

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, APRIL 18, 2018**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Mike Edney Vice-Chairman Grady Hawkins, Commissioner Tommy Thompson, Commissioner Charlie Messer, Commissioner William Lapsley, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Teresa Wilson.

Also present were: Management Assistant Megan Powell, Finance Director J. Carey McLelland, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Recreation Director Carleen Dixon, Planner Allen McNeill, Emergency Management/Rescue Coordinator Jimmy Brissie, Tax Administrator Darlene Burgess, Personal Property Appraiser Heidi Salter, Tax Office Administrative Assistant Jennifer Miranda, Captain Jim Player, Planning Director Autumn Radcliff, Sheriff's Department PIO Frank Stout, Internal Auditor Samantha Reynolds, Construction Manager David Berry, DSS Director Jerrie McFalls, Projects Engineer Natalie Berry, PIO Kathy Finotti – videotaping, and Deputies Delane Sims, Ken McCraw, Mike Marsteller and Carl Greco as security.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by County Manager Steve Wyatt.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led Commissioner Grady Hawkins.

PUBLIC HEARING

2018-51 Public Hearing for Rezoning Application #R-2018-01

Commissioner Hawkins made the motion that the Board go into Public Hearing for Rezoning Application #R-2018-01. All voted in favor and the motion carried.

Planner Allen McNeill stated Rezoning Application #R-2018-01, which was initiated on January 16th, 2018 by applicant and owners, Patty Jean Orr and Clair Orr Whitmire, requests the County rezone approximately 3.73 acres of land (thereafter the "Subject Area") from a Residential Two Rural (R2R) zoning district to a Residential One (R1) zoning district. The Subject Area is located off Holly Springs Road and Wampus Run.

The Henderson County Planning Board considered rezoning application #R-2018-01 at its regularly scheduled meetings on March 15, 2018. During the meeting, the Planning Board voted unanimously to send forward a favorable recommendation to rezone the Subject Area to a Residential One (R1) zoning district.

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42A-303 and §42A-346 (C) of the Henderson County Land Development Code and State Law, notices of the April 18, 2018, public hearing regarding rezoning application #R-2018-01 were published in the Times-News on April 5, 2018 and April 12, 2018. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the Subject Area on April 3, 2018 and posted signs advertising the hearing on the Subject Area on April 3, 2018.

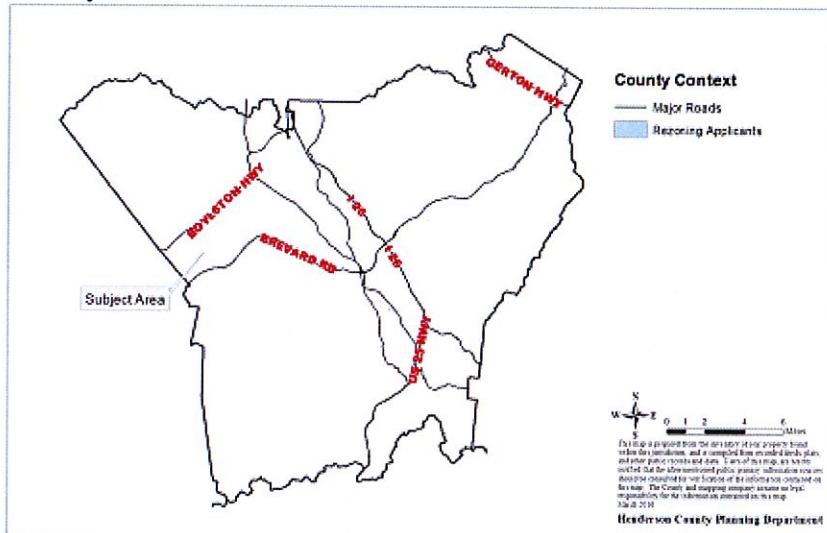
DATE APPROVED: May 7, 2018

If approved, State law requires that the Board adopt a written statement of consistency with the County Comprehensive Plan (CCP). A draft resolution was provided.

Application Summary

- Rezoning Request: R-2018-01
- Submitted on January 16th, 2018
- Applicant/Owner: Patty Jean Orr and Clair Orr Whitmire
- Rezone from Residential Two Rural (R2R) zoning district to a Residential One (R1) zoning district.
- 3.73 Acres
- 3 Parcel

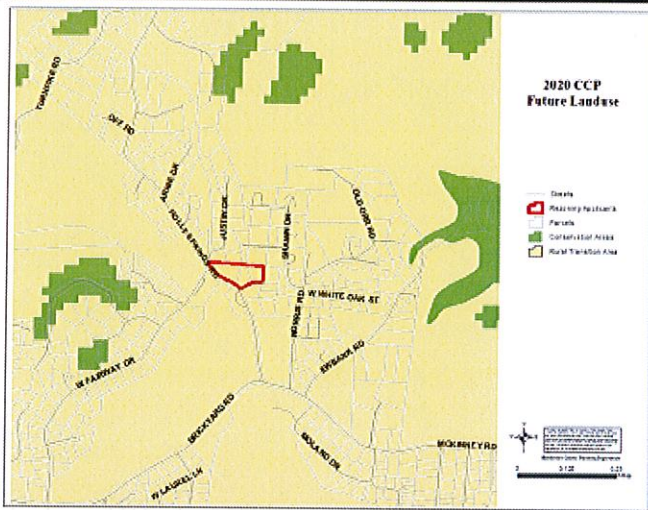
County Context



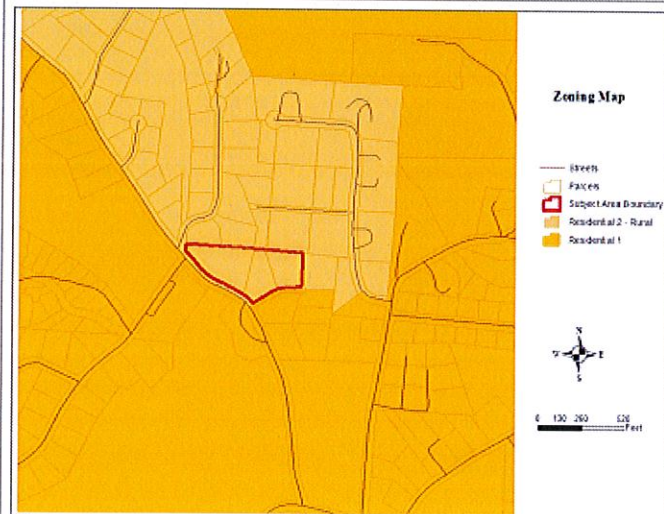
Aerial Map



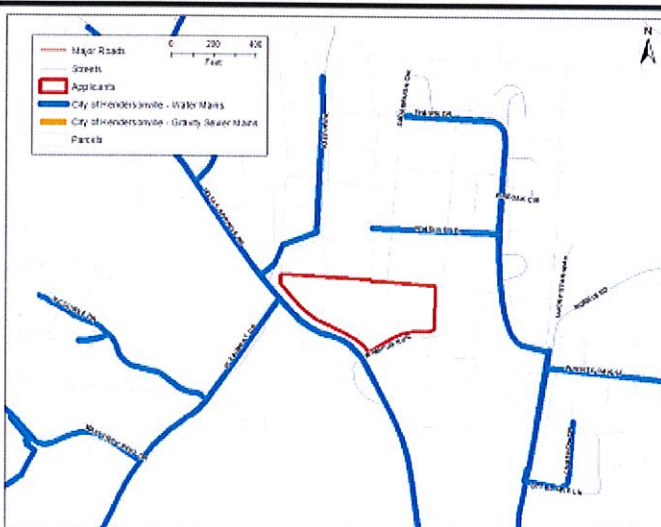
2020 CCP Future Land Use Map



Current Zoning Map



Public Utilities



Public Input

1. Susan Fernandez is opposed to the rezoning.
2. Jim Whitmire is applicant Clair Whitmire's son and stated the applicant wants to be in line with the other properties.

Commissioner Hawkins made the motion to go out of public hearing. All voted in favor and the motion carried.

Commissioner Messer made the motion that the Board adopts the resolution (2018-54) regarding the consistency with the CCP, and he further moved that the Board approves rezoning application #R-2018-01 to rezone the Subject Area to a Residential One (R1) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan and other supporting information. All voted in favor and the motion carried.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Thompson made the motion to approve Consent Agenda as presented. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Minutes

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

April 2, 2018 - Regularly Scheduled Meeting

Motion:

I move the Board approves the minutes of April 2, 2018 as presented

Tax Collector's Report

Deputy Tax Collector Luke Small had presented the Tax Collector's Report to the commissioners dated April 6, 2018 for information only. No action was necessary.

2018-52 Henderson County Historic Resource Landmark Ordinance – Interlocal Agreement with the Town of Laurel Park

On April 15, 2015, the Board of Commissioners adopted the Historic Resources Landmark Ordinance and associated design guidelines. As presented and discussed during this meeting, the Historic Resource Commission's (HRC) next phase would be to reach out to municipalities within the County without an existing Historic Preservation ordinance to determine interest for adopting the County's Ordinance within their jurisdiction. Staff has been working with the HRC's appointed Town Representatives since the adoption of the ordinance. The Town of Fletcher at its meeting on September 12, 2016 voted to adopt the County Historic Resources Landmark Ordinance by resolution, and the Board of Commissioners at its meeting on October 3, 2016 approved the interlocal agreement with the Town of Fletcher.

As a result of the HRC's efforts, the Town of Laurel Park voted to adopt the County Historic Resource Landmark Ordinance at its meeting on March 20, 2018. An interlocal agreement between the County and the Town of Laurel Park is required for the Historic Resource Commission and staff to enforce the ordinance within the jurisdiction of the Town of Laurel Park. The ordinance will be implemented and administered by the County through the HRC. The Landmark Ordinance is voluntary and no fees or costs for service are necessary at this time. Staff does not anticipate more than one to two applications per year.

Motion:

I move that the Board approves the Interlocal Agreement between Henderson County and the Town of Laurel Park for the Historic Resource Landmark Ordinance.

Petition for additions to State Road system – Falcon Wood Way

Staff received a petition to add the road to the state road system. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

Teneriffe Subdivision – Falcon Wood Way

Staff reviewed petition and it appears that all affected property owners or developers have signed the required petition.

Motion:

I move that the Board approves the petition and direct staff to forward them to NCDOT.

Petition for additions to State Road system – Riverstone Subdivision

Staff received the attached petition to add the roads to the state road system. It has been the practice of this Board to accept road petitions and forward them to NC Department of Transportation for their review. It has also been the practice of the Board not to ask NCDOT to change the priority for roads on the paving priority list.

Riverstone Subdivision – Badin Drive, New River Drive, E. Hiawassee Road, W. Swift Creek Road, E. Swift Creek Road, Alligator Drive, Tar River Road, Mud Creek Road, S. River Road, N. River Road and Catawba River Road.

Staff reviewed petition and it appears that all affected property owners or developers have signed the required petition.

Motion:

I move that the Board approves the petition and direct staff to forward them to NCDOT.

Board member appointments, Henderson County Hospital Corporation

Under the Articles of Incorporation adopted by this Board for Henderson County Hospital Corporation, a number of the seats on the Board of Directors must be filled each year, by various processes. This year the *ex officio* director who must be a member of this Board should be appointed. The Corporation's by-laws are such that the term of Directors begins the first day of the last month of the Corporation's fiscal year, which is July through June of each year.

Greg Burnette, regular director
Vivian Bolanos, regular director
Brian Cavignini, regular director
Jimmy Chandler, regular director

Motion:

I move that the Board approves the following as members of the Board of Directors of the Henderson County Hospital Corporation, all such appointments to take place effective the first day of the last month of the Corporation's fiscal year:

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Lapsley made the motion to adopt the discussion agenda with the addition of discussion of the Law Enforcement Training Center. All voted in favor and the motion carried.

NOMINATIONS

Chairman Edney recognized the vacancies and opened the floor for nominations.

Notification of Vacancies

1. Henderson County Historic Courthouse Corporation dba/Heritage Museum – 3 vac.
2. Henderson Tourism Development Authority – 1 vac.
3. Industrial Facilities and Pollution Control Financing Authority – 1 vac.
4. Nursing/Adult Care Home Community Advisory Committee – 2 vac.

Nominations

1. Equalization and Review, Henderson County Board of – Chair Appointment
Commissioner Messer nominated Robert Pierce for Chair. *Chairman Edney made the motion to accept Robert Pierce for the position of Chair by acclamation. All voted in favor and the motion carried.*
2. Hendersonville Water and Sewer Advisory Committee – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
3. Historic Resources Commission – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
4. Hospital Corporation Board of Directors – 1 vac.
Commissioner Thompson nominated Tamela Albrecht for position #6. *Chairman Edney made the motion to accept the reappointment of Tamela Albrecht to position #6 by acclamation. All voted in favor and the motion carried.*
5. Juvenile Crime Prevention Council – 4 vac.
There were no nominations at this time and this item was rolled to the next meeting.
6. Library Board of Trustees – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
7. Mountain Area Workforce Development Board – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
8. Nursing/Adult Care Home Community Advisory Committee – 9 vac.
There were no nominations at this time and this item was rolled to the next meeting.
9. Senior Volunteer Services Advisory Council – 2 vac.
There were no nominations at this time and this item was rolled to the next meeting.

LAW ENFORCEMENT TRAINING CENTER – ADD ON

County Manager Steve Wyatt stated he received a letter via email on April 17th from the Polk County Board of Commissioners, objecting to the site for the Henderson County Law Enforcement Training Center (LETC), the county is currently studying. They agree a training center is needed. Mr. Wyatt has spoken with Polk County and they are willing to work with Henderson County to find an acceptable site with possible joint ownership. The Chair of Polk County is to consult with his Board and discuss the potential.

Historically this effort started ten years ago, and 5-6 years ago a meeting with the adjoining counties was held and they discussed the need for a LETC for advanced training. The group thought it was a good idea but dropped out. It ended up being Buncombe County and Henderson County. Henderson County secured funding and Buncombe County decided to pursue their own training facility. A regional training facility with Polk County is a possibility.

Steve Wyatt stated he is willing to work with a small group of folks to see if there is a better site, and the Sheriff is open to suggestions. Mr. Wyatt has informally responded to Polk County's letter and asked the Board if they would like to formally address the letter or prefer he continue with informal discussions

regarding a possible partnership with Polk County and a memorandum of understanding.

Engineer Marcus Jones stated the due diligence expires May 30, 2018. An environmental consultant is on site, aerial photography has begun, and engineering for due diligence is in process. Less than \$10,000 has been spent, however, we must follow through with contracts. He can provide a preliminary report within 2 weeks at the May 7th meeting.

Chairman Edney requested the county attorney see what must be done legally to stop the title work and the cost to do so.

County Manager Steve Wyatt suggested the Board authorize the Chairman to respond to Polk County's letter and work with staff to draft an official letter offering Polk County Board of Commissioners an opportunity to work with Henderson County and address the issue.

It was the consensus of the Board that the LETC be placed on the May 16, 2018 agenda with the Sheriff.

OPIOID TASK FORCE UPDATE

The County Manager provided the Board with an update on the Opioid Task Force. Mr. Wyatt stated at the last meeting the Board discussed a logical and planned response to the event of the previous week where the Board participated along with many people in the community in a day long workshop on the issue of the opioid crisis in Henderson County, North Carolina, and the United States. Subsequent to that the author of Dreamland, Sam Quinones, came and presented to a thousand people from across Western North Carolina about the history of the opioid crisis and how it got here, and what can be done.

In moving forward discussion was about how you get a hold of that issue. At the Board's last meeting it was determined to form a opioid task force. The Board asked staff to move forward with that and place it on this agenda. Mr. Wyatt feels the Board needs to provide a charge to that task force to analyze the causes and effects of opioid abuse in Henderson County, and recommend in priority order actions to be taken by the community to attack both. Whenever the Board sees fit to establish the charge, a committee would be established and be given the charge. A timeframe would be necessary with a finite expectation of when those priority expectations will be back. Individual discussions have been held with commissioners regarding the types of folks representing different elements of the community which might be good and appropriate to serve on that committee. We have discussed what the appropriate number of members of the task force is for manageability of the task and the ability to pursue that. Twelve to fifteen members has been the general consensus.

Commissioner Lapsley stated he does not feel it is this Board's role to manage dealing with this issue, but to make sure that the community, including all various organizations dealing with portions of this are working together. He does not support the government jumping in and trying to be the answer to all problems. He does feel for our community we must monitor what is going on and to make sure we are addressing the problem. This Board is probably not aware that the Board of Health, a number of months ago, entered into a Memorandum of Understanding (MOU) with eighteen different units involved in mental health and substance abuse in our county. This MOU is entitled Henderson County System of Care Mental Health and Substance Abuse. The entities that have agreed to work together on these issues are Pardee Hospital, Parkridge Health, United Way, HC Department of Public Health, HC Department of Social Services, HC Public Schools, Blue Ridge Community Health Services, HC Sheriff's Office, Family Preservation Services, District Attorney, Smart Foundation, Free Clinics, Hope RX, Thrive, the Community Foundation, Vaya Health, Safelight, and the Council on Aging.

Mr. Lapsley feels we have the makings of a committee wide group already in place. He feels rather than

this Board establishing another group, the appropriate thing to do is for this Board to appoint one of our members to join this group as a liaison and do what we can to encourage this community effort, and expedite their emphasis on this opioid problem. The time table is important.

Chairman Edney feels we need to be in a position to help. If this mechanism is working we can explore it.

Commissioner Thompson feels there are others that need to be involved, such a municipalities, Blue Ridge Community College security, Laurel Park security, etc.

Commissioner Lapsley will meet with this group and bring back an assessment to the Board in 30-60 days depending on their meeting schedule. We may need to help them financially.

It was the consensus of the Board for Commissioner Lapsley to meet with this task force, analyze the situation, and bring back a report to the Board in 60 days.

PARKS & RECREATION TRUST FUND GRANT APPLICATION FOR JACKSON PARK

John Mitchell stated the 2017-2018 grant cycle is underway for the NC Parks and Recreation Trust Fund (PARTF). This state funded grant program for development of parks is the primary source of funding to build and renovate facilities in the state. The PARTF grant program provides dollar-for-dollar grants to local governments up to \$500,000. The current grant cycle is due May 1, 2018.

At the Direction of the Board of Commissioners, this item is returned to the agenda for additional discussion. After meeting with members of the Board individually, the consensus was to not make application this cycle.

Chairman Edney stated he feels the Board does not support the projects in the last grant.

John Mitchell feels this Board has indicated they would like for youth baseball tournaments to be brought into Henderson County. The new Recreation Director Carleen Dixon is an expert on making this happen.

Parks and Recreation Director Carleen Dixon stated there are other options available. Instead of converting field 4 and shortening field 6 they have looked at grand slam fencing that enables you to put up shorter fencing and take it down to host different tournaments and different field sizes for different age groups.

Commissioner Lapsley made the motion that the application for the PARTF Grant be denied and not submitted. All voted in favor and the motion carried.

2018-53 GUARANTEED MAXIMUM PRICE – EDNEYVILLE ELEMENTARY SCHOOL

John Mitchell stated in order for school to begin on time for the Fall 2019 term, Beverly Grant/Barnhill was hired as Construction Manager at Risk for the Edneyville Elementary School project.

The Construction Manager at Risk (CMR) process includes a Guaranteed Maximum Price (GMP) and a CMR Contract. The GMP is an attachment to the CMR contract, and also includes the General Conditions. These documents are required by state law and have been reviewed by the Capital Projects manager and the County's Architect of Record.

The final GMP is within the accepted Total Project Budget, and does include the upsized gym requested by the Board. Staff has worked closely with school administration.

Construction Manager David Berry stated this is the contract for the construction part of the overall project with a GMP of \$21,400,000, a portion of the overall budget approved by the Board. Should the Board approve the contract and recommend that we move forward, the plan is to put up a construction fence around the site as early as the school folks will allow. Once that is done we have a bid date of May 2nd and firm up all bids with the subcontractors and expect the number to be exactly what you have before you. The substantial completion for this project is not changed. It will be not to go beyond August 1, 2019. The demolition of the old school will probably not be complete until the spring of 2020. The total budget is \$24,996,000 and includes the architect, reconstruction fees, surveying, permitting, GEO Tech, testing, furniture fixtures and equipment, and an owner's contingency of \$589,000.

Commissioner Lapsley would like to reconfirm that the GMP does not include any funds for a sewer system related to this school.

Chad Roberson of Clark Nexsen stated that there is an allowance of \$250,000 in there to address the existing system on site, but no other funding.

Commissioner Lapsley is concerned with the number relating to liquidated damages. It is important to note that construction cannot begin until school is out this year, but we also have a target date to complete this project. Timing is critical, and if the project is not done by the August 2019 deadline, it becomes a logistical nightmare. It is crucial that this project be completed on time. Liquidated damages is a mutually agreed number between the owner and the contractor so if the deadline isn't reached, that there is an agreed upon number between the parties. This contract shows \$1,000 per day. We as the owner need to provide every motivation we can to get them to complete the project on time. This number is too low. \$5,000 per day is reasonable.

The Contractor feels \$5,000 per day is high. This may cause the bids to come in higher. They would entertain something between the \$1000 and \$5000 per day.

John Bryant stated the School Board has reviewed the individual plans themselves as we move forward toward the final construction phase of the preconstruction stage. The final designs have not been presented to the Board as a whole yet in a public meeting. They have looked at them in individual cases as we moved through. All are very pleased with where we stand at this point.

Commissioner Lapsley made the motion that the Board of Commissioners approves the Construction Manager at Risk Contract and accept the Guaranteed Maximum Price with the amendment of Liquidated Damages at \$2,000 per day. All voted in favor and the motion carried.

BALFOUR PARKWAY PRESENTATION

NCDOT is working on project development, including environmental and engineering studies for the Balfour Parkway (STIP Project Number R-5744). The new four-lane, divided median roadway will provide an east-west connection between NC 191 (Haywood Road) and US 64 East (Chimney Rock Road). The Balfour Parkway consist of three sections or phases. Section B, which would connect US 25 Business (Asheville Highway) to I-26 has been funded, and the entire project length must be studied to determine the location of the proposed new roadway. The study area for this project includes several alternatives within identified 1,000 foot wide corridors. The anticipated right of way is anticipated to be approximately 250 feet.

In light of the input received at the February 2018 public meeting and feedback from the public following the meeting, NCDOT has updated/expanded the draft elimination recommendations for alternatives to be

studied in detail in order to narrow route options as soon as possible. This draft information is subject to change, pending review and input from agency partners, local officials and the public.

NCDOT is in the planning and design stages of the project and has been seeking public input in these early stages of the project development. The Board requested that NCDOT provide a presentation and work session on the Balfour Parkway proposal.



NORTH CAROLINA
Department of Transportation



Balfour Parkway

STIP Project R-5744 – Local Officials Informational Meeting

Henderson County Board of Commissioners

April 18, 2018

Agenda

- Introductions
- Planning Process & Schedule
- Project History
- Role of Local Officials
- Funding
- Need for the Project
- Purpose Statement
- Screening Criteria
- Preliminary Alternatives
- DRAFT Elimination Recommendations

Project Planning Process & Schedule

	Major Milestones	Timeframe
	Project Scoping (Initial data collection)	Complete
	Identify the Project's Purpose and Need	Complete
	Develop Preliminary Alternatives	Complete
	Hold Public Meeting	Complete
	Select Alternatives for Detailed Study & Design	Spring 2018 to Summer 2018
	Conduct Detailed Environmental Analysis	Summer 2018 to Summer 2019
	Prepare Environmental Document	Summer 2019 (FY 2020*)
	Hold Public Hearing	Fall 2019
	Select the Preferred Alternative and Approve Environmental Decision Document	Late 2020 (FY 2021*)
	Start Purchasing Property (right-of-way acquisition)	FY 2022* Section B (U.S. 25 Business to I-26)
	Begin Construction	FY 2024* Section B (U.S. 25 Business to I-26)

with local officials, public meetings, community group meetings, mailings and updates to the project website.

*The State's Fiscal Year (FY) runs from July 1 in the prior year through June 30 in the same year.

Project History

- **2002 / 2003** – Need for Balfour Parkway identified
- **2005** – French Broad River MPO 2030 Long Range Transportation Plan
- **2008** – Comprehensive Transportation Plan (CTP) - French Broad River MPO
- **2010** – 2035 French Broad River MPO Long Range Transportation Plan
- **2012** – French Broad River MPO adopts recommendations
- **2014** – NCDOT Feasibility Study
- **2015** – 2040 French Broad River MPO Metropolitan Transportation Plan and NCDOT's Strategic Planning Office of Transportation (SPOT) evaluation
- **2016** – State Transportation Improvement Program (STIP)

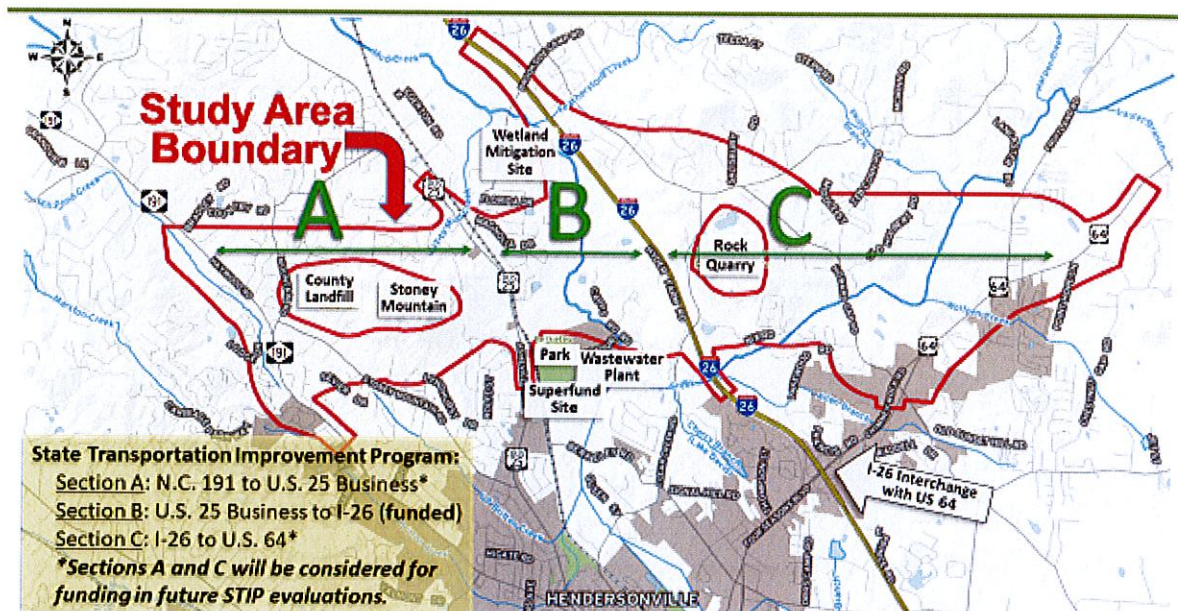


Balfour Parkway is listed as a
“highest priority project”
in the Comprehensive Transportation Plan
(French Broad River MPO).

Balfour Parkway was identified as the
“#1 Transportation Priority”
for the City of Hendersonville.

Local Officials

- Henderson County Transportation Advisory Committee
 - Reports to the Henderson County Board of Commissioners (BOC)
 - Advises the BOC and the French Broad River MPO
 - Transportation within Henderson County
 - Funding Sections A and C in the State Transportation Improvement Program
- Recommendations for Selection of the Detailed Study Alternatives and the Preferred Alternative
- Project Enhancements like a Multi-use Path



Project Need

Lack of east-west connectivity in Henderson County

- Local topography
- I-26 (east-west barrier)
- U.S. 25 Business and U.S. 64 are congested
- Limited number of other roadways allow east-west travel:
 - local roads
 - two-lane roadways
 - indirect routes
 - multiple turning movements
 - lower travel speeds
 - at-grade railroad crossing
- Inefficient existing routes (for all motorists, including large trucks)

Project Purpose



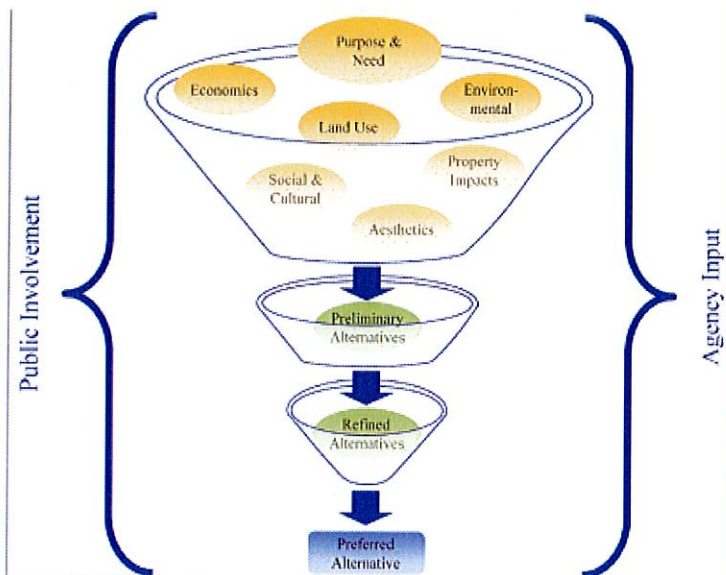
Improve east-west vehicular mobility

in Henderson County
 by providing a connection
 (with limited control of access)
 between N.C. 191 and U.S. 64
 north of Hendersonville

Screening Criteria

Alternatives considered for the project must:

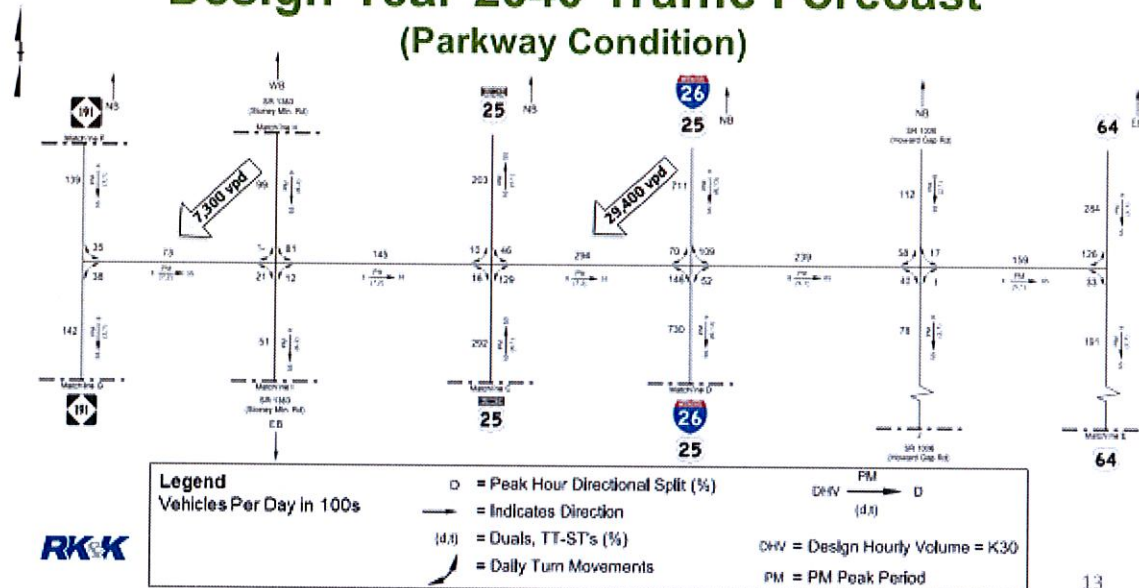
- provide an interchange along I-26 with the new roadway that maintains a minimum 1-mile distance from any interchange;
- only provide access at intersections and interchanges along the proposed roadway with existing streets (i.e. there would be no individual driveways); and
- achieve a minimum level of service D (for intersections overall and the mainline during peak hour, design year conditions) for the proposed roadway.



Develop & Narrow Alternatives

- Achieve the Project Purpose and Screening Criteria
- Consider Community and Environmental Resource Impacts
- Address Public, Local Officials, and Agency Input
- Obtain concurrence through the Section 404 Clean Water Act / NEPA Merger Process

Design Year 2040 Traffic Forecast (Parkway Condition)



DRAFT: Elimination Recommendations

Coordination with Agency Partners is Upcoming

- **Community Cohesion (Longevity, Size, Level of Opposition) & Lack of Avoidance and Minimization**
 - Corridor 1 - Section B (**orange**),
 - Crossover 1 (**dark blue**) and
 - Crossover 2 (**dark pink**)

Please Note: If Corridor 1 - Section B (**orange**) and Crossover 1 (**dark blue**) are eliminated, Corridor 1B (**red**) and Corridor 1 - Section A (**orange**) would also be eliminated as a result because they would no longer have a connection to the remainder of the route options.

Balfour Parkway Mainline (construction footprint + 40 feet)
DRAFT: Elimination Recommendations are Identified with Red or Blue Asterisks
Coordination with Agency Partners is Upcoming

The draft recommendations are based on the lack of impact avoidance and minimization opportunities to ***4(f) historic sites** or ****community cohesion** (longevity, size and level of opposition)

	Length (miles)	Homes	Businesses	Streams (linear feet)	Wetlands (acres)	
Corridor 1 - Sec. A, B, C, D, E	6.55	145	1	5,836	1.60	*Alternative 1**
Corridor 1 - Sec. A, B, C	5.78	130	1	6,126	1.38	*Alternative 2**
Corridor 1 - Sec. A	5.00	110	7	4,846	0.14	*Alternative 3**
Corridor 1 - Sec. A	5.23	117	7	5,413	0.43	*Alternative 4**
Corridor 1 - Sec. A	6.05	147	7	5,118	0.72	*Alternative 5**
Corridor 1 - Sec. A	5.27	133	7	5,411	0.50	*Alternative 6**
Corridor 1B - Sec. A	6.35	143	1	6,610	1.49	Alternative 7**
Corridor 1B - Sec. A	5.58	128	1	6,900	1.27	Alternative 8**
Corridor 1B - Sec. A	4.80	108	7	5,619	0.03	Alternative 9**
Corridor 1B - Sec. A	5.03	115	7	6,186	0.32	Alternative 10**
Corridor 1B - Sec. A	5.85	145	7	5,891	0.61	Alternative 11**
Corridor 1B - Sec. A	5.07	131	7	6,184	0.39	Alternative 12**

Alternatives that are studied in detail will be evaluated on a full list of topics in the Environmental Assessment. The assessment will also include a more detailed level of design, which will include but is not limited to new interchanges, intersections, intersecting streets, access changes and other improvements associated with the proposed project.

Balfour Parkway Mainline (construction footprint + 40 feet)
DRAFT: Elimination Recommendations are Identified with Red or Blue Asterisks
Coordination with Agency Partners is Upcoming

The draft recommendations are based on the lack of impact avoidance and minimization opportunities to ***4(f) historic sites** or ****community cohesion** (longevity, size and level of opposition)

	Length (miles)	Homes	Businesses	Streams (linear feet)	Wetlands (acres)	
Corridor 2 - Sec. A, B1 (north), B2 (north), C, D	4.65	92	2	7,679	0.34	Alternative 13
Corridor 2 - Sec. A, B (south), D	4.50	73	2	8,168	1.89	*Alternative 14
Corridor 2 - Sec. A	6.27	142	2	8,280	1.72	Alternative 15**
Corridor 2 - Sec. A	5.50	127	2	8,570	1.50	Alternative 16**
Corridor 2 - Sec. A, B1 (north), B2 (north)	5.70	129	2	7,951	0.92	Alternative 17
Corridor 2 - Sec. A, B1 (north), B2 (north)	4.92	115	2	8,244	0.70	Alternative 18
Corridor 2 - Sec. A, B (south)	5.55	137	2	8,440	2.47	*Alternative 19
Corridor 2 - Sec. A, B2 (south)	4.77	123	2	8,751	2.25	*Alternative 20
Corridor 2 - Sec. A, B1 (north), B2 (north), C	4.88	99	2	8,246	0.63	Alternative 21
Corridor 2 - Sec. A, B (south)	4.73	80	2	8,735	2.18	*Alternative 22
Corridor 2 - Sec. A, B1 (north)	6.30	135	3	8,819	1.76	Alternative 23
Corridor 2 - Sec. A, B1 (north)	5.53	120	3	9,109	1.54	Alternative 24

Alternatives that are studied in detail will be evaluated on a full list of topics in the Environmental Assessment. The assessment will also include a more detailed level of design, which will include but is not limited to new interchanges, intersections, intersecting streets, access changes and other improvements associated with the proposed project.

Section 4(f) of the Department of Transportation Act of 1966

Before approving a project that uses Section 4(f) property, FHWA must:

- determine that there is no feasible and prudent alternative that avoids the Section 4(f) properties and that the project includes all possible planning to minimize harm to the Section 4(f) properties; or,
- FHWA makes a finding that the project has a de minimis (minor) impact on the Section 4(f) property.

Section 106 of the National Historic Preservation Act

- Historic properties are an important and valued part of many communities, contributing to a sense of place and identity.
- Section 106 of the National Historic Preservation Act requires that projects receiving federal funds consider effects on historic properties.

Section 4(f)

- A minor impact (de minimis call) under Section 4(f) requires a “no adverse effects” determination by the State Historic Preservation Office.

Section 4(f) Resources

7 Historic Sites are Inside the Study Area

4 Historic Sites are Inside the Corridors/Crossovers

- Moss-Johnson Farm
-  • **Allen-Jamison House (Corridor 1-Section A)**
- Henderson County Home
-  • **Hyder Dairy Farm (Crossover 1 & Corridor 2-B2 (north))**
-  • **Sholtz-Cantrell Estate (Crossover 1, Corridor 2-B2 (north) & Corridor 2-Section B (south))**
-  • **Saint Mary’s Chapel (Corridor 2-Section D)**
- Corn-Rhodes House

DRAFT: Elimination Recommendations

Coordination with Agency Partners is Upcoming

- Section 4(f) DOT Act Resource Impacts
 - Allen-Jamison House, Corridor 1-Section A, (Alts. 1-6)
 - Sholtz-Cantrell Estate, Corridor 2-Section B (south) (Alts. 14, 19, 20 & 22)



Potential 4(f) Resource Avoidance/Minimization

Hyder Dairy Farm

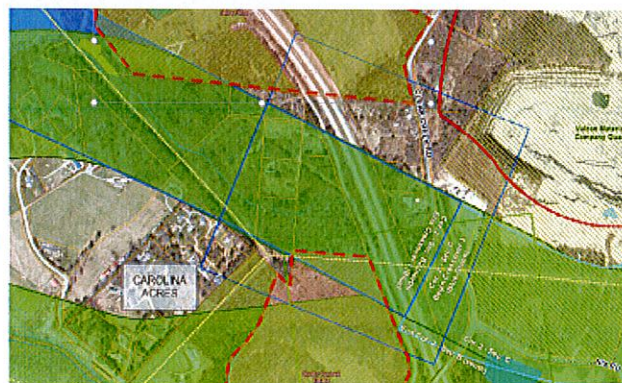
- Corridor 1-Section C



Potential 4(f) Resource Avoidance/Minimization

Hyder Dairy Farm & Sholtz-Cantrell Estate

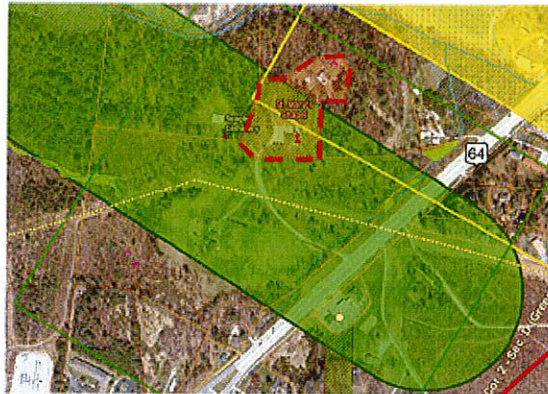
- Crossover 1
- Corridor 2-Section B2 (north)



Potential 4(f) Resource Avoidance/Minimization

Saint Mary's Chapel

- Corridor 2-
Section D



DRAFT: Elimination Recommendations

Coordination with Agency Partners is Upcoming

- Interchanges with N.C. 191 and U.S. 64
 - All Alternatives
 - Intersections have less impacts and a lower cost than interchanges
 - Intersections achieve LOS of D (or better), 2040 design year peak hours

Project Website

<https://www.ncdot.gov/projects/BalfourParkway/>

Interactive Mapping Tool

<http://rkk.maps.arcgis.com/apps/webappviewer/index.html?id=f0264d48df8d4090b72d8e4784fc3a1e>

INFORMAL PUBLIC COMMENT – BALFOUR PARKWAY

1. Lynn VanBortel lives in the Greystone community. One-third of the residents of Greystone are 90 years of age and/or disabled seniors. She is opposed to the Balfour Parkway.
2. Richard Mihalik is being hit with both the Balfour Project and the I-26 widening. The VA has handicap proofed his home and will only do this once. He is opposed to the Balfour Parkway.
3. Bill Burchill feels traffic problems are more north and south than east and west. He is opposed to the Balfour Parkway.
4. Lori Jabetzu said with condemnation, it must be proved that it is for the better of the public. She is opposed to the Balfour Parkway.
5. Bill Erickson has provided an alternative project in which he feels would fix the problem. He is opposed to the Balfour Parkway.

6. Ken Fitch asked the Board to make maps of the Balfour Parkway available at the Library. He is opposed to the Balfour Parkway.

INFORMAL PUBLIC COMMENT – OTHER

1. Linda Miller thanked the Board for school security. She feels we need cameras, single entry, social workers and school resource officers at every school. She asked that school funds be increased.
2. Dennis Justice asked that middle schools not be allowed to take over the Blue Ridge Community College baseball field. Blue Ridge Community College needs a gymnasium and our fields at Jackson Park need repair.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.

Chairman Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

Commissioner Lapsley made the motion to go out of closed session and return to open session. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENT – LAW ENFORCEMENT TRAINING CENTER (LETC)

1. Tom McHugh is opposed to the LETC on Macedonia Road.
2. Nancy Wilson is opposed to the LETC on Macedonia Road.
3. James Hrynshyn is opposed to the LETC on Macedonia Road.
4. Sara Bell is opposed to the LETC on Macedonia Road.
5. Alex Harvey is opposed to the LETC on Macedonia Road.
6. Cathy Jackson is opposed to the LETC on Macedonia Road.
7. Patricia Roskens is opposed to the LETC on Macedonia Road.
8. James Bergin is opposed to the LETC on Macedonia Road.
9. Susan McHugh is opposed to the LETC on Macedonia Road.
10. Dianne Arbour is opposed to the LETC on Macedonia Road.
11. Shirley Johnson is opposed to the LETC on Macedonia Road.
12. Carol Propest is opposed to the LETC on Macedonia Road.
13. Frank Stransky is opposed to the LETC on Macedonia Road.
14. Jacques Bourgeois is opposed to the LETC on Macedonia Road.
15. Jason Serres is opposed to the LETC on Macedonia Road.
16. Lynn Casey is opposed to the LETC on Macedonia Road.
17. John McHugh is opposed to the LETC on Macedonia Road.
18. Melanie Talbot is opposed to the LETC on Macedonia Road.
19. Robert Anderson is opposed to the LETC on Macedonia Road.
20. Ben Iobst is opposed to the LETC on Macedonia Road.
21. Claude Boissen is opposed to the LETC on Macedonia Road.
22. Carl McMurray is opposed to the LETC on Macedonia Road.
23. Annie Hall is opposed to the LETC on Macedonia Road.
24. Steve Breckheimer is opposed to the LETC on Macedonia Road.
25. Katrina Thissen is opposed to the LETC on Macedonia Road.
26. David Foti is opposed to the LETC on Macedonia Road.

27. Michael Case is opposed to the LETC on Macedonia Road.
28. Anita Ernest is opposed to the LETC on Macedonia Road.
29. Rachel Militane is opposed to the LETC on Macedonia Road.
30. Lydia Cardinal is opposed to the LETC on Macedonia Road.
31. Henry Parmalee is opposed to the LETC on Macedonia Road.
32. William Moers is opposed to the LETC on Macedonia Road.
33. Katie Breckheimer is opposed to the LETC on Macedonia Road.
34. Jamie Oxley is opposed to the LETC on Macedonia Road.
35. James Mickson is opposed to the LETC on Macedonia Road.
36. Jerry Garfinkle is opposed to the LETC on Macedonia Road.
37. Shane Benedict is opposed to the LETC on Macedonia Road.
38. Susan Casey is opposed to the LETC on Macedonia Road.
39. Kara Moers is opposed to the LETC on Macedonia Road.
40. Patricia Shelay is opposed to the LETC on Macedonia Road.
41. Allison Keenan is opposed to the LETC on Macedonia Road.
42. Scott Cardais is opposed to the LETC on Macedonia Road.
43. Scott McCrary is opposed to the LETC on Macedonia Road.
44. Michael Fisches is opposed to the LETC on Macedonia Road.
45. Jim Boyle is opposed to the LETC on Macedonia Road.
46. Donna Rhodes is opposed to the LETC on Macedonia Road.
47. Phil Blackstone is opposed to the LETC on Macedonia Road.
48. Amos Dawson is opposed to the LETC on Macedonia Road.
49. Gray Jernigan is opposed to the LETC on Macedonia Road.
50. Jane Pulling is opposed to the LETC on Macedonia Road.

ADJOURN

Commissioner Hawkins made the motion to adjourn at 3:30 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

J. Michael Edney, Chairman

DURING THE APRIL 18, 2018 MEETING, THE BOARD ENACTED THE FOLLOWING:

2018-51 Rezoning Application #R-2018-01

2018-52 Henderson County Historic Resource Landmark Ordinance – Interlocal Agreement with the Town of Laurel Park

2018-53 Guaranteed Maximum Price – Edneyville Elementary School



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

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

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2018-01; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on April 18th, 2018; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

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

1. That the Board reviewed the proposed map amendment (#R-2018-01 applicant/agent Patty Jean Orr and Clair Orr Whitmire) and finds that it is reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

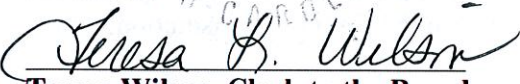
THIS the 18th day of April, 2018.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY:


J. MICHAEL EDNEY, Chairman

ATTEST:


Teresa Wilson, Clerk to the Board

[COUNTY SEAL]

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PHONE: (828) 697-5595 | FAX: (828) 698-6153

Henderson County Board of Commissioners

1 Historic Courthouse Square, Suite 1

Hendersonville, NC 28792

Friday, April 06, 2018

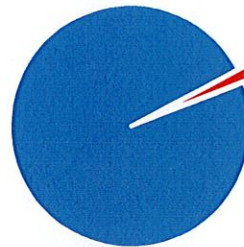
Re: Tax Collector's Report to Commissioners - Meeting Date April 18, 2018

Please find outlined below collections information through April 5, 2018 for the 2017 real and personal property bills mailed on August 4, 2017. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2017 Beginning Charge:	\$71,438,447.20
Discoveries & Imm. Irreg.:	\$556,829.59
Releases & Refunds:	(\$637,798.28)
<u>Net Charge:</u>	<u>\$71,357,478.51</u>
Unpaid Taxes:	\$1,345,406.40
Amount Collected:	\$70,012,072.11

Paid
98.11%



Unpaid
1.89%

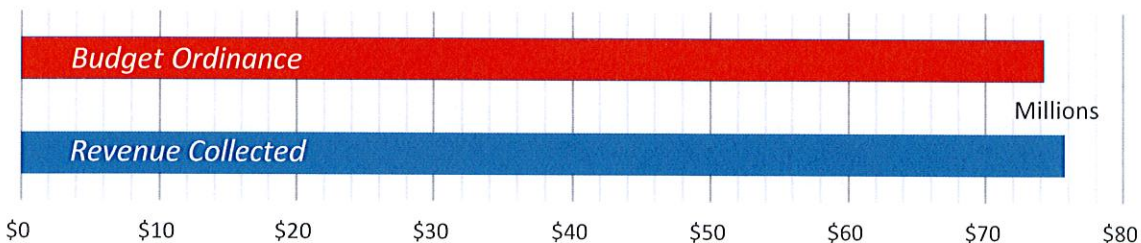
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$4,589,741.62
Unpaid Taxes:	\$17,369.19
Amount Collected:	\$4,572,372.43

99.62%

Henderson County FY18 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$72,826,301.00	Ad Valorem: \$74,584,444.54
Prior Years:	\$1,405,000.00	Prior Years: \$1,126,871.43
Budget Total:	\$74,231,301.00	YTD Revenue: \$75,711,315.97



Respectfully Submitted,

Luke Small
Deputy Tax Collector

Darlene Burgess
Tax Administrator

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

INTERLOCAL AGREEMENT

THIS AGREEMENT, made this the 20th day of March 2018 by and between Henderson County, hereinafter "the County", a body politic and corporate by the State of North Carolina, and the Town of Laurel Park, hereinafter "Town", a duly incorporated municipal corporation and body politic.

WITNESSETH:

WHEREAS the County and Town have adopted the County's Preservation of Historic Resources Ordinance, hereinafter "Ordinance" and the related design standards;

WHEREAS County staff, tax department, boards and Board of Commissioners are responsible for the approval of historic properties and enforcement of the Ordinance; and

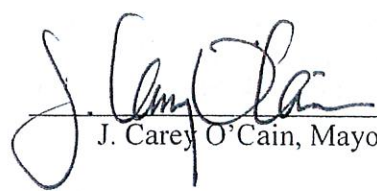
WHEREAS County and Town are desirous of collaborating on the implementation of this Ordinance in the incorporated and unincorporated areas;

NOW, THEREFORE THIS AGREEMENT, that for and in consideration of the mutual promises and other good and valuable consideration as provided for herein below, the parties mutually agree as follows:

- 1) Town agrees to adopt the Ordinance and its design standards. Future amendments or changes to this Ordinance must be presented to and approved by the Town Council.
- 2) Henderson County will provide the following services:
 - a. Review applications
 - b. Work with applicants
 - c. Notify the Town of pending applications
 - d. Prepare materials for Historic Resource Committee, Henderson County Zoning Board of Adjustment and Board of County Commissioners
 - e. Notify tax department when properties are designated
 - f. Enforce Ordinance on participants
- 3) Town permits Henderson County, in conjunction with the Town Manager and Town Council, to enforce the Ordinance on participants within municipal boundaries.
- 4) Henderson County will keep any and all fees collected related to this Ordinance.
- 5) Town and County will work together to promote historic sites, give technical assistance to protect historic properties, and provide information regarding historic properties, upkeep, and designation.
- 6) This Agreement may be revoked by either party with 30-days written notice.

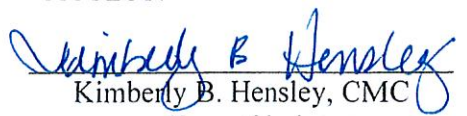
In witness hereof, all parties have caused this Interlocal Agreement to be duly approved, spread upon the minutes of each, and to be executed in duplicate, each to have the force and effect of an original.

FOR THE TOWN OF LAUREL PARK



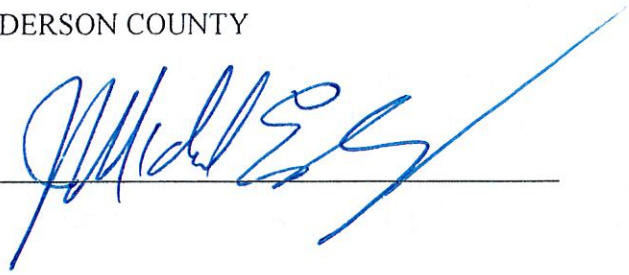
J. Carey O' Cain, Mayor

ATTEST:



Kimberly B. Hensley, CMC
Town Clerk

HENDERSON COUNTY

BY: 

Town of Laurel Park

J. CAREY O'CAIN, Mayor
ROBERT O. VICKERY, Commissioner
and Mayor Pro Tem
NANCY P. MCKINLEY, Commissioner
A. PAUL HANSEN, Commissioner
GEORGE W. BANTA, Commissioner

ALISON L. ALEXANDER, Town Manager
KIMBERLY B. HENSLEY, CMC, Town Clerk
BOBBIE K. TROTTER, Chief of Police
ANDREW D. GRIFFIN, Public Works Superintendent
SHARON B. ALEXANDER, Town Attorney

Res. 2018-2

RESOLUTION OF THE TOWN OF LAUREL PARK AUTHORIZING THE ENFORCMENT OF THE HENDERSON COUNTY HISTORIC LANDMARK ORDINANCE WITHIN LAUREL PARK

WHEREAS Laurel Park seeks to cooperate with other governing bodies to safeguard the heritage of the County by preserving landmarks therein that embody important elements of its culture, history, architectural history, or prehistory;

WHEREAS Henderson County passed the Preservation of Historic Resources Ordinance, hereinafter "the Ordinance" and this Ordinance recognizes historic properties in the County;

WHEREAS municipalities may adopt this Ordinance and related design standards to protect historic properties within their boundaries; and

WHEREAS Henderson County is desirous of encouraging the protection of historic properties and the creation of a list of all historic properties within Henderson County.

NOW, THEREFORE, BE IT RESOLVED by the Laurel Park Town Council as follows:

1. Laurel Park, through resolution of its governing body, adopts the Ordinance and related design standards.
2. Henderson County, through its Historic Resources Committee Staff Liaison, will provide Laurel Park services under the Ordinance. These services include review of applications, communications with property owners, municipality, and tax department, and present applications to the Historic Resources Committee. The Staff Liaison will also prepare of materials for the Zoning Board of Adjustment, and the Board of Commissioners who approve all applications.
3. Laurel Park will permit Henderson County to enforce the Ordinance within municipal boundaries, as outlined in the Interlocal Agreement.
4. Laurel Park will provide assistance to the County's Staff Liaison when possible or necessary.

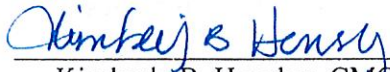
5. This resolution will be effective upon the date of adoption, and Laurel Park adopts any future amendments or changes to the Ordinance. To revoke the Ordinance, the Municipality must adopt a revocation resolution and notify Henderson County.

Adopted this 20th day of March 2018.



J. Carey O'Cain, Mayor

ATTEST:



Kimberly B. Hensley, CMC
Town Clerk

D. Marche Pittman
County Manager

Jana L. Berg
County Attorney

Angé High
Clerk to the Board
Assistant to Manager



Jake H. Johnson
Chairman

Myron L. Yoder
Vice-Chairman

Shane Bradley
Commissioner

Ray D. Gasperson
Commissioner

Tommy W. Melton
Commissioner

April 17, 2018

Via Email: swyatt@hendersoncountync.org

Henderson County
Board of Commissioners
c/o Steve Hyatt, County Manager
1 Historic Courthouse Square
Hendersonville, NC 28792

Dear Board of Commissioners,

We were recently made aware that Henderson County has contracted to purchase property for the purpose of constructing and operating an outdoor shooting range. The property under contract is in close proximity to or abutting the Green River Game Lands, the Green River, the City of Saluda and Polk County.

We would like to encourage the leaders of Henderson County to ensure that an open line of communication is established and maintained with both the surrounding property owners, as well as the impacted property owners in both Polk and Henderson County. Further, we would ask that since this site is so close to the Polk/Henderson County line, that you involve us in the communication, so that we may get the information out to our citizens that will be impacted by this decision in a timely manner.

Additionally, it is our position that the proposed location is especially unsuitable for a shooting range due to its close proximity to residences, eco-tourism related businesses, pristine natural resources and wildlife. Like the city of Saluda, we would like to express our opposition to the placement of the gun range at this site and request that prior to proceeding with this project, Henderson County obtain professional studies on the noise likely to be generated by the shooting range and other impacts it will have on the environment, local residents and businesses.

April 17, 2018
Henderson County Board of Commissioners
Page Two

We certainly understand the need for facilities that train law enforcement officers, but our objective is to not damage, harm, or impact economic development or tourism in Polk and Henderson Counties. We appreciate your consideration and thank you for your choice to serve all of the citizens of Henderson County.

Sincerely,

POLK COUNTY BOARD OF COMMISSIONERS


Jake H. Johnson, Chairman


Myron L. Yoder, Vice-Chairman


Shane Bradley, Commissioner


Ray D. Gasperson, Commissioner


Tommy W. Melton, Commissioner