,333.35
Capital Reserve Fund	1,254,919.00	104,576.58	522,882.90	41.7%	-	522,882.90
Fire Districts Fund	60,000.00	5,000.00	25,000.00	41.7%	-	25,000.00
HCPS MRTS	3,603,500.00	300,291.67	1,501,458.35	41.7%	-	1,501,458.35
BRCC MRTS	2,301,750.00	191,812.50	959,062.50	41.7%	-	959,062.50
Solid Waste	325,682.00	27,140.17	135,700.85	41.7%	-	135,700.85
<b>TOTAL</b>	<b>7,745,851.00</b>	<b>645,487.59</b>	<b>3,227,437.95</b>		<b>-</b>	<b>3,227,437.95</b>

SPECIAL REVENUE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>FIRE DISTRICTS FUND</b>						
Revenues:	16,876,915.00	5,254,583.77	9,947,433.76	58.9%	-	9,947,433.76
Expenditures:	16,876,915.00	814,976.45	4,701,011.37	27.9%	-	4,701,011.37
<b>Net Revenues over (under) Exp</b>	<b>-</b>	<b>4,439,607.32</b>	<b>5,246,422.39</b>		<b>-</b>	<b>5,246,422.39</b>
<b>REVALUATION RESERVE FUND</b>						
Revenues:	1,413,172.00	134,790.07	659,525.77	46.7%	-	659,525.77
Expenditures:	1,413,172.00	75,419.47	482,873.39	34.2%	172,623.66	655,497.05
<b>Net Revenues over (under) Exp</b>	<b>-</b>	<b>59,370.60</b>	<b>176,652.38</b>		<b>(172,623.66)</b>	<b>4,028.72</b>
<b>EMERGENCY TELEPHONE SYSTEM (911) FUND</b>						
Revenues:	360,945.00	27,883.70	111,975.57	31.0%	-	111,975.57
Expenditures:	360,945.00	-	147,343.10	40.8%	-	147,343.10
<b>Net Revenues over (under) Exp</b>	<b>-</b>	<b>27,883.70</b>	<b>(35,367.53)</b>		<b>-</b>	<b>(35,367.53)</b>

<b>PUBLIC TRANSIT FUND</b>						
Revenues:	1,418,890.00	168,182.92	209,489.37	14.8%	-	209,489.37
Expenditures:	1,418,890.00	57,456.69	257,142.94	18.1%	94,685.00	351,827.94
<b>Net Revenues over (under) Exp</b>	-	<b>110,726.23</b>	<b>(47,653.57)</b>		<b>(94,685.00)</b>	<b>(142,338.57)</b>
<b>MISC. OTHER GOVERNMENTAL ACTIVITIES</b>						
Revenues:	1,074,000.00	46,096.85	173,191.58	16.1%	-	173,191.58
Expenditures:	1,074,000.00	30,790.17	196,688.49	18.3%	-	196,688.49
<b>Net Revenues over (under) Exp</b>	-	<b>15,306.68</b>	<b>(23,496.91)</b>		-	<b>(23,496.91)</b>
<b>ARPA FUND</b>						
Revenues:	-	103,913.99	470,179.72	0.0%	-	470,179.72
Expenditures:	-	-	-	0.0%	-	-
<b>Net Revenues over (under) Exp</b>	-	<b>103,913.99</b>	<b>470,179.72</b>		-	<b>470,179.72</b>
<b>OPIOID FUND</b>						
Revenues:	1,044,793.00	28,625.79	238,495.24	22.8%	-	238,495.24
Expenditures:	1,044,793.00	36,030.31	121,989.43	11.7%	110,948.00	232,937.43
<b>Net Revenues over (under) Exp</b>	-	<b>(7,404.52)</b>	<b>116,505.81</b>		<b>(110,948.00)</b>	<b>5,557.81</b>

<b>CAPITAL PROJECTS</b>						
	BUDGET	CURRENT MONTH	PROJECT TO DATE	% USED	ENCUMBRANCES	TOTAL

<b>EDNEYVILLE ELEMENTARY SCHOOL PROJECT (1702)</b>						
Revenues:	26,854,136.00	5,053.60	27,955,250.69	104.1%	-	27,955,250.69
Expenditures:	26,854,136.00	-	26,959,829.76	100.4%	-	26,959,829.76
<b>Net Revenues over (under) Exp</b>	-	<b>5,053.60</b>	<b>995,420.93</b>		-	<b>995,420.93</b>
<b>HENDERSONVILLE HIGH SCHOOL PROJECT - 2019 (1903) - PROJECT COMPLETE</b>						
Revenues:	60,442,694.00	-	61,181,021.22	101.2%	-	61,181,021.22
Expenditures:	60,442,694.00	241,020.00	61,181,020.37	101.2%	-	61,181,020.37
<b>Net Revenues over (under) Exp</b>	-	<b>(241,020.00)</b>	<b>0.85</b>		-	<b>0.85</b>

<b>ENTERPRISE FUNDS</b>						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL

<b>SOLID WASTE LANDFILL FUND</b>						
Revenues:	17,443,959.00	1,011,608.34	4,261,941.52	24.4%	-	4,261,941.52
Expenditures:	17,443,959.00	1,143,678.57	5,572,055.06	31.9%	8,497,569.54	14,069,624.60
<b>Net Revenues over (under) Exp</b>	-	<b>(132,070.23)</b>	<b>(1,310,113.54)</b>		<b>(8,497,569.54)</b>	<b>(9,807,683.08)</b>
<b>JUSTICE ACADEMY SEWER FUND</b>						
Revenues:	70,006.00	8,323.95	38,730.24	55.3%	-	38,730.24
Expenditures:	70,006.00	4,029.88	60,033.29	85.8%	5,793.49	65,826.78
<b>Net Revenues over (under) Exp</b>	-	<b>4,294.07</b>	<b>(21,303.05)</b>		<b>(5,793.49)</b>	<b>(27,096.54)</b>
<b>ETOWAH COMMUNITY SEWER FUND</b>						
Revenues:	182,602.00	15,639.29	49,816.11	27.3%	-	49,816.11
Expenditures:	182,602.00	27,847.57	45,839.91	25.1%	89,369.50	135,209.41
<b>Net Revenues over (under) Exp</b>	-	<b>(12,208.28)</b>	<b>3,976.20</b>		<b>(89,369.50)</b>	<b>(85,393.30)</b>

<b>HENDERSON COUNTY CASH BALANCE REPORT NOVEMBER 2024</b>				
Fund(s)	10/31/2024 Beg. Cash Balance	Debits Revenues	(Credits) Expenditures	11/30/24 Ending Cash Balance
General	\$ 82,118,318.26	\$ 47,914,113.48	\$ (30,524,990.66)	\$ 99,507,441.08
Special Revenue	44,185,091.63	5,897,313.04	(1,023,683.19)	49,058,721.48
Capital Projects	17,575,071.03	1,502,367.90	(2,732,200.17)	16,345,238.76
Enterprise	820,514.90	985,391.61	(1,153,688.58)	652,217.93
HCP5 - Maint. and Repair	7,665,020.39	300,291.67	-	7,965,312.06
BRCC - Maint. and Repair	3,028,931.22	191,812.50	-	3,220,743.72
Custodial	<u>1,710,342.38</u>	<u>5,096,453.79</u>	<u>(1,414,581.80)</u>	5,392,214.37
<b>Total</b>	<u>\$ 157,103,289.81</u>	<u>\$ 61,887,743.99</u>	<u>\$ (36,849,144.40)</u>	
Total cash available as of	11/30/2024			<u>\$ 182,141,889.40</u>

*Motion: I move that the Board of Commissioners approve the November 2024 County Financial Report and Cash Balance Report as presented*

**Henderson County Public Schools Financial Reports – November 2024**

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

Approved:

**HENDERSON COUNTY PUBLIC SCHOOLS  
LOCAL CURRENT EXPENSE/OTHER RESTRICTED FUNDS  
as of November 30, 2024**

	LOCAL CURRENT EXPENSE FUND		OTHER RESTRICTED FUND		Combined Total	Prior YTD
	Budget	YTD Activity	Budget	YTD Activity		
<b>REVENUES:</b>						
3200 State Sources	\$ -	\$ -	\$ 8,000	\$ 3,244	\$ 3,244	\$ 8,000
3700 Federal Sources-Restricted	-	-	1,552,984	478,837	478,837	224,651
3800 Other Federal-ROTC	-	-	182,000	38,894	38,894	39,809
4100 County Appropriation	35,378,000	17,689,000	-	-	17,689,000	16,439,000
4200 Local -Tuition/Fees	-	-	55,000	24,505	24,505	16,230
4400 Local-Unrestricted	650,000	211,083	121,439	91,807	302,890	310,442
4800 Local-Restricted	-	-	859,049	461,627	461,627	355,867
4900 Fund Balance Appropriated/Transfer From school	3,573,928	-	401,585	14,339	14,339	17,820
<b>TOTAL FUND REVENUES</b>	<b>\$ 39,601,928</b>	<b>\$ 17,900,083</b>	<b>\$ 3,160,037</b>	<b>\$ 1,113,252</b>	<b>\$ 19,013,336</b>	<b>\$ 17,411,819</b>
<b>EXPENDITURES:</b>						
<b>Instructional Services:</b>						
5100 Regular Instructional Services	\$ 10,586,436	\$ 4,652,136	\$ 738,368	\$ 303,402	\$ 4,955,537	\$ 4,337,923
5200 Special Populations Services	1,334,746	634,620	936,772	221,390	856,009	844,878
5300 Alternative Programs and Services	472,566	178,100	379,437	232,954	411,055	197,215
5400 School Leadership Services	3,413,720	1,493,315	11,191	9,423	1,502,738	1,390,195
5500 Co-Curricular Services	923,957	70,664	60,000	41,634	112,298	79,303
5800 School-Based Support Services	2,125,995	843,810	15,501	-	843,810	1,018,832
<b>Total Instructional Services</b>	<b>\$ 18,857,420</b>	<b>\$ 7,872,645</b>	<b>\$ 2,141,270</b>	<b>\$ 808,802</b>	<b>\$ 8,681,447</b>	<b>\$ 7,868,345</b>
<b>System-Wide Support Services:</b>						
6100 Support and Development Services	\$ 476,045	\$ 182,722	\$ 6,500	\$ 6,183	\$ 188,906	\$ 154,044
6200 Special Population Support	83,079	39,561	96,990	19,580	59,141	159,516
6300 Alternative Programs	133,792	58,731	431	431	59,161	45,909
6400 Technology Support Services	1,320,441	568,206	44,139	31,809	599,815	694,171
6500 Operational Support Services	11,883,217	3,527,314	466,782	145,349	3,672,963	3,537,151
6600 Financial and Human Resource Services	2,567,894	2,005,190	95,252	31,379	2,036,569	1,741,176
6700 Accountability Services	214,261	86,703	1,200	1,200	87,903	79,378
6800 System-Wide Pupil Support Services	405,903	175,719	538	538	176,257	162,957
6900 Policy, Leadership and Public Relations	757,913	378,615	14,420	13,720	392,334	350,673
<b>Total System-Wide Support Services</b>	<b>\$ 17,842,545</b>	<b>\$ 7,022,761</b>	<b>\$ 716,251</b>	<b>\$ 249,989</b>	<b>\$ 7,272,750</b>	<b>\$ 6,924,976</b>
<b>Ancillary Services:</b>						
7100 Community Services	\$ 388	\$ 388	\$ 177,881	\$ 69,941	\$ 70,328	\$ 64,296
7200 Nutrition Services	269,327	96,677	6,323	-	96,677	121,696
<b>Total Ancillary Services</b>	<b>\$ 269,714</b>	<b>\$ 97,065</b>	<b>\$ 184,204</b>	<b>\$ 69,941</b>	<b>\$ 167,005</b>	<b>\$ 185,992</b>
<b>Non-Programmed Charges:</b>						
8100 Payments to Other Governments	\$ 2,632,250	\$ 797,593	\$ -	\$ -	\$ 797,593	\$ 708,156
8400 Interfund Transfers	-	-	34,050	30,092	30,092	27,198
8500 Contingency	-	-	48,727	-	-	-
8600 Educational Foundations	-	-	35,535	8,884	8,884	976
<b>Total Non-Programmed Charges</b>	<b>\$ 2,632,250</b>	<b>\$ 797,593</b>	<b>\$ 118,312</b>	<b>\$ 38,976</b>	<b>\$ 836,569</b>	<b>\$ 734,331</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>\$ 39,601,928</b>	<b>\$ 15,790,064</b>	<b>\$ 3,160,037</b>	<b>\$ 1,167,709</b>	<b>\$ 16,957,772</b>	<b>\$ 15,713,644</b>

*Motion: I move the Board approve the Henderson County Public Schools November 2024 Financial Reports as presented.*

**2025.003 Appointment of Commissioner Representatives**

Commissioners reviewed the following list of commissioner representatives, and the consensus was to appoint the slate of representatives as follows:

1. AgHC – Rebecca McCall
2. Agricultural Advisory Board – Rebecca McCall
3. Environmental Advisory Committee – Bill Lapsley
4. Etowah Sewer Advisory Committee – Jay Egolf
5. Farmland Preservation Taskforce – Rebecca McCall, Sheila Franklin
6. Fire and Rescue Advisory Committee – Bill Lapsley
7. French Broad River MPO/Transportation Advisory Committee – Sheila Franklin, Jay Egolf
8. Governmental Financing Corporation - Rebecca McCall, William Lapsley
9. Henderson County Board of Health – Jay Egolf

Approved:

10. Henderson County Historic Courthouse Corporation dba/Heritage Museum – Sheila Franklin
11. Henderson County Partnership for Economic Development – Rebecca McCall
12. Henderson County Planning Board – William Lapsley
13. Henderson County Transportation Advisory Committee - Jay Egolf, Sheila Franklin
14. Hendersonville Water and Sewer Advisory Committee – Jay Egolf
15. Hospital Corporation Board of Directors/UNCH – J. Michael Edney
16. Joint College Facility Committee - J. Michael Edney, Rebecca McCall
17. Joint School Facilities Committee - J. Michael Edney, Rebecca McCall
18. Juvenile Crime Prevention Council - J. Michael Edney
19. Land-of-Sky Regional Council – Bill Lapsley
20. Library Board of Trustees – Sheila Franklin
21. Local Emergency Planning Committee (LEPC) - J. Michael Edney
22. Local Government Committee of Cooperative Action (LGCCA) – Bill Lapsley, J. Michael Edney
23. Metropolitan Sewerage District of Buncombe County (MSD) – William Lapsley
24. Mountain Area Workforce Development Board - Sheila Franklin
25. NCACC Board of Directors – Rebecca McCall
26. Nursing/Adult Care Home Community Advisory Committee – Sheila Franklin
27. Recreation Advisory Board – Rebecca McCall
28. Rescue Squad Board of Directors – Rebecca McCall
29. Social Services Board – Rebecca McCall
30. Tourism Development Authority – Jay Egolf
31. Vaya Health Commissioner’s Advisory Committee – William Lapsley
32. Vaya Health Regional Board – William Lapsley
33. Walk of Fame Steering Committee – J. Michael Edney

*Motion: I move the Board to appoint the slate of representatives as presented.*

#### **2025.004 Henderson County Bridge Program - Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Award**

Henderson County was awarded another round of COSSAP funding in the amount of \$1,299,000. This grant builds on established community partnerships to mitigate the effects of substance use disorders (SUD) in Henderson County. The Henderson County Bridge Program enhances evidence-based strategies, focusing on treatment, recovery, and prevention efforts. This initiative involves the Henderson County Department of Public Health (HCDPH), the Hope Coalition, UNC Health Pardee Hospital’s Emergency Department and PATHS unit, and other community stakeholders. It is based on a Hospital Bridge Program model, tailored to meet local needs and values.

#### **Program Components:**

1. **Peers in the Emergency Department:**
  - Peer support specialists are embedded in the Emergency Department to engage patients after overdoses or related crises.
  - These specialists bridge patients to treatment, recovery resources, and ongoing care.
2. **Peer-Led Support Groups in the PATHS Unit:**

Approved:



- Structured, peer-facilitated sessions focus on emotional support, relapse prevention, and recovery skills.
- 3. **Care Transitions:**
  - A robust system ensures individuals discharged from the hospital or detention center are connected to critical resources, including support groups, substance use counseling, and recovery-oriented programs.
- 4. **Community Collaboration:**
  - The program strengthens partnerships across sectors, promoting shared responsibility for reducing SUD impacts.
  - Community education to reduce stigma related to SUD and promote the success of those in recovery.
  - Access to community drug take-back programs.
  - Resources like naloxone kits and training are distributed to first responders and at-risk populations.

#### **Impact and Goals:**

- **Overdose Prevention:** Reduce fatalities and improve rapid response to overdoses.
- **Treatment Accessibility:** Increase connections to MAT and other evidence-based treatments.
- **Support Systems:** Build a cohesive recovery ecosystem through peer-led initiatives.
- **Community Education:** Address stigma and raise awareness about SUD and recovery options.

#### **Why This Matters:**

Henderson County faces a severe SUD crisis, with rising overdose rates driven by illicit fentanyl and polysubstance use. This program represents a collaborative effort to tackle these challenges by connecting individuals to care and fostering recovery in the community.

*Motion: I move the Board approve acceptance of the COSSAP Grant for the Henderson County Department of Public Health and authorize the necessary budgetary actions to implement subject to the funding limitations of the agreement.*

#### **John Henry Eldred Jr Foundation Grant - Award Acceptance**

The Library received a grant award from the John Henry Eldred Jr Foundation for \$25,000 to aid in Helene recovery efforts. In partnership with the Association for Rural and Small Libraries (ARSL), the Foundation aims to empower libraries to remain vital hubs of education and community engagement, by strengthening their ability to rebuild and enhance programming during challenging times.

The unrestricted award does not have to be repaid nor are there any expense reporting requirements.

*Motion: I move the Board accept the award of \$25,000 in grant funding from the John Henry Eldred Jr. Foundation.*

#### **Designation of Child Fatality Prevention Team/Community Child Protection Team (CFPT/CCPT)**

The NC Child Fatality Prevention System is a statewide multidisciplinary system developed in the 1990s. It consists of the North Carolina Child Fatality Prevention Team, the North Carolina Child Fatality Task Force, and local teams (CFPTs and CCPTs).

Approved:

N.C.G.S. 7B Article 14 defines the membership composition of CCPTs and CFPTs, statutorily required to represent disciplines among the community, as well as the responsibilities and duties of the local CFPT to review resident county child fatalities, assess potential gaps in systems and policies that may have contributed to the deaths, and make recommendations to policymakers to improve local and statewide systems to better protect children and prevent future deaths.

Passed in 2023, changes to the law via the 2023 Appropriations Act [Section 9H.15 of Session Law 2023-124] now required all Boards of County Commissioners to determine if the local team proceeds as a single or multicounty team.

The Henderson County Child Fatality Prevention Team/Community Child Protection Team, Health Board, and DSS Board support remaining as a single county team.

*Motion: I move the Board approve the Henderson County Child Fatality Prevention Team/Community Child Protection Team remain as a single county team.*

### **Surplus and Donation of Power Stretcher to the Henderson County Rescue Squad**

A resolution was provided for the Board's review declaring one (1) Stryker Power Stretcher no longer used by Henderson County Emergency Medical Services as surplus property and the donation of the Power Stretcher to the Henderson County Rescue Squad as allowed by N.C.G.S. 160A-280 to be used for assisting non-ambulatory patients.

*Motion: I move that the Board approve the attached resolution declaring the Power Stretcher presented as surplus and authorizing the donation to the Henderson County Rescue Squad as allowed by N.C.G.S. 160A-280.*

### **Public Records Disposal Request**

Staff requested approval from the Board of Commissioners to destroy original records listed on the Public Disposal Requests and Destruction Logs –5 (five) total pages included in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Natural and Cultural Resources Records Retention and Disposition Schedule, as the period of these records has expired.

*Motion: I move the Board approve the Public Records Disposal Request and Destruction Log as presented.*

### **2025.005 Helene Disaster Advanced Funds**

The Henderson County Department of Social Services will receive one-time advanced payments for Helene Disaster Advanced Funds - Rental Assistance, Adult Services Essential Services, and Child Welfare Essential Services. The Henderson County Department of Social Services will also receive reimbursement for Energy Assistance payments dispersed. The purpose of these funds is to support the Henderson County Department of Social Services with assisting those impacted by Hurricane Helene per approved uses as outlined in the Dear County Director Letter for each fund.

*Motion: I move the Board approve acceptance of the Helene Disaster Advanced Funds – Rental Assistance, Adult Services Essential Funds, Child Welfare Essential Funds and Energy Disaster Funds and authorize the necessary budgetary actions to implement subject to the funding limitations outlined in the Dear County Director Letter for each fund.*

Approved:

**Architect of Record Contract Approval – Henderson County/Henderson County Hospital Corporation**

The Board was requested to approve the proposal letter firm LS3P Architects for Design Development through the Construction Administration phase (finish) for the Spartanburg Highway MOB location and authorize staff to proceed for the Henderson County/Henderson County Hospital Corporation Medical Office Building.

*Motion: I move that the Board approve the proposal letter from LS3P Architects for the Spartanburg Highway MOB location for the Henderson County/Henderson County Hospital Corporation Design Development through the Construction Administration Phase (finish) and direct Staff to proceed.*

**2025.006 Policy Exemption – Nonprofit Funding Exception**

Henderson County's Policy funding for non-profits requires completed applications for non-profit funding to be received by the County no later than November 30<sup>th</sup>. Due to Hurricane Helene's impacts, several non-profits could not meet the application deadline.

To allow for County non-profits the ability to participate in funding requests, per the Board's request the nonprofit deadline has been extended to January 15, 2025. To ratify that decision, the Board is requested to grant a one-time exemption to the application submission deadline on page 2, Paragraph 6 of the Henderson County Policy on County Grants and Other Funding for Non-Profit and Other Organizations.

*Motion: I move the Board ratify the exception to the County Policy on County Grants and Other Funding for Non-Profits and Other Organizations, allowing applications to be received by the County through January 15, 2025.*

**Sole Source - Spotter Truck**

The Board was requested to approve the proposal and authorize staff to proceed with the procurement of (1) Capacity Terminal Tractor TJ9000 via the sole source exceptions as allowed under N.C.G.S 143-129 (e)(6). As a sole source contract with County government, approval of this agreement by the Board of Commissioners is required.

The sole proposal was received from Vesco Toyotalift, the authorized Capacity dealer for our service area, for a total pre-tax price of \$152,000. Capacity is the sole manufacturer of the dura-ride suspension system contained in this equipment, which results in reduced maintenance and downtime. Additionally, Solid Waste currently has three Capacity TJ9000 spotter trucks in operation and the purchase of this equipment will ensure maintenance conformity, equipment interoperability for daily operations, and standardized training for this equipment.

The funding for this purchase was approved in the amount of \$170,000 at December 2, 2024, Board of Commissioner meeting.

*Motion: I move the Henderson County Board of Commissioners accept the sole proposal from Vesco Toyotalift and authorize Henderson County staff to proceed with the purchase of (1) Capacity Terminal Tractor TJ9000 in the amount of \$152,000 using the sole source exception as allowed under N.C.G.S 143-129 (e)(6).*

**2025.007 Formation of the America 250 NC Committee**

The Board was requested to approve the formation of a committee for the America 250 NC

Approved:

celebration. The committee will be made up of Board appointees who will act as a liaison with the statewide America 250 NC leadership to plan and organize events, projects, and initiatives at the county level for the 2026 semi-quincentennial.

**Widening of the Transfer Station Entrance Road**

During the Board’s April 17, 2024, meeting, staff indicated that should the Third Transfer Station Bay project progress such that County project contingencies are available, a change to Vannoy’s contract would be presented to the Board to include widening the transfer station entrance road. The project has not utilized a significant amount of contingency, and the change order for \$185,491.79 was presented to the Board for approval. The additional traffic from Tropical Storm Helene further supports the need for this improvement.

*Motion: I move the Board approve Vannoy’s prime contract change order for \$185,491.79 to widen the entrance to the County’s transfer station entrance road.*

**2025.008 Lease Approval of FEMA Temporary Debris Management Sites**

Staff was negotiating and/or processing the leases listed below for Federal Emergency Management Agency (FEMA) Temporary Debris Management Sites (DMS) because of tropical storm Helene. The terms for all four leases are as recommended by our FEMA contractor to ensure FEMA reimbursement eligibility.

Additionally, staff was interested in expanding the number of DMS sites, and property owners with parcels that are over 10 acres, flat, not in the floodplain, and not wooded should contact the County Engineer.

The leases under consideration are as follows:

Σίτε Νομμε	Λεασερ	Αδδρεσσ
BRCC DMS	Blue Ridge Community College	92 Merry Oaks Lane
191 DMS	Cason Company, LLC	4028 Haywood Road
McAbee DMS	Asheville Industrial Owner II LLC	405 & 542 McAbee Court
Ridge DMS	McKenley McCraw	1265 North Ridge Road

*Motion: I move for Board approval of the four FEMA Temporary Debris Management Site leases on the following parcels: 92 Merry Oaks Ln, 4028 Haywood Rd, 405 & 542 McAbee Ct, and 1265 N Ridge Rd.*

**2025.009 Resolution – Opioid Settlement Fund Expenditure Authorization**

At the Board’s June 19, 2024 meeting, the Board was presented with the FY 24-25 plan for Opioid Settlement Funds. Among the strategies was funding for Naloxone, which was \$5,000. Additional funding of \$10,000 was needed for the purchase of Naloxone.

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. Sufficient available funding exists for this requested resolution.

*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 the strategy allowing the purchase of Naloxone.*

Approved:

**NCFSWC Grant Award for Hydraulic Post Driver Package**

Henderson County Soil & Water Conservation District was awarded a grant from the NC Foundation for Soil & Water Conservation. The grant aims to provide the District with a hydraulic post driver, a utility trailer, and a t-post driver worth \$10,037.50. This post-driver package is intended to be loaned out to Henderson County farmers and farmers in neighboring Districts to assist them in improving soil health, increasing on-farm efficiencies, and raising profit margins. The grant's more specific and immediate intention is to assist livestock farmers with replacing fencing that was destroyed due to Tropical Storm Helene. In accepting the equipment, Henderson County will commit to keeping the equipment in good working order for five years. The grant also requires a 30% in-kind match, which will be fulfilled by Henderson County Soil & Water through equipment maintenance, coordinating loans to other Districts, and reporting on the use of the equipment from all users. This in-kind match will require no additional County funds, as the current budget will absorb it.

*Motion: I move the Board approve the acceptance of the NCFSWC grant and its related equipment.*

**2025.010 Public Transit Budget Amendment**

During the FY24 budget process, a replacement paratransit van was approved for purchase, but delivery was delayed and not received until November 2024.

In addition, at the BOC meeting on 12.02.24, the Board approved a temporary service expansion and a temporary waiver of transit fares through the end of FY25 due to Hurricane Helene.

The proposed budget amendment will adjust the appropriate lines in the Public Transit budget to facilitate the purchase of the van and to adjust the affected expenditure and revenue lines due to the suspension of fares and the expanded service hours.

*Motion: I move the Board approve the proposed budget amendment.*

**Offer to Purchase Tax-Foreclosed Property – Final Consideration**

The Board gave provisional acceptance to the offer to purchase 0.37 acres located on Central Drive in Laurel Park, Henderson County, on July 17, 2024, on an initial bid of \$1,000.00. The notice of the possibility of upset bids was published in the *Hendersonville Lightning*, and upset bids were received as follows:

<u>Date of Publication</u>	<u>Amount of New Bid</u>
August 7, 2024	\$5,000.00
August 14, 2024	\$5,500.00
August 28, 2024	\$7,500.00
September 18, 2024	\$8,500.00
September 25, 2024	\$9,000.00
October 16, 2024	\$10,000.00
October 24, 2024	\$11,000.00
October 30, 2024	\$12,500.00
November 13, 2024	\$15,000.00
November 27, 2024	\$16,000.00

The final timely bid made was \$16,000.00. However, another person who had previously bid for this property approached the County in an attempt to bid again after the time for additional bids had expired. County staff was not able to accept this upset bid.

Approved:

Under Board procedures and the General Statutes, once provisional acceptance has occurred and a final bid after all upset bids are received after published notice, the matter comes back before this board for a final decision on the sale.

*Motion: I move that the Board not give final acceptance to the \$16,000.00 offer to purchase the parcel described in this agenda item.*

### **2025.011 Transfer Ownership of 2110 Woodridge Property to Thrive**

Staff received a request from Thrive, a local non-profit organization, to transfer ownership of the County's property at 2110 Woodridge Road to them. Staff recommends the transfer and offers the following points of information:

- Thrive has leased the property from the County since the Spectrum Youth Home closed in 2012.
- Thrive's mission is "Empowering individuals with mental health and housing needs to thrive in a supportive community." This mission is complimentary to the County's Human Services directives from the State.
- The County currently maintains the property at as an expense to Facility Services department. The routine costs are not significant but major maintenance costs like roof replacement are notable. Transferring the ownership will eliminate these costs.
- The County currently has not identified a use for the property beyond the lease with Thrive.
- Thrive will be able to expand at this facility more effectively as the owner.

*Motion: I move that the Board approve the transfer of ownership of 2110 Woodridge Road property to Thrive.*

*Motion: Vice-Chair Edney made the motion to approve the consent agenda. All voted in favor, and the motion carried.*

### **PUBLIC HEARING**

Chairman Lapsley presented to the public and his colleagues that he had a conflict of interest on this item. In the course of his professional life as a consultant, civil engineer, and land planner, he was personally involved with the project at Livingston Farms and the Cove at Livingston Farms in the design of those developments and asked to be recused from participating in the discussion and vote for the public hearing.

*Motion: Vice-Chair Edney made the motion to recuse Chairman Lapsley from the discussion and vote for this item. All voted in favor, and the motion carried.*

Chairman Lapsley left the meeting for the discussion and vote.

Vice-Chair Edney presided over the discussion of this item.

*Motion: Commissioner McCall made the motion to go into the Public Hearing. All voted in favor, and the motion carried.*

**2025.012 Public Hearing for Conditional Rezoning Application #R-2024-05-C, Hoopers Creek, Residential Two Rural (R2R) to Conditional District (CD-2024-02)**

Rezoning Application #R-2024-05-C was initiated on August 30, 2024, and requested the County conditionally rezone approximately 9.85 acres of land from Residential Two Rural (R2R) to a Conditional District (CD-2024-02). The project contains all PIN 9673-21-1888 and a portion of PIN 9673-22-2365 with direct access to Hoopers Creek Rd (SR1553). Kenneth Rhodes is the current property owner. The applicant is Hoopers Creek Land, LLC.

The applicant proposed developing a two-family attached residential development of 38 units within 19 total structures. As a part of this project, the applicant requested the parcel be rezoned to a Conditional Zoning District (CD-2024-02). Conditional rezonings allow 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 neighborhood compatibility meeting was held on Friday, November 8, 2024, in the King Street Meeting Room. A copy of the meeting report was included.

The Technical Review Committee (TRC) reviewed this application on November 19, 2024, and made a motion to forward it to the Board of Commissioners with conditions as discussed. A copy of the conditions required by the TRC is in the application staff report.

The Planning Board reviewed this application on November 14, 2024, and voted 5-1 to forward a favorable recommendation to the Board of Commissioners with the conditions discussed. The application staff report contained a copy of the Planning Board’s suggested conditions.

**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-2024-02-C was published in the Hendersonville Lightning on December 25, 2024, and January 1, 2025. 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 December 19, 2024, and posted signs advertising the hearing on December 19, 2024.

<p style="text-align: center;"><b>CONDITIONAL REZONING #R-24-5-C HOOPERS CREEK</b></p> <p style="font-size: small; text-align: center;">Board of Commissioners • January 6, 2025 • 5:30 PM</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>PUBLIC HEARING NOTICE</b></p> <ul style="list-style-type: none"> <li>• Legal Advertisement was published in the Hendersonville Lightning on December 25, 2024 and January 1, 2025</li> <li>• The property was posted on December 19, 2024</li> <li>• Letters were mailed to property owners within 400 feet of the Subject Area on December 19, 2024</li> </ul>
--	---

Approved:

### CONDITIONAL DISTRICTS

2

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

4

- Conditional Rezoning Application: R-2024-05-C
- Owner: Kenneth Rhodes
- Applicant: Hoopers Creek Land, LLC
- Property Location: 384 Hoopers Creek Rd & 390 Hoopers Creek Rd
- PINs: 9673-21-1888 & 9673-22-2365
- Request: Conditionally rezone from Residential Two Rural (R2R) to a Conditional District (CD-2024-02)
- Approximately 9.85 acres

### PROJECT SUMMARY

5

**Two-family attached residential dwellings**

- 19 total residential structures
- 38 total residential units
- Two-story structures, no taller than 32'
- 46' x 95' lot dimensions (approximately 0.10 acres)
- 15' ROW setback
- 10' side and rear setbacks

**Amenities**

- 39% passive open space (approximately 3.87 acres)
- Existing vegetative buffer to remain along creek
- 5' sidewalks throughout development

**Private Roadway**

- 24' wide private roadway
- Two 24' wide branch turnarounds

### CONTEXT MAP

County Context Map
R-2024-05-C

The map displays the subject area (red star) within Henderson County, North Carolina. It shows major roads, county borders, and various planning districts: Flat Rock (pink), Fletcher (orange), Hendersonville (purple), Laurel Park (blue), Mills River (green), and Saluda (light green). The subject area is located near the intersection of major roads and is adjacent to the Saluda district. An inset map shows the location within the larger context of Henderson County. A scale bar indicates 0, 1.25, 2.5, and 5 miles. A north arrow is present in the bottom right corner.

THIS IS NOT A WARRANTY or representation as to whether subject parcels are otherwise described, whether in fact they are legal lots, shall or of the town's own title. Henderson County makes no warranties or guarantees, including the accuracy of boundaries or of other data for a particular parcel. Map data is not appropriate for use as a basis for a legally binding agreement. The data is not intended for, and should not be used for, purposes other than for informational purposes only. For more information, visit our website at www.hendersoncountync.gov. © 2024 Henderson County, NC. All rights reserved.

Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 9.85  
 Residential Two Rural (R2R) to Conditional District (CD)



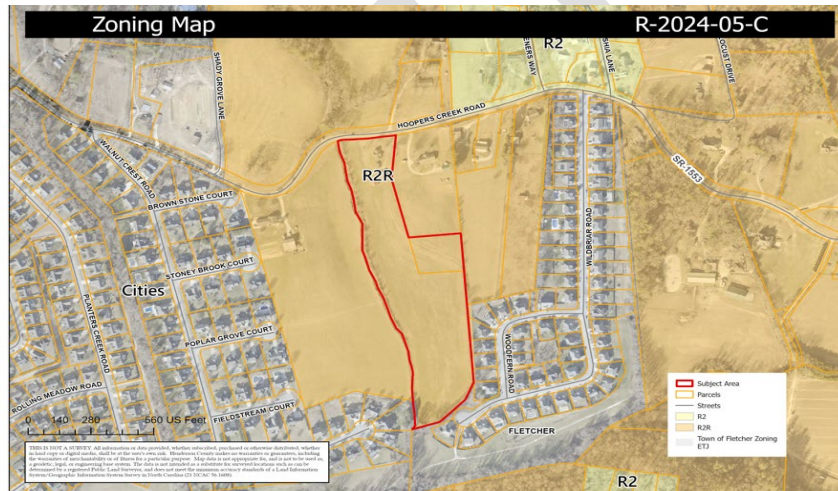
AERIAL MAP



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 9.85  
 Residential Two Rural (R2R) to Conditional District (CD)



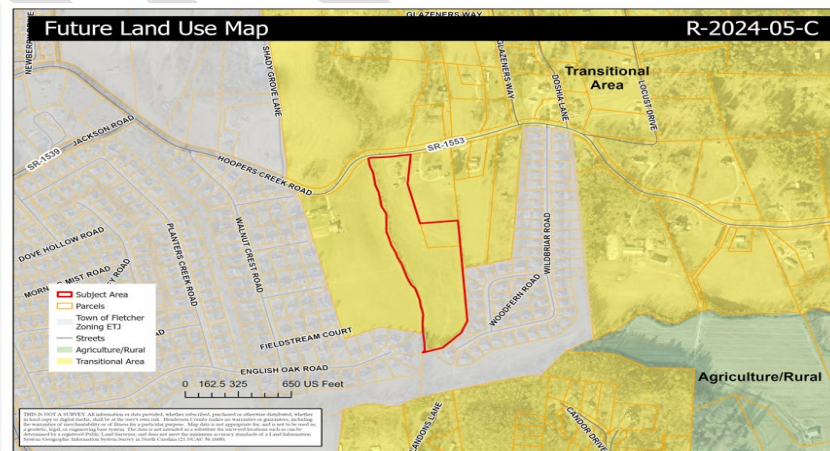
ZONING MAP



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 9.85  
 Residential Two Rural (R2R) to Conditional District (CD)



FUTURE LAND USE MAP



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 9.85  
 Residential Two Rural (R2R) to Conditional District (CD)



2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan describes the need for Henderson County to allow for more types of housing to accommodate a wider range of occupants, especially Middle Housing options (see page 88). Goal 7 of the plan states specifically to “diversify housing choices and increase availability”. This project would help to accomplish this goal.

Based on the surrounding density and uses within the Town of Fletcher’s jurisdiction, the Infill character area would be a more accurate representation of what is already existing near the subject area. The approval of this rezoning would coincide with an amendment to the Future Land Use Map for this parcel and the parcel to the West.

The Infill character area consists of residentially focused areas that accommodate a variety of home types. This character area is found near existing development at a density of four to eight units per acre. The recommended uses are a mix of housing types such as single family and townhomes. This character area is also typically served by utilities.

This project aligns with the recommendations of the Infill character area and 2045 Comprehensive Plan housing goals.

Utilities

The applicant is proposing connections to the Metropolitan Sewerage District (MSD) public sewer and the City of Hendersonville public water located on an adjacent parcel.



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
Total Acreage: 9.85  
Residential Two Rural (R2R) to Conditional District (CD)

FLOOD MAP



SITE PLAN

**TABULATIONS (HENDERSON CO)**

**HOUSING TYPE:**  
SINGLE FAMILY ATTACHED - DUPLEX

**LAND AREA:**  
9.85 ACRES

**PROPOSED DENSITY:**  
38 TOTAL UNITS (19 STRUCTURES)  
BUILDING HEIGHT - 2 STORIES

**SETBACKS:**  
FRONT: 15'  
REAR: 10'  
SIDE: 10'  
CREEK BUFFER: 30'

**LOT DIMENSIONS:**  
WIDTH: 46'  
DEPTH: 95'

**PASSIVE OPEN SPACE:**  
APPROX. 4.25 ACRES ~ 43%

**ESTIMATED ACREAGE PER LOT:**  
APPROX. 0.1 ACRES PER LOT

\*ESTIMATED ACREAGE SUBJECT TO FIELD SURVEY REVISIONS

SITE PLAN

CONDITIONAL REZONINGS

The Staff Report contains conditions required by the LDC and additional conditions and requests made by the TRC and Planning Board.

COMPREHENSIVE PLAN CONSISTENCY

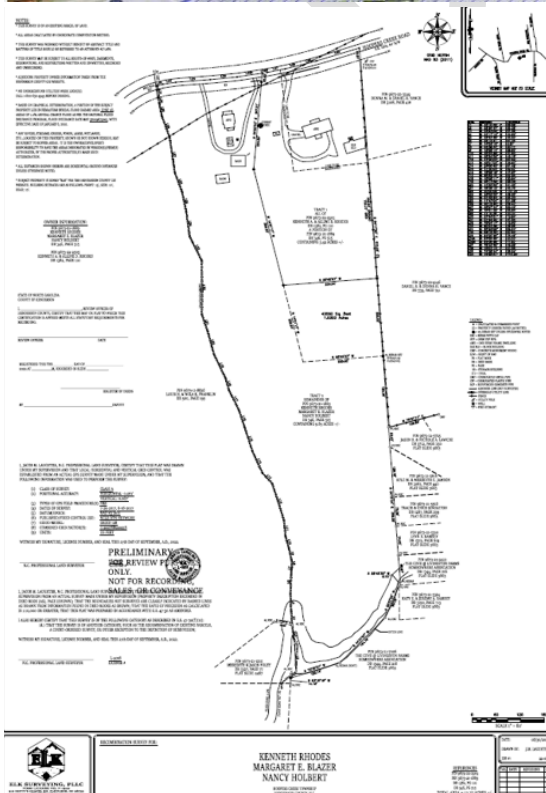
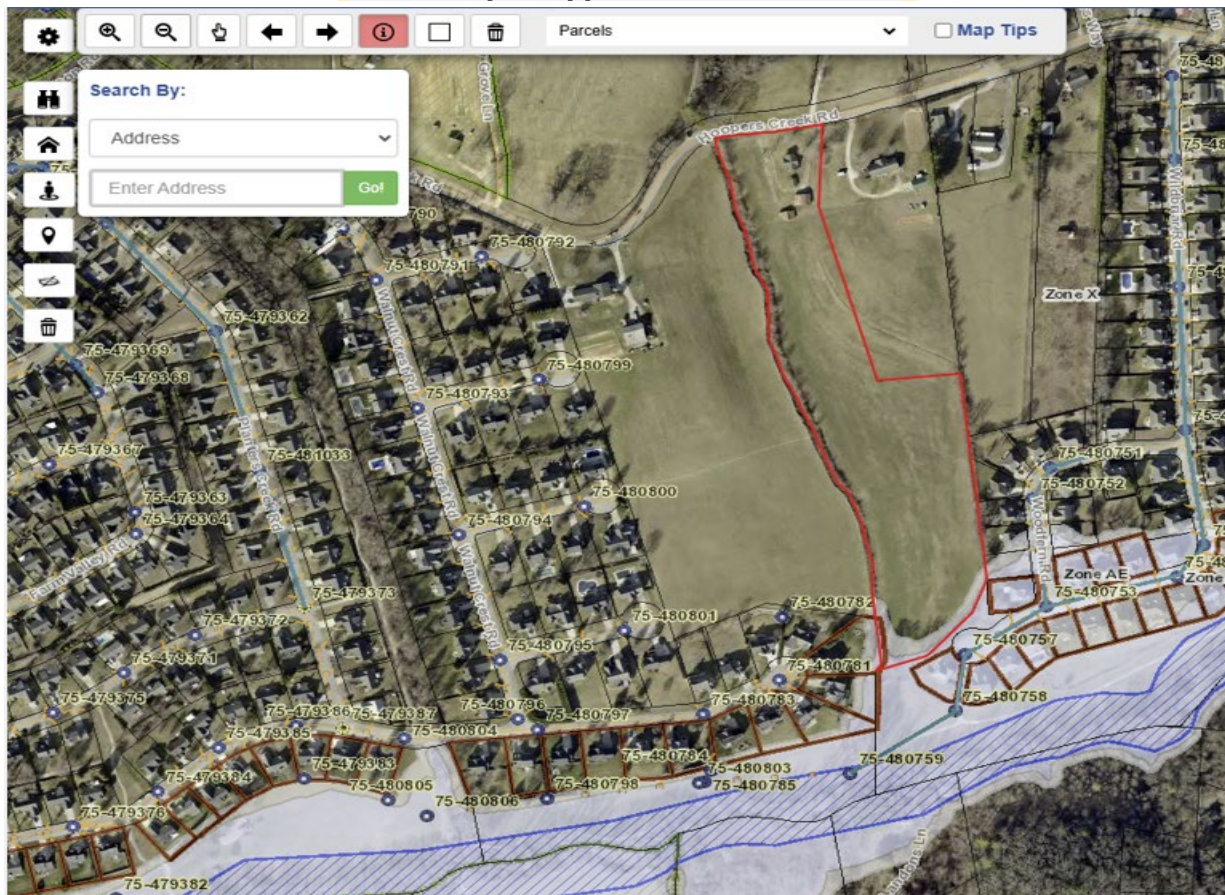
A draft resolution of consistency with the 2045 Comprehensive Plan is included as an attachment. The resolution addresses the consistency and reasonableness with the goals and outcomes of the 2045 Comprehensive Plan.

The following presentation was made by the applicant, Brett Basnight.

Approved:

# BRETT BASNIGHT

## Developer/Applicant Presentation



TABULATIONS (HENDERSON CO)

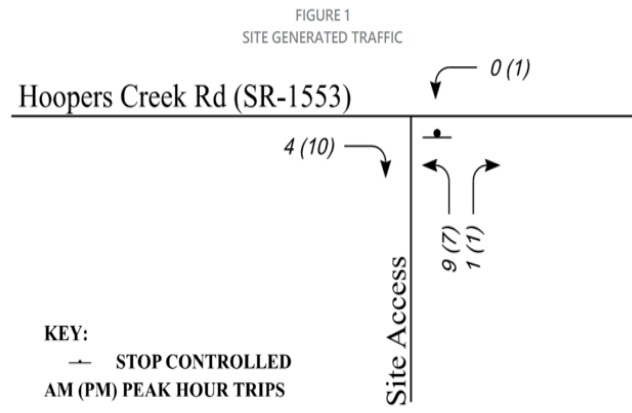
HOUSING TYPE	SINGLE FAMILY ATTACHED - DUPLEX
LAND AREA	9.85 ACRES
PROPOSED DENSITY	28 TOTAL UNITS (16 STRUCTURES)
	BUILDING HEIGHT - 2 STORES
SETBACKS	FRONT: 12
	REAR: 10
	SIDE: 10
	CREEK BUFFER: 30'
LOT DIMENSIONS	WIDTH: 60'
	DEPTH: 60'
PASSIVE OPEN SPACE	APPROX. 4.25 ACRES - 43%
ESTIMATED ACREAGE PER LOT	APPROX. 0.1 ACRES PER LOT
	*ESTIMATED ACREAGE SUBJECT TO FIELD SURVEY REVISIONS

Approved:

Mr. Basnight emphasized that the plan did not include building any structure within the flood zones.

Commissioner McCall asked Basnight to address on-street parking. Basnight said on-street parking would be prohibited. Two-car garages and ample driveway space would be provided for each unit.

<b>ADJACENT USE COMPARISON</b>		
	<b>SUBJECT (PROPOSED)</b>	<b>THE COVE</b>
<b>ZONING</b>		
Listed Zoning	Conditional Zoning	R-3 High Density
Density Per Acre	3.86	4.0
Structures Per Acre	1.92	4.0
<b>PHYSICAL STRUCTURE</b>		
Home Height	2 Story	2 Story
Height	40'	40'
Estimated SF	2,300	2,444
<b>SETBACKS</b>		
Front	15'	15'
Side	10'	10'
Rear	10'	10'
<b>OPEN SPACE</b>		
Common Acreage / Parcel Size	43%	28%
Sidewalks	Yes	No
<b>FLOOD ZONES</b>		
Homes in AE Zone	0	21
Homes w/LOMR	0	17
<b>HQA COMPARISON</b>		
Governing Docs	x	x
Board	x	x
Maintenance Specifications	x	x
Architectural Specifications	x	x
Architectural Vernacular	x	x
Materials	x	x
<b>TRANSPORTATION</b>		
Homes Serviced by NCDOT Driveway	38	64
<b>2045 COMP PLAN</b>		
#1 Growth/ Infrastructure	x	x
#3 Protect & Conserve Nature Resources	x	x
#5 Expand Utility Network	x	x
#6 Stimulate Economic Dev	x	x
#7 Diversity of Housing	x	x
#8 Promote Healthy Living	x	x



The structure height shown on the plan was less than 40'. Homes would be offered in three- and four-bedroom floor plans, with an average square footage of 2,300 square feet. The width of each structure would be 60 feet, with approximately 20 feet between each structure.

Commissioner Franklin noted she attended a neighborhood compatibility meeting for this project  
 Approved:

in November; she asked Basnight to state the cost of building per square foot for the record. Basnight responded that the market would ultimately decide, but the price would be based on the floor plan selected. The cost would be approximately \$300/per square foot on the lower end. He anticipated units would start in the \$ 400,000s and then offer builder options to reach the price point. Builder options include shower, cabinet, and countertop upgrades, additional storage options in the garage, flooring, and fireplace upgrades, and things of that nature. Franklin said she understood the luxury upgrades, but from \$400,000 to \$600,000 with \$200,000 upgrades, she did not see any units at the \$400,000 price point.

Vice-Chair Edney noted that there was only one way into and out of the proposed subdivision and raised concerns about emergency vehicle access if cars were parked on the road.

Commissioner Franklin briefly summarized Livingston Farms' history and the reasoning behind the sub-division permitted in the Town of Fletcher. She explained that Hoopers Creek Road was never meant to accommodate the volume of traffic it currently experiences and noted that the traffic would only increase with the development of Tap Root.

### **Public Input**

1. Lynn Brooks was strongly opposed to the rezoning of the property. She believed an additional Sub-Division would lead to an influx of families, straining local schools already at or near capacity. Traffic was also a concern. The rezoning application, if approved, would set a precedent. She urged the Board to deny the application.
2. Nicole Gardner presented a petition from Livingston Farms and the Cove residents opposing the proposed development. She believed the applicant had misrepresented the following points on the rezoning application.
  - Inaccurate comparisons of the Cove and Livingston Farms
  - Historical context of zoning designation
  - Density Comparison
  - Potential for widespread impact, setting a precedent for nearby parcels
  - Infrastructure concerns

She said the applicant aimed to maximize the return on investment and urged the Board to deny the rezoning request.

3. Jay Dervos presented a petition signed by 400 citizens opposing the proposed rezoning application. He believed the proposed townhomes were the first step in developing all the available land between The Reserve and The Cove. He said further developed land would enhance property flooding.
4. Phyllis Benbow opposed the rezoning application. She said Hurricane Helene had turned Hoopers Creek into a river, which caused extensive flooding to homes, streets, playgrounds, picnic shelters, and the trail system within Livingston Farms. She was concerned about the rainwater runoff and stated that dirt and soil could absorb rainwater runoff better than asphalt. She urged the Board to deny the rezoning request.
5. Deborah Barrett was concerned about the overdevelopment of the Hoopers Creek community. Approval would set a precedent for multi-family developments in the community. She urged the Board to uphold the current zoning

Approved:

- 6. Conrad Hinson urged the Board to respect the request of the citizens who had commented in opposition to the rezoning request.
- 7. Justin Rhodes discussed the heavy traffic on Hoopers Creek Road and stated that approving the rezoning request would set a precedent.

*Motion: Commissioner McCall made the motion to go out of the Public Hearing. All voted in favor, and the motion carried.*

Vice-Chair Edney asked about the student population in county schools and the average number of children per unit in significant residential developments. HCPS Superintendent Mark Garrett said what is typically expected is about 1.5 to 1.7 per unit. However, he said this community is different because of the age of the community. Right now, in the highly populated subdivisions, such as Riverstone, it is .03 to .05. The newer developments on N Main that feed into Clear Creek Elementary are seeing about .5 to .6 per unit. Where Tap Root will be when it is fully developed is uncertain because they are just starting to see those families come online now.

*Motion: Commissioner Franklin made the motion to deny rezoning application #R-2024-05-C to rezone the Subject Area to a Conditional District (CD-2024-02). All voted in favor, and the motion passed unanimously.*

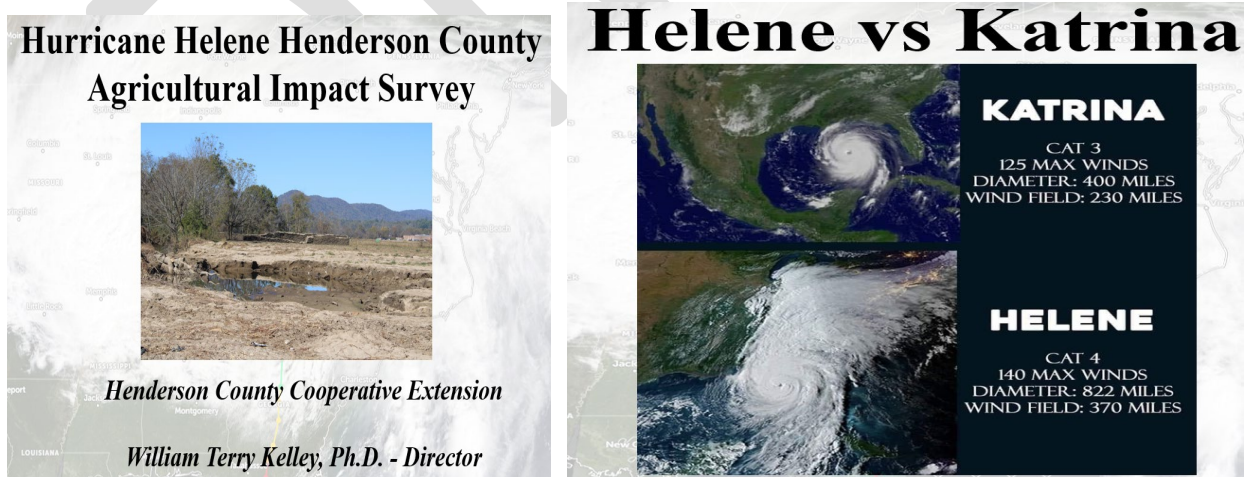
Chairman Lapsley returned to the meeting.

**Hurricane Helene Update**

Staff provided the Board with the most current information pertaining to Hurricane Helene in Henderson County.

**Agricultural Impacts**

Dr. Terry Kelly presented the following information to the Board regarding the agricultural impacts of Hurricane Helene.



# Impact Survey of Agricultural Losses

**Tropical Storm Helene Ag Disaster Loss Survey**

Henderson County Cooperative Extension hopes that you and your family are safe. While the initial phase of recovery after the storm was on saving lives, restoring utilities, etc., we know the time has come to start assessing damages on your farms. Please help us collect information on Henderson County Ag Losses. Your participation by taking time to fill out this survey will help us to put together loss figures we can share with those who may be able to provide relief funding. No individual information will be shared with anyone. Only the county-wide summary will be used in any reported figures. We appreciate your cooperation. Please let your extension office know if we can help in any way.

- William Terry Kelley, Director  
Henderson County Cooperative Extension

Please return to Henderson County Cooperative Extension, 100 Jackson Park Road, Hendersonville, NC 28792

Please Return By: **October 25, 2024**

- Survey developed for collecting data on ag losses in Henderson County
- Distributed by email or directly to over 1,000 people/farms.
- Distribution ~ 2 weeks after storm
- Data submitted on-line or hard copy

# Impact Survey of Agricultural Losses

**Tropical Storm Helene Ag Disaster Loss Survey**

Henderson County Cooperative Extension hopes that you and your family are safe. While the initial phase of recovery after the storm was on saving lives, restoring utilities, etc., we know the time has come to start assessing damages on your farms. Please help us collect information on Henderson County Ag Losses. Your participation by taking time to fill out this survey will help us to put together loss figures we can share with those who may be able to provide relief funding. No individual information will be shared with anyone. Only the county-wide summary will be used in any reported figures. We appreciate your cooperation. Please let your extension office know if we can help in any way.

- William Terry Kelley, Director  
Henderson County Cooperative Extension

Please return to Henderson County Cooperative Extension, 100 Jackson Park Road, Hendersonville, NC 28792

Please Return By: **October 25, 2024**

- 100 surveys returned in person or online
- Data collected included:
  - Crop loss
  - Equipment loss
  - Infrastructure loss
    - Fencing
    - Roads/Culverts/Bridges
    - Buildings
  - Revenue loss for agritourism
  - Tree/Plant loss, etc.

- Ag Census identifies 520 farms in Henderson County
- Over half of those have sales < \$5,000
- The surveys returned accounted for an estimated 80% of HC farm acreage.



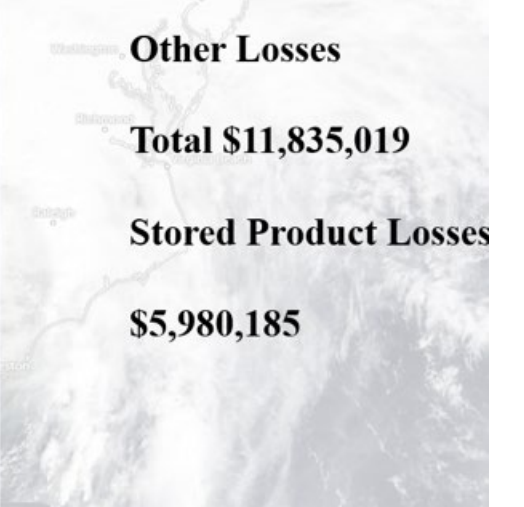
2024 Sep 27 AM



Crop	Acres Total	Acres Lost/Dam aged	Value/A	Loss - \$
Hay	5300	327	\$ 800.00	\$ 261,600.00
Strawberries	20	1.55	\$ 30,000.00	\$ 46,500.00
Apples-FM-Wholesale	1775	600	\$ 9,750.00	\$ 5,850,000.00
Apples-FM-Slicing	425	130	\$ 5,850.00	\$ 760,500.00
Apples-FM-Retail	300	100	\$ 15,750.00	\$ 1,575,000.00
Apples-Proc	2200	340	\$ 6,300.00	\$ 2,142,000.00
Blackberries	140	7	\$ 36,000.00	\$ 252,000.00
Raspberries	20	14	\$ 38,000.00	\$ 532,000.00
Tomatoes	550	443	\$ 30,000.00	\$ 13,290,000.00
Peppers	300	170	\$ 30,000.00	\$ 5,100,000.00
Corn-Sweet	300	4.4	\$ 6,000.00	\$ 26,400.00
Green Beans	200	5	\$ 3,000.00	\$ 15,000.00
Cabbage	30	5	\$ 1,800.00	\$ 9,000.00
Mixed Vegetables	10	4	\$ 2,400.00	\$ 9,600.00
Grapes	110	25	\$ 6,000.00	\$ 150,000.00
Asian Pears	25	5	\$ 9,487.50	\$ 47,437.50
Blueberries	10	1.5	\$ 18,040.00	\$ 27,060.00
Peaches	200	0	\$ 3,450.00	\$ -
Soybeans	600	110	\$ 125.00	\$ 13,750.00
Corn for Grain	2000	126	\$ 500.00	\$ 63,000.00
Sod	1600	714	\$ 10,400.00	\$ 7,425,600.00
Squash	50	41	\$ 2,400.00	\$ 98,400.00
Cucumbers	40	23	\$ 2,400.00	\$ 55,200.00
Pumpkins	100	50.75	\$ 15,000.00	\$ 761,250.00
				\$ 38,511,297.50



Other Losses	Unit	No. Lost	Value/Unit	
Apple Trees	each	54699	18 \$	984,582.00
Cut Flowers	Acre	10.4	25000 \$	260,000.00
Woody Plants- 1 gal	each	42296	15 \$	634,440.00
Woody Plants -3 gal	each	29340	40 \$	1,173,600.00
Woody Plants - 5 gal	each	22000	45 \$	990,000.00
Woody Plants > 5 gal	each	3356	55 \$	184,580.00
Outside Annuals	each	6480	7.5 \$	48,600.00
Outside Container				
Perennials	each	250240	9.5 \$	2,377,280.00
Inside Potted	each	7025	7.5 \$	52,687.50
Balled & Burlapped	each	34195	150 \$	5,129,250.00
				\$ 11,835,019.50
Stored Product Lost				
Apples	bu	318929	15 \$	4,783,935.00
Hay	Round bales	1500	50 \$	75,000.00
	Square bales	149500	7.5 \$	1,121,250.00
				\$ 5,980,185.00



Livestock	Unit	No. Lost	Value/Unit	
Chickens	each	108	10 \$	1,080.00
Goats	each	4	100 \$	400.00
Cattle	each	17	800 \$	13,600.00
				\$ 15,080.00
Honeybees				
No. Colonies	each	70	150 \$	10,500.00
No. Hive Bodies	each	83	104 \$	8,632.00
No. Med Supers	each	19	27 \$	513.00
No. Shallow Supers	each	27	26 \$	702.00
Pounds Honey	each	1461	15 \$	21,915.00
				\$ 42,262.00



Infrastructure Losses	Unit	No	Value/Unit	
Field Repairs	fields	50	200000	\$ 10,000,000.00
Paved Roads	miles	3	750000	\$ 2,250,000.00
Gravel Roads	miles	141.75	50000	\$ 7,087,500.00
Culverts/Bridges	each	92	5000	\$ 460,000.00
Barns	square foot	21140	40	\$ 845,600.00
Farm Buildings	square foot	26760	30	\$ 802,800.00
Greenhouses	square foot	36852	30	\$ 1,105,560.00
Equipment	sum of all losses			\$ 2,160,441.00
Streambank Repair	linear foot	146241	250	\$ 36,560,250.00
Feet of Fence	linear foot	122680	4.68	\$ 574,142.40
				\$ 61,846,293.40
Agritourism lost revenue	Farms	30	350000	\$ 10,500,000.00
Future Years Losses				
Apples	Trees	54699	120	\$ 6,563,880.00

**Infrastructure Losses**  
**Total \$61,846,293**

**Agritourism Losses**  
**\$10,500,000**

**Future Years Losses**  
**\$6,563,880**

Total Losses Reported		\$ 135,294,017.40
Estimated Total Loss	Assuming 80% reported	\$169,117,521.75
Insurance/Federal Coverage	Approximately 25%	\$42,279,380.44
Grand Total		\$126,838,141.31



- Still evaluating losses and recovery sources.
- Data has been provided to:
  - State Legislative Delegation
  - Federal Legislative Delegation
  - County Officials
- These are just estimates and individual values may vary

**Financial Impacts** - Samantha Reynolds provided an overview of the financial impacts of Hurricane Helene.



# Hurricane Helene

## Financial Impacts

### Henderson County Impacts

#### Revenue

- Tax Collections and Tax Valuation
- Waived Fees Revenue
- Sales Tax Revenues

#### Expense

- Debris Management and Monitoring
- Facility and Equipment Rentals
- County Property Damages Repair
- Personnel Costs

### Ad Valorem Property Taxes

#### Collections

- FY2024 Collection Rate – 99.341%
- FY2025 Collection Rate Budgeted – 98.0%
- FY2025 Anticipated Collection Rate – 97.0%

#### Valuation

- Assessed valuation increases – remodels and new structures
- Assess valuation decreases – damaged or destroyed structures
- Typical increase in valuation year over year – 3 to 4%
- FY2026 Anticipated Valuation Change – 0%

## Waived Fees Revenue

- Environmental Health Fees *Fees waived October 4, 2024, through December 31, 2024.*
- Register of Deeds Death Certificates Fees *Board approved limiting waiver to Hurricane Helene related damage or response on November 4, 2024.*
- Inspections Fees
- Solid Waste Residential Tipping Fees *Fees to be reinstated January 1, 2025*

## Sales Tax Revenues

- Sales tax revenues budgeted in FY2025 based on FY2023 actuals.
- Consistent growth since 2005, with exception of recession
- Growth rate has slowed the last three fiscal years
- Anticipating a conservative 3% loss for FY2025

## Debris Management and Monitoring

<u>Management</u>	<u>Monitoring</u>
• Estimated Total Cost - \$36,000,000	• Estimated Total Cost - \$10,800,000
• Estimated FY2024 Expenditures - \$21,000,000 (60%)	• Estimated FY2024 Expenditures - \$6,480,000 (60%)

## Facility and Equipment Rentals

- Distribution Warehouse
- Disaster Resource Center
- Pallet Jacks
- Excavator
- Debris Management Sites

## County Property Damages Repair

- County Property
  - Parks
  - Libraries
  - County Facilities
  - EMS Base
  - Communications Tower
- Ecusta Trail Repair
- Etowah Community Sewer System Repair

## Personnel Costs and Emergency Response

<u>Personnel</u>	<u>Emergency Response</u>
<ul style="list-style-type: none"><li>• Time for Emergency Response tracked</li><li>• All staff paid for hours worked</li></ul>	<ul style="list-style-type: none"><li>• Box Truck, Can-Am Side-by-Side</li><li>• FEMA Consultant</li><li>• Starlink Devices</li><li>• Food</li><li>• Supplies</li></ul>

## Strategy for Funding and Reimbursement

- Establish Helene Fund (preserves General Fund Balance)
- File Insurance Claims
- Apply for Expedited FEMA Funding (Debris Removal and Monitoring)
- Apply for FEMA Reimbursement
- Apply for and Receive Grants and Awards
- Appropriate County Reserves
- Appropriated Restricted Fund Balance

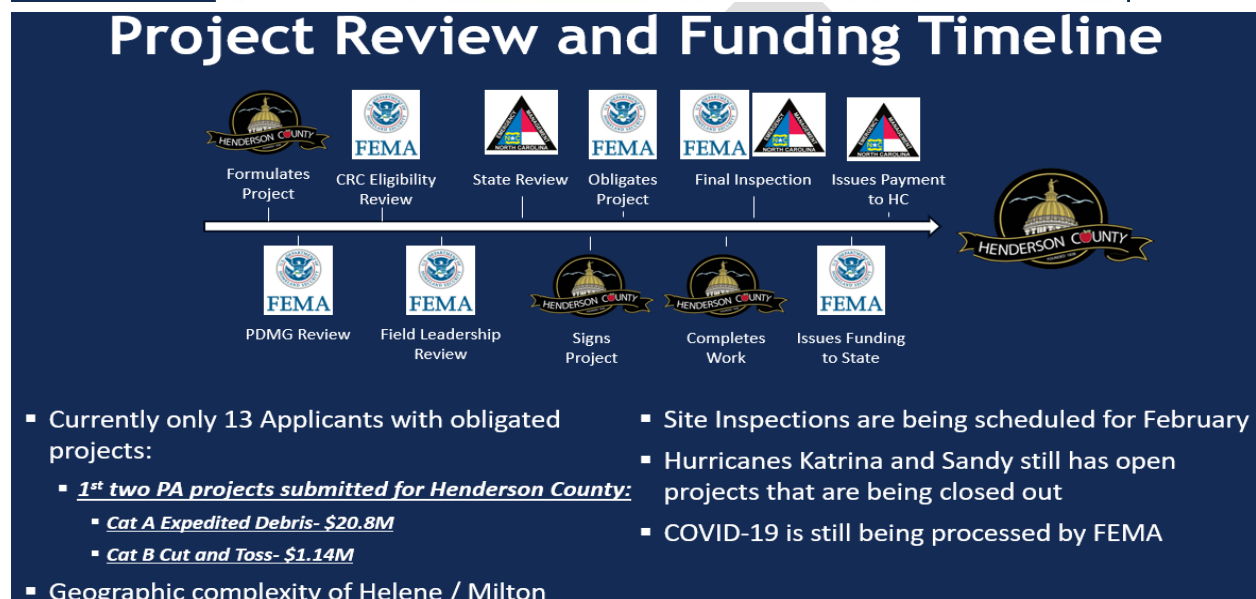
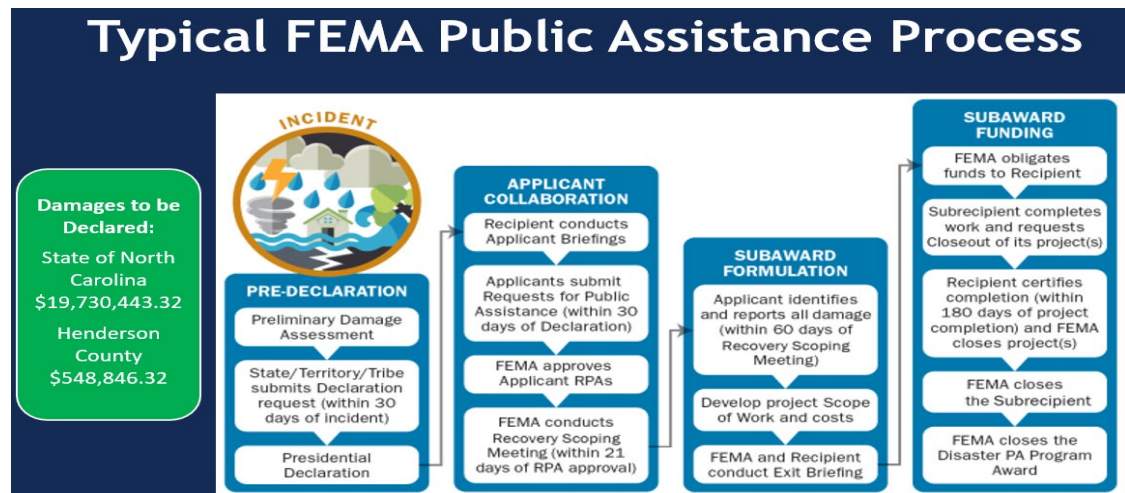
### FEMA Grants

Jimmy Brissie presented the following information regarding FEMA grants and applications.



## FEMA Disaster Grants

- Individual Assistance (IA)
  - A program that provides financial and direct assistance to eligible individuals and families who have experienced a disaster. IA is intended to help survivors meet basic needs and supplement disaster recovery efforts.
- Public Assistance (PA)
  - Provides financial aid to communities after a federally declared disaster or emergency. Available to state governments, local governments, federally recognized Indian tribes, and certain private non-profit organizations.
    - Emergency work: Includes debris removal and preventative measures to secure property and prevent further damage.
    - Permanent work: Includes measures to restore or replace property.
- Mitigation Grants (HMGP)
  - Grants from the Federal Emergency Management Agency (FEMA) that provides funding for long-term solutions to reduce the impact of future disasters. The grants are available to state, local, tribal, and territorial governments after a presidentially declared disaster. Homeowner grants are also available. Over \$1.7 billion in funding is expected for HMGP grants.



## Hazard Mitigation Grants

**Hazard Mitigation Assistance Program and Policy Guide**

Hazard Mitigation Grant Program, Hazard Mitigation Grant Program Post Fire, Building Resilient Infrastructure and Communities, and Flood Mitigation Assistance

Effective July 30, 2024  
Version 2.0

Federal Enterprise Architecture (FEA) Number: FP-206-21-0001

- Application Period Open for Homeowner Hazard Mitigation Grants
- Grants will allow eligible property owners to request FEMA funding to prevent future storm losses. Both residential and commercial properties are eligible. (residential is 1<sup>st</sup> priority)
- Potential projects include: home acquisitions, structural elevations and land stabilization.
- Local Government Boards will have final approval of applications for eligible properties.

# Homeowner Applications

- NCEM conducted an in-person intake at the DRC during the week of December 2<sup>nd</sup>. Over 70 families attended to learn more and complete applications. HCEM continues to receive applications in our office and at the DRC.
- Applications will be batched for submission to FEMA.
- Grant application deadline – October 2025

• Applications received by NCEM:	54
• Applications received by Henderson Co.	13

### Discharge of Weapon/ Firearm Ordinance

After the Board’s December meeting, two members met with the Sheriff and County staff to discuss possible modifications to the County’s Weapons Ordinance (Chapter 23 of the County Code) regarding further restrictions on firearms discharge. The proposed amendment to Section 23-10.C. of the Code was the result.

The effect of this modification would be to prohibit a property owner or lessee from knowingly allowing another to discharge a firearm in a manner that the projectile leaves the real property from which it is fired.

Russ Burrell explained the proposed revision to the ordinance.

Sheriff Lowell Griffin highlighted the Department’s stance on the proposed revision. This would allow the sheriff to take enforcement action, giving citizens pause to ensure that weapons are being discharged properly on their property.

Edney agreed that this would be a tool to keep the county safe without infringing on our Second Amendment rights.

### Article II - Restrictions Regarding Discharge of Firearms

**§ 23-8. Title.**

This Article II shall be referred to as the "Henderson County Ordinance Regulating the Discharge of Firearms."

**§ 23-9. Authority and Jurisdiction.**

This Article II is enacted pursuant to the authority of [N.C.G.S. 153A-129](#). This Article II shall be interpreted in accordance with any sections of the N.C.G.S. which, by their terms, limit the authority of the County to regulate the discharge of firearms. This Article II shall apply to the unincorporated areas of Henderson County and to those incorporated areas of any city or town specifically requesting its enforcement by Henderson County upon the consent of the Henderson County Board of Commissioners. (In making such a request, the city or town must comply with the requirements of [N.C.G.S. 153A-122](#).)

Approved:



§ 23-10. Restrictions.

- A. It is unlawful for any person to discharge a firearm:
- (1) Carelessly or heedlessly in wanton disregard for the safety of others; or
  - (2) Without due caution or circumspection and in a manner so as to endanger any person or property; or
  - (3) Resulting in the unlawful property damage or bodily injury of another.
- B. It is unlawful for any person to discharge a firearm on the property of another without his or her permission.
- C. It is unlawful to discharge a firearm in any manner which actually results in the projectile leaving the property on which it is being fired, or as the owner or lessee of real property to knowingly allow another to discharge a firearm from the real property they own or lease in any manner which actually results in the projectile leaving the real property on which it is being fired.
- D. This section shall not be construed as prohibiting discharge of a firearm when used:
- (1) In lawful defense of person or property;
  - (2) To take birds or animals pursuant to [N.C.G.S. Chapter 113, Subchapter IV](#);
  - (3) Pursuant to lawful directions of law enforcement officers;
  - (4) By persons lawfully engaged in pest control or the taking of dangerous animals;
  - (5) By members of the armed forces acting in the line of duty; or
  - (6) At historical ceremonial or commemoration functions held for such purpose, provided in no event shall live ammunition be used or discharged.

§ 23-11. Violations and Penalties.

Any person violating any provision of this Article II shall be subject to the penalties set forth in the Henderson County Code, Chapter 1, General Provisions, Article II.

§ 23-12. Through 23-25. (Reserved)

*Motion: Vice-Chair Edney made the motion that the Board adopt the proposed amendment to section 23-10.C. of the County Code. All voted in favor, and the motion carried.*

**Farmland Preservation Task Force**

On April 1, 2024, the Board of Commissioners authorized the creation of the Farmland Preservation Taskforce. The purpose of this task force is to preserve and protect agricultural land throughout Henderson County while supporting local producers and the County's rural character. Since then, the task force has met eleven times to discuss and collaborate on ways to accomplish their goals. A primary goal established early on by the task force was to consider Agricultural Conservation Easements as a tool to protect and preserve agricultural land permanently. Agricultural Conservation Easements restrict non-farm development within a deeded conservation easement area, and they are a primary preservation method used by counties across the state.

At their June 24<sup>th</sup> meeting, the Taskforce was presented with the NC Department of Agriculture and Consumer Services Farmland Preservation Trust Fund (NC ADFPTF) grant called the Agricultural Growth Zone grant. This grant will fund voluntary agricultural conservation easements within the County. On September 19, 2024, the Board of Commissioners directed staff to pursue the Agricultural Growth Zone grant based on the recommendations of the Farmland Preservation Taskforce. This grant is due on January 17, 2025.

The County has a greater chance of securing grant funding if it provides a Letter of Commitment for the grant match. The County would not need to identify or budget these funds to provide the Letter of Commitment. If awarded, this would need to happen within one fiscal year from the date of the grant contract. Based on the grant rules, the County would have two fiscal years to budget the required match. The maximum grant request is \$2 million. If the County chooses to apply for the maximum amount, the match requirement is a 1:1 match. If received, this grant would be the start of a County-wide Agricultural Conservation Easement fund to benefit our local farmers and help them protect their agricultural land.

Approved:

BOARD OF COMMISSIONERS

# Agricultural Growth Zone Grant Application



JANUARY 6, 2025 • 5:30 PM

## Background

- The Board of Commissioners created the Farmland Preservation Taskforce on April 1, 2024
- The Taskforce began discussing the NC ADFP-TF Agricultural Growth Zone grant in Summer of 2024
- The Taskforce met eleven times since its formation, identifying Agricultural Conservation Easements as a vital tool for farmland preservation
- The Board of Commissioners directed Staff to pursue the AGZ Grant at its September 19, 2024, meeting
- The Taskforce met three times to discuss the grant application requirements
- The AGZ grant is due on January 17, 2025

## AGZ Grant Purpose

The Local Agricultural Growth Zones (AGZ) Application aims to allow counties and land conservation nonprofit organizations to enhance local investments in acquiring **agricultural conservation easements** by applying for **matching funds** from the state.

Local AGZs allow for **strategic approaches** to farmland preservation at the **community level**.

**AGZ's help:**

- Permanently preserve farmland
- Create a buffer between urban areas and agricultural land
- Reduce farmland fragmentation
- Slow down urban/suburban sprawl



## AGZ Grant Application

- 1. Applicant/Identifying Information**
- 2. Scoring & Narrative Questions**
  - State & Local Priority Scoring Rubric
  - Agricultural Growth Zones
- 3. Budget Request**
  - Qualifying entities may request up to \$2 million per Local AGZ application and must include a 1:1 match
- 4. Grant Due January 17<sup>th</sup> (State recommends to submit several days prior)**

## How would easement applications be selected?

This is a voluntary application process, and applications will be scored based on objective criteria.

All applicants will be scored with the state's rubric. This grant encourages Counties to create local priority criteria to:

- help the application receive more points
- make the application more competitive
- increase the likelihood of being funded

The Taskforce created a Local Priority Scoring rubric, which allows landowners' applications to receive extra points based on the local priority criteria.

## Local Priority Scoring Rubric

Easement applications receive additional points based on the following:

- Proximity to existing residential development
- Proximity to existing commercial development
- Adjacent to existing industrial development along major corridors
- Proximity to ETJs/municipal limits
- Proximity to existing VADs and PUV parcels
- Size of easement area
- Years of easement area in agricultural production
- Located in an agricultural growth zone
- Percentage of easement area within designated American Viticultural Area \*

\* AVA boundaries are established by the Alcohol & Tobacco Tax Trade Bureau (TTB) under the Department of the Treasury. AVAs are recognized for their distinctive topographical, climatic, and/or historic and cultural features.

## Agricultural Growth Zones

Three Agricultural Growth Zones (Edneyville-Blue Ridge, Green River, and Etowah-Mills River) were identified based on the following data:

- Proximity to existing Voluntary Agricultural Districts
- Proximity to existing Present-Use Value parcels
- USDA Prime Soils
- Along major road corridors
- Proximity to existing growth pressures (residential & commercial)

## Landowner Easement Application

- This is an entirely voluntary application process
- All qualifying landowners can apply for an agricultural conservation easement
- Applicants do not have to be located within a designated Priority Area to apply for funding
- All applications will be scored using objective criteria, which will standardize the applications

### Grant Budget Request

Counties can request up to \$2 million from the NC ADFPTF for Agricultural Growth Zones.

- Maximum of 3% for Stewardship & Endowment
- Maximum of 10% for Transactional & Due Diligence costs

This grant requires a 1:1 match.

Line Item	ADFPTF Grant Request	Secured Cash Match
Easement Purchase	\$1,870,000	\$1,870,000
Stewardship Endowment (1.5%)	\$30,000	\$30,000
Transactional & Due Diligence Costs (5%)	\$100,000	\$100,000
<b>TOTAL</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>

### Summary

- Taskforce recommended to apply for AGZ grant
- Board of Commissioners directed staff to apply for grant
- Taskforce met three times to work through grant requirements (local priority points and AGZs)
- County can request up to \$2 million
- Requires a 1:1 match
- County has two fiscal years to budget the funding
- Application due on January 17<sup>th</sup> (should be turned in several days early)

Commissioner McCall believed this was the county’s chance to help preserve farmland in our community. Once a fund is established, McCall stated that she was confident funds from private contributors would be imminent.

*Motion: Commissioner McCall made the motion that the Board provide a Letter of Commitment for the Agricultural Growth Zone grant for the full grant amount of \$2M, which would total \$4M should the grant be awarded to the county. All voted in favor, and the motion carried.*

### NOMINATIONS AND APPOINTMENTS

1. Animal Services Committee – 1 vac.

*Commissioner McCall made the motion to nominate Dr. Toria McHarg for appointment to position #8. All voted in favor, and the motion carried.*

2. Etowah Sewer Advisory Committee – 3 vacs.

*Commissioner Egolf made the motion to nominate Raymond Crombe for appointment to position #3, James Vockley to position #4, and Edward Dowd to position #5. All voted in favor, and the motion carried.*

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 Zoning Board of Adjustment – 1 vac.

*Vice-Chair Edney made the motion to nominate Tom Green for appointment to position #8. All voted in favor, and the motion carried.*

5. Hendersonville Planning Board – 1 vac.

*Commissioner McCall made the motion to nominate Mark Russell to position # 3. All voted in favor, and the motion carried.*

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

Approved:

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

7. Juvenile Crime Prevention Council – 2 vacs.

*Vice-Chair Edney made the motion to nominate Jason Hayes for appointment to position #13 and Garrett Gardin for appointment to position #23. All voted in favor, and the motion carried.*

8. Laurel Park Planning Board – 1 vac.

*Commissioner McCall made the motion to nominate Mary Malak for appointment to position #1. All voted in favor, and the motion carried.*

9. Laurel Park Zoning Board of Adjustment – 2 vacs.

*Commissioner McCall made the motion to nominate Mary Malak for appointment to position #1. All voted in favor, and the motion carried.*

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

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

## **COMMISSIONER UPDATES**

Commissioner Franklin had no updates to share.

Commissioner McCall shared that she had been asked to serve on the NCACC's High-Risk Committee, which manages the insurance provided through the NCACC.

Vice-Chair Edney had no updates to share.

Commissioner Egolf said he would like the Board to reconsider a decision that was made in 2024 regarding the filling of the floodplains. Manager Mitchell noted that the issue would be included in a future agenda if the Board was in agreement. Egolf stated that a decision on the add alternates for the Berkeley Park project would be made at the Board's January mid-month meeting. He emphasized the importance of addressing the turf upgrades and wanted to ensure the Board was making the right decision regarding the allocation of funds for these upgrades.

Chairman Lapsley remarked that the creation of America 250 marks a significant milestone in our nation's history. He emphasized that this was a unique opportunity to be a part of a historic achievement for both our country and civilization as a whole.

Mr. Lapsley mentioned that the Hendersonville Lightning recently published an article about the NC Department of Health and Human Services announcing a \$30 million grant to UNC Health Pardee for the establishment of an adolescent behavioral health facility. The facility will be situated in a renovated 40,000-square-foot space on the third floor of Pardee Hospital and will be staffed by physicians from both Pardee and the NC School of Medicine at Chapel Hill, further strengthening the collaboration between the two institutions.

Approved:

In closing, Lapsley mentioned that county attorney Russ Burrell had informed the Planning Board at a recent meeting that the General Assembly, in its efforts to adopt the budget, had included a bill that contained a variety of provisions affecting counties statewide. Upon reviewing the bill, Mr. Burrell discovered a provision hidden in the details that proposed a change to NC General Statute 3K Local Government. In summary, the change would prevent local governments from initiating down-zoning without the consent of the affected property owner. Lapsley's concern was the potential impact this change could have on the county's 2045 comprehensive plan.

### **COUNTY MANAGER UPDATES**

Manager Mitchell announced that the county would hold its annual budget retreat on January 15<sup>th</sup>. In closing, He also thanked the recreation staff for organizing the successful Apple Rise event on New Year's Eve.

*Motion: Vice-Chair Edney made the motion to go into Closed Session pursuant to NCGS 143.318.11(a)(4). All voted in favor, and the motion carried.*

---

Denisa Lauffer, Clerk to the Board

---

William G. Lapsley, Chairman

Approved: